40th Statewide Investigating Grand Jury
REPORT 1
Interim--Redacted

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I. Introduction

We, the members of this grand jury, need you to hear this. We know some of you have heard some of it before. There have been other reports about child sex abuse within the Catholic Church. But never on this scale. For many of us, those earlier stories happened someplace else, someplace away. Now we know the truth: it happened everywhere.

We were given the job of investigating child sex abuse in *six* dioceses – every diocese in the state except Philadelphia and Altoona-Johnstown, which were the subject of previous grand juries. These six dioceses account for 54 of Pennsylvania's 67 counties. We heard the testimony of dozens of witnesses concerning clergy sex abuse. We subpoenaed, and reviewed, half a million pages of internal diocesan documents. They contained credible allegations against over *three hundred* predator priests. Over *one thousand* child victims were identifiable, from the church's own records. We believe that the real number – of children whose records were lost, or who were afraid ever to come forward – is in the thousands.

Most of the victims were boys; but there were girls too. Some were teens; many were pre-pubescent. Some were manipulated with alcohol or pornography. Some were made to masturbate their assailants, or were groped by them. Some were raped orally, some vaginally, some anally. But all of them were brushed aside, in every part of the state, by church leaders who preferred to protect the abusers and their institution above all

As a consequence of the coverup, almost every instance of abuse we found is too old to be prosecuted. But that is not to say there are no more predators. This grand jury has issued presentments against a priest in the Greensburg diocese and a priest in the Erie Diocese, who has been sexually assaulting children within the last decade. We learned of these abusers directly from

their dioceses – which we hope is a sign that the church is finally changing its ways. And there may be more indictments in the future; investigation continues.

But we are not satisfied by the few charges we can bring, which represent only a tiny percentage of all the child abusers we saw. We are sick over all the crimes that will go unpunished and uncompensated. This report is our only recourse. We are going to name their names, and describe what they did – both the sex offenders and those who concealed them. We are going to shine a light on their conduct, because that is what the victims deserve. And we are going to make our recommendations for how the laws should change so that maybe no one will have to conduct another inquiry like this one. We hereby exercise our historical and statutory right as grand jurors to inform the public of our findings.

This introduction will briefly describe the sections of the report that follow. We know it is very long. But the only way to fix these problems is to appreciate their scope.

The dioceses

This section of the report addresses each diocese individually, through two or more case studies that provide examples of the abuse that occurred and the manner in which diocesan leaders "managed" it. While each church district had its idiosyncrasies, the pattern was pretty much the same. The main thing was not to help children, but to avoid "scandal." That is not our word, but theirs; it appears over and over again in the documents we recovered. Abuse complaints were kept locked up in a "secret archive." That is not our word, but theirs; the church's Code of Canon Law specifically requires the diocese to maintain such an archive. Only the bishop can have the key.

The strategies were so common that they were susceptible to behavioral analysis by the Federal Bureau of Investigation. For our benefit, the FBI agreed to assign members of its National Center for the Analysis of Violent Crime to review a significant portion of the evidence received

by the grand jury. Special agents testified before us that they had identified a series of practices that regularly appeared, in various configurations, in the diocesan files they had analyzed. It's like a playbook for concealing the truth:

First, make sure to use euphemisms rather than real words to describe the sexual assaults in diocese documents. Never say "rape"; say "inappropriate contact" or "boundary issues."

Second, don't conduct genuine investigations with properly trained personnel. Instead, assign fellow clergy members to ask inadequate questions and then make credibility determinations about the colleagues with whom they live and work.

Third, for an appearance of integrity, send priests for "evaluation" at church-run psychiatric treatment centers. Allow these experts to "diagnose" whether the priest was a pedophile, based largely on the priest's "self-reports," and regardless of whether the priest had actually engaged in sexual contact with a child.

Fourth, when a priest does have to be removed, don't say why. Tell his parishioners that he is on "sick leave," or suffering from "nervous exhaustion." Or say nothing at all.

Fifth, even if a priest is raping children, keep providing him housing and living expenses, although he may be using these resources to facilitate more sexual assaults.

Sixth, if a predator's conduct becomes known to the community, don't remove him from the priesthood to ensure that no more children will be victimized. Instead, transfer him to a new location where no one will know he is a child abuser.

Finally and above all, don't tell the police. Child sexual abuse, even short of actual penetration, is and has for all relevant times been a crime. But don't treat it that way; handle it like a personnel matter, "in house."

To be sure, we did come across some cases in which members of law enforcement, despite what may have been the dioceses' best efforts, learned of clergy sex abuse allegations. Some of these were many decades ago, and police or prosecutors at the time simply deferred to church officials. Other reports arose more recently, but involved old conduct, and so were quickly rejected on statute of limitations grounds without looking into larger patterns and potential continuing risks. We recognize that victims in these circumstances were understandably disappointed there was no place they could go to be heard.

But we have heard them, and will tell their stories, using the church's own records, which we reproduce in the body of the report where appropriate. In the Diocese of Allentown, for example, documents show that a priest was confronted about an abuse complaint. He admitted, "Please help me. I sexually molested a boy." The diocese concluded that "the experience will not necessarily be a horrendous trauma" for the victim, and that the family should just be given "an opportunity to ventilate." The priest was left in unrestricted ministry for several more years, despite his own confession.

Similarly in the Diocese of Erie, despite a priest's admission to assaulting at least a dozen young boys, the bishop wrote to thank him for "all that you have done for God's people…. The Lord, who sees in private, will reward." Another priest confessed to anal and oral rape of at least 15 boys, as young as seven years old. The bishop later met with the abuser to commend him as "a person of candor and sincerity," and to compliment him "for the progress he has made" in controlling his "addiction." When the abuser was finally removed from the priesthood years later, the bishop ordered the parish not to say why; "nothing else need be noted."

In the Diocese of Greensburg, a priest impregnated a 17-year-old, forged the head pastor's signature on a marriage certificate, then divorced the girl months later. Despite having sex with a

minor, despite fathering a child, despite being married *and* being divorced, the priest was permitted to stay in ministry thanks to the diocese's efforts to find a "benevolent bishop" in another state willing to take him on. Another priest, grooming his middle school students for oral sex, taught them how Mary had to "bite off the cord" and "lick" Jesus clean after he was born. It took another 15 years, and numerous additional reports of abuse, before the diocese finally removed the priest from ministry.

A priest in the Diocese of Harrisburg abused five sisters in a single family, despite prior reports that were never acted on. In addition to sex acts, the priest collected samples of the girls' urine, pubic hair, and menstrual blood. Eventually, his house was searched and his collection was found. Without that kind of incontrovertible evidence, apparently, the diocese remained unwilling to err on the side of children even in the face of multiple reports of abuse. As a high-ranking official said about one suspect priest: "At this point we are at impasse – allegations and no admission." Years later, the abuser did admit what he had done, but by then it was too late.

Elsewhere we saw the same sort of disturbing disdain for victims. In the Diocese of Pittsburgh, church officials dismissed an incident of abuse on the ground that the 15-year-old had "pursued" the priest and "literally seduced" him into a relationship. After the priest was arrested, the church submitted an evaluation on his behalf to the court. The evaluation acknowledged that the priest had admitted to "sado-masochistic" activities with several boys – but the sado-masochism was only "mild," and at least the priest was not "psychotic."

The Diocese of Scranton also chose to defend its clergy abusers over its children. A diocese priest was arrested and convicted after decades of abuse reports that had been ignored by the church. The bishop finally took action only as the sentencing date approached. He wrote a letter to the judge, with a copy to a state senator, urging the court to release the defendant to a Catholic

treatment center. He emphasized the high cost of incarceration. In another case, a priest raped a girl, got her pregnant, and arranged an abortion. The bishop expressed his feelings in a letter: "This is a very difficult time in your life, and I realize how upset you are. I too share your grief." But the letter was not for the girl. It was addressed to the rapist.

The church and child abuse, past and present

We know that the bulk of the discussion in this report concerns events that occurred before the early 2000's. That is simply because the bulk of the material we received from the dioceses concerned those events. The information in these documents was previously kept hidden from those whom it most affected. It is exposed now only because of the existence of this grand jury.

That historical record is highly important, for present and future purposes. The thousands of victims of clergy child sex abuse in Pennsylvania deserve an accounting, to use as best they can to try to move on with their lives. And the citizens of Pennsylvania deserve an accounting as well, to help determine how best to make appropriate improvements in the law.

At the same time, we recognize that much has changed over the last fifteen years. We agreed to hear from each of the six dioceses we investigated, so that they could inform us about recent developments in their jurisdictions. In response, five of the bishops submitted statements to us, and the sixth, the bishop of Erie, appeared before us in person. His testimony impressed us as forthright and heartfelt. It appears that the church is now advising law enforcement of abuse reports more promptly. Internal review processes have been established. Victims are no longer quite so invisible.

But the full picture is not yet clear. We know that child abuse in the church has not yet disappeared, because we are charging two priests, in two different dioceses, with crimes that fall within the statute of limitations. One of these priests ejaculated in the mouth of a seven-year-old.

The other assaulted two different boys, on a monthly basis, for a period of years that ended only in 2010.

And we know there might be many additional recent victims, who have not yet developed the resources to come forward either to police or to the church. As we have learned from the experiences of the victims who we saw, it takes time. We hope this report will encourage others to speak.

What we can say, though, is that despite some institutional reform, individual leaders of the church have largely escaped public accountability. Priests were raping little boys and girls, and the men of God who were responsible for them not only did nothing; they hid it all. For decades. Monsignors, auxiliary bishops, bishops, archbishops, cardinals have mostly been protected; many, including some named in this report, have been promoted. Until that changes, we think it is too early to close the book on the Catholic Church sex scandal.

Recommendations

Grand jurors are just regular people who are randomly selected for service. We don't get paid much, the hours are bad, and the work can be heartbreaking. What makes it worthwhile is knowing we can do some kind of justice. We spent 24 months dredging up the most depraved behavior, only to find that the laws protect most of its perpetrators, and leave its victims with nothing. We say laws that do that need to change.

First, we ask the Pennsylvania legislature to stop shielding child sexual predators behind the criminal statute of limitations. Thanks to a recent amendment, the current law permits victims to come forward until age 50. That's better than it was before, but still not good enough; we should just get rid of it. We heard from plenty of victims who are now in their 50's, 60's, 70's, and even one who was 83 years old. We want future victims to know they will always have the force of the

criminal law behind them, no matter how long they live. And we want future child predators to know they should always be looking over their shoulder – no matter how long they live.

Second, we call for a "civil window" law, which would let older victims sue the diocese for the damage inflicted on their lives when they were kids. We saw these victims; they are marked for life. Many of them wind up addicted, or impaired, or dead before their time. The law in force right now gives child sex abuse victims twelve years to sue, once they turn 18. But victims who are already in their 30's and older fell under a different law; they only got *two* years. For victims in this age range, the short two-year period would have expired back in the 1990's or even earlier – long before revelations about the institutional nature of clergy sex abuse. We think that's unacceptable. These victims ran out of time to sue before they even knew they had a case; the church was still successfully hiding its complicity. Our proposal would open a limited "window" offering them a chance, finally, to be heard in court. All we're asking is to give those two years back.

Third, we want improvement to the law for mandated reporting of abuse. We saw from diocesan records that church officials, going back decades, were insisting they had no duty to report to the government when they learned of child abuse in their parishes. New laws make it harder to take that position; but we want them tighter. The law penalizes a "continuing" failure to report, but only if the abuse of "the child" is "active." We're not sure what that means and we don't want any wiggle room. Make it clear that the duty to report a child abuser continues as long as there's reason to believe he will do it again – whether or not he's "active" on any particular day, and whether or not he may pick a different kid next time.

Fourth, we need a law concerning confidentiality agreements. They've become a hot topic in recent months in sexual harassment cases – but it turns out the church has been using them for

a long time. The subpoenaed records contained quite a few confidentiality agreements, going back decades: payouts sealed by silence. There are arguments on both sides about whether it's proper to use these agreements in securing lawsuit settlements. But there should be no room for debate on one point: no non-disclosure agreement can or should apply to criminal investigations. If the subject of a civil lawsuit happens also to concern criminal activity, then a confidentiality agreement gives neither party either the right or the obligation to decline cooperation with law enforcement. All future agreements should have to say that in big bold letters. And all this should be enacted into a law.

We believe these proposals will assist in the exposure and prosecution of child sexual abuse, and so it is within the scope of our duty to make them. But to be honest it's not enough. We don't just want this abuse punished by criminal and civil penalties. We want it not to happen at all. We think it's reasonable to expect one of the world's great religions, dedicated to the spiritual well-being of over a billion people, to find ways to organize itself so that the shepherds stop preying upon the flock. If it does nothing else, this report removes any remaining doubt that the failure to prevent abuse was a systemic failure, an institutional failure. There are things that the government can do to help. But we hope there will also be self-reflection within the church, and a deep commitment to creating a safer environment for its children.

Profiles

This final section of the report is possibly the most important. It contains profiles of more than 300 clergy members, from all six dioceses we investigated. By comparison, estimates of the number of abusive priests identified since 2002 in the Boston, Massachusetts archdiocese range from about 150 to 250. The 2005 Philadelphia archdiocese grand jury report identified over 60

priests. The 2016 Altoona-Johnstown report named about 50 abusers. We believe ours is the largest grand jury report of its kind to date.

Each of the profiles is a summary of the abuse allegations against individual priests and of the church's response over time to those allegations. The profiles are based largely on the wealth of internal documents surrendered by the dioceses. In many cases, we also received testimony from the victims. And, on over a dozen occasions, the priests themselves appeared before us. Most of them admitted what they had done.

Even out of these hundreds of odious stories, some stood out. There was the priest, for example, who raped a seven-year-old girl – while he was visiting her in the hospital after she'd had her tonsils out. Or the priest who made a nine-year-old give him oral sex, then rinsed out the boy's mouth with holy water to purify him. Or the boy who drank some juice at his priest's house, and woke up the next morning bleeding from his rectum, unable to remember anything from the night before. Or the priest, a registered psychologist, who "treated" a young parishioner with depression by attempting to hypnotize her and directing her to take off her clothes, piece by piece.

One priest was willing to admit to molesting boys, but denied reports from two girls who had been abused; "they don't have a penis," he explained. Another priest, asked about abusing his parishioners, refused to commit: "with my history," he said, "anything is possible." Yet another priest finally decided to quit after years of child abuse complaints, but asked for, and received, a letter of reference for his next job – at Walt Disney World.

We came across a file in which the diocese candidly conceded that "this is one of our worst ones" – but of course told no one about him. Actually we came across the same statement in the files of several other priests. Then there was the file with a simple celebratory notation: "bad abuse

case. [Victim] sued us … we won." And this happy note, in a case in which a seven-year-old girl was molested by a priest from outside the diocese: [redacted]

In addition to describing the abuse and its handling, each of the profiles also includes a list, as complete as we could make it, of the subject priest's places of assignment over the course of his career. That doesn't mean we received abuse reports associated with each of those assignments. But the assignment list should provide parishioners with a way to determine whether priests who were credibly accused of abuse ever served in their area.

We should emphasize that, while the list of priests is long, we don't think we got them all. We feel certain that many victims never came forward, and that the dioceses did not create written records every single time they heard something about abuse. We also couldn't fully account for out-of-state travel. Many priests who served in Pennsylvania also spent some of their careers in other parts of the country. If they abused children elsewhere, reports might have made their way back to diocesan files here. But we suspect that a lot did not.

Although this section of our report is as comprehensive as we could make it, we did not automatically name every priest who was mentioned in the documents. We actually received files on over 400 priests from the dioceses. Some of these are not presented here because the information contained in the file was too scanty to make a reasonable determination about what had happened. On other occasions, we present a profile anonymously, because the case reveals a lot about the diocese's behavior, but nothing significant about the priest's. And in numerous other cases, the evidence contained in the file was clear, but the misconduct was outside the purpose of this investigation, which focused on criminal child sex abuse. As a result, we do not include files involving sex between priests and adults, substance abuse, or financial wrongdoing, unless these relate directly to abuse of children.

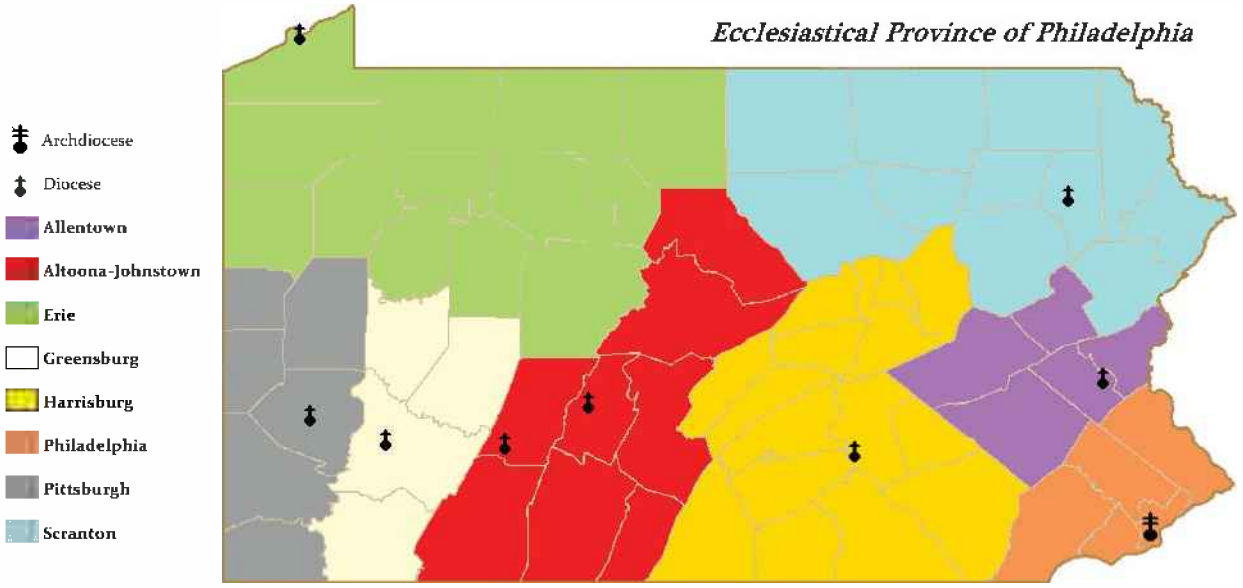
REDACTED -- ONGOING APPELLATE LITIGATION

Many of the priests who we profile here are dead. We decided it was crucial to include them anyway, because we suspect that many of their victims may still be alive – including unreported victims who may have thought they were the only one. Those victims deserve to know they were not alone. It was not their fault.

We need to end with this note. During our deliberations, one of the victims who had appeared before us tried to kill herself. From her hospital bed, she asked for one thing: that we finish our work and tell the world what really happened. We feel a debt to this woman, and to the many other victims who so exposed themselves by giving us their stories. We hope this report will make good on what we owe.

II. The Dioceses

Roman Catholic Diocese of Allentown



I. General Overview of the Diocese of Allentown, Pennsylvania

The Diocese of Allentown originated as part of the Archdiocese of Philadelphia. In 1961, portions of the Archdiocese of Philadelphia were broken off to create the Diocese of Allentown. As of 2015, the Diocese had a Catholic population of 258,997, which was 20.04% of the total population within the five counties. The Diocese maintains approximately eighty-nine parishes, thirty-four elementary schools, six high schools, and two colleges, and has approximately two hundred forty priests. The Diocese encompasses the Counties of Schuylkill, Berks, Carbon, Lehigh, and Northampton.

II. History of Bishops of the Diocese of Allentown

1) Bishop Joseph Mark McShea (2/11/1961 through 2/3/1983)

2) Bishop Thomas Jerome Welsh (2/3/1983 through 12/15/1997)

3) Bishop Edward Peter Cullen (12/16/1997 through 5/27/2009)

4) Bishop John Oliver Barres (5/27/2009 through 12/9/2016)

5) Bishop Alfred Andrew Schlert (8/31/2017 to present)

III. Additional Church Leadership within the Diocese of Allentown Relevant to the Grand Jury's Investigation

The following Church leaders, while not bishops, played an important role in the Diocese of Allentown's handling of child sexual abuse complaints.

1) Monsignor Anthony Muntone

2) Monsignor Gerald Gobitas

3) Monsignor Alfred Schlert - (Note: Schlert went on to become Bishop of Allentown.)

IV. Findings of the Grand Jury

The Grand Jury uncovered evidence of child sexual abuse committed by Roman Catholic priests of the Diocese of Allentown. Evidence showed that priests engaged in sexual contact with minors, including grooming and fondling of genitals and/or intimate body parts as well as penetration of the vagina, mouth, or anus. The evidence also showed that Diocesan administrators, including the Bishops, had knowledge of this conduct and that priests were regularly placed in ministry after the Diocese was on notice that a complaint of child sexual abuse had been made. This conduct was enabling to offenders and endangered the welfare of children.

Evidence also showed that the Diocese had discussions with lawyers regarding the sexual conduct of priests with children and made settlements with victims. Further, these settlements contained confidentiality agreements forbidding victims from speaking about the abuse under threat of some penalty, such as legal action to recover previously paid settlement monies.

Finally, the Grand Jury received evidence that several Diocesan administrators, including the Bishops, often dissuaded victims from reporting to police or conducted their own deficient, biased investigations without reporting crimes against children to the proper authorities.

V. Offenders Identified by the Grand Jury

1) Thomas J. Bender
2) Thomas J. Benestad
3) Robert G. Cofenas
4) Francis J. Fromholzer
5) James Gaffney
6) Joseph Galko
7) Edward George Ganster
8) Francis T. Gillespie
9) Edward R. Graff
10) Richard J. Guiliani
11) Joseph D. Hulko
12) Joseph H. Kean
13) Thomas J. Kerestus
14) Francis Joseph McNelis
15) Gabriel Patil
16) Henry Paul
17) Paul G. Puza
18) Dennis A. Rigney
19) Joseph A. Rock

20) Gerald Royer

21) Charles J. Ruffenach

22) J. Pascal Sabas

23) William J. Shields

24) Stephen F. Shigo

25) David A. Soderlund

26) Henry E. Strassner

27) Bruno M. Tucci

28) A. Gregory Uhrig

29) Andrew Aloysius Ulincy

30) Ronald Yarrosh

31) Joseph A. Zmijewski

Carmelites

32) David Connell

33) Timothy Johnson

34) Jim Gross

Single Victim Group

35) [redacted]

36) Michael S. Lawrence

37) William E. Jones

 REDACTED – ONGOING APPELLATE LITIGATION

VI. Examples of Institutional Failure: Fathers Frank Fromholzer, Edward Graff, and Michael Lawrence

The Grand Jury notes the following examples of child sexual abuse perpetrated by priests within the Diocese of Allentown. These examples further highlight the wholesale institutional failure that endangered the welfare of children throughout the Pennsylvania Dioceses, including the Diocese of Allentown. These examples are not meant to be exhaustive; rather, they provide a window into the conduct of past Pennsylvania Bishops and the crimes they permitted to occur on their watch.

The Case of Father Francis J. Fromholzer

Known Assignments

05/1958 – 09/1959	Holy Ghost, Bethlehem
06/1959 – 06/1965	Allentown Central Catholic High School
06/1962 – 09/1962	Holy Ghost (summer assignment)
03/1963 – 06/1965	Mary, Queen of Peace, Pottsville
06/1965 – 10/1970	St. Paul, Reading
10/1970 – 08/1975	St. Mary, Hamburg
08/1975 – 04/1980	St. Paul, Reading
04/1980 – 07/1980	Sick leave
07/1980 – 09/1980	Holy Family Manner, Bethlehem
11/1982 – 06/1992	St. Paul, Allentown
06/1992 – 06/1995	St. Peter, Coplay
06/1995 – 09/2002	St. Paul, Allentown
10/2002	Retired

The case of Father Francis "Frank" Fromholzer highlights the immense challenges faced by victims when seeking redress from a Diocese that chose to take a position hostile to the victim. The influence of the institution is evident in many cases. In the case of Frank Fromholzer, it is particularly evident.

Fromholzer sexually abused at least two students while serving as a religion teacher at Allentown Central Catholic High School. On June 12, 2016, the victims testified under oath before the Grand Jury that they were sexually abused by Fromholzer in 1965 when they were approximately 13 or 14 years old. One victim was Julianne, now 68 years old.

Julianne recalled that, during a trip to the Poconos in approximately 1964, Fromholzer took Julianne and at least one other girl for a ride in his car. The trip was unsupervised and Julianne's family was comfortable with the trip since Fromholzer was a trusted priest. Fromholzer groped the girls as he encouraged them to take turns sitting next to him. Fromholzer's conduct escalated and he touched Julianne under her clothes.

Once at their destination, Fromholzer retrieved a blanket and radio from the car and took his collar off. Fromholzer told the girls that, while they were on the trip, they were not to call him Father but to call him Frank. Julianne testified, "Then we went – he laid out a blanket and he started kissing, feeling, put his finger in me. That hurt. It was confusing because – you were always told you were going to Hell if you let anybody touch you. But then you've got Father doing it."

Julianne described to the Grand Jury the position of power that priests hold within the Catholic faith. She testified, "They – there wasn't anybody that was more important than, not just him, but any priest. They were – and to some degree still are, but they are much above anybody else in your family or they are God in the flesh."

Julianne went on to describe other incidents after the trip to the Poconos in which Fromholzer had sexual or inappropriate contact with her. She testified that there was a gym in the basement of the ninth grade building at Central Catholic. Fromholzer would follow her into the basement and make comments that she gained a little weight and needed to get on a scale. Fromholzer would then lift her onto the scale from behind, holding her breast to get her on the scale. Fromholzer would constantly nuzzle and kiss her neck as well as "kiss and touch." After the trip to the Poconos, the touching occurred on top of her clothing and panties.

Julianne told the Grand Jury of an incident in which Fromholzer humiliated her in front of her religion class. She was participating in a reading of the Passion of Christ around Easter season. Fromholzer had her read aloud the portion of the story where the words "the cock crows three times" appear. Fromholzer had her repeat the words several times, which evoked laughter from Fromholzer and the boys in the class. As Julianne left class that day, Fromholzer leaned in and nuzzled her neck and asked the victim if she knew what a cock was.

The victim testified that the abuse stopped only when she moved on to tenth grade and was no longer in the same building as Fromholzer.

Julianne's friend also testified in front of the Grand Jury about being abused by Fromholzer. The second victim was taken to the Poconos by Fromholzer with Julianne. She was in ninth grade and approximately 14 years old when the abuse occurred. On the way to the Poconos, she observed Fromholzer rubbing his elbow against Julianne's breasts. Once at the location in the Poconos, the second victim was also sexually abused by Fromholzer. Fromholzer began kissing her on the lips and touching her breasts. Reluctantly, she laid down on a blanket where Fromholzer, using his hands, proceeded to touch her on her vaginal area, inside her clothing.

The second victim reported the abuse to her principal at the time, Father Robert M. Forst. She told Forst about the trip to the Poconos and how Fromholzer touched her and her friend inappropriately. Forst responded by indicating to the second victim that the discussion they were having had "ended." Forst told her that she was expelled from school and indicated she needed to bring her father to the school. The second victim came from a single-parent home in which her mother had left after no longer being able to live with her father. Both parents were alcoholics and her father was physically abusive. When her father arrived at the school, there was a meeting between the second victim, her father, and Forst. The second victim recalled Forst telling her, "Now, I want you to tell that story that you said – the made-up story that you said about the priest to your father – with your father here." She again told them about how she was abused by Fromholzer. Her father did not believe her and proceeded to drag her home, yelling at her and slapping her along the way. When they finally got home, she was beaten more by her father, this time with a belt so that the belt buckle would strike her.

The second victim told the Grand Jury that the school then failed her in English and Algebra, two courses that she loved. She expressed to the Grand Jury how hard it was to talk of the abuse since she had not told anyone most of her life. The abuse haunted the second victim her entire life, resulting in two marriages that ended in divorce. Talking about the abuse she endured at the hands of Fromholzer, she testified, "You can't get rid of it. You don't talk about it. It is always there." Coming from a broken home, she had counted on the understanding of priests and nuns. The second victim said that, after being expelled for reporting being sexually abused by Fromholzer, she felt "worthless."

The second victim broke years of silence when she testified before the Grand Jury. Her friend, Julianne, told the Grand Jury that it took her until she was in her thirties, nearly twenty years later, to find the courage to try to report the abuse to someone in the Diocese. Unfortunately for Julianne, she tried to report the abuse to another priest, Father Weasel. Weasel was considered a family friend. When the victim began to tell Weasel of the abuse, he stopped her and told her, "No, I don't want to hear it. You go to confession and you pray for him." As a result, Julianne said nothing more about the abuse until she was unable to stay silent any longer.

Julianne reported Fromholzer's conduct to Monsignor John Murphy of St. Thomas Moore Parish. As she tried to confess the abuse, Murphy told her, "Don't say the name." At the time Julianne tried to report the abuse to Murphy in the 1980's, Fromholzer was continuing to practice as a priest at St. Paul's Church in Allentown.

It was not until approximately August 2002, after the *Boston Globe* broke the story of child sexual abuse within the Archdiocese of Boston, that Julianne was ready to pursue reporting Fromholzer's criminal conduct to law enforcement. She contacted the Allentown Police Department to file a police report and informed the police that Fromholzer was still working at a

church that had a grade school. Julianne also personally reported the abuse to the District Attorney and informed him that Fromholzer was still working at a church with a grade school. The District Attorney elected not to pursue the matter and cited the statute of limitations.

Julianne told the Grand Jury that, if it were not for the clergy abuse being revealed in the Boston Archdiocese, she would not have come forward to report the abuse she endured. She also indicated how grateful she was, having been able to tell the Grand Jury about the abuse and Fromholzer.

Julianne subsequently became involved with a clergy abuse victim's network. She testified that she is aware from fielding phone calls that there are hundreds of victims who have not yet come forward. She described calls in the middle of the night with full-grown men weeping into the phone as they recounted their sexual abuse at the hands of Roman Catholic priests. This is a volunteer effort on Julianne's part, motivated by her own victimization and a desire to help others. At the close of her testimony, Julianne thanked the Grand Jury for listening to her story and providing her the opportunity to express their pain. Julianne stated, "... so what does it mean to have somebody care? It means a lot. So I thank you."

On September 1, 2016, the Grand Jury issued a subpoena to the Diocese for any and all records related to clergy or church officials against whom complaints of child sexual abuse had been made. Records received by the Office of Attorney General from the Diocese numbered into the thousands. The testimony of the victims was cross-referenced with the records of the Diocese. Internal Diocesan records do not contain any information from Julianne's reports to Weasel or Murphy. However, it is evident that, once Julianne made contact with the Diocese in 2002, the Diocese and its attorney, Thomas Traud, attempted to undermine and discredit Julianne and her family.

In 2002, the Diocese was made aware of reports of child sexual abuse against Fromholzer by Julianne and her friend, Victim Two. Fromholzer was still in active ministry. Internal Diocesan records show that the Diocese immediately disregarded these complaints as false. However, Fromholzer "volunteered" to retire.

On September 3, 2002, a fax was sent to Monsignors Schlert and Gobitas. The fax bore the timestamp of 09:55 A.M. from the Traud Law Offices. After some discussion regarding an attempt to schedule a meeting with Julianne, Traud reported that he had received information from a relative of Monsignor Leo Fink. This informant told the Diocese that she had been the closest of friends with Julianne in high school and that they shared every secret. She reported that Julianne had once danced as a go-go dancer in the 1960's and that she believed her to be sexually active. Traud's informant stated that she believed it possible that Julianne was one of the girls who had an affair with a coach at Central Catholic. The informant reported that Julianne also had a family member once go to prison. Traud reported all of this to the Diocese, specifically to Schlert and Gobitas. He went on to note that he knew his informant well and that she had been "so candid and honest."

Having received a report that one of their priests had violated children, the Diocese and its attorney immediately began to exchange information meant to discredit the victim with unrelated and irrelevant attacks on her and her family. Moreover, the fact that information that a Central Catholic coach may have been sexually abusing students was used as evidence against the victim. In reality, it is the report of yet another crime not reported to the police.

A memorandum dated September 11, 2002, by Gobitas, recorded a meeting of September 10 between Julianne, her attorney, Gobitas, Schlert, and Traud. In that memorandum, Julianne's account of abuse is recorded. Julianne stated that there was a witness to at least one assault. The

Diocese recorded the meeting as positive and amicable. The next day a memo was generated by Gobitas that recorded his interview of that witness. The witness recalled that she observed Fromholzer rub his arm on Julianne's breasts on one occasion in a car in front of Allentown Catholic High School. The witness identified another, possibly a third, victim by first name.

FILE

DIOCESE OF ALLENTOWN
SECRETARIAT FOR CLERGY

MEMORANDUM

TO: THE REVEREND FRANCIS FROMHOLZER FILE

FROM: MONSIGNOR GERALD E. GOBITAS MEG

DATE: 13 SEPTEMBER 2002

RE: [redacted]

I met with [redacted] by myself on Friday, 13 September 2002 at 9:00 a.m. in the Chancery. [redacted] said that she was never sexually assaulted by Father Fromholzer but she alleged to have witnessed him inappropriately rubbing his arm over Juliann [redacted] breasts on one occasion in a car in front of Allentown Central Catholic High School when she and [redacted] were both freshmen. [redacted] was seated in the back seat of the car. Juliann was in the middle in the front seat. [redacted] stated the Father Fromholzer's hands never went underneath Juliann's clothing.

[redacted] said she knows of another girl named [redacted] who may have been assaulted by Father Fromholzer. She said that she still has some contact with [redacted]. I gave her my card and encouraged her to have [redacted] call me.

[redacted] stated that she does not need any counseling she just wanted to confirm the truth of Juliann's allegations.

REVIEWED
SEP 16 2002
REV. ALFRED A. SCHLERT
CHANCERY

The Witness Interview Memo

On September 16, 2002, at 2:48 p.m., a fax was sent from Traud Law Offices to Schlert and Gobitas. The message contained impressions of the meeting on September 10th. Among other things, the memo noted that Tom Traud found Julianne to be "overly dramatic in that there were some times she was crying in the meeting" and that "this woman made an awful amount of assumptions that just were unwarranted."

This pattern of investigating the victim continued through 2004 in letters from Traud dated January 22, 2004, and April 12, 2002. In the first letter to Gobitas and Schlert, Traud noted that Julianne was recently in the news and was pursuing her lawsuit and that he received information from a local attorney. The attorney told Traud that Julianne's daughter was a witness for the Commonwealth in a murder case. Traud noted that, because Julianne became involved, she could either be "a mother looking out for her child; or, maybe this is a woman who repeatedly wants her fifteen minutes of fame." In the second letter, Traud informed the Diocese that Julianne's husband was associated with the Christian Motorcyclists Association which Traud labeled the husband's brainchild.

In contrast to the efforts to investigate and discredit the victims of child sexual abuse who dared to report their abuse to the Diocese and/or report to civil authorities, the internal documentation regarding the diocesan investigation of Fromholzer is starkly different. The Diocese asked Fromholzer if he did it. Fromholzer said no. Fromholzer then suggested it might be a good time for him to retire.

The report of abuse and subsequent investigation of the victim all occurred on the watch of Cullen. In 2009, Barres took command of the Diocese. In an effort to comply with Diocesan policy and state law, the Diocese formally reported the complaints against Fromholzer to the

District Attorney. Similarly, Julianne's lawsuit against the Diocese was dismissed due to the civil statute of limitations. She has received no recovery or recompense for her suffering.

The Grand Jury finds that the Diocese of Allentown and the Allentown Central Catholic High School knew full well the criminal conduct of Fromholzer. Yet, knowing that Fromholzer was preying on young girls, the Diocese and School took no action. The victims were told to let it go. When these victims came forward again years later, they were met with disbelief and scorn. Ultimately, internal records show that the Diocese itself deemed Julianne's complaint against Fromholzer to be credible.

Victims are reluctant to report to law enforcement or take any action for fear of retaliation from the Dioceses. That retaliation and intimidation takes many forms. Originally Julianne did not seek any legal action against the Diocese. She simply wished to inform Weasel and Murphy of her concerns and for the Diocese to take action. Action only occurred when Julianne began to speak to parties empowered to scrutinize the conduct of the Diocese: her own attorneys, law enforcement, and the press.

The Case of Father Edward R. Graff

Known Assignments

06/1955 - 04/1957	Annunciation B.V.M., Shenandoah
04/1957 - 05/1958	St. Anthony of Padua, Easton
05/1958 – 09/1958	St. Elizabeth's, Pen Argyl
09/1958 – 09/1959	Pius X High School, Roseto
09/1959 – 06/1962	Residence, St. Anthony, Easton
06/1962 – 09/1963	University of Notre Dame
09/1963 – 03/1964	Our Lady Help of Christians, Allentown
03/1964 – 07/1964	St. Elizabeth, Pen Argyl
07/1964 – 02/1965	Pius X High School, Roseto
02/1965 – 11/1966	Holy Rosary, Reading
	Central Catholic High School, Reading
11/1966 – 08/1968	Holy Name High School, reading
08/1968 – 10/1969	St. Margaret, Reading
10/1969 – 04/1971	St Peter, Coplay
04/1971 – 04/1974	Annunciation B.V.M., Catasauqua,
04/1974 – 11/1979	Director, Thanksgiving Clothing Drive
11/1979 – 07/1980	Sick Leave
07/1980 – 06/1983	St. Margaret, Reading
06/1983 – 02/1992	Holy Guardian Angels, Reading
02/1992	Departed Diocese of Allentown
1992 – 2002	Served in various capacities in Dioceses in New Mexico and Texas

Father Edward R. Graff served as a priest in the Roman Catholic Church for approximately forty-five years, approximately thirty-five years in the Diocese of Allentown and ten years in the Dioceses of Santa Fe, New Mexico, and Amarillo, Texas. During his years in ministry, Graff raped scores of children. The Grand Jury investigated not only Graff's conduct but the knowledge of the relevant Dioceses.

The case of Graff is an example of dioceses that minimized the criminal conduct of one of their priests, while secretly noting the significant danger the priest posed to the public. The Grand Jury notes that the use of euphemisms was constant throughout the Dioceses of Pennsylvania, but particularly apparent in the case of Graff. Terms such as "sick leave" or "health leave" were often used to reference an absence from ministry related to child sexual abuse. In Graff's case, it was

coded as sick leave and retirement. Additionally, child sexual abuse was often minimized with terms such as familiarity, boundary issues, or inappropriate contact. In Graff's case, internal records and correspondence referred to it as difficulties. Finally, it was common to see collateral issues highlighted as the primary underlying problem, while the sexual abuse of children was deemed a collateral and lesser, related form of misconduct. Known child abusers were regularly referred to as having alcohol problems or classified as naïve. In the case of Graff, his primary problem was documented as being an alcoholic. A review of the documents obtained by the Grand Jury stands in stark contrast to the acts described by Graff's victims.

The Grand Jury obtained internal Diocesan records after the Diocese was served with a subpoena on September 1, 2016. Those records were maintained in the secret or confidential archives of the Diocese as well as personnel records. In August 1986, Graff entered the Neumann Center in Reading for what was reported as chemical dependency. The Grand Jury concluded that this was not solely a case of chemical dependency but that the Diocese was aware of some type of sexual conduct with a minor.

After almost thirty years of service in school and parishes in the Diocese, Graff was sent to New Mexico for treatment of undefined but "serious" conduct on the part of Graff. On November 28, 1989, there was an exchange of letters between Welsh and Archbishop Robert Sanchez of the Catholic Center, Santa Fe, New Mexico. The subject of the letters was whether Sanchez was "aware of the seriousness of these cases." The context of the letter reflected more than a mere problem with alcohol. However, no further details were provided in the letters.

By February 1992, Welsh authorized Graff to retire from active ministry in the Diocese. However, Welsh also authorized Graff to begin ministry to the needy in the Archdiocese of Santa Fe, New Mexico. On February 25, 1992, three letters were dispatched by Welsh. Welsh wrote to

Graff authorizing him to "continue your ministry to the various needy persons you are already serving." Welsh noted that this was done by agreement with Sanchez. Welsh reminded Graff that he was accountable to the Servants of the Paraclete[1] in Albuquerque as his supervision was continued. Welsh also made arrangements to provide Graff with a monthly pension, living allowance, medical and life insurance, and automobile insurance.

Welsh's second letter was sent to Sanchez. In this letter, Welsh explained that he had granted Graff faculties from the Diocese of Allentown and understood that Sanchez had permitted Graff limited faculties within the Archdiocese of Santa Fe under the supervision of the Servants of the Paraclete. Welsh's third letter thanked the clinical director of the Albuquerque Villa for the care provided to Graff and informed him of the aforementioned arrangement between the Dioceses of Allentown and Santa Fe.

[1] The Servants of the Paraclete was a treatment center regularly used by Pennsylvania Dioceses for the evaluation and treatment of sexual offenders.

6894W

BISHOP'S OFFICE
POST OFFICE BOX F
ALLENTOWN, PENNSYLVANIA
18105

202 NORTH SEVENTEENTH STREET
(215) 437-0755

February 25, 1992

The Reverend Edward R. Graff
Albuquerque Villa
Post Office Box 72151
Albuquerque, New Mexico 87195

Dear Father Graff,

After consultation with Archbishop Sanchez, I have decided to accede to your desire to retire from active service to the Diocese of Allentown and to continue your ministry to the various needy persons you are already serving.

With this letter I hereby grant you faculties of the Diocese of Allentown. It is my understanding that Archbishop Sanchez, following the recommendation of the Archdiocesan Personnel Board, will also grant you limited faculties for the Archdiocese of Santa Fe.

I shall also arrange with the Finance Office to provide you with the monthly pension and living allowance as stipulated in Diocesan policy. In addition, your medical and life insurance premiums will also be covered, as will one half of your automobile insurance.

I feel it is important to remind you that you must continue to be supervised by the Paracletes to whom you will remain accountable.

Finally, I extend my prayers and best wishes as you begin this phase of your priestly ministry.

Sincerely yours in Our Lord,

+ Thomas J. Welsh

Bishop of Allentown

6896W

BISHOP'S OFFICE
POST OFFICE BOX F
ALLENTOWN, PENNSYLVANIA
18105

February 25, 1992

202 NORTH SEVENTEENTH STREET
(215) 437-0755

His Excellency
The Most Reverend Robert F. Sanchez, D.D.
Archbishop of Santa Fe
4000 Saint Joseph Place, N.W.
Albuquerque, New Mexico 87120

Dear Archbishop Sanchez,

You will recall my letter of December 18, 1991 regarding the Reverend Edward R. Graff, a priest of the Diocese of Allentown currently under the care and supervision of the Servants of the Paraclete in Albuquerque.

In view of the consistently positive reports I have received concerning Father Graff, I intend to allow him to retire from active service to this Diocese and to continue his ministry to the various needy persons he has been serving under the supervision of the Paracletes.

I had my Chancellor contact Father Richard Olona about the recommendations of your Archdiocesan Personnel Board. It is my understanding that, provided Father Graff has faculties from the Diocese of Allentown, you are willing to grant him limited faculties to carry out the ministry referred to above. It is further understood that the Servants of the Paraclete will continue to supervise his activities and pastoral ministry.

I shall grant faculties of this Diocese to Father Graff and arrange with our Finance Office for his pension and living allowance.

Permit me to take this opportunity to express my sincere thanks for your solicitude towards Father Graff.

If you have any questions in regard to this matter, please feel free to get in touch with me.

Sincerely yours in Our Lord,

+ Thomas J. Welsh

Bishop of Allentown

6895 u

BISHOP'S OFFICE
POST OFFICE BOX F
ALLENTOWN, PENNSYLVANIA
18105

February 25, 1992

202 NORTH SEVENTEENTH STREET
(215) 437-0755

The Reverend P. Roberto L. Martinez, M.Div.
Clinical Director
The Albuquerque Villa
2348 Pajarito Road, S.W.
Albuquerque, New Mexico 87105

Dear Father Martinez,

I have today written to Father Edward R. Graff to inform him that I intend to allow him to retire from active ministry to the Diocese of Allentown in order to pursue the ministry to the needy in the Archdiocese of Santa Fe in which he has already been engaged.

Archbishop Sanchez, as well as the Personnel Board, is in agreement with this arrangement and will grant limited faculties to Father Graff who enjoys the faculties of the Diocese of Allentown.

Knowing that you and the staff at Albuquerque Villa support this request made by Father Graff, I have decided to permit retirement provided that supervision of his activity and ministry by the Servants of the Paraclete will continue.

I take this opportunity to thank you for the care you have given to Father Graff and the other priests of Allentown.

Sincerely yours in Our Lord,

+ Thomas J Welsh

Bishop of Allentown

The February 25, 1992 Letters

In 1993, correspondence between Welsh and Bishop Leroy Matthiesen of Amarillo, Texas, detailed an alarming development. Welsh expressed his concern that Graff had been transferred within Matthiesen's Diocese without prior consultation of Welsh. Welsh was also concerned about Graff's living arrangements. Welsh wrote, "It had been my understanding that he was residing in a rectory, but it has now come to light that he has purchased a house. Because of his past history in this Diocese, this development raises additional concerns about the potential risk surrounding Father Graff's activity in your Diocese."

BISHOP'S OFFICE
POST OFFICE BOX F
ALLENTOWN, PENNSYLVANIA
18105

202 NORTH SEVENTEENTH STREET
(215) 437-0755
Fax (215) 433-7822

29 October 1993

His Excellency
The Most Rev. Leroy T. Matthiesen
Bishop of Amarillo
1800 North Spring Street
Amarillo, Texas 79117-5644

Dear Bishop Matthiesen,

I am writing in regard to the Reverend Edward R. Graff, a priest of this Diocese who is currently located in Silverton within your Diocese.

After Father Graff completed his therapy with the Servants of the Paraclete at The Albuquerque Villa, he presented a request to me that he be allowed to retire from active service to the Allentown Diocese and remain in Albuquerque to continue with the ministry he had been engaged in with the homeless and Aids patients. I granted his request after determining that the Archbishop of Santa Fe agreed to give limited priestly faculties of that Archdiocese to Father Graff. It was understood, however, that he would continue to be supervised by the Paracletes.

Subsequently it came as a surprise to learn that Father Graff had transferred to Silverton in your Diocese since this was done without any prior consultation with me. This move, I was later told, was prompted by the fact that faculties of priests not incardinated in the Archdiocese of Santa Fe had been withdrawn by the then Archbishop. On the suggestion of Father Liam Hoare, s.P., Father Graff sought and obtained permission from you to assist at Our Lady of Loreto parish in Silverton.

Only recently have I been made aware of Father Graff's living arrangements. It had been my understanding that he was residing in a rectory, but it has now come to light that he has purchased a house. Because of his past history in this Diocese, this development raises additional concerns about the potential risk surrounding Father Graff's activity in your Diocese. I can only hope that he continues to maintain close contact with the Paracletes and with you as well.

Bishop Matthiesen / 2

October 29, 1993

I shall greatly appreciate any update you can provide me about Father Graff.

With every good wish, I am

Sincerely yours in Our Lord,

+ Thomas J Welsh

Bishop of Allentown

Welsh's "Potential Risk" Letter

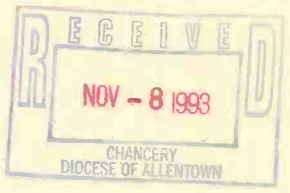
Matthiesen responded on November 2, 1993, that Graff tended to be a "loner" and thanked Welsh for "alerting me to the risk I may be taking." Matthiesen indicated he planned "to be even more vigilant and to supervise him even more closely." On November 11, 1994, Welsh wrote Reverend Liam Hoare, Servant General, Servants of the Paraclete, and wanted to know whether Graff was being monitored. Welsh sought a description of the precise nature of the monitoring. Welsh wrote, "While this is not a new concern, I am prompted to express it anew at this time because an individual came forward recently and reported that he had had some difficulties with Father Graff in the past." Welsh closed his letter stating:

> I know that you will appreciate the reasons for my concern, since the matter presents both your Congregation and the Diocese of Allentown with the potential of legal liability for anything untoward which may occur in the course of Father Graff's ministry in Amarillo.

9700W

diocese of amarillo

November 2, 1993



Most Rev. Thomas J. Welsh
Bishop of Allentown
P.O. Box F
Allentown PA 18105

Dear Bishop Welsh:

Grace and peace!

I am in receipt of your letter of Oct. 29 sharing your concerns about Father Ed Graff's ministry in the Diocese of Amarillo.

I accepted Father Graff on the recommendation of Father Liam Hoare, s.P., Servant General of the Servants of the Paraclete, who stated that he would take personal responsibility for him. I was unaware that you had not been consulted. In hindsight, I should have contacted you and apologize to you for that oversight. I had simply taken it for granted. I was told that he is a recovering alcoholic, and my subsequent inquiry confirmed that.

I assigned Father Graff to Our Lady of Loreto Church, a mission of Holy Spirit Parish, Tulia, and placed him under the care of the pastor. For a while he lived in a small, rundown house made available to us at no cost by a member of the mission Church. Subsequently, a better house near the church was offered to us for $12,000 and I approved the purchase as a rectory.

An after-care program, directed by Father Peter Lechner, s.P., is in place. Father Graff is a member of a support group comprised of himself and two other priests that meets monthly. Every six weeks he returns to Albuquerque to touch base with his program directors. My Vicar of Clergy is on the road each week visiting our priests, including Father Graff. I require him to attend our clergy gatherings, the next of which will be four Priests' Study Days concentrating on personal development, relationships, boundaries, clergy misconduct, etc.

DIOCESAN PASTORAL CENTER AMARILLO, TX 79117-5644
P.O. BOX 5644 806-383-2243
FAX 806-383-8452

Father Graff, with his pastoral sensitivity and ability to speak Spanish, is much loved by the people, almost 100 per cent of whom are Mexicans and Mexican-Americans. In addition to the care of Our Lady of Loreto in Silverton I have given him the care of St. Elizabeth's Church in Turkey as well, another poor mission community that is totally Hispanic.

My one concern about Father Graff is that he tends to be a loner. I have spoken to him about that and shared my concern with Father Liam, who will be with us on one of the Study Days (Thursday, Nov. 11).

Thank you for alerting me to the risk I may be taking. I am in frequent touch with Father Liam and have confidence in his judgment in present circumstances. Nevertheless, I plan to be even more vigilant and to supervise him even more closely.

Fraternally yours in Christ,

+ Leroy

Bishop Leroy T. Matthiesen

Matthiesen's Letter to Welsh

BISHOP'S OFFICE

11 November 1994

The Very Reverend Liam Bhore, O.P.
Servant General
Foundation House
Jemez Springs, NM 87025-0010

Dear Father Liam,

I have for some time had some concern about the advisability of Father Ed Graff's exercising priestly ministry in the Diocese of Amarillo.

My concern centers principally upon the issue of Father Graff's accountability. I would like to know whether he is, in fact, being monitored by anyone, and, if he is, what the precise nature of that monitoring may be.

While this is not a new concern, I am prompted to express it anew at this time because an individual came forward recently and reported that he had had some difficulties with Father Graff in the past.

I know that you will appreciate the reasons for my concern, since the matter presents both your Congregation and the Diocese of Allentown with the potential of legal liability for anything untoward which may occur in the course of Father Graff's ministry in Amarillo.

I would be very appreciative of any information which could help address this concern.

Sincerely yours in Our Lord.

+ Thomas J. Welsh

Bishop of Allentown

01JUL.22.2003b: 3:25PM1028CATHOLIC MUTUAL GRP MSGR SCALERT NO.657 P.9/00 7700 W

BISHOP'S OFFICE
POST OFFICE BOX F
ALLENTOWN, PENNSYLVANIA
18105

202 NORTH SEVENTEENTH STREET
(215) 437-0755
Fax (215) 433-7822

November 19, 1993

His Excellency
The Most Reverend Leroy T. Matthiesen, D.D.
Bishop of Amarillo
Diocesan Pastoral Center
Post office Box 5644
Amarillo, Texas 79117-5644

Dear Bishop Matthiesen,

Thank you very kindly for your letter of November 2, 1993 concerning Father Edward R. Graff's ministry in the Diocese of Amarillo.

I appreciate very much the information you have furnished as well as your willingness to be even more vigilant in your supervision of Father Graff.

Thank you for your interest in this matter.

Sincerely yours in Our Lord,

+ Thomas J. Welsh

Bishop of Allentown

Welsh's Letters of Warning

Welsh had the power to remove Graff's faculties to minister in light of Graff's known risk, concern, and legal liability. However, Welsh left Graff in ministry by agreement with Matthiesen. On January 5, 1995, Matthiesen wrote to Welsh, "Bishop, I am happy to report to you that Father Graff is carrying out a wonderful ministry in Silverton, Turkey, and Quitaque. He is well received and loved by the people who are almost totally Hispanic and among the poorest of the poor."

In 1997, Cullen took command of the Diocese of Allentown. Diocesan records do not show any indication that Cullen took any action against Graff. In fact, Graff appears to have continued in ministry outside of Pennsylvania with no real attempt to understand where he was or what he was doing.

On October 4, 2002, Graff was arrested in Briscoe County, Texas, for sexually abusing a 15-year-old boy. Several news articles were written about the incident. Graff died on November 25, 2002, due to injuries from an accident while in a Texas prison awaiting trial.

A news article written in the Allentown Morning Call, dated November 27, 2002, reported that the boy Graff abused in Texas was hired by Graff to work at the church rectory where Graff was assigned. It was reported that the victim stated that he watched pornographic movies with Graff and Graff performed oral sex on the victim. The news article quoted investigator Jay Foster as saying Graff would hire mostly Hispanic boys in their early teens to clean the rectory and mow the lawn. Foster went on to say Graff "always had things to attract kids, like video games, Cokes, candy." The article cited to Texas criminal records related to his arrest.

On October 10, 2002, a victim reported to the Diocese of Allentown that he was sexually abused by Graff between 1983 and 1984 at the Holy Guardian Angels, Reading. The abuse involved a series of incidents such as showering together, masturbation, and fondling.

On June 28, 2003, a second known victim wrote a statement detailing the sexual abuse committed by Graff on him. The second known victim indicated the abuse occurred in the rectory of the Holy Guardian Angels Elementary/Middle School when the second victim was in seventh grade. The second victim detailed the grooming techniques of Graff. After the grooming period, Graff had him take his pants down and sit down. Graff then fondled the second victim's penis as Graff masturbated. According to the second victim, when he questioned Graff about the abuse, Graff responded by telling the second victim that it was "OK" because he was "an instrument of God." The second victim indicated the abuse occurred over the next six months as Graff would have the second victim come to his room, where Graff would masturbate both himself and the second victim. The second victim believed his friend and other boys were also abused by Graff during this same period.

In July 2003, after these complaints, the Diocese notified Catholic Mutual Insurance Group of potential liability.

On January 13, 2005, the Diocese received insurance paperwork regarding coverage for several sexual abuse allegations, including a claim by a third victim who asserted sexual abuse by Graff between 1971 and 1978, when the third victim was between twelve and thirteen years old. The third victim was a parishioner at Annunciation BVM located in Catasauqua when the abuse occurred. In the suit the third victim stated Graff repeatedly took pictures of him while he was naked, masturbated the third victim until he ejaculated, and performed oral sex on the third victim. Graff forced the third victim to masturbate and on one occasion Graff attempted to perform anal intercourse on the third victim, stopping only after objection. For many years the abuse occurred on a daily basis. The abuse occurred in Graff's bedroom or living room of the rectory. Often,

before Graff abused the third victim, Graff would force the third victim to drink alcohol until he was intoxicated.

On January 25, 2007, a fourth victim reported to the Diocese that he was sexually assaulted by Graff in 1986, within the Holy Guardian Angels Rectory, when he was 17 years old. The fourth victim died in April of 2015. The Diocese paid for his funeral.

The Grand Jury heard testimony from some of Graff's victims. In addition, the Grand Jury learned of Joey from his grandmother, mother, and sister in August 2016.

Some years after his abuse, Joey disclosed his secret to his grandmother, Kitty. Kitty and Joey had a special relationship. They would go on walks together. They would discuss their life and the future together. They were best friends.

Kitty recalled that, after years of a downward spiral, Joey finally told her what had happened to him as a child attending his home parish within the Diocese. Graff had raped Joey. During the violent assault, Graff had borne down on Joey's back with such force it had damaged his back. Kitty believed Joey had tried to tell her this years earlier when he had asked if priests molest children. Kitty thought then it was just the gossip of children.

Joey eventually told his mother, Judy, and his sister. Suddenly, the changes they noticed in this happy, out-going, science-fiction-loving boy made sense. He was dealing with trauma and conflict.

Joey wrote the Diocese on July 31, 2007. Joey described how Graff befriended him and then violently violated him. Joey wrote, "Father Graff did more than rape me. He killed my potential and in so doing killed the man I should have become."

In August 2016, Joey's mother testified before the Grand Jury. Judy explained that, in spite of his victimization, Joey had kept the faith. She stated:

> He stayed with the church. And he asked me if anything ever happened to him to have a Catholic mass and I didn't want to do it and he made me promise and I did. I did what he wanted, but it was the hardest thing to go into that church and being counseled with by a priest. I listened to him and tried to help him out a little bit but I was against it. But he -- the religion was very important to him and he was so afraid of going to hell that I think that is why he stuck with it.

Judy testified that the Diocese did provide some support to Joey before his death. However, Judy said that financial support was never the thing they most desired. Judy noted, "They never admitted anything happened. It was like he was trying to prove his entire life what had happened and that he was telling the truth. They never admitted – they never said there was abuse."

Joey wrote a letter to Cullen before his death. Joey spoke for all victims of child sexual abuse who suffered at the hands of Roman Catholic Priests. Joey noted that the Church's resistance to providing victims their day in court was inconsistent with supporting victims. Joey wrote:

> Pennsylvania law does not, for one moment, bar the Diocese of Allentown from making financial settlements with persons who were abused as minors, even though they might not report the abuse until they become adults. Pennsylvania's so-called statute of limitations is merely a defense, a legalistic prescription which the Diocese of Allentown may choose to invoke in civil litigation when it wishes to have an allegation of abuse dismissed without a hearing on the merits.

Joey did not live to have his day in court. He passed away due to an addiction to painkillers. Joey became addicted to these pain killers after his back was injured during a particularly violent attack by Graff.

Joey's account is but one account of many victims who were harmed by Graff as children. After Graff's arrest in Texas, public scrutiny turned on the Diocese. On October 14, 2002, the Allentown *Morning Call* broke the news that four individuals in Pennsylvania had come forward with reports of child sexual abuse perpetrated by Graff. The article stated that a Diocesan spokesman, Matt Kerr, responded that he was "surprised" by the reports and explained that "We communicated to the Amarillo Diocese rumors that had surfaced, but we never had any contact

with actual victims," Kerr said, "This is all new to us." These were the same four victims described above, who reported their abuse to the Diocese after reporting it to the *Morning Call.*

However, the Diocesan statement stands in stark contrast to the evidence held within the records of the Diocese. While the Diocese stated they were "surprised," internal records documenting the opinion of the Bishops showed constant references to Graff as being a "risk," a "concern," and a "legal liability." This language was much more consistent with language used in relation to predatory priests than a priest with a drinking problem.

Other victims continued to speak out after 2002. One of Graff's victims testified before the Grand Jury and provided a compelling and detailed account of a violent assault by Graff. In particularly graphic testimony, this victim explained how, as Graff prepared to anally penetrate him, he decided that he could either let the rape happen or run. He explained how he fled into the street, mostly nude, rather than allow the assault by the formidable and imposing Graff. He further explained the lasting effect of the assault and its continuing impact on his daily life. This victim's mother testified before the Grand Jury as well. She stated that her son immediately reported the abuse to her after it occurred in 1984. She reported the abuse to Father John A. Krivak and her son's school principal. In spite of this report, Graff continued in ministry as a priest.

The Grand Jury heard from still more victims who reported Graff was particularly violent in his assaults and seemed to take as much pleasure in causing pain as in the criminal sexual acts themselves. All of Graff's victims have struggled to move forward, and many question why so little has been done to hold the institution accountable for enabling the commission of such heinous crimes by their leaders.

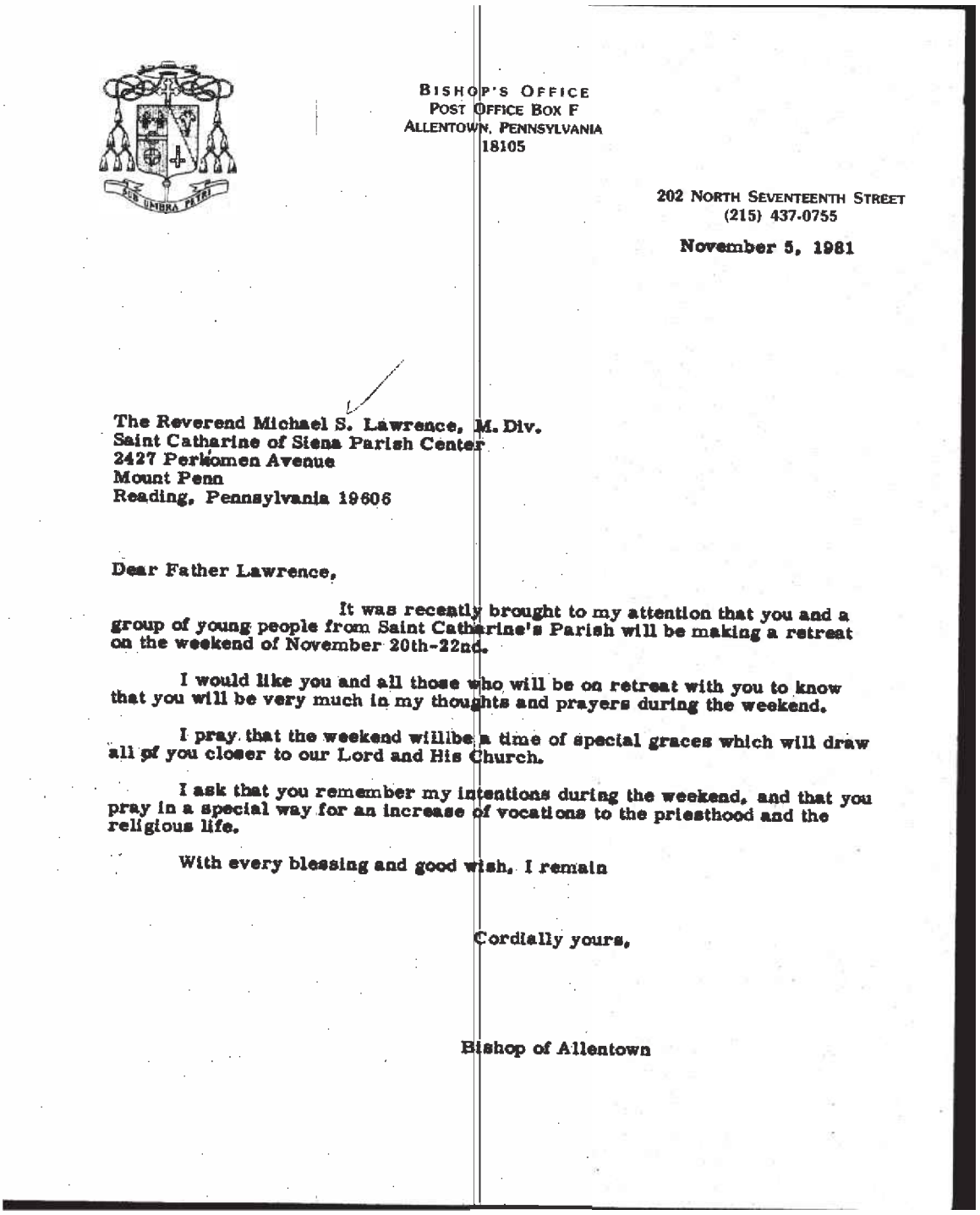
The Case of Father Michael S. Lawrence

Known Assignments

06/1973 - 06/1974	St. Catharine of Siena, Reading
06/1974 - 11/1974	Notre Dame High School, Easton
	Sacred Heart, Miller Heights
11/1974 - 12/1974	Coordinator of Adult Religious Education, North Hampton
12/1974 - 06/1975	St. Jane Frances de Chantal, Easton
06/1975 - 12/1975	St. Jane Frances de Chantal, Easton
12/1975 - 06/1977	St. Anne, Bethlehem
06/1977 - 06/1978	Central Catholic High School, Allentown
	St. Lawrence, Catasauqua
06/1978 - 08/1978	Diocesan Tribunal
08/1978 - 03/1980	Holy Trinity, Whitehall
03/1980 - 11/1982	St. Catharine of Siena, Reading
11/1982 - 03/1984	St. Anthony, Easton
03/1984 - 06/1984	Notre Dame High School, Easton
	St. Anthony, Easton
06/1984 - 08/1984	St. Joseph, Easton
	Notre Dame High School, Easton
08/1984 - 01/1987	Immaculate Conception, Jim Thorpe
01/1987 - 06/1987	Sick Leave
06/1987 - 03/1994	St. Paul, Allentown
	Diocesan Tribunal
	Ministry to the Aging
03/1994 - 06/1998	Diocesan Tribunal
06/1998 - 01/2000	Catholic University of America
	Divine Word College
01/2000 - 03/2002	Courage
03/2002 - 04/2015	Retired

Father Michael Lawrence was ordained on May 19, 1973. Suspicions of Lawrence's pedophilic behavior were brought to the attention of the Church as early as 1970 while Lawrence was attending St. Charles Borromeo Seminary. A student evaluation found within the records of the Diocese and obtained by the Grand Jury indicate that Lawrence was "a mysterious type who craves the attention of younger students" and that Lawrence showed "a little too much interest in younger students." Regardless of these observations, in 1981, Bishop Joseph McShea wished Lawrence well and noted that Lawrence "and a group of young people from Saint Catherine's

Parish will be making a retreat on the weekend of November 20th-22nd." The Bishop's salutations are contained within his November 5, 1981, letter to Lawrence on the subject.



BISHOP'S OFFICE
POST OFFICE BOX F
ALLENTOWN, PENNSYLVANIA
18105

202 NORTH SEVENTEENTH STREET
(215) 437-0755

November 5, 1981

The Reverend Michael S. Lawrence, M. Div.
Saint Catharine of Siena Parish Center
2427 Perkiomen Avenue
Mount Penn
Reading, Pennsylvania 19606

Dear Father Lawrence,

It was recently brought to my attention that you and a group of young people from Saint Catharine's Parish will be making a retreat on the weekend of November 20th-22nd.

I would like you and all those who will be on retreat with you to know that you will be very much in my thoughts and prayers during the weekend.

I pray that the weekend willlbe a time of special graces which will draw all of you closer to our Lord and His Church.

I ask that you remember my intentions during the weekend, and that you pray in a special way for an increase of vocations to the priesthood and the religious life.

With every blessing and good wish, I remain

Cordially yours,

Bishop of Allentown

The Bishop's Letter

Less than a year later, a 12-year-old boy told his father that Lawrence had sexually abused him. A report written by Monsignor Anthony Muntone, dated August 18, 1982, indicated that Father Fred Loeper called the Chancery to report an "unfortunate incident." Lawrence, then a priest at St. Catharine's of Siena, Reading, had sexually abused a 12-year-old boy. The father of the victim called Loeper to report the details of the incident. The victim told his father that he had been in Lawrence's room for a tutoring session. At the end of the session, the talk between Lawrence and the victim turned to sex. Lawrence then began to touch his genitals, had the victim take down his pants, and began to fondle the victim's genitals. The victim's father reported that his son had told him there had been "a lot of fondling, so much that he felt pain." Additionally, Lawrence made the victim urinate. The victim's father also reported the victim was having a hard time sleeping.

Muntone called Lawrence into his office and asked what had happened between Lawrence and the reporting victim. Lawrence responded "Please help me. I sexually molested a young boy." Lawrence then admitted he had the victim come to his room for an English lesson. Lawrence had the victim remove his pants and underwear and Lawrence touched the boy's genitals. He then drove the victim home.

Records indicate that Lawrence was sent to "Downingtown" (St. John Vianney Center) the same day he confessed to Muntone. Muntone wrote in his report that he spoke to "the doctor" at Downingtown, who informed him that the family of the victim should be given time to "ventilate" and what the victim experienced may not "be a horrendous trauma for the boy."

August 18, 1982

Father Fred Loeper called the Chancery to report an unfortunate incident involving Father Michael Lawrence, assistant pastor at St. Catherine's, Mount Penn.

Father Lawrence had a twelve year old boy, [redacted] in his room last evening for a tutoring session. At the end of the session, the talk turned to sex. Father Lawrence demonstrated certain things on himself. He then had [redacted] drop his pants and he demonstrated on the boy. [redacted] upon returning home was very confused and upset. He told his father what had happened.

Father Loeper then reported that Mr. [redacted] had attempted to call him but Father Lawrence took the call and said Father Loeper would not be available until the next day.

The next day, Father Lawrence had a day off. Mr. [redacted] called Father Loeper. In relating this incident, Father Loeper also said that Father Lawrence always associates with families who have boys and that he is always making physical contact with the altar boys.

Father Loeper concluded by saying that

Mr. [redacted] and [redacted]'s two older brothers were waiting to see what action the Diocese would take. If something isn't done, they will take legal action.

I then called Father Lawrence to the office. I simply asked him what had happened between [redacted] and himself the night before. He responded, "Please help me. I sexually molested a young boy."

I asked him to tell me exactly what had happened. He said [redacted] had come to his room for an English lesson. At a certain point he asked [redacted] to remove his pants and underwear. The boy did. He reported that he touched [redacted] twice on the genitals. He then drove him home.

He insists that he did not expose himself and that nothing more than that took place.

I informed him he was to be at Downingtown between three and four that afternoon and that he was not to leave the campus until he heard from me.

When I called Downingtown, the doctor informed me that it could be most

important to give the family an opportunity to ventilate. She said they should be assured that the matter is being taken very seriously. She also said that the experience will not necessarily be a horrendous trauma for the boy, but he should be given the opportunity to talk it out with Father Leeper.

The following day, Father Leeper called to report that [redacted] told his father there had been a lot of fondling, so much so that he felt pain. [redacted] also said that Father Laborenz had him urinate.

Mr. [redacted] was described as much more upset. [redacted] was having a hard time sleeping. There was more talk of legal action.

A. L. M.

Muntone's Confidential Memo of Child Sexual Abuse

Less than two years later, Lawrence was assigned to a high school to teach religion classes. A handwritten note to Bishop Thomas Welsh, dated April 9, 1984, reported that things were "going well" since Lawrence had taken over Bill Baker's religion classes. The note went on to state that Lawrence would like to be "reassigned to the school with the spring appointments." The note is signed Tony, for Anthony Muntone.

Tony
see
+ TJW

any ideas if any Bill Baker
e.g. Tribunal

April 9, 1984

Bishop,

Mike Lawrence called today and said that things have been going so well since he took over Bill Baker's religion classes at Notre Dame High School that he would like to be reassigned to the school with the Spring appointments.

He also reported that Bill Baker is like a new man since being relieved of the teaching assignment. He said Bill is doing very well as a curate and seems very happy.

I will check with Bob Foret to find out how things are going from his point of view.

Tony

The Note to the Bishop

Lawrence continued in ministry as a Roman Catholic priest in the Diocese of Allentown in different parishes, schools, and other assignments. However, he was removed from parish ministry in 1987 and placed on "sick leave." A letter from Welsh to Lawrence dated October 20, 1987, stated:

> On the advice of legal counsel, I write to inform you that effective immediately your faculties to celebrate Mass and otherwise function as a priest of the Diocese of Allentown are limited to the confines of the Convent at Bethlehem Catholic High School. I would ask you to make an appointment to see Monsignor Muntone at the chancery at your earliest opportunity.

The Grand Jury learned that the father of the boy who reported his abuse in 1982 had continued to complain to the Diocese regarding Lawrence's continued role in active ministry. The Diocese found itself, albeit temporarily, unable to maintain the secret of Lawrence's conduct. On the advice of legal counsel, they removed Lawrence from ministry.

Lawrence met with Welsh on November 5, 1987. The following day, Lawrence memorialized his thoughts in a letter. Lawrence admitted that the possibility of legal action and his removal from ministry had caused him anxiety. He wrote, "I find myself in a very dangerous position. The deep sense of frustration and anger have led me to act-out sexually in the past and if my present situation continues it becomes a possibility again." Lawrence referenced another known predatory priest, Joseph Rock, and opined that perhaps they could be a source of support for one another. Lawrence requested a compromise in which he could celebrate the liturgy at the Manor. Ultimately, Lawrence continued to serve as an active priest on the Diocesan Tribunal without a documented parish assignment.

But for the perseverance of the victim's father, the Diocese would have returned Lawrence to active parish ministry as they had done time and time again, as documented within Diocesan records reviewed by the Grand Jury. Although hiding Lawrence in ministry within the Diocesan

Tribunal was a poor substitute for actual removal from all ministries and titles, the efforts of this concerned parent kept Lawrence out of parish ministry.

The frustration this devoted father caused the Diocese of Allentown was documented in a confidential memorandum written by Muntone to Bishop Edward Cullen on May 5, 1998. Father Alfred Schlert was carbon copied. Muntone wrote:

> Something of a sticky situation has arisen with regard to Mike Lawrence who serves as secretary at the Tribunal. Back in 1987, it has come to light that Mike had been involved in some very indecent behavior with a young boy about ten or twelve years old, some five years earlier when he had been serving at St. Catherine of Siena Parish in Reading. The father of the boy was about as angry as I have ever seen anyone, and I have the feeling that he was just short of resorting to physical violence. He was almost irrational and it was very difficult to deal with him.

Muntone noted that once or twice the father of the boy came into the Diocesan offices and vented his anger. Muntone added, "It was pretty terrible." Muntone stated that Welsh renewed Lawrence's faculties on the Tribunal and that a new appointment for Lawrence was announced in the Diocesan newspaper. Muntone described the father of the victim as going "ballistic" and reported that he came to the Chancery once again, where he "complained bitterly that someone as evil as Mike was now being honored by the Church." Muntone noted that the Diocese created a list of priests whose ministry assignments should not be made public without consultation with Diocesan administrators as a result of this incident. Muntone concluded his memo by highlighting "the problem" of the twenty-fifth anniversary of Lawrence's ordination being at hand. Muntone asked for advice as to how to handle the normal process whereby Diocesan publications highlighted priest jubilarians of the Diocese under the circumstances. Muntone noted that, if the regular fanfare was provided for Lawrence's anniversary, it could be problematic and result in the victim's father "banging on the door once again." Regardless, Lawrence continued in his priestly duties on the Diocesan Tribunal until 2002.

MEMORANDUM

DATE: May 5, 1998

TO: Bishop Cullen

FROM: Msgr. Muntone G. M. M.

RE: Fr. Michael Lawrence

CC: Fr. Schlert ✓

Something of a "sticky" situation has arisen with regard to Mike Lawrence who serves as secretary at the Tribunal.

Back in 1987, it had come to light that Mike had been involved in some very indecent behavior with a young boy about ten or twelve years old, some five years earlier, when he had been serving at St. Catherine of Siena Parish in Reading. The father of the boy was about as angry as I have ever seen anyone, and I have the feeling that he was just short of resorting to physical violence. He was almost irrational and it was very difficult to deal with him.

Michael was sent to Downingtown, where he remained for about six months. After his discharge he was appointed secretary to the Tribunal, and he has remained there ever since. Once or twice since then, the father of the boy came in to the Office and vented his anger. It was pretty terrible.

A few years ago, Bishop Welsh applied to Rome for the renewal of the faculties of those who serve at the Tribunal without the necessary canonical degrees. Among them was Michael. When the faculties were renewed, the Bishop reappointed the tribunal staff. There was an arrangement, at the time, whereby the Chancery secretaries informed the AD Times of all appointments made by the Bishop. The list of appointments, including Michael's, appeared in the next issue of the paper. As you might imagine, the father went ballistic. He came to the Chancery once again. He was accompanied by his pastor, Joe Smith, and two of his sons, one of whom had been involved in the incident. He complained bitterly that someone as evil as Mike was now being honored by the Church. There was no way to convince him that the renewal of the faculties was hardly an honor.

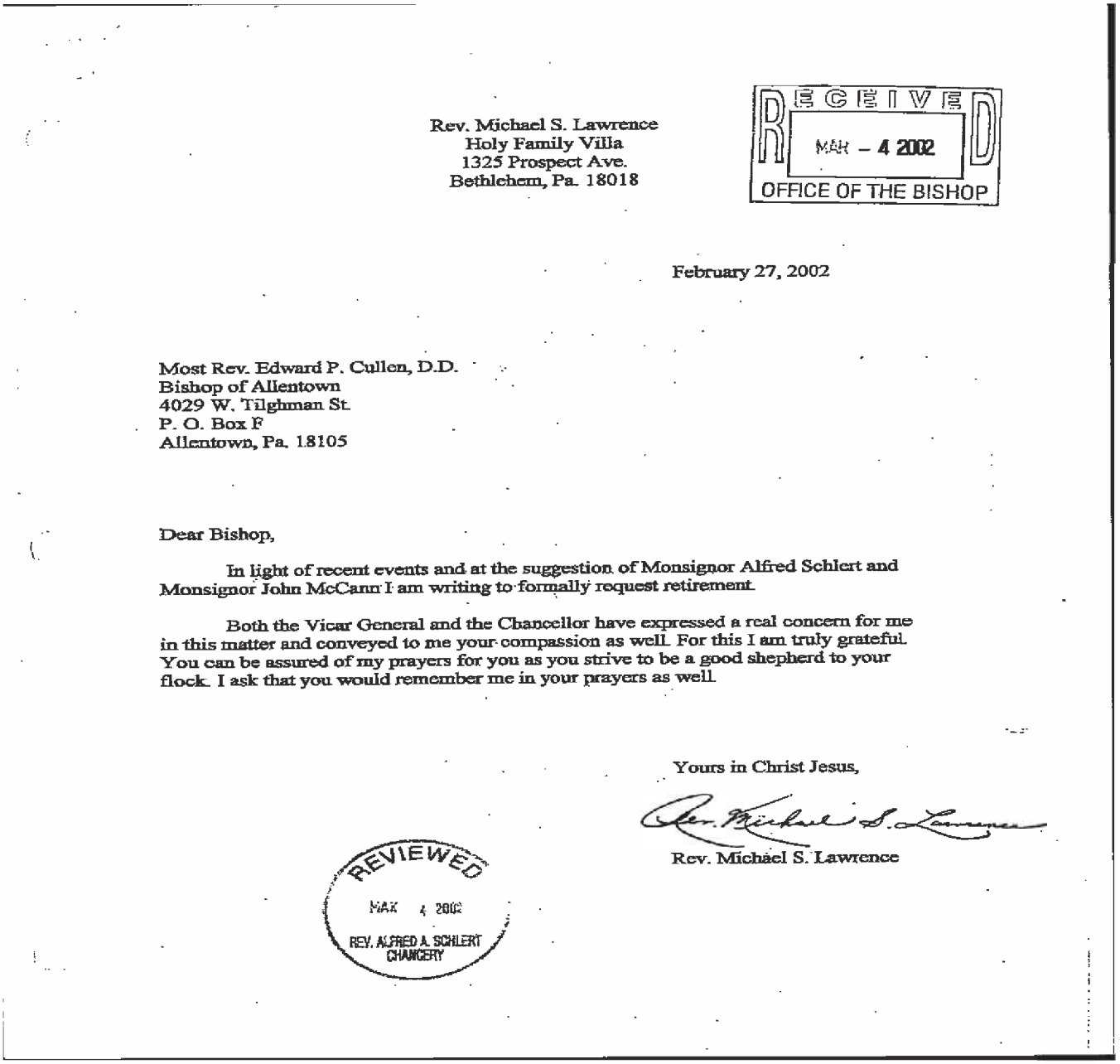
After the meeting I gave Deacon John Murphy a list of priests whose names or pictures should not appear in the paper without his calling the office first to discuss it.

Now comes the problem. Michael is observing the twenty-fifth anniversary of his ordination this year. The AD Times does a special feature each year on the priest jubilarians of the Diocese. If Michael's picture and biography appear, it's a sure thing that Mr. [redacted] will be banging on the door once again. On the other hand, if no mention of Michael is made in the paper, it creates another problem.

Do you have any advice for handling the matter.

Muntone's Memo to Cullen and Schlert

On January 6, 2002, the *Boston Globe* generated national publicity on the issue of child sexual abuse within the Archdiocese of Boston. In February 2002, Lawrence wrote to Cullen. Lawrence stated that, "in light of recent events and at the suggestion of Monsignor Alfred Schlert," he wished to retire. Lawrence was granted a retirement and received a pension and healthcare benefits.



Rev. Michael S. Lawrence
Holy Family Villa
1325 Prospect Ave.
Bethlehem, Pa. 18018

RECEIVED
MAR – 4 2002
OFFICE OF THE BISHOP

February 27, 2002

Most Rev. Edward P. Cullen, D.D.
Bishop of Allentown
4029 W. Tilghman St.
P. O. Box F
Allentown, Pa. 18105

Dear Bishop,

In light of recent events and at the suggestion of Monsignor Alfred Schlert and Monsignor John McCann I am writing to formally request retirement.

Both the Vicar General and the Chancellor have expressed a real concern for me in this matter and conveyed to me your compassion as well. For this I am truly grateful. You can be assured of my prayers for you as you strive to be a good shepherd to your flock. I ask that you would remember me in your prayers as well.

Yours in Christ Jesus,

Rev. Michael S. Lawrence

REVIEWED
MAR 4 2002
REV. ALFRED A. SCHLERT
CHANCERY

The "In Light of Recent Events" Letter

In spite of a documented confession to child molestation, Bishops Joseph McShea, Thomas Welsh, and Edward Cullen permitted Lawrence to remain in active ministry within the Diocese with all of the authority and trust of a priest serving on the Tribunal. The Diocese took no action to warn parents or parishioners of the Diocese that a predator was in their midst.

The 12-year-old boy who reported his abuse to his father in 1982 was not Lawrence's only victim. In November 2009, the Diocese received another report of abuse at the hands of Lawrence. A victim called to report that he had been sexually assaulted on one occasion by Lawrence. He reported that Lawrence fondled his genitals when he was approximately 13 years of age. Lawrence was confronted with the complaint by the Diocese. He contested the age of the boy at the time and indicated that he believed he was 16 or older. Lawrence also indicated that he often helped the children dress in costumes for parish productions. To the degree contact occurred, Lawrence claimed it was accidental. There is no indication that the Diocese notified the victim of Lawrence's earlier confession to molesting a child in 1982. Moreover, there is no indication that Barres told the Vatican of Lawrence's earlier crime or his related confession when the matter was brought to the attention of the Holy See.

In December 2014, Barres notified the Vatican by letter that he would not seek the removal of Lawrence from the priesthood. He recommended that he remain in retired status. Lawrence died in April 2015.

OFFICE OF THE BISHOP
Mailing Address
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ALLENTOWN, PENNSYLVANIA
18105-1538

4029 WEST TILGHMAN STREET
ALLENTOWN, PENNSYLVANIA 18104
(610) 437-0755
Fax (610) 433-7822

16 December 2014

Archbishop J. Augustine DiNoia, O.P.
Titular Archbishop of Oregon City
Adjunct Secretary
Congregation for the Doctrine of the Faith
Pallazzo del S. Uffizio
00120 Vatican City State

Re: Prot. No. 486/2004-45204
Prot. No. 486/2004-36902

Your Excellency:

I write in response to your letter of 14 January 2014 requesting further documentation, including the priest's written response to the more recent allegations made against him.

By mandate of Father Michael Lawrence dated April 3, 2014, the Reverend David Szatkowski, SCJ, was appointed his canonical Procurator and Advocate and accepted by me on April 22, 2014. From the 26th to the 28th of May 2014, Father Szatkowski interviewed Father Lawrence in order to receive his response to the additional accusations which were made against him and communicated to the Congregation for the Doctrine of the Faith on 22 September 2011 (cf. Prot. No. 486/2004-36902). Father Szatkowski wrote a thirty-two (32) page response on June 17, 2014 and received on June 23, 2014, which I enclose in Appendix A.

Father Michael Lawrence does not dispute the general circumstances under which the accuser "JM" claimed that an act of sexual abuse occurred more than twenty-eight years ago. He does dispute factual details, such as the age of the accuser and the presence or absence of others when the alleged act was to have occurred. He does confirm the detail that he was to assist in the costuming of the children involved in the parish play, confirms his presence in the sacristy for this purpose, and "realizes that physical contact with JM could have happened." He denies any accusation of fondling or inappropriate touch. This admission ties into a 2008 psychological report, hereafter referred to as the "Anodos Report." One relevant page of this report, concerning this accusation, was submitted in 2011. At that time, the entire report was not submitted, prompting your Dicastery's request for more information.

On page 13 of his "Advocate Brief," Reverend Szatkowski cites this "Anodos Report." His citation concerns the doctor's observation that "he had arranged a situation in which he was able to be with boys in a dressing room for a play where he could surreptitiously observe and touch them." Father Lawrence contests this part of the report- made three years before the allegation was made- in disputing the doctor's observation that he lacks remorse.

The Advocate's Brief then turns its attention to Father Lawrence's "second time of therapy" at Saint John Vianney Center which he wishes to emphasize "did not relate in any way to sexual misconduct... but to resolve problems with anger directed at parish staff."

Also enclosed with my Votum, in Appendix B, is a Psychological Assessment of Father Lawrence, written to his Advocate on June 10, 2014, and a statement by the Director of the permanent residence where Father Michael Lawrence lives a permanent life of prayer and penance.

Having prayed over the matter, and having studied the Brief of his Advocate and the current assessment of the psychologist, I have concluded that it is best that the Reverend Michael Lawrence remain under this supervised way of life.

It is my hope that my opinion offered herein will serve to alleviate your Congregation from further action in this matter.

Sincerely yours in Christ,

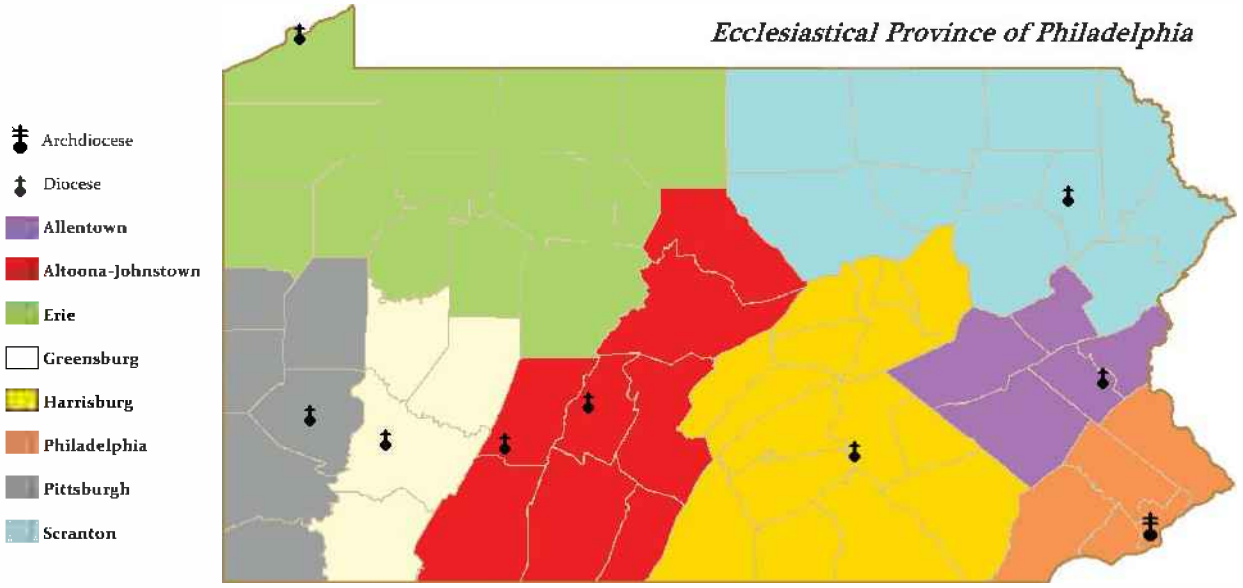
+ John O. Barres

The Most Reverend John O. Barres, D.D.
Bishop of Allentown

2

Barres' Notification to the Vatican

Roman Catholic Diocese of Erie



I. General Overview of the Diocese of Erie Pennsylvania

The Diocese of Erie was founded on July 29, 1853 and includes thirteen counties in northwestern Pennsylvania. These counties are Erie, Crawford, Mercer, Venango, Warren, Forest, Clarion, Jefferson, Elk, McKean, Clearfield, Cameron and Potter Counties. This is the largest geographical diocese in the state of Pennsylvania. Due to its large size the Diocese of Erie is divided into three sections known as Vicariates: Eastern, Northern and Western. Each of these Vicariates is run by a priest or Monsignor who takes their direction from, and is answerable to, the Bishop of Erie. The Diocese serves the roughly 221,508 Catholics of the region or approximately 25.7% of the regional population. The Bishop is the chief authority within the Diocese of Erie.

II. History of Bishops of the Diocese of Erie

1) Bishop John M. Gannon (1920 – 1966)

2) Bishop John F. Whealon (1966 – 1968)

3) Bishop Alfred M. Watson (1969 – 1982)

4) Bishop Michael J. Murphy (1982 – 1990)

5) Bishop Donald W. Trautman (1990 – 2012)

6) Bishop Lawrence T. Persico (2012 – Present)

III. Additional Church Leadership within the Diocese of Erie Relevant to the Grand Jury's Investigation

The Grand Jury finds that that the following Church leaders, while not Bishops, played an important role in the Diocese of Erie's handling of allegations of priest sexual abuse.

1) Monsignor Mark Bartchak

2) Father Glen Whitman

IV. Findings of the Grand Jury

The Grand Jury uncovered evidence of child sexual abuse committed by priests in the Diocese of Erie. Evidence showed that Roman Catholic priests engaged in sexual contact with minors, including grooming and fondling of genitals and/or intimate body parts, as well as penetration of the vagina, mouth, or anus. The evidence also showed that Diocesan administrators, including the Bishops, had knowledge of this conduct and yet priests were regularly placed in ministry after the Diocese was on notice that a complaint of child sexual abuse had been made. This conduct enabled offenders and endangered the welfare of children.

Evidence also showed that the Diocese made settlements with victims and had discussions with lawyers regarding the sexual conduct of priests with children. Further, these settlements contained confidentiality agreements forbidding victims from speaking about such abuse under threat of some penalty, such as legal action to recover previously paid settlement monies.

Finally, the Grand Jury received evidence that several Diocesan administrators, including the Bishops, often dissuaded victims from reporting abuse to police, pressured law enforcement to terminate or avoid an investigation, or conducted their own deficient, biased investigating without reporting crimes against children to the proper authorities.

V. Offenders Identified by the Grand Jury

1) Michael J. Amy
2) Michael G. Barletta
3) Donald C. Bolton
4) Robert F. Bower
5) Dennis Chludzinski
6) Donald Cooper
7) Michael R. Freeman
8) Gregory P. Furjanic
9) Chester "Chet" Gawronski
10) Herbert G. Gloeker
11) Robert E. Hannon
12) James P. Hopkins
13) Barry M. Hudock
14) Joseph W. Jerge
15) Stephen E. Jeselnick
16) Thomas C. Kelley
17) Gary L. Ketcham
18) Thaddeus Kondzielski

19) Gerard Krebs

20) Jerry (John) Kucan

21) Louis Lorei

22) Salvatore P. Luzzi

23) Richard D. Lynch

24) Daniel Martin

25) [redacted]

26) Leon T. Muroski

27) Edmundus Murphy

28) John L. Murray

29) Giles L. Nealen

30) Jan Olowin

31) Andrew Pawlaczyk

32) John A. Piatkowski

33) David L. Poulson

34) William Presley

35) John Philip Schanz

36) Samuel B. Slocum

37) Thomas Smith

38) Thomas Snyderwine

39) John Tome

40) Patrick Vallimont

41) [redacted]

 REDACTED – ONGOING APPELLATE LITIGATION

VI. Examples of Institutional Failure: Fathers Chester "Chet" Gawronski, William Presley, and Thomas Smith

The Grand Jury notes the following examples of child sexual abuse perpetrated by priests within the Diocese of Erie. These examples further highlight the wholesale institutional failure that endangered the welfare of children throughout the Pennsylvania Dioceses, including the Diocese of Erie. These examples are not meant to be exhaustive; rather, they provide a window into the conduct of past Pennsylvania Bishops and the crimes they permitted to occur on their watch.

The Case of Father Chester Gawronski

Known Assignments

06/1976 – 09/1978	St. Joseph, Oil City
09/1978 – 07/1979	St Bernard, Bradford
07/1979 – 02/1987	St. Agatha and St. Bernadette Mission, Saegertown
02/1987 – 01/1988	Health Leave
01/1988 – 05/1989	Holy Family Monastery, Erie
01/1988 – 05/1989	St Patrick, Erie
05/1989 – 12/1989	Health Leave
12/1989 – 08/2001	Pleasant Ridge Manor, Girard
06/1992 – 11/1992	Hamot Hospital, Erie
08/1995	St Ann, Erie
09/2001	St Mary's Asbury Ridge, Erie

Father Chester Gawronski became a priest in the Diocese of Erie in 1976. In August 1986, Bishop Michael Murphy was notified that Gawronski had fondled and masturbated a 13-to-14-year-old boy on multiple occasions from 1976 to 1977 under the pretext of showing the victim how to check for cancer. Complaints continued to be received for decades.

In early 1987, the complaints were commonly made by parents who reported similar conduct with their sons. An internal Diocesan memorandum was obtained by the Grand Jury and indicated that the number of victims could be has high as twenty.

> So many of the parents know about the skinny dipping and the cancer check. That as one parent said - How many boys were involved? The same number that he took to camp; my guess we would be counting fifteen or twenty over the years.

Diocesan Records Attempt to Tally the Abuse

Diocesan administrators, concerned about negative publicity and potential legal liability, attempted to assure the families of the victims that action would be taken. Internally the Diocese worked to compile data on the number of families affected and how to keep the matter secret.

On January 7, 1987, Father Glenn Whitman, head of the Diocese's Clergy Personnel Office, wrote a letter addressed to a parent of one of Gawronski's 13-year-old victims. Whitman wrote, among other things, "My only caution to you … is to refrain from probing for any more information about past events as it may raise undue concern and attention on the part of people who aren't involved." That same day, Whitman documented the need for "discretion" in another Diocesan communication to an interested party. Among other things, Whitman wrote:

> I can't stress enough the necessity for discretion in this matter. It is obvious at this time that legal action isn't pending, or being considered. Undue attention or publication of this information to other families, or other priests would be harmful and certainly unnecessary."

Diocese of Erie

Comprising Eleven Counties of Northwestern Pennsylvania

Clergy Personnel

1-7 5¢

Dear Henry,

Thanks again for your understanding and insight into the issues we discussed the other day. I'm sure everything will work out for the best, for St. Agatha/St. Bernadette, for Chas and the family involved as the weeks unfold.

I can't stress enough the necessity for discretion in this matter. It is obvious at this time that legal action isn't pending, or being considered. Undue attention or publication of this information to other families, or other priests would be harmful and certainly unnecessary. I know I can rely on you and your wisdom to avoid the dissemination of this information.

I am planning to share the information with Andy Gerg at the end of this week, as it is within the realm of his responsibility and pastoral concern.

Thanks again, for your thoughtfulness.

Sincerely,

Whitman's "Discretion" Letter

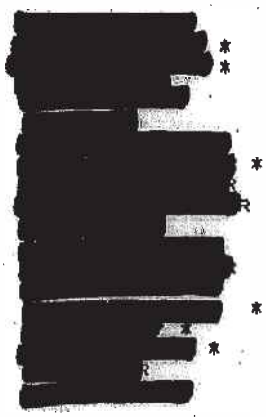
Diocesan records, obtained by the Grand Jury through a subpoena served on September 1, 2016, recorded the ever-growing list of affected and traumatized parishioners. A summary of potential families affected noted that the mother of a group of brothers that were molested continued "to be very angry about this whole thing" and is in conversation with at least one other family on this list. She stated that "going public would be a distinct possibility should (Gawronski) ever be assigned to parish work." On February 9, 1987, Gawronski provided the Diocese with a list of forty-one possible victims. He confirmed at least twelve children as victims on whom he had performed the "cancer check."

February 9, 1987

Frank:

Here is a list of any young man that I had some contact with in the Meadville and Saegertowm area. (Played racquetball with, took to the cottage, friends of their family, friends of some of the boys, etc.) Since [redacted] says that I was with so many kids, he think I have done something with all of them. I have put a asterisk next to the names of the boys I had taught how to check for cancer.

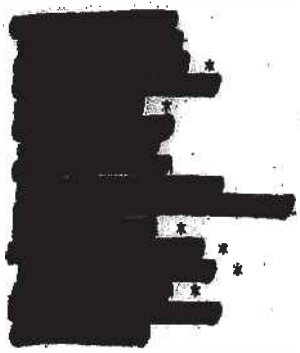
MEADVILLE: (ST. AGATHA PARISHIONERS)



FRIENDS OF SOME OF THE BOYS ABOVE:



SAEGERTOWN: (ST. BERNADETTE PARISHIONERS)



RCDErie 0001970

Gawronski Admits Criminal Conduct

1. A few days before Christmas, 1986, Family A called the Pastor asking why Diocese wasn't doing anything about Fr. Chet. Pastor unaware of her meaning...she explained about camp owned by a Doctor in/near Oil City. Her son was asked to go skinny dipping in pool and felt that CW was going for "those parts of his body forbidden to touch". Son got out, went to shower, CW insisted on showering together and boy was masturbated. Pastor believes boy was 12 then; he told his siblings about it but not his parents until fall of 1986.

Family A still angry about this and threatened to come forward - go public - if CW assigned to parish.

2. Family B (also from Saegertown as is Family A) Son also touched by CW. Family went to previous parish administrator about the incident. Boy about 14 when CW arrived on scene. He went with CW to camp three or four times, always with other boys. He resisted stripping for the skinny dipping. In summer of 1980 (boy 15 at time), with two other boys, CW put all in circle and CW told them all to "get it up". CW helped this boy as he was having trouble getting an erection. Once this was accomplished, the "cancer check" proceeded.

This boy continued going to confession to CW, who told him to "keep it in your pants".

Boy has since married at 19 to emotionally immature girl, possibly to prove his sexuality...since broke up. Mother expressed concern that priests shouldn't be treated any differently than others in these cases (jail? trial?)

3. Family C Two boys, mother feels certain that CW propositioned them both, if not actually did "the check" on them. They often went to the camp, but like the others, mysteriously and suddenly stopped accompanying CW.
(Also Saegertown)

4. Strong suspicions from the parents of three other families in Saegertown the CW molested or at least propositioned their boys. Also a family in Cambridge Springs through his ministry at Alliance College.

5. Family D (Meadville) Two sons, mother says that the oldest was molested. Constant presence of CW in house, "rub downs", racquetball, wrestling in livingroom . Mother not sure about second son's possible molestation - pretty sure of proposition.

6. Family E Mother feels that of her several boys, the oldest was molested. Continues to be very angry about this whole thing and is in conversation with at least one other family on this list. She has said that "going public" would be a distinct possibility should CW ever be assigned to parish work.

RCDErie 0001968

7. Suspicions about two other families - nothing more than that, however.

Comment at Parish council meeting in Saegertown. Discussion was centered on apparent waning of interest/activity. Reasons were cited. One parent spoke up "Don't forget what happened here 3-4 years ago (reference to CW); there's hardly anyone around this table who hasn't been hurt."

RCDErie 0001969

A 1987 List of Families Affected

Additional records, obtained from the secret or confidential archives of the Diocese, noted that, in April 1987, Gawronski freely confessed to numerous instances of sexual abuse. He was sent to Chicago for psychological evaluations but denied any problems with boys. He was placed on a temporary leave of absence. In some instances, entire families of young boys were molested by Gawronski. Regardless, Gawronski was still permitted to wear the collar of the priesthood as he engaged the public.

In addition to this information, more victims reported Gawronski for criminal sexual acts with children to the Diocese in 1988. In 1990, Bishop Donald Trautman took command of the Diocese. Trautman also received additional complaints in 1995 from a victim who had been molested at the age of 15 in 1986. The victim reported he had fallen prey to Gawronski's "cancer checks."

By 1996, there was no possible doubt that Gawronski had spent most of his priesthood preying on the vulnerable. However, even as complaints continued, on November 6, 1996, Gawronski was notified that Trautman had approved his request to hear confessions for persons with disabilities. On May 19, 1997, Trautman sent a letter to Gawronski and thanked him for "all that you have done for God's people during those twenty-one years of ordination. Only the Lord knows the many acts of kindnesses on your part and the deep faith that you have shown. The Lord, who sees in private, will reward."

For approximately fifteen years, from 1987 to 2002, Murphy and Trautman allowed Gawronski to remain in active ministry by reassigning him multiple times. As late as 2001, Trautman assigned Gawronski to a new five-year term as a chaplain for St. Mary's Home in Erie.

In January 2002, the *Boston Globe* broke national news by publishing an article detailing child sexual abuse by clergy in the Archdiocese of Boston. Located within records provided by

the Diocese was a petition for "withdrawal from priestly ministry" signed by Gawronski with the handwritten notation, "EFFECTIVE FEB. 27, 2002."

On June 2, 2002, one of Gawronski's 13-year-old victims wrote a letter to Trautman. Among other things, the victim requested that the Church: 1) stop aiding and abetting priests; 2) ensure collections were not used to compensate priests; 3) publicize the names of pedophile priests; 4) identify any priest who has molested a child; and 5) establish a policy to ensure offending priests were reported to law enforcement. The victim also advised that Trautman had never contacted him since the *Erie Times* ran an article identifying potential offenders within the Diocese in April 2002. The victim specifically cited that his dealings with his molestation recently resurfaced when learning of Trautman's "libelous statement that there were no pedophiles in the Erie Diocese."

Trautman responded to this victim by letter dated June 21, 2002. Trautman stated that he was shocked the victim would "go to the press directly rather than to contact me regarding the past" and argued that the victim was 14 years old when the abuse occurred, not 11 as stated in the article. Trautman explained that the Diocese had a "zero level tolerance for any abuse situation"; that he knew of no priest with a pedophile background in any form of ministry; and that he had never transferred an accused priest from parish to parish as had occurred in other dioceses.

On November 12, 2004, Trautman wrote a ten-page letter to Joseph Cardinal Ratzinger of the Congregation for the Doctrine of the Faith in Rome. The letter was accompanied by a twelve-page directory of Gawronski's victims and crimes. In total, forty-four identified children were identified in the documents. In providing a basis for Gawronski's removal from the priesthood, Trautman stated, "Gawronski identified, pursued, groomed, and then abused his victims. The classic use of manipulations of the parents, siblings, and friends of the victims in order to get to

those victims or cultivate other potential victims is consistently evident throughout." Trautman went on to write:

> I now see in its totality that his conduct has been deeply harmful to several individual persons, to the faith communities of St. Joseph Parish, Oil City, PA, St. Agatha Parish, Meadville, PA and St. Bernadette Mission, Saegertown, PA, and the common good of the Church. He has gravely offended the dignity of the priesthood, the Sacrament of Penance, and the dignity of marriage, as well as against good morals in general. As long as Gawronski exercises priestly ministry and that is publically known, the effects of scandal among the people of the Diocese of Erie will continue. Justice has yet to be restored, given the number and kind of his offenses.

Trautman's scorching indictment of Gawronski's decades of child sexual abuse was necessary to convince Rome to remove Gawronski from ministry. It was also the only full and fair accounting of Gawronski's crimes that either Trautman or the Diocese has provided to date. Unfortunately, it was contained within a private letter to Rome rather than through a public acknowledgment to Gawronski's victims or the public. Additionally, it occurred fifteen years after the Diocese received the first report of child sexual abuse and only occurred after immense external pressure was placed on the Diocese by press accounts and litigation.

The Case of Father William Presley

Known Assignments

05/1956 - 06/1965	St. Cosmas and Damian, Punxsutawney
06/1965 - 08/1970	Elk County Christian High School, St. Marys
05/1971 - 08/1971	Immaculate Conception, Brookville
05/1972 - 08/1971	Our Lady Queen of the Americas, Conneaut Lake
08/1970 - 06/1976	Leave of Absence, Graduate and Student Counselor, Notre Dame, Indiana
06/1976 - 06/1977	Leave of Absence, St. Joseph University, Philadelphia
06/1977 - 06/1978	Leave of Absence, Campus Minister, University of Maryland, Baltimore, Maryland
06/1978 - 08/1981	St. Therese, Shinglehouse
06/1971 - 08/1981	Sacred Heart Mission, Genesee
08/1981 - 03/1983	Leave of Absence, Parish Ministry in Raleigh, North Carolina
03/1983 - 03/1988	St. Agnes, Morrisdale (three separate assignments)
03/1988 - 04/1990	Leave of Absence, Outside the Diocese
04/1990 - 07/2000	Assumption of the Blessed Virgin Mary, Sykesville (three separate assignments)
07/2000	Retired in Lancaster (Diocese of Harrisburg)

The Diocese of Erie was first apprised of Father William Presley's sexual abuses as early as November 1987, during his assignment as Pastor of St. Agnes. These sexual abuses, as reported to the Diocese, involved two victims and spanned nearly sixteen years. One of the victims had been abused as recently as 1986; the second victim was abused prior to 1971 when he was a high school student in another parish.

Between February and May 1988, various meetings or discussions were held between Presley and Diocesan officials. Fathers John Rosenhamer, A. Joseph Book, Joseph Bobal, Glen Whitman, John Beal, and Bishop Michael Murphy participated in the review of the complaints. The Diocese noted that Presley did not directly deny the allegations. However, Diocesan memoranda obtained by the Grand Jury recorded the Diocese's negative view of the complaining victims. Documents regularly referred to the victims as "troubled" or having psychological

"problems." Indeed, it was noted that one victim may have been the victim of a previous sexual assault by a family member.

During the course of the counseling, Bill learns that she has read over 400 of these trashy, romantic novels, and that she fantasises about everything. The girl, obviously, to me, Fr. Book, has psychological problems. That's one element of the story.

An Excerpt of a Diocesan Memo Regarding a Victim

There was a consensus amongst diocesan officials that Presley was extremely violent and predisposed to assaultive behavior. On May 16, 1988, Bobal wrote a letter to Murphy containing his recollection of a meeting with Presley. He confirmed that Presley had given the teenaged female victim a job and had obtained other items for her, including clothing and money. He also noted the possibility that Presley would become violent. The meeting concluded with a request that Presley undergo a psychological evaluation. Presley ultimately refused the evaluation but agreed to see another doctor at the recommendation of the Diocese.

Immaculate Conception Church
408 Stone Street
Osceola Mills, PA 16666

May 16, 1988

Most Rev. Michael J. Murphy, P.D., S.T.L.
Bishop of Erie
205 W. 9th St.
Erie, Pa. 16501

Dear Bishop Murphy,

In response to a request made by Father A. Joseph Bock I am writing my recollections of a meeting held at Immaculate Conception rectory on Thursday, Feb. 18, 1988 at 11:00am. Present at the meeting were Fathers John Rosenhamer, William Presley and myself. Father Rosenhamer and Father Presley did all of the talking. I was there mainly because we knew of Bill's propensity toward anger and we were concerned about the possibility of his becoming violent.

As we sat down, Father Rosenhamer began by telling Bill of his talks with [redacted] and he (Fr. Ro.) read through a list of things she had accused Bill of. These accusations were about sexual conduct with her. Bill sat there listening to Fr. Rosenhamer until he was finished with occasional comment on his part. Then he said something to the effect of - "Do you want to hear my side now" and I believe John said "Yes".

Bill then began to describe his association with [redacted]

a- How she came to him for money.

b- How he offered her part time work as a secretary.

c- How she always seemed to want or need more money.

d- How he increased her hours of work.

e- How he worked to get her a scholarship at St Francis College.

f- How he went shopping for clothes for her.

g- about her dating some fellow now who was the possible cause of her dropping out of school.

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Immaculate Conception Church
408 Stone Street
Osceola Mills, PA 16666

He denied having sexual intercourse with her and also denied several times the accusation of any sexual involvement of [redacted] with her. There may have been other comments made which I can't remember now.

After this, Bill asked John what he wanted him to do and John said he wanted him to go up to Saint George's for the weekend and then he would be taken to St. Louis - I think - for evaluation. Then at this point, I believe, Bill said "Do I get to see the Bishop" and I believe that Johns response was not until after the evaluation. There was some discussion on the length of time required for the evaluation and Bill kind of balked at the amount of time that he would be away.but then he said that he would go.- that he owed it to Bishop Murphy to go thru the evaluation.

I am not sure of the sequence here but it seemed that they began to cover the same ground over again but this time Bill gave a detailed and graphic history of [redacted] life as he knew it - how she was mistreated and abused by her grandfather.After this I think John restated what he wanted Bill to do and Bill said something about the possible outcome of the evaluation and then said"I've worked too hard for what I have and I won't give it up. I'll get a lawyer." and John said that he thought that he should. Bill also talked about his dogs. He said that he wouldn't give them up since they were a sort of therapy for him. I believe that somewhere along hereBill said,"I want to see the Bishop" and I believe that John said we want you to go for evaluation first. Somewhere in this dialogue Bill said that he respected his vow of celibacy and that the whole conversation was extremely embarrassing to him.

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In the end he did promise to go back to the parish and get things lined up for him to go up to St. George's and then on to St. Louis for evaluation. Father Rosenhamer said that he would be at St Agnes and St Severin churches for the weekend.

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Immaculate Conception Church
408 Stone Street
Osceola Mills, PA 16666

He said that he would simply tell them that Father Presley was on a health leave. As he was leaving, I told Bill to either let me know or write down what his weekday schedule for Masses was and any other details he might want to leave for us so that Father Mastrian and I could maintain things for him until he got back. Bill left and then called me that afternoon or the next day to check out Mass schedules for the bulletin.

Again, Bishop , I Have to admit that I am not at all positive about the sequence of everything written here and that there were other things said that I could not recall but what is here are my recollections of that afternoon's meeting.

Respectfully Yours in Christ,

Joseph K. Bobal

c. -Very Rev. A. Joseph Book E.V.

c. - Rev. John P. Beal , J.C.D. Judicial Vicar

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The Bobal Letter

Following an evaluation in April 1990, Murphy placed Presley in a temporary assignment. That assignment was made permanent in June 1990. Shortly thereafter, Trautman allowed Presley to remain in his position as Pastor and Administrator at the Assumption of the Blessed Virgin Mary Church in Sykesville, Jefferson County. In April 1996, Trautman appointed Presley to a new six-year term as Administrator of this Church, where Father Presley remained until his retirement in 2000.

In January 2002, an article detailing the practice of reassigning priests accused of sexual abuse of children was published in the *Boston Globe*. In April 2002, three separate victims notified Trautman of sexual abuse perpetrated upon them by Presley from 1963 to 1974. One of the victims was as young as 13 years old when it occurred. The abuse of these individuals consisted of "choking, slapping, punching, rape, sodomy, fellatio, anal intercourse," and other acts according to Diocesan records reviewed by the Grand Jury. On April 18, 2002, Trautman contacted Presley by telephone. Trautman recorded that, during that call, Presley admitted the sexual abuse of the victims. Trautman revoked Presley's priestly faculties later that year.

In April 2003, and in response to media inquiries about Presley, the Diocese of Erie issued a press release stating, among other things, that Presley's priestly faculties were removed in July 2002 shortly after the allegations prompted the Diocese to conduct an internal investigation. The Diocese stated that Trautman's understanding of the alleged incidents was that the crimes had occurred 28 years ago during the time of the late Bishop Watson. The Diocese explained that the individual making the allegation was twenty years old at the time and enrolled at a college in another state where the incidents were reported to have occurred. The Diocese told the public that it had "no information to provide on other possible allegations against the priest."

This press release was false and misleading. Trautman had personal knowledge of at least three victims, one as young as 13, who reported their abuse to him in 2002. Only one victim was an out-of-state college student. Moreover, the Diocese was aware of sexual abuse complaints against Presley as early as 1987 but permitted him to stay in active ministry for another thirteen years. Additionally, Diocesan records showed that Presley was so violent that priests who interacted with him were concerned for their safety.

Later that year, Trautman communicated with the Vatican and outlined additional details with respect to sexual abuse committed by Presley. Trautman cited information provided by a doctor who was counseling one of Presley's victims, the same doctor who counseled Presley in 1988. Trautman reported that the information "...confirms my suspicion that there are even more victims of the sexual abuse and exploitation perpetrated by Presley."

By 2005, the Diocese was actively engaged in an attempt to formally remove Presley from the priesthood. In the course of that effort, personnel for the Diocese interviewed other witnesses or associates of Presley and identified numerous additional victims or potential victims. Monsignor Mark Bartchak led the investigation. Several of these individuals stated that they informed the Diocese of their concerns in the 1980's, including a report to a parish council member, who stated that Presley would not allow anyone else inside the rectory when certain children were present and that some of these children spent the night with him on multiple occasions.

Bartchak also re-interviewed the male victim who had previously disclosed his abuse to the Diocese in 1982, 1987, and 2002. He explained that Presley invited him to his rectory after befriending him. Presley then tried to hypnotize him before assaulting him. Presley took him on trips to New York and Yosemite. Presley brought other children on some of these trips, including

one occasion when he tried to abuse both the victim and another high school student at the same time. Presley taught the victim how to have sexual intercourse by bringing in a female high school student and using index cards to show them where to touch each other. On more than one occasion, Presley gave him some type of a sedative to relax him prior to abusing him. Presley stated that it was okay "because he was a priest" and used his position as a spiritual guide to further the abuse.

On August 25, 2005, Bartchak sent a confidential memo to Trautman that detailed the results of his interviews to date. Bartchak stated the following: "I was not surprised to learn from other witnesses from the Elk County area, that there are likely to be other victims" and that "... several more witnesses who could attest to the brutality that they were subjected to by Father Presley." Bartchak asked, "It is likely that there may be others who were also of the age for the offenses to be considered delicts, but to what end is it necessary to follow every lead?" He sought Trautman's opinion, asking:

> Is it worth the further harm and scandal that might occur if this is all brought up again? I am asking you how you want me to proceed. With due regard for the potential for more harm to individuals and for more scandal, should I continue to follow up on potential leads?

Four days later Bartchak documented a meeting earlier that day with Trautman, in which he stated:

> Bishop Trautman decided that in order to preclude further scandal, these additional witnesses should not be contacted, especially given the fact that is not likely that they will lead to information concerning delicts involving minors under 16 years of age.

In 2006, Trautman made a confidential, formal request to the Vatican in support of Presley's laicization. The Grand Jury reviewed similar requests in Dioceses throughout Pennsylvania. Often called "The Acts" of the subject priest, the summaries were often the most detailed documents within Diocesan records and contained decades of long-held secrets only

disclosed in an effort finally to remove an offending priest from the priesthood. The "Acts" of Presley stated, in part:

> Presley is a violent man....He managed to work his will and way by fear, intimidation, charm and deception, all the classic signs of a hardcore predator. How he managed to escape for so many years defies reason and understanding.
>
> His behavior was carefully planned behavior.....Victimization didn't happen spontaneously; it was programmed, masterfully designed, almost perfectly executed.
>
> Given the pattern of behavior over his years in ministry, I believe that Presley constitutes a threat to others.
>
> Presley's abuse has had a rippling effect on the spiritual, mental and emotional lives of his victims.....Presley's case has been made public by way of the printed media – causing scandal among the Christian Faithful.
>
> He manipulated families to welcome him into their homes and worked to garner the approval of parents. He then used this privileged position to solicit sexual acts with the children.
>
> Father Presley's behaviors of manipulating families into giving him their trust and grooming their children for engaging in sexual acts continued and improved as he moved to other assignments.

In the course of these proceedings to remove Presley, the Bishop of Harrisburg, Kevin Rhoades, provided a statement. He acknowledged that Presley had moved to Lancaster, Pennsylvania after his retirement in 2000. Rhoades wrote that his predecessor, Bishop Nicholas Dattilo, was personally aware of this matter and that more information regarding the violent behavior of Presley had come to light since Presley moved to the Diocese of Harrisburg. Further, the letter stated that "were this information to become known, especially in the light of his offers of public assistance at Mass in several parishes, great public scandal would arise within this diocese."

On July 13, 2006, Trautman wrote to the Lancaster County District Attorney. His letter stated that Presley was now defrocked and that the Diocese had received "credible allegations

regarding sexual misconduct with a minor which allegedly occurred many years ago." Trautman falsely wrote, "We were unaware of these allegations until they came to light only a few years ago. As a result, no criminal charges were ever brought forward because the statue of limitations had expired." The truth was that Murphy, Trautman, and the Diocese of Erie intentionally waited out the statute of limitations and curbed their own investigation to prevent finding additional victims.

The Grand Jury finds that the failure of the Diocese of Erie and of Murphy and Trautman to aggressively pursue the removal of Presley in a timely fashion had left Presley cloaked in the authority and respect of the priesthood. Moreover, the lack of transparency and candor with respect to the concerns surrounding Presley only aided seamless insertion into another Catholic community. Presley, a priest Trautman would eventually describe as a "hardcore predator," had escaped to a new region of Pennsylvania.

DIOCESE OF HARRISBURG — Office of the Bishop

4800 Union Deposit Road — Box 2153 • Harrisburg, Pennsylvania 17105-2153
(717) 657-4804

Votum of the Bishop of Harrisburg

Prot. N. 242/2003
Rev. William F. Presley

Your Eminence, Cardinal William Levada:

Permit me this opportunity to offer an opinion in the matter of Rev. William F. Presley, a priest of the Diocese of Erie, in a case concerning the commission of a *gravius delictus*, namely the sexual abuse of a minor.

I was ordained and installed as Bishop of Harrisburg on December 9, 2004. My predecessor, Bishop Nicholas C. Dattilo, was personally aware of and directly involved in this matter.

Following his admission of the sexual abuse of a minor, Father Presley moved to the area of Lancaster, Pennsylvania, within the Diocese of Harrisburg. This occurred in the Summer of the year 2000. My predecessor learned of this from priests of the area, because of Father Presley's assistance to the parishes of the Lancaster area.

Upon inquiry, it was learned that Father Presley left his diocese of incardination following an admission of sexual abuse of a minor, and the sexual abuse with force and threats of multiple other persons. At the time, Bishop Donald Trautman of the Diocese of Erie was under the impression that Father Presley had voluntarily assumed a life of prayer and penance, refraining from public ministry or the public celebration of the sacraments.

Bishop Trautman wrote the following to Bishop Datillo on May 6, 2002:

> *Dear Bishop Datillo,*
>
> *I wish to inform you that Rev. William F. Presley, a 73 year old retired priest of the Diocese of Erie who is currently residing at 1606 Sunset Avenue, Lancaster, PA 16701, no longer enjoys the faculties of the Diocese of Erie. In view of recent conversations with him, he has voluntarily decided not to assist in the public celebration of the sacraments or in preaching in the Lancaster area. Nevertheless, I want you to be informed that he does not have the faculties of the Diocese of Erie any longer. I am fully confident that he will not attempt to exercise any ministry in your diocese.*
>
> *Sincerely yours in Christ,*
>
> *Most Rev. Donald W. Trautman*
> *Bishop of Erie*

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Conversations between curial officials of this diocese with members of the curia of the Diocese of Erie confirmed the history of sexual abuse which Father Presley exhibited, and also that he was not to exercise ministry in any public forum.

It is a source of grave concern to me, as it was to my predecessor, that Father Presley misrepresented to his own diocesan bishop that he had voluntarily assumed a life of prayer and penance, and had voluntarily withdrawn from public ministry.

More information regarding the violent behavior of Father William F. Presley toward many victims of his disordered sexual appetite has come to light since he moved to the Diocese of Harrisburg. Were this information to become known, especially in light of his offers of public assistance at Mass in several parishes, great public scandal would arise within this diocese.

It is also of grave concern to me that Father Presley has not only prevaricated to his diocesan bishop regarding his lifestyle past and present, but in so doing has obviously not withdrawn from contumacy. His lengthy history of sexual misconduct in violation of his promise of clerical celibacy and perpetual continence, his deliberate misrepresentation of the truth to the bishop to whom he promised respect and obedience, and the grisly nature of his many sexual acts even beyond the one known *gravius delictus* committed with a minor, all combine to suggest to me as the ordinary of the place where he now resides, that Bishop Trautman's request is reasonable and necessary. Dismissal from the clerical state may be the only means of removing a sexual predator from the ranks of the priesthood. His age is not necessarily an obstacle to his sexual misconduct, given his history.

As long as Father William F. Presley remains in the clerical state, I harbor fear for the People of God within the Diocese of Harrisburg. I fear that his possession of the clerical state will allow him a means of continuing his pattern of carefully insinuating himself into the lives of others as a prelude to violence and sexual misconduct. Further, I believe that his own contumacy, and his denial of the seriousness of his behavior, may be intransigent until an action as serious as dismissal from the clerical state awakens within him a semblance of repentance.

Given in Harrisburg, Pennsylvania, this fifth day of April 2006.

+ Kevin C. Rhoades

Bishop of Harrisburg

In testimony whereof...

Carol J. Haughton

Chancellor

RCDERIE0052125

The Statement of Bishop Rhoades

Diocese of Erie
P.O. Box 10397
Erie, Pennsylvania 16514-0397

Office of the Bishop

July 13, 2006

County of Lancaster
District Attorney's Office
50 N. Duke Street
P.O. Box 83480
Lancaster, PA 17608-3480

Dear District Attorney Totaro,

I am writing to you to confirm the information which you received in a letter from the Diocese of Harrisburg dated June 23, 2006 concerning William F. Presley. He is a priest of the Diocese of Erie who recently moved to Lancaster County, Pennsylvania. Our records indicate that Mr. Presley currently resides at 1606 Sunset Avenue in Lancaster.

Mr. Presley was suspended by me several years ago for credible allegations regarding sexual misconduct with a minor which allegedly occurred many years ago. We were unaware of these allegations until they came to light only a few years ago. As a result, no criminal charges were ever brought forward because the statute of limitations had expired. I would also like to update you to that fact that by means of an administrative decree dated June 10, 2006, Pope Benedict XVI has ordered that the penalty of dismissal from the clerical state be imposed upon William F. Presley. Consequently, we now consider Mr. Presley to be defrocked.

If you have any questions or if I can be of any help to you, please do not hesitate to let me know. In the meantime, be assured of my prayers.

Sincerely yours,

The Most Rev. Donald W. Trautman, S.T.D., S.S.L.
Bishop of Erie

cc: The Most Reverend Kevin C. Rhoades
Bishop of Harrisburg

/eml

RCDErie 0022730

Trautman's Letter to the Lancaster County District Attorney

The Case of Father Thomas Smith

Known Assignments

06/16/1967 – 08/15/1967	Our Lady of Peace, Erie
09/15/1967 – 06/03/1970	Sacred Heart, Erie
06/03/1970 - 02/12/1971	St. Patrick, Franklin
02/12/1971 – 07/16/1972	Notre Dame, Hermitage
07/16/1972 – 06/23/1978	St John the Baptist, Erie
06/23/1978 – 06/01/1981	St. Cosmas and St. Damian, Punxsutawney
06/01/1981 – 10/23/1984	St. Mary of the Assumption, Frenchville
02/01/1984 – 10/01/1984	Health Leave
03/08/1984 – 03/08/1989	Presbyterian Council, Erie
10/23/1984 – 02/05/1985	St. Joseph, DuBois
02/05/1985 - 03/12/1985	St. Hippolyte, Guys Mills
08/08/1985 – 09/16/1985	St. Joseph, Mt. Jewett
09/16/1985 – 12/12/1986	St. Teresa, Union City
12/12/1986 – 04/22/1987	Health Leave, Girard, Ecclesia Center
04/22/1987 – 11/30/1987	Health Leave, Suitland, Maryland, St. Luke's Institute
12/01/1987 – 09/01/1992	St. Joseph, Warren
09/01/1992 – 05/01/1994	Holy Rosary, Erie
05/01/1994 -	Pleasant Ridge Manor, East Mercy Motherhouse
05/01/1994 -	Sisters of Mercy Motherhouse, Erie
05/01/1994 -	St. Patrick's, Erie, St. Hedwig Cluster

Father Thomas Smith was ordained in 1967. In 1981 he was assigned to Saint Mary of the Assumption. Bishop Michael Murphy was first told of child sexual abuse perpetrated by Smith against a 17-year-old boy in January 1984 while at Saint Mary's. Smith resigned on January 20, 1984.

From February 1984 to October 1984, Smith was placed on "health leave." In reality, he was in residential psychological therapy. In October, Smith was released and reassigned by Murphy to Saint Joseph's in DuBois, Pennsylvania until February 1985. In February 1985, Smith was transferred to Saint Hippolyte in Guys Mills, Pennsylvania for approximately one month. From March 1985 to August 1985, Murphy sent Smith to residential psychological therapy once again. Official Diocesan records obtained by the Grand Jury show this was designated as a leave

of absence. Upon his release, Smith was sent to Saint Joseph's in Mount Jewett in August 1985. After about one month at Saint Joseph's, Smith was transferred to Saint Teresa in Union City, Pennsylvania where he remained for approximately 10 months. In spite of Smith's history of child abuse, and his need for continued treatment, Murphy continued to permit Smith's contact with children. While at St. Teresa's, Smith sent a letter to Murphy describing his gifts and accomplishments in "working with young people."

In December 1986, Smith was placed on a leave of absence yet again. This leave of absence continued for almost a year while Smith was returned to residential psychological therapy. In January 1987, Diocesan records indicated that the treatment facility informed Murphy that Smith suffered from a "driven, compulsive, and long standing" obsession with sexually assaulting children. The facility warned that since his first treatment in 1984, Smith had not stopped sexually assaulting children and that interdiction was needed.

These secret Diocesan records obtained by the Grand Jury pursuant to a subpoena showed that, while in treatment, Smith admitted to sexually molesting at least fifteen children. Smith stated that all of his victims were boys, some as young as seven. Smith had raped them anally and orally. This information was provided to Murphy in November 1987. That same month, Smith was discharged from the facility.

In spite of Smith's confession to sexually violating at least fifteen prepubescent boys, Murphy assigned Smith to the parish of Saint Joseph's in Warren on December 7, 1987. Approximately three months later, in March 1988, Father Glenn Whitman wrote a letter to Smith and advised him of recent conduct that placed him in violation of his aftercare agreement with St. Luke's Institute. Regardless, Smith continued in ministry at Saint Joseph's with the approval of Murphy, and, beginning in 1990, Trautman.

On July 25, 1990, Whitman wrote a memo to Trautman and noted two known parishes affected by Smith's abuse. He also wrote that "The number of victims is not clearly known." The same day, Trautman wrote his own memo regarding Smith. In this document, Trautman wrote that he had met with Smith about his problems and that Smith was a person of "candor and sincerity." Trautman noted that after another year and a half he would consider a new assignment for Smith because he wanted Smith to complete his aftercare and was fearful of future litigation.

Diocese of Erie **Office of Clergy Personnel**

Bishop Trautman

I was mistaken about the known occurrences of misbehavior on Tom's part. 2 parishes were affected:

(1) ST. MARYS – FRENCHVILLE
from which he went to therapy
in Pittsburgh at Bethel Park

(2) ST. TERESA – UNION CITY
from which he went to
therapy at St. Luke Institute

The number of victims is not clearly known.

Rev. Glenn R. Whitman
Clergy Personnel Director

July 25, 1990

RCDErie 0008565



Diocese of Erie
P.O. Box 10397
Erie, Pennsylvania 16514-0397

Office of the Bishop

TO: Personnel File

FROM: Most Rev. Donald W. Trautman, STD, SSL

RE: Confidential (Rev. Thomas E. Smith)

DATE: July 25, 1990

Today I met with Father Smith and discussed in detail past problems. I found him to be a person of candor and sincerity. I commended him for the progress he has made during the past two and one-half years in controlling his addiction. Our meeting was friendly.

In reference to the future, I told him that I would prefer that he would wait another year and one-half which would mark the end of his Aftercare program before he applied for a new assignment. He concurred with my thinking that since he is doing so well in Warren --- is happy, fulfilled, satisfied -- that we should continue in that same direction and not take a chance by trying a new assignment at this time.

I wanted to give him courage for the future, but at the same time, I clearly indicated that I would prefer him to wait another year and one-half and then have an evaluation at the end of the Aftercare program.

He asked for my blessing at the end of the meeting. We both recognized that there are serious difficulties and limitations regarding future ministry. There is also the fear of future ligation. Nevertheless, this man has made peace with God and has demonstrated for two and one-half years his ability to handle his addiction.

I carefully reviewed with him the steps that he takes on a daily and weekly basis to enforce his self-discipline. He will continue to meet with Father Glenn Whitman who will monitor his progress.

+D.W.T.

DWT/eg
cc: Fr. Glenn Whitman

RCDErie 0008567

The July 25, 1990 Memos of Whitman and Trautman

Smith was so relieved to find a refuge in Trautman that he wrote to him on July 17, 1990 with respect to the aforementioned meeting. He thanked Trautman for truly caring about him. In reference to his desire to stay in active ministry, Smith wrote, "And so why did I worry?"

On July 20, 1992, Smith was transferred to the Holy Rosary Parish in Erie, Pennsylvania by Trautman. Smith was very active in the "Isaiah 43" ministry program, a program for Catholic children.

Diocese of Erie
P.O. Box 10397
Erie, Pennsylvania 16514-0897

Office of the Bishop

July 20, 1992

Reverend Thomas E. Smith
Saint Joseph Church
600 Pennsylvania Avenue, W.
Warren, Pennsylvania 16365

Dear Father Smith:

Acting on the recommendation of the Personnel Board, and in response to your own request, I am pleased to appoint you Parochial Vicar at Holy Rosary Parish in Erie, effective September 1, 1992. The limitations placed on your ministry, as mutually understood, are to be observed with absolute fidelity. This assignment will continue as long as it is mutually agreeable and productive, as evaluated by yourself, myself and the Pastor, Very Reverend Richard D. Lynch, V.F.

I have been most pleased by the progress you have made in your continuing care program, in the contributions you have made at Saint Joseph Parish in Warren and in the interest you have shown in the Isaiah 43 program. I know I join you in profound gratitude to Very Reverend Sal Luzzi, V.F., Pastor of Saint Joseph for his generous and characteristic hospitality and fraternity extended to you after your discharge from Saint Luke Institute. It is just such a warm and supportive environment I am sure you will find at Holy Rosary Parish.

Continue to adhere to your aftercare plan, your support groups, the Jesus Caritas Fraternity and the enthusiasm you bring to the ministry. I am confident you will continue to make progress...progress in the Lord.

With every best wish, I remain

Fraternally yours in Christ,

+Donald W. Trautman

Most Rev. Donald W. Trautman, STD, SSL
Bishop of Erie

/nh

RCDErie 0008635

Trautman's Letter of Appointment to Holy Rosary

A little over a year after Smith was transferred to Holy Rosary, Trautman received a letter. Dated September 20, 1993, the letter was from the parents of one of Smith's victims. They described the abuse suffered by their son when he was only nine years old. Trautman wrote to St. Luke's Institute, one of Smith's treatment providers, and requested information as to the future ministry of Smith. Among other things, Trautman noted that he was "worried about appearances" and that "Father Smith does participate in the Isaiah 43 Program which takes him outside of the Diocese. I have no supervision of his activity away from the Diocese; it is an act of trust in him." Trautman explained his sudden interest in Smith's activities, stating, "The mother of this individual has raised concerns about Father Smith's involvement in Isaiah 43 since there are youth present for this type of retreat."

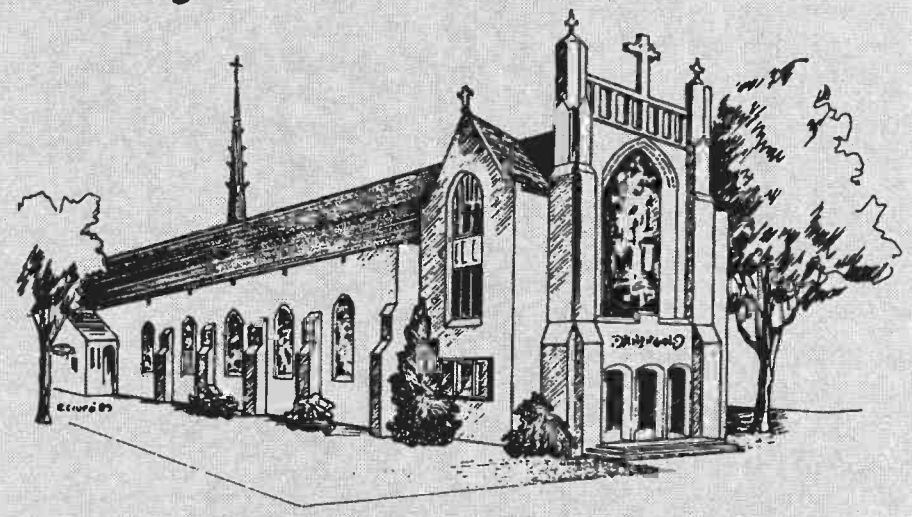
St. Luke's Institute responded on December 28, 1993. Trautman was informed that Smith had failed to report his involvement with the Isaiah 43 program as part of his continued aftercare. Trautman sent a letter to Smith and informed him that his duties at Holy Rosary would be altered. However, Trautman permitted Smith to remain in the Isaiah 43 program until he completed his duties there in March 1994.

The church bulletin for the Holy Rosary Parish, January 1994, announced the assignment of Father Thomas Smith, Parochial Vicar, to several chaplaincy positions in the Erie area beginning at the end of March 1994 and noted that Smith would remain in residence at Holy Rosary with the title of Resident and Weekend Assistant. This assignment permitted Smith to roam freely about the Diocese, serving as a chaplain with all the authority and power of the priesthood. Moreover, he continued to be a friendly face in residence at the parish and a weekend assistant. Nowhere in the bulletin was it indicated that Trautman notified the parishioners that Smith had been in treatment since 1984 due to sexually abusing children, nor was it noted that Smith admitted

to such conduct with as many as fifteen boys in 1987. Nowhere did it warn that the Diocese was aware that he had re-offended and that the offenses included anal and oral sex with prepubescent boys. These warnings were conspicuously absent because Trautman failed to warn his own parishioners of the danger Smith posed to their children.

January 9, 1994

Holy Rosary Church

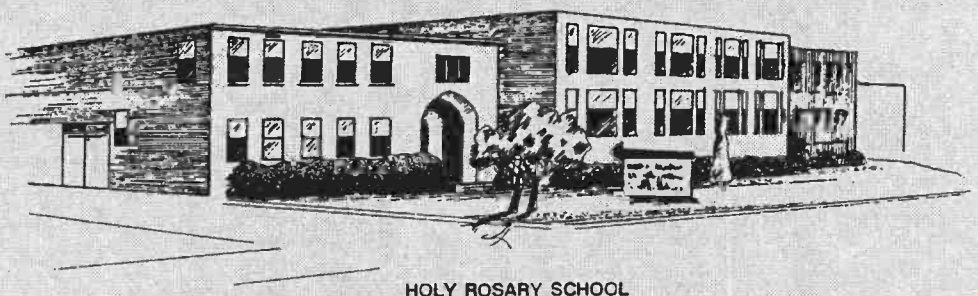


2701 East Avenue, Erie, Pennsylvania 16504

PARISH STAFF:
Rev. Richard D. Lynch, V.F. *Pastor*
Rev. Thomas Smith, *Parochial Vicar*
Rev. Jeffery J. Noble, *Parochial Vicar*
Msgr. James J. Gannon, *Weekend Celebrant*
Pat Marshall, *Director of Elementary Rel. Ed. - RCIA*
Jan Nicolia, *Director of High School Rel. Ed.*

RECTORY OFFICE:
Telephone - 456-4254

SUNDAY LITURGY:
Saturday Vigil 5:00 p.m.
Sunday 7:30, 9:30, 11:30 a.m.
SACRAMENT OF RECONCILIATION:
Saturday 3:30-4:30 and by appointment
BAPTISMS:
Parent sessions monthly
MARRIAGES:
Contact priest six months prior to wedding
PRAYERLINE:
Call Veronica 456-0989 or Mary 456-9788



HOLY ROSARY SCHOOL
Pre-School through Eighth Grade
1012 East 28th Street
Telephone: 456-7212
Mrs. Mary Lee Cook, *Principal*

RCDErie 0008648

School News

Wed., Jan. 12 – Hot Lunch
Mon., Jan. 17 – NO SCHOOL – Martin Luther King

Campbells Labels, Quality & Giant Eagle Tapes

Please save for benefit of Holy Rosary School students. Leave in boxes at church.

January Confirmation Schedule

Sun., Jan. 9 – NO CLASSES
Sun., Jan. 16 – 11th Gr. – 6–8p.m.; Saints Summary Due; Sacramental Sheets due for those who did not bring them in as yet.
Sun., Jan. 23 – Large Group Meeting – 9th, 10th and 11th – 6–8p.m. – in the Gym.
Sun., Jan. 30 – NO CLASSES – Superbowl Sunday.

Rel. Ed. Resumes TODAY

K–8 Religious Education resumes today, January 9 at regular times. Laura Drapcho, our new coordinator, invites any parent in to say hello. She is looking forward to meeting and knowing as many of you as possible. Let's welcome her warmly.

Ham & Cheese Pretzels

Sandwich Sale benefits the Boy Scouts, Pack 40. $1.25 ea. – Delivery on Thursday, Jan. 27. Please call Liz at 456–7476 or Patty at 825–6314. Thank you for your support.

H. R. Knights of Columbus

FREE THROW CHAMPIONSHIP

ALL boys and girls ages 10 – 14 are invited to participate in this local level of competition, which will be held on Saturday, January 22, 1994 in the Holy Rosary Gym. Sign–ups for the event will be held on Sundays: Jan. 2, 9, and 16 in the new school section of the school from 10:30am to 1:00pm. For additional information contact: Matt Killion at 459–7107 or Bruce Eicher at 825–0061.

Altar Rosary Society

There will not be any meetings during January or February. See you in March.

BAPTISMS:

As a general rule, the season of Lent is a time to prepare for the Feast of Easter, when the Sacraments of Initiation are celebrated. Therefore, we are asking parents to schedule their Baptism before or after Lent...January 23, February 13 or at Eastertime.

ANNOUNCEMENT:

Bishop Donald Trautman is announcing the assignment of Fr. Thomas Smith, our Parochial Vicar, to several chaplaincy positions in the Erie area beginning at the end of March. Fr. Smith will remain in residence here at Holy Rosary with the title of Resident and Weekend Sacramental Assistant.

Food Pantry

REMINDER: The Pantry will be distributing every other Tuesday morning to any parishioner in need. Please call Irene (455–9467) or Charlotte (456–9556) if you have this need or with questions.

Family Perspective

Parents can sometimes focus on the wrong things children do that they begin to think that they are bad kids. Take a tip from heaven in today's Gospel—be sure to tell your children that you love them and that you are well pleased with them—and do it OFTEN!!!

Pro–Life Media Campaign

This weekend our church will participate in the Annual Pro–Life Media Campaign conducted by People for Life. By your donation you will be contributing to positive pro–life messages on television, radio and newspaper, as well as other areas of the media. Thank you for helping to spread the pro–life message throughout the community.

PLEASE JOIN US: The 16th Annual Greater Erie Area Ecumenical Prayer Breakfast & March/Motorcade for Life on Saturday, January 15 at 9:00am at Cauley Auditorium, 4th & Holland. Janet Folger, from the Ohio Right to Life Society, will be our featured speaker. Reservation requested by TODAY, Jan. 9. The March/Motorcade will begin at 12:00 noon and proceed to Perry Square. Bring your children, your banners and signs.

The 21st Annual National March for Life in Washington, D.C. will be on Friday, Jan. 21st. Friday allows us to visit our elected representatives. Buses leave St. George's parking lot at 11:45pm Thursday night, Jan 20. Cost: $30. Reservations requested by Jan. 15 by calling Fran (833–7012), Mary (456–7364) or Carol (833–7105).

Parish Appreciation Dinner

An Appreciation Dinner Invitation went out to all the workers and volunteers of the parish. Sometimes someone is missed. If you or someone you know has been overlooked, PLEASE, call Fr. Smith right away. Thanks

Some people received invitation addressed to Mr. & Mrs. because both parties volunteer. Others were addressed to only one. If your spouse is not a volunteer and wishes to join you, they may do so. We ask that you cover the cost of $10 for them. Please note it on the R.S.V.P. and pay that night.

RING LOST

At Christmas Midnight Mass: A man's gold ring with 5 diamonds inset. If you know the whereabouts of this item, please call the Rectory or drop off the item there. Thanks.

RCDErie 0008649

Snowflakes

Snowflakes are one of nature's most fragile things, one not like the other, but look what they can do when they stick together!

Christmas Cleanup

HELP NEEDED!!

We will be removing the Christmas Tree and other decorations from the church TODAY, Sun., Jan. 9th at 2:00pm. PLEASE COME AND HELP! The more hands we have the sooner we will get done. Anyone still need service hours?

MINISTRY WORKSHOP

Holy Rosary Parish has planned an afternoon for all its ministers on Sunday, February 5th. Bishop Murphy will be the Keynote Speaker, plus others. More information will follow next week. The following groups should reserve the date of Feb. 5th from 2 til 6pm: Lectors, Eucharistic Ministers, Ushers, Choir & Music Ministry, Coaches and anyone working with the youth, Religious Education Teachers, School Teachers, Long Range Planning Committee, Parish Council and Liturgical Committees. If anyone else in the parish is interested in coming, you are welcome. Perhaps you would like to join one of the above groups. This would be a good opportunity to do this.

Workshop for Rite of Christian Initiation

The Diocese is offering a three-session workshop on January 13, 20, and 27 for those wishing to learn the basic skills of Breaking Open the Word, which follows the Rite of Dismissal, and for those interested in becoming parish sponsors for catechumens and candidates. The sessions will be held in the rectory basement at Blessed Sacrament Church from 7 to 8:30pm. Register by Jan. 10 by calling 454-0171 or 824-1272. No charge except for a workbook. Anyone from Holy Rosary who has any questions or is interested, please call Fr. Jeff at the rectory (456-4254).

Thought for the New Year

Take time to work... It is the price of success.
Take time to think...It is the source of power.
Take time to play...It is the secret of perpetual youth.
Take time to read...It is the fountain of wisdom.
Take time to be friendly...It is the road to happiness.
Take time to be to laugh...It is the music of the soul.
Take time to dream...It is the road to greater vision.
Take time to give...The day is too short to be selfish.
Take time to love and be loved...It is the privilege of all God's children.
Take time to pray...It is the road to God.

January 9, 1994
The Baptism of the Lord



"Then a voice came from the heavens: 'You are my beloved Son. On you my favor rests.'"
Mark 1:11

Monday, January 10
7:00am Luigi Sansone (Laura & Michael DeSanctis)
8:00am Henry Konapka (Family)

Tuesday, January 11
7:00am Marion Anthony (Family)
8:00am Kathleen Lynch (Helen Kloecker)

Wednesday, January 12
7:00am Peter Krizmanick (Helen Krizmanick)
8:00am Stephen Nemergut (Judith Kirk)

Thursday, January 13
7:00am Charles Clark (Estate)
8:00am Shirley Ann Hanlin (Ellen Rainey)

Friday, January 14
7:00am Edward Nowak, Death Anniv. (Andrew Savindi)
8:00am Marie Tenace (M/M Joseph Mikowski)

Saturday, January 15
8:00am Mary Torelli, Birth Anniv. (Harrick Grandchildren)
5:00pm VIGIL Paul Lipinski, Anniv. (Wife & Family)

SUNDAY, January 16
7:30am Parishioners of Holy Rosary
9:30am Patricia Bargielski (Fred & Kathy Weaver)
11:30am Ann Bernardini (Children)

Sanctuary Candle

The candle in the Mother's Chapel will be lit the week of January 9 in memory of the birth of Avellino Duchini. If anyone wishes intentions for the Sanctuary candle in the Mothers Chapel please call the Rectory at (456-4254). Feb. 6 & 27 open.

Readings for Sunday, January 16

1st Reading - 1 Sm 3:3-10, 19
2nd Reading - 1 Cor 6:13-15, 17-20
Gospel - John 1:35-42

RCDErie 0008650

The Bulletin for Holy Rosary Parish, January 9, 1994

That same month, all Pennsylvania Bishops received a confidential letter from the Most Reverend Joseph V. Adamec, Bishop of the Diocese of Altoona-Johnstown. Adamec and the Diocese of Altoona-Johnstown were involved in the high profile litigation of child sexual abuse offenses perpetrated by Father Francis Luddy. As discovered by the Thirty-Seventh Statewide Investigating Grand Jury in their investigation of the Diocese of Altoona-Johnstown, Adamec and the Diocese were aware of sexual offenses committed by Luddy. Documentation within their secret archives contained incriminating information regarding numerous priests who had molested children. In Adamec's letter to the other Bishops, he explained the steps he had taken to protect the secret archives from litigation. Notations on the document appear to indicate that Trautman took note of Diocesan records which Adamec was forced to disclose, and that the Diocese's motions in the case, such as seeking bifurcation, jury sequestration, and to dismiss based on a "time bar," were being denied.

Diocese of Altoona-Johnstown

Office of The Bishop

Box 126 Logan Boulevard
Hollidaysburg, PA 16648

January 31, 1994

CONFIDENTIAL

His Excellency
The Most Reverend Donald W. Trautman
Bishop of Erie
205 W. 9th Street
Erie, PA 16501

Dear Don:

I write to inform you that jury selection begins today in the civil case of Michael Hutchison versus Francis Luddy, Bishop James Hogan, et al (which includes the Diocese of Altoona-Johnstown). The case is being heard by Judge Hiram Carpenter in Blair County. The allegation is that the Reverend Francis Luddy sexually molested the plaintiff (which he denies) and that the Diocese was negligent in protecting potential victims in this and other cases of alleged pedophilic behavior on the part of its priests (which we deny).

The court has ordered (and, we have complied) that the Diocese produce documents and information of any and all allegations of pedophilia relating to our priests between 1967 and 1984. This includes documentation which was in the Secret Archives. I refused to comply in the latter matter until it became evident that the Diocese could suffer sanctions and would lose its insurance coverage for non-compliance.

We have placed a number of motions before the Judge. These include the following: a - bifurcation (requiring plaintiff to first prove its case against Luddy and receive jury's verdict before expanding its litigation to other priests), b - sequestering of the jury (due to expected publicity), c - motion in limine (to exclude from trial allegations of child molestation against any other priest), and d - motion to time bar (given the statues of limitations). However, all of these motions have been denied.

Defense for the Diocese continues to be provided by our underwriter insurance companies through the Pittsburgh firm of Meyer, Darragh, Buckler, Bebeneck and Eck; - being represented by Attorney Carl Eck and Attorney Julie Sweeney. Attorneys of both the United States Catholic Conference and the Pennsylvania Catholic Conference have been kept informed.

A "gag order" continues to be in place, preventing plaintiffs or defendants from speaking with the mass media. However, this was recently

breached; even though, not by us. This may or may not change when the trial begins.

The Presbyteral Council is unanimously supportive of the Diocesan position that no offer of settlement should even be considered. It is our position that the Diocese and its Bishop acted appropriately and thoroughly in each case of alleged pedophilia. Last Thursday, I met with the Presbyterate and Diaconate of this Diocesan Church in order to bring them up-to-date. I sensed the same support there, as well.

It would appear to me, given the facts of this case and the procedures allowed the attorney for the plaintiff, that this is another effort to discredit the Church. We have been viewing our situation within the context of our faith journey and are putting forth every effort to approach the matter in a positive way.

Please remember us in your conversations with the Lord.

May the gift of the Holy Spirit be a source of strength for you during 1994, bringing with it peace and joy for your journey to the Kingdom.

Fraternally yours in the Lord,

(Most Rev.) Joseph V. Adamec
Bishop of Altoona-Johnstown

SAME: Apostolic Pro-Nuncio
Pennsylvania Bishops

Adamec's Letter Regarding Child Sexual Abuse Litigation

Meanwhile, Smith was unhappy with his new assignment and sought a reprieve from Murphy, his first enabler. Murphy, now retired, reached out to Trautman on behalf of Smith and another priest seeking greater leniency. Trautman responded by letter on May 6, 1994. Trautman explained that he had not been overly restrictive but that the Diocese could not adopt a "posture" less than what Pittsburgh had done. The Grand Jury noted that Trautman did not cite to the evils of child sexual abuse as the external pressure which warranted the restriction of offending priests. Rather, Trautman provided Murphy a copy of an article from Time Magazine on "this problem" and stated that "[t]he article is vicious and demonstrates, once again, the need for vigilance on the part of the church."

Diocese of Erie
P.O. Box 10397
Erie, Pennsylvania 16514-0397

Office of the Bishop

May 6, 1994

Most Rev. Michael J. Murphy, DD, STL
Retired Bishop of Erie
St. Patrick Rectory
130 East 4 Street
Erie, Pennsylvania 16507

Dear Mike,

As a follow-up to our conversation regarding two of our brother priests with a past problem of sexual misconduct, may I share with you guidelines that are operative in the Diocese of Pittsburgh. I cite these only to demonstrate that the Diocese of Erie is not overly restrictive. I could cite other dioceses, Chicago, for example, which has a much more restrictive policy than even Pittsburgh. I believe it important for us to see what other Bishops have done to supervise priests in this predicament. I believe, also, these guidelines can be a model for us in forming a written policy. When that written policy has been composed, I would like, then, to present it to our two priests in question. I do not believe it will come as any surprise to them since we have already verbally discussed it. I emphasize, again, the Diocese of Erie is simply following the practice in other dioceses. Permit me to cite some of the guidelines from the Diocese of Pittsburgh:

> "Ordinarily, a cleric against whom a serious accusation of sexual misconduct has been substantiated, will not be permitted to return to public ministry. If an exception were to be made, at least the following criteria must be met: 1. He has undergone extensive treatment; 2. He receives ongoing professional counseling and participates in a therapy group or life management support group on an ongoing basis, both such activities being subject to termination only with the written permission of the diocesan bishop; 3. It is possible to supervise adequately and monitor his contact with the public; 4. He is subject to special placement in a situation in which he will be monitored by an on-site supervisor, and appropriate diocesan official; 5. The cleric must be willing to disclose the nature of his problem with his coworkers; 6. He must demonstrate a spirit of repentance and goodwill.

Most Rev. Michael J. Murphy, DD, STL

Pittsburgh further states "the diocesan bishop reserves the right to modify or supplement these procedures to meet the needs of a particular case and commits himself to review them periodically for adequacy." In Pittsburgh, there is a full-time person called the 'process manager' who oversees these cases. The responsibilities of the 'process manager' are the following: review the actions taken in each case to insure that all diocesan policies and procedures are being followed; maintain regular contact with clerics with whom the diocese must exercise some degree of supervision; update the priest's personnel files of these same clerics noting particularly what steps the diocese has taken relative to allegations of sexual misconduct; administer the supervisory program; prepare reports for the clergy task force and serve as a liaison to the Assessment Board.

I do not believe the Diocese of Erie can adopt a posture less than what Pittsburgh has done or other dioceses. Therefore, I am suggesting that for our two priests to be in residence at St. Patrick's Rectory, that there be clearly defined in writing, guidelines, procedures, expectations. We've already discussed some of these with them, namely, reporting to the Diocesan Review Board, limitation of public ministry to the Nursing Home Apostolate, restriction of diocesan faculties to exclusively the Nursing Home Apostolate, and on-site supervision.

I am also enclosing a copy of this week's article in Time Magazine on this problem. The article is vicious and demonstrates, once again, the need for vigilance on the part of the Church. After Monsignor Smith and Monsignor Brugger have had a chance to come up with specific guidelines, perhaps we can all get together and discuss them. I certainly want to balance these guidelines with a reach-out in love and fraternal support. However, there is an obligation at this point to protect the flock as well as to go in search of those who have strayed.

Best wishes.

Fraternally yours in Christ,

+Don

Most Rev. Donald W. Trautman, STD, SSL
Bishop of Erie

DWT/nh

Enclosure

cc: Monsignor Robert J. Smith
Monsignor Robert L. Brugger

Trautman Responds to Murphy

Ultimately, Smith served as a chaplain as described in the Holy Rosary church bulletin until his retirement in March 2002. In April 1996, Smith wrote to Trautman and asked to be appointed to the board of the local YMCA, as well as to be returned to the Isaiah 43 program. Trautman was aware that Smith continued to seek contact with children and elected not to warn anyone.

Due to the national coverage following the article about the Archdiocese of Boston, Trautman was forced to field letters from concerned parishioners and answer inquiries from the local press. On January 31, 2002, Trautman wrote to parents of one of Smith's victims and stated, "I believe appropriate action has been taken in the fact that there is no parish assignment and there is a definite curtailing of his ministry." On March 15, 2002, Trautman gave an interview to a news reporter and stated, "we have no priest or deacon or layperson that I know of that has, in any way, a pedophile background." Smith retired that same month and was still a Roman Catholic priest.

By April 2002, some victims had begun litigation in connection with their past abuse. In a letter dated April 24, 2002, from counsel for the Diocese to the attorney for one of Smith's victims, the following statement was made:

> … it must be understood that we cannot simply write checks because an event occurred 20, 30, or 40 years ago, but we must limit our assistance to rehabilitation and encourage people such as your client to attempt to put the past behind them and move on with their lives.

By February 2003, it appeared that Smith had moved on with his own life. A February 26, 2003, memo by Trautman documented that Smith had obtained employment as a counselor at "Turning Point" and that Trautman had relied on Smith's word that he disclosed his past abuses to them.

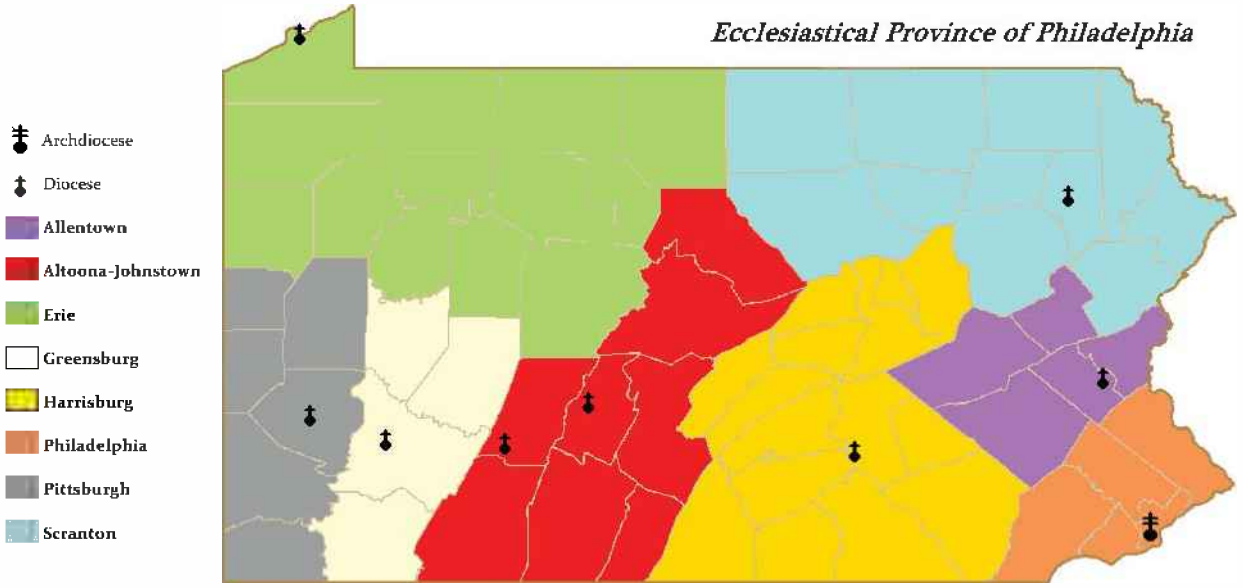
Trautman wrote a memo on July 22, 2003, documenting that Turning Point had made a complaint. Smith had never disclosed his history of child sexual abuse offenses to them. Trautman documented that "I felt he had made a complete recovery from alcoholism and sexual abuse. He

had been faithful to his treatment program and gives every indication of having taken full responsibility for his actions."

Under public pressure, Trautman submitted a formal request to the Vatican on November 10, 2004, and requested the laicization of Smith. Now that Trautman needed a basis to remove Smith from the priesthood he acted with candor. Contrary to nearly every one of Trautman's previous statements regarding Smith, Trautman now disclosed his knowledge to the Vatican in a confidential letter. Trautman admitted that the Diocese of Erie had been aware of Smith's abuses since at least 1987. Trautman disclosed that Smith abused boys between 7 and 12 years of age. He described Smith's acts as chilling and noted that Smith used physical force to bring about the offenses and threats to secure the secrecy of his crimes. Trautman wrote that Smith invoked the name of God to justify his actions against his victims while using their faith and the priesthood to manipulate them and secure their silence. Trautman noted that, even after Smith was told to avoid any and all occasions that would place him in the company of minors, he continued to do so in a public manner. For example, he was photographed assisting high school students in the collection of food for the poor and the photograph was published in the local newspaper. Trautman summarized Smith's worldview and stated that he saw his victims as objects rather than people.

The Vatican finally acted in 2006 and removed Smith from the priesthood. Smith's former flock was never told the reason for his removal. On August 3, 2006, Trautman directed the pastor of St. Hippolyte to make the following notation in the record of the parish with respect to Smith: "Dismissed from the clerical state on June 10, 2006 by Pope Benedict XVI. Nothing else need be noted."

Roman Catholic Diocese of Greensburg



I. General Overview of the Diocese of Greensburg, Pennsylvania

The Roman Catholic Diocese of Greensburg was canonically erected on March 10, 1951, by Pope Pius XII. The Diocese oversees Armstrong, Fayette, Indiana, and Westmoreland counties, Pennsylvania. As of 2017, the population of Catholics living within the Diocese of Greensburg was 137,641, which constituted approximately 21% of the total population in the Diocese's geographic region. The Greensburg Diocese consists of 78 parishes, 14 elementary schools, two junior/senior high schools, and a school for children of all ages with intellectual and/or developmental disabilities, and has approximately 100 clergy members (including active, retired, and international priests, as well as permanent deacons).

II. History of Bishops of the Diocese of Greensburg

a) Bishop Hugh L. Lamb (1/16/1952 through 12/06/1959)

b) Bishop William G. Connare (5/04/1960 through 1/20/1987)

c) Auxiliary Bishop Norbert F. Gaughan (6/26/1977 through 7/09/1984)

d) Bishop Anthony G. Bosco (630/1987 through 3/04/2004)

e) [redacted]

f) Bishop Edward C. Malesic (7/13/2015 to Present)

III. Additional Church Leadership within the Diocese of Greensburg Relevant to the Grand Jury's Investigation

The Grand Jury finds that the following Church leaders, while not Bishops, played an important role in the Diocese of Greensburg's handling of allegations of priest sexual abuse.

1) Father Roger Statnick

2) Father Lawrence Persico (later Bishop of the Diocese of Erie)

3) Monsignor Thomas Klinzing

IV. Findings of the Grand Jury

The Grand Jury uncovered evidence of child sexual abuse committed by a number of priests of the Diocese of Greensburg. The forms of abuse discovered included grooming and the fondling of genitals and/or intimate body parts, as well as penetration of the vagina, mouth, and/or anus. The evidence also showed that Diocesan administrators, including bishops, had knowledge of this conduct and regularly permitted priests to continue in ministry after becoming aware that a complaint of child sexual abuse had been made against them. This conduct enabled the offenders and endangered the welfare of children.

Evidence also showed that the Diocese made settlements with victims and had discussions with lawyers regarding the sexual abuse of children by its priests. These settlements often contained confidentiality agreements forbidding victims from speaking about such abuse under threat of some penalty, such as legal action to recover previously paid settlement funds.

Finally, the Grand Jury received evidence that Diocesan administrators, including Bishops, dissuaded victims from reporting abuse to law enforcement. Meanwhile, the Diocese regularly failed to independently investigate allegations of child sexual abuse in order to avoid scandal and possible civil and criminal liability on behalf of the Diocese, accused priests, and Diocesan leadership. To the extent an investigation was conducted by the Diocese, it was too often deficient or biased and did not result in reporting credible allegations of crimes against children to the proper authorities or otherwise faithfully respond to the abuse which was uncovered.

V. Offenders Identified by the Grand Jury

1) Father Dennis Dellamalva
2) Father Greg Flohr
3) Father Charles B. Guth
4) Father Francis Lesniak
5) Father Raymond Lukac
6) Father Henry J. Marcinek
7) "Greensburg Priest #1"
8) Father Robert Moslener
9) Father Fabian G. Oris
10) Edmond A. Parrakow
11) Father George R. Pierce

12) Father Gregory F. Premoshis

13) Father Thomas W. Rogers

14) Father Leonard Sanesi

15) Father Roger A. Sinclair

16) Reverend Joseph L. Sredzinski

17) Father John T. Sweeney

18) Reverend Joseph Anthony Tamikowski

19) Father Roger J. Trott

20) Father Charles Weber, OSB

VI. Examples of Institutional Failure: Fathers Edmond A. Parrakow, Raymond Lukac and Robert Moslener

The Grand Jury notes the following examples of child sexual abuse perpetrated by priests within the Diocese of Greensburg. These examples further highlight the wholesale institutional failure that endangered the welfare of children throughout the Pennsylvania Dioceses, including the Diocese of Greensburg. These examples are not meant to be exhaustive; rather, they provide a window into the conduct of past Pennsylvania bishops and the crimes they permitted to occur on their watch.

The Case of Father Edmond A. Parrakow

Known Assignments

1968 (summer)	Catholic University Ponce, Puerto Rico
1968-1969	Assumption Catholic Church, Tuckahoe, New York
1969-1973	St. Peter, Yonkers, New York
1973-1984	St. Martin of Tours, Bronx, New York (St. Thomas Aquinas H.S., Faculty)
1985	Servants of the Paraclete, Jemez Springs, New México
December 1985	Accepted into Greensburg Diocese
1985-1986	Holy Family Catholic Church, Latrobe
1986-1989	St. Pius X Catholic Church, Mount Pleasant
Leave	(Return to Archdiocese of New York)
2004	Request for Laicization

Father Edmond Parrakow was born and raised in New York City and ordained on June 1, 1968, at St. Patrick's Cathedral in New York City at the age of 28. Parrakow thereafter spent seventeen years serving in various parishes within the Archdiocese of New York. At some point during his assignment to the parish of St. Martin of Tours, Bronx, New York, and St. Thomas Aquinas High School, complaints related to the sexual abuse of children were made against Parrakow.

While records within the Diocese of Greensburg regarding Parrakow's alleged misconduct in the Archdiocese of New York were somewhat limited, Parrakow's Greensburg Diocesan file indicated a complaint was made against him around the beginning of 1985 by a man alleging he was sexually abused by Parrakow fifteen years prior when he was a teenage boy (Victim One). This abuse allegation appears to have prompted the Archdiocese of New York to arrange for Parrakow to receive counseling with a Father Benedict during the first months of 1985. Parrakow underwent an intensive "evaluation" at the St. Bernardine Clinic in Suitland, Maryland, in May 1985, which resulted in his referral for in-patient treatment at the Foundation House operated by the Servants of the Paraclete in Jemez Springs, New Mexico ("Foundation House") in July 1985.

Foundation House was a facility that provided evaluations and treatment for priests accused of sexual abuse of children or other improper acts.

According to a memorandum dated February 20, 1985, from Monsignor Thomas Klinzing of the Diocese of Greenburg to Bishop William Connare, an inquiry was received from the Archdiocese of New York asking if Parrakow could be accepted into the Diocese of Greensburg "for the next three or four months." This initial request from the New York Archdiocese included information that Parrakow was undergoing counseling at the time, but assured the Greensburg diocese "that there were no unusual psychological problems but that Father Parrakow needs time to sort out his problems."

Parrakow underwent a series of interviews and tests upon his arrival at Foundation House. During one such interview on July 22, 1985, Parrakow admitted to having molested approximately thirty-five male children over the previous seventeen years he had served as a priest (he was 45 years old at the time). Parrakow indicated he preferred his victims around the age of 15 or 16 and admitted to having engaged in sexual touching, mutual masturbation, mutual fellatio, and mutual anal intercourse. Parrakow further stated that he "thought that sex with a girl was sinful and that sex with a child was not violating them—it was doing something to them externally."

The doctor who conducted the July 22, 1985, interview with Parrakow reached the following conclusion:

> My impression is that he [Parrakow] certainly has pedophilia. There is absolutely no doubt in my mind. The real issue with treating him is going to be giving him insight and helping to motivate him to change his behavior. I am not sure the level of motivation that is within him right now [sic]. Basically if he had not got caught he would be continuing the behavior without really thinking that it was really not that harmful [sic].

While Parrakow was undergoing "treatment" at Foundation House, letters were exchanged between the Archdiocese of New York and Connare, confirming that Parrakow would be granted

a ministry within the Diocese of Greensburg. On October 7, 1985, Connare wrote to Reverend Henry Mansell, Vice Chancellor for Priest Personnel for the Archdiocese of New York, and indicated he would "be happy to help Father [Parrakow] with an assignment" after his release from Foundation House. On October 11, 1985, Mansell responded with a letter of gratitude and agreed to facilitate an exchange of information regarding Parrakow's time in New Mexico. Specifically, in his October 7 letter, Connare requested "a complete report on that treatment and his needs so that we can consider his needs when the time for an appointment draws near." Mansell later assured Connare that the Greensburg Diocese would "be provided with a complete report on his treatment and needs."

While Parrakow's complete records from Foundation House, including those pertaining to his interview when he confessed to having sexually abused thirty-five boys, were sent from Foundation House to the Archdiocese of New York on August 6, 1985, the records of the Diocese of Greensburg do not reflect whether this information was provided by New York to Greensburg at that time. For instance, according to a letter sent by Parrakow to Connare on December 9, 1985, Parrakow was including with the letter several "progress reports" pertaining to his treatment at Foundation House. These progress reports only addressed his general participation in various programs at Foundation House and did not include any details of his prior sexual abuse.

In a confidential memorandum dated December 11, 1985, prepared by Connare that was held within the secret archives of the Diocese of Greensburg, Connare acknowledged receipt of the progress reports sent with Parrakow's December 9, 1985, letter. In this confidential memorandum, Connare documented that although the official reason offered for Parrakow's stay at Foundation House was "'burn out' due to his teaching experience," he was informed during a telephone conversation with a Father Isaias that the reason Parrakow was dispatched to New

Mexico was a complaint of sexual abuse committed by Parrakow on a teenage boy fifteen years prior. Connare noted that the victim was "older and unbalanced" and had been contacting the Archdiocese of New York about Parrakow.

Connare further remarked in his confidential memorandum that he spoke with Parrakow about the matter and that Parrakow confirmed he was sent to Foundation House because of the accusation of abuse made against him. There is no indication, however, that Parrakow revealed to Connare his complete history of sexual abuse. In response to learning about the complaint against Parrakow, Connare wrote the following:

> From my interview with Father Ed, it would seem that his problem is in the past. It would also seem that from the program at Foundation House, he has come a long way in discovering his own nature and personality, including implications of sexuality. He realizes he must limit contacts with young people and work on developing patterns of mature conduct.

In a letter dated November 4, 1985, sent by the Director of Foundation House, Connare was directly warned not to assign Parrakow to a parish that had a school and recommended he be assigned with at least one other priest.

I would like to offer some suggestions concerning possible assignments for Father Parrakow:
1) We recommend that Father Parrakow be assigned with at least one other priest in a parish setting that does not have a school.
2) In addition, we recommend that Father Parrakow continue in therapy with a competent therapist, psychologist or psychiatrist.
3) He should also be seeing a qualified Spiritual Director on a regular basis and belong to a priests's support group of some type.

A Selection from the Letter of Warning received by Connare
from the Director of Foundation House

On November 20, 1985, Klinzing responded to the Director's letter of warning and advised that the Diocese of Greenburg would not be able to abide by his recommendations:

> As Bishop Connare has previously stated, he is more than willing to have Father Parrakow serve in the Diocese of Greensburg in the pastoral ministry while on leave from the Archdiocese of New York. However, the Bishop does not feel he can comply with your suggestion that Father Parrakow be assigned in a parish setting that does not have a school. The Diocese of Greensburg is made up of many parishes with between 600 and 900 families and these parishes usually have a small parochial school attached. The Parish school usually has under 200 students. The Bishop feels that in asking Father Parrakow to accept an assignment, he would have to place him in such a parish.

Klinzing further stated, "If you have a problem with any of the above, please feel free to call me or Bishop Connare."

November 20, 1985

Reverend William D. Perri, S.P.
Director, Foundation House
Servants of the Paraclete
Jemez Springs, New Mexico 87025

Dear Father Perri:

Bishop Connare asked me to respond to your letter of November 4, 1985, concerning the possible assignment of Father Edmond Parrakow of the Archdiocese of New York.

As Bishop Connare has previously stated, he is more than willing to have Father Parrakow serve in the Diocese of Greensburg in the pastoral ministry while on leave from the Archdiocese of New York. However, the Bishop does not feel that he can comply with your suggestion that Father Parrakow be assigned in a parish setting that does not have a school. The Diocese of Greensburg is made up of many parishes with between 600 and 900 families and these parishes usually have a small parochial school attached. The parish school usually has under 200 students. The Bishop feels that in asking Father Parrakow to accept an assignment, he would have to place him in such a parish.

Concerning the other suggestions, the Bishop is more than willing to cooperate in any way he can to make the six months prior to his return to the Foundation House in June, an experience that will be beneficial to Father Parrakow and the people he will serve.

If you have a problem with any of the above, please feel free to call me or Bishop Connare to discuss the matter. Our phone number is [412] 837-0901.

With every best wish, I am

Sincerely yours in Christ,

Reverend Thomas J. Klinzing, J.C.L.
Vicar General/Chancellor

DG0004412

Monsignor Klinzing's Letter of Response

Shortly after Connare's interview with Parrakow in December 1985, Parrakow completed his tenure at Foundation House and with the consent of the Archdiocese of New York and approval of Connare, entered into ministry in the Diocese of Greensburg.

Between December 11, 1985, and July 1, 1986, Parrakow was not assigned to a single parish, but rather aided various parishes in the Diocese. On May 14, 1986, Parrakow wrote a letter from St. Procopius Parish in New Salem, Fayette County, thanking Connare for his acceptance and expressing his satisfaction with his involvement in parish ministry. Parrakow also spent a short time at Holy Family Catholic Church in Latrobe, Westmoreland County, in the early months of 1986. On July 1, 1986, Parrakow received his first formal appointment in the Diocese when he was appointed Parochial Vicar of St. Pius X Catholic Church in Mount Pleasant, Westmoreland County. Throughout his assignments, Parrakow regularly had contact with Catholic schools.



Bishop's Office
Greensburg, Penna.

July 1, 1986

Reverend Edmond Parrakow

Reverend and dear Father:

We hereby appoint you

Parochial Vicar at the

Church of Saint Pius X

in Mount Pleasant, Pennsylvania.

You will please take your place

Tuesday, July 15, 1986.

Faithfully yours in Christ,

Bishop of Greensburg

Chancellor

DG0004404

Parrakow's First Assignment in Pennsylvania

Parrakow served in the Diocese until early 1989, when a complaint was made against him regarding inappropriate contact he had with a seventh grader at Holy Trinity Catholic School located in Mount Pleasant (Victim Two). Parrakow had been tasked with instructing Victim Two in the faith and his upcoming sacraments. According to internal Diocesan records, on February 13, 1989, Klinzing met with the child's parents and was informed that, from the outset of their son's involvement with Parrakow, Parrakow was verbally abusive towards them and accused them of abusing and harming their son. They stated that Parrakow was "overprotective of [their] child and interfering with [their] child's life" and that, since his involvement with Parrakow, Victim Two's performance in school had suffered. They described that Victim Two's experience with Parrakow had "been extremely bad for him."

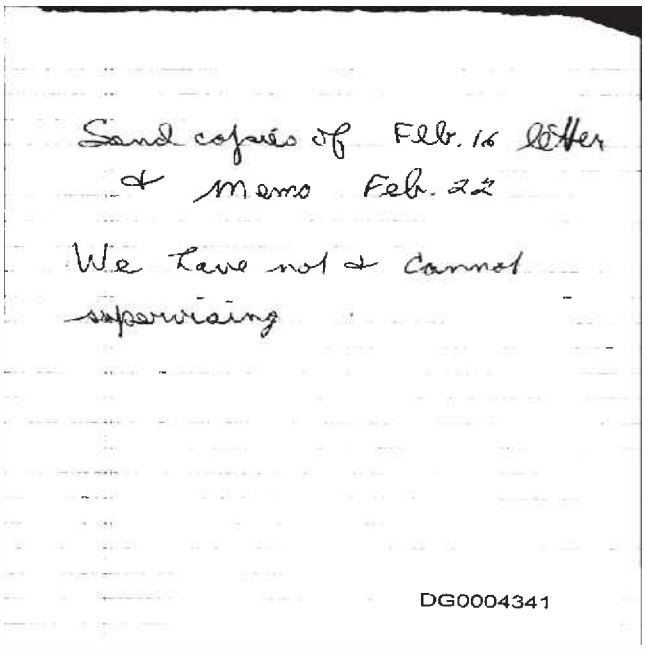
The situation escalated during an incident in which Victim Two was taken to the emergency room because of an illness. While Victim Two's parents were with him at the hospital, Parrakow entered the treatment room, insulted the parents, and "began to touch [Victim Two] on his face and hands and chest while he lay on the emergency room bed." A violent argument ensued with the boy's father. Parrakow called Victim Two's home that evening inquiring about the boy and appeared at the hospital the next day, which "terrified and petrified" Victim Two.

Meanwhile, in January of 1989, Parrakow requested incardination with the Diocese of Greensburg, meaning that he would be formally transferred from the Archdiocese of New York to the Diocese of Greensburg. The request prompted the disclosure of Parrakow's full records from the Archdiocese of New York. This included his complete records from Foundation House, which included his admission to having molested approximately thirty-five male children while he served as a priest. At the same time these records were being disclosed in the first weeks of February, 1989, the complaint involving Victim Two was received by the Diocese.

On February 16, 1989, Bishop Anthony Bosco of the Diocese of Greensburg notified Lawrence M. Connaughton, Vice-Chancellor for Priest Personnel of the Archdiocese of New York, of his concern over the incident with Victim Two and his parents. Bosco stated that he had relieved Parrakow of his assignment in the Diocese of Greensburg on February 10, 1989, and would not provide him any further assignments.

On February 22, 1989, Klinzing wrote a memorandum to Bosco stating, "Father Connaughton asked if there were any incidents because he's worried about legal ramifications. I told him that we have suspicions but no hard evidence."

Significantly, an undated note in Parrakow's Diocesan file appeared to confirm that the Diocese of Greensburg had engaged in no meaningful supervision of Parrakow since his arrival in 1986. The note stated, "We have not & cannot supervising."


Send copies of Feb. 16 letter
& memo Feb. 22
We have not & cannot
supervising
DG0004341

The File Note

According to correspondence between the Archdiocese of New York and the Diocese of Greensburg in 2003, Parrakow resided in the Greensburg Diocese but did not engage in any priestly

activities between 1989 and 2003. In 2004, Parrakow consented to laicization and was formally removed from the priesthood of the Roman Catholic Church.

Pursuant to the Grand Jury's investigation, Victim Two was contacted and later interviewed by Special Agents of the Office of Attorney General (OAG) on April 12, 2017. Victim Two confirmed the details of the incident as documented within Diocesan records and stated that Parrakow was "a pervert" and that "he always made me feel uncomfortable and intimidated." Victim Two further expressed his firm belief that, had his father not intervened that day at the hospital, Parrakow would have gone much further than rubbing his body and face. Victim Two identified a boyhood neighbor of his as another possible victim of Parrakow. This young man had served as an altar boy before abruptly withdrawing from that role in his local parish. On May 4, 2017, this additional victim (Victim Three) was interviewed by OAG Special Agents.

Victim Three explained that, for approximately one year when he was 10 or 11 years old and in fourth or fifth grade, he served as an altar boy at St. Pius X Catholic Church in Mount Pleasant. He stopped being an altar boy due to Parrakow. Victim Three reported that, while he was an altar boy, Father Ed, as the boys called Parrakow, told the altar boys not to wear any clothing under their cassocks because God did not want any man-made clothes to be worn next to their skin while they were serving Mass. Parrakow also told the boys their cassocks had been blessed and were meant to be worn next to the skin. Victim Three stated he never felt comfortable about this and that it did not seem right not to wear any clothing under his cassock.

Victim Three also reported that Parrakow took the altar boys into a private room and told them he had to do a physical examination on them because there had been a report of abuse at the school. Parrakow told the boys he was checking them for any signs of abuse and further stated that the school did not want this to be common knowledge because they might never find out which

student was being abused. Parrakow told the altar boys not to say anything to their parents, teachers, or other students. Victim Three further added that Parrakow would touch the children "all over" during these "examinations," including their genitals and buttocks. Victim Three specifically recalled Parrakow breathing on his neck when he was behind him checking his buttocks.

On December 11, 2017, Parrakow appeared before the Grand Jury pursuant to a subpoena. During his testimony, Parrakow admitted that he had molested children as a priest, many of whom were altar boys. When asked if he had abused numerous children, Parrakow stated, "... I don't – well, I didn't keep contact – contact with them, and I didn't count them. So whatever the Diocese is saying is probably correct." Although Parrakow could not recall the names of all the children he had molested, he did recall that he had sexual contact with the child of a youth minister in Bethlehem, Lehigh and Northampton Counties, during drives between New York and Greensburg. Parrakow explained that he had developed a friendship with the youth minister and was invited to stay at their home as a point of respite on the long drive.

Parrakow further testified that the Diocese never placed any restrictions on his ministry and never limited his contact with schools, despite the warning and recommendations of the Director of Foundation House. Parrakow stated he was unaware of any such recommendation and did, in fact, have frequent contact with school children.

Parrakow testified that he confessed his crimes to his fellow priests, but admitted he would offend again after he received absolution. During a particular exchange with the attorney for the Commonwealth, Parrakow conceded that he could not be cured of his desires and indicated that he was unware of the "serious effects" of his criminal actions. The prosecutor challenged his assertion regarding the seriousness of his offenses in the following exchange:

Q: Okay. You didn't know that Scripture itself says it is better to put a millstone around your neck and be cast into the sea than harm a child?

A: That, I knew.

Neither Edmund Parrakow nor William Connare can be prosecuted for their crimes. The statute of limitations has expired for the multiple indecent assaults Parrakow committed in Pennsylvania. Parrakow is currently employed in a shopping mall in Westmoreland County.

Connare died in 1995. The Bishop Connare Center, the Diocese of Greensburg's ecumenical retreat, social, and educational conference facility, was named in his honor.

The Case of Father Raymond Lukac

Known Assignments

06/21/1954	Saints Cyril & Methodius, Fairchance
06/29/1955	Holy Trinity, Ford City
1957	Servants of the Paraclete, New Mexico
08/01/1961	Diocese of Gary, Indiana
07/03/1963	St. Stanislaus, Posen, Illinois
01/16/1964	Immaculate Conception, Clarksburg, West Virginia
Various	Veterans Administration Service

Father Raymond Lukac was ordained within the Diocese of Greensburg in 1954. According to records in Lukac's Diocesan file, his ordination in 1954 was preceded by considerable resistance by Church officials to Lukac joining the priesthood. This resistance was in response to his refusal to conform his conduct to that expected of a priest and resulted in Lukac being briefly dropped as a seminary student, before being readmitted under strict conditions. Lukac's refusal or inability to follow the rules of the priesthood, despite the consistent consternation and discipline of Church officials, was a trend that continued throughout his tenure as a priest.

In April 1955, soon after Lukac's ordination, the Chancellor of the Diocese of Greensburg, Cyril Vogel, met with Lukac regarding a "serious matter." According to numerous handwritten letters from parishioners of Saints Cyril & Methodius appearing in Lukac's Diocesan file, members of Lukac's parish were complaining that he appeared to have been romantically involved with the 18-year-old organist for the parish (Victim One). Several parishioners expressed concern over having seen Lukac with the teen late at night, including one writing that Lukac was observed in Victim One's company while "driving away with the lights off." Father Anthony Hardy, head pastor at Saints Cyril and Methodius's, complained to the Diocese that "he is the talk of the parish and the community everywhere."

Diocesan records showed that, in order to distance Lukac from the brewing scandal, he was transferred to Holy Trinity in June 1955. In July 1955, Lukac signed a pledge that he would no longer see Victim One or have any communication with her whatsoever.

Approximately one year later, Father Matthew Yanosek, the head pastor of the Holy Trinity parish, discovered that Lukac was involved with a 17-year-old girl (Victim Two). Yanosek made a verbal report to the Diocese in the summer of 1956 about the matter and, by December 1956, Yanosek had learned that the relationship between Lukac and Victim Two had continued. Concerned of possible scandal, Yanosek wrote a three-page letter, dated December 13, 1956, that the Grand Jury obtained from Diocesan files. The letter, addressed to Bishop Hugh Lamb, stated, in part:

> This past summer I made a verbal report on a scandal in our community which involved Father Lukac… Your Excellency's advice at that time was for me to give him a canonical warning and then if he failed to put it in writing and make it a matter for the Chancery Office. Father Lukac was advised of this and the rules set down for him were 1. No social visiting 2. No driving girls in his car. He has violated these rules. Many times and I have warned him many times.

Yanosek further explained that, upon his return from a trip to Detroit, the housekeeper for the rectory reported witnessing Lukac enter the rectory with Victim Two and observed the teen in Lukac's bed. Yanosek wrote that he "called the father of this child and reported the situation."

Yanosek also told Bishop Lamb that he had found a wedding ring and a marriage certificate in Lukac's room. The marriage certificate indicated Lukac had married Victim Two on November 20, 1956, at Holy Trinity Church and included the seal of the Church and Yanosek's forged signature. It did not appear that this forged marriage certificate was associated with a formal, legal marriage.

The Grand Jury determined that the date of the marriage certificate was not coincidental; November 20 was the date Victim Two turned 18 years old. Yanosek concluded his letter by

stating, "(Lukac) has lied to me so many times and I suspect him of thievery. For the best of all concerned, I beg your Excellency, please replace him."

In response to Yanosek's letter, Lamb wrote a letter to the Archbishop of Philadelphia, John O'Hara, on January 12, 1957, requesting his assistance in the matter. Lamb explained that there "is a danger of scandal" and that the Diocese felt Lukac should be removed "for the good of his own soul and for the welfare of the church." Despite having the marriage certificate as proof of a relationship between Lukac and a minor, Lamb told O'Hara, "there is no conclusive proof that he has gone the limit in the three cases brought to our attention of the two parishes to which he has been assigned." Additionally, the Grand Jury's review of Yanosek's Diocesan file found various letters from parishioners complaining of Lukac's contact with teens. Specific details regarding the third case Bishop Lamb referenced were not contained within Diocesan records.

Lamb asked O'Hara to send Lukac to Padua Retreat House in Pocopson, Chester County. Lamb wrote that "the other two young priests of this diocese who were given hospitality there profited much by the experience." It is unclear who these other two priests were or why they were sent to Padua House. However, Diocesan records revealed that, before Lamb made final arrangements to send Lukac on the planned retreat, Lukac eloped with Victim Two to Virginia. By January 18, 1957, the date of the marriage, Victim Two was over 18 and a legal marriage was recorded on that date.

Despite his elopement, Lukac returned to the Church and, in July 1957, was sent for treatment and repentance at Foundation House operated by the Servants of the Paraclete in Jemez Springs, New Mexico. Foundation House was a facility that provided evaluations and treatment for priests accused of sexual abuse of children or other improper acts. Father Lukac thereafter

divorced Victim Two in December 1957. According to several documents in Lukac's file, Victim Two bore Lukac a child.

Lukac remained in New Mexico until August 1, 1961. Upon his departure from Foundation House, he did not return to the Diocese. Rather, while still under the authority of the Diocese, Lukac was granted the necessary permission to serve within the Diocese of Gary, Indiana. In a letter dated June 30, 1961, the Bishop of Gary, Andrew Grutka, accepted Lukac into his Diocese on "a trial basis." Lukac was given all faculties of the priesthood in the Diocese of Gary, with the exception of the ability to hear confessions.

While the Grand Jury did not locate any documentation formally assigning Lukac to serve at schools within the Gary Diocese, it is clear from references in various letters and documents appearing in Lukac's Diocesan file that he served as a high school teacher at Bishop Noll Institute in Hammond, Indiana.

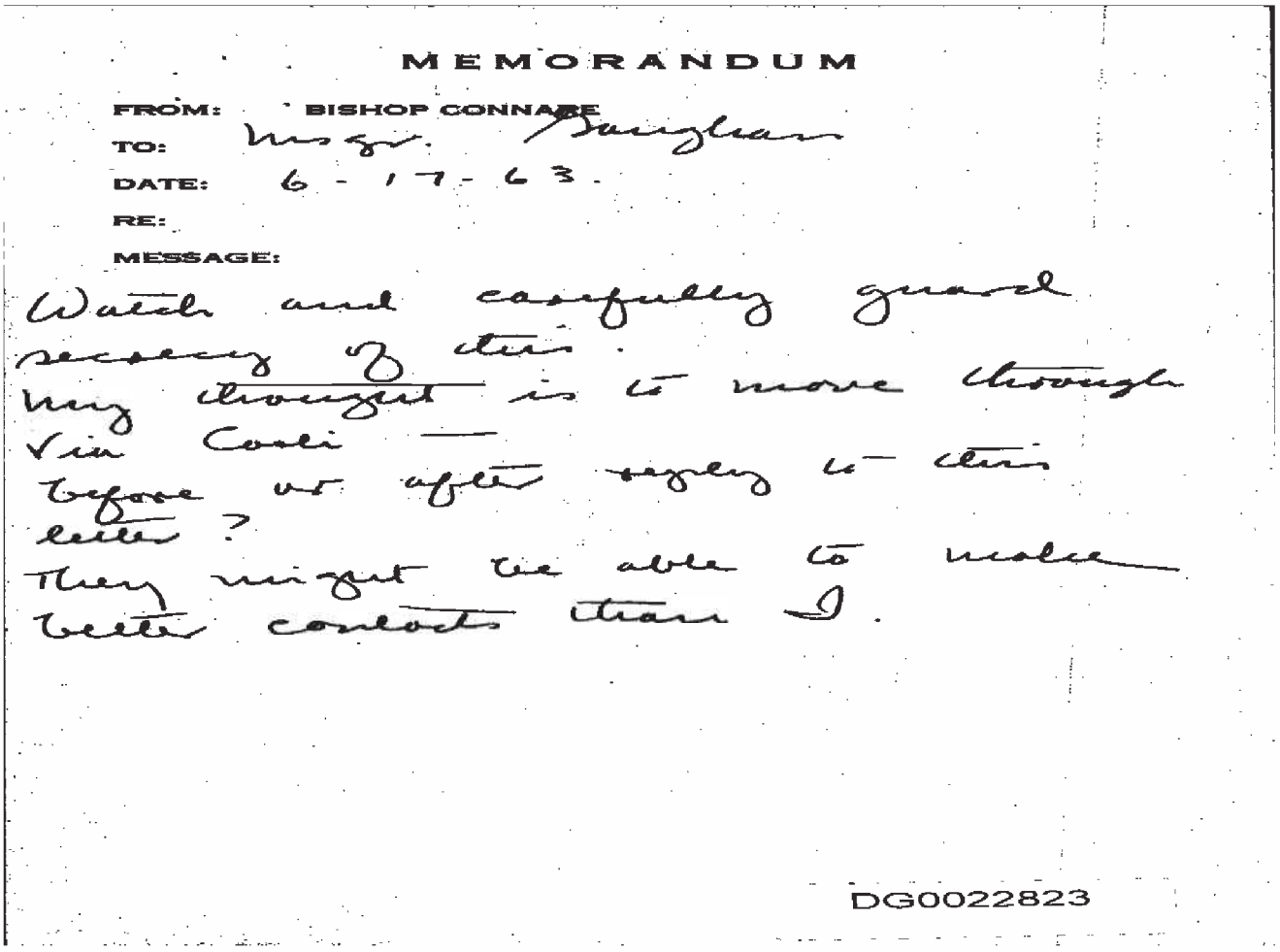
In a letter from Grutka to Connare dated June 13, 1963, Grutka directed that Lukac was "to leave the Diocese of Gary" on June 30, 1963. While Grutka explained that the Diocese no longer had a need for Lukac, he ended his letter with the following: "He is also troubled with impetuosity with a tendency toward indiscreetness. In my humble opinion an assignment in a Boys' school would be in the best interest of Father Lukac."

On June 15, 1963, a letter was dispatched from Brother I. Conrad, the Superintendent of Bishop Noll Institute, to Connare. Conrad's letter offered the following assessment of Lukac:

> Father Lukac's besetting fault seems to be a lack of prudence. This has been noticed in his dealings with some of the students, particularly the girls... However, I am not aware of any scandals in this regard, although his conduct at times gave me a few moments of uneasiness and apprehension.

On June 19, 1963, Connare responded by letter thanking Conrad for the "confidential" information he had provided.

Lukac's removal from the Diocese of Gary resulted in Connare endeavoring to find him a new ministry. On June 17, 1963, Connare wrote a memorandum to Monsignor Norbert Gaughan of the Diocese of Greensburg in which he sought to move Lukac while instructing Gaughan to "[w]atch and carefully guard secrecy of this."



MEMORANDUM

FROM: BISHOP CONNARE

TO: Msgr. Gaughan

DATE: 6-17-63.

RE:

MESSAGE:

Watch and carefully guard secrecy of this.
My thought is to move through Via Coeli —
before or after reply to this letter?
They might be able to make better contacts than I.

DG0022823

Memorandum of Bishop Connare

In numerous letters contained within the secret archives of the Diocese of Greensburg, Connare attempted to find Lukac a "benevolent bishop" to accept him into another diocese.

On June 21, 1963, the Bishop of Fort Wayne-South Bend, Indiana, Leo Pursley, wrote a letter to Connare stating, "the truth is that I have taken in quite a number of problem priests without

much success, but I will certainly give Father Lukac every possible consideration." Ultimately, Lukac was not accepted into the Diocese of Fort Wayne-South Bend.

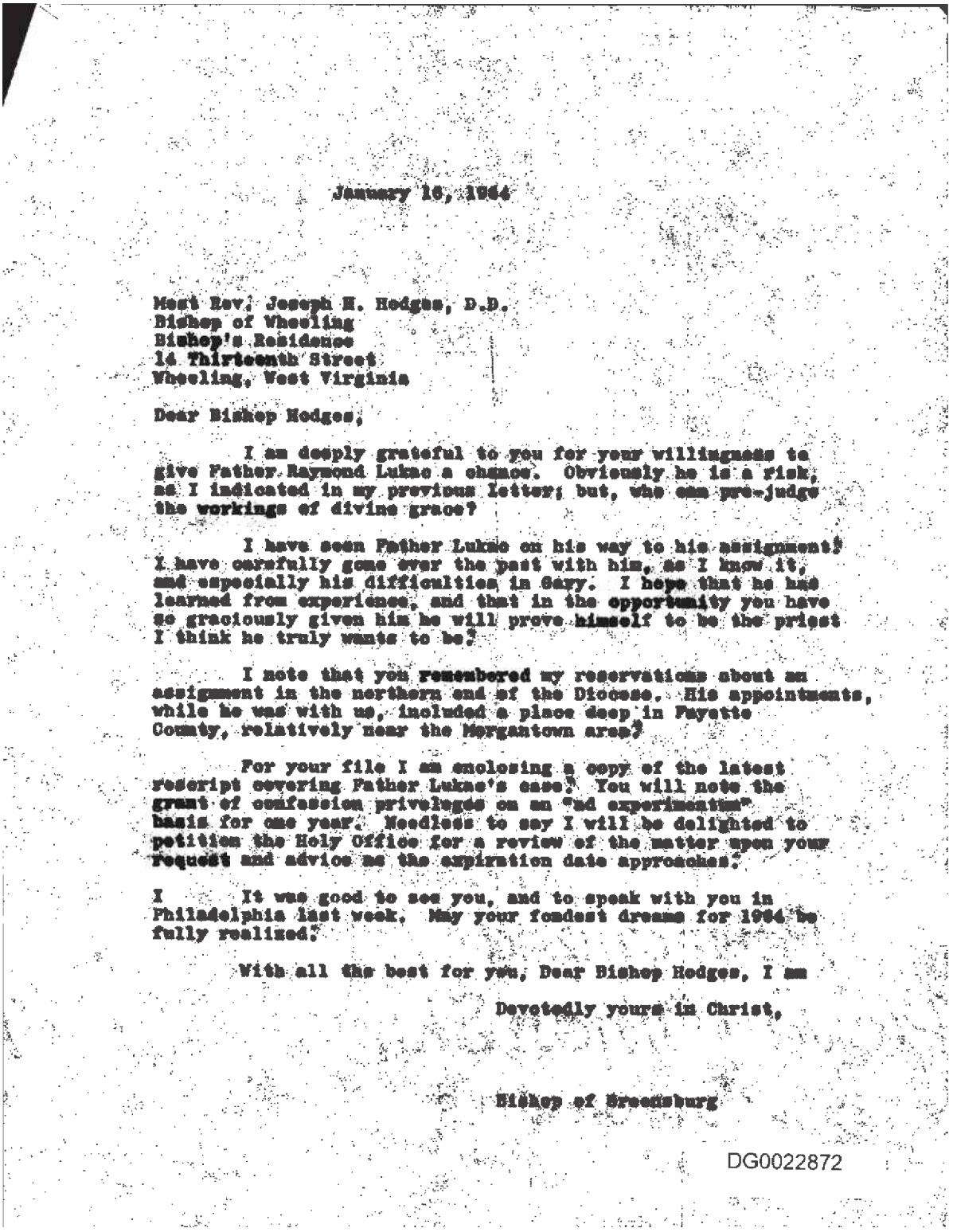
Lukac moved to St. Stanislaus in Posen, Illinois, in July 1963, although he did not live there under an official capacity. Rather, according to a July 23, 1963, memorandum written by Chancellor F. W. Byrne of the Archdiocese of Chicago, Lukac arrived at St. Stanislaus through his friendship with Father Stanley Dopek, the pastor of St. Stanislaus, who had invited Lukac to live with him in the parish. Byrne noted that the Archdiocese of Chicago would not accept Lukac as a priest and instructed him to find a different "benevolent bishop," while permitting Lukac to live with Dopek until he found other arrangements.

On August 12, 1963, Dopek wrote to inform Connare that Lukac was serving within his parish. That same day, Lukac dispatched a letter to Connare asking that Connare petition Rome for the return of his capacity to hear confessions. In October 1963, Connare granted Lukac's request and petitioned the Vatican for a full restoration of priestly faculties on behalf of Lukac.

Connare noted his success in returning Lukac's ability to hear confession in a January 9, 1964, letter to the Bishop of Toledo, George Rehring. At that time, Connare was still working to place Lukac in ministry in another diocese. Connare stated the following to Bishop Rehring: "This past fall, however, while in Rome, I reviewed the details of his case with the Holy Office, and obtained these faculties for Father Lukac. Their use is contingent upon his getting a benevolent bishop, and limited, for the present, to one year." Diocesan records showed that Connare and Lukac continued to write to various bishops asking that he be accepted into ministry within their respective dioceses.

On January 10, 1964, Joseph Hodges, the Bishop of Wheeling, West Virginia, wrote a letter to Connare stating that Lukac "is most welcome here, that I know something of his background,

and we will be happy to cooperate in helping him serve as a real priest." Connare responded by thanking Bishop Hodges, noting that "obviously he [Lukac] is a risk… but who can pre-judge the workings of divine grace." Connare then reminded Hodges about his reservations regarding "assignment in the northern end of the Diocese," since such a placement may be too close to the Diocese of Greensburg.



January 16, 1964

Most Rev. Joseph H. Hodges, D.D.
Bishop of Wheeling
Bishop's Residence
14 Thirteenth Street
Wheeling, West Virginia

Dear Bishop Hodges,

I am deeply grateful to you for your willingness to give Father Raymond Lukac a chance. Obviously he is a risk, as I indicated in my previous letter; but, who can pre-judge the workings of divine grace?

I have seen Father Lukac on his way to his assignment. I have carefully gone over the past with him, as I know it, and especially his difficulties in Gary. I hope that he has learned from experience, and that in the opportunity you have so graciously given him he will prove himself to be the priest I think he truly wants to be.

I note that you remembered my reservations about an assignment in the northern end of the Diocese. His appointments, while he was with us, included a place deep in Fayette County, relatively near the Morgantown area.

For your file I am enclosing a copy of the latest rescript covering Father Lukac's case. You will note the grant of confession privileges on an "ad experimentum" basis for one year. Needless to say I will be delighted to petition the Holy Office for a review of the matter upon your request and advice as the expiration date approaches.

I It was good to see you, and to speak with you in Philadelphia last week. May your fondest dreams for 1964 be fully realized.

With all the best for you, Dear Bishop Hodges, I am

Devotedly yours in Christ,

Bishop of Greensburg

DG0022872

Bishop Connare's Letter to Bishop Hodges

On August 1, 1964, soon after Lukac joined the Wheeling Diocese, Hodges wrote to Connare informing him "He [Lukac] was rather strong in his language in a talk to some of the high school students earlier this year." Hodges wrote that he did not want to lose Lukac, but felt it might be better for him to be moved and that such a change would be preferable before "classes" resumed.

Subsequently, Lukac was assigned a position as a part-time chaplain for the Veterans Administration Service, a position in which he served for two years. In 1967, Lukac requested permission to take a full time chaplaincy in the Veterans Administration Service.

In 1993, the Diocese of Greensburg was contacted by an individual claiming to be the daughter of Lukac. This individual wanted to make contact with him and stated in her letter to the Diocese that she thought he had remarried. The Diocese contacted the Archdiocese for Military Services for assistance, but they claimed to have no record of Lukac.

In August 2006, the Archdiocese of Chicago requested information regarding Lukac from the Diocese of Greensburg because they had received a complaint that Lukac had sexually abused a minor while residing in the Chicago Archdiocese (Victim Three). Victim Three stated that, in approximately 1962 to 1964, Lukac abused her when she was around 11 years old in the St. Stanislaus rectory. Lukac was at St. Stanislaus between 1963 and 1964. Victim Three reported that she felt good when Lukac paid attention to her because she was always picked on and that her contact with Lukac ended when he left for the Navy.

On April 11, 2012, Kelly Venegas, the Bishop's Delegate for the Diocese of Gary, Indiana, called to speak with Father Lawrence Persico of the Diocese of Greenberg regarding an allegation of sexual misconduct involving Lukac alleged to have occurred while Lukac was serving in the

Diocese of Gary. The only note appearing in Lukac's Diocesan file regarding this matter stated the following: "Woman approx. 1961 – 1964 teenage sex relation" (Victim Four).

The Grand Jury finds that the Diocese of Greensburg was aware from the outset of Father Lukac's ordination that he posed a serious risk of sexual misconduct to minor females. Despite this known risk, the Diocese failed to properly address the serious complaints against him and thereafter enabled his sexual misconduct. After being confronted by parishioners of the Diocese with Lukac's abusive acts, Connare doggedly sought to keep him active in his ministry and persisted in his efforts to have Lukac assigned to another diocese and have his priestly faculties fully restored. These assignments included Catholic high schools, where Lukac would be in regular contact with teenage girls, to whom he posed a known, immediate threat. The Grand Jury finds that the bishops who collaborated to keep Lukac active in the priesthood did so knowing he posed a risk to the public and were, therefore, complicit in the abuse he committed.

The Case of Father Robert Moslener

Known Assignments

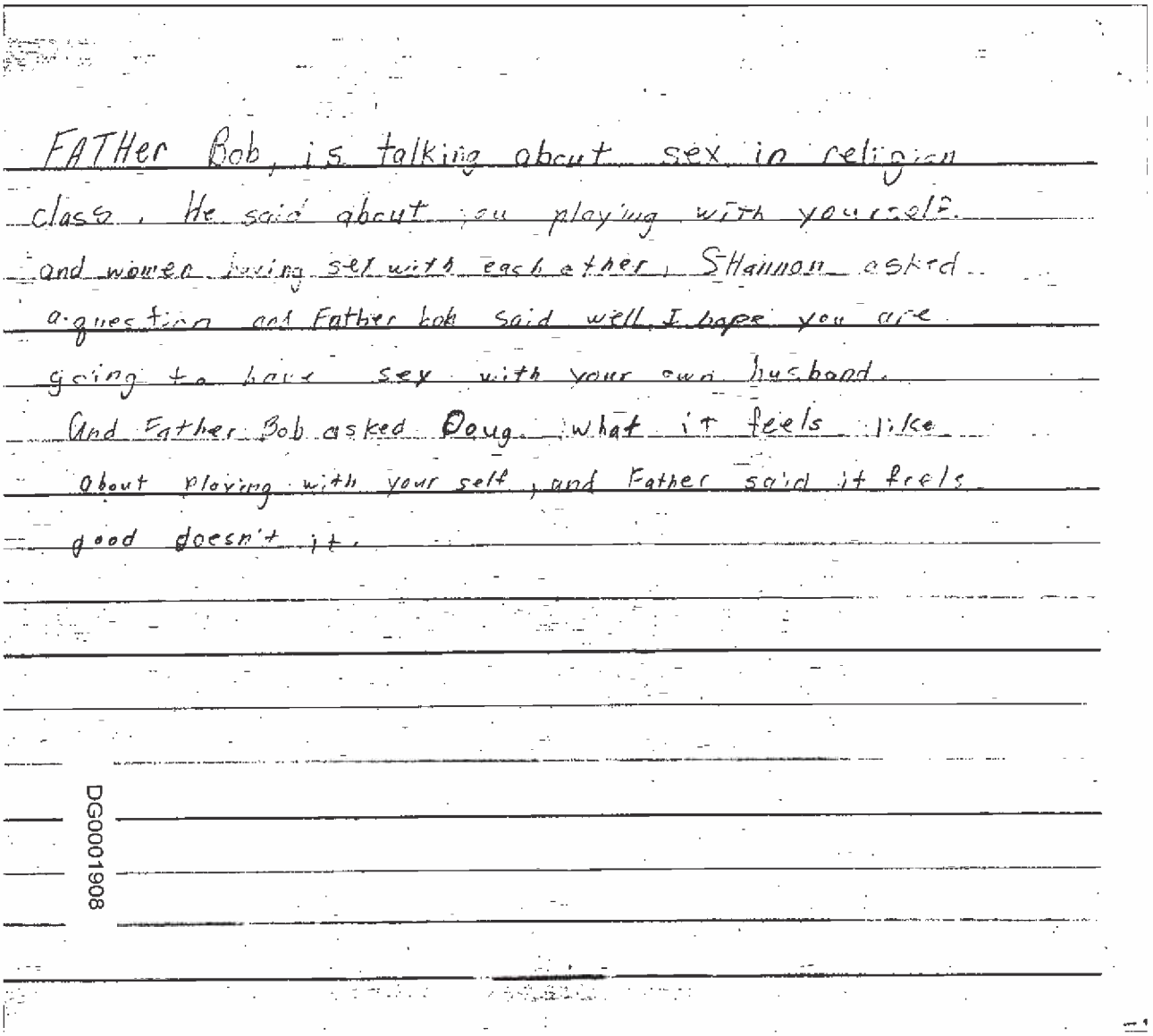
1976 – 1978	St. John the Baptist, Scottsdale
1978 – 1979	St. Agnes, North Huntingdon
1979 – 1985	St. Joseph, New Kensington
1985 – 1986	St. Pius X, Mt. Pleasant
1986 – 1986	St. Cajetan, Monesson
1986 – 1987	Saints Simon and Jude, Blairsville
10/1987	St. Luke Institute, Suitland, Maryland
1987 – 1988	Holy Cross, Iselin
1988 – 1992	Assumption Hall, Sisters of Charity Retirement Home, Greensburg
1992 – 1996	St. Patrick, Brady's Bend
1996 – 2002	St. Mary Church and Sacred Heart Church, Yatesboro
06/2002	The Anodos Center

Father Robert Moslener was ordained into the Diocese of Greensburg in May of 1976. He thereafter served in a variety of capacities within the Diocese through 2002, including as a school teacher in the 1980's. His tenure in the Diocese was marred by the sexual abuse of children nearly from its outset when, in 1979 and 1980, he acknowledged engaging in "inappropriate behavior" with a 15-year-old victim (Victim One) and was sent for an evaluation. While information regarding this incident in Moslener's Diocesan file was limited, it is clear that William Connare was notified of Moslener's contact with the 15-year-old boy but nevertheless permitted him to return to his ministry. According to internal Diocesan documents associated with this incident, the Diocese viewed Moslener's abuse of Victim One in the following manner: "incident with the 15-year-old boy may well have represented an unacceptable yet understandable waystation on his path to more adult sexual integration."

Numerous allegations of child sexual abuse were levied against Moslener six years later. Diocesan records indicated that, in 1986, several elementary to middle school aged children provided statements to the Diocese regarding what Moslener had been teaching in his religion class. The children advised that, among other things, Moslener asked them if they masturbated

and described how Mary had to "bite off the cord" and "lick" Jesus after he was born to clean him off. One letter made clear that Moslener was discussing the physical effects of masturbation with a child.

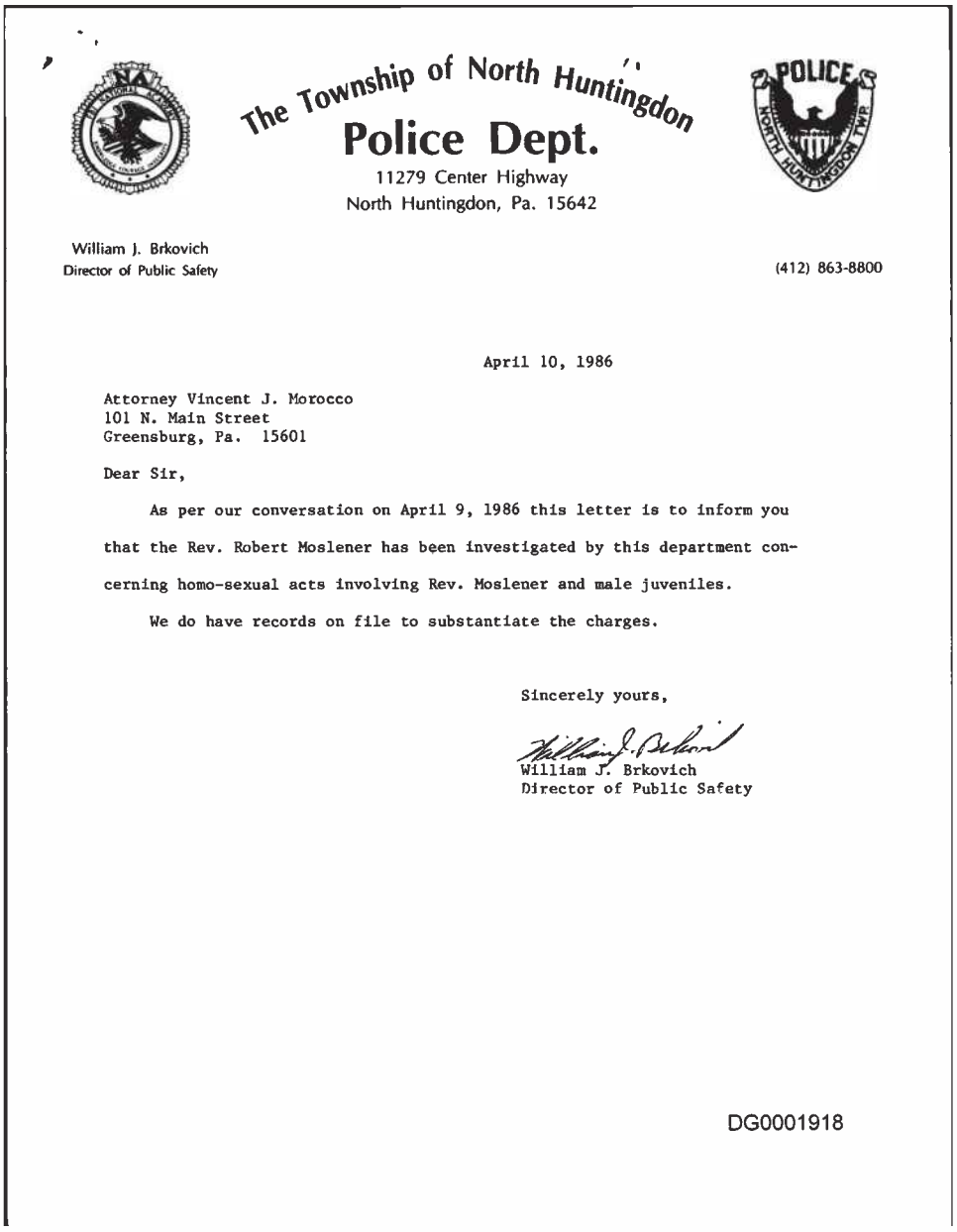
On May 26, 1986, Klinzing sent a confidential memorandum to Connare. In this memorandum, Klinzing recommended that Moslener be put "on ice" due to the complaints made by these children. In May 1986, Connare dispatched Moslener to a psychologist for the purpose of an evaluation.


FATHer Bob, is talking about sex in religion class. He said about you playing with yourself and women having sex with each other. Shannon asked a question and Father Bob said well I hope you are going to have sex with your own husband. And Father Bob asked Doug what it feels like about playing with your self, and Father said it feels good doesn't it.

DG0001908

An Example of a Child's Statement

In April 1986, the North Huntingdon Township Police Department advised the Diocese that Moslener had been investigated for committing sexual acts against male juveniles and that they had "records on file to substantiate the charges." Diocesan records make reference to sexual contact with a 16-year-old boy (Victim Two) around this time. There are no records indicating Moslener was prosecuted for his conduct.



The Township of North Huntingdon
Police Dept.
11279 Center Highway
North Huntingdon, Pa. 15642

William J. Brkovich
Director of Public Safety

(412) 863-8800

April 10, 1986

Attorney Vincent J. Morocco
101 N. Main Street
Greensburg, Pa. 15601

Dear Sir,

As per our conversation on April 9, 1986 this letter is to inform you that the Rev. Robert Moslener has been investigated by this department concerning homo-sexual acts involving Rev. Moslener and male juveniles.

We do have records on file to substantiate the charges.

Sincerely yours,

William J. Brkovich
Director of Public Safety

DG0001918

The Police Department's Letter

In 1987, Moslener was sent, over his objection, to St. Luke's Institute for an evaluation. Klinzing notified Connare via a confidential internal memorandum dated March 24, 1987, that Moslener "was involved in an inordinate way with a 16-year-old boy in the North Huntingdon area and there is a police record verifying this." Klinzing also noted that "Father Moslener was involved

with another individual at the St. Joseph Parish in New Kensington." In this memorandum, Klinzing explicitly asked Connare whether Moslener was a risk to children.

Moslener was subsequently assigned as Chaplain of a retirement home from 1988 to 1992. From 1992 to 2002, however, he served as an active pastor in parishes in the Diocese. He was assigned as pastor of St. Patrick's Church in Brady's Bend, Clarion County, from 1992 to 1996 and at St. Mary Church and Sacred Heart Church in Yatesboro, Armstrong County, from 1996 to 2002.

An internal Diocesan document detailing the timeline of Moslener's career indicated that, in 1999, another victim (Victim Four) contacted the Diocese and disclosed sexual abuse perpetrated by Moslener. The next entry or event appearing in Moslener's file was his removal from the priesthood in 2002. Thus, despite Victim Four's complaint and the numerous complaints of child sexual abuse levied against Moslener over the years, he was permitted to remain in active ministry.

In March 2002, two months after the January 2002 publication of a *Boston Globe* article detailing accounts of clergy sexual abuse in the Archdiocese of Boston, Bosco placed Moslener on administrative leave. On August 1, 2002, Bosco resigned as Bishop of the Diocese of Greensburg.

In 2003, yet another victim came forward with an allegation of sexual abuse by Moslener (Victim Five). Finally, in 2004, newly-installed [redacted] requested that the Vatican dismiss Moslener from the clerical state.

In 2013, the Diocese received an email from an individual (Victim Six) reporting that he and his siblings had been sexually abused by Moslener when they were children. Victim Six became concerned when he saw Moslener featured in various photos on the St. Joseph's parish

REDACTED -- ONGOING APPELLATE LITIGATION

website, despite his dismissal from the Church approximately a decade earlier. Victim Six referenced the "irreversible damage" Moslener caused and noted, "His name doesn't appear on any sex offender registry. His victims continue to struggle to this day."

See Case VI

The Bishop's Delegate received the following e-mail which was forwarded from [redacted] by Father John Chesney pastor of St. Joseph in New Kensington on April 3, 2013:

I am contacting you concerning some offensive photos discovered on your parish website.
My siblings and I grew up in the 70's attending St. Joseph's School. We all received the sacraments of reconciliation, communion, confirmation and marriage at St. Joseph's Parish. My brothers were regular altar servers for many years. Our parents were extremely active within the community and made very generous financial as well as social contributions to the school/parish.

During our years at St. Josephs, a former "priest", Robert Moslener, befriended our family. He embedded himself deeply into our lives often attending family gatherings and events. He portrayed himself as not only a religious man but a teacher, mentor, and friend to especially the youth of the parish. As a young child, I had a strong uneasiness about Mr. Moslener made stronger by the fact that he most often only liked to associate with male youth and seemed disinterested in female youth. Unfortunately, my age prevented me from fully understanding the harm he was inflicting upon our family. Due to the access of social media, technological advances, and decades of strong suspicion, I can now after 35 years piece together and attest to the irreversible damage Mr. Moslener has caused.

My siblings and I suffered horrible abuses at the hands of not only Mr. Moslener but Sister Victor and Sister Marie Corday both now deceased. My siblings and I all suffered physical and mental assaults at the hands of these three monsters. For some reason, I was stronger or perhaps more intuitive for my age and therefore somewhat spared from the more horrible assaults. I made it my childhood "mission" to explore why I just simply did not like Mr. Moslener. I watched his every move and am positive to this day he knew I was keeping a close eye on him at school, church, and in our family home.

At that time, Father Higgins was also a priest in the parish. It is unclear if he knew. I plan to ask him what he knew. I hope nothing but am realistic in that the truth probably won't be told to anyone. We know that Mr. Moslener was "moved" from parish to parish prior to his "unemployment" as a priest. It leaves me to question just how many children the Catholic faith is willing to use as human sacrifice. Mr. Moslener now resides in Pittsburgh enjoying his golden years unscathed. His name doesn't appear on any sex offender registry. His victims continue to struggle to this day. I plan to check on his employment status to make sure he isn't having any private "lunches" with young boys. Needless to say, my beliefs about Catholicism are in question, my wedding day somewhat less special, and my childhood and that of my siblings a huge lie.

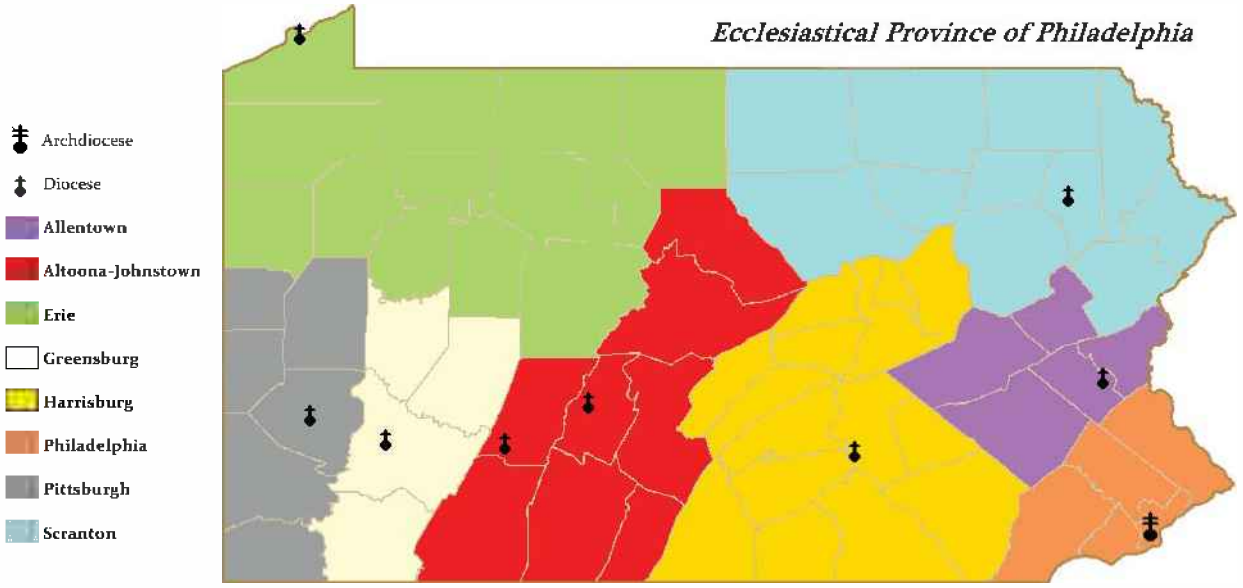
I will be checking back on the church website hoping not to see Mr. Moslener in any photos. Please pay particular attention to the photo including a young child. It disgusts me the most. I wonder who that little boy is and if he is okay. I would pray for him but sadly don't really know if a God exists.

The parish web site was immediately accessed by the Diocese and the offending pictures were immediately taken down. The site was made active again and there was no further contact with [redacted]

DG0001855

Connare and Bosco permitted Moslener to continue in ministry for 22 years after the initial complaint of child sexual abuse against him and the numerous reports of child sexual assault which followed. During that time, Moslener continued to prey on innocent children within the Diocese of Greensburg.

Roman Catholic Diocese of Harrisburg



I. General Overview of the Diocese of Harrisburg, Pennsylvania

The Roman Catholic Diocese of Harrisburg covers fifteen counties of Central Pennsylvania: Adams, Columbia, Cumberland, Dauphin, Franklin, Juniata, Lancaster, Lebanon, Mifflin, Montour, Northumberland, Perry, Snyder, Union and York. Pope Blessed Pius IX established the Diocese on March 3, 1868. There are 89 parishes in the Diocese of Harrisburg, including one Cathedral and two Basilicas. The bishop's seat is in St. Patrick's Cathedral.

The Diocese of Harrisburg reported on its website as of January, 2018, that it has 92 Diocesan priests; 38 retired Diocesan priests; 34 religious order priests; 67 permanent deacons; one religious brother; 274 women religious; and 33 seminarians serving the Catholic population.

II. History of Bishops of the Diocese of Harrisburg

1) Bishop George L. Leech (1935 through 1971)

2) Bishop Joseph T. Daley (1963 through 1967)

3) Bishop Joseph T. Daley (1971 through 1983)

4) Bishop William H. Keeler (1983 through 1989)

5) Bishop Nicholas C. Dattilo (1990 through 2004)

6) Bishop Kevin C. Rhoades (2004 through 2010)

7) Bishop. Joseph P. McFadden (2010 through 2013)

8) Bishop Ronald William Gainer (2014 through Present)

III. Additional Church Leadership within the Diocese of Harrisburg Relevant to the Grand Jury's Investigation

The Grand Jury finds that that the following Church leaders, while not bishops, played an important role in the Diocese of Harrisburg's handling of allegations of priest sexual abuse.

1) Monsignor Hugh Overbaugh

2) Father Paul Helwig

3) Chancellor Carol Houghton

4) [redacted]

IV. Findings of the Grand Jury

The Grand Jury uncovered evidence of child sexual abuse committed by priests of the Diocese of Harrisburg. Evidence established that priests engaged in sexual contact with minors, including grooming and fondling of genitals and/or intimate body parts, as well as penetration of the vagina, mouth, or anus. The evidence also revealed that Diocesan administrators, including bishops, had knowledge of this conduct and that priests were regularly placed in ministry after the

Diocese was on notice that a complaint of child sexual abuse had been made. The Diocese's actions enabled the offenders and endangered the welfare of children.

Evidence also showed that the Diocese entered into settlements with victims and discussed with lawyers the sexual conduct of priests with children. Further, these settlements contained confidentiality agreements forbidding victims from speaking about the abuse they suffered under threat of some penalty, such as legal action to recover previously paid settlement monies.

Finally, the Grand Jury received evidence that several Diocesan administrators, including bishops, often dissuaded victims from reporting to police, or conducted their own deficient, biased investigating without reporting crimes against children to the proper authorities.

V. Offenders Identified by the Grand Jury

1) Francis J. Allen
2) John G. Allen
3) Francis A. Bach
4) Jesus Barajas
5) Richard J. Barry
6) James Beeman
7) John Bostwick
8) Donald Cramer
9) Walter Emala
10) Paul R. Fisher
11) Harrisburg Priest #1
12) Augustine Giella
13) Harrisburg Priest #2

14) Donald "Tim" Hackman

15) T. Ronald Haney

16) John Herber

17) Philip Hower

18) Kevin Kayda

19) Edward Konat

20) George Koychick

21) Thomas Kujovsky

22) Thomas Lawler

23) Robert Logue

24) Arthur Long

25) David H. Luck

26) Robert Maher

27) Daniel Mahoney

28) Guy Marsico

29) John M. McDevitt

30) Anthony McGinley

31) James McLucas

32) Ibarra Mercado

33) [redacted]

34) Joseph Pease

35) Charles Procopio

36) Guido Miguel Quiroz Reyes

37) James Rush

38) [redacted]

39) Bryan Schlager

40) Herbert Shank

41) Patrick Shannon

42) Timothy Sperber

43) Carl J. Steffen

44) Frederick Vaughn

45) Salvatore V. Zangari

VI. Examples of Institutional Failure: Fathers Augustine Giella, Arthur Long and Joseph Pease

The Grand Jury notes the following examples of child sexual abuse perpetrated by priests within the Diocese of Harrisburg. These examples further highlight the wholesale institutional failure that endangered the welfare of children throughout the Pennsylvania Dioceses, including the Diocese of Harrisburg. These examples are not meant to be exhaustive; rather, they provide a window into the conduct of past Pennsylvania bishops and the crimes they permitted to occur on their watch.

The Case of Father Augustine Giella

Known Assignments

06/1950 — 06/1969	Holy Trinity Church, Hackensack, New Jersey
06/1969 — 06/1970	Our Lady of Sorrows, Jersey City, New Jersey
06/1970 — 03/1976	Church of the Epiphany, Cliffside Park, New Jersey
03/1976 — 02/1980	St. Catherine's, Glen Rock, New Jersey
03/1980 — 10/1982	St. Joseph's Church, Hanover
10/1982 — 04/1988	St. John the Evangelist, Enhaut

Father Augustine Giella was ordained in the Archdiocese of Newark, New Jersey on June 3, 1950. After twenty-nine years of ministry in New Jersey, Giella suddenly decided to seek ministry elsewhere. In November 1979, Giella wrote Bishop Joseph Daley of the Diocese of Harrisburg to request an assignment. On December 7, 1979, Archbishop Peter Gerety of the Archdiocese of Newark wrote a letter to confirm that Giella was a priest in good standing and stated that Giella "has always shown himself to be [an] excellent priest giving himself only for the greater honor and glory of God and the people of the Catholic Church." Gerety gave Giella full permission to seek service outside of the Archdiocese. Though Giella was still an incardinated priest of the Diocese of Newark, an agreement to serve in another diocese was permissible with the concession of his home Bishop and the approval of the Bishop of the receiving diocese.

During the interview process with the Diocese of Harrisburg, Giella told Father William H. Keeler that he sought to have his own parish, which was unlikely to occur in the Archdiocese of Newark due to an abundance of priests. Keeler conducted the interview because he was acting in his capacity as Auxiliary Bishop. This interview was recorded in a memorandum prepared by Keeler and sent to Bishop Daley and Monsignor Hugh Overbaugh. The Diocese of Harrisburg accepted Giella and assigned him to St. Joseph's in Hanover, York County, in 1980.

Thereafter, Giella was assigned to St. John the Evangelist Church in Enhaut, Swatara Township, Dauphin County, in 1982. In 1983, Bishop Daley died and Keeler was appointed Bishop of the Diocese of Harrisburg.

At St. John the Evangelist Church, Giella met a family who warmly embraced him as their parish priest. The family included eight girls and one boy. Giella began sexually abusing the girls almost immediately upon his appointment to the parish. Giella sexually abused five of the eight girls. Giella also abused other relatives of the family. His conduct included a wide array of crimes cognizable as misdemeanors or felonies under Pennsylvania law.

In August 2016, the sisters that Giella abused testified before the Grand Jury to the criminal sexual acts Giella perpetrated upon them. The Grand Jury learned that Giella regularly collected samples of the girls' urine, pubic hair, and menstrual blood. Giella utilized a device he would apply to the toilet to collect some of these samples. Giella would ingest some of the samples he collected. The abuse occurred in Pennsylvania and New Jersey, where Giella invited the family for visits.

Giella's abuse had a lasting effect on the sisters. The sisters testified to the challenges they have faced in overcoming Giella's sexual abuse. The emotional, psychological, and interpersonal damage to the sisters is incalculable. Most of the sisters refrained from sharing any details of their own abuse with their siblings for fear of what they might learn. The Grand Jury learned that Giella's tragic abuse of these girls could have been stopped much earlier if the Diocese of Harrisburg had acted on a complaint in the 1980's.

In approximately April 1987, a teacher at Bishop McDevitt High School received a complaint that Giella was insisting on watching a girl as she used the bathroom. The girl stated that Giella insisted on watching her go to the bathroom and that he did "wrong things" with

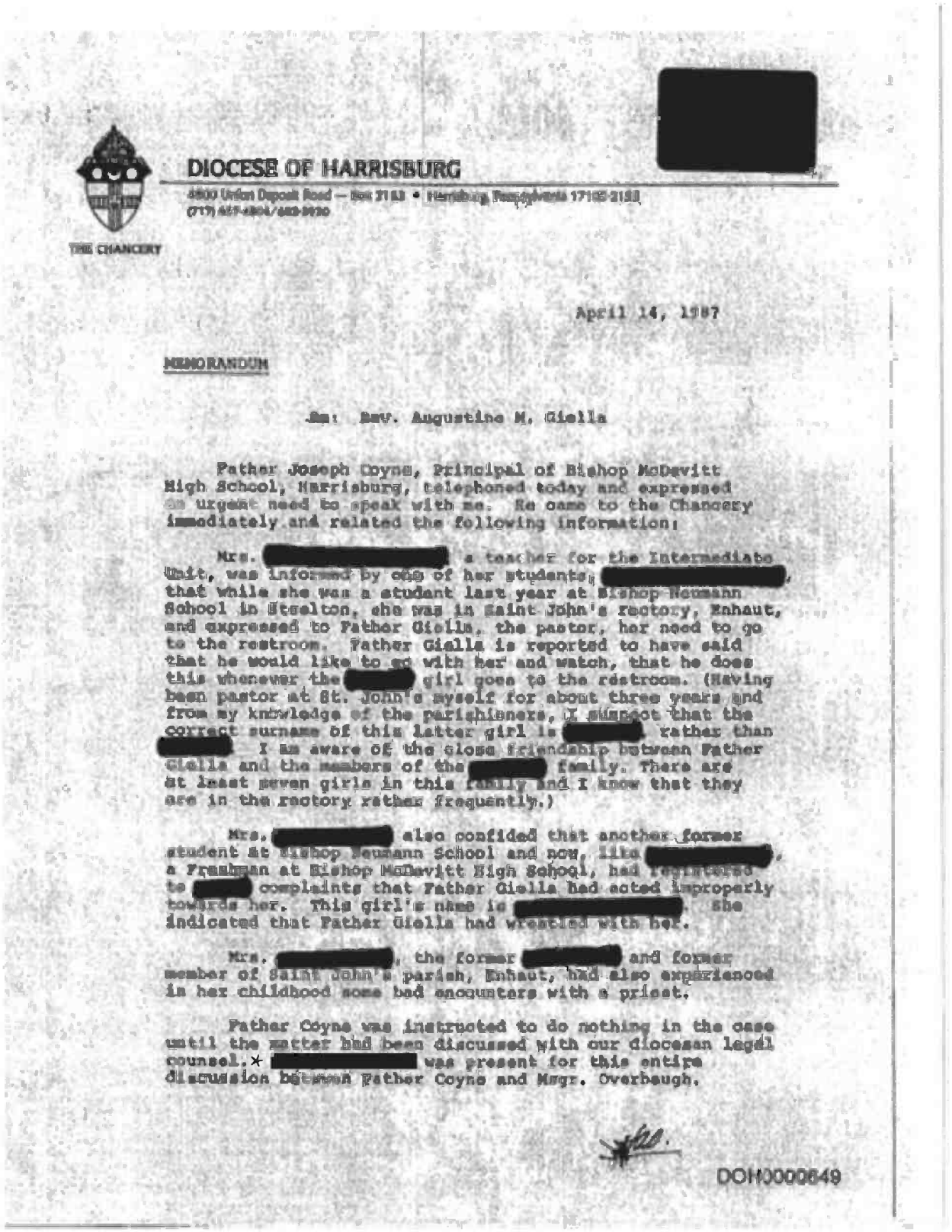
children. The teacher reported the complaint to Father Joseph Coyne, who in turn made an immediate report to the Diocese.

This former teacher testified before the Grand Jury on January 24, 2017. The former teacher's testimony is corroborated by an internal memorandum from the secret archives of the Diocese of Harrisburg. In that memorandum, dated April 14, 1987, Overbaugh recorded the complaint, as well as an allegation that Giella engaged in similar conduct with one of the above mentioned sisters. The witness, the reporting victim, and the family of the sisters are all recorded and identified by name. Overbaugh wrote:

> (REDACTED), a teacher for the Intermediate Unit, was informed by one of her students, (REDACTED), that while she was a student last year at Bishop Neumann School in Steelton, she was in Saint John's rectory, Enhaut, and expressed to Father Giella, the pastor, her need to go to the restroom. Father Giella is reported to have said that he would like to go with her and watch, that he does this whenever the (REDACTED) girl goes to the restroom.[2]

Overbaugh noted at least one other complaint by a girl who reported to her teacher that Giella had "acted improperly towards her." Overbaugh concluded his memo, "Father Coyne was instructed to do nothing in the case until the matter had been discussed with diocesan legal counsel. [redacted] was present for this entire discussion between Father Coyne and Msgr. Overbaugh."

[2] The Grand Jury has withheld names otherwise identified within the document for the privacy of the witnesses and victims.



DIOCESE OF HARRISBURG

4800 Union Deposit Road — Box 2153 • Harrisburg, Pennsylvania 17105-2153
(717) 657-4804/652-5120

THE CHANCERY

April 14, 1987

MEMORANDUM

Re: Rev. Augustine M. Gialla

Father Joseph Coyne, Principal of Bishop McDevitt High School, Harrisburg, telephoned today and expressed an urgent need to speak with me. He came to the Chancery immediately and related the following information:

Mrs. [redacted] a teacher for the Intermediate Unit, was informed by one of her students, [redacted], that while she was a student last year at Bishop Neumann School in Steelton, she was in Saint John's rectory, Enhaut, and expressed to Father Gialla, the pastor, her need to go to the restroom. Father Gialla is reported to have said that he would like to go with her and watch, that he does this whenever the [redacted] girl goes to the restroom. (Having been pastor at St. John's myself for about three years and from my knowledge of the parishioners, I suspect that the correct surname of this latter girl is [redacted] rather than [redacted]. I am aware of the close friendship between Father Gialla and the members of the [redacted] family. There are at least seven girls in this family and I know that they are in the rectory rather frequently.)

Mrs. [redacted] also confided that another former student at Bishop Neumann School and now, like [redacted], a Freshman at Bishop McDevitt High School, had registered to [redacted] complaints that Father Gialla had acted improperly towards her. This girl's name is [redacted]. She indicated that Father Gialla had wrestled with her.

Mrs. [redacted], the former [redacted] and former member of Saint John's parish, Enhaut, had also experienced in her childhood some bad encounters with a priest.

Father Coyne was instructed to do nothing in the case until the matter had been discussed with our diocesan legal counsel.* [redacted] was present for this entire discussion between Father Coyne and Msgr. Overbaugh.

DOH0000649

The Overbaugh Memorandum

*REDACTED -- ONGOING APPELLATE LITIGATION

This complaint was consistent with the type of deviant interests Giella pursued with the sisters he victimized. The Grand Jury uncovered another document related to this report in the secret or confidential archives of the Diocese of Harrisburg. An undated document addressed to Keeler regarding "Report on Gus Giella" noted: "I spoke with Father Coyne on the pastoral concerns: A.) Approaching Fr. Giella B.) welfare of the student C.) satisfying the ire of the teacher. I said we would consult you on these matters. [redacted]"

In spite of the detailed memorandum and this note, Giella remained in ministry and neither Keeler nor the Diocese attempted to remove Giella from ministry. Giella voluntarily retired in 1988. However, in the approximately five years that followed the Overbaugh memorandum, Giella continued to sexually abuse the girls identified in the Overbaugh memorandum, which included a reference to the family of girls.

Keeler left the Diocese in 1989 to become Archbishop of the Archdiocese of Baltimore. Nicholas C. Dattilo became Bishop of the Diocese in 1990. Giella continued to steal the innocence of children. In 1992, one of the victims came forward and disclosed what Giella had been doing. The family initially reported the conduct to the Diocese. Father Paul Helwig wrote a memorandum to Dattilo dated July 18, 1992, regarding the complaint against Giella. Helwig documented the information he received from the reporting victim's family at various meetings in attached supplemental memoranda. The documents detailed the events leading up to the 12-year-old girl's disclosure, and described the event believed to have finally triggered the girl to disclose her abuse, the discovery of nude or partially nude photos of the girl in Giella's residence.

Helwig wrote that he interviewed Giella on July 30, 1992. Among other admissions, Giella stated that he began having contact with the girl in the bath and that "as time went on they became more comfortable with each other the embraces became more intense and involved some fondling

REDACTED -- ONGOING APPELLATE LITIGATION

on his part." Giella also confessed that he took pictures of the girl. The July 1992 Helwig memoranda are set forth below.

DIOCESE OF HARRISBURG - SECRETARIAT FOR CLERGY AND RELIGIOUS LIFE
4800 Union Deposit Road – Box 2161 • Harrisburg, Pennsylvania 17105-2161
(717) 657-4804

MEMORANDUM

To: Most Reverend Nicholas C. Dattilo

From: Very Reverend Paul C. Helwig PCH

Date: July 18, 1992

Re: Father Augustine M. Giella

This afternoon upon my return to St. Lawrence Rectory Monsignor Hugh Overbaugh informed me that earlier in the afternoon he met with Mrs. [redacted], Mrs. [redacted], and her daughter. The conversation centered on a report of sexual misconduct involving Father Augustine Giella, a priest of the Archdiocese of Newark who was granted permission to work in the Diocese of Harrisburg, and Mrs. [redacted] youngest daughter, [redacted] while he was pastor of St. John the Evangelist Church in Enhaut. The meeting was requested by Mrs. [redacted]. Both mothers knew Monsignor Overbaugh from his time as pastor of St. John's, Enhaut. [redacted] presently is 12 years old.

Mrs. [redacted] reported that by nature [redacted] is quiet and somewhat withdrawn, but recently she seemed to be moreso. In asking her if there was anything wrong, [redacted] revealed that Father Giella, while he was stationed at St. John's made inappropriate advances to her. Not wanting to upset her daughter anymore, Mrs. [redacted] did not ask more questions about details of the situations.

She feels that her daughter is telling the truth and is in need of some kind of counseling. She reported to me in a later phone call that [redacted] seems to be doing a little better already now that she knows someone else knows.

In the course of the meeting it was also reported that another daughter repeled an advance made by Father Giella.

With a family wedding approaching on August 1st, in which [redacted] is to participate, Mrs. [redacted] is not interested in disturbing [redacted] life right now, but is interested in helping her daughter in the near future.

DOH0000667

July 18, 1992 (memo #2)

In order to make a personal contact with Mrs. [redacted] to notify her that I was aware of her conversation with Msgr. Overbaugh and to assure her of the gravity with which he consider such happenings I phoned her in the evening and spoke with her at her home.

I told her that the diocese would be willing to assist her in obtaining counseling for her daughter. No details were discussed except to temporize on the situation until after the family wedding on August 1st.

Mrs. [redacted] was informed that in cases such as this the priest is presented with the report shortly after it is received. Therefore, since Father is a priest of the Archdiocese of Newark I would contact those diocesan officials and that most probably within the week Father would be approached about the allegations.

In order to speak knowledgeably with Father about the incidents I asked Mrs. [redacted] if she would meet with me to review the information she received from [redacted]. Mrs. [redacted] and her husband will meet with me on Tuesday evening, July 21 at the Diocesan Center.

Mrs. [redacted] asked that these proceedings be kept in the strictest of confidence for her daughter's sake. I assured her that on our part it is our practice to do so.

Mrs. [redacted] also mentioned that Father Giella has pornographic literature and photographs in his possession that should be confiscated and destroyed. She is concerned that if he is alerted to these developments he may take the material and put it some place to keep it from being found.

When Father Giella arrived in Enhaut the [redacted] family befriended him. The daughters would go to the rectory to do chores for him. They have maintained contact to this day. Most recently (prior to [redacted] revelation) the family visited with Father at his new residence in Whiting, N.J.

DOH0000668

July 21, 1992

This evening I had a meeting scheduled with Mr. and Mrs. [redacted]. Mr. [redacted] arrived with his son, [redacted]. He (Mr. [redacted]) said that he and his wife had a spat before they left the house and she refused to come along. She wanted to bring Mrs. [redacted] (the woman who made the first appointment for Mrs. [redacted] with Msgr. Overbaugh) along and Mr. [redacted] did not want her to accompany them. He said the matter is a family affair and he did not want others from outside the immediate family to know all the details.

In the course of the conversation Mr. [redacted] said that he really did not know any of the details of the story, except that Father Giella did improper things to [redacted]. He referred me to his wife for any more details.

He said that the family consists of he [redacted] and his wife [redacted] and nine children (in order of ages oldest to youngest):

[redacted]

Mr. [redacted] said that [redacted] and some of her sisters would go to the rectory to help count the Sunday collection. and help out around the rectory. Father would give them each $5.00 for counting. [redacted] attended St. John's School also.

[redacted] and Mr. [redacted] were very interested in the confidentiality of the case. I assured them that beyond the Bishop, Msgr. Overbaugh, myself, two other priests ([redacted] * and Father Haney), and the diocesan lawyer would know about the matter. Mr. [redacted] said that they were not interested in pursuing the matter with the Law nor were they interested in creating any kind of scandal. Mr. [redacted] said there is nothing to be gained by that. The matter has been reported by Mrs. [redacted] to the Children's Services Office. She was told that it was good that she did it herself. Had the officials received the report from someone else they could have come into the home and removed [redacted]. (This would probably be done to protect the child from further abuse, however, since the perpetrator is not in the area this may not have happened.)

Earlier in the day I made an initial contact with Bishop Michael Saltarelli, Vicar for Priests in the Archdiocese of Newark. I will give him more details when they are available and make arrangements to go to Whiting, NJ, to talk with Father Giella.

DOH0000669

*REDACTED -- ONGOING APPELLATE LITIGATION

July 25, 1992

Today I met with Mr. [redacted], Mrs. [redacted], and Mrs. [redacted] at St. Lawrence Rectory.

Mrs. [redacted] described for me the relationship she and her family had with Father Giella. She said that after he arrived at St. John Church in Enhaut as pastor he asked one of the girls to help count the Sunday collection. Then a second daughter began to help and eventually [redacted], the youngest daughter in the family, was going along with her sisters. She would play in the rectory while her sisters were working. At this time [redacted] was two years old at the time.

As time went on [redacted] continued to grow closer to Father Giella. He became like a grandfather figure in the family. He would visit the [redacted] home and join in family celebrations. He bought [redacted] toys and gifts and would take her and her sisters on trips and outings. [redacted] seemed to be his favorite.

After he returned to New Jersey the family continued to keep in touch with him and would visit him at his beach-house. Mrs. [redacted] and the girls would go to the house and clean it up for him. He did not take care of it himself. They were the ones who moved him from Enhaut to the beach-house in New Jersey and then a second time from the beach-house to Whiting.

At the time of the second move before he moved from the beach house Mrs. [redacted] and some of the children (which included [redacted] and Mrs. [redacted] granddaughter, [redacted] who is only two years younger that [redacted] went to Father's place and were unable to get in when they arrived. It was very early in the morning, but still with several attempts they were not able to get him to come to the door. They slept in the car. The next morning they went to a neighbor's house and called, but no answer. So Mrs. [redacted] found a window open and lifted [redacted] through the window and had her open the door. When they entered they found Father in very bad physical condition (he was dehydrated probably from the heat because he kept everything closed tight). They called the ambulance and he spent about a week in the hospital. Had they not found him, the medical personnel said he would have died.

Mrs. [redacted] saw Father's hospitalization as a fortuitous happening. She was helping him pack for the move to Whiting and he was hindering the packing process because he wanted

DOH0000670

to take everything along. She thought a lot of stuff should be thrown away. With Father in the hospital, Mrs. [redacted] felt she could make great headway.

In the process of packing Mrs. [redacted] said she came across somethings that she thought were unusual for a priest to have, but she did not want to question Father's integrity. There were Playboy magazines. She thought perhaps he confiscated them from someone else and would eventually dispose of them later.

Once on a visit when picking up Father's dirty clothes to launder them (he would wear T-shirts once and then throw them in a pile and by new ones) Mrs. [redacted] found girls' underwear mixed in with his. She thought that the girls must have left them there on a previous visit or that time around and they got mixed in with his things.

On her last trip to Father's house in Whiting [redacted] said that while she was taking a shower Father wanted to take pictures of her. She refused to cooperate. She said that the bathroom door would not lock and she was not able to keep him out. (Mrs. [redacted] said that he must have jammed it because it did work before.) He persisted to ask to be allowed to take pictures, but [redacted] continued to refuse. Father got angry and yelled at her. Mrs. [redacted] said that this is one thing [redacted] cannot handle. She always does what people ask for fear of them getting upset with her. She consistently gets "outstanding" on her report cards for conduct. Mrs. [redacted] believes not because she wants to be so good, but out of fear of being yelled at. As far as I know, no photos were taken.

Mrs. [redacted] thinks that this may have been the event that drove [redacted] into an even more withdrawn state for the past several months.

[redacted] began to tell her story after [redacted] told her mother [redacted] ([redacted] sister) that she saw a picture at Father Giella's place of [redacted] naked. (Actually it was a photo of [redacted] in younger year from the waist up without the top of a swimming suit on. Mrs. [redacted] said that [redacted] had a habit of doing this when she was little.) [redacted] mother in turn told [redacted], another sister, who, while driving [redacted] one day noticed again that [redacted] was very withdrawn. She asked her what was wrong and if it had anything to do with the photo. [redacted] began to cry and told her what had been happening with Father Giella.

This led to the realization that [redacted] would need the services of a counselor (who has been contacted) and the

subsequent reporting of the incidents to the Child and Youth Services office. A person from that office is scheduled to come to the [redacted] home on Wednesday evening to interview [redacted]. No one is certain of the purpose or possible outcome of that visit.

I once again assured Mr. and Mrs. [redacted] that the diocese wants to be as supportive as we can to [redacted] (and other members of the family since they said there may have been other advances made to some of the other daughters) and that we would offer our assistance.

I also told them that I would be contacting Father to present ttheir report to him and to instruct him that he is not to attend the August 1st family wedding nor is he to contact the family again. All communication is to cease.

July 30, 1992

Yesterday I visited with Father Giella at his home in Whiting, N.J. to apprise him of the report I received regarding [redacted]

Father was concerned when he heard the report, at least on the face of it, not so much for himself, but for what it has done for [redacted]. He said that they were affectionate and grew emotionally close to one another as well as physically close. (Mrs. [redacted] mentioned that he had become like a grandfather to the family.) He was bewildered that his activity should cause [redacted] so much trouble now. He said that he had just seen her about 2 or 3 weeks ago when members of the family came to his place to celebrate a birthday party for [redacted] and she seemed fine then.

I asked that he recount the history of his relationship with [redacted]. He mentioned that two of the [redacted] girls used to come to the rectory to count the collection on Sundays and that [redacted] eventually began to tag along. One day between the Masses when the girls had a break [redacted] went into the bathroom to put on some make-up and [redacted] went in to use the toilet. [redacted] called him into the bathroom and said that [redacted] wanted a hug. She [redacted] was on the toilet with her arms raised and he allowed her to give him a hug. This was the beginning. It later on became a frequent happening and eventually was not unusual for Father and [redacted] to hug one another. She became his favorite of all the sisters.

Father said that as time went on and they became more comfortable with each other the embraces became more intense and involved some fondling on his part. Father also said that

DOH0000672

also took pictures of [redacted] but has since destroyed them.

I asked Father not to call the family again and that he was not to plan on attending the family wedding this weekend. He said that he would not have been able to go anyway due to his health. I also explained to him that [redacted] has begun counseling (her first session was Tues.evening) and that the Office of Child and Youth Services has been notified. A case-worker from that office was to visit last evening to talk with [redacted] in oder to ascertain exactly what happened between her and Father Gielia. I told Father that I informed Bishop Saltarelli in Newark of the situation and that he would probably be hearing from him after he returns from his retreat.

Father is very remorseful that his affection for [redacted] has affected her in this way and said that he would be willing to help in any way that he can. He expects that the family will be "sore" with him and readily agreed to refrain from contacting the family.

The family also reported Giella's abuse to police in Pennsylvania and New Jersey. Police in Pennsylvania contacted the Office of the Prosecutor in New Jersey and law enforcement began an investigation. Upon serving a search warrant at Giella's residence in New Jersey, New Jersey police confiscated the following: young girl's panties; plastic containers containing pubic hairs identified by initials; twelve vials of urine; soiled panties; sex books; feminine sanitary products (used); numerous photographs of girls in sexually explicit positions; and some photos depicting children in the act of urination. Giella was arrested in August 1992.

Diocesan records do not indicate if Overbaugh, Helwig, Dattilo, or any Diocesan personnel ever reported the prior complaints against Giella or his confession to the police. The victims told the Grand Jury that this information was never relayed to them.

Giella admitted his actions to the police. According to the police report, after Giella was charged and arrested for child pornography and sexual abuse, numerous calls were received from women reporting that Giella fondled and abused them in Hackensack, New Jersey. These women stated they had been afraid to come forward given Giella's position in the church. Additionally, the reporting victim's sisters began to disclose Giella's sexual abuse of them.

Having learned that her child had been sexually abused by a priest, the mother of the family of child victims confronted Overbaugh. The family considered Overbaugh a friend and highly respected his role in the church. At the time of the confrontation, the family did not know that Giella's conduct had ever been reported to Overbaugh or the Diocese. However, further evidence of Diocesan officials' knowledge of the danger Giella posed to children was demonstrated to the Grand Jury when the victim's mother described the confrontation. Overbaugh stated, "I wondered why you were letting them go to the rectory." The victims' mother stated that she later received a phone call from Helwig. Helwig stated, "You can relax. Father said that (REDACTED) just took

his intentions towards her wrong," and "that he loved her, and he would never hurt her." This account bears some semblance to Helwig's July 1993 memorandum, where he wrote, "Father is very remorseful that his affection for (REDACTED) has affected her in this way and that he would be willing to help in any way that he can. He expects that the family will be 'sore' with him and readily agreed to refrain from contacting the family." Lost in this characterization is the reality that child sexual abuse is not affection or care, but the criminal violation of innocent children.

On October 12, 1992, an attorney for the family engaged the Diocese of Harrisburg in civil litigation via a letter of notice sent to the Diocese. Prior to reaching settlement terms, aggressive litigation resulted in the release of the victims' psychological and academic records to Diocesan lawyers, the exchange of offers and counter-offers, the execution of confidentiality agreements, and prevention of a Harrisburg newspaper from obtaining information about the case. Letters between attorneys for the family and the Diocese haggled over whether the victim actually had a diagnosed condition as a result of the abuse. Diocesan lawyers argued that the Diocese was not responsible for the conduct of its agents.

On October 27, 1992, Dattilo wrote the family, and stated in part, "I share your shock, anger and hurt, and pledge full cooperation by the diocese in this unfortunate situation." However, while Dattilo promised full cooperation, the diocesan lawyers continued to litigate and attempted to negotiate the family down from their approximately $900,000.00 demand to $225,000.00.[3] The Grand Jury notes this is a familiar pattern.

In October 2017, Chancellor Carol Houghton testified before the Grand Jury. Houghton was the long-time Chancellor for the Diocese; Dattilo appointed her to that position. As Chancellor

[3] The final settlement figure was nearly one million dollars. However, it does not appear that the 1987 Overbaugh memorandum uncovered by the Grand Jury was ever disclosed during that litigation.

and a canon lawyer, Houghton maintained many Diocesan records. Houghton is not a member of the clergy. Houghton had been tasked with a file review and was extremely knowledgeable as she maintained notes of her work. Houghton was shown the 1987 Overbaugh memorandum and questioned regarding the Diocese of Harrisburg's failure to inform the family or law enforcement of its contents. Houghton testified she had never seen the 1987 Overbaugh memorandum concerning Giella. She had no prior knowledge that the Diocese of Harrisburg had warnings about Giella's behavior in 1987. Houghton did not have access to the secret archives; only the Bishop had access pursuant to the Canon Law of the Church. The Grand Jury observed this in numerous flawed Diocesan investigations across Pennsylvania. The Dioceses' focus on secrecy often left even the Dioceses' own investigators in the dark.

Ultimately, Giella never faced a jury concerning his alleged criminal conduct. He died while awaiting trial. His criminal actions, and the criminal inaction of Keeler, resulted in continued victimization and trauma for the family of girls described earlier. The trauma was so fresh that the youngest sister, the one who finally reported Giella's criminal conduct, suffered a panic attack while in the Grand Jury suite after seeing an older gentlemen who bore some resemblance to Giella. In explaining why she came forward, she testified:

> Because it doesn't have to happen to anybody. They don't have to live a life like I have to. I continually have to battle. The man out there is a very nice man. He is old like Giella and I can't -- it makes me -- it makes me think about what happened and he is nice and he doesn't deserve me to think that. But I can't -- I can't walk through there and see him because it makes me feel uncomfortable. I don't -- I don't know. I believe in God. I don't go to church. My son is the only reason I'm alive. Thank God I had him because, if I didn't have him -- I probably would have killed myself a long time ago.

This survivor of sexual assault attempted to take her own life in the months after her testimony before the Grand Jury. In recovery, she requested to speak with the attorney for the Commonwealth and special agent involved in this investigation. Even though she had almost lost

her own life, the victim's primary concern was a fear that in the intervening months since her testimony, the Grand Jury's investigation may have stopped and that the truth would never be told to the public. She was assured it was still an active investigation.

The Case of Father Arthur Long

Known Pennsylvania Assignments

11/1974	Appointed Chaplain Harrisburg Polyclinic Hospital
09/1975	Chaplain for Sacred Heart Villa and Geisinger Medical Center

Father Arthur Long was a Jesuit Priest assigned to ministry within the Diocese of Harrisburg. Long was ordained in 1955 as a member of a Catholic religious order, the Maryland Province Society of Jesus. The Grand Jury highlights Long's case as an example of another common observation in the course of its investigation—misconduct by religious order priests.

There are over one hundred Catholic religious orders and related sub-groups throughout the world. Many operate within the United States. In the Roman Catholic Church, these entities are often referred to as "religious institutes." A religious institute is "a society or group which commit to and pronounce public vows which they share in common with the members of their order or group." These organizations are often founded upon the teachings of a particular individual. By way of example, the Franciscan Friars are followers of Saint Francis of Assisi whereas the Ordo Sancti Benedicti, or the Benedictines, follow the teachings of Saint Benedict. There is a lengthy list of similar organizations.

The vows of a religious order priest often include things such as a commitment to living a life of poverty, a promise of chastity, or service within the mission of the order. The headquarters of an order may be within the United States or in another location. The head of the religious order is often called the Superior. With the permission of the Superior and the acquiescence of a Diocesan bishop, an order friar or priest is assigned ministry within a particular diocese. In any case, an individual can be removed from ministry by his superior for any reason or a bishop may rescind authorization to minister within his respective diocese.

The Grand Jury finds that record-keeping regarding order members was sporadic, often lacked detail, and was inconsistently maintained. Records related to an order's priests are usually maintained by the religious order. However, in some cases a diocese may create their own additional records relative to the order priest's service within their diocese. This was the case of the Diocese of Harrisburg and Arthur Long, where the Diocese maintained some records primarily related to a specific complaint against Long.

Long obtained the permission of his superior, as well as the approval of Harrisburg Bishop Joseph T. Daley, to serve within the Diocese at some point prior to November 27, 1974. Diocesan records indicated that Long's service within the Diocese included a November 1974 assignment as chaplain at the Harrisburg Polyclinic Hospital.

The Diocese recorded complaints against Long in a letter from Overbaugh to Long's superior, Frank A. Nugent, on August 11, 1987. Overbaugh noted that "while this documentation contains numerous complaints, we seldom if ever receive word of all the good which Father Long accomplished during his years at the Geisinger Medical Center and for which we in the Diocese of Harrisburg are grateful." Overbaugh was vague in detailing the complaints but noted that, since Long's time in Danville, he had been doing little more than saying Mass at the Motherhouse of the Sisters of Saints Cyril and Methodius. Overbaugh's letter indicated that "Sister Raymund," the General Superior of the Sisters of Saints Cyril and Methodius, was displeased with Long's presence there. Overbaugh wrote, "Sister Raymund wishes Father Long to be out of the home, certainly before the high school girls return to the Academy in the near future."

DIOCESE OF HARRISBURG
4800 Union Deposit Road — Box 2153 • Harrisburg, Pennsylvania 17105-2153
(717) 657-4804/652-3920
THE CHANCERY

August 11, 1987

Rev. Frank A. Nugent, S.J.
5704 Roland Avenue
Baltimore, MD 21210

Dear Father Nugent:

In keeping with your recent request, I am sending herewith certain information which was received at this office concerning Father Arthur Long and his ministry to the Catholic patients at Geisinger Medical Center in Danville, Pennsylvania.

Let me state that, while this documentation contains numerous complaints, we seldom if ever receive word of all the good which Father Long accomplished during his years at the Geisinger Medical Center and for which we in the Diocese of Harrisburg are grateful.

When I spoke with Father Long in Danville several weeks ago, he admitted that he was probably "burned-out," which I can readily believe, because he rarely took time off or went away for vacations.

It seemed expedient that Father Long be replaced and this happened when Father James Muthuplakal, a priest from India, who has had considerable experience in hospital work, offered his services to the Diocese of Harrisburg.

Meanwhile, Father Long remains in Danville, doing little more than saying Mass at the Motherhouse of the Sisters of Saints Cyril and Methodius. Sister Raymund, the Superior General, telephoned me on Friday to express her concern for Father Long and inquiring when the Society would be reassigning him. The Sisters would like to use the home which Father Long is now occupying and which will need a thorough cleaning, because of the presence in the house these many years of Father Long's two dogs. Sister Raymund wishes Father Long to be out of the home, certainly before the high school girls return to the Academy in the near future.

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Should you wish any additional information, please do not hesitate to contact me.

Begging your kind understanding in this matter and reaffirmimg the gratitude we in the Diocese of Harrisburg bear for all the help afforded us by the Maryland Province of the Jesuits, I remain

Sincerely yours in Christ,

Hugh A. Overbaugh

Rev. Msgr. Hugh A. Overbaugh
Vicar General

Enclosures

cc: Sister Raymund, SS.C.M.
Rev. Msgr. Walter H. Shaull

DOH0009623

Overbaugh's "Complaints" Letter

The Motherhouse of the Sisters of Saints Cyril and Methodius was associated with an academy for school-aged girls. Father David McAndrew of St. Joseph Church in Danville wrote a statement in November 1987 to Diocesan officials. McAndrew reported that a 21-year-old female and an 18-year-old female had approached him with concerns regarding Long. McAndrew wrote, "(REDACTED) said Father Long sought to have sex with her four years ago when she was 17 years old. (REDACTED) refused his advances." McAndrew continued, "In conversation Father Long admitted to (REDACTED) that he has had sexual relationships with 'four or five' girls since he was stationed in Baltimore. Father Long told (REDACTED) 'God wants us to express our love for each other in this [sexual] way.' When, in response, (REDACTED) told him the Bible warns that such conduct will be punished by God, Father Long said, 'there is no hell.'"

McAndrew's letter noted that the victim had been warned when she was six or seven years old to "never play in Father Long's yard." The conclusion of McAndrew's letter identified another victim who is believed to have come into contact with Long when she was 13 years old. His statement recorded, "they were involved sexually." Attached to McAndrew's two-page letter is an "assessment" of the women who reported Long's conduct. McAndrew concluded that he had "no doubt" that the victim was telling the truth and believed her companion was "telling the truth" in regards to the additional 13-year-old victim. He noted that neither victim was in need of professional counseling since he had surmised that the "process of healing" had begun.

ST. JOSEPH CHURCH
513 FERRY STREET
DANVILLE, PA 17821

STATEMENT

On Saturday evening, November 28, 1987, I met wit [redacted] 21, and [redacted] 18. Both [redacted] and [redacted] had been to Confession earlier in the day and had been persuaded by their Confessor to meet with me outside of the Sacrament and to inform me about certain serious moral failings on the part of Father Arthur Long, S.J.

[redacted] lives with her grandfather, [redacted] at [redacted] Danville (Father Long's residence is in the 800 block of Railroad Street). She told me she had been warned, even at the age of 6 or 7, "never to play in Father Long's yard" in a tone which implied that something bad would happen to her there. She later learned that the reason for the warning was Father Long's tendency to seek sexual contact with young girls. [redacted] and [redacted] are friends and have shared their knowledge concerning Father Long.

[redacted] said Father Long sought to have sex with her four years ago when she was 17 years old. [redacted] refused his advances.

In conversation Father Long admitted to [redacted] that he has had sexual relationships with "four or five" girls since he was stationed in Baltimore. Father Long told [redacted] "God wants us to express our love for each other in this [sexual] way". When, in response, [redacted] told him the Bible warns that such conduct will be punished by God, Father Long said, "there is no hell".

Father Long admitted to [redacted] that he had an affair with a woman from Baltimore named [redacted] She is a divorcee with two children. [redacted] spent a weekend alone with Father Long at his home in the summer of 1985 during the annual festival the Sisters hold at Villa Sacred Heart. During the weekend Father introduced [redacted] to the Sisters and staff of the Villa and she had dinner at the Villa.

[redacted] and [redacted] spoke in detail of one instance with which they are both very familiar because the situation continues to this day. This concerns [redacted] who lives in Michigan. [redacted] is 25 years old. She was a student at St. Cyril's Academy, 13 years of age, when she became friends with Father Long. They were involved sexually. After leaving St. Cyril's, [redacted] has continued to come to live with Father Long at his residence and their sexual relationship has been maintained up to the present. [redacted] is wealthy and independent so she is free to come to Danville to spend long periods of time with Father Long. [redacted] and

DOH0009626

[redacted] state that [redacted] told them "she will not marry until Father Long is dead". [redacted] is planning to come to Danville in February and live here.

I asked [redacted] and [redacted] about alcohol abuse on the part of Father Long. They said Father Long drinks daily ("mixed drinks, the hard stuff") until he cannot walk. They said this happens "every day, every night".

When I asked how this sexual misconduct and alcohol abuse could continue over so long a period without my hearing about it and without the Sisters learning about it, they stated: "The Sisters do not know what's going on at Father Long's house".

I told [redacted] and [redacted] I would compose this summary of our conversation so that they could review it and offer any necessary changes at a meeting on Sunday, November 29, at the rectory. This statement was read by them and met with their approval.

David T. McAndrew

Very Rev. David T. McAndrew
Dean

DOH0009627

ASSESSMENT

[redacted]

I have known [redacted] for about four years. I advised her when she was trying to decide whether to enter the U.S. Armed Forces. I advised her to do so because I consider her overly dependent upon her parents. The parents, for their part, dominate their adult children in a way which is not healthy. Her parents persuaded her not to take my advice.

I have no doubt that [redacted] is telling the truth. I do not think she could bear to live with the thought that she falsely accused a priest or religious. She is a bit naive and has suffered spiritual injury because of the experience she described to me. However, I do not feel she needs professional counseling. The process of healing has begun. She has ample opportunity to receive spiritual direction within the parish setting.

[redacted]

I had trouble locating [redacted] in our parish records. She is the daughter of [redacted] the divorced daughter of [redacted] with whom [redacted] has lived for a number of years. [redacted] is not known to me.

[redacted] demeanor during our conversation leads me to believe she is telling the truth. [redacted] tells me that she has never been solicited for sex by Father Long. Her knowledge comes from living in the neighborhood and visiting with Father Long. Much of her knowledge comes from her friendship with [redacted] However, she has firsthand knowledge of the facts which are related concerning [redacted] I do not think she needs professional counseling. She is receiving the Sacraments and seems to be able to accept the failings of Father Long as something she must learn to live with.

As part of my counsel to [redacted] in Confession, I assured her that her that her name would not be revealed to Father Long. I also warned her that there is every possibility he would figure out who it was who reported these facts. And so, I feel certain she knows that her decision to reveal what she revealed can lead to additional inconvenience for her. I also explained these realities to [redacted]

David T. McAndrew

Very Rev. David T. McAndrew
Dean

November 29, 1987

DOH0009628

McAndrew's Statement and Assessment

Overbaugh notified Harrisburg Diocesan Bishop William Keeler of the complaints and forwarded McAndrew's report to the superior-in-charge of Long's religious order in Maryland on December 1, 1987. Overbaugh reported that he and [redacted] had met with Long. Long admitted he had a "relationship" with the girl, whom he identified by name. He stated the relationship was over. He had gone to confession and was receiving spiritual counseling. Long claimed that, while she may have been a girl, there was no sexual involvement while she was a student at the school. Overbaugh noted, "Thus eliminating the possibility later of a pedophilia suit." Near the conclusion of his letter, Overbaugh wrote that Keeler preferred that Long be "reassigned by his Religious Community," and then memorialized the following: "I told Father Long that the report of his misconduct and the prudent decision concerning his transfer from Danville would have to be given to his Superiors in Baltimore. He understood this."

On January 6, 1988, McAndrew wrote a note to Overbaugh that the Grand Jury obtained from Diocesan records through a subpoena. The note stated:

> Hughie, This is a private communication separate from the foregoing official letter. My real fear is that (victim) may reach the point where she will seek to embarrass all her 'enemies' by one rash step. By exposing Father Long's misdoings she would succeed in hurting him, the Sisters, and (especially) her parents whom she considers hypocrites. This is not so far-fetched. Remember her brother publically lifted the Offertory collection at St. Joseph's to (I think) embarrass his parents. I do not like to play amateur psychiatrist, but these are my fears. Dave



St. Joseph Church

513 FERRY STREET, DANVILLE, PENNSYLVANIA 17821

Jan. 6, 1988

Hughie,

This is a private communication separate from the foregoing official letter.

My real fear is that [redacted] may reach the point where she will seek to embarass all her "enemies" by one rash step. By exposing Father Gong's misdoings she would succeed in hurting him, the Sisters, and (especially) her parents whom she considers hypocrites.

This is not so far-fetched. Remember her brother publicly lifted the Offertory collection at St. Joseph's to (I think) embarass his parents.

I do not like to play amateur psychiatrist, but these are my fears.

Dave

DOH0009644

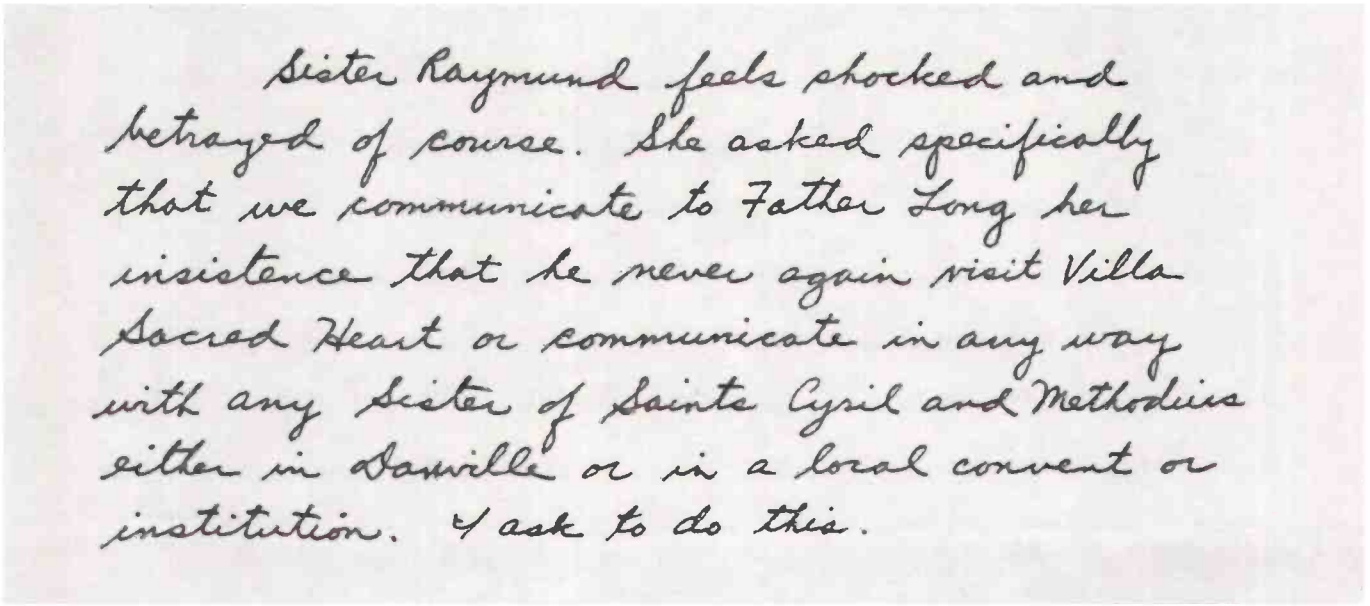
McAndrew's Note to Overbaugh

Another letter bearing the same date was sent by McAndrew to Overbaugh. This letter referenced the above mentioned victim of sexual solicitation. McAndrew reported that the victim met with him and disclosed that more than solicitation had occurred. The victim reported that she was angry and was discussing the details of what occurred for the first time. The victim reported that she had been forced to have sex with Long. For support, the victim had again brought the 18-year-old girl with her. That victim also elaborated and stated that both victims felt "intense anger and hatred toward Father Long." McAndrew wrote that he had advised her against "public protest" and stated, "Her anger is not merely internal but taking a form of public protest which will cause her trouble and eventually lead to public scandal as she is forced to reveal the reasons for her anger." Overbaugh responded to McAndrew and stated that the Jesuits were apprised of the developments.

On January 17, 1988, McAndrew reported to Overbaugh that the victim smashed the lower windows of Long's former residence, which was part of the Sister's Convent. He wrote, "The Sister's called the police and the police are seeking the perpetrator. If the police learn (victim) did the vandalism and arrest her for it, she will probably tell her attorney her reason. This could lead to a chain of legal actions far more damaging to the Sisters than a few broken windows. I think the time has arrived when it may be advisable to brief the Sisters as regards this entire situation. Otherwise, they may unknowingly take steps they may later regret." Shortly thereafter, Long's Superior transferred him to another location.

On January 15, 1988, McAndrew wrote to Overbaugh again. This time, McAndrew had learned the victim saw Long in Danville. The victim learned he was asking about her. McAndrew wrote to Overbaugh, "Please use every effort to assure that Father Long will not come to Danville again. If he does, everything will fall apart."

On January 18, 1988, the Sisters of Saints Cyril and Methodius were finally briefed on the situation and allegations against Long by McAndrew at Overbaugh's direction. They were upset and felt betrayed. They asked why Long was allowed to stay at the Villa until Christmas instead of being withdrawn when the allegations were made. In his letter detailing this interaction, McAndrew noted that the superior of the order, Sister Raymund, demanded that Long "never again visit the Villa Sacred Heart" or communicate in any way with the Sisters of St. Cyril and Methodius.



Sister Raymund feels shocked and betrayed of course. She asked specifically that we communicate to Father Long her insistence that he never again visit Villa Sacred Heart or communicate in any way with any Sister of Saints Cyril and Methodius either in Danville or in a local convent or institution. I ask to do this.

McAndrew's Report Regarding the Sisters of Saints Cyril and Methodius

In July 1988, the victim reported that Long had visited Danville. Long was seen visiting with a nun at the convent, even though the head Sister forbade any such contact. McAndrew wrote this to Overbaugh and noted: "Such a prohibition would be difficult to enforce without revealing to the entire community the reasons for the boycott."

In August 1988, Monsignor William Richardson wrote a memorandum to Keeler, which stated that Long had asked to leave the Jesuits after he refused to receive therapy. Long's superior

had written to Rome requesting dispensation from the priesthood. That same month, Overbaugh wrote a memorandum to Keeler that stated the Sisters of Saints Cyril and Methodius received wedding invitations from one of Long's child victims. The wedding was between Long and his child victim. However, Long called off the engagement in September 1988.

On February 12, 1990, the Diocese was informed that Long had been appointed a co-pastor at St. James Church in Jessup, Lackawanna County. The nun who reported this information stated that she had reported it to a priest, who advised that he would inform Diocese of Scranton Bishop James Timlin of the situation with Long. This information was located in a handwritten memorandum from McAndrew to Overbaugh. McAndrew noted that the reporting nun was concerned that, if news of Long's assignment made it back to the victim, "the whole matter could explode again." It was noted that she had been promised by Long's order that he would never "be placed in an assignment where he could again prey upon young women."

In a memorandum dated June 30, 1995, Helwig wrote to Dattilo that, in 1988, Long applied for laicization and was granted dispensation. However, Long refused to sign the necessary documents. Thus, Long was still a religious order priest.

Long was eventually reassigned by the Society's superior and continued in ministry until Father Glynn, Long's superior in 1995, removed Long from ministry when he learned of Long's history. Long was sent to St. Luke's Institute for five months.

Near the close of this memorandum, Helwig noted that, in 1991-1992, "Cardinal Keeler granted Long permission to work in the Archdiocese of Baltimore. Shortly after his assignment reports were again received of inappropriate behavior on his part." Long went on vacation and never returned to his community.

DIOCESE OF HARRISBURG – SECRETARIAT FOR CLERGY AND RELIGIOUS LIFE

4800 Union Deposit Road – Box 2161 • Harrisburg, Pennsylvania 17105-2161
(717) 657-4804

MEMORANDUM

To: Most Reverend Nicholas C. Dattilo, D.D.

From: Very Reverend Paul C. helwig

Date: June 30, 1995

Re: Father Arthur Long, S.J. Update

In 1988 Father Long applied for laicization and was granted the dispensation; however, he refused to sign the necessary papers and eventually was reassigned by the Society's Superior.

When Father Glynn, the present Superior, became aware of Father Long's history, he removed him from ministry and refused to give him an assignment.

He went to Guesthouse for 5 months and St. Luke Institute for 6 months more.

When he came out in 1991-92 Cardinal Keeler granted him permission to work in the Archdiocese of Baltimore. Shortly after his assignment reports were again received of inappropriate behavior on his part.

He said he was going on vacation and never returned to his assignment or community.

P.C.H.

Keeler Returned Long to Ministry in Baltimore

The Grand Jury finds that Keeler presided over the Diocese of Harrisburg when it received complaints that Long had sexually abused children. Keeler was informed that Long had admitted to the conduct. In spite of such knowledge, Keeler, now in his capacity as Cardinal of the Archdiocese of Baltimore, returned Long to ministry in a Roman Catholic Archdiocese.

The Grand Jury finds that this practice of transferring dangerous priests to other locations only expanded the pool of unknowing potential victims on which these offenders could re-offend. Often the priest was simply transferred to another parish within a diocese. Sometimes, the priest was transferred to another diocese with a "benevolent bishop" or without notice to that bishop of the priest's past crimes. This practice occurred throughout Pennsylvania and, as in this case, even included transfers to other states or countries. Such conduct endangered the welfare of children, Catholic parishioners, and the public.

The Case of Father Joseph M. Pease

Known Assignments

02/1961 — 10/1962	St. Joseph, Hanover
10/1962 — 08/1963	St. Peter Church, Mount Carmel
08/1963 — 05/1966	St. Patrick, York
05/1966	Diocesan Director of Vocations; Diocesan Director of Youth; St. Theresa, New Cumberland
05/1966 — 06/1971	St. Theresa, New Cumberland
05/1970	Temporarily assigned Our Lady of Lourdes, Enola
06/1971 — 11/1973	Our Lady of Mt. Carmel, Mt. Carmel
11/1973 — 04/1978	St. John the Baptist, New Freedom
04/1978 — 06/1995	St. Joseph, Mechanicsburg
09/1995	Anodos Center, Downingtown
06/1995 — 12/2002	Divine Redeemer, Mt. Carmel
12/2002	Retires; admits to allegations

Father Joseph M. Pease was ordained on May 20, 1961. From 1961 through June 1995, Pease continued in ministry in various parishes throughout the Diocese of Harrisburg. At some point prior to May 16, 1995, the Diocese received a letter alleging Pease was a danger to the Church. The letter made accusations against Pease, another priest, and one former bishop. The writer interchanged the designations of "pedophile," "homosexual," and "transvestite" as part of a complaint that Dattilo had failed to "clean up" the Diocese from "sexual crimes." The letter concluded by addressing the allegations against the two priests, stating, "If you don't want more trouble on your hands along with old scandals and revelations, you better keep those 2 out. What I say is true, why don't you do some investigation before you act. You have done enough harm to the good people of the coal regions." The Grand Jury reviewed this letter as one of thousands of documents the Diocese of Harrisburg relinquished to the Grand Jury upon service of a subpoena for records related to child sexual abuse in September 2016.

[redacted]

Bishop Dattilo:

I taught high school in Mount Carmel for 30 years and lived in that community for almost 40 years before moving to Philadelphia. Recently, I returned to Mount Carmel for a visit and I saw the destruction of faith that your policies have done to the people.

To make matters worse you have assigned two priests who had been in Mount Carmel when I was there. [redacted] is a known pedophile and a transvestite. He was bailed out by Bishop [redacted] who was also a pedophile. Friends of mine in Harrisburg have told me that [redacted] was arrested also in Harrisburg. Don't you people keep records on these things?

Pease is a known homosexual, when he was in Mount Carmel, the boys in High school use to call him "the fairy-nice Father Pease."

What are you trying to do to the coal regions? I thought you were going to clean up the diocese from these sexual crimes, now you send these two in the same town.

If you don't want more trouble on your hands along with old scandals and revelations, you better keep those 2 out. What I say is true, why don't you do some investigation before you act. You have done enough harm to the good people of the coal regions.

[redacted] and concerned parents and grandparents of the region.

DOH0001630

The Letter of Complaint

On May 16, 1995, Helwig wrote a memorandum to Dattilo stating that he had reviewed the "private" files and found nothing on Pease. He indicated that the review was triggered by the above letter and that the accusations were damaging and disturbing. He noted, "She has lobbed a huge ball into our court which I don't think we can ignore. If we throw it back to her side of the net we may be able to find out if there is any substance to her allegations or if it is simply coming out of small town gossip and, for whatever reason, a vindictive or malicious spirit."

On June 27, 1995, a 36-year-old victim contacted Helwig at the direction of Father John Dorff. The man sought to report that Pease sexually abused him when Pease was Pastor at St. Paul's Church in Atlas, Pennsylvania. As a result, Helwig wrote another memorandum to Dattilo outlining the sexual abuse perpetrated by Pease. The victim reported that the sexual abuse occurred between 1971 and 1973, when the victim was between 13 and 15 years old. The victim stated Pease asked him, "Have you ever come yet?," placed his hand in the victim's pants, and began to fondle the victim's genitals. Pease took the victim's hand and placed it inside his pants, placing the victim's hand on his genitals. The victim stated that Pease co-owned a boat with Father Francis Bach. The boat was located in the Chesapeake Bay. While on this boat with the victim and some other boys, Pease performed oral sex on the child victim.

The victim explained that he was prompted to report at that time because he saw an article in The Catholic Witness that noted the names and pictures of the pastors of the new parishes. Until that moment, the victim had not realized that Pease was still in ministry. The victim wrote that he was concerned about his 12-year-old nephew who was, at the time, an altar server in the parish where Pease was assigned. Helwig wrote regarding the victim and stated, "He has felt some guilt over his cowardice at not being able to report these incidents to someone in authority, but he always hoped that someone else would come forward first."

The Diocese received more than one complaint about Pease. Pease had been in ministry since 1961. A thoughtful consideration of these facts, and a real concern for the welfare of children, should have resulted in a report to law enforcement, notice to Pease's past parishes, and a meaningful investigation into the existence of additional potential victims. Instead, the Diocese began plans to utilize a "treatment facility" to treat priests, such as Pease, who were accused of sexual abuse. These facilities were observed throughout the Grand Jury's investigation. Commonly used facilities were St. John Vianney Center in Downingtown, Pennsylvania, St. Luke's in Suitland, Maryland, and the Servants of the Paraclete in Jemez Springs, New Mexico. These entities relied almost entirely on the priests self-reporting their request for treatment. When a priest denied allegations of sexual abuse, he usually avoided any diagnosis related to the sexual abuse of children. Moreover, these institutions focused on a clinical diagnosis over actual behavior as reported by the victims. Put plainly, these institutions laundered accused priests, provided plausible deniability to the bishops, and permitted hundreds of known offenders to return to ministry.

DIOCESE OF HARRISBURG – SECRETARIAT FOR CLERGY AND RELIGIOUS LIFE
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[redacted]

MEMORANDUM

To: Most Reverend Nicholas C. Dattilo, D.D.

From: Very Reverend Paul C. Helwig PCH

Date: June 27, 1995

Re: [redacted]/Father Joseph Pease Report

This afternoon I received a call from [redacted] of Ephrata. This is the man asked Father John Dorff for the name and phone number the person to whom he should report clergy sexual misconduct, Father Dorff gave him my name and phone number.

[redacted] said it took him a week and a half to muster the courage and energy to make the call and present the report. He is 36 years old and works as an X-ray technician at the Ephrata Hospital. For years he has been able to push these events back in his mind and, with the help of a therapist, has been able to live a fairly stable life, although he has been diagnosed with clinical depression.

The priest who is involved is Father Joseph Pease.

He said that he has felt some guilt over his cowardice at not being able to report these incidents to someone in authority, but he always hoped that someone else would come forward first. He is not sure whether Father became involved with other boys. His brother is two years older than he and at one point began some sexual experimenting with him, but he does not know if his brother got the ideas from Fr. Pease or not.

The thing that prompted him to come forward now was the article in The Catholic Witness in which the names and pictures of the pastors of the new parishes were published. Up to this time he lost track of Fr. Pease, not knowing if he had been reported and relieved of ministry, moved to another diocese, or died, but when he saw his picture in the paper he realized that he was still around, active in ministry, and now had been assigned as pastor of the merged parish in Mount Carmel to which his brother and family belong. His 12 year old nephew is an altar server in the parish.

The incidents he reported happened over 20 years ago when Father Pease was Pastor at St. Paul Church in Atlas. [redacted] lived in Atlas near the rectory and became friendly with Fr. Pease. Coming from what he described as a dysfunctional family in which

DOH0001661

there were no strong male role models, [redacted] thought that this relationship was a good thing.

He said that he used to go a lot of places with Father. When they would be riding in the car at night Father would put his hand over and hold [redacted] hand. He did not resist. As a matter of fact he liked the attention and the idea that Father liked him.

On one occasion when [redacted] was at the rectory Father asked him to take venetian blinds to a basement shower and to wash them off. Father accompanied him to the basement and suggested that he take his clothes off and wash the blinds in the shower. This way he would not get his clothing wet. Now he knows that all Father wanted was to see his naked.

On another occasion about 10:00 p.m. Father called him to the rectory. They talked for a while and Father again held his hand. Then, he said, the experience "turned into a nightmare". The talk turned sexual. "Have you ever come yet?", Father asked. [redacted] said he didn't even know what the term meant yet. Then Father took [redacted] hand and put it inside his (Father Pease') pants and likewise took his own hand and put it inside [redacted] pants and began to fondle his genitals.

There were several other incidents.

Father Pease and [redacted] (another priest) [redacted] co-owned a boat on the Chesapeake Bay. On one occasion [redacted], the two priests, and two other boys were on the boat together. At one point Fr. Pease and [redacted] were topside (the others were below) and Fr. began to perform oral sex on him, but was interrupted when the others came up from below. Later when it was time to go to sleep [redacted] ended up sleeping on the deck closest to the stairway with the other boys. After everyone bedded down, Father came up the stairway and attempted to engage in activity with [redacted] again. The boy refused to be turned over (he was lying on his stomach), so Father took his (the boy's) hand and proceeded to masturbate himself using the boy's hand.

[redacted] has lived with these memories all his life. He said they are not repressed memories that he is just now recalling. They have been with him all these years.

I told him that I would have to present this report to Father Pease in order to investigate the matter and that normally we tell the priest who made the report. He agreed to this. We have no other reports of this nature in our files. [redacted] asked

if I could get back to him and let him know what happened when I spoke with Father and what course of action may be taken. He was not pressing for publicity or any legal involvement. He sounded genuinely concerned about his own experiences and the possible endangerment of his nephew.

P.C.H.

DOH0001663

The June 1995 Helwig Memorandum to Dattilo

On July 19, 1995, [redacted] and Monsignor Overbaugh met with Pease to discuss the allegations. Pease denied engaging in any sexual misconduct with the victim. He acknowledged that the victim spent time at the rectory and that there was "horse play" but claimed that "nothing sexual occurred." He remembered the victim and he went to the boat "…belonging to Father Bach." Pease recalled an incident in which the victim was riding in the car with him and the victim laid his head on his right leg. He also recalled an incident in which he and the victim were at the rectory and he found the victim upstairs naked. The report indicates, "Father Pease admits to saying what are you doing or some sort of comment like that and pushing him over towards the bed and then leaving immediately." In spite of these bizarre statements by Pease, Dattilo took no immediate action to remove Pease from ministry. Moreover, the Grand Jury learned that Pease was co-owner of the aforementioned boat with Bach. Bach and Pease were members of a group of predators who shared information regarding their victims and utilized that intelligence to share victims between each other. This group consisted entirely of priests from the Diocese of Harrisburg.

On July 20, 1995, [redacted] called Pease to check on him. Pease questioned the status of the inquiry regarding the victim's complaint and asked what would happen if the victim "really pushed this, would there be a 'compromise?'" [redacted] generated an internal report that recorded, "Pease then said that if anything happened 'it was not my intention of how he [the victim] interpreted it.'" [redacted] asked him if he could deny that any of the victim's accusations occurred, to which Pease replied, "No, I don't remember." Pease explained that, twenty to twenty-five years before, he was drinking heavily but that he was now in control. [redacted] asked if sexual behavior with young boys could have happened, to which Pease replied, "I don't know," with nervous laughter. Pease further stated, "I hate to go on record accusing myself. You know when you are drinking you are not in

REDACTED -- ONGOING APPELLATE LITIGATION

control as much, not thinking correctly. With kids I was usually a little more discreet." Pease again addressed the reported sexual assault involving a naked child upstairs in the rectory. In this second account, Pease said he remembered that incident and that the victim "must have gotten excited. I must have turned him on more than I thought."



DIOCESE OF HARRISBURG - OFFICE OF THE GENERAL SECRETARY
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(717) 657-4804

[redacted]

MEMORANDUM

TO: *Most Rev. Nicholas C. Dattilo*

FROM: [redacted] *

DATE: *July 20, 1995*

RE: ***FATHER JOSEPH PEASE***

I called Father Pease this evening to see how his day had been since speaking with him yesterday. He said he had not slept well. He sounded tired, his voice was flat and low.

He asked if anything had happened. I told him I spoke to the Bishop and to Father Helwig, that we were relieved he denied any sexual contact, that we would be conferring with legal counsel and Father Helwig and I would be speaking with [redacted] to let him know of his response - that Joe had denied everything.

Father Pease asked what would happen if [redacted] really pushed this, would there be a "compromise?" I told him we would have to see what happens as we go along.

Father Pease then said that if anything happened "it was not my intention of how he [redacted] interpreted it." I asked Father Pease what he meant, "if anything happened" or "whatever happened." He said "I have no memory of it. I can't remember it." I asked him if he could deny that any of [redacted] accusations occurred. He said "no, I don't remember." I asked "why can't you deny it?" He said twenty - twenty-five years ago he was "drinking heavily." He is in control now. He admitted to "a lot of drinking on the boat" and he was sure the boys were on the boat and that the boys might have stayed overnight, but "I have no memory of it."

DOH0001666

*REDACTED -- ONGOING APPELLATE LITIGATION

I asked Father Pease about the shower and the venetian blinds and he said he had no memory of it. He denied any memory of any of these incidents. I asked if he had any sexual contact with any of these kids. He said - no. I asked about any sexual contact with any kids anywhere. He said no he had not.

I asked if sexual behavior with young boys "could have happened?" He said "I don't know." (nervous laughter) I hate to go on record accusing myself. You know when you are drinking you are not in control as much, not thinking correctly. With kids I was usually a little more discreet."

I said this was different than what he had told Monsignor Overbaugh and I yesterday. He said yesterday it "hit me like a ton of bricks."

I asked him about his (Father Pease's) allegation that [redacted] went upstairs and was naked when Father Pease came up? He denied anything happening, because he could remember that - no alcohol involved. He said [redacted] must have gotten excited. I must have turned him on more than I thought."

Father Pease leaves for vacation on Sunday or Monday, July 23/24. From July 24-28 he is in Cincinnati, Ohio at the Weston Hotel, (513) 621-7700. The following week he will be at the shore - location unknown - with [redacted]* Divine Redeemer parish will know his location once he is at the shore.

Pease Can't Remember if he Molested Children

*REDACTED -- ONGOING APPELLATE LITIGATION

On September 7, 1995, Helwig sent a completed "Assessment Referral Information" form to the Anodos Center. In response to the question, "Disciplinary or legal action pending," the Diocesan response was, "None at this time." The response to the question, "Future ministry placement" was, "The purpose of this assessment is to find out if there are any reasons the diocese should be concerned about present or future ministry. At the present time he is in an active assignment as a pastor."

On September 11, 1995, Helwig wrote a memorandum, labelled "CONFIDENTIAL," to Dr. Ronald Karney at the Anodos Center regarding the complaint made against Father Pease. The purpose of the memorandum was to refer Pease for a psychological assessment at the Anodos Center. Helwig detailed information about the victim's complaints, including an incident in which Pease requested that a boy wash some venetian blinds and stated, "Rather than getting his clothes wet, the boy [took] them off." Additionally, Helwig discussed the occasion in which the complaining victim and two companions were "treated to a boating trip on the Chesapeake Bay" and there was an attempt to grope the boy's genitals by Pease. Helwig wrote that Pease "has no recollection of the first two events happening." He also provided information about an incident that Pease recalled in which Pease happened upon the victim naked while upstairs in the rectory. Helwig also noted at least one instance where Pease suggested that the victim met with him. Helwig closed the letter with, "At this point we are at an impasse – allegations and no admission. What we are hoping to accomplish through this assessment and other inquiries is to establish a foundation on which to stand should reports begin to circulate about the alleged misconduct and questions are asked as to why Father has been retained in ministry." In September 1995, The Anodos Center informed the Diocese that no diagnosis of Pease had been issued based on the information provided to the Center.

On December 4, 1995, Helwig and [redacted] met with the victim and obtained further details regarding abusive incidents. Helwig and [redacted] also informed the victim that Pease underwent a psychological assessment and the professionals "could find no reason to recommend that Father [Pease] not be active in ministry [sic] at this time." Dattilo dispatched a one page letter on January 11, 1996, and reminded Pease that it was "inappropriate" for minors to be in any place other than the public areas of the rectory and that minors should not be employed in parish offices. Dattilo closed the letter by stating, "Parish settings offer priests a variety of opportunities to interact with young people…." With Dattilo's approval, Pease continued in active ministry at Divine Redeemer in Mr. Carmel until December 2002.

REDACTED -- ONGOING APPELLATE LITIGATION

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GRAND JURY EXHIBIT 370 8/17/17

January 11, 1996

COPY

Reverend Joseph M. Pease
Divine Redeemer Church
438 West Avenue
Mount Carmel, PA 17851-2012

Dear Father Pease,

In light of a recent report that was presented to the diocese regarding your association with a young man in a past assignment, permit me to bring to your attention those parts of the Program for Priestly Life which pertain to priests and young people.

In the section titled Priestly Life it states:

"It is entirely inappropriate for minors to be in any place other than in public areas of the rectory and is not to be permitted." (A. para.9)

"The practice of employing or engaging minors (18 years or younger) to answer telephones and doors in rectories or parish offices is unsafe and potentially a serious liability, and is not permitted." (A. para.10)

These and other prudent personal boundaries regarding associations and activities with young people should be diligently observed by every priest so as to avoid misunderstanding and even the appearance of inappropriateness.

Parish settings offer priests a variety of opportunities to interact with young people to their benefit; however, priests must always act with prudence and good common sense.

I pray that your new year will be a good and peaceful one.

Sincerely yours in Christ,

Very Reverend Paul C. Helwig
Secretary for Clergy
and Religious Life

DOH0001685

Dattilo Noted Opportunities to Interact with Young People

On January 6, 2002, the *Boston Globe* brought national attention to clergy abuse cases after uncovering child sexual abuse and a cover-up within the Archdiocese of Boston. On September 13, 2002, an attorney representing a sexual abuse victim wrote a letter to Carol Houghton of the Diocese and requested an investigation into incidents of alleged sexual abuse by Pease committed in approximately 1972. About one week later, Dattilo issued a decree ordering an investigation. The decree indicated, "To safeguard the reputation of all persons involved, all acts of this investigation, including this Decree, are to be kept in the secret archives of the Diocesan curia unless they become necessary for penal process (canon 1719)."

On December 13, 2002, exactly three months after receiving the letter from the victim's attorney, Dattilo issued a decree announcing the conclusion of the investigation based on Pease's admission of guilt when confronted with the allegations. Dattilo indicated that a temporary penal precept had been issued pending arrangements for permanent removal from active ministry. Pease wrote a letter which requested retirement, effective immediately. The letter contained a note reading "Accepted" and dated December 17, 2002, initialed by Dattilo.

On December 21, 2002, Dattilo personally delivered a prepared statement to the Divine Redeemer Parish, Mount Carmel, and subsequently read this same statement at St. Joseph's Parish. In his statement, Dattilo explained that Pease had admitted to "inappropriate sexual contact with an adolescent." He stated:

> Initially, this report came to the attention of the diocese in June of 1995. Following the diocesan policy in force at that time, Father Pease was confronted immediately with the allegation. Because of serious discrepancies in the accounts, and in the absence of an admission of guilt, Father Pease was asked to undergo a professional assessment. The results of that evaluation, which included medical, spiritual and psychiatric examinations, provided insufficient basis to resolve the discrepancies and to determine guilt.

Following this announcement, three other victims came forward and reported that Pease sexually abused them.

In January 2003, Pease officially retired as a priest. On January 10, 2003, Carol Houghton and Father Edward Malesic were engaged in an investigation regarding alleged sex abuse committed by another priest, Father John Allen. As part of that investigation, Houghton and Malesic interviewed [redacted]. [redacted] The Grand Jury [redacted] heard from Houghton in her live testimony before the Grand Jury.

[redacted] recalled that Pease told him that he had been asked to go for an evaluation in 1995. Pease disclosed that he had been accused of sexual misconduct with a child. [redacted] also reported that he and Pease were out [redacted] one day and encountered an adult male. Pease told [redacted] that he had "fondled" the man when the man was a child. [redacted]

 REDACTED -- ONGOING APPELLATE LITIGATION

[redacted] also disclosed he was aware of another predatory priest named David Luck. [redacted] told Houghton that Pease was very concerned that he might be brought up in a 2002 investigation regarding Luck's contact with two brothers.

MEMO

Today, January 10, 2003, Fr. Malesic and I met with [redacted] to depose him regarding his knowledge of [redacted] interaction with young adolescent males [redacted]

Following his deposition regarding [redacted], I asked [redacted] if he had anything he wanted to tell us regarding Fr. Joe Pease. [redacted]

[redacted] recalled that in 1995, when the first accusation had come forward involving Joe Pease, Joe had gone to see [redacted] He told [redacted] that he had been asked to go to Downingtown for an evaluation. [redacted] Of course, we know that at Downingtown, Joe Pease gave a clear denial of any sexual activity with a minor, and it was on that basis (his denial) that Bishop decided he did not have enough reason at that time to remove Joe from ministry.

[redacted] then recounted two instances of Joe Pease's sexual involvement with minors, that Joe told [redacted] about, sometime around 1993 [redacted]

[redacted]

DOHe0003313

REDACTED -- ONGOING APPELLATE LITIGATION

The second instance was more vague. [redacted] stated that he and Joe Pease were out [redacted] and they ran across a man working here that Joe had known years ago. Joe admitted to [redacted] that he had "fondled" this man when he was a minor. Again, [redacted] had no name to offer us.

[redacted]

[redacted]

Carol L. Houghton, STD, JCD
Rev. Edward C. Malesic, JCL

DOHe0003314

[redacted] Knew Pease was Molesting Children

REDACTED -- ONGOING APPELLATE LITIGATION

Pease was no longer in active ministry in 2014, but a determination had not been made as to whether he should remain a suspended priest or be removed from the priesthood. On September 2, 2014, Bishop Ronald Gainer wrote a letter to the Congregation for Doctrine of the Faith in Rome and explained the history of allegations and responses by the Diocese of Harrisburg. He detailed the initial report of sexual abuse in June of 1995 regarding conduct that occurred between 1971 and 1973. Gainer detailed the various statements of Pease and his statements regarding his inability to recall if he committed the offenses and the possibility that he "turned on" the victim. He then documented that this same victim raised the sexual abuse complaint a second time in 2002 and Diocesan staff again confronted Pease. During the second confrontation, he noted that, Pease admitted multiple inappropriate sexual contacts with the victim. Gainer noted that Dattilo had issued a Penal Precept and that three additional victims came forward after Pease was removed from ministry.

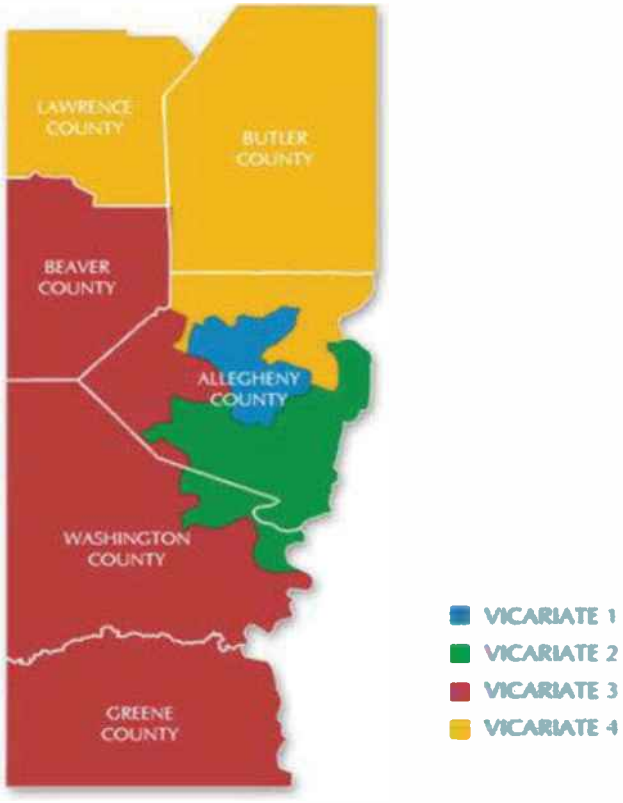
In Gainer's letter to the Vatican he stated that the "scandal caused by his [Pease's] admission of the sexual abuse of a minor has been sufficiently repaired by his acceptance of the December 2002 Penal Precept..." He wrote, "I am not certain that Joseph Pease fully understands the gravity of his actions (he kept wanting to deny the accusation, kept going back to not remembering, but saying if the accuser had such clear recollections, then it had to be true)." In the next paragraph, Gainer stated "...I believe that the harm done by his past sexual misconduct is being sufficiently repaired. Therefore, before God, Your Eminence, and in all good conscience, I am not requesting at this time, that any judicial trial or administrative process be initiated that may lead to his dismissal from the clerical state." As he closed his letter, Gainer wrote:

> I am not seeking the initiation of a trial, nor dismissal from the clerical state. Instead, I request from the Congregation for Doctrine of the Faith that Joseph Michael Pease be permitted to live out his remaining years in prayer and penance, without adding further anxiety or suffering to his situation, and without risking

> public knowledge of his crimes. Allow him, Your Eminence, to live out his life peacefully, in prayer and penance, recognizing the harm he has caused in the lives of others, and making amends for it.

The Grand Jury disagrees. While removing Pease from ministry was a start, he was clearly unfit to carry the title of priest. Moreover, public knowledge of Pease's crime is exactly what was required in service to the public and Pease's victims. Therefore, the Grand Jury details the case of Father Pease, as permitted by law, in service to the victims and the Commonwealth of Pennsylvania.

Roman Catholic Diocese of Pittsburgh



I. General Overview of the Diocese of Pittsburgh, Pennsylvania

The Diocese of Pittsburgh was canonically erected on August 11, 1843, by Pope Gregory XVI. This Diocese covers Allegheny, Beaver, Butler, Greene, Lawrence and Washington counties. As of 2017, the population of Catholics living within the Diocese of Pittsburgh was 632,138, which constitutes approximately 33% of the total population in the geographic region. There are approximately 211 Diocesan priests in active ministry, and a total of 188 parishes. The Diocese of Pittsburgh is also comprised of four regional vicariates, which includes parishes, schools and Catholic institutions. Each regional vicariate is led by a full-

time regional vicar to assist the bishop in carrying out his responsibilities, and is a representative of the bishop in his given region.[4]

Vicariate 1 is currently led by Vicar General William Waltersheid. This region is composed of 43 parishes and 21 elementary and high schools in the city neighborhoods and some east and north suburbs of Pittsburgh.

Vicariate 2 is currently led by Regional Vicar Frederick Cain. This region is composed of 56 parishes and 17 elementary and high schools in some east and north suburbs of Pittsburgh and northeast Washington County areas.

Vicariate 3 is currently led by Regional Vicar Howard Campbell. This region is composed of 39 parishes and 12 elementary and high schools in the west suburbs of Pittsburgh, Beaver, and Greene counties and west and southeast Washington County areas.

Vicariate 4 is currently led by Regional Vicar Philip Farrell. This region is composed of 50 parishes and 14 elementary and high schools in the north suburbs of Pittsburgh, Butler and Lawrence Counties.

II. History of Bishops of the Diocese of Pittsburgh

a) Bishop Hugh C. Boyle (6/16/1921 through 2/22/1950)

b) John Cardinal Dearden (12/22/1950 through 12/18/1958)

c) John Cardinal Wright (1/23/1959 through 4/28/1969)

d) Bishop Vincent M. Leonard (6/1/1969 through 6/30/1983)

e) Anthony Cardinal Bevilacqua (10/10/1983 through 02/10/1988)

[4] As of April 2018, the Diocese of Pittsburgh is implementing a plan to reorganize the regional vicariates.

f) Donald Cardinal Wuerl (2/12/1988 through 5/15/2006)

g) Bishop David Zubik (Appointed September 28, 2007)

III. Additional Church Leadership within the Diocese of Pittsburgh Relevant to the Grand Jury's Investigation

The following Church leaders, while not bishops, played an important role in the Diocese of Pittsburgh's handling of child sexual abuse complaints.

1) Father Robert Guay, Secretary for Clergy and Pastoral Life

2) Father Anthony Bosco, Chancellor of the Diocese of Pittsburgh

3) Rita Flaherty, Diocesan Assistance Coordinator

4) Father Ronald Lengwin

5) Father James Young

IV. Findings of the Grand Jury

The Grand Jury uncovered evidence of sexual abuse of minors committed by dozens of priests and, in one case, an aspiring priest, in the Diocese of Pittsburgh. This sexual abuse included grooming and fondling of genitals and/or intimate body parts, as well as penetration of the vagina, mouth, or anus. The evidence also showed that Diocesan administrators, including the bishops, had knowledge of this conduct yet regularly placed the priests in ministry after the Diocese was on notice that a complaint of child sexual abuse had been made. This conduct was enabling to the offenders and endangered the welfare of children.

The evidence demonstrated that the Diocese had discussions with lawyers regarding the sexual conduct of priests with children and made settlements with the victims. These settlements

contained confidentiality agreements forbidding victims from speaking out about their abuse under threat of some penalty, such as legal action to recover previously paid settlement monies.

Finally, the Grand Jury received evidence that several Diocesan administrators, including the bishops, often dissuaded victims from reporting to police or conducted their own deficient, biased investigation without reporting crimes against children to the proper authorities.

V. Offenders Identified by the Grand Jury

1) [redacted]
2) James R. Adams
3) James L. Armstrong
4) John M. Bauer
5) John E. Brueckner
6) Leo Burchianti
7) Robert Castelucci
8) Mauro James Cautela
9) Charles J. Chatt
10) Anthony J. Cipolla
11) John P. Connor
12) John David Crowley
13) Richard Deakin
14) Ferdinand B. Demsher
15) Myles Eric Diskin
16) Richard J. Dorsch
17) David F. Dzermejko

18) [redacted]

19) John P. Fitzgerald

20) Joseph M. Ganter

21) John A. Genizer

22) Charles R. Ginder

23) James G. Graham

24) William Hildebrand

25) John S. Hoehl

26) James Hopkins

27) John J. Huber

28) Edward G. Huff

29) Edward Joyce

30) Marvin Justi

31) Bernard J. Kaczmarczyk

32) Joseph D. Karabin

33) John Keegan

34) [redacted]

35) Henry Krawczyk

36) [redacted]

37) Edward L. Kryston

38) Anujit Kumar

39) George Kurutz

40) Fidelis Lazar

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41) [redacted]

42) Albert Leonard

43) Casimir F. Lewandowski

44) John P. Maloney

45) Julius May

46) Dominic McGee

47) Donald W. McIlvane

48) Thomas McKenna

49) Albert McMahon

50) John H. McMahon

51) Frank Meder

52) [redacted]

53) Arthur R. Merrell

54) [redacted]

55) Joseph Mueller

56) Lawrence O'Connell

57) Thomas M. O'Donnell

58) William P. O'Malley, III

59) Ernest Paone

60) George Parme

61) Paul E. Pindel

62) Pittsburgh Priest #1

63) Francis Pucci

64) John W. Rebel

65) Raymond R. Rhoden

66) Carl Roemele

67) Michael C. Romero

68) Oswald E. Romero

69) David Scharf

70) Richard Scherer

71) Raymond T. Schultz

72) Francis Siler

73) Rudolph M. Silvers

74) Edward P. Smith

75) James E. Somma

76) Bartley A. Sorensen

77) Robert E. Spangenberg

78) Paul G. Spisak

79) Lawrence F. Stebler

80) Richard Gerard Terdine

81) [redacted]

82) Charles Thomas

83) John William Wellinger

84) Joseph S. Wichmanowski

85) George A. Wilt

86) Robert G. Wolk

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87) William B. Yockey

88) Theodore P. Zabowski

89) George Zirwas

90) Richard Zula

91-99) Pittsburgh Priests #2-10

V. Examples of Institutional Failure: Fathers Ernest Paone, George Zirwas and Richard Zula

The Grand Jury notes the following examples of child sexual abuse perpetrated by priests within the Diocese of Pittsburgh. These examples further highlight the wholesale institutional failure that endangered the welfare of children throughout the Pennsylvania Dioceses including the Diocese of Pittsburgh. These examples are not meant to be exhaustive; rather, they provide a window into the conduct of past Pennsylvania Bishops and the crimes they permitted to occur on their watch. In the Diocese of Pittsburgh, the acts of Ernest Paone, George Zirwas, and Richard Zula speak for themselves.

The Case of Father Ernest Paone

Known Assignments

06/1957 - 12/1960	St. Titus, Aliquippa
12/1960 - 05/1961	Epiphany, Uptown
05/1961 - 10/1961	Mother of Sorrows, McKees Rocks
10/1961 - 05/1962	St. Monica, Wampum/ St. Theresa, Koppel
05/1962 - 05/1966	Madonna of Jerusalem, Sharpsburg
05/1966 - 02/2001	Leave of Absence/ Health Reasons
09/1966 - 02/2001	Ministry in Los Angeles & San Diego, California and Las Vegas, Nevada
02/19/2001	Retired from Active Ministry

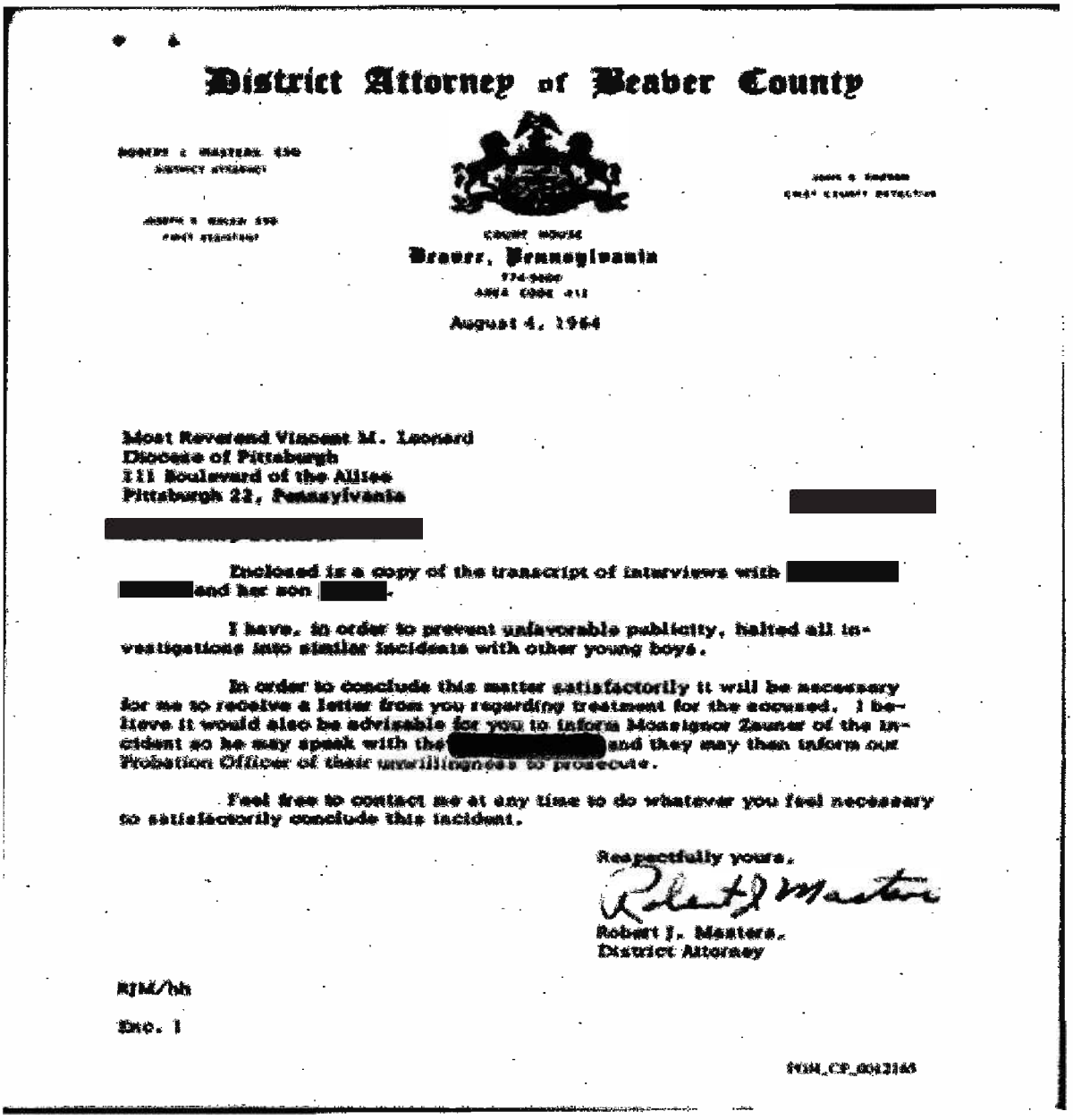
Father Ernest Paone was ordained in 1957 and was assigned to five separate parishes within the first nine years of his ministry.

On May 1, 1962, Father Edmund Sheedy, the Pastor of St. Monica where Paone was serving as Parochial Vicar, notified Bishop John Wright that he had interceded to prevent Paone from being arrested for "molesting young boys of the parish and the illegal use of guns with even younger parishioners." Sheedy advised Wright that Paone was involved in "conduct degrading to the priesthood" and "scandalous to the parishioners." In response, the Diocese reassigned Paone to Madonna of Jerusalem, in Sharpsburg.

On August 4, 1964, Robert Masters, the District Attorney of Beaver County, sent a letter to Bishop Vincent Leonard of the Diocese of Pittsburgh with respect to a sexual abuse investigation of Paone. The District Attorney advised the Diocese that "in order to prevent unfavorable publicity," he had "halted all investigations into similar incidents involving young boys." No further action was taken against Paone.

On September 15, 2017, Masters testified before the Grand Jury. Masters was confronted with his letter which the Grand Jury obtained from Diocesan files. When asked by the attorney for the Commonwealth why he would defer to the Bishop on a criminal matter, Master replied,

"Probably respect for the Bishop. I really have no proper answer." Masters also admitted he was desirous of support from the Diocese for his political career.



District Attorney of Beaver County

Beaver, Pennsylvania

August 4, 1964

Most Reverend Vincent M. Leonard
Diocese of Pittsburgh
111 Boulevard of the Allies
Pittsburgh 22, Pennsylvania

[redacted]

Enclosed is a copy of the transcript of interviews with [redacted] and her son [redacted].

I have, in order to prevent unfavorable publicity, halted all investigations into similar incidents with other young boys.

In order to conclude this matter satisfactorily it will be necessary for me to receive a letter from you regarding treatment for the accused. I believe it would also be advisable for you to inform Monsignor Zauner of the incident so he may speak with the [redacted] and they may then inform our Probation Officer of their unwillingness to prosecute.

Feel free to contact me at any time to do whatever you feel necessary to satisfactorily conclude this incident.

Respectfully yours,

Robert J. Masters
District Attorney

RJM/bh

Enc. 1

The District Attorney's Letter to Bishop Leonard

For approximately one year, Paone was without a clear assignment within the Diocese. On May 20, 1966, Wright granted Paone an indefinite leave of absence "for reasons bound up with your psychological and physical health as well as spiritual well-being." Following this leave of absence, Paone relocated to the Archdiocese of Los Angeles. In 1967, he relocated again to the Diocese of San Diego.

Paone's home Diocese remained the Diocese of Pittsburgh. The ability to remove Paone from ministry or permit him to continue in ministry resided in the Bishop of Pittsburgh. In the subsequent years, Paone would require continued authorization from the Diocese of Pittsburgh to remain in active ministry among the Catholic faithful and their children. This was demonstrated in documents obtained by the Grand Jury from the secret or confidential archives of the Diocese of Pittsburgh.

On August 14, 1968, Paone requested that the Diocese recommend him for faculties within the Archdiocese of Los Angeles. Paone indicated that he had spoken with Wright and had obtained his approval. On August 27, 1968, the Diocese complied with this request by letter. Father Anthony Bosco, Chancellor of the Diocese of Pittsburgh, wrote Monsignor Benjamin Hawkes of the Archdiocese of Los Angeles and informed him that Paone was living in California with the knowledge and approval of Wright. Bosco stated, "There would, therefore, be no objection to Father being granted the faculties of the Archdiocese of Los Angeles."

3630-29 Vista Campana S.
Oceanside, Ca. 92054
August 14, 1968

Dear Father:

In order to satisfy certain requirements of the Los Angeles Chancery regarding occasional Sunday "helpouts", I have been directed to obtain a letter from you which indicates that 1) you are aware that I am residing here with my brother, and 2) that you recommend me for the faculties of this Archdiocese. During our several meetings, Bishop Wright indicated to me that he approves of both points and had offered to arrange a meeting between Cardinal McIntyre and myself. At the time, I mentioned that I felt that such a meeting would not be necessary. I would appreciate it if you would send the letter to me personally or to Monsignor Benjamin G. Hawkes --1530 West Ninth Street--Los Angeles 90015 California.

Thanking you in advance for your kind cooperation and with every good wish, I am,

Sincerely,

E. Paone

Father E. Paone

PGH_CF_0012160

Paone Requests a Letter of Good Standing

August 27, 1968

Dear Monsignor Hawkes:

Father Ernest Paone has written this office with a request that I inform you of his status with the Diocese of Pittsburgh. Father Paone is on a legitimate leave of absence from the Diocese of Pittsburgh and is residing in California with the knowlege and approval of Bishop Wright. There would, therefore, be no objections to Father being granted the faculties of the Archdiocese of Los Angeles.

With every best wish, I am

Sincerely yours in Christ,

(Rt. Rev. Msgr.) Anthony G. Bosco
Chancellor

Rt. Rev. Msgr. Benjamin G. Hawkes
1530 West Ninth Street
Los Angeles, California 90015

mjb

PGH_CF_0012159

The Diocese of Pittsburgh's Letter

Again in 1975, a similar request was made for a letter of good standing. On March 3, 1975, the Diocese complied. Bosco provided a letter "to certify that the Reverend Ernest C. Paone is a priest of the Diocese of Pittsburgh on leave of absence, but in good standing. He has permission of his Ordinary to offer Mass."

During the decades between Paone's departure from Pennsylvania in 1966 and 1991, Paone served as pastor of a parish in Diamond Bar, California.[5] Paone reported to the Diocese that his service included hearing "many confessions in that parish." Paone also served in two parishes in the Diocese of San Diego. Paone taught in public schools, and attended at least one course at Catholic University in San Diego, while maintaining all priestly faculties through the Diocese of Pittsburgh. There is no indication that the Diocese provided any interested parties information that Paone had sexually abused children or that the Diocese had played a role in preventing his prosecution for that conduct.

[5] Diocesan records note that during this time Paone was "supplying assistance on Sundays and Holy Days in a parish for 21 years."

March 3, 1975

COPY

TO WHOM IT MAY CONCERN:

This is to certify that the Reverend Ernest C. Paone is a priest of the Diocese of Pittsburgh on leave of absence, but in good standing. He has the permission of his Ordinary to offer Mass.

With every best wish, I am

Sincerely yours in Christ,

+ Most Reverend Anthony G. Bosco
Vicar General - Chancellor
Auxiliary Bishop of Pittsburgh

lac

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Another Letter of Good Standing From the Diocese

As Paone continued in ministry, he did so with approval from the Diocese in spite of the Diocese's knowledge that Paone was a child molester. The aforementioned period of time encompassed the entire tenure of Bishop Anthony Bevilacqua from October 1983 to February 1988. Diocesan records, obtained by the Grand Jury, show the least amount of internal correspondence regarding Paone during that time. The Grand Jury concluded that Bevilacqua left Paone to his ministries and provided little to no oversight. While the lack of meaningful supervision is consistent with the conduct of other Bishops of Pittsburgh and detailed herein, a relevant observation specific to Bevilacqua himself is the apparent lack of documentation of any of Paone's activities in contrast to the internal documentation executed by the other Bishops.

On June 30, 1989, Bishop Donald Wuerl sent a letter to the Vatican with respect to several diocesan priests who had recently been accused of sexually abusing children and whose cases had generated significant publicity. In the letter, Wuerl documented his diocesan policies for sexual abuse and stated his responsibility as Bishop was to determine the course of action in these cases. Wuerl wrote that Catholic parishioners had a right to know whether a priest accused of such crimes had been reassigned to their parish. Further, Wuerl advised that due to the scandal caused by these priests, he initiated a review of any previous cases of diocesan priests who had been accused of "pedophilic activities" with minors.

Wuerl warned the Vatican that Catholic bishops and dioceses could become liable once they are made aware of sexual abuse complaints and that priests who deny the "crime" of pedophilic activity with minors is "common in pedophiles" and that pedophilia is "incurable." Wuerl noted his exclusive role and stated that the "unassignability" of a priest must rest solely with the bishop due to the potential victims' parents "who have a moral right to expect chaste

conduct from the priest" and the parishioners who "would be gravely unsettled and scandalized in the knowledge that a priest pedophile has been assigned in their midst."

However, despite Wuerl's summary of the serious and criminal nature of the problem to the Vatican, Diocesan records revealed that Wuerl granted Paone's request to be reassigned again on October 22, 1991. This time, Paone was permitted to transfer to the Diocese of Reno – Las Vegas to serve as the Parochial Vicar at a local parish. Wuerl wrote that he had been updated on Paone's recent meeting with Father Robert Guay, Secretary for Clergy and Pastoral Life, and Father David Zubik, Director of the Office of Clergy. Wuerl noted that Paone has most recently served on a high school faculty in the Archdiocese of Los Angeles. Wuerl's continued approval permitted Paone to enjoy all the faculties of the Diocese. On November 20, 1991, Zubik wrote to Paone to confirm that Wuerl had approved his new assignment.

DIOCESE OF PITTSBURGH

OFFICE OF THE BISHOP
111 BOULEVARD OF ALLIES
PITTSBURGH, PENNSYLVANIA 15222-1698
(412) 456-3010
FAX: (412) 456-3185

COPY

September 6, 1991

Dear Father Paone:

Your letter of August 16, 1991 arrived and with it your request for permission to exercise priestly ministry in the Diocese of Reno, Nevada. For the past twenty-five years, you have been offering priestly service to the faithful of the Archdiocese of Los Angeles with the permission granted you at that time by Bishop John J. Wright. I am grateful for your sharing this request with me.

To assure that every consideration is given to your request, I have given your letter to the Priest Personnel Board for our review at a future meeting. After I have received the observations and recommendations from the Board, I will be in a better position to respond to you.

Grateful for your ministry and with every best wish, I am

Faithfully in Christ,

Bishop of Pittsburgh

Reverend Ernest C. Paone
Faculty - Oceanside, CA
234 Vista Montana Way
Ocean Side, CA 92054

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Bishop Wuerl Receives Paone's Request to Transfer

In March, 1992, Paone took a leave of absence from the Archdiocese of Los Angeles for "reasons of health." On July 25, 1994, the Diocese of Pittsburgh received another complaint of child sexual abuse committed by Paone in the 1960's. The victim's sister came forward and reported that after becoming aware of the abuse, her father "went to the rectory with a shotgun and told Father Paone that he better leave town." The Diocese sent him to St. Luke's Institute for an evaluation.

In a confidential letter sent to St. Luke's, the Diocese acknowledged that Paone had been teaching seventh and eighth grade students in the Diocese of San Diego for 19 years. Further, in another confidential memorandum sent from Zubik to Wuerl, Paone's various assignments and sexual abuse complaints were again listed in detail. The Grand Jury noted that this process showed no concern for public safety or the victims of child sexual abuse. The handling of these matters was commonplace. In spite of the complaint, Paone continued in active ministry following his brief evaluation at a church-based treatment facility.

The Grand Jury discovered that this 1994 complaint resulted in the generation of Diocesan records that noted an even greater extent of knowledge regarding Paone's sexual conduct with children. An August 5, 1994 confidential memorandum sent from Zubik to Wuerl advised him of this new complaint against Paone and that due to this complaint, his file was reviewed "with great care." Among other things, Zubik advised Wuerl that questions about Paone's emotional and physical health were raised as early as the 1950's, while he was still in seminary. Zubik further advised of Paone's various assignments and correspondence over the years, before also describing the multiple records documenting the Diocese's knowledge of his sexual abuse of children as early as 1962. Zubik then noted that with respect to these latter records, "You should know that these last three pieces of correspondence were placed in the confidential files."

Wuerl responded by dispatching letters notifying the relevant California and Nevada Dioceses of the 1994 complaint. However, Wuerl did not report the more detailed information contained within Diocesan records. The Diocese did not recall Paone; nor did it suspend his faculties as a priest. To the contrary, Paone continued to have the support of the Diocese. On July 29, 1996, Wuerl was informed by the Chancellor of the Diocese of San Diego that Paone had continued with his ministry, but, "acting on the advice of our insurance carrier," he was requesting that Wuerl complete the enclosed affidavit, which stated, among other things, that Paone has "not had any problems involving sexual abuse, any history of sexual involvement with minors or others, or any other inappropriate sexual behavior."

JUL 2 9 1996

DIOCESE OF SAN DIEGO



Office of the Chancellor

July 25, 1996

JUL 2 9 1996

BISHOP'S OFFICE

Most Rev. Donald W. Wuerl
111 Boulevard of the Allies
Pittsburgh, PA 15222

Your Excellency:

Father Ernest Paone, a priest of the Diocese of Pittsburgh, is providing priestly ministry in the Diocese of San Diego at this time. Acting on the advice of our insurance carrier, we are reviewing our personnel files of diocesan and religious order priests working in our diocese and seeking the information requested on the enclosed affidavit. This request is in no way meant to indicate that there has been in the past, or exists in the present, any reason to question the behavior of Father Ernest Paone.

I would be grateful if you would complete the form and return it to this office at your convenience.

Sincerely yours in Christ,

Daniel J. Dillabough

Rev. Msgr. Daniel J. Dillabough, STD, JCL
Chancellor

DJD/rs
Enclosure

FORLTF_[illegible]

Pastoral Center • P. O. Box [illegible] • San Diego, California [illegible] • Telephone [illegible] • Fax [illegible]

The Insurance Letter

On August 12, 1996, Wuerl directed Father Kozar, Secretary for Clergy and Religious, to respond to the request. Kozar then sent a confidential letter to the Diocese of San Diego and advised, among other things, that:

> Father Paone has not had an assignment in this diocese for over thirty years. Thus, the only appropriate information about him has already been communicated to you in a letter from Father Robert Guay, Secretary for Clergy and Religious, dated January 30, 1996.

Paone again continued in ministry.

On January 6, 2002, an article which detailed the Catholic Church's practice of reassigning priests accused of sexual abuse of children was published in the *Boston Globe* newspaper. In response, a letter was dispatched in May 2002, by Father James Young, Episcopal Vicar for Clergy and Religious, to Father Michael Murphy of the Diocese of San Diego, advising him that due to the "recent difficulties in the Church and having raised the bar on allegations brought against our priests," the Diocese of Pittsburgh was removing the faculties of Paone and placing him on administrative leave. The Grand Jury noted that only this external force generated the action which should have occurred decades earlier.

In June, 2002, another victim advised the Diocese of Pittsburgh that he was sexually abused by Paone in the 1960's. The abuse included fondling, oral sex, and anal sex. It occurred at the victim's house, at a hunting camp to which Paone had access to in the woods, and, in Paone's car. Paone also provided the victim with alcohol, pornographic magazines, and cash. In July, the Diocese notified Paone about this new complaint. Then, on July 9, 2002, the Diocese of Pittsburgh notified the Allegheny County District Attorney's Office of "inappropriate touching that occurred around 1962-63 when the alleged victim was age 15. Incidents occurred in a cabin owned by Father Paone but alleged victim does not know where it was located." It does not appear any information

regarding Paone's history was provided to the District Attorney and this notice was sent long after the statute of limitations had expired.

In February, 2003, Wuerl accepted Paone's resignation from ministry. Wuerl wrote a letter acknowledging Paone's request while providing assurance that "sustenance needs and benefits will continue according to the norms of law." Approximately 41 years after the Diocese learned that Paone was sexually assaulting children, he was finally retired from active ministry. In spite of Wuerl's statements to the Vatican, the clear and present threat that Paone posed to children was hidden and kept secret from parishioners in three states. Wuerl's statements had been meaningless without any action.

Three years after Paone's retirement, the Diocese received an update. A February 2006 confidential memorandum from Father John Rushofsky, Clergy Personnel, was obtained by the Grand Jury and revealed that Paone had been "assisting with confessions for confirmation-age children, apparently asking inappropriate questions of the young penitents." When questioned about this, Paone told local Diocesan officials that he had received permission from the Diocese. The Diocese dispatched a letter to Paone to remind him that his faculties had been revoked.

On May 10, 2012, Paone died.

The Case of Father George Zirwas

Known Assignments

10/1979 - 05/18/1980	Resurrection, Brookline
05/1980 - 04/1981	St. Adalbert, South Side
04/1981 - 02/1982	St. Joseph the Worker, New Castle
02/1982 - 06/1989	St. Michael, Elizabeth
06/1989 - 12/1991	St. Bartholomew, Penn Hills
12/1991 - 05/1994	St. Scholastica, Aspinwall
05/1994 - 12/1994	St. Joseph, Verona
12/1994 - 07/1995	Leave of Absence, Personal Reasons
07/1995 - 11/2/1995	St. Maurice, Forest Hills
11/1995 - 05/2001	Leave of Absence, Personal Reasons

Father George Zirwas was ordained in September 1979. Zirwas was assigned to eight different parishes as Parochial Vicar until 1995 when he was placed on a leave of absence. He appeared to have remained in this status until his death in May 2001.

On September 1, 2016, the Pennsylvania Office of Attorney General served the Diocese of Pittsburgh with a Grand Jury subpoena requesting any and all documents related to clergy members or diocesan leadership personnel who had been accused of sexually abusing children. In response, the Diocese produced thousands of documents. In the course of this investigation, the Grand Jury took testimony from live witnesses, reviewed Diocesan records, and consulted with experts from the Federal Bureau of Investigation in the field of behavioral analysis. However, the Grand Jury learned that some original documents related to deceased priests were intentionally destroyed by the Diocese. Fortunately, Canon 489 of the Canon Law governing the operations of the Roman Catholic Church requires the maintenance of a summary of the facts and any text of a definitive judgement. In the case of Zirwas, while many original records were destroyed, the

summary of meetings, memoranda, and Diocesan actions remained.[6] The Grand Jury learned that the Diocese was aware of complaints against Zirwas for sexually abusing children as early as 1987. Additional complaints were received between 1987 and 1995. However, Zirwas continued to function as a priest during this period and was reassigned to several parishes.

Documents obtained by the Grand Jury from the secret or confidential files of the Diocese recorded that in October, 1987, Father Garbin met with a little boy and his family about an "incident of inappropriate touch" by Zirwas at St. Joseph the Worker parish. No action was taken by Bishop Anthony Bevilacqua, nor the Diocese, and Zirwas remained in ministry.

In February, 1988, another internal memorandum recorded that Father Ted Rutkowski met with Zirwas. The meeting was arranged after Zirwas was accused of unwanted sexual contact with a young man. Zirwas admitted to having contact with the young man in multiple parish rectories and explained that the young man had asked Zirwas to massage his legs. Zirwas stated that he massaged his legs, but did nothing more. He noted that sometime after the contact, the "boy left, then the allegation came." Zirwas was thereafter sent to St. Francis Hospital for an evaluation in March, 1988. Upon his release, he continued in ministry.

In November, 1988, Diocesan officials met with a mother who reported that her 16-year-old son was given alcohol by Zirwas and that Zirwas fondled the boy's genitals. That same month, the Diocese received another report from a victim who revealed that he was groped by Zirwas when he was 17 years old. Zirwas was sent to St. Luke's Institute for an evaluation in December, 1988. Upon his release he once again continued in ministry.

[6] The Grand Jury notes that where any institution or individual destroys evidence of a crime when an investigation is about to be instituted, such conduct could be pursued as a criminal offense in Pennsylvania under 18 Pa. C.S.A. §4910, Tampering with or Fabricating Physical Evidence.

Internal assignment records documented that from January, 1989 until June, 1989 Zirwas served as Parochial Vicar of St. Michael. From June, 1989 to December, 1991, he served at St. Bartholomew as Parochial Vicar. In June, 1991, a meeting was held between Father David Zubick, Father Downs, and Father Robert Guay with respect to a victim's complaint regarding his contact with Zirwas. Among other things, this victim reported that Zirwas massaged his feet, calves, thighs, and then groped his penis. The victim informed the Diocese that he was too embarrassed to speak publically regarding the abuse or go to court.

In December, 1991, Zirwas was reassigned to St. Scholastica as Parochial Vicar. Then, in May, 1994, Zirwas was again reassigned to St. Joseph as Parochial Vicar. Diocesan records, obtained by the Grand Jury, revealed that Zirwas was then placed on a leave of absence for "personal reasons" in December, 1994.

In July, 1995, Zirwas met with Zubik and requested permission to take an assignment in Miami, Florida. Zirwas stated that his desire to leave the Diocese was due to "false rumors about him." Zirwas threatened to pursue legal action against other Diocesan personnel for "raising the consciousness of some of the people at St. Joseph Parish concerning his relationship to the public scandals which surfaced in 1988." This meeting was memorialized in a confidential internal memorandum obtained by the Grand Jury.

Within days, Zirwas was returned to ministry by Bishop Donald Wuerl. In 1995, Zirwas was assigned as Parochial Vicar of St. Maurice. In November, 1995, the Diocese received another complaint from a victim who reported that Zirwas fondled him and performed oral sex on him when he was approximately 15 years old. In response, Zirwas was again placed on a leave of absence for "personal reasons." A status he would keep until the time of his death.

In January, 1996, a mother of a victim demanded a meeting with the Diocese. That meeting was granted. Diocesan records noted the mother's outrage and disappointment. She stated that she had originally reported her son's abuse in 1988 and believed that proper action would be taken to remove Zirwas from ministry. However, she learned that this did not occur. She noted that she had written at least one letter and received no response. Moreover, when she pursued the matter, she was told by Father Ted Rutkowski that it was "a one-time occurrence and that it had been handled."

After being placed on a leave of absence in 1995, Zirwas relocated to Florida before ultimately moving to Cuba. Zirwas's activities in Florida and Cuba are largely unknown and no detailed Diocesan records were provided to the Grand Jury. However, in 1996, Zirwas informed the Diocese that he had knowledge of other Pittsburgh Diocese priests' involvement in illegal sexual activity. In exchange for this information, he demanded that his sustenance payments be increased.

In response to this request, Wuerl instructed him to document in writing the names of the priests involved, or, state that he had no knowledge of what he had previously claimed. Wuerl advised that this action had to be undertaken before Zirwas could receive any additional assistance. After Zirwas disavowed any knowledge of priest involvement in illegal sexual activity in a letter to the Diocese, he was granted an additional financial stipend and his sustenance payments were continued. Zirwas continued to work with the poor and needy in Cuba until May 2001, when he was murdered inside his Havana apartment.

During the course of this investigation, the Grand Jury uncovered a ring of predatory priests operating within the Diocese who shared intelligence or information regarding victims as well as exchanging the victims amongst themselves. This ring also manufactured child pornography on

Diocesan property, including parishes and rectories. This group included: Zirwas, Francis Pucci, Robert Wolk, and Richard Zula. This group of priests used whips, violence and sadism in raping their victims.

On December 17, 2017, a victim (hereinafter identified as "George") appeared before the Grand Jury to provide information regarding his sexual abuse as a child by priests in the Diocese. George's experience is not only a personal tragedy but an institutional tragedy. His testimony corroborated evidence found within Diocesan records that predatory priests existed; that these predators shared information; and, that these men sexually offended on children.

George was raised as a Catholic and attended Catholic School from first through twelfth grade. While at St. Adalbert's on the South Side of Pittsburgh, George served as an altar boy.

George became friends with Zirwas in the mid-1970's. Zirwas would spend time at George's home and take George to lunch or dinner on occasion. George's family encouraged the contact with Zirwas based upon the belief that Zirwas would be a good influence on George. George noted that that his Catholic family looked at priests as "very truth worthy, very elevated." As George was transitioning from middle school to high school, Zirwas took him on trips, took him to see St. Paul Seminary, and, even taught him how to drive. Over time, Zirwas began to take George with him as he carried out priestly duties and on his visits with parishioners.

Zirwas started introducing George to his "friends" who were priests who seemed to share similar interests. On one occasion, Zirwas took George to a parish rectory in Munhall where the following priests were present: Father Francis L. Pucci, Father Richard Zula, and Father Francis Luddy of the Diocese of Altoona-Johnstown. The priests began a conversation about religious statues and asked George to get up on a bed. As the priests watched, they asked George to remove his shirt. They then drew an analogy to the image of Christ on the cross, and told George to remove

his pants so that his pose would be more consistent with the image of Christ in a loincloth. At that point, the priests began taking Polaroid pictures of George. As the picture taking continued, the priests directed George to take off his underwear. George was nervous and complied.

George recalled that either Zula or Pucci operated the camera. He stated that all of the men giggled and stated that the pictures would be used as a reference for new religious statues for the parishes. George testified that this occurred before he turned 18-years-old and that his genitals were exposed in the photographs. George stated that his photographs were added to a collection of similar photographs depicting other teenage boys.

George recalled that each of these priests had a group of favored boys who they would take on trips. The boys received gifts; specifically, gold cross necklaces. George stated, "He [Zirwas] had told me that they, the priests, would give their boys, their altar boys or their favorite boys these crosses. So he gave me a big gold cross to wear." The Grand Jury observed that these crosses served another purpose beyond the grooming of the victims: They were a visible designation that these children were victims of sexual abuse. They were a signal to other predators that the children had been desensitized to sexual abuse and were optimal targets for further victimization. [7]

[7] George still has the cross and it was shown to the Grand Jury.



The Cross that Zirwas Gave to Altar Boys

The Grand Jury noted that George's testimony revealed how a group of priests, all offenders in their own right, collaborated together to manufacture child pornography within the

Diocese of Pittsburgh. George's last contact with Zirwas occurred prior to his departure to join the United States military. However, other boys became victims of abuse.

In 1988, the Allegheny County District Attorney's Office charged Zula, Pucci and Wolk with sexually assaulting two altar boys. Zula pled guilty and was sentenced to up to five years in prison. Wolk was sentenced to up to ten years in prison. Pucci's charges were dropped because the criminal statute of limitations had expired.

Zula was a pastor at Saints Mary and Ann Church in Marianna. Wolk had been a pastor of St. Thomas Church in Bethel Park.

George testified that he looks back now with disdain. He questions how this activity could occur, involve multiple priests, and not have created suspicion on the part of Diocesan administrators. George stated,

> To me, between going to St. Paul Seminary, Father Zula, Father Pucci, that there was just an insidious pedophile community that permeated through at least the Pittsburgh Diocese. And you know, my assumption as I grow older is that this was something that was happening all over the United States and it just – you know, it is very disappointing.

George went on to explain his reluctance to come forward, stating,

> I don't think there was anybody I could trust to tell, number 1. There was never – who do you tell? Like, at the time, I was a tough kid from the South Side. It didn't like – I just kind of – I was a survivor at the time. So that was just part of the lifestyle, I guess, and you know, I just kind of moved on… as a man, you know, who do you want to tell that other priests took pictures of you. It was pretty degrading. It is humiliating. I know some people it went further than that. I'm lucky it hasn't. It is still really hard to get it out there that you were in a room when you were 14 or 15 and getting naked pictures taken from priests.

George's testimony to the Grand Jury was one of the first times he had ever disclosed his abuse. The Grand Jury's review of records revealed that the Diocese was aware of the conduct of these predatory priests and the records corroborated George's testimony. It does not appear that the Diocese disclosed any information to the police during the prosecution of some of these

offenders in the late 1980's. Moreover, it does not appear that the Diocese shared with the police Zirwas's statement that he had information on other priests' criminal activity.

After Zirwas' death in 2001, the spokesman for the Diocese was interviewed by the Pittsburgh Post-Gazette. Among other things, the Diocese refused to disclose any of the reasons why Zirwas was placed on a leave of absence, citing the confidentiality of his personnel files. However, when Wuerl presided over Zirwas' funeral, he stated, among other things, that "a priest is a priest. Once he is ordained, he is a priest forever."

The Case of Father Richard Zula

Known Assignments

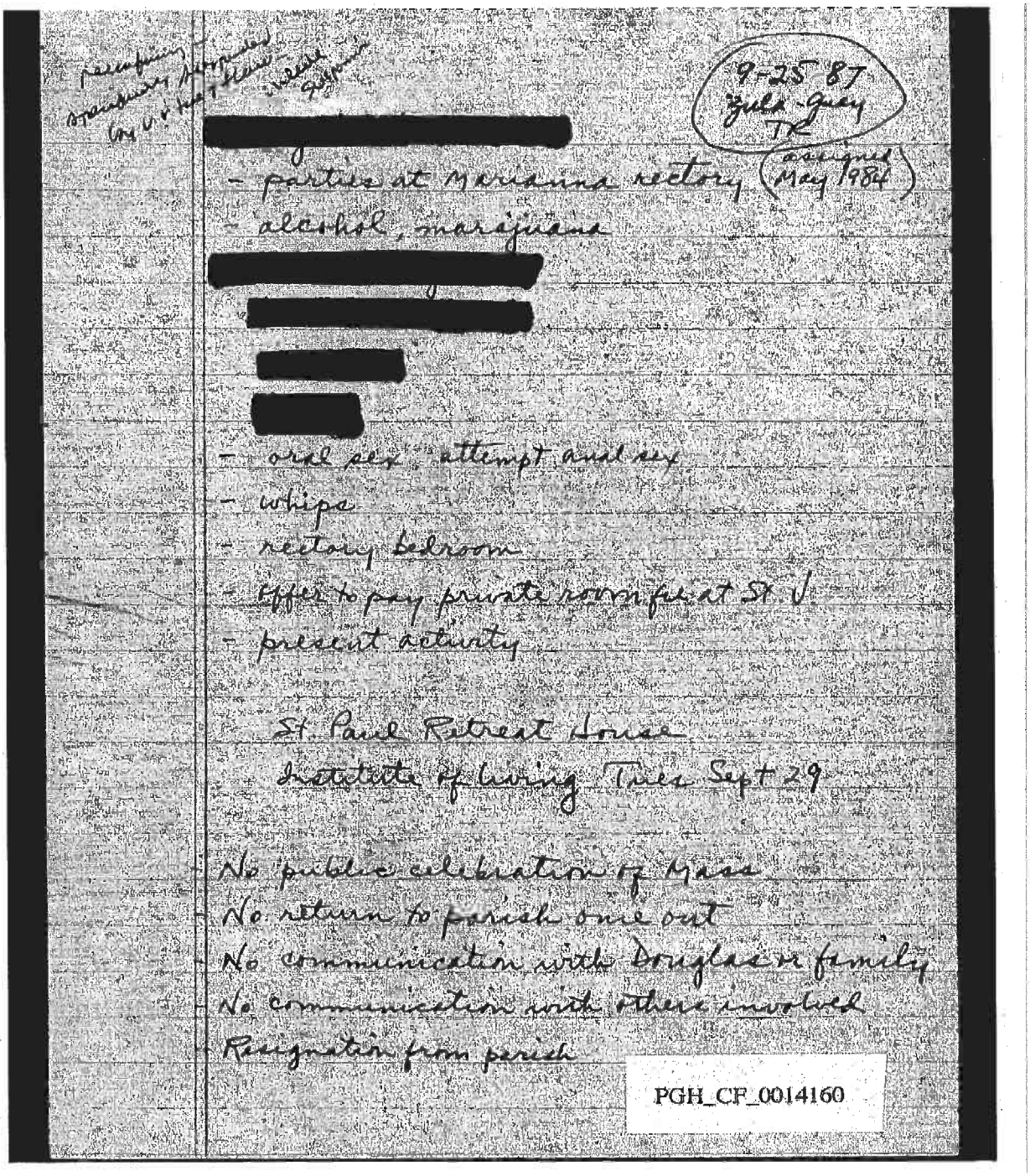
06/1966 – 06/1971	St. Cyril of Alexandria, North Side, Pittsburgh
06/1971 - 12/1973	Most Blessed Sacrament, Natrona Heights
12/1973 - 06/1980	Our Lady of Czestochowa, New Castle
06/1980 - 05/1984	St. Michael Archangel, Munhall
05/1984 - 06/1986	Sisters of St. Mary & Ann, Marianna
06/1986 - 09/1987	St. Clement, Tarentum (Resigned)
09/1987	Leave of Absence (Withdrawn); Zula is admitted to the Institute of Living, Hartford, Connecticut
04/1996	Withdrawn from Ministry

Father Richard Zula was ordained in 1966 and assigned to six different parishes through 1987. In 1987, the Diocese was under the command of Bishop Anthony Bevilacqua. In September of that year, the Diocese received a complaint that Zula had engaged in violent sexual activity with a minor at a rectory. This conduct involved three other adult males who were not priests.

On September 25, 1987, a meeting was held between Zula, Father Ted Rutkowski, Secretary for Clergy and Pastoral Life, and Father Robert Guay. Documentation of the meeting consisted of handwritten notes that included the name of the child victim at the top of the page, followed by three additional names and another notation of the victim's name. Among other things, this document listed "parties at Marianna rectory (assigned May 1984)[8]" "alcohol, marijuana;" "oral sex, attempt anal sex, whips, rectory bedroom, offer to pay private room fee at St. V., present activity." This was followed by the notation, "Institute of Living Tues Sept 29" and the following notes: "No public celebration of mass, No return to parish once out, No communication with [victim] or family, No communication with others involved, Resignation

[8] 1987 was the year when Zula became pastor at St. Clement.

from parish." Zula was subsequently sent to the Institute of Living, in Hartford, Connecticut on September 29, 1987.

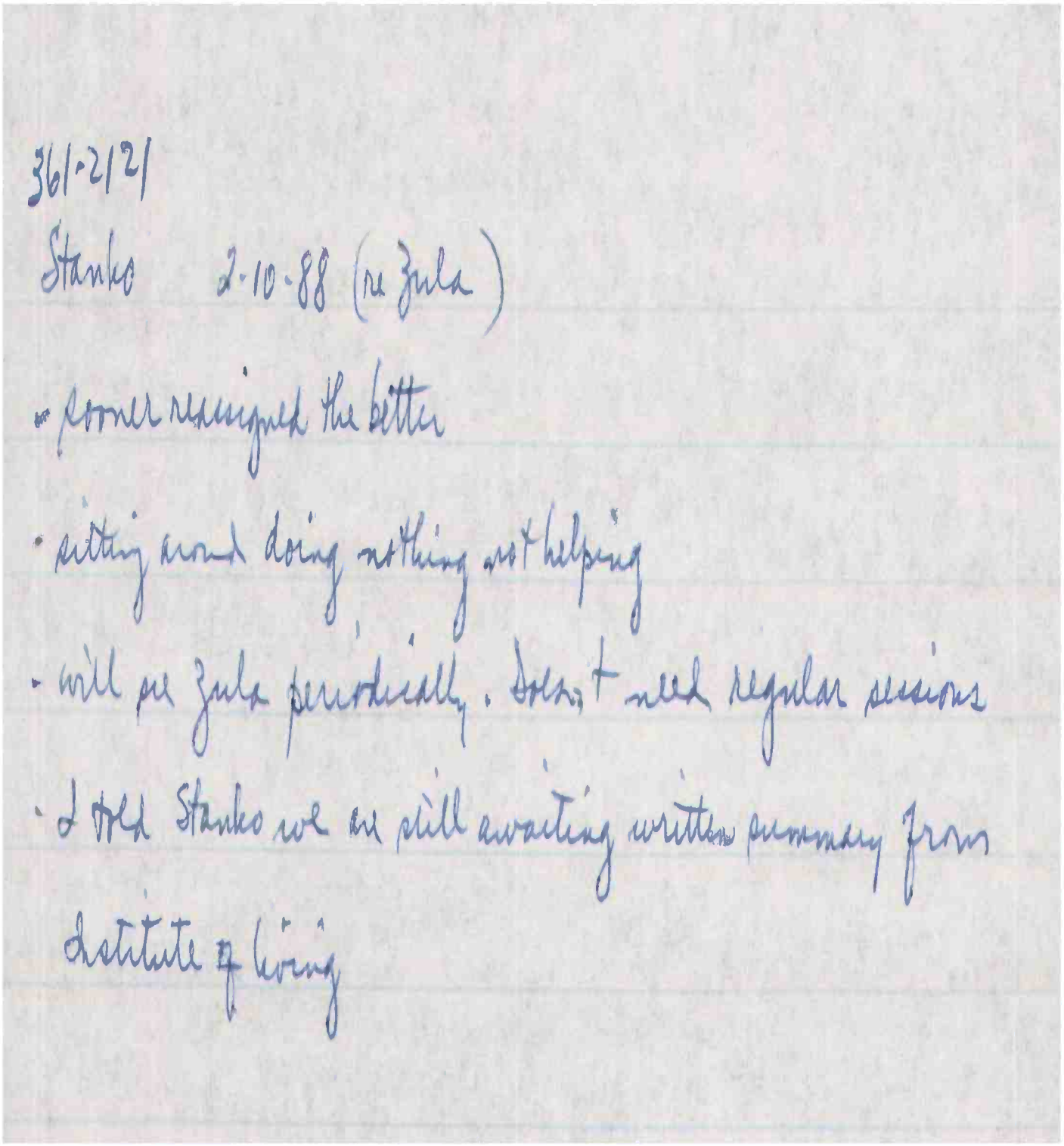


The Handwritten Notes

On December 9, 1987, Rutkowski documented his thoughts that Zula was a "mama's boy" who was "pursued" by the victim. He also described the victim as being "16 – 17 years of age."

A confidential memorandum from Father Farmer to Rutkowski dated December 29, 1987, outlined three proposed scenarios for placing Zula back into ministry. Among other things, these proposals included assigning him as Chaplain at various parishes or assigning him to provide pastoral care at nursing homes.

Zula was discharged on January 13, 1988. The Diocese was advised that Zula again confessed his criminal conduct. He stated, "I got involved in some inappropriate sexual behavior and my bishop has sent me here for an evaluation." The summary further noted this other "individual" was "very sexually promiscuous and needy." The Grand Jury's review of these materials compels the conclusion that the Diocese was prepared to return yet another admitted child molester to ministry. Indeed, notes in Zula's personnel file indicated that "re Zula" the "sooner reassigned the better." However, intervening and external factors changed that judgment.



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Stanko 2-10-88 (re Zula)

- former resigned the letter
- sitting around doing nothing not helping
- will see Zula periodically. Doesn't need regular sessions
- I told Stanko we are still awaiting written summary from Institute of Living

Planning Zula's Return to Ministry

In May, 1988, a summary of facts was prepared in connection with a lawsuit filed on behalf of victim against the Diocese of Pittsburgh. Among other things, the summary documented the victim's abuse, and the abuse of the victim's brother, by Fr. Robert Wolk. However, the summary also stated that at some point Wolk himself had criticized Zula for "having wild parties with drugs and alcohol."

By September 1988, a criminal investigation was underway. On September 22, 1988, the Pennsylvania State Police interviewed the victim who, among other things, reported that he was first sexually abused by Wolk in 1981. Zula then began sexually assaulting him in 1984 at which time the victim was still under the age of 16. The victim further advised that the sexual abuse occurred approximately once a week for another three years and that it included oral sex, sado-masochistic behavior, and attempts at anal sex. On November 10, 1988, an arrest warrant was issued for Zula. There is no indication that the Diocese disclosed their prior knowledge of Zula's conduct or Zula's confession to the police or to the public.

Zula was charged with over 130 counts related to child sexual abuse. His arrest generated significant press coverage. In the midst of the public outcry, Charles P. Nemeth, Esquire wrote a letter to the editor of the Pittsburgh Catholic magazine dated October 20, 1988. A copy of this letter was found within the Diocesan records. Among other things, Nemeth advised that he was a practicing Catholic and has been a criminal defense attorney for 10 years, which included representing sex offenders. Further, Nemeth advised that he held an LLM degree in Law Psychiatry and Criminology from Georgetown University. Nemeth then advised that he was "awe-struck by how reticent church officials are to condemn this activity as being criminal in scope and form." He criticized the "academic ponderings" and "other esoteric psychiatric diagnoses" that characterized child sexual abuse as "deviance and social aberration" and added that "in fact, it is

probably one of the more heinous criminal activities that individuals can ever engage in. The reasons are self-evident." He then stated some of these reasons, which included the "higher standard of conduct" that should be required of priests; the "pedestal" on which priests are placed; that "sexual molestation between adults and minors is one of the most reprehensible forms of conduct outlined in statutory and codified law;" and that to "equate the social diseases of alcoholism and drug dependency with child molestation is an absolute and unadulterated folly."

In November 1988, personnel from the Diocese, including its attorney, met with the Western Regional Office of Children, Youth, and Families ("WROCYF"). A summary of the meeting was then provided to Wuerl in an April 24, 1989 letter from the WROCYF. Among other things, Wuerl was reminded that the Diocese was considered to be a "mandated reporter" of child abuse and thereby required to report any suspected cases of which it became aware. Further, Wuerl was notified that the Diocese was prohibited from conducting its own internal investigations to decide whether or not to report the abuse and was required to report it immediately. The letters exchanged between the WROCYF and the Bishop illustrated a disagreement as to whether the law's mandates applied to Diocesan personnel.

In the midst of this public scandal, on March 1, 1989, Wuerl authorized a confidential settlement between the Diocese and the family of the victim and his brother (who was also a victim) in the amount of a $500,000 lump sum with a separate amount of $400,000 to be paid over a period of 30 years. The settlement contained a "confidentiality agreement" which prohibited the victims from discussing the settlement or basis for the settlement with any third parties - unless agreed to by the Diocese. The settlement released the Bishop, the Diocese, and the Roman Catholic Church from any further liability with respect to the matter.

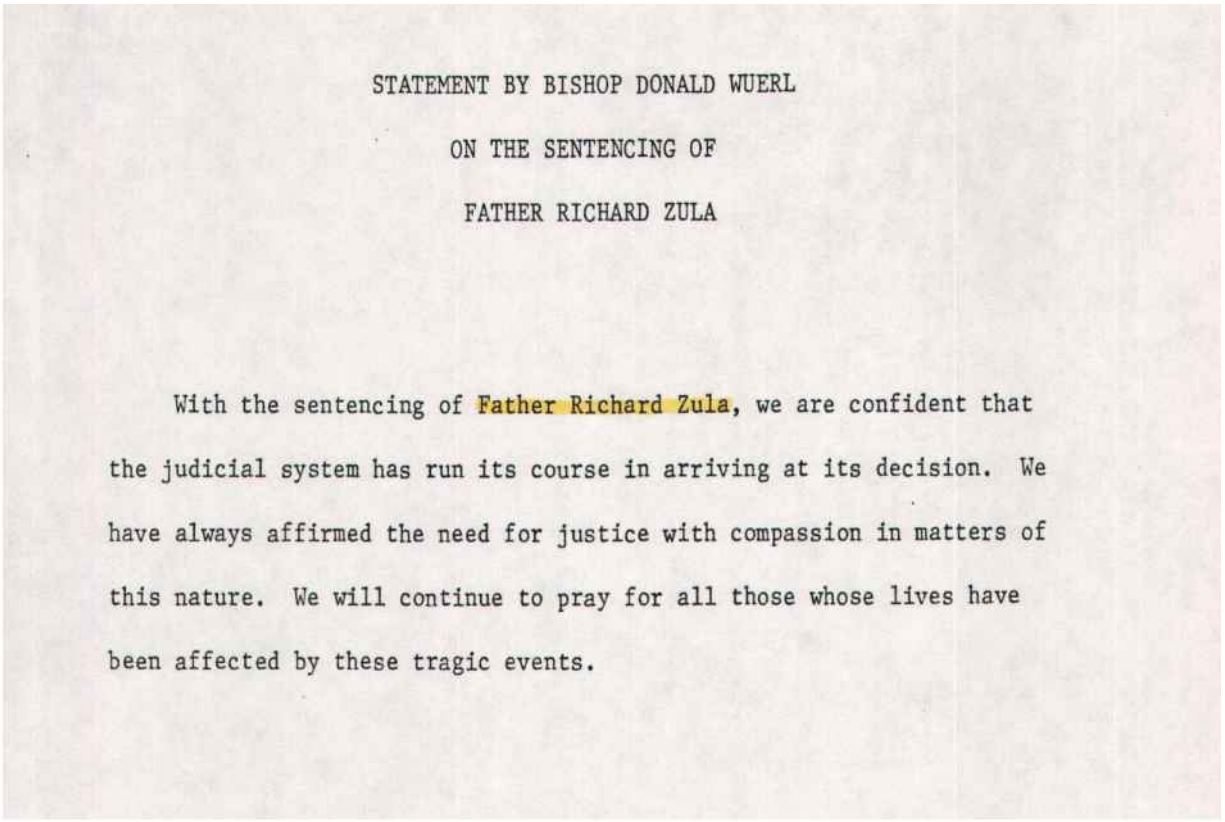
By the fall of 1989, Zula had entered a guilty plea to two counts and was awaiting sentencing. At that time, the Diocese began to receive additional complaints of child sexual abuse against Zula. Father Ron Lengwin documented a telephone call that he received from a parishioner on August 25, 1989. The caller advised that Zula had made frequent sexual advances on her son and at least two of his friends when they were 13-year-old altar boys. The mother reported that Zula asked the boys to pose like statues and attempted to tie them up using rope. The Grand Jury found this mother's report to be consistent with the testimony of George. However, there was no indication that the Diocese reported this complaint to law enforcement. In fact, the Diocese was utilizing diocesan resources and personnel to advocate for Zula at his upcoming sentencing proceeding.

On October 23, 1989, Kenneth Stanko, a doctor obtained by the Diocese to work with Zula, wrote a letter to Father Rutkowski. Stanko enclosed a copy of his evaluation of Zula which he conducted for presentation at Zula's sentencing. Stanko advised that this evaluation was also sent to the court. Among other things, Stanko opined that Zula's "personality style is one of being passive-dependent and that he would not likely be a person to initiate sexual activity." By this letter, the Diocese was placed on notice that the services it had procured for Zula were being used as mitigation evidence at Zula's sentencing. Moreover, these assertions blamed the child victim rather than the adult criminal.

Stanko wrote that Zula had admitted to "mutual masturbation and fellatio with one sixteen-year male" but only because "the boy first suggested sexual behaviors." Stanko further noted that Zula had also admitted to "mild sado-masochistic" behaviors with several boys. However, Stanko concluded that Zula "has never exhibited psychotic symptoms or any disturbance to his thinking and reasoning. I have never doubted his sincerity or honesty." The Grand Jury notes that while

Diocesan resources were being used in such a fashion, unknowing parishioners were still actively tithing from their income without knowledge that church funds were being used to mitigate a convicted sex offender's sentence.

In preparation for Zula's sentencing, a press release issued by Wuerl stated, in part, " . . . the judicial system has run its course in arriving at its decision."



STATEMENT BY BISHOP DONALD WUERL

ON THE SENTENCING OF

FATHER RICHARD ZULA

With the sentencing of Father Richard Zula, we are confident that the judicial system has run its course in arriving at its decision. We have always affirmed the need for justice with compassion in matters of this nature. We will continue to pray for all those whose lives have been affected by these tragic events.

The Bishop's Public Statement

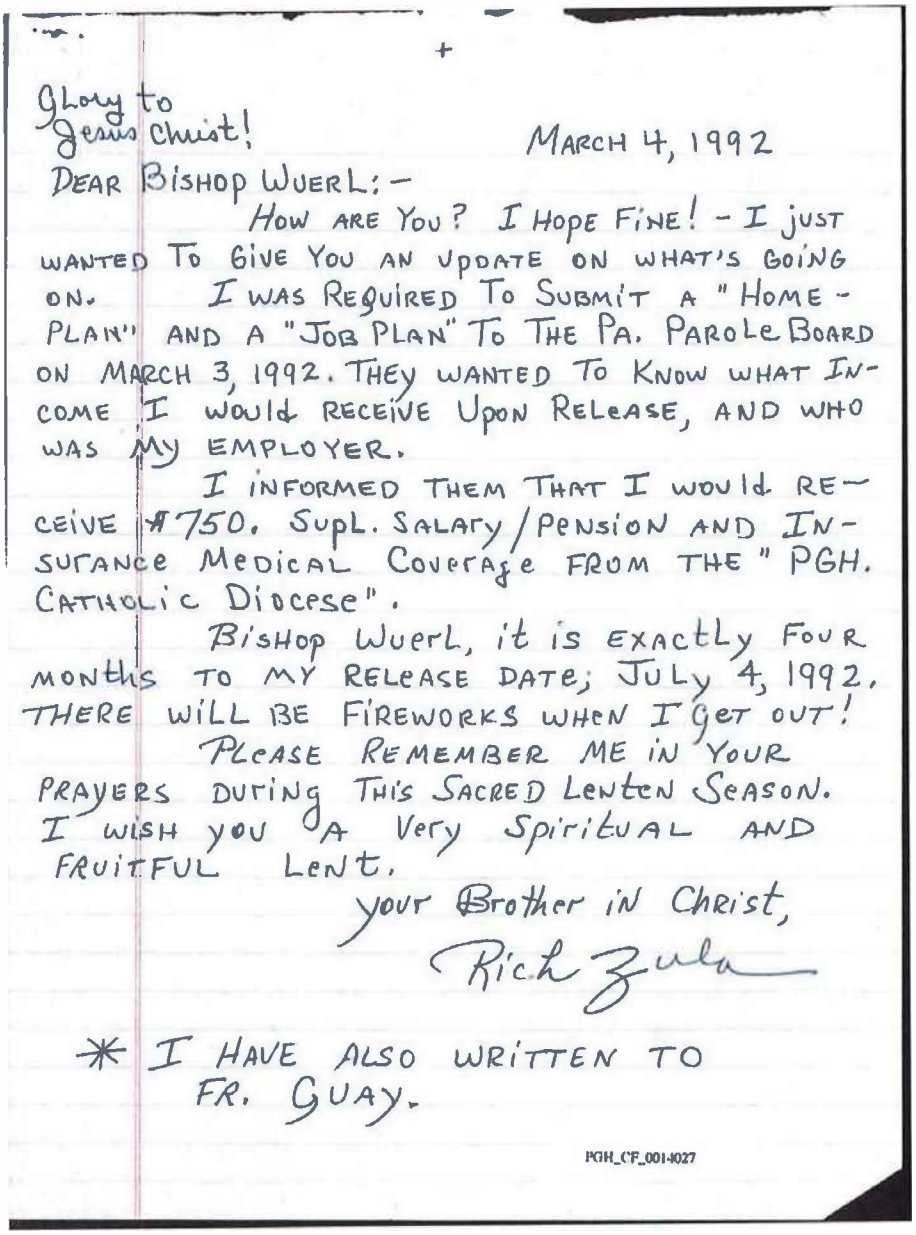
In 1990, after Zula was sentenced to state prison, the Diocese agreed to set aside $500.00 per month until his release, at which time he would be paid the full amount in a lump sum. The Diocese also informed Zula that he would not be given any new assignments and asked him to consider requesting a dispensation from the priestly ministry. Zula responded in a letter dated

September 11, 1990. He wrote that had the Diocese supported him, he may not have pleaded guilty. He then accused the Diocese of paying for his treatment in order to "save their own hide." Zula further advised that the District Attorney had offered to make a deal with him if he divulged names of other priests involved in pedophilia and that he

> could have named several priests; however, out of a sense of loyalty to my brother priests, and to try to protect the Church from any further scandal, I would not divulge their names, even to save myself from a jail term.

Zula stated he would sign the petition for dispensation if the Diocese arranged for his release from prison first.

In March, 1992, Zula informed the Diocese that he might be eligible for early release in July and requested that Wuerl confirm his future salary payments to assist him in obtaining his release. In response to Zula's request, internal Diocesan documents revealed that Wuerl directed his subordinates to provide the requested information. The Diocese also agreed to increase Zula's sustenance payments to $750 per month after his release and to provide him with medical coverage. When Zula was released in July, 1992, he received a check in the amount of $11,542.68 from the Diocese.



Glory to
Jesus Christ!

MARCH 4, 1992

DEAR BISHOP WUERL: -

HOW ARE YOU? I HOPE FINE! - I JUST WANTED TO GIVE YOU AN UPDATE ON WHAT'S GOING ON. I WAS REQUIRED TO SUBMIT A "HOME-PLAN" AND A "JOB PLAN" TO THE PA. PAROLE BOARD ON MARCH 3, 1992. THEY WANTED TO KNOW WHAT INCOME I WOULD RECEIVE UPON RELEASE, AND WHO WAS MY EMPLOYER.

I INFORMED THEM THAT I WOULD RECEIVE $750. SUPL. SALARY/PENSION AND INSURANCE MEDICAL COVERAGE FROM THE "PGH. CATHOLIC DIOCESE".

BISHOP WUERL, IT IS EXACTLY FOUR MONTHS TO MY RELEASE DATE; JULY 4, 1992. THERE WILL BE FIREWORKS WHEN I GET OUT!

PLEASE REMEMBER ME IN YOUR PRAYERS DURING THIS SACRED LENTEN SEASON. I WISH YOU A VERY SPIRITUAL AND FRUITFUL LENT.

YOUR BROTHER IN CHRIST,

Rich Zula

* I HAVE ALSO WRITTEN TO FR. GUAY.

PGH_CF_001-027

Zula's Letter to Wuerl Regarding Early Release from Prison

The Diocese continued to receive reports of past criminal conduct on the part of Zula after his release. In a 1993 letter to Wuerl, a victim reported that Zula "systematically ask[ed] me to strip, assume a kneeling position, have my hands tied by a closeline type rope and subject me to a beating with various types of whips and leather straps." Shortly after this report, the Diocese finally began "laicization," the process to remove Zula as a priest.

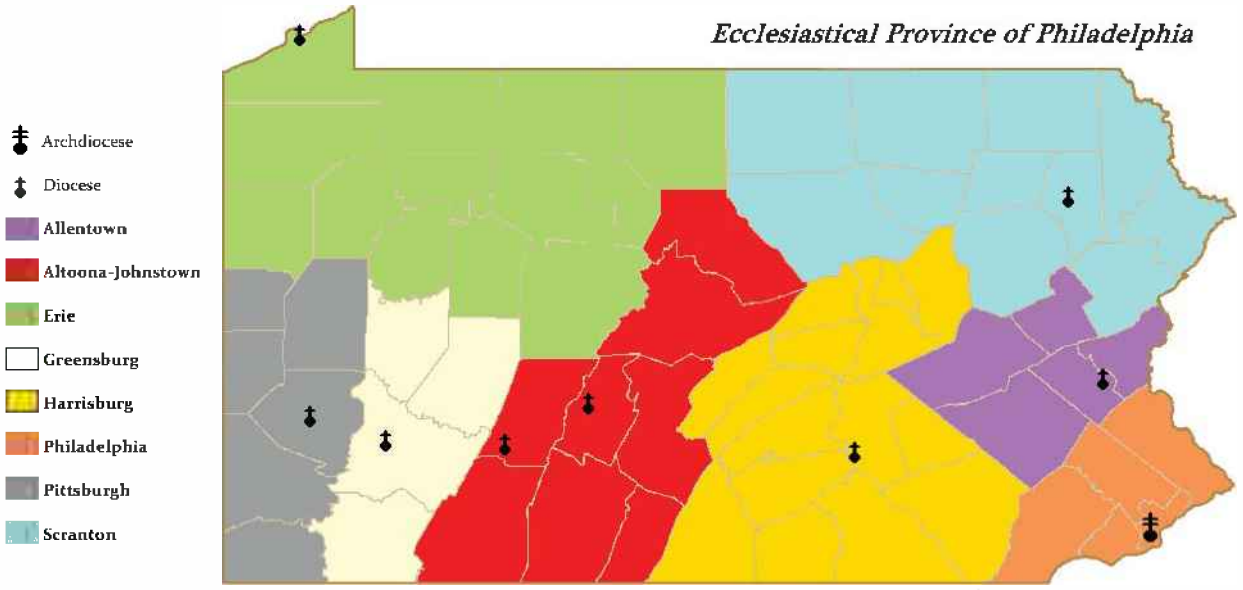
On January 20, 1995, Wuerl met with Zula to discuss his future salary and medical benefits. They discussed his dispensation from priestly vows but Zula was hesitant to agree to his removal because he did not think he could support himself. Zula suggested the possibility of a lump-sum payment which Wuerl referred to as "cushion income." After further discussion, Wuerl was open to the idea of Zula receiving a lump-sum payment of $180,000.00. Zula countered, however, with a request for "$240,000.00 (TAX FREE)." Additional internal documents indicated that the Diocese weighed Zula's request. Three pages of undated handwritten notes with the heading "FROM THE DESK OF Father Guay" referenced Zula's concern regarding his July, 1995 payments and the figures of $180,000 and $240,000. The words "slush fund – under table" were also included on the notes. Similarly, in a November 24, 1995 letter sent from Zula to Wuerl, Zula stated that he had recently met with Guay and Father Dinardo who informed him that if he were to resign from the active priestly ministry, he would still be entitled to receive his monthly sustenance payments and medical coverage. In light of this representation, Zula stated his desire to resign.

In 1996, the Diocese entered into a memorandum of understanding with Zula whereby he was allowed to resign and was prohibited from ever seeking future assignments within the Diocese. In return, the Diocese agreed that it would continue to pay him $750.00 per month for sustenance and provide medical coverage for him.

On January 31, 2001, another victim disclosed abuse by Zula. The victim reported that Zula asked him to remove his clothes so that he could beat him with a belt. On December 14, 2001, the Diocese increased Zula's sustenance payments to $1,000 per month as of January, 2002.

In July, 2007 the Diocese learned that Zula had been volunteering at the Good Shepherd Church in Braddock. The Diocese dispatched a letter to Zula reminding him that such activity was not permitted.

Roman Catholic Diocese of Scranton



I. General Overview of the Diocese of Scranton, Pennsylvania

The Roman Catholic Diocese of Scranton is a suffragan see of the Archdiocese of Philadelphia, established on March 3, 1868. The seat of the Bishop is St. Peter's Cathedral in Scranton, Pennsylvania. Other cities in the Diocese include Wilkes-Barre, Williamsport, Hazleton, Carbondale and Pittston. There are an estimated 348,600 catholics served by the Diocese which is approximately 31.2% of the general population of the region. The Diocese is located in the northeastern portion of the Commonwealth and is comprised of the counties of Lackawanna, Luzerne, Bradford, Susquehanna, Wayne, Tioga, Sullivan, Wyoming, Lycoming, Pike, and Monroe.

II. History of Bishops of the Diocese of Scranton

a) Bishop Jerome Hannan (8/17/1954 through 12/15/1965)

b) Bishop J. Carroll McCormick (3/4/1966 through 2/15/1983)

c) Bishop John O'Connor (5/6/1983 through 1/26/1984)

d) Bishop James Timlin (4/24/1984 through July 7/25/2003)

e) Bishop Joseph Martino (7/25/2003 through 6/2009)

f) Bishop Joseph Bambera (04/26/2010 to Present)

III. Additional Church Leadership within the Diocese of Scranton Relevant to the Grand Jury's Investigation

In any Diocese, the chief executive of the Diocese is the bishop. It was not uncommon to observe evidence of other high ranking members of the Diocese involved in the handling of child sexual abuse complaints or internal investigations at the bishop's request. The Grand Jury observed that with respect to the Diocese of Scranton, most matters were personally handled by the bishop himself. As such, there is insufficient evidence to designate additional relevant leadership in this report.

IV. Findings of the Grand Jury

The Grand Jury uncovered evidence of sexual abuse of minors committed by dozens of priests in the Diocese of Scranton. This sexual abuse included grooming and fondling of genitals and/or intimate body parts, as well as penetration of the vagina, mouth, or anus. The evidence also showed that diocesan administrators, including the bishops, had knowledge of this conduct yet regularly placed the priests in ministry after the Diocese was on notice that a complaint of child sexual abuse had been made. This conduct enabled the offenders and endangered the welfare of children.

The evidence demonstrated that the Diocese had discussions with lawyers regarding the sexual conduct of priests with children and made settlements with the victims. These settlements contained confidentiality agreements forbidding victims from speaking out about their abuse under threat of some penalty, such as legal action to recover previously paid settlement monies.

Finally, the Grand Jury received evidence that several Diocesan administrators, including the bishops, often dissuaded victims from reporting to police or, conducted their own deficient, biased investigation without reporting crimes against children to the proper authorities.

V. Offenders Identified by the Grand Jury

1) Philip A. Altavilla

2) Girard F. Angelo

3) Mark G. Balczeniuk

4) [redacted]

5) Joseph P. Bonner

6) Martin M. Boylan

7) Robert J. Braque

8) Francis T. Brennan

9) Joseph W. Bucolo

10) Gerald J. Burns

11) Robert N. Caparelli

12) Anthony P. Conmy

13) J. Peter Crynes

14) Raymond L. Deviney

 REDACTED – ONGOING APPELLATE LITIGATION

15) [redacted]

16) Donald J. Dorsey

17) [redacted]

18) John M. Duggan

19) John J. Dzurko

20) James F. Farry

21) James F. Fedor

22) Ralph N. Ferraldo

23) Angelus Ferrara

24) Austin E. Flanagan

25) Joseph D. Flannery

26) Martin J. Fleming

27) Robert J. Gibson

28) Joseph G. Gilgallon

29) Joseph A. Griffin

30) Joseph T. Hammond

31) P. Lawrence Homer

32) Mark A. Honart

33) Joseph F. Houston

34) [redacted]

35) [redacted]

36) Francis G. Kulig

37) Albert M. Libertore, Jr.

38) John A. Madaj

39) [redacted]

40) James M. McAuliffe

41) Neil McLaughlin

42) Joseph F. Meighan

43) Russell E. Motsay

44) James F. Nolan

45) W. Jeffrey Paulish

46) John A. Pender

47) Mark T. Rossetti

48) Edward J. Shoback

49) Thomas P. Shoback

50) Thomas D. Skotek

51) John J. Tamalis

52) Virgil B. Thetherow

53) Robert M. Timchak

54) Lawrence P. Weniger

55) Joseph B. Wilson

Society of St. John

56) Christopher R. Clay

57) Eric S. Ensey

58) Carlos Urrutigoity

59) Benedict J. Van der Putten

255 REDACTED – ONGOING APPELLATE LITIGATION

VI. Examples of Institutional Failure: Fathers Robert Caparelli, Joseph Hammond, and Thomas Skotek

The Grand Jury notes the following examples of child sexual abuse perpetrated by priests within the Diocese of Scranton. These examples further highlight the wholesale institutional failure that endangered the welfare of children throughout the Pennsylvania Dioceses including the Diocese of Scranton. These examples are not meant to be exhaustive; rather, they provide a window into the conduct of past Pennsylvania Bishops and the crimes they permitted to occur on their watch. In the Diocese of Scranton, the acts of Robert Caparelli, Joseph Hammond, and Thomas Skotek, speak for themselves.

The Case of Father Robert N. Caparelli

Known Assignments

06/1964 – 09/1964	Queen of Peace, Hawley
09/1964 – 09/1967	St. Francis, Nanticoke
09/1967 – 10/1968	Most Precious Blood, Hazleton
10/1968 – 09/1974	St. Mary, Old Forge
09/1974 – 06/1981	Mercy Center, Dallas
06/1981 – 09/1991	St. Vincent, Milford
09/1991	Relieved of Duties
12/1994	Died in state prison

On May 23, 1964, Robert N. Caparelli was ordained a Roman Catholic Priest within the Diocese of Scranton. Between September, 1967 and October, 1968, Caparelli served as an assistant pastor at the parish of Most Precious Blood in Hazelton. On August 14, 1968, less than four years after Caparellis' ministry began, a letter was sent to Bishop J. Carroll McCormick from a police officer in Hazleton. The officer reported to the Bishop that Caparelli was contributing to the delinquency of two altar boys. These boys were brothers and were 11 and 12 years old. The police officer stated that Caparelli was "demoralizing them in a manner that is not natural for any human that has all his proper faculties." The officer stated that the mother had made the complaint to him, but that he was reporting it to McCormick. He explained that the mother of the victims was afraid to tell the boys' father due to the possible "deadly nature" of the ensuing confrontation. The policeman closed his letter with an offer to meet with the Bishop or provide additional information, if needed. He noted that there were "other situations" as well. The officer commented that if the situations were not curbed, violence would take place.

August 14, 1968
Hazleton, Pa.

J. Carroll McCormick, Bishop
Diocese of Scranton
Scranton, Pa. 18503

Your Excellency:

May I introduce myself to you. I am a Member of the Most Precious Blood Church in Hazleton. I am a Police officer in the city and very much interested in the well being of the Parishoners as well as the other citizens in our locale.

The reason I am writing this letter to you is in reference to an assistant in our parish, Reverend Robert Capparelli. It is a known fact that he has contributed to the delinquency of 2 minor boys, ages 11 and 12, by demoralizing them in a manner that is not natural for any human that has all his proper faculties. They are 2 brothers that were altar boys and the mother made them quit. The Father doesn't know about this incident and we are and must keep it a secret. The Mother is afraid to tell him for fear of repercussions that would be of a deadly nature. The Mother had the courage to come to me and tell me of the situation. She is a Registered Nurse and knows that there is need for a Doctor in this case. We all have the greatest respect for Monsignor Mark Mecca and think he is doing a fine job. We think the Monsignor should not be burdened with this situation and others that this assistant is responsible for. I would be willing to tell you about the other situations if you so desire. I think action should be taken to curb these situations before violence takes place.

If further explanation is needed, I would be willing to meet with you at your convenience.

Wishing you good health, I remain,

Your Sheperd,

[redacted]

Hazleton, Pa. 18201

DS 07527

The Policeman's Letter to Bishop McCormick

Three days later, the head pastor of Most Precious Blood contacted McCormick. Father Mark Mecca had also reviewed the letter that the Bishop had received. Regarding it, he wrote to McCormick:

> I have to say that it expresses the voice of many of my parishioners. I referred this matter to you at Thanksgiving-tide of last year, when I told you that I would try to solve this problem, to relieve Your Excellency of at least one of the many problems. This problem is too big for me. It has grown into something that is unbelievable. In other words all that this gentleman writes is true… but there is so much that is missing, and all very, very serious.

Mecca went on to note that at least one fellow priest, Monsignor Mussari, simply did not wish to know the details. He noted that Monsignor James Timlin was aware of at least one area of concern due to his presence when Mecca broached the subject on a previous occasion. Mecca closed his letter noting, "Your Excellency has definitely noticed that I am under an incubus . . . all on account of some of these things." The Grand Jury noted that "incubus" is a Latin term for "a male demon obsessed with the sexual" and can be a "nightmare known for causing oppression or burden."

MOST PRECIOUS BLOOD CHURCH
FOURTH AND SEYBERT STREETS
HAZLETON, PENNSYLVANIA 18201

Aug. 17, 1968

Most Rev. J. Carroll McCormick, D.D.
300 Wyoming Avenue
Scranton, Pa. 18503

Dear Bishop McCormick:

Concerning the letter which is enclosed, as was sent to you by the parishioner, I have to say that it expresses the voice of many parishioners. I referred this matter to you at Thanksgiving-tide of last year, when I told you that I would try to solve this problem, to relieve Your Excellency of at least one of the many problems. This problem is too big for me. It has grown into something that is unbelievable.

In other words all that this gentleman writes is true... but there is so much that is missing, and all very, very serious.

Msgr. Mussari and I were in to talk to you, of different problems of course. (This he does not know of) I wanted to go over some of the things with Your Excellency. One of the topics would be that which I mentioned to your Excellency in the presence of Msgr. Timlin.

If there is need of my meeting with Your Excellency, or with any particular person with some facts to bring light on the subject, these persons can be supplied. In fact one of these is one of my lay-teachers.

Your Excellency has definitely noticed that I am under an incubus... all on account of some of these things.

With best wishes always, and reaffirming my deepest devotion to my Beloved Bishop, I am

Very sincerely yours in Christ,
Mark A Mecca
Mark A. Mecca

DS 07526

Mecca Reports the "Incubus"

On August 19, 1968, another concerned parishioner wrote to McCormick. While noting general concerns about Caparelli's demeanor, the parishioner stated:

> We tolerated all this but it is now a known fact in Hazelton that he is demoralizing young boys especially those that serve as altar boys. Many parents have withdrawn them and are being retained not to report him to the juvenile division of the Police Dept. We want to avert scandal. This is the consensus that we would overlook all the former complaints but this last one, may present a tragic situation.

On September 2, 1968, McCormick wrote a secret note that the Grand Jury obtained from the confidential Diocesan archives. McCormick wrote that he had spoken with Caparelli who "admitted acting too freely with 2 altar boys." Contrary to the reports about him, Caparelli insisted that he did not do anything immoral. While Caparelli agreed that the Bishop had to take action against him, he begged to be assured that he would be able to continue working as a priest in the Diocese.

Father
Caporelli — Sept. 2, '68

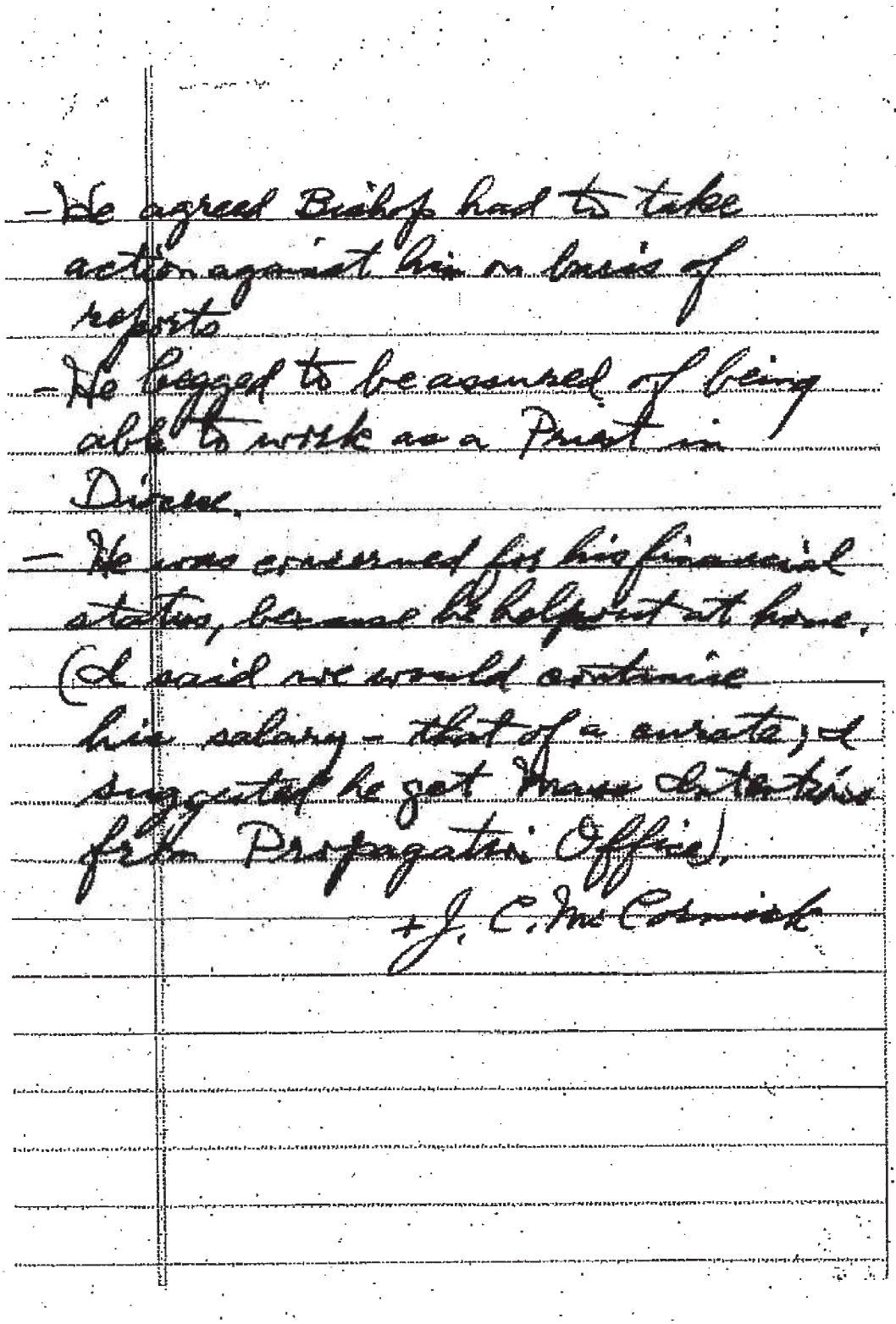
admitted acting too freely
with 2 altar boys (brothers)
— insisted he didn't do
anything immoral —

claimed he was being misunderstood
by the mother of the two
boys (a nurse) who suggested
he see a doctor.

said he saw a doctor, who assured
him he was not a homosexual

— he was very submissive, claimed
he would do what he was directed
to do. He cast aspersions
on the Pastor (Mons. Mecca)

— he prefers to go to [illegible] home while [illegible]
further direction.



- He agreed Bishop had to take action against him on basis of reports
- He begged to be assured of being able to work as a Priest in Diocese.
- He was concerned for his financial status, because he helped out at home. (I said we would continue his salary - that of a curate; I suggested he get Mass Intentions from Propagation Office).

+ J. C. McCormick

The Bishop's Notes

Caparelli was subsequently sent to the Padua Retreat House. An internal Diocesan memorandum from October 1968 noted that based upon Caparelli's version of events, "the mother, a nurse, may have exaggerated." Any child sexual abuse was dismissed as "immaturity" and a change was suggested. McCormick ultimately assigned Caparelli to serve in the parish of St. Mary's in Old Forge in October, 1968. In 1981, Caparelli was appointed head pastor of St. Vincent's in Milford.

In 1985, while Caparelli was still in active ministry as head pastor at St. Vincent's, then-Bishop James Timlin dispatched a memorandum to all priests, religious and lay personnel of the Diocese of Scranton. The memorandum explained that the Pennsylvania Child Protective Services Act required reporting to civil authorities both "actual and suspected cases of child abuse." The memorandum explained that a report must be made to the head priest of a parish or the superior of a given diocesan institution. The Chancery noted that it stood ready to assist. In spite of this mandate, Timlin permitted Caparelli's continued ministry and no report was made regarding his conduct.

MEMORANDUM

TO: All Priests, Religious and Lay Personnel of the Diocese of Scranton

FROM: The Chancery

RE: Child Protective Services Act

DATE: July 23, 1985

The Pennsylvania Child Protective Services Act requires, under penalty, the reporting to civil authorities, actual and suspected cases of child abuse. To ensure compliance with these laws, His Excellency, Bishop Timlin, has directed that the enclosed information be transmitted to all persons, parishes, agencies, schools and institutions within the Diocese.

This information is submitted in order to update and expand the knowledge and skills which are necessary for effective ministry to and care for children.

In institutions of the Diocese which have a familiarity with the Child Protective Services Act, the reporting of suspected cases of child abuse is to follow stated departmental or agency procedures.

In situations where the provisions of the Child Protective Services Act have not been implemented, the reporting procedures as defined in the Act are to be followed by the person in charge.

In cases of suspected child abuse discovered by a priest the reporting of such suspected incidents is the responsibility of the pastor of the parish. The Chancery is available to assist in offering direction relative to the reporting of such incidents discovered by a parish priest. In cases discovered by a priest in an institution or high school within the Diocese, a report must be made to the superior or principal of that facility.

In situations where an accusation of child abuse, as defined by the Act, is made against any person or agency of the Diocese the following procedures are to be followed:

Where established guidelines concerning such institutions are in place the procedures so established are to be followed.

Where guidelines have not been established, the person with pertinent information must consult with their immediate superior for direction in implementing the provisions of the Child Protective Services Act. If this information is received by a priest, consultation must be made with the Chancery Office for direction in implementing the provisions of the Act.

Any questions relative to the Child Protective Services Act are to be referred to the appropriate head of the agency, school or institution, or to the Chancery Office.

DS 07456

Within Caparelli's personnel file, the Grand Jury found a letter from John M. Quinn, Esquire. The letter, dated September 3, 1991 and marked received September 6, 1991, appeared to have been shared with the Diocese of Scranton through Bishop Donald Trautman of the Diocese of Erie. The letter suggested a way to reorganize any diocese to minimize recovery by victims of child sexual abuse in the event that "a large judgement is rendered against the Bishop and the Diocese in a pedophile case." The Grand Jury noted that at that time scores of predatory priests were still in active ministry in the dioceses of Pennsylvania, and one of them was Caparelli. However, before the end of 1991, Caparelli was criminally charged for the sexual abuse of a child.

QUINN·GENT·BUSECK & LEEMHUIS·INC.
Attorneys At Law

2222 West Grandview Boulevard, Erie, PA 16506-4508 Phone: 814/833-2222 FAX: 814/833-6753

John M. Quinn, Sr.

RECEIVED
SEP 6 1991
S. H. R. & Y.
G. S. FORDE

September 3, 1991

George S. Forde, Jr., Esquire
Stradley Ronon Stevens & Young
2600 One Commerce Square
Philadelphia, Pa. 19103-7098

RE: Agenda matter - Diocesan Attorneys Meeting

Dear Mr. Forde:

As attorney for the Erie Diocese, I have been in extended discussions with our new Bishop Most Reverend Donald W. Trautman regarding steps which might be taken to insulate diocesan assets in the event that a large judgment is rendered against the Bishop and the Diocese in a Pedophile case. As I am sure you are aware, all insurance companies have withdrawn coverage for liabilities arising out of such events.

I have recommended to Bishop Trautman that two steps be taken: (1) that a number of diocesan corporations be created each of which would have responsibility for the management, etc. of various diocesan assets such as its real estate, its Endowed Funds, its normal operational activities and its social concern corporations. The Ordinary would be the Sole Member of each of the corporations and he would retain the five responsibilities mandated by Canon law to-wit creation of the corporation and its by-laws, appointment and termination of trustees, control over the extraordinary disposition of assets by the corporation particularly in the real estate field, the sole power to amend the by-laws and the sole power to terminate the corporation. The trustees would be, to the extent possible, lay persons having no connection with the Diocese but having actual expertise in the matters of each corporation. (2) We are recommending that a Declaration of Charitable Trust be filed for each parish by which the ordinary would execute a Declaration of Trust appointing himself as trustee, naming the Roman Catholic Church as the sole beneficiary and stating that the parish assets, real, personal and mixed, (which are accurately identified) are held solely to carry out the charitable purposes of the Trust. The Trust would contain a Spendthrift clause which would state that its assets are not susceptible to any kind of legal process for non-trust

purposes. Hopefully this would insulate the assets of the parish from execution.

It is our conclusion that with regard to the diocesan corporations if they are created as above set forth actually hold meetings, create minutes and do the things for which they are created, a court would not "pierce the corporate veil" to satisfy a plaintiff's judgment in a pedophile case. In the case of the Declaration of Trust for the parishes, it is our thought that if such a document is filed with the Recorder of Deeds in the County in which each parish exists, this could well protect even the parish assets against the levy.

I believe because of the concern all of us have about the results of this type of litigation on our dioceses, that this is an appropriate agenda item for the Diocesan Attorneys meeting.

After you have had a chance to review this letter, it might be helpful if you would call me. I can be reached in the mornings at 814/452-7130 or in the afternoons at 814/833-2222. I will be away till 9/11, so please call after that date.

Very truly yours,

QUINN, GENT, BUSECK & LEEMHUIS, INC.

By _____
John M. Quinn, Sr.

JMQS/jad

cc: Most Reverend Bishop Donald W. Trautman

DS 06789

Following the filing of criminal charges against Caparelli, Timlin issued a statement on behalf of the Diocese of Scranton. The statement announced the Diocese's full cooperation with law enforcement and its own thorough investigation. No comment regarding the Diocese's pre-existing knowledge of Caparelli's criminal conduct was made.

On December 17, 1991, Timlin personally took another complaint from a respected medical doctor and faithful catholic parishioner. The doctor disclosed that he had been a victim of Caparelli's when Caparelli had served at St. Mary's. He reported that he was 11 or 12 years old when Caparelli "sexually molested" him. The doctor reported that there were "other boys involved as well."

Second Draft - 12/12/91

Approved by Attorney James E. O'Brien, Jr.
and Attorney Mark Chopko

A Statement of the Diocese of Scranton

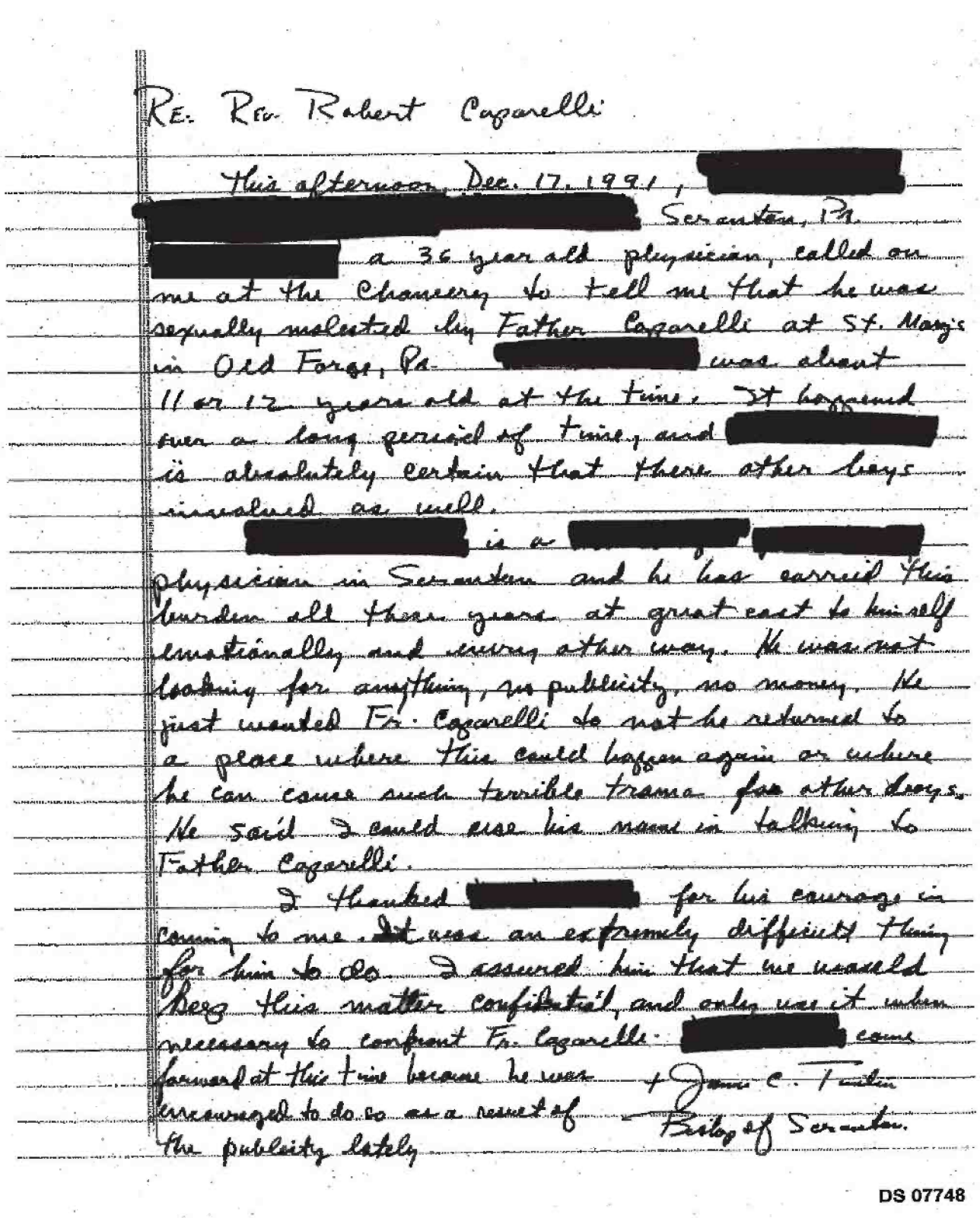
The Diocese of Scranton normally considers conduct on the part of its priests as an internal matter. However, due to the fact that, in this most unusual case, criminal charges of child sexual abuse have been brought against a diocesan priest, the diocese recognizes its responsibility to explain its actions with regard to this matter.

In accord with the guidance of the United States Catholic Conference, the Diocese of Scranton has implemented a multi-step approach, once allegations of priest sexual misconduct are raised and brought to the attention of appropriate diocesan officials. In this case, a prompt, thorough investigation was conducted, which led to the immediate suspension of the priest from his duties as pastor of St. Vincent's Church, Milford. The priest was then sent for psychological evaluation and intensive treatment at a facility in Maryland, where he remains at this time.

The diocese offered its full cooperation at all times, in the course of its own investigation and that of local law enforcement officials.

Any incident of this nature or any other reports similar to it are of intense concern to the diocese. Even one incident is viewed as tragic. The pain that results from child sexual abuse is deeply felt by the victim, the victim's family, the community and the Church itself.

DS 07696



Re. Rev. Robert Cagarelli

This afternoon, Dec. 17, 1991, [redacted] Scranton, Pa. [redacted] a 36 year old physician, called on me at the Chancery to tell me that he was sexually molested by Father Cagarelli at St. Mary's in Old Forge, Pa. [redacted] was about 11 or 12 years old at the time. It happened over a long period of time, and [redacted] is absolutely certain that there other boys involved as well.

[redacted] is a [redacted] physician in Scranton and he has carried this burden all these years at great cost to himself emotionally and in every other way. He was not looking for anything, no publicity, no money. He just wanted Fr. Cagarelli to not be returned to a place where this could happen again or where he can cause such terrible trauma for other boys. He said I could use his name in talking to Father Cagarelli.

I thanked [redacted] for his courage in coming to me. It was an extremely difficult thing for him to do. I assured him that we would keep this matter confidential, and only use it when necessary to confront Fr. Cagarelli. [redacted] came forward at this time because he was encouraged to do so as a result of the publicity lately

+James C. Timlin
Bishop of Scranton

DS 07748

The Diocese's Public Statement and Another Complaint to the Bishop

On December 23, 1991, a civil lawsuit was initiated against the Diocese for Caparelli's criminal conduct. The Diocese aggressively fought back for a period of years before ultimately settling the matter. Timlin specifically took actions to protect the secret archives of the Diocese from legal discovery during the course of the litigation. These actions were taken despite the fact that the plaintiff's complaints were clearly consistent with diocesan knowledge that Caparelli had, in fact, molested the child. The lawsuit alleged that the child had been molested from September, 1985 through June, 1986 in the rectory of Saint Vincent DePaul. Specifically, the lawsuit alleged that Caparelli forcibly sodomized the child.

Catholic parishioners were not pleased at having been endangered and kept uninformed by the Bishops of Scranton. On January 9, 1992, one such parishioner, who attended St. Vincent's, wrote to Timlin stating:

> Your misleading and deceptive tactics by sending a representative to the parish only was a further effort to circumvent the truth and cover up what possibly could be a true situation. To deal with parishioners in this matter as if they have no intelligence is perhaps more of a shock then what is presently facing us. To be dealt with as fools by those we trusted speaks of nothing but further non concern by you and the Diocese of Scranton. The Parishioners "rights to know the truth" has been violated and a distrust of the church and its hierarchy prevails. Perhaps this is even a greater scandal than the immediate crisis facing St. Vincent's parishioners.

6861316 1/17/92 Answered by phone. Never got the first letter! Everything ok - Now she understands. LJOT.

January 9, 1992

The Most Rev. Bishop James Timlin
Bishop of Scranton
300 Wyoming Avenue
Scranton, Pa. 18503

Dear Bishop Timlin:

The recent allegations and events concerning the Rev. Robert Caparelli, former Pastor of St. Vincent Church, Dingman Hills, Penna., have prompted me to again write to you. Perhaps you may recall that in September of 1988, I not only had a telephone conversation with Father Richards (of your office), but followed that conversation with a two page letter concerning Father Caparelli's drastic change in behavior and the possible need for professional help. You never so much as acknowledged the receipt of that letter that I took the time to draft out of concern for this troubled man. Perhaps you thought it was a "crank letter" from a disgruntled parishioner. Had you investigated the matter in 1988, perhaps we, as a parish family, would not be facing what we are today in such great proportion.

To have to see on TV, read the local headlines, or have some non-Catholic friends approach you about these alleged charges speaks poorly of the concern you have for both Father and the St. Vincent Parish Family "by keeping us in the dark" about any possible problems.

Your misleading and deceptive tactics by sending a representative to the parish only was a further effort to circumvent the truth and cover up what possibly could be a true situation. To deal with the parishioners in this manner as if they have no intelligence is perhaps more of a shock than what is presently facing us.

To be dealt with as fools by those we trusted speaks of nothing but further non concern by you and the Diocese of Scranton. The parishioners "right to know the truth" has been violated and a distrust of the church and its hierarchy prevails. Perhaps this is even a greater scandal than the immediate crisis facing St. Vincent's parishioners.

I am angered, not so much for what may be true allegations concerning Father Caparelli, but at you as a leader of the Catholic Church for the way in which you dealt with the situation.

Much healing is needed in the parish in order to survive the destruction done, not only by these allegations, but by your total disregard for us as a caring, forgiving parish family.

Very truly yours,

[redacted]

Milford, Pa. 18337

DS 06245

The Parishioner's Letter

The letter bore a notation from Timlin, "Never got the first letter! Everything ok - now she understands."

Another letter dated April 6, 1992 was found within the Diocesan records written by a retired captain of the Pennsylvania State Police. He stated that in 1974, a high school friend told him that Caparelli was touching the genitals of his son and others. In response, the captain met with the head pastor and Caparelli. Caparelli was confronted with the complaint that he was molesting children and he admitted that it was true.

The captain informed the head pastor and Caparelli that no one wanted to press criminal charges but that Caparelli's conduct had to change. The head pastor assured him that he would take care of it. Caparelli was transferred within the year. Diocesan records showed that Caparelli was assigned as a chaplain at the Mercy Center in Dallas in 1974. In 1981, he was transferred again to St. Vincent's as head pastor.

On July 14, 1992, yet another complaint about Caparelli was received by Timlin. The letter advised that Caparelli had abused 10-, 11-, and 12-year-old boys as far back as 1967 at Most Precious Blood parish. The writer indicated that he had knowledge of the abuse because he, his brother, and their friends were all victims. The letter stated:

> There must have been other reported incidents of abuse in Caparelli's career. It is inconceivable to me that this man molested altar boys in 1967 and never transgressed until 1991 when he committed 32 counts of indecent exposure, indecent assault, and involuntary deviate sexual intercourse with children.

14 July 1992

Answered by phone 7/20/92 – the day this letter was received. +JCT.

Bishop Timlin
Diocese of Scranton
300 Wyoming Ave.
Scranton, Pennsylvania 18503

Dear Bishop Timlin:

I was deeply disturbed to read of the recent conviction of Reverend Robert Caparelli for sexual abuse of a teenage boy in Milford, Pa. You should be aware, if you are not already, that Caparelli sexually abused altar boys (ages 10, 11, and 12) as far back as 1967 at Most Precious Blood Church in Hazleton. I know this because my brother and I and a number of our friends were victims. Immediately upon learning of these heinous acts, my mother, together with other parish mothers met with Msgr. Mark Mecca (then pastor of MPB) and demanded that Caparelli be removed. Naturally, both Msgr. Mecca and Caparelli denied the abuse. Luckily, for our sake, our mothers did not give up. Upon the next incident of abuse (which occurred within days of the meeting), my mother removed us as altar boys and threatened to report Caparelli to the police. The Church persuaded my mother to avoid such actions, assuring us that Caparelli would be sent for treatment and would not again be placed in a position which afforded him access to young boys.

There must have been other reported incidents of abuse in Caparelli's career. It is inconceivable to me that this man molested altar boys in 1967 and never transgressed until 1991 when he committed 32 counts of indecent exposure, indecent assault, and involuntary deviate sexual intercourse with children.

My heart breaks for the boy who fell victim to this monster and for the boy's family. I, unfortunately, know first hand the anguish this boy experienced and the feelings of anger, guilt and despair his family must feel toward their Church. It saddens me terribly to know that, in my case (as in his), the Church failed to take sufficient, if any, action to end or condemn such heinous behavior. Instead, the Church chose to "protect its own" while jeopardizing the well-being of innocent children. It is difficult not to question one's faith in an institution that by its acts of denial and resistance commit and condone such sinful behavior.

Please do not ignore this letter. I expect some response from your office. Furthermore, I believe it is incumbent upon you to inform the Milford boy's family that the Church had been fully informed of this man's problem two and a half decades ago but continued to exposed their precious child to this evil man.

Sincerely,

[redacted]

The Letter of a Victim

Over the years, many more victims came forward. Caparelli faced additional charges and ultimately pled guilty to offenses against children and received prison time. While in prison it was discovered that Caparelli had been HIV-positive for years. In December, 1994, Caparelli died while incarcerated.

Timlin and the Diocese of Scranton never fully disclosed the decades of knowledge and inaction that left children in danger and in contact with Caparelli. Press accounts and some limited public statements provided a few details of the abuse while the Diocese largely relied upon excuses related to a claimed lack of understanding of the depth of Caparelli's problem. The Grand Jury noted that even when no doubt could be left regarding Caparelli's guilt, the Diocese was determined to provide more aid to Caparelli than to his victims. A stunning example of this was found in a letter from Timlin to Caparelli's sentencing judge in October 1993 following Caparelli's convictions for crimes against children. The letter carbon copied the President pro tempore of the Pennsylvania Senate, Senator Robert Mellow. In it, Timlin requested that Caparelli be released from prison to a Catholic treatment facility – like those that had so often authorized the return of Pennsylvania's predatory priests to active ministry - Saint Luke's Institute in Maryland and the Servants of the Paraclete in New Mexico.

October 15, 1993

The Honorable Harold A. Thomson
Judges' Chambers
Pike County Courthouse
Milford, Pennsylvania 18337

COPY

Your Honor,

It has come to my attention that the Reverend Robert Caparelli is coming up before you for sentencing in the next few days. I write now to assure you that I am willing to make arrangements for Father Caparelli to be transferred from Lycoming County Prison to a health care institution approved by you if, indeed, you think this would be feasible and advisable. St. Luke's Institute in Suitland, Maryland, near Washington, D.C., and an institution in New Mexico are two facilities that specialize in these kinds of cases.

Such an arrangement would be a great financial savings for the State Government and it would mean that Father Caparelli would be able to continue his therapy. He would also be able to receive the medical care he very much needs, and he definitely would not be a threat to anyone while he is under the supervision of the authorities in the health care institution.

I would be most grateful to you if you could see your way clear to consider this option.

With every best wish, I am,

Sincerely yours,

Most Reverend James C. Timlin, D.D.
Bishop of Scranton

cc: Senator Mellow

DS 06669

The Bishop's Letter to the Sentencing Judge

The Case of Father Joseph T. Hammond

Known Assignments

06/1931 – 09/1932	St. Mary, Mt. Pocono
09/1932 – 09/1935	St. Theresa, Wilkes-Barre
09/1935 – 09/1936	Asst. Director of Charities, Diocese of Scranton
06/1936 – 09/1937	St. Michael Industrial School, Tobyhanna
09/1937 – 12/1938	Director Diocesan Rural Life
12/1938 – 09/1943	Director of Catholic Hospitals, Diocese of Scranton
06/1943 – 09/1943	St. Mary Convent
09/1943 – 04/1946	Director of Catholic Charities
04/1946 – 06/1947	Blessed Sacrament, Miners Mills
06/1947 – 06/1950	St. Charles Borromeo, Sugar Notch
06/1950 – 09/1970	St. Leo, Ashley

Father Joseph T. Hammond was ordained on May 30, 1931. The Diocese of Scranton provided no records relevant to Hammond in its initial production of documents pursuant to a Grand Jury subpoena served on September 1, 2016. Through counsel, the Diocese explained that it did not have any records indicating that Hammond had engaged in any sexual misconduct with children. Hammond illustrates another type of case within the Dioceses of Pennsylvania: a case unknown to the modern Diocese of Scranton and an injustice only remembered by the victim.

Today Joe is 72 years old. On June 21, 2016, he testified before the Grand Jury and explained that in 1961, he was a high school student. His high school was affiliated with St. Leo the Great within the Diocese of Scranton. Hammond was a priest at that parish.

Hammond taught the boys to play cards and would invite them into the rectory. On one occasion, the boys were at the rectory playing cards and Joe went up to the room at Hammond's invitation. Joe explained,

> I knocked on the door, knocked on the door and there was no one there. So I come back down and I said he's not there. They said, yeah, he's there, go up. So I went up there. I knocked on the door and he had opened the door. He was in the bed and he had himself covered. And he wanted me to come and sit on the edge of the bed with him. I'm thinking this is kind of odd. So I went over there and I sat on the edge of the bed. And he threw off the covers and he was naked and he was masturbating.

Joe was shocked. He explained his shock, stating, "He was right below God as far as I was concerned and I had a lot of respect for him."

Joe testified that Hammond attempted to molest him:

> he tried to fondle me even though I had my clothes on. And then he says, I want you to take your pants off and get into bed with me. I said, no, I didn't think it was a good idea. So I says, I'll be right back.

Joe rushed back to his friends and reported what had occurred. At first, his friends refused to believe him. In fact, an older boy struck him for speaking ill of Hammond. Joe then asked the boys to accompany him. They went upstairs and peered into Hammond's room where they observed Hammond masturbating. When Hammond saw the boys, he invited them into his room. The children ran away.

Joe told the Grand Jury that he was panicked by what had happened. He called his girlfriend even though it was almost 3:00 A.M. His girlfriend ultimately became his wife and she also testified before the Grand Jury. She explained that her father would never let her speak with a boy at 3:00 A.M. but her father could tell that Joe was panicked and that something was very wrong. She advised Joe to get out of the rectory. Joe saw the keys to Hammond's large sedan and grabbed them and drove off in Hammond's car. He explained that he drove straight to the police station:

> I went to the police station in that little town I lived in, Ashley, Pennsylvania. I thought, well, this guy will be able to steer us the right way. The guy who was on duty that night, his name was Chief McGowen. He was also a member of that Saint Leo's Church and he was the guy who would take up the collections on Sunday. When I went there and told him what had happened, I said I stole his car. I said, I have it out in the parking lot. He says, I don't want to know anything about this. I want you to leave, get out of here. I don't want the car here. I says, I can't take the car. I said, I want you to arrest me because I don't have a driver's license. He says, well, I just want you to get out of here, get rid of the car. I don't care what you do

> with it. So we went and I dropped my friends off at their homes. And I went to my home and woke up my parents and told them what happened.

Joe's mother contacted the Diocese the next day. She wanted Bishop Jerome D. Hannan to be aware of Hammond's criminal conduct. The Diocesan leadership advised that they would look into the matter and take action. Joe specifically recalled that his mother received the assurances of the Chancery that the bishop had been informed and the matter would be addressed. The following day, members of the Diocese retrieved Hammond's sedan from the front yard of Joe's home.

According to Diocesan records, no action was taken against Hammond and he continued in ministry until his death in 1985. A review of Hammond's Diocesan file revealed that there was no record of the complaint made by Joe's mother.

Over the years, Joe made numerous efforts to find someone who cared about his experience. His wife testified that the experience completely changed Joe as a person. It made him angry and less trusting. In spite of Joe's anger at Hammond's conduct and the Diocese's inaction, Joe and his wife went on to have a happy life together. They grew their family and their children went on to have successful careers but Joe never forgot what Hammond tried to do and what the Diocese failed to do. That desire to see the matter pursued, even 55 years later, led Joe to contact the Pennsylvania Office of Attorney General in 2016.

While Joe is now a Methodist, he did not leave the Catholic Church willingly. Joe explained the impact that Hammond had on his faith:

> He definitely did because I didn't want to be any part of that Catholic faith anymore, especially since we were trying to report what happened to his supervisor or boss like you would in a workplace. If someone does something bad, you report it to the boss and something happens. But this wasn't happening. When my parents got involved and the other parents got involved, I'm thinking now something is going

> to happen. It was just totally ignored. I had lost my faith basically because I didn't believe in all that stuff I was growing up with.

The Grand Jury was able to corroborate Joe's account through one of the boys who was with him that evening, as well as through the testimony of his wife. It should be noted that when the Grand Jury served a subpoena on the Ashley Police Department for records of the report, we were informed that no records existed. From a review of Hammond's assignments, the Grand Jury learned that he was assigned to St. Leo's in 1961.

A careful examination of Hammond's Diocesan records revealed Hammond's request to be incardinated into the Diocese of Scranton in 1931; letters which documented his role in advising Bishop William Hafey in Governor's Day celebrations in 1944; a proclamation which granted Hammond the title and honor "Monsignor" in 1968; and the approval letters of various Bishops granting Hammond permission for various cruises and trips to the West Indies, the Holy Land, Mexico, New Orleans, the Mediterranean, Canada, and the Caribbean. Buried within these documents, investigators located a small newspaper clipping. It was from the September 7, 1970 edition of the Wilkes-Barre Record. The article was entitled "Forced to Retire, Msgr. Hammond Says" and stated:

> Msgr. Joseph T. Hammond, who will become pastor-emeritus of St. Leo's church, Ashley, this week, yesterday announced he did not retire as pastor of the church, but that he had been retired. He also stated he was in good health.



Forced to Retire, Msgr. Hammond Says

Msgr. Joseph T. Hammond, who will become pastor-emeritus of St. Leo's Church, Ashley, this week, yesterday announced he did not retire as pastor of the church, but that he had been retired. He also stated he was in good health.

The Newspaper Clipping

The Grand Jury found Joe's testimony to be credible and this case demonstrative of the lasting effect of child sexual abuse. Joe sought justice at 72 years of age and the Grand Jury was able to corroborate that testimony despite the passage of time. While Hammond may be dead, the impact of his actions live on. This is a sobering reminder that although over 500,000 records were admitted into evidence before the Grand Jury, there are still crimes that could only be discovered through the voices of the victims.

The Case of Father Thomas D. Skotek

Known Assignments

07/1963 – 09/1963	St. Patrick, Milford
09/1963 – 11/1967	SS Peter and Paul, Plains
11/1967 – 06/1969	St. Joseph, Wyoming
06/1969 – 09/1972	St. Mary of the Mount, Mount, Pocono
09/1972 – 05/1977	St. Hedwig, Kingston
05/1977 – 01/1980	Lady of Mount Carmel, Lake Silkworth
01/1980 – 03/1985	St. Casimir, Freeland
03/1985 – 10/1986	St. Stanislaus, Hazleton
12/13/1986	Resigns from St. Stanislaus, Hazleton
01/1987 – 06/1999	St. Aloysius, Wilkes-Barre
06/1999 – 04/2002	St. Mary and Ascension, Mocanaqua
04/08/2002	Resigned from St. Mary and Ascension, Mocanaqua
06/14/2002	Removed from Active Ministry

Father Thomas D. Skotek was ordained on June 8, 1963 in the Diocese of Scranton. Skotek sexually assaulted a minor female while serving as pastor of St. Casimir in Freeland between January, 1980 and March, 1985. The female became pregnant and Skotek aided the girl in obtaining an abortion. Diocesan records obtained by the Grand Jury showed that Bishop James C. Timlin was fully aware of the conduct by October, 1986. Timlin accepted Skotek's resignation from St. Stanislaus on October 9, 1986, and dispatched Skotek to St. Luke's Institute in Suitland, Maryland for an evaluation. In January, 1987, Skotek was reassigned to ministry at St. Aloysius, in Wilkes-Barre.

October 9, 1986

Reverend Thomas D. Skotek
Saint Stanislaus' Rectory
652 Carson Street
Hazleton, Pennsylvania 18201

Dear Father Skotek,

It is with sadness and deep regret that I accept your resignation as Pastor of Saint Stanislaus Church, Hazleton, effective Monday, October 13, 1986.

I understand that you will leave Saint Stanislaus after Mass on Sunday, October 12, 1986, and that you will enter Saint Luke's Institute, Suitland, Maryland, on the evening of October 19, 1986. I ask you to call on me in November after you have completed your stay at Saint Luke's.

This is a very difficult time in your life, and I realize how upset you are. I too share your grief. How I wish it were not necessary to take this step. With the help of God, who never abandons us and who is always near when we need Him, this too will pass away, and all will be able to pick up and go on living. Please be assured that I am most willing to do whatever I can to help.

With every best wish, I am,

Sincerely yours in Christ,

Most Reverend James C. Timlin, D.D.
Bishop of Scranton

DS 34437

Timlin Accepts Skotek's Resignation from the Parish

On January 20, 1989, Timlin sent a letter to Rome and reported that:

> a priest in the diocese has been rendered irregular as a result of having assisted in the procurement of a completed abortion . . . Although I cannot absolutely give assurance that this priest's criminal action will never become public, I do not foresee that such would likely be the case. This priest is currently residing in a parish quite far from the town where the crime was committed. He is awaiting a response to his request for a dispensation."

Timlin closed his letter with his "sincere hope" that he would receive a favorable response since such a response would be to the "spiritual benefit" of the priest involved as well as to the benefit of the "people of this diocese who heed the gifts he shares in priestly ministry." Timlin noted that he was convinced of Skotek's sincere repentance and permitted Skotek to continue in ministry. The Grand Jury noted that the focus of Timlin's letter seemed to exclusively address the procurement of the abortion with little concern that Skotek had impregnated a child. In 1988, Diocesan records indicated that the victim contacted the church and indicated that she was struggling with her faith.

Diocese of Scranton
300 Wyoming Avenue
Scranton, Pennsylvania 18503

January 20, 1989

COPY

His Eminence
Luigi Cardinal Dadaglio
Penitenziere Magglore
Penitenzieria Apostolica
Palazzo della Cancelleria
00186 Roma

Your Eminence,

It has come to my attention that a priest of this diocese has been rendered irregular as a result of having assisted in the procurement of a completed abortion. Conscious as I am of the severity of the crime he admits to, I nevertheless judge him worthy of consideration for a dispensation from this irregularity.

The priest in question undoubtedly acted out of fear and panic. He had impregnated the girl he assisted in procuring the abortion.

Upon learning of this priest's action, I removed him from the parish where he had been ministering as pastor and sent him for psychological evaluation. The evaluation concluded that while this priest acted in a most irresponsible fashion, they did not find evidence of any emotional or psychological dysfunctions indicating that he would actively seek any future sexual liaisons or again commit the crime for which he is guilty.

Following upon the time spent in receiving psychological evaluation, the priest then spent an appropriate period of time at a monastery seeking spiritual assistance.

I am firmly convinced of the priest's sincere repentance and his ability to successfully wage the struggle against any future sexual temptations. I also do not believe, judging from his intense sorrow and sincere contrition, that he ever again would assist in the procurement of an abortion for anyone.

Although I cannot absolutely give assurance that this priest's criminal action will never become public, I do not foresee that such would likely be the case.

This priest is currently residing in a parish quite far from the town where the crime was committed. He is awaiting a response to this request for a dispensation.

DS 34382

It is my sincere hope that a favorable response to this request will be forthcoming. I believe that such a response will be to the spiritual benefit of the priest involved, as well as to the benefit of the people of this diocese who need the gifts he shares in priestly ministry.

Sincerely yours in Christ,

Most Reverend James C. Timlin, D.D.
Bishop of Scranton

DS 34383

On December 13, 1989, the victim and her parents entered into an agreement with the Diocese and received a payment of $75,000. In exchange, the Diocese secured a confidentiality agreement and liability waiver for the Diocese and Skotek. The agreement prohibited the victim and her family from disclosing what had occurred, and released the Diocese from any responsibility, liability, or damages. The agreement stated, in part,

> It is expressly understood and agreed that this release and settlement is intended to cover and does cover not only known injuries, losses and damages, but any further injuries, losses and damages which arise from or are related to the occurrences arising from the alleged sexual conduct of Reverend Thomas Skotek.

FULL AND FINAL RELEASE

KNOW ALL MEN BY THESE PRESENTS, for the sole consideration of the sum of SEVENTY-FIVE THOUSAND ($75,000.00) DOLLARS paid to the undersigned, receipt of which is hereby acknowledged, the undersigned hereby forever fully release and discharge Reverend Thomas Skotek, the Diocese of Scranton, and all other persons, partnerships, associations or corporations whether or not named herein, their heirs, executors, administrators, affiliates, successors, assigns and insurers, and their respective agents, servants and employees from any and all actions, causes of action, claims and demands or suits of any kind in law or in equity on account of known and unknown injuries, losses and damages including claims for damages to reputation or psyche allegedly sustained by the undersigned and specifically from any claims or joinders for sole liability, contribution, indemnity or otherwise arising out of, relating to, or in way connected with a claim or claims by the undersigned of the alleged sexual conduct of Reverend Thomas Skotek which is alleged to have begun on or about September 1, 1980 and continuing to on or about September 1, 1984 but is in no way limited to this period of time. The undersigned understand and agree that acceptance of the amount set forth herein is in full accord and satisfaction of a disputed claim and that no professional liability or

DS 34391

personal fault on the part of Reverend Thomas Skotek or the Diocese of Scranton is implied or admitted as a result of this compromise settlement, and that all parties released herein shall not be estopped or otherwise barred from asserting the lack of any such liability in any other proceeding or for any purpose whatsoever.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that this Release and settlement is intended to cover and does cover not only known injuries, losses and damages, but any further injuries, losses and damages which arise from or are related to the occurrences arising from the alleged sexual conduct of Reverend Thomas Skotek.

IT IS FURTHER UNDERSTOOD AND AGREED that this is the Complete Release Agreement and that there are no written or oral understandings or agreements directly or indirectly connected with this Release and settlement that are not incorporated herein. This Agreement shall be binding upon and inure to the parties hereto and the successors, assigns, heirs, executors, administrators and legal representatives of the respective parties. This Agreement shall specifically include the waiver and release of any claims in subrogation which the undersigned may now or hereafter possess.

IT IS FURTHER AGREED AND UNDERSTOOD that one of the undersigned, [redacted] was born on September 13, 1966 and having reached eighteen (18), the age of majority on September 13, 1984, and having been fully advised of her

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rights under the circumstances, hereby agrees and consents to the terms of this Agreement.

Additionally, we the undersigned, the parents of [redacted] a minor until September 13, 1984, having been advised of our rights and the rights of our daughter, do hereby agree and consent to the terms of this Agreement.

IT IS FURTHER UNDERSTOOD AND AGREED and made a part hereof that neither the undersigned, nor any of their directors, officers, officials, employees, attorneys, agents, or other representatives will in any way communicate or divulge to any person whatsoever or publicize or cause to be publicized in any news or communications media, including but not limited to, newspapers, magazines, journals, radio or television, the facts, terms or conditions of this Release and settlement as well as the facts or conditions of these alleged claims. All parties to this Agreement expressly agree to decline comment on any aspect of this Release and settlement as well as the facts or conditions of these alleged claims to any member of the news media. This paragraph is intended to become part of the consideration for the settlement of this claim.

IT IS FURTHER UNDERSTOOD AND AGREED that the undersigned for themselves, their successors, assigns and representatives, parent, subsidiary and related organizations covenant and agree to indemnify and hold harmless Reverend Thomas Skotek and the Diocese of Scranton, and all other persons, partnerships, associations or

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corporations whether or not named herein, their heirs, executors, administrators, affiliates, successors, assigns and insurers, and their respective agents, servants and employees from any and all claims, demands, suits for damages, costs and expenses which they may hereafter expend in any claims or suits in any way arising from the alleged claims involved in this matter.

THE UNDERSIGNED HEREBY DECLARE that the terms of this settlement have been completely read, fully understood, and voluntarily accepted for the purpose of making a full and final compromise adjustment and settlement of any and all claims on account of the injuries and damages mentioned above, and for the express purpose of precluding forever any further or additional claims or suits arising out of the aforesaid claims.

IN WITNESS WHEREOF, [redacted], [redacted] and [redacted] intending to be legally bound, have caused this Release to be duly executed this 13 day of December, 1989.

[redacted] (SEAL)

[redacted] (SEAL)

[redacted] (SEAL)

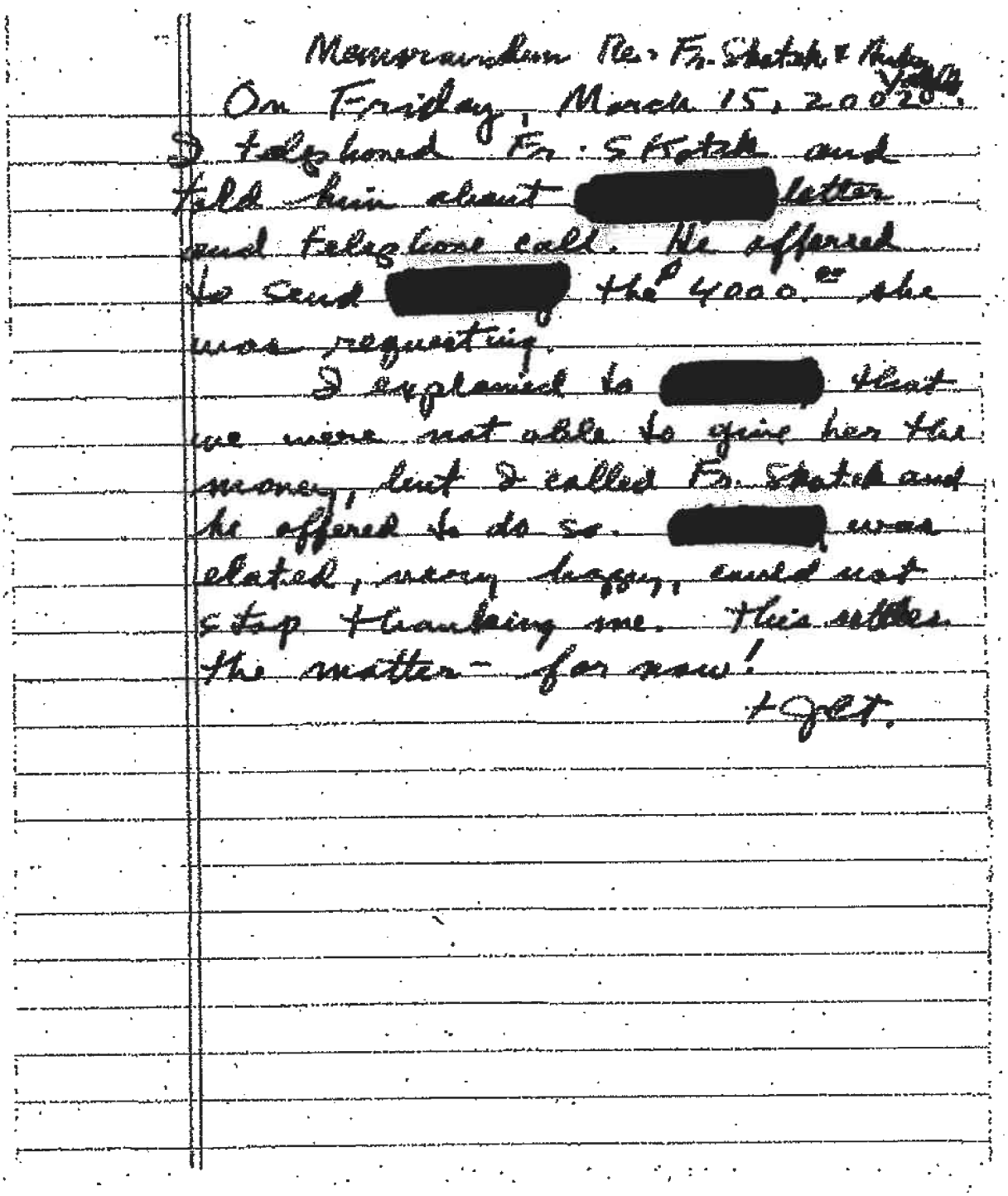
[redacted]
WITNESS

DS 34394

The Confidentiality Agreement

On January 6, 2002, the *Boston Globe* newspaper ran an article on child sexual abuse by clergy within the Archdiocese of Boston. Subsequently, on February 19, 2002, the Diocese was contacted by legal counsel for a 47-year-old woman. It was reported that while attending Pocono Central Catholic High School, and working at the rectory at St. Mary's in Mount Pocono, she was sexually abused by Skotek. Skotek admitted to his conduct when confronted.

On March 15, 2002, an issue arose with the victim whose family had settled with the Diocese in December, 1989. Recent hardships, and her original abusive trauma, had placed her in need. She contacted the Diocese and obtained $4,000.00 from Skotek. Timlin acted as the intermediary and noted, "This settles the matter – for now!" On June 14, 2002, Skotek was finally removed from active ministry approximately two decades after he impregnated a minor and procured an abortion.



Memorandum Re: Fr. Skotek & [illegible]

On Friday, March 15, 2002.

I telephoned Fr. Skotek and told him about [redacted] letter and telephone call. He offered to send [redacted] the $4000.00 she was requesting.

I explained to [redacted] that we were not able to give her the money, but I called Fr. Skotek and he offered to do so. [redacted] was elated, very happy, could not stop thanking me. This settles the matter – for now!

+ JCT.

Timlin's Note – "This settles the matter –for now!"

III. The Church and child abuse, past and present

We're not sure this should even have to be said, but we'll say it anyway: this investigation is not an attack on the Catholic faith. Many of us, the grand jurors, are practicing Catholics. Many of the people we heard from, victims and witnesses, are Catholics. If anything we feel aligned with, not opposed to, the members of that faith. Child abuse, after all, is not just illegal; it is against the creeds of every major religion, including Catholicism. People of all faiths and of no faith want their children to be safe. But we were presented with a conspicuous concentration of child sex abuse cases that have come from the church. Because our investigation produced information from so many dioceses over so many decades, we think it's important to report on some of the changes we've seen – or at least the potential for change.

Pre-2002: before the Boston story broke

It seemed as if there was a script. Through the end of the 20th century, the dioceses developed consistent strategies for hiding child sex abuse. While the patterns were fairly apparent to us from the documents, we also had experts review them: special agents assigned to the FBI's Critical Incident Response Group: Behavioral Analysis Unit III – Crimes Against Children.

The agents identified seven factors that arose repeatedly in the diocesan response to child abuse complaints:

Use of euphemisms: Mischaracterization of assaults and misleading designations for the removal of a priest for a complaint of child sexual abuse. Violent criminal sexual acts, for example, were often described only as "inappropriate" contact or "boundary issues." The temporary or permanent removal of a priest from service was often coded as "sick leave" or "leave."

Deficient or biased diocesan investigations: Investigations conducted by untrained clergy or teachers, given authority to make credibility determinations about fellow clergy members. Use of untrained support personnel for victims services.

Treatment provider bias: Use of church-run psychological facilities that regularly relied upon the "self-reports" of the offenders, who typically downplayed or denied their criminal conduct. Failure to provide contrary information supplied by victims. Reliance on clinical "diagnosis" rather than actual conduct. Misallocation of the burden of proof: absent a definitive diagnosis, child abusers were often simply returned to ministry.

Lack of public disclosure: Failure to disclose criminal sexual conduct to parishioners – information that the community needed to protect children. Use of terms such as "retired" or "reassigned" that disarmed parents who might otherwise have looked for signs of abuse.

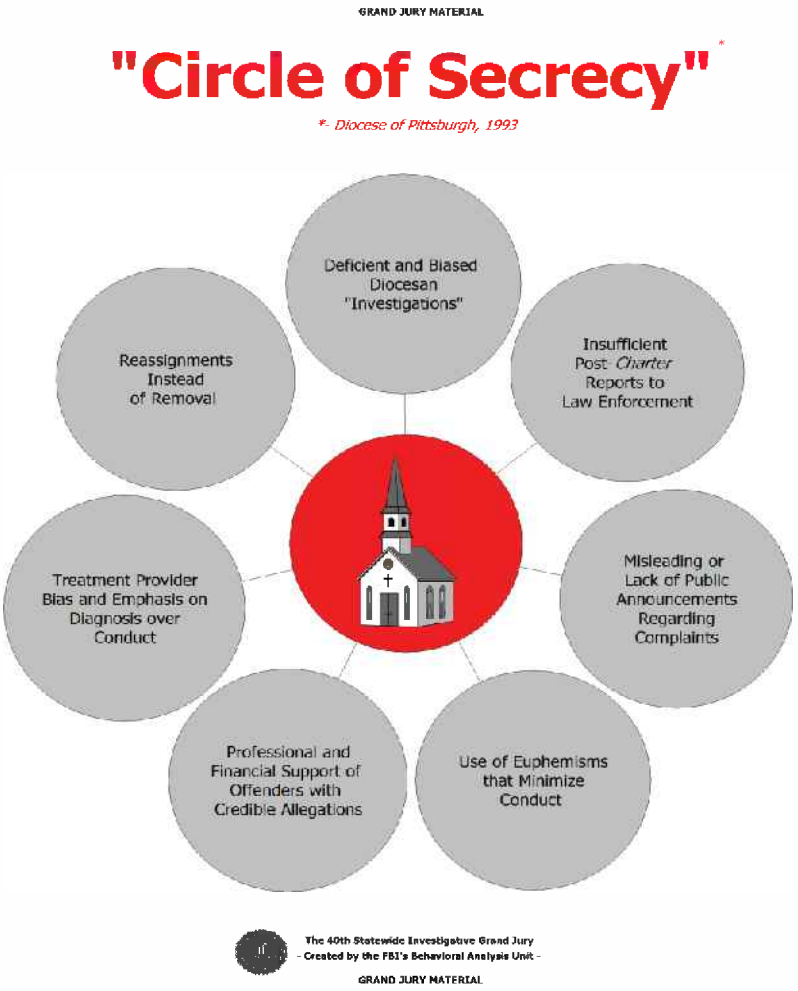
Financial support: Continuing to fund abusive priests, providing them with housing, transportation, benefits, and stipends – and leaving abusers with the resources to locate, groom and assault more children.

Transfer rather than removal: Regular, systemic, and institutionalized practice of reassigning a priest to a new location – rather than removing him from ministry – after complaints of child sexual abuse. Priests regularly returned to ministry even after confessing to sexually abusing children. Only bishops and certain high level diocesan administrators knew, and they held information within secret or confidential archives of the diocese. Not surprisingly, priests reassigned to ministry often abused additional children.

Insufficient reports to law enforcement: Refusal to make any report to law enforcement, or significantly delaying reports, or providing stripped-down reports. These minimal reports often

lacked sufficient specificity to relay the gravity of the crime, the scope of the conduct, or relevant dates and locations. Even confessions or corroborating pieces of evidence were often withheld.

We think of this constellation of factors as the "the circle of secrecy." We didn't come up with that phrase on our own, and neither did the FBI. We got it from Bishop Wuerl of Pittsburgh, now Cardinal of Washington D.C., in one of the documents we reviewed; these were his own words for the church's child sex abuse coverup.



Although the FBI could see how the dioceses were doing it, that doesn't mean we know how much they were doing it. The agents were clear that we will never really know how many abusers there were, and how many victims there were. It was hard enough for victims to come forward; but when they did, the complaints were often forgotten about, misplaced, shrugged off, or immediately discounted. The church's response not only depressed the number of "confirmed" complaints, but discouraged additional victims from reporting, knowing they might be rebuffed or ridiculed. As the bishop said, it was a circle.

The repeating pattern of the bishops' behavior left us with no doubt that, even decades ago, the church understood that the problem was prevalent. Remember, when they were finally subpoenaed, the dioceses produced over half a million pages of documents. The abuse was occurring not only by its own people, but on its own property. Children were raped in places of worship, in schools, and in diocesan owned vehicles, and were groomed through diocesan programs and retreats.

The bishops weren't just aware of what was going on; they were immersed in it. And they went to great lengths to keep it secret. The secrecy helped spread the disease.

Secure as it was, though, we can't help thinking that the circle of secrecy could have been pierced sooner. As we've noted, there were numerous instances where law enforcement gave deference to the religious institution. Whatever the motives for that deference, it left children without their rightful civic watchdogs. It wasn't really until the press exposed the story, in Boston, that things began to change.

2002: A Transition

Sixteen years ago, the media – not law enforcement – exposed a significant coverup of clergy sex abuse. While that exposure represents a fraction of what we've found in Pennsylvania, the effect of the investigative reporting of the Boston Globe on this issue can't be overstated. The newspaper's articles created a national scandal that altered the atmosphere. Something the dioceses had long attempted to avoid was now a daily occurrence – a public call for transparency.

In June 2002, the United States Conference of Catholic Bishops developed the "Charter for the Protection of Children and Young People." The Charter established procedures calling on dioceses to take stronger action when crimes against children were reported. The Charter didn't require bishops to actually expel abusers, but it did for the first time acknowledge publicly that they should be kept away from children. Norm 6 of the Charter provided that bishops should remove priests from active ministry "when there is sufficient evidence that sexual abuse of a minor has occurred." Of course, it was still up to the bishop to decide whether there was "sufficient evidence."

We heard testimony from another expert about the effect of these reforms. Thomas Doyle is a Catholic priest, published author, and canon law authority who has testified before numerous legal bodies about the history of the church's handling of child sexual abuse complaints. Doyle noted that the Charter did not overturn the secrecy provisions that canon law had long established. And it left it up to the bishop to determine what was, or wasn't, a credible allegation.

The next step, then, was the creation by the dioceses of review boards for internal investigations. While a welcome idea in principle, we learned that these processes were sometimes used as investigative mechanisms to build a defense case for potential litigation against victims. Some review board members were very well qualified, although others lacked training, or weren't

provided all relevant records secretly maintained by the bishops in the archives. And ultimately, any review board decision was left to the bishop, and to priest-administrators whose ascension within the diocese required alignment with the bishop's goals. In the end, only the bishop could take the action needed to remove an offender from the diocese or the priesthood.

That process of removal, or laicization, did not always do much to penetrate the circle of secrecy. In many cases, bishops invoked the process only when the priest would voluntarily accept removal. And when laicization papers were filed, they were often far more detailed than the statements that were given out to the public. We know, because we saw these laicization papers among the subpoenaed documents. But the public was supposed to never know.

On the whole, the 2002 Charter did move things in the right direction. The grand jury found a significant increase in the number of crimes against children reported to the police, although these were usually only current reports – past complaints from the diocese's secret archives were seldom turned over.

Of course, external forces have also generated much of the change. Mandated reporter laws, longer statutes of limitation, and increased public awareness have made it much harder for institutions to hide child sex crimes. In nearly every diocese some example of a criminal prosecution of a priest could be found. While there were still abusers, there were also more prosecutions.

Thanks to the documents, though, our inside look revealed that there were still discrepancies between the church's internal behavior and public positions. Known offenders were still secretly provided financial support. "Retired" child abusers were permitted to live in church-run facilities located near schools. Dioceses resisted calls to release abusers' names, while heralding their compliance with new mandated reporter laws. And most striking to us were cases

in which the dioceses obtained child abuse "clearances" for employees who had no criminal record – because the bishop had never reported prior incidents of abuse. So there would be the clearance, right in the same file documenting unreported abuse. That is not where we needed the dioceses to be.

Today

Today we sense some progress is being made. As Father Doyle testified, meaningful change on child abuse has been largely generated by forces external to the church – mostly by media attention and grand jury reports like this one. Doyle explained that diocesan bishops tend to be resistant to anything that reduces or questions their power. It's all about the bishops. If diocesan bishops respond to these external pressures, then real change is possible.

During the course of the investigation, Bishop Bambera of Scranton disclosed the names of all accused priests within his diocese to local law enforcement. Bishop Gainer of Harrisburg began a process to publicly identify offenders within his own diocese, and provided some confirmation of offenders' identities in response to press inquiries.

As a result of this sort of assistance, this grand jury has discovered and issued presentments in two different cases of child sex abuse: one against Father James Sweeney of the Diocese of Greensburg and the other against Father David Poulson of the Diocese of Erie. In both instances, the dioceses provided important information. This isn't to say that the church is cured of the scourge of child sexual abuse; these active prosecutions show that there are still priests abusing children in Pennsylvania. But with better cooperation, they can be stopped sooner.

To that end, we heard directly from the sitting bishops of all six dioceses under investigation. All but one submitted a written statement. Each bishop laid out the policies in

place for his respective diocese. All indicated that they promptly report allegations of child sexual abuse to the police.

One bishop, Bishop Persico of Erie, chose to appear in person before the grand jury. Cooperation with this investigation was not his first impulse. When the grand jury issued a subpoena many months ago, the Diocese of Erie, on advice of counsel, withheld material. We got the documents anyway using a search warrant. At that point, the bishop decided things were on the wrong track. He switched lawyers and resolved to take a different approach. That decision eventually led him to meet us, face to face.

Bishop Persico told us that he has come to a greater understanding of the scope of the trauma embodied within the diocesan records, and that it has motivated him to develop a new policy. He said the mishandling of certain complaints by his predecessors made him "angry," and that he wanted to "do the right thing." As a result, and in consultation with his legal counsel, he determined that upon receipt of any allegation of child sexual abuse, the Diocese will report the allegation to law enforcement, and relinquish any relevant records. Moreover, Persico stated that even where prosecution is not possible, the Diocese will hold offenders to a higher standard. He spoke of an example in recent months where law enforcement was unable to charge a priest for exchanging inappropriate text messages with a teenage girl. Persico nevertheless removed that priest from any assignment within the Diocese of Erie.

On April 6, 2018, Bishop Persico issued a public statement announcing a new policy on child sexual abuse for the Diocese of Erie:

> But before I share details of those changes with you, I want to express my sincere sorrow and apologies for the sexual abuse that has occurred within the church, particularly here in the Diocese of Erie. I have met with victims and listened to the pain they and their loved ones experienced. It is appalling to learn what they went through. Abuse is traumatic enough—but it's earth-shattering when it's perpetrated

> by someone who is in a position of trust. I have a profound personal respect for survivors of abuse.

The changes Persico announced included an expanded set of definitions of child abuse; new efforts to cross-check personnel with previously withheld diocesan records through the Diocesan Office for the Protection of Children and Youth; and the public identification of persons who have been credibly accused of actions ranging from furnishing pornography to direct, sexual assaults of minors.

These are wise and welcome policies; we encourage other bishops to follow Erie's example. As Bishop Persico explained to his parishioners:

> In publishing the list of those who have credible allegations against them, the first goal is to protect children. It is not possible for us to monitor all the people on the list. This is an important step in helping the public become aware of information that is important for the community's well-being.
>
> Some are concerned that publicizing these names will open old wounds. Very importantly, we are actually publishing the names in the hope of helping the victims/survivors move one step closer to healing those same wounds. It is important they know they are not alone.
>
> We encourage victims of sexual abuse by people affiliated with the Catholic Church to come forward for their own benefit and to help us have an even more comprehensive understanding of the past. We know that with their help, the list of names may grow.
>
> We understand that victims' memories may be incomplete. We want to tell victims not to be concerned if they do not have exact dates or locations of their abuse. We are willing to listen to them and accompany them as we all search for the truth.
> We do not know when the grand jury report will be forthcoming, but I am sure it will be a sobering moment for all of us. I encourage the wide distribution of the information you'll find at the end of this statement in the hope that all victims who feel locked in darkness will consider coming forward to begin the healing process."

We commend Bishop Persico for acknowledging past abuse, unmasking the abusers, and encouraging accountability. In his testimony we find hope.

IV. Recommendations of the Grand Jury

Until the day we got our summons, none of us even really knew what a grand jury does. We wound up having to interrupt our lives for a period of two full years. We were told to appear for court several times a month, which meant traveling considerable distances to hear long days of testimony. We did it because we understood it was our duty. In performing that duty, we have been exposed to, buried in, unspeakable crimes committed against countless children. Now we want something to show for it. Courtesy of the long years of coverup, we can't charge most of the culprits. What we can do is tell our fellow citizens what happened, and try to get something done about it. That is why we make these recommendations for legal changes that respond to what we have learned in our investigation.

A. Eliminate the criminal statute of limitations for sexually abusing children.

This grand jury exists because Pennsylvania dioceses routinely hid reports of child sex crimes while the statutes of limitations for those crimes expired. We just do not understand why that should be allowed to happen. If child abusers knew they could never become immune for their crimes by outrunning the statute of limitations, maybe there would be less child abuse.

We know our statute of limitations has been extended recently, so that now abusers can potentially be prosecuted until the victim reaches age 50. And that's good. It just doesn't help a lot of the victims we saw. No piece of legislation can predict the point at which a victim of child sex abuse will find the strength to come forward. And no victim can know whether anyone will believe her, or how long she will have to wait for justice.

If that seems hard to understand, think about Julianne. She was taught without question that priests are superior to other adults, even superior to her own parents – because "they are God

in the flesh." So when one of these flesh gods put his fingers in her vagina, who was she going to tell? Julianne was 14 when she was assaulted; now she's almost 70.

Or Joe from Scranton. At the time he couldn't find anyone who was willing to hear about the naked, masturbating priest who told him to take off his pants and get into bed. It took 55 years before he found us.

Or Bob, from Reading. He told us "there is not a day that goes by" that he doesn't think about what happened to him. He can't bear to be touched by a man, not even to shake hands, or to hug his own sons. He never reported it, because he thought "I was the only one." But if he could still put that priest on trial, even now, he would. "Somebody has to be accountable," he told us. "This has to stop." Bob is 83.

So yes, we say no statute of limitations at all. Not for this kind of crime. And it's not like we are asking for anything that unusual. It turns out that this is the rule in well over half the states across the country: no free pass for serious sexual violation of children, no matter how long it takes. That includes almost every state in our region, except us. If we lived in New Jersey, or Delaware, or New York or Maryland, we would today be issuing a presentment charging dozens of priests. But because we happen to live here instead, the number is two. Not something for Pennsylvania to be proud of.

B. Create a two-year "civil window" for child sex abuse victims who couldn't file lawsuits before.

Victims don't just need sex criminals prosecuted; they need care and compensation for harm done by the abusers and the institutions that empowered them. The way you get that is by suing. We understand that civil cases are different than criminal prosecutions, and that it's appropriate to have a statute of limitation that prohibits lawsuits after a certain amount of time.

We're OK with a time limit for lawsuits, as long as it's a long time limit, and Pennsylvania's is pretty good – until the victim reaches age 30, which is longer than in most other states.

The problem is that this law doesn't apply to most of our victims. It's only been in effect for about 15 years, and most of the victims from before then were under a much tighter time limit for suing – only *two years*. But even that two-year limit was something of a sham. Until not too long ago, the church was actively and systematically concealing clergy sex abuse. Victims didn't know if their attackers had a history of abuse, and they didn't know the diocese had been enabling that abuse. You can't very well exercise your right to sue when the people responsible are doing their best to cover up.

We think those older victims should get their two years back, now that the church is finally being forced to come clean. Several other states, at least six of them, have paved the way by creating a "window" of time that gives child sex abuse victims a second chance to bring lawsuits that would otherwise be too late.

We've heard this has been tried before in Pennsylvania, several times. And every time it is opposed by representatives of the church and its insurance companies. They say it would cost too much to let these child sex abuse victims get back their right to sue.

We wonder how they decide how much is "too much." Maybe they should meet with Al, as we did. Al was abused in sixth grade by a priest who put him in a locked room, made him take off the pants of his Catholic school uniform, and rubbed his penis. He managed to slip away and tried hiding under a desk, but the priest found him and told him he would go to hell if he ever told anyone. Afterward, Al flunked the sixth grade and had to repeat it. He began drinking, working up to as much as a bottle of whiskey a day. He started scratching his genitals so hard they would bleed. He thought he must be gay, which made him a mortal sinner. He tried joining the Navy,

but was diagnosed with PTSD and eventually discharged. He tried to kill himself on multiple occasions, most recently by hanging himself with a coaxial cable. He was institutionalized in the locked ward of a psychiatric hospital. He wanted to keep going to church, but he would become nauseous and have to throw up when he entered the building.

Maybe, if he'd had money for good medical and psychological resources, Al's life wouldn't have been quite so hard after that priest knocked it off track. Maybe, if he could file a lawsuit now, he could make up for some of the pain and suffering. We wonder what people would think is "too much" money if it had been one of their kids. Al should get his two years back.

We also hear they have an argument that there is a legal problem with the civil window. We are laypeople; we'll leave that to the lawyers. One thing we believe, though, is that if the legislature and the lobbyists really want to get it done – if they really want to get real compensation to the victims of child sex abuse – they will find a way. They've found a way to stop things from happening all these years. Maybe now they can put their expertise into actually getting something passed.

We remember a letter we found in the church files from a victim named Joey. He was forcibly raped as a boy, became addicted to drugs, and died of an overdose as an adult. Before his death he wrote this to the bishop:

> Pennsylvania law does not, for one moment, bar the Diocese of Allentown from making financial settlements with persons who were abused as minors, even though they might not report the abuse until they become adults. Pennsylvania's so-called statute of limitations is merely a defense, a legalistic prescription which the Diocese of Allentown may choose to invoke in civil litigation when it wishes.

If Joey could figure that out, we think the leaders of the church can figure it out too. They don't *have* to hind behind the statute of limitations.

C. Clarify the penalties for a continuing failure to report child abuse.

Reporting child abusers isn't just a moral obligation; it's the law. We can't pass laws telling the church how to administer its internal operations – but we can demand that it inform authorities about rapists and molesters. Unfortunately, document after document told us the same story: church officials repeatedly received word of crimes against kids, yet repeatedly refused to alert law enforcement.

Thanks to prior grand juries, the legislature has addressed that by eliminating some loopholes in reporting requirements for institutions like the church. Now there is a new, higher penalty for an ongoing failure to report continuing sexual abuse.

After looking at that law, though, we're concerned that the new language might not be clear enough to cover all the covering up we have seen. Right now the statute punishes a reporting failure that continues "while the person knows or has reasonable cause to believe the child is actively being subjected to child abuse." We think that in the more common case, the abuser may not be "active" at any particular moment, and the next instance of abuse may not be against the same child. But if the pattern is clear, the responsibility to report should continue, and the penalty for not doing so should increase. We recommend changing the language to impose a continuing obligation to report "while the person knows or has reasonable cause to believe the abuser is likely to commit additional acts of child abuse."

We're also concerned about the statute of limitations for starting a prosecution against someone who commits this new crime of ongoing failure to report. Under the law now, if you fail to report a one-time act of abuse, you can be arrested and subject to prosecution for the same period of time as the abuser himself: the statute of limitations is the same as the statute of limitations for the crime you didn't report. That's good. But, if you continually fail to report ongoing acts of

abuse, which is obviously a more serious crime than not reporting a single act of abuse, the statute of limitations is only two years. That's got to be a mistake. We think it can be pretty easily fixed, and we call on the legislature to take care of it.

D. Prohibit "non-disclosure" agreements regarding cooperation with law enforcement.

We also think it's time to tackle an issue that hasn't be mentioned in prior grand jury investigations of clergy sex abuse. We've heard the reports over the last year about the use of confidentiality agreements to make sexual harassments suits go away. We can tell you that it doesn't just happen to women in the workplace; we've seen the same tactic used by the dioceses to hush up child sex abuse in the church. In the rare case where a child was able to report abuse within the statute of limitations for filing a lawsuit, the bishops would avoid "scandal" by paying off the family to keep quiet.

We know there have been bills proposed in some of the states, including Pennsylvania, that would restrict the use of confidentiality agreements, or even outlaw them entirely. And we've heard arguments on both sides. If an abuser or employer can purchase silence, then other targets will never learn of the danger, and the abuser will be free to go after new victims. On the other hand, some victims don't want to be whistleblowers; they just want to move on with their lives. If a confidentiality agreement lets them preserve their anonymity and settle a lawsuit on good terms, maybe we shouldn't stop them from doing that.

Wherever that debate winds up, we want to focus on one particular problem with confidentiality agreements: their impact on the ability of law enforcement officials to chase down child abusers and put them away. Confidentiality agreements are usually written to keep the victim afraid of talking to anyone at all. We're sure a lot of victims assume this means they can't even

talk to the police. We saw it in this investigation – people who were scared to speak, because they thought they would get sued for violating a non-disclosure agreement.

That's understandable, but it's a misunderstanding and we need to clear it up. If an abuser – or an institution shielding abusers – tried to use a non-disclosure agreement to keep victims from reporting crimes to law enforcement, they would likely be committing obstruction of justice. Courts are not entitled to enforce confidentiality agreements if they're used for that purpose.

The problem is, most people don't know that. That's why legislation is needed: to protect abuse victims who have signed a non-disclosure agreement, but who approach or are approached by the police. We recommend a new statute declaring that no past or present non-disclosure agreement prevents an abuse victim from going to the police, or from talking to the police if they come to her. The statute should also require that every future settlement agreement, if it contains any form of confidentiality provision, must state plainly on its face that contact with law enforcement is permitted, and that any attempt to use the agreement to prevent or discourage such contact is illegal.

If we learn nothing else from this and prior investigations, let it be this: that sexual abuse, in particular child sexual abuse, is not just a private wrong, to be handled "in house." It is a crime against society. We're issuing this report to make that clear, and to push for action.

V. Appendix of Offenders

DIOCESE OF ALLENTOWN

Reverend Thomas J. Bender

Biographical Information	
YEAR OF BIRTH:	1933
YEAR OF DEATH:	N/A
ORDINATION:	May 13, 1967

Employment/Assignment History	
5/1961 – 6/1962	St. Joseph, Ashland, PA
6/1962 – 6/1965	St. Joseph, Girardville, PA
6/1965 – 6/1966	Holy Family, New Philadelphia, PA
6/1965 – 6/1966	Marian High School, Tamaqua, PA
6/1966 – 6/1971	Nativity High School, Pottsville, PA
6/1966 – 1/1970	St. Kiern, Heckscherville, PA
1/1970 – 6/1970	St. Mary, St. Clair, PA
6/1970 – 6/1971	St. John the Baptist, Pottsville, PA
6/1971 – 10/1971	Bethlehem Catholic HS, Bethlehem, PA
10/1971 – 12/1972	St. Francis Orphanage, Orwigsburg, PA
12/1972 – 2/1982	Our Lady of Good Counsel, Gordon, PA
6/1973 – 2/1982	Diocesan Tribunal, Allentown, PA
2/1982 – 6/1986	Most Blessed Sacrament, Bally
6/1983 – 6/1987	Liturgical Commission, Diocese of Allentown
6/1986 – 6/1987	St. Francis of Assisi, Allentown, PA
6/1987 – 7/1987	St. Anthony of Padua, Easton, PA Northampton Deanery, Ministry to Aging
7/1987	Regional Director, Council of Catholic Nurses
7/24/1987	Leave of Absence
3/01/2002	Retired
5/06/2005	Dismissed form Priesthood

Summary

A review of information received from the Diocese of Allentown indicates that the church was aware of Father Thomas J. Bender's predatory behavior as early as 1972, when Bender was caught in a car with a male student from Nativity High School, where Bender was assigned. It was reported by a Deacon, who also was a Pennsylvania State Trooper, that a second Trooper discovered the two in the car, both with their pants off. A report by Monsignor Anthony Muntone to Thomas J. Welsh, then Bishop of the Diocese, stated that the first Trooper gave Bender "a lecture and sent him on his way." A "Summary of Case" memorandum relating to Bender indicated that, when confronted, Bender admitted to the incident but claimed this was the first time anything like this had happened. He continued to serve as a priest.

In 1984, a known victim reported that Bender abused him in 1981, while the victim was in seventh grade. The victim reported that he was abused in Bender's bed, where oral and anal sex occurred. When confronted at the Chancery, Bender admitted to abusing the victim. He was sent to psychotherapy but again continued to serve as priest. In 1986, the victim was hospitalized for a drug overdose and subsequently admitted to the Northwest Institute of Psychiatry. The Diocese paid the first week's fee of $4,000. The victim and his family decided to report Bender to legal authorities and also filed a civil suit.

In 1987, Bender was put on a leave of absence. He was eventually arrested, convicted and, in 1988, sentenced to probation. A condition of his probation was that he could not have an occupation where children would be exposed to his influence or intentions. In the same year, the Diocese encouraged Bender to seek laicization. Instead, Bender remained on his leave of absence until 2002, when he applied for retirement benefits. The Church granted Bender his retirement and provided him a monthly living allowance and paid for health insurance, life insurance, retreat and workshop fees, and car insurance.

In 2004, the Diocese received additional reports of sexual abuse by Bender. One known victim reported being abused in the early 1960's. Another known victim reported being abused by Bender in 1966. The second victim reported that the abuse occurred in the parish rectory and while on camping trips. On both occasions, the Diocese reported the allegations to the appropriate District Attorney's Office. No further information was provided as to the outcome of these reports of abuse.

In 2006, while collecting retirement benefits from the church, Bender was arrested in Long Island, New York, while traveling to meet what he believed was a fourteen-year-old boy for sex. The "boy" was an undercover detective whom Bender had attempted to lure to a hotel room in Levittown, New York. At the time of arrest, Bender was found to be in possession of condoms, beer, pornography, a digital camera, candy, gum, toothpaste, and a laptop computer. Bender was sentenced to 10 years of incarceration and lifetime probation. As of April 2018, he remains on the sex offender registry of the State of New York.

Monsignor Thomas J. Benestad

Biographical Information

YEAR OF BIRTH:	1945
YEAR OF DEATH:	N/A
ORDINATION:	May 23, 1970

Employment/Assignment History

1970	St. Bernard, Easton, PA
	Lafayette College Newman Center
	Notre Dame High School
1973	St. Thomas More
1978	Leave of Absence
	Holy Rosary
1980	St. Bernard
1988	Our Lady of Perpetual Help
	Papal Foundation
2001	Sabbatical
2002	St. Francis of Assisi
2005	Notre Dame of Bethlehem
2006	Leave of Absence
6/2007	Resigned as Pastor
	Leave of Absence
9/2007	Ascension, Boca Raton, FL
6/2009	Retired-Pastor Emeritus, Notre Dame of Bethlehem

Summary

Records including e-mail exchanges between the victim and the Diocese of Allentown indicate that, in 2011, a known victim reported to the Diocese that Monsignor Thomas J. Benestad sexually abused him from 1981 through 1983. The victim was nine years old when the abuse began. Correspondence demonstrated that the Diocese reported the allegation to the Northampton County District Attorney's Office, which conducted an investigation and found the victim's allegations to be credible.

In a statement to Northampton County Detectives, the victim said that his first memory of abuse happened while he attended CCD class at St. Bernard's, where Benestad was assigned. The victim was taken out of class by a nun and delivered to Benestad in his office. The victim had worn shorts to CCD, which was against the rules. The victim was told that shorts were not proper attire and that not wearing proper attire was sinful. The victim was told to get on his knees and start praying. Benestad unzipped his pants and told the victim to perform oral sex on him. The victim did as he was told. Benestad also performed oral sex on the victim. The victim recalls that, after the abuse, Benestad would produce a clear bottle of holy water and squirt it

Summary

into the victim's mouth to purify him. The District Attorney's Office found the applicable statute of limitations had expired and no charges were brought against Benestad.

Additional complaints have been made against Benestad, who has denied all accusations. The Diocese elected to rely on Benestad's word rather than the word of the victims and the determinations of law enforcement. No attempt was made to remove Benestad from ministry. Benestad was granted retirement, resides in Boca Raton, Florida, and assists with a local parish.

Reverend Robert G. Cofenas

Biographical Information

YEAR OF BIRTH:	1941
YEAR OF DEATH:	N/A
ORDINATION:	January 6, 1973

Employment/Assignment History

1/1973 – 6/1979	Newman Center, Bethlehem, PA
6/1973 – 6/1975	Assistant Superintendent, Secondary Education, Diocese of Allentown, PA
6/1975 – 2/1979	Catholic Students Advisor, Newman Apostolate, Lehigh University, PA
6/1975 – 2/1979	Catholic Students Advisor, Newman Apostolate, Moravian College, PA
6/1975 – 2/1979	Guidance Counsellor, Norte Dame High School, Easton, PA
6/1975 – 2/1979	Director, Newman Apostolate, Diocese of Allentown
2/1979 – 7/1980	Assistant Superintendent of Education, Diocese of Allentown
2/1979 – 7/1980	St.s Simon and Jude, Bethlehem, PA
7/1980 – 5/1981	St. Mary's College, Emmitsburg, Maryland
5/1981 – 6/1988	St. Ignatius Loyola, Sinking Spring, PA
9/1981	Regional Director, American Catholic Overseas Aid Fund
11/1983 – 11/1986	Council of Priests, Diocese of Allentown
6/1988 – 9/1988	St. Ignatius Loyola, Sinking Spring, PA
6/1988 – 10/1989	Diocesan Newspaper
9/1988 – 10/1989	Our Lady of Help of Christians, Allentown, PA
10/1989 – 8/1990	Sabbatical (The Servants of the Paraclete, Jemez Springs, New Mexico)
8/1990 – 6/1997	Our Lady of Help of Christians, Allentown, PA
2/24/1992	Special Advocate, Diocesan Tribunal
6/1997 – 10/2000	St. Catharine of Siena, Reading, PA
2/2000 – 3/2000	Sabbatical (St. John Vianney Treatment Facility, Downingtown)
4/11/2000	Decree of Suspension
2/11/2005	Dismissed from Priesthood

Summary

Records received from the Diocese of Allentown indicate the church was aware of Father Robert G. Cofenas' sexual attraction to young males as early as 1979. In a handwritten letter to Bishop Joseph Mark McShea, a secretary at The Newman Center of Lehigh University reported that she observed concerning behavior on the part of Cofenas. The secretary reported witnessing Cofenas befriend a "*young boy (about 16 years of age).*" The boy's name was known to the

Summary

secretary. According to the letter, the boy had a serious drug problem and arrived at the Newman Center "*half-starved and in pretty bad shape*."

The boy was hospitalized and upon discharge continued to visit the Newman Center. The secretary observed that, as soon as the boy arrived at the center, Cofenas would take him to his upstairs room and would lock the door. Cofenas told the secretary that the boy spent the night at the Center. According to the secretary, Cofenas showed a "great deal of inappropriate affection toward the boy." The secretary recommended that Cofenas be transferred "before something disastrous occurs." She added that she believed that Cofenas knew of her suspicions and felt that it was a cry for help on Cofenas' part when he told her of the boy staying the night at the Newman Center. Cofenas was reassigned approximately six months after the letter was written to the Bishop.

While assigned to St. Mary's College in Emmitsburg, Maryland, Cofenas wrote a letter to Bishop McShea dated April 6, 1981. Cofenas wrote: "Yes, I have failed again, but my problem is not so totally out of hand that I cannot with God's help and Dr. Zanni, work to master my situation. Incidentally, prior to now, I had experienced no failure in this matter since 1978." Cofenas went on to write: "I am deeply sorry for letting you down again. You can imagine how hard it is for me to write this letter—especially when you trusted me and released me to the Mount." Before ending the letter, Cofenas wrote, "I know you want to protect me and I appreciate your concern for me, but I ask you to consider the possibility of my staying at the Mount." Approximately one month later, Cofenas was transferred to St. Ignatius of Loyola, Sinking Spring, Pennsylvania.

A Confidential Memorandum written by Monsignor John B. McCann and dated February 3, 2000, indicates that a known victim and the victim's father met with McCann and Monsignor Alfred A. Schlert to report sexual abuse at the hands of Cofenas. The victim reported that, in 1986 at the age of seventeen, he was abused by Cofenas. At the time of the abuse, Cofenas was assigned to St. Ignatius of Loyola Church in Sinking Spring and served as the moderator of the Youth Group. As a high school graduation gift, Cofenas proposed taking the victim to the shore. Initially, the father of the victim was reluctant to allow this to occur but permitted it because of the trust he placed in Cofenas as a priest. The victim went on to describe in detail the events of the three-day trip with Cofenas. The victim and Cofenas held hands for the duration of the car ride to the shore. Once at the hotel, Cofenas provided alcohol to the victim, masturbated the victim, and coerced him to engage in oral sex. Cofenas and the victim showered together and slept in the same bed. According to the victim, sexual encounters with Cofenas continued until 1992, when Cofenas began blaming the victim for what had occurred. The victim's father reported that Cofenas made a sexual advance to his other son, which was rebuffed.

In a January 12, 2004, report to the Vatican, and addressed to "Your Eminence," Bishop Edward P. Cullen admitted that the Diocese knew about Cofenas' inappropriate relationship with a sixteen-year-old boy in 1979. Cullen added that, on February 17, 2000, Cofenas admitted to the abuse of the victim in 1986. After his admission, Cofenas was sent to St. John Vianney Treatment Facility in Downingtown for therapy. Cullen wrote that the abused victim and his

Summary

family were demanding that Cofenas be laicized and "*threatening to go to the public media if he is not*." Cullen also wrote, "*Currently there is great danger that this case could become public*." The report recommended that Cofenas be laicized. Cofenas was receiving a monthly stipend and healthcare benefits from the Diocese. Cullen's final recommendation was that an "*Administrative Penal Process be applied in this case*."

Reverend David Connell
Reverend Timothy Johnson
Jim Gross

Summary

David Connell and Timothy Johnson were Carmelite priests and Jim Gross was a lay person. No additional assignments could be located within Diocesan files. A record received from the Diocese in form of a memorandum written by the Victim Assistance Coordinator indicates that, in September 2007, a known victim reported he had been sexually abused by Gross, a basketball coach at St. Patrick's in Pottsville. He reported that the abuse began in the 1970's while he was in sixth grade. Information provided by the Diocese indicates Gross was employed at St. Patrick's in 1972. The victim did not provide any further details as to the abuse he endured from Gross.

In the summer of 1984, Gross resigned from teaching at St. Francis School in Minersville, Schuylkill County. In the narrative of his last evaluation from June 1984 is written, "He had too familiar relationships with his pupils." The victim reported that he knew Gross had later been charged for sexual abuse of a child but was acquitted. The victim stated he spoke with Gross' attorney, who confided in the victim that Gross was certainly guilty and he was only doing his job. The victim did not report where or when Gross stood trial.

The victim also reported that he was sexually abused by a Carmelite priest named Father David Connell and physically abused by a Carmelite brother named Timothy Johnson while attending Nativity High School. The abuse was reported to the Provincial of the Carmelites, Father Michael Kissane, in October 2007. The victim stated that his family's house had burned down and the Carmelites took him and his brother in and had them live in a priory. During the time he was living in the priory, the victim was sexually abused by Connell. The victim remembered drinking juice that Connell gave him and the next memory the victim had was waking up in his own bed naked, with Connell in the room. The victim had no memory of the prior evening but, on waking, he was bleeding from his rectum. On another occasion, Connell made him tea and after drinking it he began to get a bad headache. The victim reported he was then sexually abused by Connell. The victim gave no further details about the abuse but stated that, even though he was strong and athletic, he could not stop Connell from abusing him because he was drugged.

The victim went on to report to Kissane that he went to Brother Johnson for help and told Johnson about the abuse he endured at the hands of Connell and his former basketball coach Gross. The victim told Johnson he was going to also report the abuse to the police. Johnson told the victim not to report the abuse to the police but the victim insisted on reporting. At this point Johnson began to severely beat the victim with a big leather belt and told the victim that, if he reported the abuse to the police, he would beat him even worse. The victim reported to Kissane that the victim's brother was also abused by Connell but that his brother never spoke about it.

Summary

Kissane informed the victim that other allegations of sexual abuse had been made against Connell. A "Confidential Report," presumably written by Chancellor Anthony D. Muntone, indicated that, in May 1976, it was reported to Muntone that Connell made a sexual advance on a male high school student while on a camping trip. While camping, Connell convinced the student that they sleep together to stay warm. The student reported that Connell "made a pass at him" while they were sleeping together. The student was able to rebuff the advance and Connell stopped. It was reported that the student was very upset over the incident and was a "reliable and trustworthy" individual. No further information exists as to any additional steps taken in regards to the sexual advance by Connell.

Kissane informed the victim that Connell was no longer with the Carmelite priests. Kissane told the victim that, after his time in Pottsville, Connell was assigned to a diocese in Texas but Kissane believed he was removed from ministry and no longer active. Kissane said he had no idea where Connell was. Kissane stated that Johnson had been ordained a priest and was living in retirement in Florida. Kissane indicated he would confront Johnson in the near future since he would soon be making a trip to Florida. No other information exists indicating whether Kissane followed through with confronting Johnson about the victim's allegations. Other records show the Diocese and the Carmelite priests split a cost of $4,500 for therapy for the victim.

Johnson died in 2016.

Reverend James Gaffney

Biographical Information

YEAR OF BIRTH:	1957
YEAR OF DEATH:	N/A
ORDINATION:	June 8, 1985

Employment/Assignment History

5/1985 – 6/1987	St. Ursula, Fountain Hill, PA
6/1987 – 6/1991	Reading Central Catholic High School
6/1987 – 1/1992	St. Catherine of Siena, Mt. Penn, PA
1/1992 – 6/1992	Sick Leave (The Servants of the Paraclete, New Mexico)
6/1992 – 1/1995	St. Jane Frances de Chantal, Easton, PA
4/1994 – 1/1995	Sick Leave (The Servants of the Paraclete)
1/1995 – 2/1995	Notre Dame of Bethlehem, Bethlehem, PA
2/1995 – 6/1995	St. Mary of the Assumption, Coaldale, PA
6/1995 – 6/1999	Assisted with six parishes in Shenandoah
6/1999 – 4/2002	St. Patrick, Pottsville
4/2002	Abandoned ministry
6/26/2015	Dismissed from Priesthood

Summary

Father James Gaffney began work as a Diocesan priest in 1985. However, records received from the Diocese of Allentown indicate that, in 1980, years before being ordained as a priest, Gaffney questioned his vocation and wrote in a letter to Monsignor Muntone that he was "*convinced beyond all doubt that I need time off and will not return to the Roman Seminary or any other seminary this year.*" In 1982, it was recommended that Gaffney be dropped from "our program of formation." Monsignors Thompson and Muntone and Chancery personnel met and the decision was made not to dismiss. Throughout the 1980s and 1990s, Gaffney was reported to have been involved in inappropriate and even sexual relations with adult women, one of which had a learning disability and whom he was counseling. Gaffney was placed on sick leave on two different occasions.

In 1999, a known victim reported to Monsignor John B. McCann that she had been sexually abused by Gaffney while he was assigned as Assistant Pastor at St. Ursula's Church. Other than a one-paragraph memorandum reporting the abuse, no more information was provided to the Diocese until the mother of the victim renewed the allegation of abuse on April 24, 2002. The victim met with Chancery personnel and informed them that, when she was fourteen years old and in eighth grade, Gaffney befriended her. The victim worked at the rectory answering phones. Gaffney had her undress and "*measured her body parts.*" Gaffney had sexual contact with her that continued throughout the time Gaffney was at the parish. Monsignors McCann and Schlert confronted Gaffney with the report of abuse. Gaffney denied the

allegations. McCann and Schlert told Gaffney to carefully think about the allegations and to consider taking a leave of absence if there was any truth to them. As he was on his way home after the meeting, Gaffney called to tell McCann and Schlert that he was taking a leave of absence.

On September 27, 2004, a second victim filed a civil complaint in the Court of Common Pleas of Berks County. The second victim reported that the abuse began in 1990 when she was sixteen and a student at Reading Central Catholic High School, where Gaffney was Vice Principal and Disciplinarian. Gaffney provided her counseling, which led to the sexual abuse. The second victim reported that her parents were going through a divorce and she was experiencing depression. Gaffney took advantage of her depressed state. The second victim reported that Gaffney routinely took her for car rides and would discuss topics such as intercourse, oral sex, and masturbation. During the rides Gaffney started to require her to place her hands on his penis. On one occasion, Gaffney exposed his erect penis to the second victim in his office at the high school. The second victim reported that eventually Gaffney took her to a private residence where he required her to submit to intercourse with him. Gaffney also repeatedly required the second victim to submit to him performing numerous sex acts on her and required her to perform sex acts on him.

On December 2, 2004, a third known victim reported abuse at the hands of Gaffney in 1986-1987, when Gaffney was assigned to St. Catharine of Siena in Mount Penn, Berks County. The third victim worked in the rectory answering phones in the evening. She had a very poor home life and Gaffney counseled her. The third victim reported that Gaffney would hug her and inappropriately touch and kiss her, which led to sexual arousal. The Diocese referred the third victim to counseling and spiritual direction.

A report by Monsignors Gobitas and James to Bishop Barres, dated July 18, 2011, indicates that the reports of abuse by the first and third victims were credible, while the report of abuse by the second victim was "*entitled to a presumption of truth.*" Also, Gobitas and James found that all three reports of abuse "*point to a consistent pattern of behavior on the part of Father Gaffney.*" Although Gaffney took a leave of absence in 2002, he continued to receive health and other insurance for the next nine years from the Diocese, even though he abandoned all ministry. Gobitas and James recommended that Gaffney be dismissed from the clerical state and that he never be able to exercise public ministry for the remainder of his life. Based on reports from both "*qualified and professional personnel*," it was the belief of Gobitas and James that Gaffney remained a potential danger to minors. However, Gaffney went on to obtain employment as a college professor at Albright College. The Diocese never warned the College of Gaffney's history of sexually abusing children.

Gaffney was called as a witness before the Grand Jury on September 14, 2016 and again on May 8, 2017. Gaffney stated that no member of law enforcement had ever contacted him regarding his conduct until he received a subpoena ordering him to appear before the Grand Jury. Gaffney admitted to sexual contact with at least one female student. The attorney for the Commonwealth reminded Gaffney that he was under oath. Gaffney was then asked if he had sexual contact with other children as a priest and he answered, "*Yes. It is possible.*" Gaffney

Summary

blamed a faulty memory for a lack of specifics. However, Gaffney detailed sexual contact with a minor in a car, on school property, and at other locations.

Gaffey admitted he also disclosed that, while interning at St. Joseph's in Summit Hill in 1980, he located child pornography within the parish. The image depicted Father David Soderlund masturbating a 12-year-old boy. Gaffney reported his finding to the Diocese and Monsignor Muntone. Gaffney and Muntone located albums of photographs depicting Soderlund sexually abusing children. A meeting was held with the District Attorney of Carbon County, who promised not to prosecute Soderlund if he was transferred and received treatment. After a brief removal from ministry on health leave, Soderlund was returned to ministry. The volumes of evidence of sexually abused children that were manufactured by Soderlund as he committed the crimes, after being found by Gaffney and Muntone, were never seen again.

Reverend Joseph Galko

Biographical Information

YEAR OF BIRTH:	1944
YEAR OF DEATH:	N/A
ORDINATION:	1980

Employment/Assignment History

5/1980 – 6/1982	St. Paul, Reading, PA
6/1982 – 1/1983	St. Anne, Bethlehem, PA
1/1983 – 6/1986	St. Ambrose, Schuylkill Haven, PA
6/1986 – 7/1987	St. Bernard, Easton, PA
2/12/1988	Placed on Administrative leave
6/2010	Dismissed from the Priesthood

Summary

Father Joseph Galko was ordained and began work in the Diocese in 1980. Records received from the Diocese indicate that, as early as 1984, the Diocese was aware of inappropriate sexual conduct by Galko. Galko admitted to the Diocesan Chancellor in 1984 to having sexual contact with a male parishioner who was eighteen at the time. Galko also admitted that, while at St. Ambrose in Schuylkill Haven, Schuylkill County, he inappropriately touched a male while they were in the rectory. Galko performed oral sex on the male and had the male perform oral sex on him. Galko further admitted to "occasional occurrences" over a span of many years including the time before he entered the seminary, while he was in the seminary, and after his ordination. Galko was moved to St. Bernard's in Easton in 1986.

A "Summary of Case" time-line and other documents received from the Diocese indicate that, in 1987, while serving at St. Bernard's, Galko "spends too much time with the altar servers," and another pastor in the parish expressed concern regarding Galko's interaction with adolescent males in the parish. Galko was then sent for treatment at the "Downingtown facility." The Summary of Case time-line indicates a therapist at the facility described Galko as a "*pathological liar.*" Additionally, it was noted that the therapist did not know "*if anything can be done for him.*" In 1988, Galko was placed on administrative leave but was not dismissed from the priesthood until 2010.

In 2002, the Diocese received a report of sexual abuse from a known victim. The victim reported that, in 1980 or 1981, when he was 17 to 18-years-old, Galko fondled him after giving him alcohol. The abuse occurred in Galko's room in the rectory and lasted about twenty minutes. A second incident occurred as the victim was leaving the confessional and Galko touched his

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buttocks. The Diocese offered the victim their condolences, offered counseling, and encouraged the victim to go the Berks county District Attorney if he desired.

In 2007, the Diocese received a report of sexual abuse by Galko from a second known victim. This victim reported that, when he was approximately thirteen years old and in eighth grade at St. Anne's School in Bethlehem, Galko was assigned to St. Anne's. The second victim met Galko when he had taken some things to the rectory. He stated that Galko made him feel special and that he really liked Galko. When the second victim was in eighth grade, Galko began to take him to the rectory and give him alcohol. Once the second victim was drunk, Galko would touch him inappropriately and have the victim touch Galko inappropriately. Galko was confronted with the allegation by Monsignors Gobitas and Schlert. Galko admitted that the allegation was true. The Diocese laicized Galko and he was eventually dismissed from the priesthood.

Reverend Edward George Ganster

Biographical Information	
YEAR OF BIRTH:	1943
YEAR OF DEATH:	2014
ORDINATION:	March 27, 1971

Employment/Assignment History	
4/13/1971 – 8/19/1975	Assistant Pastor, Notre Dame, Bethlehem, PA
4/13/1971 – 2/4/1972	Associate Professor, Bethlehem Catholic HIGH SCHOOL, PA
7/9/1973 – 10/10/1978	Regional Director, C.Y. O., Bethlehem District
8/19/1975 – 9/9/1976	Assistant, Our Lady of Perpetual Help, Bethlehem, PA
9/9/1976 – 10/10/1978	St. Joseph, Easton, PA
10/10/1978 – 6/15/1981	Assistant, St. Ignatius Loyola, Sinking Spring, PA
10/10/1978 – 6/15/1981	American Catholic Overseas Aid Fund
6/15/1981 – 5/4/1982	Pastor, St. Joseph, Frackville, PA
9/18/1981 – 4/2919/1986	Catholic Daughters of the Americas Court St. James
10/08/1981 – 2/1/1982	Sick Leave
2/1/1982 – 5/4/1982	Returned as Pastor, St. Joseph, Frackville, PA
5/4/1982 – 9/7/1982	Sick Leave
9/7/1982 – 1/18/1983	Assistant, St. Ambrose, Schuylkill Haven, PA
10/01/1982 – 7/25/1983	Catholic Student Advisor, Penn State University Campus Ministry
1/18/1983 – 4/29/1986	Pastor, SS. Peter and Paul, Tower City, PA
1/13/1984	Member, Diocesan Building Committee
2/10/1984 – 4/29/1986	Member, Budget Board, Cardinal Brennan HIGH SCHOOL
4/29/1986 – 3/3/1988	Holy Ghost, Bethlehem, PA
7/10/1986 – 6/13/1988	Regional Director, Pro-Life, Northampton Deanery, PA
12/27/1987	Sick Leave
8/8/1990	Laicized
7/3/2014	Deceased

Summary

In 2002, a victim, then aged thirty-seven, married, and the father of two children, contacted the Diocese and reported that, when he was 14 years old and an altar boy at St. Joseph in Frackville, he was fondled and groped by Father Edward George Ganster. On one occasion, Ganster dragged the boy across a living room floor, pulling him by the underwear. Ganster also beat the victim repeatedly, once using a metal cross. The abuse at the hands of Ganster lasted for over one and a half years and all happened in St. Joseph's Rectory. The victim made a second report to the Diocese in March 2004. Despite having two reports and having given counseling to the victim, the Diocese did not report the abuse to the Northampton County District Attorney's Office until 2007.

In 2005, the mother of a second victim reported to the Diocese that her now adult son was sexually abused in 1977 by Ganster, when the second victim was thirteen years of age. The mother permitted the second victim to accompany Ganster to the beach on an overnight trip. Sometime after that trip, the second victim told his parents that Ganster hurt him and got in bed with him. He also stated that something happened in the confessional. The second victim told his parents not long after the incidents occurred. The mother immediately told Monsignor Connelly about the abuse. According to the second victim's mother, Monsignor Connelly said he would take care of the situation. Connelly told her that Ganster would be given some counseling and would be removed from the parish. The following Sunday at Mass, Ganster announced he was being reassigned. Still, the second victim's life spiraled out of control with broken relationships and anger issues resulting from the abuse.

In 2015, the mother of a third victim contacted the Diocese and reported that her son was abused by Ganster in the summer of 1977, when the third victim was twelve years old. No more information regarding this incident was provided by the Diocese.

Ganster was placed on sick leave at the end of 1987 and sent to St. John Vianney Hospital in Downingtown in 1988. Ganster was eventually laicized at his request, as he wanted to get married and was already working in the secular world. The Diocese agreed and laicized him in 1990. As he was in the process of being laicized, Ganster wrote the Diocese indicating he would be seeking employment at Walt Disney World and hoped to use the Diocese as a reference. Ganster also indicated he was planning on marrying a woman he met at St. John Vianney.

In a letter to the Bishop of Orlando, Nobert Dorsey, from the Bishop of Allentown, Thomas Welsh, Welsh informed Dorsey that Ganster intended to marry. Welsh told Dorsey Ganster met his future bride while at St. John Vianney, adding, "*I don't know her problems. His were at least partially sexual and led to my decision that I could not reassign him.*" Despite knowing Ganster was a sexual predator, Monsignor Muntone responded to Ganster's request for a reference by writing, "*I am quite sure that the Diocese will be able to give you a positive reference in regard to the work you did during your years of service here as a priest.*" With the reference, Ganster was hired by Walt Disney World and worked there for the next eighteen years.

Reverend Francis T. Gillespie

Biographical Information

YEAR OF BIRTH:	1931
YEAR OF DEATH:	N/A
ORDINATION:	May 7, 1959

Employment/Assignment History

5/1959 – 5/1963	St. Joseph's, Girardville, PA
5/1963 – 10/1965	Nativity HS, Pottsville, PA
6/1963 – 9/1963	St. Patrick's, Pottsville, PA (Asst. Pro Tem)
6/1965 – 3/1969	Notre Dame of Bethlehem, Bethlehem, PA
3/1966 – 5/1972	St. Jane Frances de Chantal, Easton, PA / Moravian College (student advisor)
5/1972 – 11/1974	Our lady of Mount Carmel, Minersville, PA
11/1974 – 9/1994	St. Joseph's, Girardville, PA
9/1994 – 11/1996	St. Margaret, Reading, PA
11/1996 – 12/2002	Annunciation of B.V.M., Catasauqua, PA
12/13/2002	Retired

Summary

In September 2002, a victim wrote a letter reporting sexual abuse by Father Francis T. Gillespie. The victim reported that, while he was an altar boy at about the age of ten at St. Joseph's in Girardville, Gillespie began grooming him for future abuse. Gillespie acted overly affectionately towards the victim and began hugging him in private. The victim wrote that he had been taught to "*respect and trust these religious figureheads.*" Gillespie then had the victim stay after Mass and help count the collection money. The victim's parents allowed it since they too trusted the clergy and believed Gillespie would be a good influence on the victim. During his time with Gillespie, Gillespie would ask the victim questions about lust and sex, and how much he weighed. The victim remembers Gillespie had a scale in his room and would weigh the victim. Gillespie would have the victim undress to his underwear and get on the scale. Even though he was a child at the time, the victim knew this behavior was strange and not right but thought Gillespie, a clergyman, could not have bad intentions. Gillespie then had the victim take off his underwear to get an "*exact weight.*" Gillespie then used a measuring tape to measure the victim around the waist and inseam. The victim remembers Gillespie putting his fingers and measuring tape against the victim's groin. At that point the victim froze and did not know what to do. He felt he could not say anything since Gillespie was a priest. Later, the victim heard other altar boys talking about Gillespie and his scale and measuring tape.

The victim reported that he stayed the night at Gillespie's residence on several occasions. Gillespie would have the victim dress in costumes and then take pictures of the victim. The victim would then undress from the costume into his clothes. The victim can still remember the

Summary

flash of a Polaroid camera going off as he changed. The victim reported that Gillespie would drink alcohol during the sleepovers.

The victim recalled an occasion when Gillespie gave him cold medication and in addition had him drink alcohol. The victim described this night as a "*blackout*" and "*confusing*." The victim recalls waking up naked in bed with Gillespie, Gillespie had his arm around the victim. The victim felt Gillespie's erect penis against his back. The victim recalls freezing at that point. Gillespie eventually allowed the victim to get out of bed and take a shower. As the victim was finishing up with his shower, Gillespie walked into the bathroom naked and tried to enter the shower with the victim. The victim quickly got out of the shower and tried to pretend that the entire abusive situation was normal. In three separate documents regarding the victim, all provided by the Diocese, the victim reported that Gillespie performed oral sex on him.

A known second victim, the older brother of the first victim, wrote a letter to the Diocese in 2003 describing abuse by Gillespie. The second victim wrote that he was an altar boy at St. Joseph's in Girardville. When the second victim was about fourteen years old, Gillespie began grooming him in the same fashion as his brother, befriending him and having him help count the collection money. The second victim wrote, "My respect and admiration for this man was very great and I trusted him with my life; a mistake I would pay for the rest of my life." The second victim reported that Gillespie would weigh and measure him in a room on the second floor of the rectory while he was naked. Gillespie also would have the second victim measure Gillespie while Gillespie was naked. The second victim said Gillespie would touch his genitals and buttocks during the weighing and measuring.

The second victim described the last time he went to the parish rectory to be measured and weighed by Gillespie. Gillespie came up behind the second victim while he stood naked on the scale and placed the second victim in a wrestling hold called a full nelson. While in the full nelson, the second victim's arms were pinned back and controlled by Gillespie. The second victim was smaller than Gillespie and could not fight him off. The second victim reported that Gillespie then "rubbed his penis off my anus and sexually abused me. This sickened me to my stomach and never again would I return to St. Joseph's Rectory." The second victim was so ashamed of what had happened he could not tell his mother. Shortly after the incidents occurred in the 1980s, the second victim wrote a letter to the Diocese describing the abuse by Gillespie. The victim never received a response.

After reports of abuse in the Boston Diocese in 2002, the second victim told his wife that Gillespie had abused him. Prior to writing a letter to the Diocese in 2003, the second victim learned through his mother that Gillespie had abused his brother as well. The second victim wrote, "*It was his courage and bravery in coming forward that gave me the strength to write this letter.*"

Richard J. Guiliani

Biographical Information

YEAR OF BIRTH:	1942
YEAR OF DEATH:	N/A
ORDINATION:	March 9, 1968

Employment/Assignment History

3/1968 – 5/6198	Assistant, St. Peter, Reading, PA.
5/1968 – 6/1969	Regional Director, Thanksgiving Clothing Drive, Berks Co
6/1969 – 9/1969	Assistant, St. Canicus, Mahanoy City, PA
9/1969 – 6/1970	Assistant, Our Lady of Perpetual Help, Bethlehem, PA
6/1970 – 6/1970	Professor, Notre Dame High School, Easton, PA
6/1970 – 6/1973	Resident, Sacred Heart, Miller Heights, PA
6/1973 – 6/1974	Vice Principal, Notre Dame High School, Easton, PA
6/1974 – 6/1974	Principal, Cardinal Brennan High School, Fount Springs
6/1974 – 6/1974	Resident, St. Vincent de Paul, Girardville, PA.
1977	Absent without leave from the Allentown Diocese
2011	Last known address: St. Augustine, Florida

Summary

In October 2003, a victim wrote to Bishop Edward Cullen stating that she had been sexually abused by Father Richard Guiliani. The victim was abused from the time she was fourteen through age eighteen, between the years 1971 and 1975. Guiliani befriended the victim and her family at a time when the victim was having difficulties with her family. Guiliani began with hugging and kissing the victim and increased with fondling the victim's genitals through her clothing. Guiliani simulated sex with the victim through the victim's clothing. Guiliani fondled the victim's genitals and buttocks and forced the victim to fondle his genitals. Guiliani made the victim masturbate him and forcibly masturbated and digitally penetrated the victim. Guiliani simulated anal sex on the victim and forced the victim to perform oral sex on him. The abuse occurred at the victim's high school, Norte Dame High School in Easton, at the victim's home, at Guiliani's sister's home, or in Guiliani's car. The victim remembers Guiliani was often drinking heavily when the abuse occurred. The victim recalled Guiliani telling her that he would protect her, that she could trust him, and that she should keep coming to him for help. Guiliani told the victim she deserved to be "*cared for*" and "*loved.*"

The victim recalled the last time she had contact with Guiliani was when she was a freshman in college. Guiliani visited the victim and brought her an eighteenth birthday present. Guiliani wanted to have sex with the victim and asked her to marry him. The victim refused to have further sexual involvement with Guiliani and declined his marriage proposal. Guiliani never contacted the victim again.

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The victim reported that two other priests at her high school knew about Guiliani's sexual abuse of her. The two other priests were Father Leo Houseknecht and Father William Jones, who were friends of Guiliani. Additionally, Jones would be verbally crude in school towards the victim and Houseknecht was physically affectionate to the victim, hugging her and rubbing his erect penis against her while at school or while visiting her at her home.

The victim reported the sexual abuse when she was twenty years old and in college. She spoke to Father Hubert J. Kealy of the Newman House on the campus of Millersville State College and told him of the abuse by Guiliani. During this same time, the victim also told Father Steven Maco, a family friend, about the abuse. Both priests failed to act and were "*unresponsive and in denial*" about what the victim told them.

[redacted]

The Diocese did not report the abuse to the Northampton County District Attorney's Office until January 2011, over seven years after they were first notified of the abuse.

In May 2004, a second victim came forward to report abuse by Guiliani. The second victim was sixteen years old and a student at Cardinal Brennan High School in Ashland, Schuylkill County, where Guiliani was the principal. In December 1976, as the victim was doing her homework in the gymnasium of Cardinal Brennan, Guiliani approached and asked second victim to accompany him to Boscov's Department Store in Pottsville to assist him in buying Christmas presents for his nieces and nephews. The second victim held Guiliani in a position of trust and went with him to shop. During the ride back in the car, Guiliani asked the second victim to get something out of the back seat. When the second victim did so, Guiliani reached under the second victim's dress and squeezed and fondled her vagina and buttocks. Guiliani abused his position of power and trust as a priest and principal to take advantage of the second victim's sexual naiveté.

In January 2011, over seven years after learning of the abuse, the Diocese reported the abuse of the second victim to the Schuylkill County District Attorney's Office.

Records reflect that Guiliani left the ministry in 1977 and his whereabouts are unknown. Houseknecht was deceased at the time victim number one reported the abuse and Jones had been "*removed*" from ministry.

Reverend Joseph D. Hulko

Biographical Information

YEAR OF BIRTH:	1940
YEAR OF DEATH:	N/A
ORDINATION:	May 20, 1967

Employment/Assignment History

6/1/1967 – 8/24/1970	Priest Professor, Reading Central Catholic High School
6/1/1967 – 8/17/1970	Resident, SS Cyril and Methodius, Reading, PA
7/9/1969	Advocate, Diocesan Tribunal
7/6/1970 – 8/17/1970	Newman Center, Bethlehem, PA
8/17/1970 – 8/24/1970	Resident, St. Catharine of Siena, Reading, PA
8/24/1970 – 6/20/1977	Principal, Nativity High School, Pottsville, PA
8/24/1970 – 6/18/1971	Resident, Mary Queen of Peace, Pottsville, PA
6/18/1971 – 10/18/1971	Chaplain, St. Francis Orphanage, Orwigsburg, PA
10/18/1971 – 6/20/1977	Resident, St. John the Baptist, Pottsville, PA
6/20/1977 – 1/6/1978	Assistant, St. John the Baptist, Pottsville, PA
1/6/1978 – 8/16/1982	Pastor, St. Michael, Lansford, PA
6/20/1978 – 10/1/1982	Regional Director, Family Life Center, Berks, Carbon and East Schuylkill Counties, PA
9/4/1981 – 2/15/1982	Sick Leave
8/16/1982 – 6/20/1985	Sick Leave
6/20/1985 – 6/16/1987	Assistant Pastor, St. Margaret, Reading, PA
11/1/1986 – 11/1/1989	Assistant Pastor Representative, Council of Priests
6/16/1987 – 9/27/1988	Assistant Pastor, St. John Baptist de LaSalle, Shillington, PA
9/27/1988 – 6/14/1990	Assistant Pastor, St. Bernard, Easton, PA
11/1/1989 – 10/31/1992	Pastor Representative, Council of Priests
6/14/1990 – 9/2/1994	Assistant Professor, St. Joseph, Limeport, PA
8/3/1992	Assistant Pastor Representative, Advisory Committee, Priestly Life and Ministry
11/1/1992 – 10/31/1995	Assistant Pastor Representative, Council of Priests
9/2/1994 – 1/01/1995	Assistant Pastor, Our Lady of Perpetual Help, Bethlehem, PA
1/1/1995 – 6/15/1995	Resident, Holy Family Villa,
6/15/1995 – 6/13/2000	Assistant Pastor, St. Anthony of Padua, Easton, PA
6/13/2000 – 8/31/2003	Assistant Pastor, Notre Dame of Bethlehem, Bethlehem, PA
9/1/2003	Retired

Summary

In September 2003, Father Joseph Hulko admitted to the Diocese that he sexually abused a minor female while he was the Chaplain at St. Francis Orphanage in Orwigsburg, between June 18, 1971, and October 18, 1971. Hulko expressed that he had been troubled by it for a number of years, which prompted him to admit the abuse.

Hulko was interviewed in 2012. At the outset of the interview, Hulko volunteered that he did not engage in oral sex with the victim. Hulko met the victim at the orphanage and had sexual contact with her. The victim was a teenage resident of the orphanage. Shortly after starting his assignment at the orphanage, Hulko sat in the television room with female minor residents. It was night and the girls were dressed in sleeping clothes. Hulko sat next to the victim, who was wearing "*low cut*" sleeping clothes so that her breasts were partially exposed. Hulko, motivated by "*curiosity*," touched the victim's right bare breast. Hulko claimed that this was his first sexual contact with the victim. Hulko stated he did not know how old the victim was at the time but believed she was of high school age. Based on the victim's date of birth, she was fourteen years old when Hulko touched her breast. Hulko said that he knew what he did was "wrong" and "*I'm a priest and she's an orphan girl.*"

The second time Hulko had sexual contact with the victim was when he kissed her at her grandmother's house. Hulko told the investigator that, between the time he touched the victim's breast and the time he kissed her, he was never alone with the victim. As the interview progressed, Hulko revised his story and told the investigator that on multiple occasions he was alone with the victim and kissed her. Hulko described the kisses as "*long passionate kisses*" and described himself as a "*sex addict.*" When the investigator challenged Hulko's truthfulness, Hulko ended the interview. The investigator wrote in his report that he believed "*Hulko deliberately tried to conceal the truth about type and frequency of sexual contact*" with the victim.

A document produced by the Diocese, dated July 2012, was entitled "*Personal Safety Plan, Rev. Joseph D. Hulko (HJA).*" In a section entitled "*Summary of Problem Behaviors*," the following was written:

> *The victim has recently been identified and alleges that there were many instances of HJA kissing her, touching her genitals, grabbing at her body and clothes in HJA's orphanage room, in his car, in the victim's orphanage room, and whenever and wherever HJA found time alone with the victim on orphanage property. The victim reported that there was oral sex between her and HJA in his room. The victim was 14 or 15 years old at the time of the abuse and the abuse occurred over approximately a one year period, as much as twice a week.*

Prior to Hulko admitting to the sexual abuse of a minor, he was sent for "treatment" six different times between 1982 and 2003.

In a letter to Hulko's mother dated August 11, 1982, in which Monsignor Muntone was carbon copied, a psychologist from Lehigh Valley Associates wrote, "*At your request I spoke to*

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Monsignor Muntone regarding your son's temporary placement … Monsignor has assured me that Joe is safe and doing well … Considering the delicacy of the *situation, I agree that no one should know where Joe is at this time.*" Hulko was at Trinity Retreat Center, New Rochelle, New York.

After his stay at Trinity, Hulko was reported to be on "Sick Leave" for three years, until 1985. Over the next two decades, Hulko was given twelve different assignments and sent for "*treatment*" an additional five times before his retirement in 2003. Monsignor Gerald E. Gobitas wrote in a memorandum dated January 15, 2015, to administrative personnel that Hulko had moved to Robertsville, Missouri, and "*please send his pension checks directly to him.*"

Monsignor William E. Jones, V. F.

Biographical Information

YEAR OF BIRTH:	1934
YEAR OF DEATH:	2004
ORDINATION:	May 14, 1960

Employment/Assignment History

5/27/1960 – 3/12/1963	Annunciation B.V.M., Shenandoah, PA
3/12/1963 – 3/26/1968	St. Ambrose, Schuylkill Haven, PA
3/26/1968 – 12/119/69	St. Francis of Assisi, Allentown, PA
12/1/1969 – 8/24/1970	St. Jane Frances, Easton, PA
8/24/1970 – 4/4/1972	Notre Dame High School, Easton, PA
4/4/1972 – 6/20/1972	St. Jane Frances, Easton, PA Notre Dame High School, Easton, PA
6/20/1972 – 6/11/1973	St. Jane Frances, Easton, PA
6/11/1973 – 6/14/1974	St. Jane Frances de Chantal, Easton, PA
6/14/1974 – 6/17/1975	St. Mary, St. Clair, PA Nativity B.V.M. High School, Pottsville, PA
6/17/1975 – 7/1/1978	St. Joseph, Summit Hill, PA
7/1/1978 – 11/7/1978	St. Joseph, Summit Hill, PA
11/7/1978 – 3/10/1981	St. Vincent de Paul, Minersville, PA
3/1019/81 – 11/7/1983	Representative, Diocesan Board of Education, West Schuylkill County, PA
11/7/1983 – 5/24/1984	St. Patrick's, Pottsville, PA
5/24/1984 – 11/1/1984	South Schuylkill Deanery, Council of Priests, PA
11/1/1984 – 3/13/1985	South Schuylkill Deanery, PA
3/13/1985 – 8/20/1991	Budget Board Nativity B.V.M. High Sch.
8/20/1991 – 11/1/1993	Honorary Prelate of His Holiness, John Paul II
11/1/1993 – 11/26/1996	South Schuylkill Deanery
11/26/1996 – 5/3/1996	Dean of South Schuylkill Deanery (post was held until 11/26/99 in conjunction with the following duties/dates)
503/1996 – 10/29/1997	Diocesan Negotiating Team
10/29/1997 – 4/04/1998	Board of Seton Manor, Inc.
4/4/1998 – 3/25/1999	Nativity B.V.M. High School Budget/Audit Board. (held until 09/2001)
3/25/1999 – 10/1/1999	South Schuylkill Deanery, Diocesan Negotiating Team
10/1/1999 – 2/1/2000	President of the Catholic Housing Corporation, Queen of Peace Apartments, Pottsville, PA
2/1/2000 – 9/20/2000	Vicar Forane of South Schuylkill Deanery (held until 1/31/03)
9/20/2000 – 4/11/2002	Pastor designated to consult on removal/transfer
4/11/2002	Resigned as pastor of St. Patrick's, Pottsville, PA

Reverend Michael S. Lawrence

Biographical Information	
YEAR OF BIRTH:	1947
YEAR OF DEATH:	2015
ORDINATION:	May 19, 1973

Employment/Assignment History	
6/11/1973 – 6/14/1974	St. Catharine of Siena, Reading, PA
6/14/1974 – 11/14/1974	Notre Dame High School, Easton, PA
	Sacred Heart, Miller Heights (resident/assistant)
11/14/1974 – 12/10/1974	Reg. Coordinator of Adult Religious Education,
	North Hampton, PA
12/10/1974 – 6/17/1975	St. Jane Frances de Chantal, Easton, PA
6/17/1975 – 12/15/1975	St. Jane Frances de Chantal, Easton, PA
12/15/1975 – 6/20/1977	St. Anne, Bethlehem, PA
6/20/1977 – 6/20/1978	Central Catholic High School, Allentown, PA
	St. Lawrence, Catasauqua, PA
6/20/1978 – 8/1/1978	Diocesan Tribunal
8/1/1978 – 3/25/1980	Holy Trinity, Whitehall, PA
3/25/1980 – 11/9/1982	St. Catharine of Siena, Reading, PA
11/9/1982 – 3/23/1984	St. Anthony, Easton, PA
3/23/1984 – 6/18/1984	Notre Dame High School, Easton, PA
	St. Anthony, Easton, PA
6/18/1984 – 8/9/1984	St. Joseph, Easton, PA
	Notre Dame High School, Easton, PA
8/9/1984 – 1/15/1987	Immaculate Conception, Jim Thorpe, PA
1/15/1987 – 6/22/1987	Sick Leave
6/22/1987 – 3/8/1994	St. Paul, Allentown, PA
	Diocesan Tribunal
	Ministry to the Aging
3/8/1994 – 6/1/1998	Diocesan Tribunal
6/1/1998 – 1/1/2000	Catholic University of America (Graduate Studies-Canon Law)
	Divine Word College
3/1/2002 – 4/22/2015	Retired

[redacted]

Biographical Information

[redacted]

Summary

[redacted]

Information in the form of correspondence provided by the Diocese indicates that, on May 17, 2011, the wife of a known victim called the Diocese to report that her husband had been sexually abused by priests when he was in elementary and high school. It was reported that Lawrence abused the victim while he attended Sacred Heart Elementary School in Bethlehem, Jones abused the victim while he attended Notre Dame High School in Easton, and [redacted] abused the victim on an occasion when he visited the Seminary. The caller did not give any further information about the abuse. Attempts were made by the Diocese to interview the victim. The victim did not participate in any interviews or give any further information about the abuse. Information provided by the Diocese shows that they contacted the appropriate District Attorneys about the reported abuse. No further information was provided.

On April 9, 2002, another known victim reported in writing to the Diocese that he was abused by Jones beginning when he was approximately fourteen and lasting until he was approximately sixteen. The abuse began when Jones hired him to work at bingo games at St. Vincent's in Minersville, Schuylkill County. The victim's mother was dying at the time and his father was rarely around. Jones began the abuse by placing his hand into the money apron of the victim and touching his penis on several occasions. Jones continued the abusive behavior on another occasion when the victim was locking up the gym at St. Vincent's after playing basketball with other boys. Jones approached the victim, placed his hand inside the victim's underwear, and touched his penis for several minutes.

Summary

According to the victim, Jones also was physically abuse, once hitting him in the face with a "full wing" open hand after Jones believed the victim had misbehaved by running on a recently waxed floor.

When the victim was fifteen, he went to the rectory looking for friends who often hung out there. He found Jones at the rectory, not his friends. Jones took him upstairs to watch television in a room next the Jones' bedroom. Jones took down the victim's pants, performed oral sex on the victim and told the victim he had a great body and not to get fat.

Jones then shared the victim and friends of the victim with another sexual predator, Father Kean. Kean took the victim and five other boys to his home in Tower City, Schuylkill County. Kean performed oral sex on the victim and several other boys in the bedrooms of his home. Kean was undressed when he performed oral sex on the victim, who was fifteen at the time of abuse. Kean performed oral sex on him three times.

The victim further reported that, when he was almost sixteen, Jones took him driving as practice for his driver's license test. While the victim was driving, Jones would fondle the victim's genitals. The victim reported this happening on several occasion. When the victim was sixteen, Jones took him into Jones' bedroom, took off his clothes, and then removed the victim's clothes. The victim and Jones were on the bed, where Jones performed oral sex on the victim and wanted the victim to touch Jones.

Two days after the victim reported the abuse, the Diocese confronted Jones about the allegation. In a memorandum-to-file marked confidential, Monsignor John McCann wrote that he and Monsignor Alfred Schlert confronted Jones with the allegation of sexual abuse. Jones admitted to one specific instance of abuse in which he performed oral sex on the victim while the victim was fifteen. Jones denied all other allegations but offered his resignation and was advised he could not exercise any public ministry in the Diocese or elsewhere. A letter was prepared by Bishop Edward Cullen to be read to the parish of Jones' assignment at the time, St. Patrick's in Pottsville. The letter, which was eventually read to the parish, indicated that a "*credible allegation of sexual misconduct*" was made against Jones and that Jones was confronted with the allegation. The letter mentioned nothing about Jones actually admitting to the sexual abuse of a minor. According to information provided, then-District Attorney Frank Cori declined prosecution, citing the statute of limitations. The Diocese offered the victim counseling.

On May 10, 2002, a second known victim came forward and advised Monsignor McCann in person that he too was sexually abused by Jones. The abuse occurred when the victim was thirteen years old and attending St. Francis in Allentown. The victim reported that the abuse was a single incident, about which he told his mother. The mother advised the victim to stay away from Jones and reported it no further. The victim told McCann he had not allowed this incident to ruin his life and declined counseling offered by McCann. No further information was provided as to the allegation brought by the second victim.

Summary

On June 19, 2002, a third victim came forward to report Jones' predatory behavior to the Diocese. The third victim reported in writing to Bishop Cullen that, when he was fourteen years old, Jones took a "special interest" in him while he was attending St. Jane Francis in Easton. Jones encouraged him to take trips to the seminary in Philadelphia and would take the victim to dinner during the week, at one point serving him alcohol. Eventually Jones made it clear to the third victim that he wanted their relationship to become physical, telling the victim, "*Don't knock it until you tried it.*" On another occasion when Jones made a sexual advance on the victim and the victim resisted, Jones became very agitated and in a threatening tone told the victim it would "not be prudent" to tell anyone about their conversations. The victim reported a final incident that occurred in 1972, when Jones asked him to "house sit" the rectory. While at the rectory, Jones "very directly" made his intentions clear for more "intimacy." Again the victim resisted. Jones' attitude towards him and his family became one of "rarely speaking to my parents or me" during the rest of his time at St. Jane Francis. The third victim ended his letter by pleading with the Bishop to "please protect people from this charming and articulate but very dangerous and damaged man." Cullen told the victim in a responsive letter that the information he provided would be shared with the [redacted] District Attorney's Office.

Jones was never laicized and remained a priest until his death in 2004. According to an article in the Pottsville Republican & Herald, at a memorial Mass held for Jones, Reverend Joseph T. Whalen delivered an emotional homily about Jones' life, describing Jones as a "*jolly*" man who "*never neglected his priestly and Christian duties.*" Whalen told the paper that delivering the homily was very difficult since he had a close friendship with Jones. Even though Jones had confessed to the Diocese two years prior to his death that he sexually abused a boy, Whalen publicly proclaimed at the Mass that it was Jones who "*suffered greatly his last years because of scandal*" and "*he suffered for more than a year at the hands of scandal.*" Records provided by the Diocese, including memos, e-mails, and other correspondence between the victim and Diocesan representatives, show that the first victim and his family truly suffered as they battled with the Diocese for the next eight years to receive paid counseling as they attempted to put their lives back together.

Suspicions of Lawrence's pedophilic behavior were brought the attention of the church as early as 1970, when Lawrence was attending St. Charles Borromeo Seminary. Lawrence's conduct is discussed at length in the body of this Report.

[redacted]

Reverend Joseph H. Kean

Biographical Information

YEAR OF BIRTH:	1937
YEAR OF DEATH:	N/A
ORDINATION:	March 7, 1964

Employment/Assignment History

3/1964 – 8/1964	St. Joseph, Ashland, PA
8/1964 – 6/1965	St. Mary, St. Clair, PA
6/1965 – 11/1967	St. Paul, Allentown, PA
1/1967 – 8/1970	St. Paul, Reading, PA
8/1970 – 2/1971	Annunciation, Shenandoah, PA
2/1971 – 12/1973	Marian HS, Tamaqua, PA
2/1971 – 12/1973	Our Lady of Mt. Carmel, Nesquehoning, PA
6/1973 – 6/1975	St.s Simon and Jude, Bethlehem, PA
6/1975 – 1/1977	St. Jane, Easton, PA
1/1977 – 1/1983	SS Peter and Paul, Tower City, PA
1/1983 – 9/1987	SS Peter and Paul, Lehighton, PA
9/1987 – 3/1993	St. Joseph, Ashland, PA
2/1/2002	Retired
6/26/2007	Dismissed from Priesthood

Summary

On December 22, 1992, Reverend Francis J. Shuster wrote a letter to Bishop Thomas J. Welsh. Shuster related that he had been in contact with a parishioner who told him that her son was molested by Father Joseph H. Kean, then Pastor in Tower City. The sexual abuse was reported to have occurred when the victim was twelve years old and continued for several years. The mother of the victim told Shuster that her son had stayed the night with Kean in the rectory and had also spent a weekend with Kean once Kean was transferred to Lehighton. The mother of the victim also recalled Kean taking her son to Kean's parents' home to spend the night. The mother of the victim told Shuster she and her husband allowed these overnight stays to occur because they had "*absolute trust and confidence in Father.*"

On January 13, 1993, the mother of the victim personally informed the Chancellor of the sexual abuse of her son by Kean. The mother also reported that Kean had sexually abused a friend of her son's.

On February 23, 1993, Welsh and Monsignor Anthony Muntone met with Kean and informed him of the accusation brought by the victim. Kean admitted to Welsh and Muntone that he had abused the victim and "*apologized for any embarrassment he may have caused.*" Welsh asked Kean if he "*had similar difficulties with other persons.*" Kean told Welsh and

Summary

Muntone that there was another individual, a friend of the reporting victim that he abused around the same time. Kean indicated that if Welsh wished, he could apply for laicization. Welsh informed Kean he would have to go to the treatment center run by the Servants of the Paraclete in New Mexico. Kean asked if he would be returning to his current assignment at St. Joseph's in Ashland, Schuylkill. Bishop Welsh informed Kean that he would not be returning to St. Joseph.

After reviewing information obtained from the Diocese by subpoena, the Grand Jury learned that additional victims of sexual abuse perpetrated by Kean existed and were identified within the secret or confidential archives of the Diocese.

A second victim of abuse by Kean came forward in 1999. The second victim wrote a letter to Kean shortly after meeting with Kean on April 30, 1999. In the letter, the second victim thanked Kean for Kean's admission of fault for sexually abusing him many years prior. He also enclosed another letter he had written two years earlier to Kean while in therapy but did not send. In the enclosed letter, the second victim wrote that he "decided to deal with the feelings/emotions I've repressed for many years regarding the sexual abuse I experienced with you" and "You took advantage of my innocence. You were so manipulative. If only I would have known, but I was only a child." He added, "You have many fine qualities, but many do not know your dark side. The person who took advantage of a young boy for his own sexual gratification." The second victim went on to say how dealing with the abuse at such a vulnerable age has had a significant negative impact on his life.

On April 5, 2018, the second victim contacted the Pennsylvania Office of Attorney General by telephone and provided more detail on his encounter with Kean. As a minor boy in the 1970's, he attended SS Peter and Paul Church in Tower City. He was in his early teens and an altar boy when he developed a close relationship with Kean. He noted Father Kean liked to wrestle with the altar boys often. The second victim remembered going to the movies, hanging out and playing at Kean's parents' house. On one occasion, he stayed the night at Kean's parents' house. Kean had the boy sleep in the same bed, which was located in the basement. The boy lay on his side while Kean gave him a massage. Kean started with the second victim's back and moved downward towards the genitals. Kean massaged his penis overtop his underwear. The second victim developed an erection and ejaculated, then left the room and cleaned up. He returned to sleep the rest of the night. Kean did not say anything to the child regarding what happened. In 1999, the victim contacted the Diocesan hotline for Clergy Abuse. He also confronted Kean about the abuse. At this time in 1999, Kean was on leave from ministry.

In April 2002, a third victim reported being abused by Kean. The third victim reported that another priest, Monsignor William Jones, introduced and shared the victim and additional friends of the victim with Kean. The third victim reported that Kean took him and five other boys to his home in Tower City. Kean performed oral sex on the third victim and several other boys in the bedrooms of his home. The third victim reported that Kean was undressed when he performed oral sex on him. The third victim reported he was fifteen years old at the time of the abuse and that Kean performed oral sex on him three times.

Summary

In February 2002, Kean retired from the priesthood and began to collect his pension, health insurance, life insurance, and car insurance benefits.

In July 2005, the mother of a fourth victim called the Diocese to report that her son was sexually abused by Kean. It was reported that the abuse happened when her son was between the ages of ten and fifteen years old and an altar boy in Tower City. The fourth victim's mother stated the Kean clearly favored her son and that it was not unusual for Kean to take her son to Kean's parents' home. The fourth victim's parents had known about the abuse since their son was in his late teens but never came forward to tell anyone.

In October 2005, the parents of a fifth victim reported to Monsignor Gobitas that their son had been sexually abused by Kean. After meeting with the parents of the fifth victim, Gobitas composed a one-page memorandum-to-file concerning the abuse. The fifth victim was reported by his parents to be addicted to heroin and suicidal. Kean abused the fifth victim in 1987 and 1988, while the fifth victim has in eight and ninth grades. The abuse occurred in St. Joseph's Rectory in Ashland and at Kean's parent's home. Gobitas wrote "the activity" ended when the fifth victim went into tenth grade. In a "Morality Incident Report," Gobitas reported that Kean would engage in immature behavior with the fifth victim such as "*wrestling, chasing each other, tying each other up with rope, etc. In the midst of this behavior there were sexual assaults.*" Gobitas wrote that the fifth victim was unable to discuss many of the details at the time of reporting.

Reverend Thomas J. Kerestus

Biographical Information

YEAR OF BIRTH:	1942
YEAR OF DEATH:	2014
ORDINATION:	May 24, 1969

Employment/Assignment History

6/11/1969 – 10/27/1969	Assistant, Annunciation B.V.M., Shenandoah, PA
10/27/1969 – 1/6/1970	Regional Director, C.Y.O., Mid-Schuylkill County
1/6/1970 – 8/24/1970	Area Chaplain, Appalachian Trail Scouting Council Regional Director, Bishop's Overseas Aid, East Schuylkill County, PA
8/24/1970 – 6/18/1970	Assistant, St. Peter, Reading, PA
6/18/1970 – 7/8/1971	Assistant, Our Lady of Hungary, Northampton, PA
7/8/1971 – 11/4/1974	Regional Director, C.Y.O., Northampton County, PA
11/4/1974 – 9/9/1976	Assistant, Sacred Heart, W. Reading, PA
9/9/1976 – 12/15/1977	Assistant, St. Ambrose, Schuylkill Haven, PA Regional Director, C.Y.O. West Schuylkill County, PA
12/15/1977 – 2/25/1982	Pastor, St. Stephen of Hungary, Allentown, PA
2/25/1982 – 5/29/1986	Pastor, St. John Capistrano, Bethlehem, PA
5/29/1986 – 6/19/1986	Leave of Absence
6/19/1986 – 6/14/1990	Assistant Pastor, Sacred Heart, Allentown, PA
6/14/1990 – 7/27/1993	Chaplain, Sacred Heart Hospital, Allentown, PA
7/27/1993 – 3/1/2002	Resident, Holy Family Villa
3/1/2002 – 9/17/2014	Retired

Summary

Records of the Diocese of Allentown revealed that parishioners of St. John Capistrano in Bethlehem wrote multiple letters to Bishop Welsh between March 1985 and April 1986 informing him of their concern about Father Thomas Kerestus' relationship with a 16-year-old boy. The parishioners were aware that Kerestus would take the boy to and from school daily, had taken the boy on vacations to Canada, Florida, and the New Jersey shore. Kerestus also bought the boy new clothes, a videocassette recorder, an organ, a guitar, and music lessons, and paid for the boy's dental bills. Additionally, Kerestus bought new furniture for the boy's family. Parishioners purchased a vehicle for the church, which was taken control of by Kerestus, registered in his name, and essentially given to the boy to drive. Several parishioners reported that the boy spent nights at the rectory with Kerestus despite living only two blocks away. One parishioner wrote that Kerestus has become "very deeply involved emotionally" with the boy and Kerestus and the boy were "*inseparable.*" The same parishioner wrote that Kerestus' behavior around the boy was "*inappropriate—very childish, wrestling, indecent touching.*"

Summary

Another parishioner wrote that Kerestus drank heavily and "*I think he gets drunk because he is hiding a problem.*" A different parishioner called the parish office and reported, "*I see him [Kerestus] go after that kids balls. Forgive my language. This happened last year when we were in church decorating and cleaning up.*" Kerestus later admitted to the indecent touching of the boy while at Jemez Springs Center in New Mexico.

The Diocese also produced very limited documents on another victim of Kerestus. In October 1992, the second victim called St. Ann's Rectory in Emmaus, Lehigh County, asking to speak with Monsignor Hoban, but spoke with Father Brennan. Father Coyle wrote a memorandum to Bishop Welsh summarizing the phone call to Brennan. The second victim reported that he had been sexually abused by Kerestus for five years. He was eighteen at the time of the report. Kerestus was a friend of the second victim's family. In the memorandum summarizing the phone call, Coyle wrote that the victim "*spoke in detail about the relationship*" and that the victim "*sounded disturbed.*" During the phone call, the victim mentioned he had witnesses to the abuse. The victim was a given a phone number and advised to call Monsignor Muntone. The memorandum provided no further details. The Diocese provided a news article from the Allentown Morning Call detailing the arrest and troubled past of the second victim. The second victim attempted to kill his parents in a house fire and threatened to shoot himself in 1990, threatened to jump off his roof in 1992, and was arrested for statutory rape of a thirteen-year-old girl, also in 1992. Diocesan records show that Kerestus began receiving his retirement in March 2002.

The Diocese also provided a one page memorandum, dated June 16, 2005, from Thomas Dugan, Administrator of St. John Vianney Center, to Gobitas. In the memorandum, Dugan wrote, "*Based on the results of a risk assessment, Father Thomas Kerestus' degree of risk for sexual re-offense was estimated in the moderate-high range.*" Dugan added:

> *He was defensive on testing and does not take full accountability for his offense behaviors. He shows little contrition for his actions. Test results suggest he has attributes and behaviors very highly similar to those of known sex offenders and the condition of sexual deviance may be a component of his personality make-up.*

Kerestus remained on retirement status until his death in 2014.

In April 2016, a third victim came forward to report sexual abuse by Kerestus. The third victim reported that Kerestus abused him beginning when he was fifteen years old. The abuse occurred from 1975 to 1980, while the victim was a student at Holy Name High School in West Reading.

Reverend Francis Joseph McNelis

Biographical Information

YEAR OF BIRTH:	1938
YEAR OF DEATH:	2005
ORDINATION:	May 22, 1965

Employment/Assignment History

6/1/1965 – 6/1/1966	Annunciation B.V.M., Shenandoah, PA
6/1/1966 – 11/1/1966	St. Joseph, Girardville, PA
11/1/1966 – 8/4/1967	Regional Director, C.Y.O., East Schuylkill County, PA
8/4/1967 – 6/11/1969	Regional Director, Thanksgiving Clothing Drive, East Schuylkill County, PA
6/11/1969 – 6/3/1970	St. Jerome, Tamaqua, PA
6/3/1970 – 6/9/1970	St. Theresa, Hellertown, PA
6/9/1970 – 9/25/1970	Regional Director, C.Y.O., Northampton County, PA
9/25/1970 – 4/4/1972	St. John the Baptist, Shillington, PA
4/4/1972 – 9/19/1972	St. Francis, Easton, PA
9/19/1972 – 8/30/1974	Regional Director, Thanksgiving Clothing Drive, Northampton County, PA
8/30/1974 – 6/17/1975	St. Ann, Emmaus, PA
6/17/1975 – 6/16/1980	St. Mary, and St. Boniface, St. Clair, Schuylkill County, PA
6/16/1980 – 6/20/1985	St. Mary, St. Clair, Schuylkill County, PA
6/20/1985 – 6/4/1993	St. Mary, Hamburg, PA
6/4/1993 – 1/14/1994	Sick Leave (Jemez Springs, New Mexico)
1/14/1994 – 3/1/2002	St. Ignatius, Loyola, Sinking Spring, PA
3/1/2002	Retired

Summary

In December 1992, a known victim reported that, between 1966 and 1968, Father Francis McNelis sexually abused him when he was between the ages of 10 and 13. McNelis masturbated the victim after having him lay on his back on McNelis' bed in the rectory. McNelis eventually forced the victim to masturbate McNelis. McNelis also told the victim he wanted to have anal sex with him. According to the victim, McNelis masturbated him on five or six occasions but anal sex did not occur. Records provided by the Diocese show McNelis was sent to Jemez Springs for "*spiritual and professional care*." After his stay at Jemez Springs, the Diocese assigned McNelis to St. Ignatius Loyola as an Associate Pastor. On McNelis' assignment listing, which was provided by the Diocese, and next to his St. Ignatius assignment in parenthesis is a notation, "*Not for Publication*." Despite repeated requests by McNelis to be reassigned, McNelis remained at St. Ignatius until he retired in 2002.

Summary

In 2004, a second victim came forward and reported sexual abuse by McNelis. After several years of grooming by McNelis, in 1968, when the second victim was approximately 16, McNelis forced the second victim to submit to McNelis performing fellatio on him. Soon after this incident, a second incident of abuse occurred in the rectory of St. Joseph, where again McNelis forcibly performed oral sex on the second victim.

Reverend Gabriel Patil

Biographical Information

YEAR OF BIRTH:	Unknown
YEAR OF DEATH:	N/A
ORDINATION:	1972

Employment/Assignment History

6/3/1974	Permission to exercise mission within Diocese
	Other assignments noted in Summary

Summary

Father Gabriel Patil, a priest of the Clerics Regular of St. Paul, known as the Barnabites, was given permission by Bishop Joseph McShea on June 3, 1974, to exercise his ministry within the Diocese of Allentown. The Diocese provided no other assignment history.

Correspondence between the Diocese and the Barnabites shows that, in 2003, a victim reported to the Diocese that he and four of his friends were abused by Patil. The abuse occurred on the property of the Bethlehem Catholic High School during the late 1970's and early 1980's, when the victims were seven to nine years old. The victim reported that he and the four other known victims were living near the high school at the time. Patil would invite the boys into his residence at the high school and play hide and seek with the boys. While playing hide and seek Patil would have the boys sit on his lap. Patil would open the boys' pants and fondle their genitals. One of the victims also reported that Patil had the victim undress in his presence. Patil leered at the victim as the victim tried on new clothes Patil had bought for the victim. Lawsuits were filed but ultimately dismissed since the statutory limits had expired.

At the time the abuse was reported and lawsuits filed, Patil was a Provincial Superior at St. James in Ontario, Canada. Patil met with Bishop Cullen. Patil also inquired about insurance coverage from the Diocese against potential claims for damages in connection with the reported abuse. The Diocese provided no insurance coverage, informing Patil that coverage is only provided to priests who are incardinated in the Diocese and, "*as you know, the priests of the Barnabite Fathers are not incardinated in the Diocese of Allentown.*"

Four months after receiving the report of abuse, the Diocese forwarded the information to the Northampton County District Attorney's Office on March 5, 2004. In the letter to the District Attorney's Office, the attorney for the Diocese wrote

> *It is important for you to note the following. Father Patil is not a priest of the Diocese of Allentown. Father Patil is a member of the Barnabite Fathers religious order, not under the supervision of the Diocese of Allentown.*

Summary

Patil went on to serve as a priest in Buffalo, New York, Youngstown, Ohio, and then with a delegation in the country of India. In 2010, Patil requested that he be allowed to return to the Diocese and exercise his public ministry. The Diocese did not permit Patil to return.

In 2012, the Barnabite Fathers asked the Review Board of the Diocese to accept Patil's case for review for suitability for ministry. The Diocese denied reviewing Patil's case and informed the Barnabite Fathers they should establish their own review board. No further information was provided by the Diocese on Patil or his whereabouts. Any disciplinary action was left to the discretion of Patil's religious order.

Reverend Henry Paul

Biographical Information

YEAR OF BIRTH:	Unknown
YEAR OF DEATH:	1982
ORDINATION:	1941

Employment/Assignment History

To the extent they are known, assignments are noted in the Summary.

Summary

Father Henry Paul was ordained in 1941 as a religious priest from an Order known as the Oblates of St. Francis de Sales. He worked in various positions in the Pennsylvania Dioceses of Erie, Philadelphia, and Allentown, the New York Dioceses of Buffalo and New York City, and Salesianum School in Wilmington, Delaware.

In April 1979, a known individual wrote a letter to Bishop McShea of the Diocese of Allentown stating that her niece and "*a few other little girls*" from the parish of the Sacred Heart Church, New Philadelphia, Schuylkill County, had been "bothered" by Paul. The individual reported that Paul took the little girls to the rectory and kissed them. One girl went home and told her mother that she knew how to "French kiss." When the mother asked how the little girl knew that, the little girl responded that Father Paul had showed her. The individual reported that Paul had her niece and another little girl in the rectory one day and her niece ran home terrified. Her niece's mother and some of the other mothers wanted to keep the incidents quiet. The individual wrote, "*I think to keep it quiet is wrong. If this continues some innocent people are going to be hurt. And it will be too late then.*" The individual went on to describe that, during Easter preparation, Paul would have the children sit on his lap for confession and then give him a kiss.

In a handwritten letter to Bishop McShea from "Tony" (apparently Monsignor Anthony Muntone), Tony reported that he confronted Paul with the accusations. Paul admitted that he had a deep love for children and that he did kiss younger children but that it was done in an appropriate way. Paul denied any inappropriate conduct. Tony wrote that he had a very strong feeling that Paul was not telling the truth. As a result of not believing Paul, Tony dug further and asked an individual named Bob Fagan what he knew about the matter. Fagan's role in the Diocese is not known. Fagan spoke to fifteen to twenty children in the parish about Paul. He reported that three or four of the children told Fagan that they had kissed Paul and, while they did not use the term, they described a French kiss. None of the children with whom Fagan spoke was over the age of twelve.

Fagan then spoke to Paul about what he had learned and Paul became "*panic stricken.*" Paul began to pack his belongings in preparation to leave the parish. Fagan then promised not

Summary

to report Paul since the situation "*seemed under control.*" Fagan apparently did speak and report the issue to Paul's Oblate Superior, Dennis Murphy.

Fagan heard nothing about the matter for approximately two months, when another parishioner called to report another incident. The parishioner stated that her daughter was told by Paul to go home and take her underwear off and then return to him at the chapel. It was at this point that Fagan and "Tony" recommended to McShea that Paul be removed from the parish.

In documents received by the Allentown Diocese, it is shown that Paul was relieved of his responsibilities at Sacred Heart Church in April 1979. He was believed to have returned to his religious order and continued in ministry.

On August 5, 2011, the *Wilmington News Journal* reported that the Oblates of St. Francis de Sales had settled some 39 lawsuits filed by the victims of sexual abuse for $24.8 million. As part of the settlement, the Oblates named twelve priests said to have committed the abuse, including Paul. According to information released by the Oblates, after leaving Sacred Heart, Paul was assigned to St. Joachim in Philadelphia. He died in 1982.

Reverend Paul G. Puza

Biographical Information

YEAR OF BIRTH:	1949
YEAR OF DEATH:	N/A
ORDINATION:	May 31, 1975

Employment/Assignment History

6/1975 – 6/1976	St. Bernard, Easton, PA
6/1975 – 6/1976	Lafayette college, Easton, PA
6/1976 – 6/1977	Northampton County Regional Director of Vocations
6/1976 – 6/1977	St. Anne, Bethlehem, PA
6/1977 – 6/1978	Central Catholic High School, Reading, PA
6/1977 – 6/1978	St. Joseph, Reading, PA
6/1978 – 6/1981	St. Casimir, Shenandoah, PA
6/1978 – 6/1981	Catholic Scouting, Schuylkill County, PA
6/1981 – 11/1981	St. Anthony, Easton, PA
11/1985 – 8/1983	St. Stanislaus Kostka, Minersville, PA
8/1983 – 6/1989	St. Anthony of Padua, Cumbola
8/1983 – 6/1989	Nativity B.V.M. High School, Pottsville, PA
6/1989 – 2/2002	St. Richard, Barnesville, PA
6/1989 – 3/2002	Marian High School, Tamaqua, PA
2002	Resignedand ordered to refrain from public ministry
6/2010	Dismissed from Priesthood

Summary

On September 9, 1991, a former seminarian from the Diocese met with Bishop Welsh and advised that he was molested three times, involving oral sex by Father Paul Puza when the seminarian was in the eighth grade. On September 13, 1991, a Chancery official met with Puza, who admitted to one sexual encounter, not three. Puza also maintained his victim was a senior in high school, not in eighth grade.

On September 19, 1991, a Chancery official spoke with Puza's therapist, who stated that Puza admitted to "*quite a bit of male and female involvement, but insisted that the seminarian was the only minor.*"

On February 12, 1995, an 18-year-old high school student reported sexual contact by Puza to Welsh. On February 4, 2002, Puza admitted to sexual misconduct with a minor. On February 7, 2002, Puza resigned as Pastor of St. Richard of Chichester. On February 8, 2002, Puza's resignation was accepted by Bishop Cullen effective immediately. Cullen also asked

Summary

Puza to meet with the Secretary for Clergy to discuss his needs. The Diocese and Cullen made sure the needs of Puza were met until his dismissal from the priesthood in 2010.

Reverend Dennis A. Rigney

Biographical Information

YEAR OF BIRTH:	1940
YEAR OF DEATH:	N/A
ORDINATION:	May 21, 1966

Employment/Assignment History

5/21/1966-6/01/1966	Ordained in Cathedral of St. Cathedral of Siena, Allentown, PA. by Bishop McShea
6/1/1966 – 6/1/1966	St. Peter, Reading, PA
6/1/1966 – 3/27/1969	Secretary Tribunal, Diocese of Allentown
3/27/1969 – 7/9/1969	Spanish Apostolate
7/9/1969 – 7/9/1969	Diocesan Tribunal
7/9/1969 – 11/1/1969	Regional Director, Spanish Apostolate, Berks County, PA
11/1/1969 – 1/1/1970	Council of Priests-Diocesan Consultors
1/1/1970 – 10/12/1971	Executive Dire. And Moderator, Social Action Bureau
10/12/1971 – 6/14/1974	Council of Priests-Diocesan Consultors
6/14/1974 – 6/14/1974	Executive Secretary and Coordinator Council of Social Services
6/14/1974 – 6/14/1974	Director, Family Life Bureau
6/14/1974 – 6/14/1974	Director, Catholic Charities & Catholic Social Agency
6/14/1974 – 6/14/1974	St. Peter, Reading, PA
6/14/1974 – 8/19/1975	Pastoral Council, Diocese of Allentown
8/19/1975 – 9/26/1975	Our Lady Help of Christians, Allentown, PA
9/26/1975 – 11/1/1975	Director of Marriage Encounter, Allentown, PA
11/1/1975 – 8/1/1977	Council of Priests-Diocesan Consultors
8/1/1977 – 11/1/1978	St. Paul, Allentown, PA
11/1/1978 – 6/1/1981	Council of Priests-Diocesan Consultors
6/1/1981 – 11/1/1981	Diocesan Consultor
11/1/1981 – 1/26/1982	Council of Priests
1/26/1982 – 9/26/1983	St. Vincent de Paul Society
9/26/1983 – 9/26/1983	Holy Family Manor, Bethlehem, PA
9/26/1983 – 11/15/1983	Holy Family Villa, Bethlehem, PA
11/15/1983 – 11/15/1983	Diocesan director, Holy Family Health Care Agency, Schuylkill County, PA
11/15/1983 – 1/1/1984	Diocesan Director; Project H.E.A.D.
1/1/1984 – 12/31/1985	PCC Administrative Board
6/16/1987 – 6/16/1987	St. Francis of Assisi, Allentown, PA
6/16/1987 – 6/8/1995	Bethlehem Priest Director, Holy Family Manor, (President and CEO)
6/8/1995 – 10/29/1997	Board of Directors Catholic Social Agency
10/29/1997 – 12/3/2000	Board of Seton Manor, Inc.
12/3/2000 – 5/1/2002	Board of Covenant Home Care, Inc.

Summary

On August 9, 1989, a former employee of Holy Family Manor wrote a letter to Bishop Welsh with a complaint against Rigney, who had pressured the employee to resign her positon as a nurse's aide. The employee continued by asserting that she refused to resign and was subsequently fired. The employee stated, "*Monsignor Rigney regards himself as a ladies man and he's crazy about women*," and "*if you don't give him certain rights . . . i.e . . . to hug, grab, or kiss, he gets 'even' with you.*" The employee said he got "*even*" with her because she wanted no part of his physical advances. The Diocese later learned that this was not Rigney's first incident and that the abusive conduct began much earlier.

On April 6, 1987, Father Thomas Kuhn of the Archdiocese of Cincinnati wrote a letter to Archbishop Daniel E. Pilarczyk of Cincinnati regarding a parishioner claiming she was "fondled in the area of the vagina "*when she was about 12 or 13*" by Rigney. Kuhn's letter was forwarded to the Allentown Diocese.

On April 4, 1988, Rigney wrote a 23 page document to Welsh after allegations were made that Rigney "*digitally stroked a female minor's vagina.*" The letter denied any inappropriate touching or actions and painted both the victim and her family as highly dysfunctional and not credible, trying to convince the bishop of the same. Rigney's letter was in response to a letter sent to the Allentown Diocese from a relative of the victim.

On April 9, 2002, a woman telephoned the Chancery stating she had been touched inappropriately by a priest when she was about age nine or 10. The touching occurred over a one-year period in 1966 1967. Fifteen to twenty years later, the victim's sister told her that she too was touched by the same priest. The victim identified the offending priest as Rigney. The victim stated that she and her sister attended St. Peter's School in Reading and were members of St. Peter's Church, where Rigney was stationed. The victim stated Rigney had a house "at the river," where he took them water skiing at the "beach on the river." According to the victim, Rigney digitally stroked her vagina and caressed the rest of her body, kissed her on the lips, and "*petted*" her on various parts of her body, including her breasts, buttocks, shoulder, neck, back, legs, stomach, and vagina.

On April 18, 2002, Rigney requested early retirement citing medical reasons. On April 29, 2002, Rigney was granted early retirement by the Diocese, for medical reasons. On July 31, 2003, Monsignor Schlert, the Vicar General, sent a letter to Monsignor Gobitas indicating that Rigney was apprehensive about attending a "*special retreat*" he was encouraged to attend by the Diocese, because "*he retired without Scandal, if he goes to the retreat with the other 'known' offenders, it will implicate him.*"

Reverend Joseph A. Rock

Biographical Information

YEAR OF BIRTH:	1941
YEAR OF DEATH:	N/A
ORDINATION:	February 5, 1972

Employment/Assignment History

2/1972 – 9/1972	Sacred Heart of Jesus, Allentown, PA
5/1972 – 5/1975	Catholic Scouting, Allentown Area
6/1972 – 2/1975	Catholic Youth Organization, Lehigh County, PA
9/1972 – 2/1975	St. Catherine of Siena, Allentown, PA
2/1975 – 9/1976	St. Ignatius Loyola, Reading, PA
3/1975 – 9/1976	Scouts, Hawk Mountain, Berks County, PA
6/1975 – 9/1976	Catholic Youth Organization, Berks County, PA
9/1976 – 8/1977	St.s Simon and Jude, Bethlehem, PA
9/1976 – 4/1982	Scouts, Minsi Trails Council, Lehigh County, PA
9/1976 – 6/1982	Catholic Youth Organization, Bethlehem, PA
8/1977 – 3/1982	Our Lady Help of Christians, Allentown, PA
3/1982 – 2/1986	St. Francis de Sales, Mount Carbon, PA
6/1983 – 2/1986	Catholic Scouting, Diocese of Allentown
9/1983 – 9/1986	Social Action Bureau Advisory Board, West Schuylkill County
6/1985 – 2/1986	Youth Ministry
2/1986 – 9/1986	Sick Leave
9/1986 – 10/2001	Holy Family Manor
10/1999 – 10/2001	Retired
5/2005	Dismissed from Priesthood

Summary

In 1986, two reports were made to the Diocese of Allentown indicating sexual contact with three boys by Father Joseph Rock. One incident occurred in 1983 when the victim was nine years old. The victim stated that Rock touched him by fondling and masturbation. In addition, two brothers came forward claiming that, in the early 1980's while they were still minors, Rock sexually touched them through their clothes.

In February 1986, Rock was placed on "*sick leave*" and sent to Servants of the Paraclete in Jemez Springs, New Mexico. On February 3, 1986, according to Diocesan records, the Chancery was offered a "*bleak picture*" for Rock's prognosis by staff at Servants of the Paraclete. On February 9, 1986, the Chancery was advised by treatment staff, "*He . . . is no longer capable of functioning in a responsible work situation, and his life is unmanageable.*" On June 12, 1986, the Chancery was advised by a staff member at the Servants of the Paraclete that Rock was "*one of the worst cases he ever encountered.*" On October 20, 1987, Bishop

Summary

Welsh limited Rock's faculties for priestly ministry to a nursing home and the priest's retirement facility.

On December 29, 1989, Rock's civil attorney asked the Diocese for a retainer fee, which the Diocese paid. On August 6, 1991, there was a meeting held with Rock at the Chancery to "*discuss the matters*." On January 21, 1992, another meeting was held at the Chancery to inform Rock of the second allegations made against him. Rock admitted to "roughhousing" with the boys and, in the process, feeling their genitals.

On March 25, 2000, the Diocese received a letter written from another victim who complained that Rock was always "*grabbing kids from behind*," including the victim. The victim continued by stating, "*I recall he was always pulling me closer, always odd, I recall him pushing himself into my body...*" The victim was an adult at the time of reporting but in fourth or fifth grade at the time of the assaults. He said that Rock would begin "*touching him*" and his penis but always "*through his pants*," and that Rock told him that he "*shouldn't tell anyone that it was a blessing and that if [he] told [he] would go to hell.*" The victim was in Rock's company about three times a week and that this touching would go on almost every time. The victim claimed it went on in front of parishioners and even once in front of his parents, explaining that a priest's vestments are long and flowing and that Rock had his hands beneath the material of his sleeves so that they could not be seen by his parents. By the time the victim was twelve or thirteen, Rock's touching went so far as Rock putting his hand down the victim's pants and directly on the victim's penis.

On June 2, 2000, the final release of the civil lawsuit against the Diocese was received and the Diocese agreed to pay $305,000. The Diocese secured a release from the victim in exchange.

On November 9, 2001, Rock offered a letter of retirement as Chaplain of the nursing home. The resignation was triggered by an investigation by the Pennsylvania Department of Public Welfare, which received complaints that Rock had sexually abused two elderly male patients.

On August 20, 2003, the Diocese received yet another complaint concerning Rock. The complaint was that Rock molested a minor when the victim was in the seventh or eighth grade.

On September 2, 2003, Chancery officials met with Rock to go over allegation. Although Rock could not recall the incident, he stated that it could have happened "since the incident is in keeping with the way he acted with other victims."

In 2007 another victim reported that, from 1979 to 1981 while he was in the sixth through eighth grades, he was subjected to oral sex, fondling, and anal sex by Rock. In 2007, the Diocese dismissed Rock from the priesthood.

Reverend Gerald Royer

Biographical Information

YEAR OF BIRTH:	1917
YEAR OF DEATH:	2003
ORDINATION:	June 1, 1947

Employment/Assignment History

6/1947 – 1/1948	St. Bartholomew, Brockton
1/1948 – 6/1948	St.s Simon and Jude, Bethlehem
6/1948 – 12/1948	St. Bartholomew, Brockton
12/1948 – 6/1950	St. Catherine of Siena, Reading
6/1950 – 5/1952	St. Joseph, Girardsville
5/1952 – 1/1953	Annunciation, Shenandoah
1/1953 – 3/1954	Chaplain, Convent of Divine Love
3/1954 – 11/1955	St. Mary of the Assumption, Philadelphia
11/1955 – 2/1956	Leave of Absence
2/1956 – 5/1956	St. Jane Frances de Chantal, Easton
5/1956 – 4/1960	St. Paul, Reading
4/1960 – 7/1961	Leave of Absence
7/1961 – 8/1964	Chaplain, St. Joseph's Manor
8/1964 – 2/1965	Left active ministry (laicized)

Summary

Held in the secret archives of the Diocese of Allentown was a folder titled by a victim's name. Inside the folder was information describing the sexual abuse of a minor that occurred in 1948. The abuser was Father Gerald Royer. At the time of the abuse in 1948, the Diocese of Allentown did not exist and the location was under the control of the Archdiocese of Philadelphia.

In January 2003, the victim, then in his sixties, made a report of sexual abuse to the Diocese against Royer. Because Royer was under the authority of the Archdiocese of Philadelphia at the time of the sexual abuse, the Diocese referred this victim to Monsignor William Lynn, Vicar for Clergy of the Archdiocese. The Diocese of Allentown began paying for counseling then referred the costs to the Archdiocese of Philadelphia in June 2003.

In 2009, this victim contacted the Diocese again to discuss his sexual abuse. He brought his therapist along. While in Saint's Simon and Jude church, he saw a chair in which he was repeatedly sexually abused by Royer.

On April 18, 2018, now an 83-year-old man, the victim testified before the Fortieth Statewide Investigating Grand Jury. He disclosed that the abuse that occurred in 1948 still

Summary

haunts him to this day. The victim attended Saint's Simon and Jude in Bethlehem. He was a fatherless, 12-year-old boy. His mother was happy that a priest took interest in her son. Royer would kiss the victim and the kissing progressed to molestation. Royer would abuse the child behind the airport in Allentown, in his home, and in the rectory. Royer would have the child sit in a green chair located near a closet and the rectory's safe. Royer would fondle the victim's genitals. The child told a friend who did not believe him. During one abuse, the friend hid in the closet and watched Royer molest the victim. The child who witnessed the abuse could not fathom what had just occurred.

The victim testified that, after the 2002 Boston, Massachusetts, scandal broken by the Boston *Globe*, he found the strength to finally disclose his abuse to the Catholic church. During a meeting with a priest in the Diocese, the priest acknowledged that Royer was a "*bad actor*," stating that the priest had counseled Royer. The victim never told his wife why he could not hug or kiss his own children, who were boys. He was unable to be affectionate with his grandchildren. To this day, he cannot shake hands with men. He cannot be seen by male doctors or dentists. His therapist had to be a female.

The victim told the Grand Jury that he was in the Army, fought in Korea, and was stationed on Okinawa in the 1950's. However, every day of this victim's life has been tormented by what Royer did to him as a child in 1948.

Reverend Charles J. Ruffenach

Biographical Information

YEAR OF BIRTH:	1901
YEAR OF DEATH:	1980
ORDINATION:	May 29, 1930

Employment/Assignment History

6/11/1930 – 6/8/1931	Holy Ghost, Bethlehem, PA
608/1931 – 9/20/1934	St. Mary of the Assumption, Philadelphia, PA
9/20/1934 – 7/2/1979	St. John the Baptist, Stiles
7/02/1979 – 7/4/1980	St. John the Baptist, Stiles Holy Family Villa
7/04/1980	Deceased

Summary

On August 29, 2001, an adult victim contacted the Diocese to report physical and sexual abuse at the hands of Father Charles Ruffenach beginning in approximately 1945, when the victim was in first grade, and continuing through the eighth grade. The victim stated that Ruffenach beat, paddled, and sexually abused him when he attended St. John the Baptist school. The abuse took place on the premises of the parish, specifically in the "*boiler room.*" The victim also reported at the time of abuse Ruffenach referred to it as "*washing his penis.*"

In the late 1980's, the victim confronted Ruffenach regarding the abuse. Ruffenach denied the allegations. However, during the confrontation, Ruffenach claimed that during the time of incident the victim wanted him to "*wash his penis.*"

At the time of the report by the victim, the Diocese responded by stating that Ruffenach was deceased and therefore it could not pursue the victim's claims any further but offered the victim counseling. The victim advised he had been in counseling since age 29, and requested that the Diocese fund additional counseling sessions. Ultimately, the Diocese paid for eight months of counseling, amounting to several thousand dollars' worth of counseling.

Reverend J. Pascal Sabas

Biographical Information

YEAR OF BIRTH:	1923
YEAR OF DEATH:	1996
ORDINATION:	June 20, 1954 (Wappinger Falls, New York)

Employment/Assignment History

10/1955 – 10/1957	Vocation Director, New York
10/1957 – 10/1958	House Discretus and Purser, New York
10/1958 – 10/1960	Administrator, St. Vincent de Paul, Pittsburgh, PA
10/1960 – 10/1962	Assistant, Sacred Heart, Yarmouth, Maine
10/1962 – 5/21/1963	Assistant, St. Joseph, Portland, Maine
5/21/1963 – 5/20/1964	Assistant, St. Francis of Assisi, Minersville, PA
5/20/1964 – 9/1/1965	Assistant, St. Francis of Assisi, Allentown, PA
9/1/1965 – 11/1/1966	Assistant, St. Patrick, Pottsville, PA
11/1/1966 – 4/4/1967	Regional Director, Bishop's Relief Agency, West Schuylkill, PA
4/4/1967 – 1/18/1971	Administrator, St. Vincent de Paul, Girardville, PA
1/18/1971 – 8/1/1977	Pastor, St. Vincent de Paul, Girardville, PA
8/1/1977 – 10/1/1977	Administrator, St. Ignatius Loyola, Sinking Spring, PA
10/1/1977 – 3/4/1980	Pastor, St. Ignatius Loyola, Sinking Spring, PA
3/4/1980 – 6/1/1983	Pro-Synodal Examiner
6/1/1983 – 8/16/1983	Priest Representative Diocesan Board of Education, Berks County, PA
8/16/1983 – 10/1/1985	Pastor, St. George, Shenandoah, PA
10/1/1985 – 12/16/1986	Returning to Religious Life
12/16/1986 – 3/19/1987	Assistant, St. Anthony, Easton, PA
3/19/1987 – 6/14/1988	Chaplain, Catholic Daughters of the Americas
6/14/1988 – 6/1989	Assistant Pastor, St. John the Baptist, Shillington, PA
6/1989 – 11/1/1991	Sick Leave
11/1/1991 – 1996	Retired

Summary

At the age of 14, a boy who is now a renowned sculptor and artist in New York, was sexually abused by Father J. Pascal Sabas beginning in 1964. Sabas bought the victim a slot car racing set and had the victim set it up in the victim's basement. Sabas would come over to the play slot cars and then abuse the victim while they were alone in the basement. Sabas also abused the victim while in the corridor of his school and after the victim served Mass as an altar boy with Sabas. Sabas also threatened the victim, telling him, "*Don't tell your parents. They would be very hurt if they knew what you were doing*." The abuse only ended when Sabas was transferred out of the victim's parish.

Summary

In 1974, the victim reported the abuse to Bishop McShea. The victim entered into counseling which he paid. In 1989, the victim filed a civil lawsuit against the Diocese and Sabas. The lawsuit was settled out of court in 1991 for $40,000.

After years of counseling and three marriages, the victim reported it again and requested a group meeting with Bishop Cullen and three other survivors of sexual abuse by clergy. Cullen refused the meeting.

Reverend William J. Shields

Biographical Information

YEAR OF BIRTH:	1929
YEAR OF DEATH:	2000
ORDINATION:	March 15, 1958

Employment/Assignment History

5/29/1958 – 5/27/1960	Assistant, St. Ambrose, Schuylkill Haven, PA
5/27/1960 – 2/23/1962	Assistant, St. John Baptist de la Salle, Shillington, PA
2/23/1962 – 9/4/1962	Assistant, St. Mary, Hamburg, PA
9/4/1962 – 10/30/1964	Assistant, Annunciation B.V.M., Shenandoah, PA
10/30/1964 – 12/9/1966	Regional Director, Bishop's Relief, Upper Schuylkill County, PA
12/9/1966 – 11/29/1967	Bishop's Relief Agency, East Schuylkill County, PA
11/29/1967 – 8/30/1968	Assistant, St. Paul, Allentown, PA
8/30/1968 – 3/27/1969	Assistant, St. Lawrence, Catasauqua, PA
3/27/1969 – 3/8/1972	Administrator, St. Ann, Lansford, PA
3/8/1972 – 1/11/1974	Assistant, St. Peter, Reading, PA
1/11/1974 – 6/15/1995	Pastor, St. Nicholas, Weatherly, PA
6/15/1995 – 8/28/2000	Pastor Emeritus, St. Nicholas, Weatherly, PA

Summary

In April 2002, a victim reported that he had been sexually abused by Father William J. Shields. The victim reported that the abuse occurred when he was approximately 12 or 13 years old in the rectory of St. Ann's in Lansford. After a night of working a parish picnic, the victim and the victim's friend helped Shields take money back to the rectory. Shields told the victim's friend that he could leave but that the victim should stay at the rectory. At the time of the abuse, the victim revered priests and the Catholic Church and "*did not know how to say no to a priest or nun.*" Shields asked the victim sit in the television room and lay down on the couch because Shields wanted to give him a massage. Shields began by massaging the victim's shoulders and working his way down to the victim's waistline. Shields unbuttoned the victim's pants and began fondling the victim's genitals. Shields then made the victim stand up as Shields knelt in front of the victim and began removing the victim's pants and underwear. At this point the victim had the courage to stop Shields and tell Shields he had to leave. As the victim was getting ready to leave, Shields told the victim, "*Let this be our little secret.*"

The victim went home and told his mother what had happened. The victim's mother advised him not to tell anyone of the incident and to stay away from Shields. The victim believed his mother was worried that, if the incident was reported, the victim could be stigmatized if others in the parish knew about it. The victim told a deacon who worked at the parish and with whom the victim was close at the time about the incident. The victim reported that about three months after the abuse occurred Shields announced at mass that he was being

Summary

transferred to another parish. The victim believed the deacon reported the incident to someone in the Diocese, resulting in Shields' transfer. Records provided by the Diocese indicate Shields was transferred to St. Peter's in Reading and then St. Nicholas' in Weatherly. Shields remained at St. Nicholas' until his death in 2000.

In March 2004, a second victim called the Diocese and reported that he had been sexually abused by Shields at St. Ann's parish 25 to 30 years prior. The second victim did not give any further details off the sexual abuse. The second victim only wanted to report he was abused by Shields and wanted no counseling or compensation in return. Records indicated that the Diocese contacted the Carbon County District Attorney's Office about the second victim's report of abuse.

Reverend Stephen F. Shigo

Biographical Information

YEAR OF BIRTH:	1953
YEAR OF DEATH:	1991
ORDINATION:	May 13, 1978

Employment/Assignment History

6/20/1978 – 6/15/1981	Holy Guardian Angels, Hyde Park, PA
6/15/1981 – 9/1/1981	St. Ambrose, Schuylkill Haven, PA
9/1/1981 – 7/11/1983	Area Chaplain Catholic Scouting, West Schuylkill County, PA
7/11/1983 – 8/31/1984	Regional Director, CYO West Schuylkill County, PA
8/31/1984 – 12/4/1985	Regional Director, Youth Ministry, South Schuylkill County, PA
12/4/1985 – 11/2/1991	Regional Director, Family Life Bureau, South Schuylkill County, PA

Summary

The Diocese of Allentown was informed of one victim of sexual abuse by Father Stephem Shigo. On November 17, 2011, the victim's father contacted Diocesan officials on behalf of his son. The victim's father reported that his son had a successful business as a builder but had previous issues with alcohol, drugs, and maintaining stable relationships. The victim's father also told officials that he only heard about the sexual abuse from his daughter, who in turn found out from the victim's ex-girlfriend. The victim was sexually abused by Shigo on a road behind the victim's house during a ride home from the church.

The victim, who finally came forward at the encouragement of his father, reported his abuse in February 2012. The victim told the Diocese he was sexually abused by Shigo when the victim was an altar boy during his eighth and ninth grades and that the abuse occurred at St. Ambrose church. The Diocese offered six months of counseling. However records indicate the victim was participating in counseling at least through June 2016, for which the Diocese paid.

Shigo died in 1991.

Reverend David A. Soderlund

Biographical Information

YEAR OF BIRTH:	1938
YEAR OF DEATH:	N/A
ORDINATION:	May 22, 1965

Employment/Assignment History

6/1965 – 12/1966	St. Peter, Coplay, PA
12/1966 – 4/1971	Sacred Heart, West Reading, PA
4/1971 – 6/1973	St. Catharine of Siena, Reading, PA
4/1971 – 6/1974	Holy Name High School, Reading, PA
6/1971 – 11/1971	St. Catharine of Siena, Reading, PA
10/1971 – 11/1978	Adult Religious Education, Berks County, PA
6/1973 – 1/1974	St. John the Baptist, Shillington, PA
1/1974 – 11/1978	St. Benedict, Reading, PA
6/1974 – 11/1978	Holy Name High School, Reading, PA
11/1978 – 7/1980	St. Joseph, Summit Hill, PA
7/1980 – 9/1980	Sick Leave (Villa St. John Vianney Hospital)
9/1980 – 6/1981	Our Lady of Hungary, Northampton, PA
6/1981	St. Catharine of Siena, Reading, PA
10/1986 – 1/1989	Good Samaritan Hospital, Pottsville, PA
2/1989	Administrative Leave (faculties withdrawn)
5/2005	Dismissed from Priesthood
2009	Arrested

Summary

As early as August 5, 1961, while in Seminary, Father David Soderlund expressed a desire to work with children. In 1980, three separate complaints were made against him. The complaints asserted that Soderlund had engaged in sexual acts with three different children. The children were aged 12 to 13 years old. The Diocesan record, a "*summary of case*" relating to Soderlund, generalized the sexual conduct without referencing specific acts or crimes.

On June 11, 1980, a meeting was held at the Chancery during which photo albums were examined depicting nude photographs of a young boy engaged in sex acts with Soderlund. Soderlund appeared in the photographs unclothed with the boy. After the meeting, Monsignor Anthony Muntone went to the rectory and completed a search. Muntone located a second photo album of another young boy and negatives of the first young boy, along with "*other pornographic materials*." Father James Gaffney was present at the parish at the time of the search. Gaffney testified before the Grand Jury and recalled the child pornography being removed from the church by Muntone.

Summary

On June 29, 1980, Soderlund admitted to Chancery officials that he engaged in sexual activity with the three young boys. While documents created at the time of the admission minimized the conduct, the facts became available through a detailed account of the abuse obtained from a victim in 1997 by the Diocese. That account was obtained by the Grand Jury from within the secret or confidential archives of the Diocese. The victim reported that:

> *[H]e was an altar boy (7th grade), and David, had a trailer which he kept at the Appalachian Trail Sites in Shartlesville, brought him there almost weekly, over a period of about 5 years, where they engaged in sexual acts. The victim said, he was not a willing participant, but David threatened to harm or kill him.*
>
> ***
>
> *David also took pictures of the victim engaged in sexual acts and threatened to use them to embarrass him. David offered to leave the priesthood, if the victim would go away with him.*

The victim then indicated that he knew of many other boys who were victimized by Soderlund. The victim added that he struggled greatly with substance abuse and intimacy due to the abuse. The trauma from the abuse had cost him his marriage and a relationship with his two sons.

Soderlund was placed on "sick leave" in July 1980 and was sent to Villa St. John Vianney Hospital. On July 3, 1980, a document written by Muntone recorded the following;

> *After James* [Gaffney] *left, the attorney questioned me a bit and spoke of his plan to make contact with the prosecutor over the weekend. I spoke with the attorney by telephone on Saturday evening, July 5th. He informed me that the prosecutor had assured him if the parents would not make an issue of the matter, he would not prosecute. The prosecutor made it clear that he understood Father Soderlund would no longer be stationed in Carbon County.*

This account of the Diocese entering into an arrangement with law enforcement to avoid prosecution of Soderlund corroborates the testimony of Gaffney before the Grand Jury. Additionally, on Tuesday, July 8, 1980, Muntone wrote:

> *I met with [the attorney]. . . at 10 a.m. He spoke in greater detail of his approach to [the prosecutor], and of the assurance he had received that the matter would not be pursued if the parents chose not to press it. In a letter sent by [the attorney] to Monsignor Muntone dated September 12, 1980, [the attorney] reiterates what [the prosecutor] told him regarding the pornographic photos taken by Soderlund and that "the Diocese should retain these photographs for a reasonable period of time. [The prosecutor] did not want to view any of the commercially produced pornographic material and stated you (Muntone) could destroy this material.*

On October 11, 1986, after two months characterized by the Diocese as "sick leave," Soderlund was assigned to serve as a priest in two other parishes. Soderlund was also sent to Good Samaritan Hospital, where he was to minister as chaplain.

Summary

The Grand Jury reviewed additional documentation in the form of a letter from Bishop Welsh to Antonio Cardinal Innocenti, Prefect of the Congregation for Clergy, showing that Soderlund was permitted to be involved in parish life as a priest immediately upon his return from "sick leave." Diocesan records indicated that at this time Soderlund began to "act out sexually with a young boy." According to Diocesan records, "He invited the child to vacation with him in Yellowstone National Park." The records further indicate, "*Father Soderlund continued to groom the boy by informing the boy of his own bisexuality.*"

The letter written by Welsh noted, "*Once again, Father Soderlund was relieved of his duties and this time placed under the spiritual care of Father John Harvey, O.S.F.S. and the clinical care of Doctor John Kinnane.*"

Soderlund continued to minster even after the latest complaint. On April 28, 1987, the Good Samaritan Hospital Administrator contacted the Diocese, advising them that Soderlund was spending a lot of time with an eight-year-old boy. Soderlund had spent an hour talking to the boy on the telephone, saying that he wanted to take the boy on a trip to a museum. Good Samaritan officials wanted Soderlund to be fired.

An excerpt taken from a transcription of a handwritten report from Muntone stated the following:

> *I related all of the above to [the Diocesan attorney] and asked for his recommendation. Much to my surprise, he recommended that the chaplain at Sacred Heart Hospital and Soderlund trade places. I tried to explain to him that that was not exactly the way things worked, that the chaplains are employees of the hospital, etc. He said, that however that may be, Good Samaritan Hospital contributed significantly to Soderlund's problems. He said they should have structured his day more fully, and seen to it that his living accommodations were better supervised, etc.*

Muntone added that, if Soderlund lived at the rectory at Sacred Heart and "*the hospital held him more accountable for his time, there shouldn't be any problems.*" Muntone responded to Traud's advice by telling the Bishop, "*Also if we do manage to place Soderlund after being fired by Good Samaritan we will have an even harder time convincing the others we have no place for them.*"

On February 23, 1989, Soderlund was placed on administrative leave. During much of 1989 through the early 1990's, Soderlund battled the Diocese in court. Soderlund commenced a civil action against the Bishop in 1996, admitting a "*sexual addiction*" but claiming that his due process rights were violated. In 1997, a judge in Lehigh County dismissed the lawsuit. Soderlund appealed to the Pennsylvania Superior Court, which affirmed the dismissal.

In 2009, Soderlund, now living in Dubois, Wyoming, within the Diocese of Cheyenne, was arrested, convicted, and sentenced to incarceration for two to five years for sexual

Summary
exploitation of children/possession of child pornography on his computer. He is a registered sex offender in Wyoming.

Very Reverend Henry E. Strassner, V.F.

Biographical Information	
YEAR OF BIRTH:	1922
YEAR OF DEATH:	2009
ORDINATION:	May 31, 1947

Employment/Assignment History	
6/14/1947-9/2/1947	Assistant Pastor, St. Charles Borromeo, Cornwell Heights, PA
9/2/1947-5/16/1961	Allentown Central Catholic High School, Professor (Res. Notre Dame, Bethlehem, 09/08/1954)
5/16/1961 – 6/19/1962	Regional Director, Holy Name Society, Lehigh County, PA
6/19/1962 – 5/21/1963	Assistant, Notre Dame, Bethlehem (Summer Assignment)
5/21/1963 – 3/20/1964	Principal, Notre Dame High School, Green Pond, PA
3/20/1964 – 12/16/1964	St. Michael, Easton, In Residence
12/16/1964 – 11/9/1966	St. Bernard, Easton, In Residence
11/9/1966 – 8/30/1968	Member, Council of Priests-Diocesan Consultors
8/30/1968 – 11/27/1968	Administrator, St. Paul, Allentown, PA
11/27/1968 – 10/6/1968	Member, Council of Priests-Diocesan Consultor
10/6/1968 – 11/1/1969	Director, Family Life Bureau, Lehigh County, PA
11/1/1969 – 11/1/1972	Member, Council of Priests-Diocesan Consultors
11/1/1972 – 1/17/1974	Council of Priests-Diocesan Consultors, Ex Officio Member
1/17/1974 – 12/1/1974	Pastor, St. Paul, Allentown
12/1/1974 – 12/9/1983	Regional Director, Family Life Bureau, Lehigh County, PA
12/9/1983 – 11/1/1984	Member, Diocesan Development and Endowment Committee
11/1/1984 – 6/22/1988	Dean, Lehigh County Diocese of Allentown
6/22/1988 – 8/1/1993	Member, Advisory Board, Allentown Central Catholic High School, PA
8/1/1993 – 2/18/1994	Sick Leave
2/18/1994 – 3/16/2000	Senior Priest/Assistant Pastor, St. Jerome, Tamaqua, PA
3/16/2000 – 6/17/2003	Council of Priests Rep. Parochial Vicars
6/17/2003 – 11/20/2009	Retired Pastor Emeritus of St. Paul Church, Allentown, PA

Summary

Included in documents subpoenaed from the Diocese of Allentown was a handwritten document by Monsignor Muntone dated August 22, 1988, which documented the complaint of a 19-year-old man. The victim reported that Father Henry Strassner kissed him four times on the lips, "*in the same way a woman would kiss,*" within the first hour and a half of a counseling session. Strassner, after being confronted and initially denying even knowing the victim, admitted to the conduct but claimed he "*did not intend anything sexual.*" Strassner claimed the victim "*was essentially parentless and I wanted to simply affirm his sense of self-worth.*" Strassner was sent to see a counselor who, after meeting with Strassner, advised the Diocese that there was "*a lot more going on here than Father Strassner has admitted.*"

Also included in the Diocese's internal documents was a handwritten memorandum dated July 11, 1991, written by Muntone that recorded two additional complaints of child sexual abuse against Strassner. The memorandum recorded that both victims had been molested as a children. One victim recalled that Strassner sexually abused him between the ages of six and nine while he was struggling with childhood behavioral issues. The other victim provided less detail but was explicit in his characterization of the "*viciousness*" of abusers. He also reported at least one other priest was involved in his abuse.

In the more detailed complaint, the victim reported that his mother had heard Strassner give a lecture on drugs. She invited Strassner into her home to speak to her son. The victim trusted Strassner and was taught to respect him. The victim revealed intimate details of his life to Strassner, who was his counselor and confessor. Strassner told the victim that he needed to "*touch him*" as part of his priestly duties. Touching progressed to Strassner masturbating the victim and performing oral sex on him.

The accounts of both victims were similar. Each victim was devoted to their parish. Each victim was groomed and sexually assaulted by Strassner. One victim reported the abuse to explain why he was withdrawing from his volunteer role in the church. The trauma of his abuse was making his involvement impossible. The other victim was reporting to request that the parish be informed of Strassner's conduct. He was concerned that others could be victims. At the time of the 1991 report, Strassner was assigned to the Advisory Board of the Allentown Central Catholic High School. There is no indication that the Diocese took any action.

In 2001, a parishioner came forward to report that Strassner had used his authority and position as a priest to make sexual advances during counseling sessions. The parishioner reported that, while seeking counseling during a difficult time in his life, Strassner assaulted the thirty-one-year-old man and took advantage of the man's vulnerability.

In 2004, a 53-year-old man reported that he was sexually assaulted by Strassner in 1977 when he was aged 26 or 27. The abuse occurred at St. Paul's church located at Second and Susquehanna Streets in Allentown. The victim stated that Strassner "*French kissed*" him and asked the victim to show him his genitalia. The victim refused. Diocesan records indicated that this assault occurred while Strassner was acting in his official capacity as counselor or in hearing confessions. The victim, at the time of the report to the Diocese, produced a sheet of paper with

Summary

handwritten notes containing the names of approximately 25 or 30 other individuals who he alleged were similarly sexually assaulted by Strassner. The Diocese provided the victim counseling.

In November 2011, a then-63-year-old victim reported to the Diocese he had been sexually abused by Strassner when he was in the seventh or eighth grade. The victim was made to perform oral sex on Strassner and Strassner performed oral sex on the victim. The victim did not report the abuse because he felt humiliated and subsequently became a "*criminal all his life*."

Within undated documents provided by the Diocese were handwritten notes indicating two victims, both with deep personal issues, whom Strassner exploited for purposes of grooming and ultimately sexually abused. According to the document, counseling was a part of their lives as they battled drugs and alcohol and even contemplated suicide. One of the victims was diagnosed with post-traumatic stress disorder.

Secret or confidential documents of the Diocese showed that the Diocese was aware of Strassner's abuse of his position as early as 1988. Notes by Muntone relating to the allegations was a common observation throughout this investigation. Those notes were commonly addressed to the bishop at the time or forwarded to the bishop through another memorandum or note. Personnel decisions were ultimately within the exclusive purview of the bishops, who continued to return Strassner to ministry within the Diocese after each allegation with little regard for Strassner's record of abusing his position. By way of example, in August 1993, Strassner took "sick leave" and went to Jemez Springs, New Mexico, for approximately six months. After his return, Strassner continued as an active priest until his retirement in June 2003. Even after retirement, Strassner was granted the status of "Pastor Emeritus" of St. Paul in Allentown.

Reverend Bruno M. Tucci

Biographical Information

YEAR OF BIRTH:	1942
YEAR OF DEATH:	N/A
ORDINATION:	March 27, 1971

Employment/Assignment History

4/1971 – 4/1972	St. Margaret, Reading, PA
10/1971 – 4/1972	Confraternity of Christian Doctrine, Berks County, PA
4/1972 – 6/1972	Cardinal Brennan High School, Fountain Spring, PA
4/1972 – 6/1972	Annunciation, Shenandoah, PA
6/1972 – 9/1972	St. Canicus, Mahanoy City, PA
6/1972 – 6/1977	Marian High School, Tamaqua, PA
9/1972 – 6/1974	St. Canicus, Mahanoy City, PA
6/1974 – 2/1975	St.s Peter and Paul, Lehighton, PA
2/1975 – 6/1977	Our Lady of Mount Carmel, Nesquehoning, PA
6/1975 – 8/1975	Marian High School, Tamaqua, PA
6/1977 – 6/1979	Holy Name High School, Reading, PA
6/1977 – 9/1977	St, Columbkill, Boyertown, PA
9/1977 – 6/1978	Most Blessed Sacrament, Bally, PA
6/1978 – 4/1981	St. Peter, Reading, PA
6/1979 – 4/1981	Central Catholic High School, Reading, PA
4/1981 – 6/1986	Immaculate Conception, Kelayres, PA
6/1986 – 3/2002	Our Lady of Mount Carmel and Immaculate Conception, Nesquehoning, PA
3/1/2002	Retired
2/9/2007	Dismissed from priesthood

Summary

The Diocese of Allentown became aware of Father Bruno Tucci's abuse of children in 1991. A victim called the Chancery and stated he was sexually molested by Tucci when he was 14 years old. Tucci tickled him and put his hands down the back of the victim's pants. On another occasion, Tucci unbuttoned his pants and the victim's pants. Tucci pulled them both down and made skin to skin contact. Tucci normalized the conduct by tickling the victim in front of the victim's parents.

The victim recalled that Tucci visited the victim while his parents were at Christmas Eve mass and took off his pants and "played with him." Later that same evening at the midnight mass, the victim served at the altar for Tucci. During this telephone call, the victim advised the Diocese that he would like to confront Tucci about the abuse.

Soon after the call, a Chancery official met with Tucci, who admitted the allegations and stated that the incidents occurred "exactly as the victim reported." Tucci said it was "just touching" and clarified he had not engaged in "sodomy." The Diocese sent Tucci to The Servants of the Paraclete, Jemez Springs, New Mexico, later that year. One year later, Tucci return to active ministry as Pastor of two parishes in Nesquehoning.

On November 30, 1993, Chancery officials met with the victim, who expressed his outrage that Tucci was still functioning as a priest. Seeing no action from the Diocese, the victim again expressed his desire to confront Tucci. On February 11, 2002, Chancery officials met again with Tucci, who reiterated his guilt concerning the victim. Tucci offered to resign as Pastor. Four days later, the Bishop accepted Tucci's resignation.

On May 6, 2002, the Diocese received a letter from another victim stating he was sexually molested by Tucci between 1977 and 1978, when he was a minor. Tucci did not deny the complaint, saying merely that he could not recall the incident. In March 2002, Tucci retired. His retirement came just weeks after the Boston *Globe* garnered national attention after publishing articles detailing child sexual abuse within the Archdiocese of Boston.

In 2005, Tucci requested to be laicized, a request granted and completed in 2007. Tucci is last known to be a resident of Salisbury, Maryland.

Reverend A. Gregory Uhrig

Biographical Information	
YEAR OF BIRTH:	1947
YEAR OF DEATH:	N/A
ORDINATION:	September 29, 1973

Employment/Assignment History	
1974	Secretary, Diocesan Tribunal
	Assistant, St. Francis of Assisi, Allentown, PA
8/30/1974 – 6/17/1975	Professor, Allentown Central Catholic High School, PA
	Resident, St. Elizabeth, Whitehall, PA
6/17/1975 – 9/29/1975	Resident and Assistant, Immaculate Conception, Allentown, PA
9/29/1975 – 6/15/1976	Member, Liturgical Commission
6/15/1976 – 10/4/1976	Secretary, Diocesan Tribunal
10/4/1976 – 6/20/1976	Defender of the Bond, Diocesan Tribunal
6/20/1976 – 6/20/1978	Professor, Reading Central High School, PA
	Resident, Holy Rosary, Reading, PA
6/20/1978 – 6/16/1980	Assistant, St. Anthony, Easton, PA
6/16/1980 – 10/1/1981	Coordinator, CCD Adult Regular Education, Northampton, PA
10/1/1981 – 2/25/1982	Regional Director, Family Life Bureau, Northampton, PA
2/25/1982 – 6/20/1983	Assistant Pastor, St. Ursula, Fountain Hill, Bethlehem, PA
6/20/1983 – 12/8/1985	Assistant Pastor, Our Lady of Perpetual Help, Bernardsville, PA
12/8/1985 – 6/19/1986	Assistant, St. Francis Cathedral, Metuchen, New Jersey
6/19/1986 – 12/1/1986	Resident, Holy Trinity, Egypt
	Chaplain, Muhlenberg/Cedar Crest Colleges
10/1/1986 – 6/14/1988	Resident, St. Thomas More, Allentown, PA
6/14/1988 – 6/15/1989	Assistant Pastor, St. Thomas More, Allentown, PA
6/15/1989 – 9/6/1989	Pastor, John the Baptist, Whitehall, PA
9/6/1989 – 7/15/1993	Regional Director, CCD Lehigh County, PA
7/15/1993 – 1/19/1995	Assigned to ministry in New Jersey
1/19/1995	Excardinated from Diocese of Allentown
	Incardinated into Diocese of Metuchen
10/2010	Placed on leave due to allegations stemming from incidents in 1978-1980.

Summary

The Diocese of Allentown became aware of Father A. Gregory Uhrig's sexual abuse of children by 2010.

On May 5, 2010, a 44-year-old female victim made a complaint to the Diocese of sexual abuse at the hands of Uhrig when she was 13-years-old and attended the seventh grade at St. Anthony school in Easton. Uhrig was assigned to St. Anthony at that time. The victim's parents encouraged her involvement in the parish and were comfortable with her taking a job answering parish telephones. While working afternoons in the rectory, the victim came to know Uhrig. Also, the victim's parents would routinely invite priests to their home for dinner. Through working at the parish and frequenting family dinners, Uhrig became a close family friend.

Uhrig began to groom the victim by showing her attention and complimenting her. She suffered from low self-esteem and expressed that to Uhrig. Uhrig's compliments built trust between them. Eventually, Uhrig initiated physical contact such as hugging, holding hands, and kissing the victim on the lips. Uhrig eventually progressed to groping the victim's breasts over her clothing. The victim would touch Uhrig's leg and lap area over his clothing with her hands, taking notice that his penis would be erect.

The victim reported that these types of interactions occurred approximately twice a week for about four years. The incidents took place at the rectory and in Uhrig's vehicle. The victim was often in Uhrig's vehicle as he would drive her home from working in the rectory or when she would accompany him on "family visits."

When the victim reached her sophomore year, she realized her relationship with Uhrig was wrong and began to avoid Uhrig. One month prior to her formal complaint, the victim contacted Father Anthony Mongillo. Mongillo had been a long-time family friend. Mongillo, who was a friend of Uhrig, offered no advice or instruction on how she should deal with her abuse.

The victim described the impact of the abuse in detail. Due to her victimization, she had suffered three failed marriages. The victim was able to disclose the abuse to her mother, who was shocked and upset at the disclosure. However, the victim remained unable to tell her father of the abuse.

In 1995, Uhrig left the Diocese and was incardinated to the Diocese of Metuchen in New Jersey. Following a report to that Diocese, he was placed on leave. The Diocese appears to have reported the complaint to local law enforcement upon receipt of the complaint. However, no prosecution was initiated because the statute of limitations had expired.

Reverend Andrew Aloysius Ulincy

Biographical Information	
YEAR OF BIRTH:	1936
YEAR OF DEATH:	N/A
ORDINATION:	May 21, 1966

Employment/Assignment History	
6/1/1966 – 9/2/1967	Professor, Marian High School, Hometown, PA
6/1/1966 – 3/27/1969	Resident, St. Joseph, Jim Thorpe, PA
11/1/1966 – 3/27/1969	Regional Director of Vocations, Carbon County, PA
12/9/1966 – 11/1/1970	Secretary, Committee on Ecumenism
3/27/1969 – 10/30/1979	Pastor, St. Mary, Mahanoy City, PA
11/1/1970	Member, Committee on Ecumenism
12/1/1974 – 10/30/1979	Regional Director, Family Life Bureau, E. Schuylkill, PA
10/30/1979 – 12/1/1981	Pastor, St. Simon and Jude, Bethlehem, PA
3/4/1980 – 12/1/1981	Parish Priest Consultor
12/1/1981 – 2/15/1982	Sick leave
2/15/1982 – 5/4/1982	Assistant Pastor, St. Michael, Lansford, PA
5/4/1982 – 1/3/1995	Pastor, St. Joseph, Frackville, PA
12/21/1992 – 12/21/1995	Advisory Board Member, Cardinal Brennan High School
1/3/1995 – 8/21/1996	Assistant Pastor, Holy Rosary, Reading, PA
8/21/1996 – 6/5/1997	Administrator Pro Tempore, Immaculate Conception, Birdsboro, PA
6/5/1997 – 9/11/1997	Administrator, St. Paul, Reading, PA
9/11/1997 – 9/21/2010	Pastor Pro Tempore, St. Paul, Reading, PA
8/28/2001 – 9/21/2010	Spiritual Director, Holy Name Society for Berks Deanery,
12/1/2009 – 9/21/2010	Pastors of Berks Deanery, Council of Priests, Representative
3/1/2011	Retired

Summary

The Diocese of Allentown became aware of Father Andrew Ulincy's sexual abuse of children in 1981. On November 16, 1981, a 17-year-old victim reported to the Bethlehem Police that Ulincy had sexually propositioned him. Ulincy was contacted by the police and admitted that the victim's complaint was true. There is no evidence that the solicitation resulted in any criminal charges.

The Grand Jury has learned that it is not uncommon for Diocesan investigators to make contact with previously reported victims during a review of confidential files within any given diocese. In this case, the 1981 victim was re-interviewed in June 2010 by an investigator for the Diocese. That interview was preserved in a report, stating:

> *"[The victim] had run away from home . . .He thought a good place to go for help was a church. The victim went to the rectory and was invited in by Father Ulincy. The priest told him to take a shower while the priest put his clothes in the dryer. The victim came out of the shower and was met by Father Ulincy who offered to help "dry him [the victim] off", and offered the victim alcohol. Father Ulincy then fondled the victim's penis. Father Ulincy then turned the victim over, held him down on the bed, and anally penetrated him [the victim]."*

Evidence of one other incident involving Ulincy was presented to the Grand Jury. Memorandums obtained from the Diocese showed that, during remodeling in the early 1990's, a group of contractors were working within the rectory at St. Joseph in Frackville. Ulincy was the pastor and lived in the rectory. Ulincy "*dropped his pants*" in front of a 25-year-old male contractor. Ulincy appeared to be under the influence of alcohol and the contractor appeared to be specifically targeted by Ulincy for this indecent exposure. The incident was reported to law enforcement but appears to have been dropped as the result of a $2,500.00 payment to the contractor and Ulincy's transfer from St. Joseph.

In September 2010, some 29 years after the first report, Ulincy was removed from active ministry. By that time, he had served in at least nine other parishes or assignments, one of which was as an Advisory Board Member for the Cardinal Brennan Catholic High School.

Reverend Ronald Yarrosh

Biographical Information

YEAR OF BIRTH:	1947
YEAR OF DEATH:	N/A
ORDINATION:	October 19, 1974

Employment/Assignment History

11/1974 – 12/1975	Assistant Promotion Director P.I.M.E. (Pontifical Institute for Foreign Missions), Detroit, MI,
2/1976 – 6/1976	Language Student, P.I.M.E., Rome, Italy
8/1976 – 11/1976	Missionary, P.I.M.E., Hong Kong
2/1977 – 11/1981	Mission Appeal, P.I.M.E., Detroit, MI
2/1982 – 6/1982	Assistant Pastor, St. Anthony, Easton, PA
6/1982 – 10/1985	Assistant Pastor, Holy Rosary, Reading, PA
6/1986 – 6/1988	Assistant Pastor, St. Patrick, Pottsville, PA
6/1988 – 11/1991	Assistant Pastor, St. Francis of Assisi, Allentown, PA
5/1990	Incardination into the Diocese of Allentown
11/1991 – 6/1996	Assistant Pastor, St. Anne, Bethlehem, PA
6/1996 – 6/1998	Assistant Pastor, St. Margaret, Reading, PA
6/1996 – 6/1997	Campus Minister, Albright College, Reading, PA
6/1997 – 7/1997	Assistant Pastor Pro Tempore, St. Peter, Reading, PA
6/1998 – 6/1999	Assistant Pastor, St. Jane Frances de Chantel, Easton, PA
6/1999 – 6/2001	Pastor, Holy Family, Sacred Heart Churches, New Philadelphia, PA
6/1999 – 6/2001	Pastor, St. Anthony, Cumbola,
6/2001 – 6/2003	Assistant Pastor, St. Bernard, Easton, PA
6/2003 – 4/2004	Assistant Pastor, St. Ambrose, Schuylkill Haven, PA

Summary

On April 22, 2004, Diocesan documents recorded that the Pennsylvania State Police searched the rooms of Father Ronald Yarrosh and found a "*tremendous amount*" of child pornography. On April 29, 2004, Yarrosh was removed from priestly ministry and entered St. John Vianney Hospital for evaluation and treatment.

On May 12, 2004, the Pennsylvania State Police filed charges against Yarrosh, specifically, 110 counts of sexual abuse of children after discovering hundreds of child pornography photos, books, magazines, videos, and DVD's in his possession. As law enforcement began its prosecution, Diocesan Support Services conducted an audit and determined that Yarrosh embezzled approximately $23,000.00 from the parish. Charges were filed related to this theft.

Summary

On April 27, 2005, Yarrosh entered a plea of guilty to charges of theft and possession of child pornography. Yarrosh was sentenced pursuant to a negotiated plea agreement to imprisonment for three to 23 months, $250.00 in fines, and restitution to the parish.

On May 3, 2005, Yarrosh was discharged from St. John Vianney Hospital and took residence at St. Francis Villa, Orwigsburg. Yarrosh was to begin his term of incarceration later that year. However, on July 18, 2005, the Diocese was made aware that Yarrosh was leaving his residence at St. Francis Villa.

On July 19, 2005, a letter was written to Yarrosh informing him that he was to remain at the residence, under supervision, until he was ordered to report to prison. Yarrosh subsequently met with the Secretary of Clergy and informed him that he could not remain at the Villa and would be leaving. On July 21, 2005, Yarrosh left St. Francis Villa and moved into a motel. Yarrosh continued in residence at the motel until August 8, 2005, at which time he was incarcerated in Schuylkill County Prison in Pottsville. Upon his release on November 31, 2005, Yarrosh registered with the Pennsylvania State Police as a sexual offender.

Upon his release from prison, Yarrosh was still a priest. On December 6, 2005, Yarrosh was released from prison as a convicted and registered sex offender. The Diocese granted him residence at St. Francis Villa in Orwigsburg. The Diocese's own designation of Yarrosh noted he was a "moderate to high risk to again use pornography and/or consort with prostitutes."

In November 2006, it was discovered that Father Yarrosh had taken trips to New York City with a seven-year-old child. Yarrosh was also found to be in possession of pornography in violation of his court supervision. The Schuylkill County Court of Common Pleas subsequently sentenced Yarrosh to four to ten years in state prison for violating the terms of his supervision. Finally, in June 2007, the Diocese dismissed Yarrosh from the priesthood.

Reverend Joseph A. Zmijewski, D.D.

Biographical Information

YEAR OF BIRTH:	1910
YEAR OF DEATH:	1968
ORDINATION:	December 6, 1936

Employment/Assignment History

8/18/1938 – 7/8/1942	Assistant, St. Ladislaus, Philadelphia, PA
7/8/1942 – 5/8/1961	Chaplain, Bernardine Sisters, Reading, PA
5/8/1961 – 10/27/1961	Defender of the Bond
10/27/1961 – 1/27/1964	Administrator Pro Tempore, St. Mary's, Reading, PA
1/27/1964 – 8/4/1967	Member, Diocesan Liturgical Commission
8/4/1967	Promoter of Justice, The Tribunal

Summary

On October 26, 2004, an adult woman reported to the Diocese of Allentown that she was a victim of child sexual abuse at the hands of a Diocesan priest. The victim grew up in Reading and had been a member of the St. Mary Greek church. She also attended St. Peter school on South Fifth Street in Reading. In 1950, while in the ninth grade, the victim met Father Joseph A. Zmijewski. She was in a new school and was experiencing unhappiness mixed with missing her friends at her previous school. The victim began regular counseling session with Zmijewski. Zmijewski was a registered psychologist and had been recommended by another priest.

Zmijewski proposed a course of alternative treatment. He directed the victim to come to his personal residence where he could help the victim through hypnosis. The victim complied and attended four hypnosis sessions with Zmijewski at his residence.

The victim became increasingly frustrated with this routine. After the first three attempts by Zmijewski to hypnotize her, she agreed to a fourth session. In an effort to expedite her "treatment," she feigned hypnosis during her fourth session. While she pretended to be hypnotized, Zmijewski instructed her to take off one piece of clothing after another. The victim was scared and complied until she was nude. Zmijewski then left the room for a short period of time. Upon his return, he instructed the victim to get dressed. The victim never returned for any further "treatment" and kept the incident to herself into adulthood.

Upon receiving the victim's report, the Diocese noted that the abuse would have occurred prior to the formation of the Allentown Diocese from within the Archdiocese of Philadelphia. The Allentown Diocese referred the complaint to the Archdiocese of Philadelphia. Zmijewski died in 1968.

DIOCESE OF ERIE

Reverend Michael J. Amy

Biographical Information

YEAR OF BIRTH:	1952
YEAR OF DEATH:	N/A
ORDINATION:	August 11, 1978

Employment/Assignment History

6/23/1978 – 7/05/1979	Asst. Pastor, Our Lady of Peace, Erie, PA
7/05/1979 – 8/28/1981	Faculty, Cathedral Preparatory. Residence at Blessed Sacrament, Erie, PA
8/28/1981 – 6/14/1985	Faculty, Cathedral Preparatory, Residence at Holy Trinity Rectory, Erie, PA
4/23/1983	Chaplin, Catholic Scouting Committee
6/14/1985 – 1/20/1986	Faculty, Elk Co. Christian, Residing at Holy Rosary Johnsonburg PA. Weekend Asst. St. Callistus, Kane, PA
1/20/1986	Weekend Asst. Holy Rosary, Johnsonburg, PA
6/14/1985 – 6/17/1988	Faculty, Elk Co. Catholic. Residing at Holy Rosary, St. Mary's, PA
6/17/1988 – 1/31/1990	Faculty, Bradford Central Christian HS. Residing at St. Bernard, Bradford, PA
4/19/1989 – 12/15/1989	Administration, St. Callistus, Kane, PA Residing at St. Callistus Rectory, Kane, PA
12/15/1989 – 12/22/1991	Pastor, St. Callistus. Residing at St. Callistus Rectory, Kane, PA
12/22/1991 – 2/05/1992	Sick leave
1/05/1992 – 3/01/1993	Sick leave
11/1993	Living in private residence

Summary

Between 1974 and 1975, Father Michael Amy - - a Seminarian at the time - - worked as a camp counselor at Camp Notre Dame in Fairview. In an October 25, 1993 letter to the Diocese of [redacted], Amy wrote:

> *I took the opportunity to touch the genitals of several boys at night. Two, at least were aware of my fondling. In 1974 one of them ran away because of my molesting him. The PA State Police were involved in the search. When he was found, he spoke of the molesting.*

Amy went on to describe how he was initially taken into custody by the State Police but was not arrested, nor were charges ever brought against him.

REDACTED -- ONGOING APPELLATE LITIGATION

Summary

Amy was ordained on August 11, 1978, and served in over eight parishes over the course of the next 14 years. He later admitted that while serving as a priest he was involved with male prostitutes in the Erie area, as well as in Pittsburgh and Baltimore. Many of these male prostitutes were minors.

In December 1991, a male contacted the Diocese to report that he met Amy in the early 1980s when he was 14-years-old. He and Amy met in Erie on West 18th street, which was an area known for prostitution at that time. The male reported that he was an underage prostitute dealing with substance abuse issues at that time. Amy gave him money and, in exchange, they would engage in sexual contact, sometimes at the rectory of Holy Trinity Church. Bishop Trautman sent Amy to St. Luke's Institute for psychiatric treatment following this report.

In 1993, the Diocese acted to remove Amy. At the laicization proceeding, Father Sal Luzzi and Father Leon Muroski, who were spiritual counselors to Amy and other seminarians were asked to fill out a questionnaire about Amy. Additionally, Father Lawrence T. Speice, a member of the Board of Directors at Camp Notre Dame in the 1970's, was asked to complete a questionnaire. The questionnaire asked nineteen questions about the depth of the relationship they had with Amy, as well as Amy's background, work ethic, and moral character.

One question asked, "*Has his conduct as a priest ever been a source of scandal or wonderment*?" Part of Luzzi's answer stated that he [Luzzi] was *"amazed that [Amy] was made a pastor in a place where something happened before,"* and that *"there certainly should have been something in his Seminary day files."* Luzzi added, *"I personally wondered when these things would resurface."*

In Muroski statement, he flatly denied any knowledge of Amy's predatory behavior at Camp Notre Dame. This behavior included the very incident that he, Luzzi and Speice helped to cover up by interceding with the victims' parents and the Pennsyvlania State Police. Muroski wrote, *"Not to my knowledge. In fact, I've heard positive comment about him. I believe he's a hard and conscientious worker."*

On September 29, 1993, Speice answered the same question by writing, *"It is my understanding now that Mike's conduct through the years may have caused scandal or wonderment to some extent to some persons. I know no detail in this regard and am aware of the possibility only after the fact."* He then adds, *"One instance before ordination is a dim memory of mine and probably was a source of scandal at that time."*

After Amy's laicization process was finally concluded, an additional allegation was made against him stemming from an incident that happened in the early 1980s while the victim was a high school student at Erie Cathedral Preparatory. The victim e-mailed the Diocese on December 3, 2002 to report his molestation by Amy. He described how he had regarded Amy as a friend, mentor, and someone who always took time to listen to him. Then, one day when Amy got him alone in a confessional booth, Amy questioned him about touching himself. Amy then went on to fondle the victim on more than one occasion.

Reverend Michael G. Barletta

Biographical Information

YEAR OF BIRTH:	1939
YEAR OF DEATH:	Unknown
ORDINATION:	May 19, 1966

Employment/Assignment History

6/04/1966 – 5/30/1975	Secondary Education Kennedy Catholic High School, Hermitage, PA
6/04/1966 – 6/03/1970	Weekend Asst. Sacred Heart, Sharon, PA
6/03/1970 – 6/30/1975	Weekend Asst. St. Joseph, Sharon, PA
1975	Teen Action Club at Cathedral Preparatory, Erie, PA
5/30/1975 – 9/07/1994	Secondary Education Erie Cathedral Preparatory HS
5/30/1975 – 9/07/1994	Weekend Assistant, St Luke's, Erie, PA
9/07/1994 – 8/01/1995	Sabbatical, Other Sabbatical at Southdown Treatment Center Toronto, Canada for Psychological Treatment
8/01/1995 – 2/28/2002	Dioceses Office, Catholic Charities, Erie, PA
8/01/1995 – 2/28/2002	Dioceses Office, Office of Matrimonial Concerns, Erie, PA
8/01/1995 – 2/28/2002	Resident St. Patrick's Resident, Erie, PA
2/28/2002	Retired

Summary

The Grand Jury received several documents describing Father Michael Barletta's behavior and also heard the testimony of a retired priest who witnessed Barletta with his genitalia exposed in the presence of a child under the age of eighteen years old. This incident occurred between 1969 and 1970. Specifically, on a Saturday afternoon at St Joseph's church in Sharon, Barletta was scheduled to hear confessions along with fellow priest Father John Fischer. When Barletta failed to arrive, Fischer went looking for him. Fischer testified that he walked in on Barletta and a young high school student in Barletta's locked private chambers. Upon entering the room, Fischer observed this young student totally naked from the waist down, with his genitalia exposed. As Fischer withdrew from Barletta's room, he observed the child attempting to pull up his underwear and pants while Barletta stood in the corner and watched. Fischer did not call the police nor notify Barletta's supervisor. Instead, Fischer testified that he reported the incident to a fellow priest and to Bishop Watson, head of the Erie Diocese, two months later. He recalled that Monsignor Hastings dismissed his report of Barletta and the naked child. He also recalled his meeting with Watson and testified that both Hastings and Watson brushed him off and told him to, "*Go home, be a good priest.*" Fischer also testified that when he told his fellow priests about Barletta and the child, they laughed it off. Not long after this incident, Barletta was re-assigned to Erie Cathedral Preparatory.

Summary

Fischer referred to the Erie Cathedral Preparatory students who received most of Barletta's attention as Barletta's "pretty people." These children participated in a program that Barletta started and called the Teen Action Club ("TAC"). This club was made up of students who were active in the community, church, athletics, and academics. Barletta would provide the students with a shoulder rub, hypnosis, or massage. He would often take his students on vacation with him to places such as Niagara Falls or to his own private camp in a secluded, rural part of Pennsylvania.

In Bishop Trautman's handwritten notes, he recorded the details of a conversation that he had with Sister Donna Markham about Barletta. In those notes, Trautman wrote that Barletta has abused 25 children. Trautman noted that Barletta admitted to the number himself. Trautman also noted that Barletta needed a restricted ministry, possibly a nursing apostolate. He added that Barletta was very defensive and that his abuse included nudity and rub downs, including genital groping, and that Barletta vacationed exclusively with teens.

Barletta was confronted with allegations of oral sex, naked massages, digital anal penetration, and masturbation against a victim in 1994. When confronted, Barletta admitted his guilt to Trautman. This abuse took place when the first victim was a freshman at Erie Cathedral Preparatory. The Diocese paid for the victim's counseling. However, once the victim shared the sexual abuse with the newspaper, Trautman advised that the first victim should seek payment directly from Barletta.

In August of 1994, Monsignor Lawrence Speice notified Bishop Trautman of an allegation from Victim #1, who reported that Barletta or "Barts," attempted to use hypnosis techniques, in conjunction with rub downs, in sexual encounters that included mutual masturbation. Victim #1 reported that "Barts" had a fascination with Victim #1's uncircumcised penis compared to his own and had Victim #1 masturbate while he watched. The Diocese confronted Barletta with Victim #1's accusation, which he denied. The Diocese nevertheless ended up paying out $14,420.00 to Victim #1.

Victim #2 was a high school senior when he and Victim #1 went on a retreat to Toronto, Canada, with Barletta. In the hotel room, Barletta engaged the boys in nude massages, relaxation techniques, fondling, and eventually masturbation. Barletta denied any sexual encounter with Victim #2, but in his April 2012 letter to the Bishop, Barletta admits to vacationing in Toronto with Victim #2 and Victim #1.

Victim #3 was another of Barletta's victims but little information has been found about him in the Diocese-supplied files. He is referenced as possibly one of the boys who went to the press with Victim #1 about Barletta. The Diocese lists Victim #3 as a victim in their 2003 report to John Jay College with no further details included. That report was compiled nationally by the John Jay College in New York in an attempt to quantify the scope of the problem of child sexual abuse within the Roman Catholic Church. The Grand Jury has found that many dioceses minimized the number of offenders and victims in their responses to this survey.

Summary

Victim #4 was listed as *"Not Verified"* in the 2003 John Jay Report and few files were turned over by the Diocese pursuant to the subpoena by the Grand Jury. Victim #4's name was found on handwritten notes from Bishop Trautman, who recorded Victim #4 as having traveled to Niagara Falls with Barletta. In those notes Trautman wrote, *"2 bed, rub down, masturbated, run off to bathroom and tried same thing."*

Victim #5 had a conversation with Bishop Trautman in 2004 about his abuse at the hands of Barletta. Trautman's notes recorded that Barletta gave Victim #5 several massages during his Junior and Senior years at Erie Cathedral Preparatory. Trautman noted that Barletta attempted to sexually abuse Victim #5 and that Victim #5 wanted to support his friends who were abused, so he came forward to report Barletta's advances. In the John Jay Report, the Diocese lists Victim #5 as *"Allegation Withdrawn."*

Victim #6 was another high school-aged student whose life was impacted by Barletta's predation. Victim #6's incident occurred while he was a student at Kennedy Catholic. Victim #6 reported his abuse in 2003 to Trautman and the Bishop confronted Barletta about the incident. At this time, Victim #6 was going through a divorce and came forward to the Diocese for assistance. In his conversation with the Bishop, Barletta admitted to giving Victim #6 a rub down, but did not admit to any further sexual contact. This conversation with Barletta was noted by Trautman on October 2, 2003. In that same document, Trautman made several notes regarding Barletta and Victim #6, such as *"gave massage to calm him, perhaps no clothes and stripped down."*

Victim #7 was a Kennedy Catholic student who found himself in a vulnerable position at Barletta's camp. Victim #7 was part of a group of boys who were taken to the camp, where Barletta suggested naked massages. Victim #7 refused and reported that he was never touched on that trip. Victim #7 reported this attempted sexual assault to Monsignor James Burke on November 4, 1988. That complaint was consistent with his complaint to Monsignor Robert Smith on November 25, 2003. However, in his report to Smith, Victim #7 added that he was now aware of several other children who had fallen victim to Barletta.

At the time of Victim #7's original report to Monsignor Burke in 1988, Barletta was a full-time teacher at Erie Cathedral Preparatory and actively abusing students. Neither Burke nor the Diocese took any action as a result of the 1988 report. Burke memorialized Victim #7's complaint on January 14, 1991. In a written report to Trautman, Burke explained Victim #7's complaint and concluded writing, *"I didn't feel the need to go any further with this at this time."*

In Victim #7's 2003 conversation with Smith, he reported that he was mad at the Diocese for its failure to remove Barletta sooner. Victim #7 told Smith that when he made his report to Burke in 1988, the Diocese already knew about Barletta as far back as his days at Kennedy Christian, yet they did nothing. This is an accurate statement. Father Fischer, Bishop Watson and Father Hastings all knew that Fischer had observed Barletta commit a sex crime against a child, yet Fischer was directed to remain silent by Bishop Watson.

Summary

In 2009, after many years of counseling, Victim #8 notified the Diocese of his abuse at the hands of Barletta. His account is consistent with the tactics that Barletta used against other children. Bishop Trautman documented his conversation with Victim #8 on September 10, 2009. Trautman noted that Victim #8 was befriended by Barletta, taken to a rural farm owned by Barletta in DuBois and abused. Trautman noted that Barletta was "*a calculated abuser who tried to hypnotize him.*"

From 1975 through 1994, when he was finally dismissed from Erie Cathedral Preparatory, Barletta admittedly abused 25 children and young men. After 1994, there are reports and documents that proved that Barletta was allowed to continue ministering to the faithful in the Diocese of Erie. He was appointed to be an Assessor in the Diocesan Tribunal in July 1995 and was appointed to work in the Office of Catholic Charities in 1997. These assignments were granted after Bishop Trautman discovered Barletta's misdeeds and removed him from public ministry. In one document, written in 1997, Barletta was congratulated on his *"outstanding sermons at Carmel"* by Bishop Trautman.

In 1994, the Diocese listed Barletta as being on sabbatical. He had actually been sent to the Southdown Treatment Center. This information was never released to the parishoners of the Diocese of Erie. Barletta was housed, fed and given therapy at Southdown at a significant cost to the parishioners of Erie, which is detailed in the Diocesan records.

Deeper in the recesses of the diocesan secret archives was a handwritten note from 1968. In this note, Bishop Watson wrote that Barletta "*Spends much time in counselling high school boys – a small number only.*" Thus, the concerns regarding Barletta appear to have been raised early in his career. Diocesan files indicate that in 1993, Monsignor Andrew Karg received a complaint from five fellow priests expressing serious concerns about Barletta. On April 29, 1993, Karg wrote to Trautman about the priests' fears that Barletta could be "*crossing the line" into the private lives of the students at Preparatory. Karg adds that Barletta is known to take pictures inside the boys' locker room of the kids' crotch area and that Barletta maintains a book of "crotch shots*" in his residence. These priests questioned Barletta's personal vacations with the good looking boys and his trips to San Francisco with students. In another bullet point, Karg reported "*Father Dollinger's*" fear is that if the Catholic Preparatoryaratory school ever had a law suit about a pedophile, *"will the 18 years of Father Barletta also come to light?"*

Father Donald C. Bolton, C.S.S.R.

Biographical Information

YEAR OF BIRTH:	1926
YEAR OF DEATH:	Unknown
ORDINATION:	1952

Employment/Assignment History

1952 – 1954	Mt. St. Alphonsus, Esopus, NY
1954 – 1959	Bela Vista, Mato Grosso, Brazil
1959 – 1962	Campo Grande, Mato Grosso, Brazil
1962 – 1967	Bela Vista, Mato Grosso, Brazil
1967 – 1969	Monte Alegre, Parana, Brazil
1969 – 1970	Rocio, Parana, Brazil
1970 – 1974	Notre Dame Retreat House, Canadaigua, NY
1974 – 1984	St. Gregory Thaumaturgus, North East, PA
1984 – 1987	Our Lady of Perpetual Help Basilica, Brooklyn, NY
1987 – 1990	Holy Family Retreat House, Hampton, VA
1990 – 2003	St. Alphonsus Villa, Redemptorist Fathers and Brothers, New Smyrna Beach, FL
2003 – 2006	St. John Neumann Residence, Sarasota Springs, FL
10/27/2006	Death

Summary

In 1986, the parents of a seven-year-old girl came forward to the Erie County District Attorney's Office with a complaint that Father Donald C. Bolton molested their daughter. They came forward after they discovered that Bolton was working with children in New York. They had been promised by Bolton's holy order, The Redemptorists, that he would never again be in a position to harm children. As a result of this complaint, Bolton was charged with indecent assault and corruption of minors. He pled guilty in 1987 and was sentenced to three years' probation. Records from that arrest also noted that several other girls were molested as well, but the statute of limitations had already expired, thus prohibiting further prosecution.

One of Bolton's victims would later file a lawsuit and received a settlement of $100,000. This victim was labeled Jane Doe 1 in court records. Jane Doe 1's lawsuit named the following defendants: The Redemptorists Mission of the Baltimore Province, Most Reverend(s) Kevin Moley and Joseph Kenan (Redemptorists), The Diocese of Erie, Bishop(s) Donald Trautman and Michael Murphy.

Jane Doe 1's abuse began in 1976 when she was seven years old and continued until she was eleven years old. In 1976, Bolton came to her house to console her family over the death

of a grandparent. Jane Doe 1 reported that Bolton held her on his lap and rubbed her back, legs, bottom, and rear.

Bolton's second assault on Jane Doe 1 occurred in 1977, when she was eight-years-old. This time, Jane Doe 1 was preparing to make her First Holy Communion at St. Gregory. When she was practicing confession, Bolton entered her side of the confession booth. He then slid his hands up her dress and pulled her panties down. He fondled her and rubbed his penis against her. When Bolton was done, he instructed Jane Doe 1 not to tell anyone because no one would believe a child's word against his word. Jane Doe 1 recalled this type of abuse occurred for nine months, at least every other week.

Beginning in 1977 and continuing into 1978, Bolton took Jane Doe 1 and her five friends to the Peak 'N Peak ski resort in New York on several occasions. Bolton would take the girls to the swimming pool at the resort. Once they were done swimming, Bolton toweled the girls off and drove them home. Jane Doe 1 explained that while Bolton drove, he assaulted her in the front seat. She described how Bolton would rub her genitals and poke her with his finger as though he was trying to put a hole in her pants. Jane Doe 1 recalled this as a physically painful experience. She recalled that it happened to her at least twice when she was eight or nine years old.

In 1978 and 1979, Jane Doe 1 attended Confraternity of Christian Doctrine ("CCD") classes at St. Gregory. Her classes met every Wednesday night during the regular school year from September to June. Jane Doe 1 reported that Bolton would have the nuns pull her out of class and send her to Bolton's bedroom in the rectory to help him with assignments. This happened approximately every other week. Once in Bolton's bedroom, he would take off her pants and put her on his lap. She recalled that she would be in a position that her back was to him. When in this position, Bolton would rub his penis back and forth on her buttocks and vagina while he moaned and groaned. Bolton told Jane Doe 1 that he was preparing her for womanhood. She added that while he would rub himself on her, he often had his hand and fingers inside her vagina. When Bolton came close to ejaculation he would simply move Jane Doe 1 slightly forward with his hand inside her vagina being careful not ejaculate on her.

Bolton's last series of assaults on Jane Doe 1 occurred when she was eleven-years-old at Lake Chautauqua in New York. Her parents rented a cottage in the resort town and invited Bolton along for the family vacation. Her family was vacationing with at least two other girls. These were two of the girls who had accompanied her and Bolton on the trips to Peak 'N Peak. One day when Jane Doe 1 was done swimming with these two friends, Bolton found her alone in her bedroom. Bolton closed the door behind him, proceeded to pull off her bathing suit and turned her around. Bolton began to masturbate himself while inserting his fingers into Jane Doe 1's vagina. Jane Doe 1 recalled this incident in particular because Bolton placed his fingers far enough inside her to hurt her. She recalled that the assault only stopped when he thought he was going to be discovered by a passerby. Once again, Bolton instructed Jane Doe 1 to be quiet about the abuse because she was a lying child and nobody would believe a lying child over a man of God's word.

Summary

Jane Doe 1 finally began to disclose the abuse in 1993. That year, while attending a funeral for an in-law, Bishop Michael Murphy was introduced to her in the funeral home lobby. Jane Doe 1 had an emotional breakdown. She thereafter sought counseling. Bishop Donald Trautman's handwritten note documents that Bolton's Redemptorists Order paid $50,000.00 and the Diocese of Erie's insurance carrier paid the balance.

Jane Doe 1 reported that she never witnessed Bolton assault any of her friends, but believes they were also abused. She believes several, if not all, of her five friends with whom she travelled to New York in the company of Bolton were assaulted in the same fashion as she was. Diocesan records confirm part of her suspicions. The complainant in Bolton's 1987 conviction was indeed one of Jane Doe 1's friends. Other victims of Bolton's predation came forward years later and also proved to be childhood friends of Jane Doe 1. The Diocesan records show correspondence with some of these victims. One female victim was with Jane Doe 1 on her trips to Peak 'N Peak and also with her on the family vacation to Lake Chautauqua, New York. This young victim was approximately the same age as Jane Doe, between seven and eleven years old, when Bolton preyed upon her. The Diocesan records documented the efforts the Diocese of Erie and the Redemptorists Order went through to get this victim and her son counseling. As of 2003, both religious orders were in correspondence with this victim to assist her. No mention of a lawsuit or cash settlement was found in her file.

In another file, the mother of five children alleged that Bolton may have sexually assaulted four of them. No details of their assault were provided to the Grand Jury; however, as of 2004, the Diocese of Erie's representative, Monsignor Robert Smith, on behalf of Bishop Donald Trautman, was corresponding with the family to offer them counseling assistance.

Bolton's only other documented victim was a fourth grade boy who was abused between 1976 and 1977. Diocesan representative Monsignor Mark L. Bartchak made contact with him in 2001 and reported his findings back to Monsignor Robert Smith and Bishop Trautman. This victim reported that Bolton sexually assaulted him. Internal documents from Bartchak to Smith record the Diocese's preparation for a lawsuit and their intention to notify the Redemptorists of this victim's possible course of action. The Diocese made arrangements to have a representative from Catholic Charities counsel the victim and to arrange for various agencies to assist him and his family financially and by providing food aid.

In 2001, Monsignor Smith met with this victim in person to record his complaints. When asked about Bolton's abuse, this victim reported that he had a desire to be an alter server and went to Bolton's office one day to inquire about it. The victim explained that when he opened the door without knocking, he saw Father Bolton with a young girl whose tights were down around her ankles. He told Smith that this girl was crying and that Bolton yelled at him, *"What the hell are you doing here?"* His only other answer to inquiries about Bolton was to say that Bolton "*Wanted me to do things to him.*" He implied that these things that Bolton suggested were sexual and that Father Bolton asked this victim to touch him.

In the Diocese response to the John Jay College Study in 2003, the Diocese of Erie listed this last victim as "*Not Verified*".

Summary

Ultimately, the Diocese of Erie returned Bolton to his religious order. The Redemptorists continued to place Bolton in ministry until his death in 2006.

Reverend Robert F. Bower

Biographical Information

YEAR OF BIRTH:	1932
YEAR OF DEATH:	
ORDINATION:	May 7, 1959

Employment/Assignment History

5/23/1959 – 8/29/1964	Gannon University, Erie, PA
8/29/1964 – 6/03/1970	Parochial Vicar, Our Lady of the Lake, Edinboro, PA
6/03/1970 – 8/20/1993	Faculty, Newman Center, Edinboro University
8/29/1992 – 3/11/1999	Pastor, St Anthony, Cambridge Springs, PA
8/29/1992 – N/A	Resident, other, Private Residence, Edinboro, PA
8/31/1993 – 8/29/1998	Weekend Asst., Our Lady of the Lake. Edinboro, PA
3/11/1999 – 3/01/2001	Leave of Absence.
3/01/2001 – N/A	Special ministry, Weekend Asst. Johnsonburg, nursing home, Meadville, PA

Summary

Reverend Robert Bower was a priest who served in campus ministry for over 40 years in the Diocese of Erie. In 1981, Bower was found to have collected child pornography photographs. Seventh grade children found these images in Bower's office while they served as janitors at the Edinboro University Newman Center. One of these children, now an adult, testified to the images before the Grand Jury. The witness testified that he and his friends found several photographs and pamphlets in Bower's office depicting children having sex with adults. He testified that he told his mother about it

The witness's mother began working for the Diocese in 1977. In 1981, she was fired two days after she and her three coworkers reported that Bower had a problem with child pornography. Another Diocesan employee testified before the Grand Jury that at approximately the same time the students found child pornography in Bower's office, she also found illegal pornography on his desk. She testified that, as Bower's secretary, she collected it and hid it away so none of the children who frequented Bower's office would come across it.

The four coworkers first took their findings to the Father Doleski. After they showed Doleski what was found in Bower's office, he suggested that they see Bishop Murphy. They requested a meeting with Murphy. Murphy delayed the meeting for weeks. Only after the women threatened to go to the media did Murphy finally agree to meet with them.

In their meeting with Murphy, the women explained that they did not wish to get Bower in trouble; rather, they wanted him to get help for his issues with child pornography. Both

Summary

witnesses testified that Murphy preached to them and made them feel guilty to the point that they left the meeting in tears. They were told they were destroying Bower and the Church.

Two days after the meeting with the Bishop, one of the witnesses was notified that the Diocese had fired her without reason. Over the course of the next several years, she was denied jobs in the area and another witness was denied promotions inside the Diocese where she still worked. This witness testified that she kept the child pornography that she found that day in Bower's office for 17 years hoping that someday someone would believe her story. Both women were concerned that the influence of the Diocese could destroy their lives. Father Bower continued in ministry unabated.

In 1999, the Pennsylvania State Police received a telephone call from a local computer repair company. Technicians reported that they had a computer in their store with suspected child pornography on it. That computer belonged to Bower. The Grand Jury heard testimony from a former Pennsylvania State Trooper and from Bower himself confirming the presence of this child pornography on the computer. While Bower initially confessed to the Pennsylvania State Police, he minimized the significance of the material when he appeared before the Grand Jury and indicated he was unsure as to how the now-lost material came to be on his computer. Criminal charges were filed but were later dropped due to improper handling of the evidence.

During the timeframe of the 1999 investigation, the two aforementioned Diocesan employees took action. The women took their long-held collection of Bower's child pornography to the State Police. Both women reported that the State Police took the Bower material. The women hoped that their preservation of this evidence would result in some action or aid the existing case, but no additional charges were ever filed and the materials were destroyed.

Bower retired from active ministry in the early 2000's but continues to live on the campus of Edinboro University.

The Grand Jury found the testimony of the witnesses to be credible. It was Bower's own testimony, however, that most disturbed the Grand Jury. When the attorney for the Commonwealth asked Bower if he had ever had sexual contact with a child under the age of eighteen. Bower answered, *"What am I supposed to say?"* When the prosecutor persisted, Bower added, *"I'll go to jail."*

Reverend Dennis Chludzinski

Biographical Information

YEAR OF BIRTH:	1946
YEAR OF DEATH:	N/A
ORDINATION:	May 14, 1976

Employment/Assignment History

6/05/1976 – 6/02/1977	Sacred Heart, Sharon, PA
6/03/1977 – 1/23/1978	Holy Rosary, Erie, PA
1/24/1978 – 6/30/1979	Leave of Absence
7/01/1979 – 8/24/1980	Unassigned / Under Father Kelly's Supervision
8/25/1980 – 6/00/1984	Faculty at Villa Maria High School Erie, PA St. Benedict's Academy Erie, PA Mercyhurst Preparatory Erie, PA
6/00/1984 – 10/08/1984	Attending Gannon University, Our Lady of Mercy
10/09/1985 – 8/31/1986	No Information provided by the Diocese of Erie
9/01/1986 - 8/02/1987	Chaplain, Sisters Community at Mercyhurst College, Hamot Medical Center

Summary

The Grand Jury reviewed the files of the Diocese of Erie with respect to Father Dennis Chludzinski. The record contained evidence that the Diocese became aware of sexual misconduct by Chludzinski as early as 1984 that occurred while he was on the faculty of Villa Maria High School.

In notarized testimony to the Diocese of Erie, Chludzinski admitted that in 1984, while he was assigned as a Chaplain at Mercyhurst High School, he had inappropriate sexual contact with an 18-year-old boy in his senior year. He stated that the abuse occurred in 1984, possibly extending into 1985. In a letter dated January 30, 1991 addressed to Bishop Donald Trautman and detailing his progress in therapy, Chludzinski admitted that he and a friend engaged in sexual contact with an 18-year-old male from his high school. This included mutual masturbation and oral sex. The sexual contact occurred approximately four times.

Similarly, in notarized testimony, Chludzinski admitted that after being granted a leave from the Chaplain position at Mercyhurst High School, he became sexually involved with a 14-year-old boy for approximately nine months. He stated that this abuse occurred in 1984 and possibly 1985. The victim said that Chludzinski introduced him to his homosexual lifestyle.

Finally, a letter dated July 26, 2004 to Monsignor Robert J. Smith, Vicar General, from Monsignor Mark L. Bartchak reported that a father recently discovered that Chludzinski had molested his young son years ago during a camping trip. A file note dated September 20, 2004,

Summary

written by Smith, records that he and Bartchak met with the victim on September 17, 2004. The victim reported that he met Chludzinski while he was an altar boy at Our Lady of Mercy. He said that Chludinski kissed him, touched his genitals, and engaged in oral sex with him on at least one occasion. On another occasion, Chludzinski shoved his hands down the victim's pants while driving a car. The abuse happened for about six months between the years 1983 and 1985 and occurred approximately six times. The victim reported that another altar boy was also abused.

On October 1, 2004, Bishop Trautman notified the Erie County District Attorney's Office of the allegation.

In a memorandum to file dated October 2, 2004, Bishop Trautman memorialized that he had called and informed Chludzinski of the allegation. Chludzinski replied, "*Sorry.*" A second handwritten note by Trautman stated, "*On Oct. 6 Dennis Chuldzinski called and admitted sexual involvement with (the victim).*"

Father Donald Cooper

Biographical Information

YEAR OF BIRTH:	1936
YEAR OF DEATH:	December 16, 2011
ORDINATION:	May 23, 1963

Employment/Assignment History

6/1963-5/1964	Bradford Central High Christian High School, Bradford, PA
5/1964-6/1971	St. Titus, Titusville, PA
6/1971-6/1975	St. George, Erie, PA
6/1975-11/1984	St. Charles, New Bethlehem, PA
11/1984-6/1987	Mount Calvary, Erie, PA
6/1987-3/1988	Assumption, Oil City, PA
3/1988-6/1989	St. Catherine, DuBois, PA
3/1988-4/1989	St. Anthony, Walston, PA
6/1989-7/2002	St. Joseph, Force, PA
7/2002-6/2005	Christ the King, Houtzdale, PA
10/2002-6/2005	Holy Trinity, Ramey, PA
6/2005	Retired

Summary

In 2005, a 40-year-old man sent an e-mail communication to the Diocese of Erie to report that he had been subjected to inappropriate sexual contact by Father Donald Cooper between 1981 and 1982. Cooper was a priest at St. Charles during the time period of the allegation. The victim stated that Cooper had abused him multiple times over that time period and had left him with years of emotional trauma.

The victim explained that, at the time, he was a 16-year-old boy who was looking for spiritual fulfillment in his life. His immediate family were not church goers, but the victim was introduced to the Catholic church by a family friend. The victim soon took a strong liking to the faith and wanted to learn more about it. The victim was attending St. Charles when Cooper offered him personalized catechism lessons to instruct him in the faith. Over time, a relationship developed and Cooper started to take the victim on overnight trips where they would stay in various hotels and motels. Cooper would convince the young victim to take a shower with him or to spend time with him in a sauna. This is when the molestation would take place. Cooper would massage the victim and fondle his genitals. The victim was also subjected to Cooper masturbating in front of him. The abuse took place in various hotels and also occurred in the church rectory. The victim stated that a retired priest, Father William Smith, lived in the rectory and knew of the abuse but did nothing about it.

Summary

When the victim reported the abuse in 2005, an internal investigation was conducted by Monsignor Robert Smith. When confronted, Cooper admitted that he did shower and use the sauna with the victim, and that he gave the victim massages. However, he did not admit to the masturbation. Once the interviews were conducted, it was the opinion of Smith that the victim was telling the truth and that his account was credible. Cooper agreed that he would retire and would no longer be able serve as a priest. Additionally, the church and the victim came to an agreement wherein the Diocese would pay for the victim's past and future therapy sessions and medication and also pay off $19,530 of the victim's personal debt.

Father Michael Robert Freeman

Biographical Information

YEAR OF BIRTH:	1946
YEAR OF DEATH:	N/A
ORDIANTION:	May 27, 1972

Employment/Assignment History

6/10/1972	St. Margaret, Buffalo, NY
2/15/1975	St. Lawrence, Buffalo
	Part-time teacher, Bishop Turner High School
7/31/1976	Sacred Heart, Niagara Falls, NY
7/01/1980	Chaplain, United States Army
11/09/1981	Ecclesiastical Endorsement revoked
9/11/1982	St. Christopher, Tonawanda, PA
9/01/1984	St. Mary, Lancaster, PA
3/21/1989	Faculties Revoked

Summary

Based on the information provided to the Grand Jury by the Diocese of Erie, the Grand Jury learned that Father Robert Freeman had some contact with the Diocese of Erie but he was not incardinated into the Diocese as a Diocesan priest. In fact, Freeman was a Priest in the Diocese of Buffalo, New York. Father Freeman was ordained May 27, 1972. In five of his six subsequent assignments he admitted inappropriate sexual behavior with young men on multiple occasions. These instances of sexual abuse occurred while he acted in his capacity as a priest of the Diocese of Buffalo but while he ministered in various assignments to include locations within Pennsylvania. The Diocese of Buffalo first became aware of Freeman's criminal activity in November 1981. Freeman admitted prior sexual misconduct at both St. Margaret and St. Lawrence Parishes in New York. This included his term of service at Bishop Turner High School. The Buffalo Diocese continued to permit Freeman to serve in active ministry until March 1989 and continued to provide financial aid to Freeman until July 31, 1999, at which time he informed the Diocese that his salary and health insurance would be covered by his new employer.

The Grand Jury found no documentation in Freeman's file that indicated that the Dioceses of Buffalo or Erie ever notified law enforcement officials, despite the fact that Freeman admitted to sexually violating children in at least five of his six ministry assignments. On two occasions he was treated at the Southdown Institute, a psychiatric facility for clergy and religious personnel in Aurora, Ontario. While one of Freeman's assignments was as a military chaplain, locations within Pennsylvania at which Freeman may have sexually abused children include the counties of Bradford and Lancaster.

Reverend Gregory P. Furjanic

Biographical Information

YEAR OF BIRTH:	1945
YEAR OF DEATH:	N/A
ORDINATION:	Unknown

Employment/Assignment History

1985	Staff, Kennedy Catholic High School
1985 - Unknown	Unknown duties, St. Anthony of Padua Sharon, PA
1987 – Unknown	Residing in a Convent at 1039 East 27th Street., Erie PA
7/08/1996	Faculties removed
2003 – Unknown	Croatian Franciscan Friars, Chicago, IL.
2005 - Unknown	Lutheran Social Services, St. Petersburg, FL

Summary

Reverend Gregory P. Furjanic served in the St. Anthony of Padua parish as a religious Friar attached to the Croatian Franciscan Friars out of Chicago, Illinois. At that time, the Diocese of Erie permitted an outside religious order priest to handle the ministry in one of their parishes. The Diocese retained minimal paperwork on Furjanic, since he was technically not one of their priests.

In 2005, there was an accusation made against Furjanic related to an incident that occurred in the early 1970s. The second incident occurred in the mid-1980s. Then, the records showed that in the 1990s an accusation against Furjanic came into the Diocese. The Diocese sent Furjanic to the Erie Ecclesia center for counseling and then on to the St. Luke's Institute for advanced counseling. His case was ultimately forwarded to the Congregation for Institutions of Consecrated Life and of Societies of Apostolic Life. On July 8, 1996, the Congregation removed Furjanic's priestly authority.

The Grand Jury learned that one of Furjanic's victims later took his own life.

In 2005, an individual from Lutheran Social Services in St. Petersburg, Florida contacted Father Robert Smith, Vicar General of the Diocese of Erie, to investigate Furjanic's history. Furjanic had allegedly attempted to obtain religious credentials in Mobile, Alabama and in St. Petersburg, but was rejected based upon his past history. It was documented that Furjanic represented himself as a clergy member associated with Lutheran Ministry and had the title "Reverend" on his business cards.

Father Herbert G. Gloekler

Biographical Information

YEAR OF BIRTH:	1923
YEAR OF DEATH:	1985
ORDINATION:	June 4, 1949

Employment/Assignment History

6/1949-9/1967	Sacred Heart, Erie, PA
9/1967-10/1974	St. Bibiana, Galeton, PA
10/1974-1/1985	Mount Calvary, Erie, PA
1/1985	Died, St. Mary's Home

Summary

Father Herbert Gloekler was accused of sexually abusing young females during the 1950s while serving as a priest at Sacred Heart. Most of the allegations involved girls who helped to sort paperwork in the rectory.

An April 28, 2002 Erie Times-News article described the abuse of the first victim while she was a student at Sacred Heart School in the 1950s. She wanted to bring to light the abuse that had taken place for years within the Catholic church. In addition to the article, on March 21, 2002, the victim had sent an e-mail communication to Bishop Trautman requesting that the church stop the abuse and help the victims who suffered from sexual abuse.

The second victim wrote a letter to Trautman in May 2002 in order to support the claims that had been set forth in the newspaper article. She was a student at Sacred Heart School in the late 1950s. She remembered that she, a female classmate (Victim #1), and Victim #2's sister (Victim #3) would assist Gloekler in the rectory by folding church bulletins. Victim #2 stated that Gloekler would fondle all of their breasts by putting his hand down their shirts. He would also look down their dresses in the summer time to check for sunburn. Victim #2's sister confided in her that Gloekler once took her into his bedroom while they were alone in the rectory. It was not until Victim #3 was an adult that she was able to tell anyone that Gloekler had raped her.

Victim #4 wrote a letter to Bishop Trautman in May of 2002 and referenced the news article in the Erie Times-News. Victim #4 stated that she was a student at Sacred Heart School and would help in the rectory on Fridays along with other female students. She was excited to have to opportunity to work with Gloekler. As a gesture of thanks to the girls who had assisted him at the rectory, Gloekler planned to take them out for dinner. Before dinner, however, Gloekler stopped at his mother's house with the girls. Victim #4 stated that Gloekler pulled her into an empty room and kissed her. He instructed her that this interaction was to be keep private. The next week, Victim #4 returned to the rectory to help on Friday. Gloekler pulled her aside

Summary

again into a room where he kissed her and molested her. This was the last time that she helped at the rectory.

There were two additional women who came forward and contacted Bishop Trautman about sexual abuse that they had witnessed, but were not victims themselves. One of the woman who came forward was a nun in the Catholic Church who wrote a letter to Bishop Trautman in April of 2002. She was prompted to write the letter to corroborate Victim #1's sexual abuse claims in the April 28, 2002 article in the Erie Times-News. The nun was a classmate of Victim #1 at Sacred Heart School. While she was a student, she had heard other students' state that Gloekler had sexually abused them.

A second woman wrote an e-mail directly to Bishop Trautman on June 1, 2002. She was a student of Sacred Heart School from 1957-1959, and she would help fold the church bulletins on Fridays. In the e-mail, she recalled witnessing Gloekler fondling young girls' breasts in front of her. Her e-mail was also intended to help substantiate the accusation of Victim #1.

An allegation was brought against Gloekler by a female housekeeper at Mt. Calvary Church in Erie, a church were Gloekler had served as a priest in 1974. This woman said that she was the housekeeper for Gloekler before his replacement, Father Cooper, took over and eventually fired her. This woman indicated that she had knowledge that both Gloekler and Cooper were involved in sexual misconduct. She made this accusation in August of 2003 when she appeared in person at the St. Mark's Catholic Center in Erie. Although the former housekeeper did not state that she wanted money, she inferred that she had an arrangement with Gloekler for her to receive a pension. The Diocese responded to her by saying that there was not a pension agreement in place and accordingly no money had been deducted from her pay. The Diocese did not mention the abuse allegation. There were no further documents or follow-up reports regarding this allegation in the files.

Father Robert E. Hannon

Biographical Information

YEAR OF BIRTH:	1926
YEAR OF DEATH:	2006
ORDINATION:	May 27, 1954

Employment/Assignment History

6/03/1954 – 2/03/1955	Assistant Pastor, Holy Rosary, Erie, PA,
2/03/1955 – 3/27/1957	Assistant Pastor, Sacred Heart, Sharon, PA
3/27/1957 – 2/03/1958	Assistant Pastor, St. Boniface, Kersey, PA Resident Pastor (Hacherl) asked to have Hannon Removed
2/03/1958– 5/31/1958	Assistant Pastor, St Luke's, Erie, PA Resident Pastor (Goodill) asked to have Hannon Removed
5/31/1958 – 6/12/1965	Administrator, Sacred Heart, Genesee, PA
9/01/1959 – N/A	Appointed Assistant Director of Lay Retreats for the Diocese
6/12/1965 – 6/4/1966	Holy Cross, Brandy Camp, PA
6/04/1966 – N/A	Administrator, St. Mathew, Erie, PA
6/06/1966 – 6/16/1967	Administrator, St. Cyprian, Waterford, PA
6/16/1967 – 6/01/1979	Pastor, St. Mathew in the Wood, Erie, PA
4/13/1978	Requests transfer to Diocese of Hawaii
6/01/1979	Released to Diocese of Hawaii
9/19/1979 – 7/18/1980	Asst. Pastor, St. John the Apostle, HI
7/18/1980 – 6/1/1981	Associate Pastor, St. Cattistus, Kane, PA
6/01/1981	Associate Pastor, St. Elizabeth, Aiea, HI
4/26/1984	Holy Trinity Church, Honolulu, HI
7/17/1984	Incardinated into Diocese of Hawaii
10/20/2003 – 1/16/2006	Residence at Cathedral of Our Lady of Peace, Diocese of Hawaii, Honolulu, HI
1/16/2006	Death Announcement

Summary

Father Robert Hannon was a Roman Catholic Priest who was posted in several states and abused children in each Diocese to which he was assigned. In 1962, he began his ministry in the Diocese of Erie, where he was assigned until 1978. At that time, Hannon turned his attention toward the Diocese of Hawaii.

In 2003, in response to the John Jay College study on clergy sexual abuse, the Diocese of Erie acknowledged the existence of eight known victims of Hannon's sexual assaults. The Grand Jury has found from subpoenaed documents that as early as 1986 that the Diocese of Hawaii, and possibly the Diocese of Erie as well, knew that Father Hannon had admittedly abused at least twenty youths between twelve and nineteen years of age. This admission came

to light while Hannon was receiving treatment for his behavior at Foundation House, which is a psychiatric facility operated by servants of the Paraclete in New Mexico. Documentation was found in the subpoenaed files discussing which Diocese was going to foot the bill for Hannon's extensive treatment.

Of the eight victims acknowledged by the Diocese of Erie, one is categorized as "*claim denied, not verified*" based solely upon a denial by Hannon himself. That victim, Hannon's only known female victim, was abused in Hawaii by Hannon on one of his many trips to the islands before he was incardinated into the Diocese of Hawaii in 1979. This abuse occurred in approximately 1974 while Hannon was visiting Victim #1's parents in Hawaii. Victim #1 claims that while Hannon was tucking her and her sister into bed, he fondled her underneath her underpants. Victim #1 stated that this abuse happened more than once but she could not state a number of times she was abused.

In 2004, this female victim was interviewed by a professional chosen by the Diocese of Hawaii. Ms. Barbara Mullen, who worked in that Diocese with Victim Assistance for Catholic Charities, interviewed Victim #1 in February of 2004. It was the professional opinion of Mullen and Rev. Gary Secor from Hawaii that Victim #1's claims against Hannon were "*extremely credible*." Nonetheless, the Diocese of Erie sided with Hannon because he had previously admitted to abusing only boys. On May 5, 2004, Hannon denied having ever abused any females stating, "*They do not have a penis.*"

Much, if not all, of Hannon's abuse came to light only after he was incardinated into the Diocese of Hawaii. This is why he received most of his professional counseling in the western part of the United States. The subpoenaed documents supplied to the Grand Jury contain voluminous correspondence between the two Dioceses discussing which was responsible for the costs of Hannon's care and pension. Also contained in this file is correspondence between Hannon and the Diocese of Erie. These letters consist of Hannon's apologies for all the trouble he has caused and acknowledgment of the funds sent back to the Erie Diocese by Hannon. These funds were sent to Erie to be applied toward financial settlements with his victims. In one such handwritten document, Hannon apologized to Bishop Trautman and thanked him for his phone call prior to Hannon's annual flight to Erie. Hannon expressed his concerns about airport security to Trautman and wrote that Trautman's call reminded him that cancelling his trip to Erie was "*a good thing – to avoid any warrants.*"

As a result of Hannon's denial, Victim #1 was sent a letter by the law firm of Quinn, Buseck, Leemhuis, Toohey and Kroto, Inc. This is the law firm that represented the Diocese of Erie on January 3, 2005, when the letter was sent. In that document, Victim #1 was told that the Erie Review Board could not verify any of her allegations made against Hannon. The Diocese would agree to provide four to six months of counseling to assist her in reconciling her present situation, however. Attorney Kroto still works for the Diocese to this day.

Hannon's victims were, in most cases, the children of parishioners and/or alter servers. By his own admission, he would congratulate his alter servers after mass with a friendly hug and "a little green", as Hannon referred to cash. This hug and gift of money soon grew into an

Summary

ostensible friendship between Hannon and his victims that helped pave the way for their exploitation. Another one of Hannon's methods was to ingratiate himself with his victims' families. Hannon was charming enough to get himself invited into his victims' homes to have drinks with their parents and even be invited to stay the night. Once the other adults were asleep, Hannon would molest his victims while their parents slept. Another one of Hannon's tactics was to take the children of parents he had befriended to his residence at the rectory for "sleep overs", where he would have unfettered access to the children.

The following is a brief recitation of Hannon's eight known victims within the Diocese of Erie. It is unknown to what extent, if any, the Diocese ever informed law enforcement officials about Hannon's conduct.

Victim #1, as detailed above, was Hannon's only known female victim. She was six to seven years old when Hannon fondled her. The Diocese of Hawaii found her claim to be credible but the Diocese of Erie did not and only offered to counsel her for four to six months.

Victim #2 was sixteen years old at the time of his sexual assault in the mid 1970's. Hannon testified at Victim #2's military court martial trial that he performed oral sex on Victim #2 at least twelve times when he was an alter server at Hannon's parish. Victim #2 was found guilty of espionage and sentenced to federal prison;

Victim #3 was twelve years old at the time Hannon fondled his genitals. The Diocese and Victim #3 came to a $20,000 settlement in 2002.

Very little is documented by the Diocese about Victim #4, only that Bishop Trautman found his claim to be a "*good report.*" Trautman notes that Hannon abused Victim #4 for over one-and-a-half years. Trautman offered to personally counsel Victim #4.

Victim #5 was fifteen to sixteen years old in 1978–1979 when Hannon abused him. Details of his abuse were not found in the Diocesan files. The Diocese settled with Victim #5 for $5,000 on November 14, 2003, however. Also found in the Diocese files was a copy of a check written to the Diocese of Erie by Hannon dated November 3, 2003 in the amount of $5,000.

Victim #6 was eight to ten years old in the late 1950's when Hannon befriended him, took him on trips, and engaged him in oral sex. This victim first notified the Diocese of Erie of his abuse in 1993, several years after Hannon went to Hawaii.

Victim #7 was approximately nine years old when Hannon began molesting him in 1976. His abuse lasted until 1981. Hannon endeared himself to Victim #7's family and was invited to their home for meals, holidays, and sleep-overs. Over these years, Hannon sexually abused Victim #7 late at night and forced him to pose in explicit positions that Hannon then photographed. Victim #7's parents became aware of Hannon's acts in 1981 and called for a meeting with the Bishop. This meeting never happened and Victim #7's parents let the matter drop. In 1995, Victim #7 and his family settled with the Diocese of Erie for $39,000.

Summary

Victim #8 was approximately eleven years old in the early 1970's when Hannon abused him. Hannon fondled him, had oral sex with him, and penetrated Victim #8's anus with his fingers. This abuse all occurred while Victim #8 worked as an alter server and performed cleaning duties at Hannon's parish. Victim #8 reported his abuse to Bishop Trautman in July 2006. Trautman noted that he assured Victim #8 and his wife that "*the priest accused of molesting him has long died.*" In reality, Hannon had only passed away six months prior.

These eight are only the known victims of Father Hannon. Hannon admitted to abusing at least twenty victims, which leads the Grand Jury to conclude that there were many more, as yet unknown, victims, both in the Diocese of Erie and in Hawaii. The investigation was unable to uncover the identities and experiences of these additional victims. This is due, in part, to the fact that the Grand Jury did not have access to the pertinent files from the Diocese of Hawaii.

Hannon passed away on January 16, 2006, while in residence at the Cathedral of Our Lady of Peace in the Diocese of Hawaii. He apparently remained in the good graces of both the Dioceses of Erie and Hawaii at the time of his death.

Monsignor James P. Hopkins

Biographical Information

YEAR OF BIRTH:	Unknown
YEAR OF DEATH:	1957
ORDINATION:	N/A

Employment/Assignment History

Unknown Dates:	Pastor St. Titus Church in Titusville, PA
1920s	Pastor at unknown church in East Brady, PA

Summary

On August 3, 1993, a victim wrote a letter to Bishop Trautman at the Diocese of Erie. She stated in the letter that in 1945, when she was 13 years of age, she experienced abuse at the hands of Monsignor Hopkins in the rectory of St. Titus. She stated that Hopkins would, "*grab our face in his hands, force us to look up, and then plant a sloppy kiss on our mouths. He would also grab us and pull us close, wrap his cape around us, and fondle us wherever he pleased.*" She further stated that she remembered the dinners held on the weekend of forty hours, at which the girls at the convent were invited to serve. She only served one time. Whenever anyone would voice concern over Hopkins's behavior, she would always hear the conduct dismissed by others as, *"Oh well, he's old, he doesn't mean anything by it."* The victim told the Bishop that she knows that there is no excuse for such behavior nor is there any excuse for those who see it and do nothing about it.

On August 23, 1993, Trautman received a letter from the Office of Clergy Personnel. This letter stated that the office reviewed Hopkins's file, which included sacramental records, applications of various pastoral positions, health-related correspondence, pictures, press releases including that of his death in 1957, and one letter of complaint. The letter of complaint contained in this file related to an incident in the 1920s that did not involve any sort of physical abuse or assault.

On January 11, 1994, the victim wrote another letter to Trautman. She enclosed a copy of the first letter and asked the Bishop to please respond. On January 24, 1994, Trautman wrote to the victim, acknowledging her recent letter about the accusation against Hopkins. The Bishop wrote that "*Since Monsignor Hopkins died in July of 1957, there is no possible way to investigate your accusation.*"

Father Barry M. Hudock

Biographical Information

YEAR OF BIRTH:	1969
YEAR OF DEATH:	Unknown
ORDINATION:	N/A

Employment/Assignment History

8/01/1997 – N/A	Catholic University, Faculty, Washington, DC

Summary

Father Barry Hudock was a 27-year-old priest in 1996 when he engaged in inappropriate sexual conduct with a girl in her junior year of high school. Bishop Donald Trautman's notes detailed that the victim was a 17-year-old high school junior at Mercyhurst Preparatory when she was targeted by Hudock. This sexual abuse occurred in several different locations within the victim's local parish community, as well as in different states. In 1997, the Diocese of Erie assigned Hudock to The Catholic University in Washington, D.C. Prior to that appointment, Hudock, the victim, and another high school student traveled to Washington in the summer of 1997. Trautman documented that Hudock and the victim had engaged in kissing prior to the trip in the church rectory. He also wrote that a *"major episode occurred"* in a hotel room where the three stopped to stay for the night. Subpoenaed Diocesan records revealed that Hudock groped and kissed the victim on numerous occasions. It was also reported that Hudock showed the victim pornographic videos, undressed her in his rectory and sexually assaulted her.

In 2008, the victim was having a difficult time dealing with the psychological issues stemming from her victimization at the hands of Hudock. She had been seeing a professional counsellor in Texas when she contacted the Diocese of Erie. The Diocese agreed to pay for her medical bills and provided her with airfare to be seen by the team at St. Luke's Institute in Suitland, Maryland.

Trautman notified Hudock's then-employer, Christian Brother Academy, a Catholic Preparatory high school in Syracuse, New York. Hudock was working there as a teacher. Trautman also notified the Bishop of Syracuse and Hudock himself. Soon after this notification, the school terminated Hudock. Trautman also notified the Erie County District Attorney's Office. At that time, Hudock was no longer a priest, was living in the Syracuse area, and was married with 7 children.

Hudock's current employment status is unknown, but he operates his own religious website titled, *"Faith Meets World"* and has written several religious books for Liturgical Press under his given name, as well as under the pen name "Barry Michaels." On his webpage he lists his credentials in the *"About"* section. His service as a priest is not listed.

Reverend Joseph W. Jerge

Biographical Information

YEAR OF BIRTH:	1927
YEAR OF DEATH:	2006
ORDINATION:	May 3, 1951

Employment/Assignment History

5/18/1951 – 6/30/1952	Parochial Vicar, St. Boniface, Erie, PA
6/30/1952 – 5/23/1959	Parochial Vicar, St. John the Baptist, Erie, PA
5/23/1959 – 8/29/1964	Parochial Vicars, St. Joseph, Oil City, PA
8/29/1964 – 6/03/1970	Pastor, St. Hippolyte, Guys Mills, PA
6/30/1970 – 12/04/1989	Pastor, St. Callistus, Kane, PA
4/19/1989 – 11/22/1989	Sick Leave
12/04/1989 – 6/14/1991	Parochial Vicar, St. John the Evangelist, Girard, PA
6/14/1991 – 9/01/1992	Parochial Vicar, St. Francis Xavier, McKean, PA
9/01/1992 – 2006	St. Patrick's Retirement Resident, Erie, PA

Summary

The Diocese of Erie was first made aware of sexual abuse allegations against Joseph W. Jerge in early 1989. On April 19, 1989, he was sent to St. Luke's Institute for sexual psychological therapy. In the fall of 1989, he was released from St. Luke's and signed an aftercare contract that restricted his contact and ministry with young boys. He was placed back into ministry at St. John the Evangelist.

On April 10, 1991, Jerge had a meeting with several members of the clergy, including Father Fischer. In this meeting, the support team voiced their concerns about Jerge's violations of his post-care contract, specifically about his continued contact with young boys. As a result, Bishop Trautman re-assigned Jerge to St. Francis Xavier parish in McKean on June 14, 1991. At that time Fischer, wrote several letters to the administration at St. Luke's voicing his concerns that Jerge was failing in his efforts to stay away from the youth of the Diocese. In his letters, Fischer reported that Jerge had admittedly offended upon numerous children and was nevertheless coaching youth basketball, hearing confessions, and ministering at a parish that had a swimming pool. Fischer went on to write that he felt that this swimming pool *"will only nourish the sickness."*

In that same month, June 1991, Jerge again agreed to adhere to the conditions set forth in his original post-treatment conditions that restricted his contact with the young men of his parish. This clergy meeting took place in the presence of Father Glenn Whitman, Director of Clergy Personnel, and Father John Kirk.

Summary

Jerge's ministerial timeline places him at two parishes after the Diocese had officially confirmed the existence of several child victims of his sexual abuse and after he had been sent to St. Luke's for psychological counseling. It is unclear which victims came forward with allegations against Jerge, but one such victim is particularly well-documented by the Diocese. Victim #1 was a sophomore in high school when Jerge befriended him, took him on trips alone, and fondled him on a number of occasions. Later in Victim #1's life he would be blackballed from employment and preemptively blocked from any attempt to be admitted to seminary. In 1995, Victim #1 applied for a position as Director of Religious Education at one of the Diocesan schools. The Grand Jury found documentation in Diocese files that Bishop Trautman personally instructed school administrators not to hire Victim #1, noting in a letter to Father William Kuba that Victim #1 may be homosexual and may have attempted suicide. Also found in Victim #1's file was a notation that he was living an openly gay lifestyle and going to gay bars. This "*File Update*" marked Confidential is dated August 23, 1996. The same File Update which accuses Victim #1 of being homosexual concludes with this sentence: "*This file update is provided in the event that [Victim #1] would seek admission to the seminary studies here in this Diocese or elsewhere.*" This clear evidence that Victim #1 had been blackballed from employment or admission to seminary is contrary to the compassionate image the Church has historically sought to portray. It is also noted that the Diocese paid at least $1,200 of Victim #1's counselling fees.

Jerge's abuse of Victim #2 was documented in detail by the Diocese. Victim #2 stated that his sexual abuse by Jerge began in approximately 1981 to 1985, when he was between the ages of thirteen and eighteen at St. Callistus. Victim #2 stated that all sexual assaults by Jerge occurred inside Jerge's car. He stated that Father Jerge would invite a small group of altar boys to go out with him after finishing their tasks at church. Victim #2 stated that he and three to five other boys would accompany Jerge to a movie or to a restaurant for a meal. Victim #2 said that he was always the last boy in the car to be taken home by Jerge. He stated that Jerge would drive around in his car with him for approximately twenty to thirty minutes. Victim #2 stated that Jerge would place his hand on Victim #2's crotch area and caress and rub it. Victim #2 explained that Jerge would put his fingers between Victim #2's button fly and stimulate that area. Victim #2 estimated that Jerge would molest him in the manner described above approximately two to four times a month when he was between the ages of thirteen and eighteen.

Victim #2 reported that he remembered an incident when he was in high school where Jerge's name came up. Victim #2 advised that he was at a party with similar-aged friends and a small group of youths were playing a game of truth or dare. Victim #2 stated that during the game a female classmate asked Victim #2 "*Truth or Dare? Has Father Jerge ever touched you*? After this remark, Victim #2 wondered if others had also been sexually abused by Father Jerge.

Victim #2 eventually entered the priesthood and was ordained. [redacted]

Summary

Victim #2 made his history of sexual abuse known to Bishop Donald Trautman in 2003. He obtained an attorney who sent a letter to Trautman notifying him of the allegations that had been made. A letter from Monsignor Robert J. Smith, Vicar General, on July 9, 2003 noted that there was a meeting between Trautman and Jerge. This letter stated that Trautman advised Jerge to consider securing both legal and canonical counsel. Trautman then advised Jerge that he intended to report Victim #2's allegations to the McKean County District Attorney. According to the letter, immediately following the meeting Trautman called the District Attorney for McKean County and gave her a full report of the allegations against Jerge. This letter also stated that Trautman called the District Attorney of Erie County to appraise him of the situation and to assure him of their compliance with the applicable standards and guidelines.

On August 10, 1992, while Jerge was the Parochial Vicar at St. Francis Xavier, a mother filed a complaint against Jerge. She accused Jerge of having an inappropriate friendship with her teenage son. The following day, several members of Trautman's administration met with Jerge. Monsignor Smith and Father Whitman concluded that the facts of the complaint, as they had been presented to the Diocese, were accurate and that Jerge did not deny them. As a result of this "grooming" behavior and in light of Jerge's history of child abuse, Trautman was forced to take Jerge out of ministry and place him in St. Patrick's Retirement Residence. Jerge spent the next fourteen years living in the Diocese's retirement facility, eventually dying in 2006.

Father Stephen E. Jeselnick

Biographical Information

YEAR OF BIRTH:	1951
YEAR OF DEATH:	N/A
ORDINATION:	May 20, 1977

Employment/Assignment History

5/01/1976	Associate, Our Lady of the Americas, Conneaut, PA
6/03/1977	Granted full faculties of the Diocese of Erie
9/06/1977	Faculty, Venango Christian HIGH SCHOOL w/residence at Assumption of the Blessed Virgin Mary, Oil City, PA
2/09/1987	Requests new assignment/residence. Wanted campus ministry
6/23/1978	Associate, St. Brigid and Campus Minister, Allegheny College w/Father William Karg
1/12/1980	Requests to be assigned to Notre Dame, IN (Holy Cross)
6/19/1980	Associate, St. Michael, Greenville, PA
7/31/1980	Appointed Defender of the Bond/Advocate for the Tribunal
3/31/1981	Bishop Watson agrees/recommends to release to Notre Dame, IN
6/02/1981	Accepted into Graduate Candidate Program at Notre Dame
11/06/1982	Withdraws voluntarily from Holy Cross, IN (Novitiate)
12/03/1982	Permitted to minister in Denver, CO, for a six-month assignment by Bishop Murphy
12/10/1982	Accepted by Archbishop Casey, Denver, CO
12/18/1982	Assigned to St. Mary's, Littleton, CO
Spring 1983	Re-assigned to Shrine of St. Anne, Arvada, CO
3/18/1983	Requests to enter/serve as Military Chaplain
4/08/1983	Bishop Murphy approves appointment to Military
5/13/1983	Requests incardination into Diocese of Colorado Springs, CO
9/12/1985	Incardination denied; Requests Leave of Absence
10/10/1985	Colorado Springs withdraws their faculties
11/5/1985	Requests permission to enter Air Force to be Chaplain and Additional Leave of Absence
4/1/1986	Requests to enter Archdiocese of Military
8/11/1986	Residence at Ecclesia Center, Erie, PA
10/03/1986	Parochial Vicar, St. Catherine, DuBois, PA; Chaplain, DuBois Medical Center; and Father Brugger's weekend assistant at Sigel and Corsica, PA
4/21/1987	Archdiocese Military endorses for Active Duty
11/18/1996	Military Archdiocese to facilitate the change from active to

	reserve; the following month the Military endorses for inactive reserve duty
7/14/1997	Veterans Administration Hospital, Baltimore, MD
5/01/2014	Faculties revoked

Summary

Father Stephen E. Jeselnick began service in the Diocese of Erie in May 1977, and it is unclear when he officially retired.

A review of the Diocese's files on Jeselnick reflected no abuse of children under the age of 18 and therefore he was not reportable under the guidelines established by the Church in 2002. This "*Charter for the Protection of Young Children and Young People*" was established by the United States Conference of Catholic Bishops. Jeselnick's file only listed two known victims and both were over the age of legal adulthood.

The same cannot be said, however, for three of Jeselnick's victims who were not included in the Diocese's files. The Grand Jury heard in-person testimony from three members of a family who each testified to their abuse at the hands of Jeselnick. Their accounts of Jeselnick's abuse included genital fondling, oral, and anal sex. This occurred in the late 1970's when Jeselnick was stationed at St. Brigid in Meadville. All three men and several of their sisters testified that Jeselnick and a previously unidentified Deacon would come to their house and get intoxicated with their parents. Once the adults were sufficiently drunk, Jeselnick would find the boys, who were usually alone, and prey upon them. The three men testified that their mother worked for the parish and would sometimes take the boys to work with her. Jeselnick would sexually violate them both at home and on church grounds, and this abuse still haunts them to this day.

No record of this family's abuse were located in the Diocesan files because the abuse was never reported to the Diocese and these victims only came forward in 2017. When they did come forward, the Diocese directed them to the Crawford County District Attorney's Office. In early 2017, both the Diocese and its law firm had been notified that any and all incoming child sexual assault cases were to be referred to the attention of the Pennsylvania Office of Attorney General. However, it was only after a family member reached out to a local newspaper reporter that they were referred to the Office of Attorney General.

In 2014 the newly appointed Bishop of Erie, Lawrence Persico, received a letter from Jeselnick requesting a letter of suitability for ministry. After reviewing his file and doing an internet search, Persico denied Jeselnick's faculties as a priest and informed him that he will never again be granted permission to serve in public ministry.

Reverend Thomas C. Kelley

Biographical Information

YEAR OF BIRTH:	1943
YEAR OF DEATH:	2005
ORDINATION:	December 21, 1967

Employment/Assignment History

7/25/1968 – 7/16/1972	Parochial Vicar, St. Peter Cathedral, Erie, PA
7/16/1972 – 3/17/1978	Special Ministry, St. Mark's Seminary, Erie, PA
7/16/1972 – 5/05/1979	Weekend Asst., Our Lady of Mercy, Harborcreek, PA
3/17/1979 – 5/05/1979	Special Ministry, St. Mark's Seminary, Erie, PA
5/05/1979 – 9/01/1985	Special Ministry, St. Mark's Seminary, Erie, PA
9/01/1985 – 6/30/1989	Dean, North American College, Rome, Italy
8/28/1989 – 3/27/1990	Administrator, St. Michael, Greenville, PA
3/27/1990 – 6/15/1994	Pastor, St. Michael, Greenville, PA
3/01/1992 – 6/15/1994	Diocesan Review Board
6/15/1994 – 12/31/1995	Leave of Absence, Odessa, TX/Erie, PA
9/18/1995 – 9/22/1995	Psychological Assessment, Southdown Treatment Center, Canada
4/1996 – 9/1996	Residential Treatment, Southdown Center, Aurora, Ontario, Canada
9/06/1994 – 12/31/1996	Pastor, St. Agnes, Ft. Stockton, TX
12/31/1995 – 3/31/1995	Chaplain, Holy Faith Monastery
3/31/1996 – 11/25/1996	Assigned to Diocese of San Angelo, TX
11/25/1996 – 1/01/2001	Incarnated into Diocese of San Angelo, TX
2/21/2005	Death

Summary

Reverend Thomas C. Kelley served two different dioceses in two states, as well as in Europe, over the course of his 30 year career. He was accused of inappropriate sexual conduct with at least five victims and was named in a lawsuit that paid one sexual assault victim $34,500. His victims of choice were eighteen to twenty-five-year-old males in high school or in seminary. Kelley engaged in mutual masturbation, oral, and anal sex with his victims.

Although the Diocesan records do not reflect which one of his victims' complaints prompted the Diocese to send him to psychotherapy, in the fall of 1995 Kelley was sent to the Southdown Center in Aurora, Ontario, Canada. Southdown is an inpatient residential treatment facility that specializes in treating men and women in ministry. Kelley was sent there for a week-long assessment period. Per this assessment, it was determined that Kelley should have a restricted ministry that kept him away from young parishioners. Kelley disagreed with this assessment and asked Bishop Trautman to send him to a different facility for a second opinion.

Summary

A physician from DuBois, Pennsylvania saw Kelley in 1996 and in March of that year agreed with the course of action that Southdown recommended. Soon afterward, Kelley was sent to Southdown for several months of treatment. After his release, Kelley traveled to Odessa, Texas to take some time off and meet with an old friend with whom he attended seminary. He reported to Trautman that he had reflected on his conduct while in Odessa and decided that he was not ready to quit serving God. According to the documents, Kelley became interested in staying in active ministry in the West Texas area during this time period. Over the course of the next several years Kelley spent most of his time in the Diocese of San Angelo, Texas as a priest in that Diocese. It was found that Bishop Trautman had told Kelley that if he returned to the Erie Diocese, he would need to be assigned a severely restricted ministry. Faced with this harsh restriction, Kelley asked to be assigned full time in Texas by permission of Trautman and Bishop Michael Pfeifer of the Diocese of San Angelo. Both Bishops agreed to Kelley's request. In their correspondence, Trautman and Pfeifer often referenced telephone conversations they had about Kelley and his troubled past.

During his visits to Erie during this period, Kelley also had some interaction with a licensed social worker and therapist in the Erie area. She would confer with Trautman, Kelley, and Pfeifer on Kelley's treatment plan. She questioned Kelley's suitability to be a priest and, in an e-mail message to Trautman, she wrote, "*If Tom Kelley has in fact been a predator, I think it is time he is removed from the priesthood.*" In another e-mail she advised Trautman that, "*I think it is time to ensure that Tom Kelley (although in Texas) no longer abuses children.*" She also criticized Pfeifer, writing, "*it appears to me that he did not take responsibility to ensure the safety of those under his care.*"

Kelley passed away in February, 2005.

Father Gary L. Ketcham

Biographical Information

YEAR OF BIRTH:	1949
YEAR OF DEATH:	N/A
ORDINATION:	September 10, 1977

Employment/Assignment History

9/10/1977 – 1/23/1984	St. Bonaventure University, Faculty Franciscan Friars, NY
5/1983–1/23/1984	St. Patrick's, Buffalo, NY
1/23/1984 – 9/11/1985	Parochial Vicar, St. John the Baptist, Erie, PA
9/11/1985 – 8/01/1989	Parochial Vicar, St. George, Erie, PA
3/05/1989 – 6/14/1989	Health Leave, Guest House, Rochester, MN
6/14/1989 – 6/08/1990	Health Leave, St. Luke's Institute, Suitland, MD
6/08/1990 – 7/16/1990	Health Leave, St. Patrick's/St. Hedwig Cluster, Erie, PA
11/13/1998 – 2004	Suspended/Other
2004– Present	Privately employed; not functioning as a Priest

Summary

Sometime prior to March 1989, allegations of sexual misconduct by Father Gary L. Ketcham became known by the Diocese of Erie. He was accused of molesting two boys while in a drunken state. This occurred while he was visiting friends in Mobile, Alabama. Ketcham was officially charged with two counts of sexual abuse of minors in Baldwin County, Alabama, on February 2, 1990. He was sent to therapy as soon as the Diocese was made aware of the Alabama incident. He was housed in a Diocese-owned treatment facility, which they called the Ecclesia Center.

Diocesan preparation for Ketcham's court case started in September 1989, when the Diocese loaned Ketchum $5,000 for attorney fees. Subpoenaed documents revealed that this was the first of a number of loans to Ketcham. Additionally, the Grand Jury found a promissory note to Ketcham from the Diocese in which they pledged to front him $25,000 for lawyer fees and bond. In that letter, the Director of Clergy Personnel wrote *"Don't worry . . . you're good for it."*

Ketcham ultimately pled guilty to both counts and was ordered to pay a $15,000 fine. He received a permanent felony record.

In 2002, Bishop Trautman initiated the laicization process to formally remove Ketcham from the church. Ketcham cooperated with this process. Trautman would note that it was Ketcham's own free will that drove the process. Ketcham was officially laicized by 2004.

Father Thaddeus Kondzielski

Biographical Information

YEAR OF BIRTH:	1941
YEAR OF DEATH:	N/A
ORDINATION:	May 27, 1967

Employment/Assignment History

6/16/1967-8/31/1986	Secondary Education, Cathedral Preparatory., Erie Facility
6/16/1967-6/03/1970	Weekend Asst., St. Stanislaus, Erie, PA
6/03/1970-8/31/1986	Weekend Asst., St. Hedwig, Erie, PA
8/31/1986-10/01/1988	Health Leave, Other
10/01/1988-6/30/1994	Administrator, St. Philip (Crossingville) Edinboro, PA
6/30/1994-5/04/2000	Pastor, St. Philip (Crossingville) Edinboro, PA
5/04/2000-6/29/2006	Pastor, St. Philip (Crossingville) Edinboro, PA (Reappointed 2nd 6 yr. term)
6/30/2006-8/31/2012	Pastor, St. Philip (Crossingville) Edinboro, PA (Reassigned 3rd 6 yr. term)
9/01/2012-4/28/2013	Pastor, St. Philip Crossingville) Edinboro, PA (Reappointed 4th 6 Yr. term)
4/29/2013-	Retired

Summary

Father Thaddeus Kondzielski was assigned as a teacher at Erie Cathedral Preparatory for 19 years. In January 2013, a victim contacted the Diocese to advise that 30 years earlier, when he was a sophomore at Cathedral Preparatory, Kondzielski would ask him to assist with grading papers in the rectory. On one occasion, Kondzielski asked him to stay and lift weights. When he said he did not have the proper clothes, Kondzielski suggested that they lift weights naked. They then proceeded to lift weights together while they were naked. When he told his parents about the naked weight lifting incident, they were shocked and told him to stay away from Kondzielski. When confronted with this allegations, Kondzielski claimed he did not remember the incident, but did not deny it because it could have happened. Kondzielski changed his version of lifting weights naked to him wearing a "*Speedo*" to lift weights.

The victim also reported, and Kondzielski admitted, that it was common practice for he and the students to swim naked in the school pool. Kondzielski stated that he did not think this was a big deal since the headmaster knew about it and never said anything about it. He did not admit to any physical contact with any of his students. He did admit, however, that students who helped him grade papers slept overnight in his bed.

Summary

The Grand Jury did not find any evidence that the Diocese of Erie notified law enforcement about Kondzielski's behavior.

Father Gerard Krebs

Biographical Information

YEAR OF BIRTH:	1938
YEAR OF DEATH:	2005
ORDINATION:	December 18, 1963

Employment/Assignment History

7/26/1964 – 6/3/1970	Secondary Education Venango Christian High School, Oil City, PA
7/26/1964 – 6/3/1970	Weekend Assistant, St. Stephen's, Oil City, PA
6/3/1970 – 9/8/1970	Parochial Vicar, Our Lady Queen of the Americas, Conneaut Lake, PA
6/3/1970 – 9/8/1970	Resident, St. Stephen's Rectory, Oil City, PA
9/8/1970 – 12/6/1978	Parochial Vicar, Erie, St. John the Baptist
12/6/1978 – 1/27/1983	Pastor, Holy Cross Church, Brandy Camp, PA
1/27/1983 – 6/30/1990	Pastor, St. Patrick, Erie, PA
3/1/1990 – 5/4/1990	Health Leave, Guest House, Rochester, MN
6/30/1990 – 1/6/1992	Pastor, St. Patrick, Erie, PA
1/6/1992 – 12/31/2003	Director of RCIA, Diocesan Office, Erie, PA
1/6/1992 – 2/4/1994	Resident, Blessed Sacrament, Erie, PA
2/4/1994 – 3/27/2004	Resident, St. Joseph/Bread of Life, Erie, PA
4/10/1996 – 10/1/1996	Chaplain, Soldiers & Sailors Home
11/17/1996 – 5/8/1997	Weekend Assistant, St. Patrick, Erie, PA
11/22/1996 – 12/31/2003	Director of Activities/Coming Millennium, Diocesan Office, Erie, PA
1/1/04 – 5/25/2005	Retired, Priest Retirement Residence, Erie, PA

Summary

Three known victims came forward indicating that they were sexually abused by Father Gerard Krebs. The first victim claimed in a March 19, 2002 e-mail communication to Bishop Donald Trautman that he was sexually abused by Krebs in 1968. At that time Krebs was an English teacher at Venango Christian High School ("VCHS"). Sometime around graduation, Victim #1 learned that he had impregnated his girlfriend. Distraught, he sought out Krebs for counseling and guidance. Krebs stated that he was once a pre-med student and in order to determine whether or not Victim was capable of impregnating a woman Krebs needed to check Victim #1's prostate. Krebs did so through penetration of Victim #1's anus with his finger.

A second victim alleged that Krebs sexually abused him sometime in the late 1960s at VCHS. In a letter to Father Tom Brown of St. Thomas the Apostle in Corry dated April 6, 2002, a woman stated that her brother was *"sexually molested"* by Krebs and that she had learned of

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it through conversation with her brother. She further alleged that Krebs was known to take the victim and other male students to different places and to give them wine.

The third victim stated in an October 20, 2006 e-mail that he attended VCHS from 1964 to 1968. Victim #3, who was Episcopalian, approached Krebs during his junior year about the possibility of becoming Catholic. Victim #3 alleged that Krebs led him through *"a series of sexual rituals to both prove my faith and the fact that I was not a homosexual."* Moreover, Victim #3 referenced a 1969 graduate of VCHS who described numerous experiences of the same nature that he and other classmates endured but did not divulge any additional information.

In 2002, following these allegations, Krebs underwent psychological evaluation at St. Luke's Institute in Silver Spring, Maryland. At this time, Krebs expressed acceptance of his homosexuality during his evaluations but stated he could not recall any specific instances in which he had sexually abused young boys. Krebs did, however, indicate that his drinking was so severe at that point in his life that he could not rule out the possibility of it having happened. Krebs did appear to recall Victim #2 and stated that they slept together in the same bed in a hotel room but had had no sexual contact.

The Grand Jury found no documentation indicating that law enforcement was ever notified about any of Krebs interactions with his victims.

Father Jerry (John) Kucan

Biographical Information

YEAR OF BIRTH:	1924
YEAR OF DEATH:	2010
ORDINATION:	June 24, 1951

Employment/Assignment History

1952-1954	St. Anthony's, Sharon, PA
1954-1961	St. Joseph's, Bethlehem, PA
1961-1972	St. Mary's, Steelton, PA
1972-1973	Our Lady of Peace Friary, Beaver Falls, PA
1973-1977	St. Anthony's, Sharon, PA
1977-1978	Sacred Heart, Milwaukee, WI
1978-1979	Beaver Falls Friary, Beaver Falls, PA
1979-1982	St. Mary's, Steelton, PA
1982-1985	St. Jerome's, Chicago, IL
1985-1986	Sacred Heart, Milwaukee, WI
1986-1988	St. Anthony's, Chicago, IL
1988-1994	At. Augustine's, West Allis, WI
1994-1995	Sacred Heart, Chicago, IL
1995-2005	St. Anthony's Friary, Chicago, IL

Summary

In February of 2005, a thirty-nine-year-old man wrote a letter to the Diocese of Erie in which he stated that he had attended St. Anthony's School in Sharon, Pennsylvania and that in 1974 he began serving midnight mass. Victim #1 stated that "Father Jerry" began an inappropriate relationship with him at that time. Victim #1 wrote that Father Jerry gave him a St. Christopher necklace as a gift and soon afterward the inappropriate behavior began. The letter said that Kucan instructed Victim #1 to serve morning mass before school, at which time the behavior continued. Victim #1 wrote that he would be called out of class at times, where he would meet with Father Jerry and a Brother who wore a brown robe. These "meetings" would take place in a room on the second floor of the gym. The letter explained that Kucan told Victim #1 that if he ever told anyone about their relationship, Victim #1's mother would lose her job in the school kitchen and he would be kicked out of school. Victim #1 wrote in the letter that he would go to confession weekly to confess his sins and that Kucan would tell him that the slate was wiped clean. Victim #1 stated in his letter that he was now having trouble dealing with many issues such as trust, intimacy, and questioning of his sexual orientation. Victim #1 asked if the Diocese had an assistance program available for those suffering from such emotional difficulties.

Summary

In March of 2005, Bishop Donald Trautman wrote back to Victim #1. The Bishop stated that St. Anthony's Croatian Catholic Church in Sharon was staffed by Croatian Franciscan priests at the time in question and that "Father Jerry" could have been Father Jerry Kucan. The Bishop stated that after he received Victim #1's letter, he called and spoke to Father Marko Puljic of the Croatian Franciscan Custody of the Holy Family of the United States and Canada. The Bishop said that he read Victim #1's letter to Puljic and that he asked Puljic to call Victim #1. The Bishop stated that he was sending Victim #1's letter, along with the Bishop's return letter, to Puljic. The Bishop then stated that Kucan was not a priest of the Erie Diocese and the resolution of the matter rested with the Croatian Franciscans. The Bishop then wrote that Victim #1 should contact Catholic Charities in Dallas, where he lived at the time, to help with his emotional difficulties. The Bishop included a phone number for the Director of that office.

In June of 2005, Father Puljic received a letter from Attorney Richard Serbin of the Law Firm Serbin, Kovacs & Nypaver of Altoona, PA. The letter advised Puljic that the firm had been retained by Victim #1 on this matter and described Kucan's "inappropriate behavior" in detail. This letter stated that Victim #1 was eight years old when he met Kucan and that Kucan thereafter molested the boy on a regular basis. This letter stated that Kucan would take Victim #1 to the second floor of the gym, where Kucan would perform oral sex on the eight year old. The letter also alleged that Kucan would have a brother in a brown robe present on some occasions and that this brother would also perform oral sex on Victim #1. The letter stated that Victim #1 was currently undergoing counseling.

The letter concluded with Attorney Serbin stating that he had represented individuals that had been victims of clergy abuse for eighteen years. He stated that it was his policy to "*attempt amicable resolution of all claims on behalf of my clients prior to filing suit. I have been able to achieve settlements on behalf of abuse victims with multiple Dioceses and religious communities. I have found that when there is a sincere desire on the part of the church leaders to correct wrongs of the past, recognition of the long term effects of clergy abuse upon victims, and reasonableness on part of all parties, that these cases can be resolved without resorting to the courts. It is my sincere hope that the Croatian Franciscans will accept responsibility for Father Jerry Kucan, and do the right thing by [Victim #1] in fairly compensating him for the horrible injuries that he has suffered as a result of his abuse.*" It appears as though Victim #1 did attend counseling at the Catholic Charities in Dallas, which was set up by the Diocese of Erie. In 2016, Victim #1 wrote to the Erie Diocese seeking to obtain counseling/progress notes that his Dallas counselor had provided to the Erie Diocese.

On January 8, 2007, Vicar General, Monsignor Robert J. Smith received a letter from a woman who stated that her husband had been molested by a priest in the mid 1950's when he served as an altar boy at St. Anthony's on Idaho Street in Sharon. The letter stated that her husband's cousins were also victims. This writer stated in the letter that her husband committed suicide in 1993 after a long struggle with depression. She had spoken to her husband's therapist after his death and the therapist told her that her husband's severe depression was a direct result of being molested at St. Anthony's as a child. The writer stated that she has heard that other men who were molested at St. Anthony's had committed suicide. She stated that she knew that the offending priest was now dead, but that the Catholic Church was not excused for the abuse. She

Summary

concluded her letter by asking Monsignor Smith how she could see any other reports on cases similar to this.

On January 16, 2007, Monsignor Smith responded. In his letter, Monsignor Smith writes that he was very sorry to hear about the molestation of the writer's husband as a young boy in the 1950s and his subsequent suicide in 1993. The letter then stated that Monsignor Smith was not aware of the priest who may have committed the crime against her husband. The letter stated that St. Anthony's was staffed by priests from the Croatian Franciscan Custody of the Holy Family and that the priest who abused her husband most probably was from that order. The letter contained the name and address of Father Marko Puljic for her to contact.

The letter then addresses apparent requests made by the writer. Smith wrote "*Regarding your request for reports of other like incidents in the parish, two others have come to our attention over the years. The first involved a Croatian Franciscan assigned to the parish in the early 70s. The report came to us in February 2005. The Diocese notified the Croatian Provincial on March 1st, got back to the individual several days later and offered him counseling assistance. The second incident involved another Croatian Franciscan. It allegedly happened in the mid 80's. One of our Episcopal Vicars serving in the Western Vicariate was made aware of it, reported it to then Bishop Michael Murphy and the priest was removed immediately from the ministry.*" Smith was contacted by a social service agency in Florida after this second Croatian Franciscan had applied for a secular position there. Smith called the Director and advised them that a complaint of abuse had been filed against the individual, that he had been removed from the ministry when it was reported, and that he had left the religious order. The letter concluded with this paragraph: "*Bishop Trautman has been our bishop since 1990. He has been vigilant and aggressive in dealing with this tragic issue. Sexual abuse is abhorrent to all of us and when committed by a trusted member of the church, doubly so.*"

A file-note contained within the files claimed that on January 25, 2007, Bishop Trautman notified Attorney Frank Kroto about the recent complaint from Victim #1, as well as a complaint from another man. The file note states that Bishop Trautman asked Attorney Kroto to inform District Attorney Bradley Foulk of the complaints, the identity of the priests, and the names of the alleged victims. Kroto was also asked to assure the DA that the Diocese would comply with any requests for additional facts and information.

A file note showed that on July 31, 2007, Vicar General Smith wrote that he spoke with Father Marko Puljic to get an update on Kucan and to determine when he was removed from the ministry. Puljic said that Father Kucan was taken out of the ministry in March 2005, when the Order received its first complaint against him. The Order settled with Victim #1 filing the complaint. The file note also indicated that Kucan was then in his mid- eighties and in the early stages of dementia.

There is nothing contained in this file that shows that any actual correspondence between the Church and the District Attorney occurred.

Monsignor Louis Lorei

Biographical Information

YEAR OF BIRTH:	1921
YEAR OF DEATH:	1986
ORDINATION:	N/A

Employment/Assignment History

9/1981 – 9/1985	Pastor, Our Lady of Peace, Erie, PA
Unknown	Possibly Gannon University

Summary

In December 2009, Father Mark Hoffman called the Bishop's office to report an allegation involving child sexual abuse by Monsignor Louis Lorei. The parents of a boy had approached him to report that their son stated he "*was touched by Monsignor Lorei*" in the early 1980's. Bishop Trautman later met with the victim. The victim stated that about 1980 or 1981, he was a student, roughly age 11 to 13, at Our Lady of Peace school. He was also an altar server during early mass with Lorei. On one occasion, Lorei invited him into the rectory and into his bedroom. Lorei had the victim sit on the bed while Lorei sat next to him and hugged and kissed him on the lips. This would occur several days in a row, stop, and then begin again. The victim eventually refused to serve mass with Lorei. Lorei was soon removed by then-Bishop Murphy. In his own handwritten words, Trautman expressed the personal belief that Lorei's sudden departure may likely have been indicative of some kind of significant event. Trautman offered the victim counseling services. Financial assistance was also discussed.

In a memorandum dated March 30, 2007, Hoffman also documented an additional victim of Lorei. Hoffman found out through the father of the second victim that his son was allegedly abused by Lorei. The victim reportedly described the incident during a United Methodist retreat in 2000.

A small note in the file states "*Review Board found no merit in processing since supposed victim did not come forth even after requests.*" It is unclear as to whom that note refers.

Despite a grand jury subpoena, no file for Monsignor Louis Lorei was made available by the Erie Diocese. A public records database search listed one additional, potential address associated with Lorei in Erie, which appears to be the address of Gannon University.

Father Salvatore P. Luzzi

Biographical Information

DATE OF BIRTH:	1935
YEAR OF DEATH:	
ORDINATION:	May 31, 1962

Employment/Assignment History

6/09/1962 – 8/29/1968	Faculty, Venango Christian High. Residence at St. Joseph, Oil City, PA
8/28/1968 – 8/28/1969	Sp. Ministry, St. Mark's Seminary, Erie, PA
8/28/1968 – 7/16/1972	Dean/Collegians, St. Mark's Seminary, Erie, PA
7/16/1972 – 5/05/1979	Sp. Ministry, St. Mark's Seminary, Erie, PA
5/05/1979 – 7/19/1994	Pastor, St. Joseph, Warren, PA
3/19/1991 – 8/01/1994	Sp. Ministry, Dean/Warren Co. Deanery, St Joseph, Warren, PA
7/19/1994 – 2/10/1995	Sick Leave
5/05/1979 – 9/15/1995	Resided at St. Joseph
9/15/1995 - currently	Faculties removed

Summary

After several years teaching at Venango Christian High School, Reverend Salvatore P. Luzzi was moved to St. Mark's Seminary, where he filled several roles. Over the course of his 30 year ministry, he was accused of sexual misconduct by eight male victims ranging in age from early teens to early twenties. Some of these victims were groped, inappropriately kissed, hugged, and/or fondled. He also faced allegations of responsibility for the suicide of a former student/victim.

Luzzi worked extensively with young would-be priests at St. Mark's where he and fellow priest Leon Muroski served as Spiritual Directors to the seminarians. Luzzi's inappropriate touching and fondling of at least two seminarians prompted the Diocese to settle with those seminarians for large sums of money. The first former Seminarian's case was settled in civil court for $34,500 and this individual received several thousand dollars over the course of the many years that the Diocese paid for his counseling and medication costs.

Several other former juvenile victims of Luzzi received letters or phone calls of apology from the Diocese. These victims were counseled by the Diocese through correspondence or in-person interviews wherein Luzzi's behavior was dismissed as *"Sal's way of expressing himself"* and his "*touching approach*" to ministry was attributed to his Italian upbringing.

The Diocese listed several Luzzi victims in its internal reports, but little to no documentation was contained in the files. It was alleged that Luzzi groped the buttocks of one

Summary

victim in a hardware store in 1998. This individual was 19 at the time of the incident. Luzzi denied the touching and only admitted to patting this individual on the back.

In 1974-1975, Luzzi and Father Leon Muroski were working at Camp Notre Dame in Fairview when a young seminarian named Michael Amy was accused of fondling two juveniles. These victims reported the incident to the Pennsylvania State Police, the Diocese of Erie, and to their parents. The Diocese representative for this incident at Camp Notre Dame was Father Lawrence Speice. Speice assisted Amy by interceding on Amy's behalf with the State Police and the boys' parents. No arrest was made. Luzzi and Muroski dealt with Amy by making him attend counselling and keeping him in seminary. Amy would go on to abuse at least two more juveniles, along with several other unidentified juvenile prostitutes as an ordained priest prior to being laicized.

During Amy's laicization process, he called Speice, Muroski and Luzzi as his witnesses. Muroski denied knowledge of any wrongdoings by Amy. Speice and Luzzi both admitted some knowledge of Amy's molestation of children in 1974-1975. Luzzi wrote on Amy's Witness Statement that he was "*amazed that he was made a pastor in a place where something happened before,*" and that "*there certainly should have been something in his Seminary day files.*" Luzzi added, "*I personally wondered when these things would resurface.*"

In 1994, Bishop Trautman sent both Luzzi and Muroski to St. Luke's Institute for therapy. The Diocese publicly announced that Luzzi was going on an extended sabbatical for "*personal, spiritual and academic growth.*" Once Luzzi was discharged, the Bishop welcomed him back into pastoral ministry by letter on February 14, 1995. However, the welcome also came with several conditions and a Penial Precept, a formal notification in the church that restricts ministry. Trautman directed Luzzi to refrain from all contact with youth under 19 years of age and to avoid travel and social interaction with such parishioners. Later that same year, in September 1995, Trautman had Luzzi's faculties as a priest removed and Luzzi began residing in a private residence, where he remains today.

It was Luzzi's position that Trautman forced him to retire. It was the position of Trautman and the Diocese that what led to Luzzi's resignation was the weight of new allegations and the real possibility of widespread publicity. It was found in subpoenaed files that Luzzi's accusers threatened to take "*appropriate steps*" if Luzzi was not removed from ministry. This information was found in an internal document written by Monsignor Robert Smith and placed into Luzzi's file on October 12, 1995. Smith and Trautman informed Luzzi that if he did not retire of his own free will, the Diocese would follow the canonical process specified in church law to remove Luzzi. Luzzi resigned less than 30 days later.

Father Richard D. Lynch

Biographical Information

YEAR OF BIRTH:	1937
YEAR OF DEATH:	2000
ORDINATION:	May 5, 1963

Employment/Assignment History

6/01/1963 - 5/26/1972	Secondary Education Bradford Central Christian High School, Bradford, PA
5/26/1972 - 2/18/1983	Headmaster, Secondary Education Bradford Central Christian High School, Bradford, PA
2/18/1983 - 8/30/1999	Pastor, Erie Holy Rosary, Erie, PA
1984-1994	Dean, East Erie Deanery, Erie, PA
8/31/1999 – Death	Pastor, St. Mark's the Evangelist, Erie, PA

Summary

A memorandum located in the files from the Diocese of Erie - - apparently written by a secretary to Bishop Trautman - - stated that an individual called on July 26, 2004 and stated that he had called one month earlier and had spoken to a priest because the Bishop was unavailable on the subject of *"sexual involvement years ago."* This caller stated that the priest told him that he would be contacted but nobody had returned his call to date. The caller also said that he was very upset about what had recently been written in the USA Today newspaper about an Erie Benedictine nun and that he had cut the article out and sent it to Cardinal Rigali.

In the Diocesan files the Grand Jury found a handwritten note that was titled with the above caller's name. The page appears to be a hand written notes from an interview with the caller/Victim #1. The Grand Jury read the notes to indicate the following:

> *[The victim] attended school and was a senior in 1978. He worked after hours at school and while he was cleaning the locker room, Father Richard Lynch touched him in a private area and later also pushed him against the wall. Another Father told Lynch not to touch [the victim].*

On an undated official document from the Office of the Bishop, handwritten in ink, the writer states that Victim #1 came to see Monsignor Smith and Bishop Trautman regarding incidents of supposed abusive and aggressive behavior by Father Richard Lynch, the former Headmaster of the Bradford Central Christian High School. The document further states, *"[Victim 1] claims Lynch slammed him into the wall and this resulted in a trauma for [Victim #1]. Father Grady had Lynch removed and Father Welter then came as Headmaster. (All of this transpired before I came to the Diocese)"*. Victim #1 claimed he went to the doctor in April of 1979 and had to have back surgery at the Erie Metro Health Center. The note then states that

Summary

"*There are psychological issues present in [Victim #1], He receives money from Social Security because of DISABILITY*" At the bottom of the document, the writer writes that Victim #1 is agitated, but that "*he usually calms down as you talk with him.*" There was also a form titled "Advisory Statement for Report of Sexual Misconduct" in the file, which was dated August 11, 2004 and signed by Victim #1. This form advises the signee that they have the right to report alleged sexual misconduct directly to the Office of District Attorney, that they have the right to seek an Attorney of their choice, and lastly that the Church representative would not give them legal advice.

On July 2, 2014, a letter was sent to Victim #1 from Father Gramata, who oversees the St. Bernard of Claurvaux Cemetery advising Victim #1 that he was in violation of several regulations regarding his parents burial plot in the cemetery and that he had fifteen days to resolve the violations. On September 06, 2014, Father Gramata sent a letter to Bishop Persico advising him that the Cemetery removed the items in violation at Victim #1's parents' plot and had them stored. In May of 2015, Father Gramata wrote a letter to Persico and included a letter that Gramata had received from Victim #1, who was incarcerated at this time in the Albion State Correctional Institution and was angry at the removal of the gravesite items.

Another letter sent to Gramata by Victim #1 in September of 2015 was forwarded to Bishop Persico. In this letter, Victim #1 again went on at length about his displeasure with the cemetery. He stated in this letter *"I didn't fight the Church back in '79 when things happened to me in the high school."*

Victim #1 sent letters to Bishop Persico from March through September of 2016. He was writing letters to the Bishop because he was very upset over treatment that he was receiving from two Catholic Deacons inside Albion Prison. Victim #1 did not think the Deacons were being fair or sufficiently nice to him.

In a letter dated June 3, 2016, Victim #1 stated that he wanted to write the Bishop to get some things off his chest. He alleged that Father Richard Lynch was responsible for the sexual abuse that he went through while attending Bradford Central Catholic Christian High School 1978-1979. Victim #1 stated that he told Bishop Trautman about some physical abuse but was too ashamed to talk about the sexual abuse. There is a hand written notation in black ink on top of the letter that said, "*Reported to District Attorney Daneri 7-28-2016*"

There is also a memorandum in the file, dated August 5, 2016 from Deacon DeCecco to Smith that states that DeCecco had not met with Victim #1 about any abuse issues before that date. It goes on to say that DeCecco met with Victim #1 for forty five minutes and he mostly wanted to talk about how poorly the Church is being administered. Victim #1 did say that he was abused by Lynch while a student at Bradford Central and also that Trautman was aware of it. The memorandum stated that Victim #1 was offered counseling from Trautman at the time and had turned it down, but that he would accept it now if offered.

Victim #1 said that he had told others that he had never been abused, but that was because he was ashamed and afraid to speak about it back then. Victim #1 also told Deacon DeCecco

that he believed it was wrong to take money from God's House and that he would therefore not seek compensation.

On August 15, 2016, Victim #1 wrote another letter to Persico and stated that he had a talk with DeCecco in the prison and discussed with him some of his concerns. Victim #1 went on to say that the main issue that concerned him was what happened to him at the Bradford Catholic High School. Victim #1 then wrote, "*I want you to consider making me an offer Monetary to end this with me and get me some counseling. The Priest that did this is gone now but it will always be with me.*" Victim #1 also referred to an incident in Altoona and reported that Bishop Barcheck now has a death on his shoulders. He wrote "*I would sign off on a check for $20,000 to just close the books on this era. I'm trying to keep it quiet so this case never becomes public.*" Victim #1 told the Bishop that he could just send the $20,000 check to him at Camp Hill.

On September 6, 2016, Persico wrote back to Victim #1 and told him that he was very sorry to hear of his claim of sexual abuse and apologized. The letter went on to state,

> *Since Father Lynch is dead, the Diocese of Erie has nothing in its file regarding him sexually abusing students. This claim was never reported to the Diocese of Erie. I want you to know that I called the Erie County District Attorney's Office on July 25, 2016 to report the alleged sexual abuse. Also Child line was called on August 23, 2016 and the alleged abuse was reported to them. We want to help you in your healing process by offering counseling. The Diocese of Erie has a policy not to make monetary settlements. We are more concerned in the healing of victim survivors than by keeping the sexual abuse quiet. We need to know how the Diocese can assist in providing counseling while you are a resident of SCI Albion. Please let me know.*"

Victim #1 responded to Persico's letter on September 12, 2016. In his letter to the Bishop, Victim #1 asked the Bishop why he did not notify McKean County, where the abuse occurred. Victim #1 also told the Bishop to ask Smith why he or retired Bishop Trautman never reported it, since he came up there and met with both of them.

Victim #1 then said that the Bishop could check with DeCecco and he could help with setting up counseling for him in Albion. Victim #1 then said that what the Bishop could do for him is to help the Catholic parish of St. Bernard's in Bradford make the goal of refurbishing the Church and have the Diocese donate on Victim #1's behalf to the building fund.

There were no further allegations contained in this particular file from other persons against Father Lynch. Lynch died prior to the allegations being reported to the District Attorney's Office.

Monsignor Daniel Martin

Biographical Information

YEAR OF BIRTH:	1917
YEAR OF DEATH:	2006
ORDINATION:	November 17, 1943

Employment/Assignment History

1943 – 1945	Parochial Vicar, Sacred Heart, Sharon, PA
1945 – 1962	Faculty, Erie Cathedral Preparatory High School, Erie, PA
1948 – 1962	Assistant Headmaster, Erie Cathedral Preparatory, Erie, PA
1950 – 1962	Chaplain, Mercyhurst College
1962 – 1970	Pastor, St. Boniface, Kersey, PA
1962 – 1970	Headmaster, Elk Co. Christian High School, St. Mary's, PA
1970 – 1974	Pastor, St. Joseph, Oil City, PA
1974 – 1986	Pastor, St. George, Erie, PA
1984	Prelate of Honor, titled Monsignor
1986 – 1987	Retired, Residence at Mt. Calvary, Erie, PA
1987	Chaplain, Mercyhurst College for Religious women
2003	Blessed Sacrament, Residence

Summary

Monsignor Daniel Martin was a priest the in the Diocese of Erie for 43-three years who faced two known allegations of sexual abuse. The Grand Jury's review of his files found very little documented evidence of his abuse of a teenager who was an alter server in his parish. That victim would go on to become a priest himself and appeared in front of the Grand Jury to tell his story. Martin's second victim was a Seminarian who named Martin, along with Bishop Trautman and Fathers Salvatore Luzzi, Leon Muroski and Thomas Kelley, in a civil suit that was settled by the Diocese for $34,500 on October 3, 1995. This Victim (Victim #2) claimed to have been sexually harassed and assaulted by the priests named in his suit.

Victim #2's abuse occurred at St. Mark's Seminary in Erie, amidst what he described as a '*culture of sexuality*' among the priests. He reported to the Diocese that the priests in the seminary have a '*fierce competition*' among themselves to sexually prey upon kids who had absentee fathers or children who had poor relationships with their fathers. Victim #2 explained that in the Seminary, the priests who acted as spiritual advisors to the seminarians would engage them in sexual misconduct. He reported that one of his spiritual counsellors, Gene Humenay, was upset when he learned that this type of sexual behavior was going on in the seminary, but Humenay did nothing to stop the abuse. Victim #2 believed the Diocese knew that the priests were sexually abusing the seminarians but did nothing about it. In his lawsuit, he named Bishop Donald Trautman, not as an abuser but as an enabler.

Summary

Gene Humenay was subpoenaed into the Grand Jury to answer question regarding his knowledge of clergy sex assault. He had left the priesthood in 1987 to get married.

One of Victim #2's demands of the Diocese when he sued was to have all the priests named in his suit removed from ministry and given professional counselling. The Diocesan records did not specify if Martin was sent for treatment, but it was acknowledged in a letter to Victim #2 from the Diocese that Martin was seen at St. Luke's Institute in September 1995. This information cannot be corroborated by the documents provided to the Grand Jury.

This investigation found a document dated July 24, 1994 and labeled "*confidential memorandum for the file, RE: Daniel Martin.*" It documents the interaction between Bishop Trautman, Victim #2, and Daniel Martin. It records Trautman confronting Martin about the allegations of the sexual abuse of Victim #2. In it, Trautman wrote that Martin offered to donate $3,500 towards Victim #2 receiving proper therapy. Martin also apologized to Trautman for the incident. Trautman accepted Martin's check and forwarded it on to Victim #2.

The first aforementioned accusation of sexual abuse against Martin was much less well-documented in the Diocese records and only came to light via the cooperation of another victim. Victim #1 contacted the Pennsylvania Office of Attorney General's Catholic Church Hotline to report his story. Victim #1 is also an ordained Catholic priest and has served the Diocese of Erie for many years. He was subpoenaed into the Grand Jury to tell his story. Victim #1 testified that Martin was his parish pastor and a role model for him because he had a dysfunctional family and he felt isolated from his friends. He explained that he felt the church and Martin became his *'surrogate family'*. This gave him access to all parts of the rectory. Victim #1 reported that when he would be upset over the troubles of his life, he would seek Martin's counsel. It is in these moments of weakness and vulnerability that predators look to exploit their victims, and Martin was no different. Victim #1 testified that Martin sexually fondled him on at least sixteen occasions between the ages of sixteen and nineteen. Victim #1 reported to this investigation that Martin abused him three times at St. George, eight times at Mt. Calvary and five times at Mercyhurst College.

Victim #1 testified that Martin was friends with several other priests that were known pedophiles. He said that on a number of occasions, Martin's friend, Father Gary Ketcham (see Father. Gary Ketcham narrative), invited him to play racquetball or took him to nice dinners. When he did play racquetball with Ketcham, he would always be instructed to bring a towel because Ketcham would insist on taking a shower with Victim #1 and the other boys he took to the racquetball court. Another known pedophile priest with whom Martin would often associate was Father Robert Hannon (see Rev. Robert Hannon narrative). Victim #1 testified that Hannon retired early and relocated to Hawaii. Victim #1 reported that Hannon retired early due to inappropriate behavior with children and he would often return to the Erie area to visit with Martin. Victim #1 told the Grand Jury that Hannon's way of befriending the altar boys was to hand out cash. Victim #1 testified that he personally experienced Hannon handing out money. He said Hannon would call it "green" and give it to any boy working the rectory. He added that Hannon and Martin were old friends from when they both worked in Oil City.

Summary

Victim #1 went on to report that from his personal experience he did not see the problems in the Catholic Church to be one of clergy sex abuse or an issue of gay men. He testified that the real issue is that of power and the ability to force your will over those under you. He informed this investigation that he believes that the Diocese knew full well what Martin was and that he had been preying upon Victim #1 for some time. He said the rumors of his abuse at the hands of Martin were openly talked about with his spiritual advisors while he was in the seminary in 1989-1990.

A review of the subpoenaed files supplied to the Pennsylvania Office of Attorney General found little to no mention of Martin's molestation of Victim #1 What can be determined is that approximately the same time Victim #1 was in seminary openly decrying Martin's conduct, the Diocese had Martin assigned to Mercyhurst College. The Diocese would later restrict Martin's ministry at the college to dealings only with the Catholic nuns at the school.

[redacted]

Biographical Information

[redacted]

Employment/Assignment History

[redacted]

Summary

[redacted], who as early as the 1960's stated his preference for ministering to youth, was reported by one of the Diocese of Erie's [redacted] to have taken multiple seventh and eighth grade boys to his rectory for *"cancer and prostate checks"* in 1988. In spite of this information, [redacted], who notified Bishop Trautman about the specific complaints in 1991, admitted that the Diocese did nothing further with respect to these complaints because he ([redacted]) had known [redacted] for his entire priesthood and *"did not see the need."* 'Trautman continued to assign [redacted] to various parishes, even though the Diocese's own records show that by 1991 the Bishop already had knowledge that other priests within the Diocese had used *"cancer checks"* as a pretext to commit acts of sexual abuse against children (see Rev. Chester Gawronski).

Summary

On December 4, 1988 a meeting was held between the Diocese and a parishioner who had recently changed parishes. Among other things, the report documented that the parishioner switched parishes partially due to *"sexual improprieties involving two of [her] children."* One of these involved counseling sessions with [redacted] in which he repeatedly asked one of her children sexually-oriented questions and that this continued even after he had been advised to stop. The second involved another child who claimed that [redacted] had placed his hand on the boy's crotch.

Further, at the time of the meeting, the [redacted] from the same parish advised that her own children told her about other boys in the seventh and eighth grades who were taken by [redacted] to the rectory where he *"check[ed] them for testicular/prostate cancer."* She further advised that she remembered these children returning to the classrooms *"acting kind of sheepish"* and that she was so concerned that she also switched parishes so that her children would not be involved.

Handwritten notes that appear to have been generated by Diocese personnel during the December 4, 1988 meeting described the above and a follow-up meeting with [redacted] on December 20, 1988. Among other things, the notes appear to state that [redacted] had made sexually explicit comments to the boy described above, whom he was counseling, on at least three separate occasions and that the boy's father removed the boy from any further counseling unless he or the boy's mother were present. The notes further appear to state that [redacted] had called the boy on at least one occasion to tell him that if he was planning to run away, he could stay with [redacted] at the rectory.

On January 1, 1991 a memorandum sent from [redacted] to Bishop Trautman with documentation of the December 1988 meeting described the above. Among other things, [redacted] advised Trautman that he has known [redacted] all his priesthood and the original complainant all her life. He stated he met with her and her husband about her complaints and that she retracted her statement about [redacted] placing his hand on her son's crotch.

The memo further advised that [redacted] was *"morally certain that there was no cause to believe any inappropriate advice or sexual abuse took place in either case."* [redacted] then stated that it must be remembered most of the complainant's children were adopted or foster children and most have a handicap of some type. [redacted] advised that he did not ever contact [redacted] since he *"did not feel there was any need to take this any further."*

[redacted]

REDACTED -- ONGOING APPELLATE LITIGATION

Reverend Leon T. Muroski

Biographical Information

YEAR OF BIRTH:	1934
YEAR OF DEATH:	
ORDINATION:	May 26, 1960

Employment/Assignment History

6/11/1960 – 9/01/1967	Parochial Vicar, St. Luke, Erie, PA
3/30/1961 – N/A	Chaplain, Erie County T.B. Hospital
9/01/1960 – 6/16/1967	Special Ministry, Faculty, St. Mark's, Erie, PA
6/16/1967 – 10/12/1982	Diocese Office, St. Mark's Seminary, Erie, PA
10/12/1982 – 9/01/1995	Pastor, Our Lady of the Lake, Edinboro, PA
5/1994	Sent to St. Luke's Institute for Psychological Treatment
9/01/1995 – 6/01/1997	Retired, St. Casimirs, Rectory, Erie, PA
6/01/1997 – 4/01/2001	The Christophers, Unknown duties, New York, NY,
5/03/2001	Resident, St. Patrick's, Erie, PA
9/01/2001 – 3/11/2002	Chaplain, Pleasant Ridge Manor West, Girard, PA
1/2320/03 – N/A	St. Patrick's, Unassigned
12/10/2015 – Present	Diocese Retirement Home, Erie, PA

Summary

Father Leon Muroski served the Diocese of Erie from 1960 through 2002. Most of his ministry was spent serving in Special Ministry as an Administrator for the Diocese and working with young people aspiring to become priests at St. Mark's Seminary. After 20 years of administrative duties, Muroski finally got his own parish. This ministry lasted from 1982 until 1995, but was abruptly halted when in the early 1990s Muroski was accused of sexual misconduct while he was a Spiritual Director at the seminary. Muroski was sent to St. Luke's Institute in Suitland, Maryland, for individual psychotherapy in 1994 after he admitted to inappropriate contact with the seminarians under his watch. These seminarians were all male, eighteen to twenty-three years old, when Muroski would counsel them. This counselling included allegations of full body massages, kissing, masturbation and fondling of the seminarians' buttocks and genitals. Muroski would eventually be placed back into ministry after therapy at St. Luke's and served in the Diocese of Erie and in The Christophers program in New York City.

While some of these seminarians were not legally juveniles at the time of their abuse, at least three of them were under Muroski's tutelage. At this time Muroski and his fellow priest,

Summary

Salvatore Luzzi (who also faced sexual misconduct allegations and was sent to SLI with Muroski), were assigned as Spiritual Directors to these seminarians.

In 1974-1975, Muroski and Luzzi were working at Camp Notre Dame in Fairview, Pennsylvania, when a young seminarian named Michael Amy (see Amy's narrative) was accused of fondling two juveniles. These victims reported the incident to the Pennsylvania State Police, the Diocese of Erie Administration, and to their parents. The Diocese representative for this incident and Camp Notre Dame was Father. Lawrence Speice. Speice assisted Amy by interceding on Amy's behalf with the State Police and the boy's parents. No arrest was made and the Diocese does not have a file on the victims. Muroski and Luzzi dealt with Amy by directing him to go to counselling and keeping him in seminary. Amy would go on to abuse at least two more juveniles as an ordained priest, along with several other undocumented juvenile prostitutes before being laicized.

During Amy's laicization process, he would call Speice, Muroski and Luzzi as his witnesses. Muroski denied knowledge of any wrongdoings by Amy. Speice and Luzzi both admitted some knowledge of Amy's molestation of children in 1974-1975.

The sexual abuse of seminarians by Muroski and Luzzi cost the Diocese of Erie over $89,500.00 in civil payments to three former college seminarians were overseen by Muroski and Luzzi while they studied at St. Mark's. Another former seminarian had several thousand dollars of counselling paid for by the Diocese over the course of many years.

Soon after Muroski finished his therapy at St. Luke's, Bishop Trautman welcomed him back to pastoral ministry on February 22, 1995. This ministry came with several restrictions. Trautman restricted Muroski from contact with youth under the age of 19. In particular, Trautman specified restrictions on counselling, travelling, marriage preparation, recreation and socialization. This was ordered by penal precept dated the same date as Muroski's welcome back letter.

Little was found on Muroski's whereabouts or duties within the Diocese in 1995-1996, but in 1997, it was found that Muroski was serving in ministry for The Christophers in New York City. Once again, little is documented about his duties with The Christophers and it is unknown if The Christophers were notified of his past sexual involvement with young people in Erie.

In 2001, Muroski returned to the Diocese of Erie from The Christophers and was retired. Muroski was permitted to move into the retired priest home in 2002, which is where he still resides. In 2016, the Diocese rostered a list of all the retired clergy living in the home and made it public. Muroski was not listed as a resident. It was at this residence that the Grand Jury found him living in 2017, however.

Brother Edmundus Murphy

Biographical Information

YEAR OF BIRTH:	1931
YEAR OF DEATH:	Unknown
ORDINATION:	1953

Summary

On December 21, 2007 an e-mail communication was sent to Monsignor Robert Smith, Vicar General of the Diocese of Erie from the Society of the Divine Word in Techny, Ilinois. The purpose of the e-mail was to inform Smith that a victim was sexually abused by a staff member while he was a minor at Sacred Heart High School in 1964. This school was operated by the Society of the Divine Word Missionaries in Girard.

The victim claimed that during the summer between his freshman and sophomore years of high school, Brother Edmundus Murphy, who was 33 years of age at this time, was the wrestling coach at the school. Murphy encouraged the victim to join the team and, under the pretense of teaching him some wrestling moves, the two wrestled naked "*as the ancient Greeks and Romans did.*" The victim alleged that during these "*wrestling*" sessions he was sodomized by Murphy.

Immediately after the incident, the victim asked Murphy what he was doing and, according to the victim, Murphy sat on the floor and began to cry.

The Grand Jury investigation found no documentation that the Diocese notified local law enforcement or the District Attorney's Office about Murphy's behavior. The only note in the file was a handwritten notation on top of the printed out e-mail which read; *"not responsible—Priest/Deacon only," "Call Helen Schumacher to verify on 7/18/08."* This was signed by R. Smith 7/18/08.

Reverend John L. Murray

Biographical Information

YEAR OF BIRTH:	1922
YEAR OF DEATH:	
ORDINATION:	May 15, 1947

Employment/Assignment History

5/31/1947 – 5/28/1955	Sacred Heart, Parochial Vicar with Residence, Sharon, PA
5/28/1955 – 6/11/1960	St. Paul, Parochial Vicar with Residence, Erie, PA
8/25/1959 – 6/11/1960	St. Paul, Parochial Vicar with Residence. Special Duties, Part-Time Faculty, Erie Cathedral Preparatory, Erie, PA
6/11/1960 – 8/01/1966	Special Ministry, Erie Cathedral Preparatory, Erie, PA
8/27/1966 – 1/31/1969	Special Ministry, DuBois Central Catholic HS, Special Duties, Headmaster, DuBois, PA
6/16/1967 – 10/15/1968	St. Bernard, Administration with Residence, Falls Creek, PA
10/15/1968 – 5/26/1972	Health Leave
5/26/1972 – 1/04/1974	Special Ministry, Vicar Assistant with Residence, Our Lady Queen of the Americas, Conneaut Lake, PA
1/04/1974 – 6/01/1979	Pastor with Residence, Our Lady Queen of the Americas, Conneaut Lake, PA
6/01/1979 – 10/15/1985	Pastor with Residence, St. Matthew in the Wood, Erie, PA
10/15/1985 – 6/01/1987	Sick Leave
6/01/1987	Restricted, Erie, PA

Summary

The Diocese of Erie received reports that Father John L. Murray sexually molested young boys in a church rectory before serving mass, as well as in recreational settings such as the lake shore. A review of his Diocesan file revealed that, as a result, the Diocese paid thousands of dollars in therapy fees and civil settlements. Two of his victims each received monetary settlements in the amount of $25,000 each.

The first allegation of sexual abuse against Murray was made in 1967. In was reported that in the summer of 1966, Murray, while in a social setting with the victim's family at the shore, allegedly fondled the young boy in the water and on shore. This incident was brought to the attention of the boy's parents and Bishop John F. Whealon in 1967. There was no indication in the file that law enforcement was notified. Whealon's personal notes revealed that he confronted Murray with the accusation and spoke with the victim's father on a number of occasions. Murray partially denied the allegation by telling the Bishop that the victim has *"an overactive imagination,"* and that any touching was accidental due to normal roughhousing with the boy. The notes further indicated that the victim's father met with Murray and Murray apologized to him for the incident. The records revealed that Whealon convinced the family that

Summary

nothing could be done in this case. Whealon wrote that the victim's mother and father have "*no doubt that this priest (Murray) did something wrong, in the water and on the shore.*" Whealon recorded the father as saying, "*If it was the first time, Father Murray is now so frightened that it will not happen again.*"

In April of 1985, Murray was charged by the Pennsylvania State Police with one count each of indecent assault and corruption of minors. He eventually pled guilty to both charges, was sentenced to twelve months' probation and fined. This incident was the result of Murray sexually molesting a 12-year-old boy who was preparing to serve mass in the church rectory. One year later, the church paid the victim's family a settlement in the amount of of $25,000.

As a result of Murray's second instance of child molestation, the Diocese disciplined him by removing his priestly faculties in 1985. While awaiting sentencing on his criminal charges, the Diocese sent Murray to two treatment facilities. After several years of treatment, paid for by the Diocese, Murray was retired and moved to his family home in Philadelphia. As of 2007, he was still receiving money to pay for his therapy.

Finally, in 2016, Bishop Lawrence Persico received the latest complaint against Murray. This incident came to the attention of the Diocese when the victim was visiting the Conneaut Lake area. According to Persico's handwritten file note, the victim, now 55 years of age, was a 12-year-old boy in 1973. He was cutting grass at Our Lady of the Americas church where Murray was the Pastor. Murray allegedly grabbed the child's genitals through the boy's clothes. Persico wrote to the victim on September 15, 2016 and advised him that the Diocese notified the Erie County District Attorney's Office and reported the incident to Childline. He further advised that Murray was out of ministry, was not permitted to function as a priest and offered to speak with the victim should he have any further questions.

Father Giles L. Nealen, O.S.B.

Biographical Information

YEAR OF BIRTH:	1923
YEAR OF DEATH:	1996
ORDINATION:	May 15, 1951

Employment/Assignment History

1944-1951	Monastic maintenance department, St. Vincent Arch Abbey
1954-1963	Monastic maintenance department, St. Vincent Arch Abbey
1949-1951	Scholasticate Perfect
1951-1954	Assistant Pastor, Sacred Heart, St. Mary's, PA
1954-1963	Prefect, St. Vincent Scholasticate
1954-1963	Director of Food Service
1956-1963	Master of Brothers
1964	Pastor, St. James, Waynesburg, OH
1964-1967	Superior, St. Benedictine Priort, Vinhedo, S. P. Brazil
1967-1968	Administrator, St. Benedict, Marguerite
1968-1971	Assistant Pastor, Queen of the World, St. Mary's, PA
1971-1972	Pastor, St. Bruno, South Greensburg, PA
1972-1980	Pastor, St. James, Waynesburg, OH
1990-1992	Pastor, Sacred Heart, St. Mary's, PA

Summary

A letter dated January 25, 1993 from a victim stated that 23 years earlier, when he was 13 years of age, he was sexually abused by Father Giles L. Nealen. At that time, Nealon was assigned to Queen of the World church in St. Mary. This letter stated that Nealen sexually abused him and two of his friends, but he was unsure if the other two victims would come forward. In this letter, the victim begged the church to keep Nealen away from other young boys so that they would not also be sexually assaulted by the priest.

A follow up letter, dated February 5, 1993 and addressed to Bishop Donald Trautman stated that the victitm had sent the January 25 letter to Archbishop Nowicki at St. Vincent's Archabbey in Latrobe. There was no response to the victim or any correspondence regarding these letters in the file provided by the Diocese of Erie.

A May 10, 2002 e-mail correspondence to Trautman stated that a woman wanted to report the sexual abuse of young boys by Nealen. This woman claimed that she knew of at least three boys that were sexually abused by Nealen. Specifically, she had recently found out that an old friend of hers, Victim #1, was arrested for also sexually abusing young boys. The e-mailer was very distressed about this and when she discussed this information with her brother,

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he told her that Nealen had made sexual advances toward him and two of his friends while on a camping trip. She was told by her brother that both other boys, Victim #1 being one of them, were forced to perform sex acts on Nealen. The writer went on to say that during Victim #1's trial he testified that he had been an altar boy and had been sexually abused during that time.

The only response that was enclosed in the files provided by the Erie Diocese to this e-mailer was a four sentence e-mail from Bishop Trautman telling her that Father Giles Nealen died on December 29, 1996. He also told her that he spoke with the Archabbot, who asked the Bishop to forward the e-mail to him and that he hoped she would hear from him shortly. It should be noted that there is no response correspondence from the Archabbot to this e-mailer in the file provided by the Erie Diocese.

In an undated letter from another woman, she claimed that thirty years prior her eleven-year-old son was sexually abused by Nealen. She stated that she and her family were members of The Queen of the World in Elk County where Nealen was the priest assigned at that time. The letter tells how she noticed a drastic change in her son's behavior from a "*happy go lucky child to a pensive and irritable child.*" She noted that even his handwriting changed from a "*bold nature to a restricted light hand*" and how she could not figure out why. She claimed that around this same time, Nealen was abruptly removed from the parish and that no explanation was given to the members of the parish for this removal. The letter writer stated that a few years later she was talking with two other women who mentioned something about Nealen and the reason he left the parish. She claims that she was shocked, but suddenly things fell into place and she berated herself for being so stupid. This writer claimed that thirty years later her son had never married, would not enter a Catholic church and was still severely affected by the sexual abuse he endured from Nealen. An electronic mail response from Trautman, dated March 31, 2004, stated that he received her March 19th letter. He told her that what happened to her son was before his time and "*certainly unknown to my predecessors.*" He apologized and told her that he would forward her letter to Archabbot Douglas Nowicki for his response. It should be noted that Bishop wrote a letter and forwarded it to the Archabbot, but that no response letter to this writer by the Archabbot was found in the files provided by the Diocese.

A cassette tape enclosed in the file of Nealen labeled "*victim's father*" is a recording of an on-air interview from radio show "*Erie in the morning*" of a father of one of the victims of sexual abuse of an unnamed priest. The father of the unnamed victim tells a heart-wrenching story of how he and his family went to the local parish in the mid-1970s and befriended the priest there. The victim's father told the hosts of the radio show that he was approached by a friend who told him that he had "*walked in on*" this priest sexually abusing his own son and was concerned that the son of this man had also been sexually abused. When the father asked his young son if anyone had ever touched him, he claimed that his son started to cry and told him that their local priest had. The victim's father told the radio hosts how this priest was "*part of their family*" and that he would come and stay the entire weekend at their home. His son told him that the priest would come into his room after he and his wife went to bed to sexually abuse him. The victim's father claims his son would have been between the ages of nine and fourteen at the time of this abuse. When the victim's father confronted the priest, who had recently left the parish, he claimed the priest did not deny that he sexually abused his son and told him the

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reason he did it was because "*his son needed love*." When the victim's father told the priest he wanted them to go to the Bishop and tell him what happened, that the priest refused to go because he didn't want to be removed and that he would lose his pension. The victim's father tried several times to set up a meeting with the Bishop to discuss the sexual abuse, but he claims it never worked out.

The Diocesan files received pursuant to subpoena contained no information on any of these victim's statuses or if any of them were offered counseling. The Grand Jury investigation found no documentation that the Diocese of Erie notified local law enforcement or the District Attorney's office about Nealen's long history of sexually abusing numerous young boys.

The Diocese of Greensburg also provided limited information regarding Nealen in response to the subpoena. An unmarked folder within the Diocese of Greensburg's files contained a letter, dated July 13, 1972, from Father Egbert Donovan, O.S.B to Bishop Connare. The letter described a series of transfers for multiple priests. More significantly, the letter contained one sentence regarding Nealen, and suggested that he was involved in an inappropriate incident. The sentence stated, "*For reasons already known by you, it is wise and prudent to reassign the present Pastor, Father Giles Nealen, O.S.B., at this time*." This letter suggested that both the Diocese of Greensburg and the Archabbot of St. Vincent were aware of Nealen's actions.

A hand written note contained in the file (author unknown) lists:

"*Pastor St. Bruno – July 1971 – July 1972*
Served in Marguerite – Oct 1967 – Aug 1968
Died December 29, 1996"

It does not appear that the Diocese of Greensburg provided any further information regarding Nealen.

Father Jan Olowin

Biographical Information

YEAR OF BIRTH:	1942
YEAR OF DEATH:	Unknown
ORDINATION:	May 18, 1968

Employment/Assignment History

1966	Jesuit Missions, Juliaca, Peru
1967	Migrant Ministry, Erie, PA
6/16/1968 – 9/02/1970	St. Patrick, Erie, PA
6/16/1968 – 9/02/1970	Faculty, Cathedral Preparatory, Erie, PA
9/02/1970 – 3/09/1984	St. Patrick, Erie, PA
8/16/1971 – 1/31/1983	Chaplain, Soldiers and Sailors Home
3/09/1984 – 8/25/1986	St. Adalbert, Sharon, PA
8/25/1986 – 11/07/1992	St. Joseph, Oil City, PA
11/07/1992 – 6/28/1998	St. George, Erie, PA
6/28/1998 – 12/21/1998	Sabbatical, American College of Louvain
12/21/1998 – 6/05/1999	St. Joseph, Sharon, PA
6/06/1999 – 12/31/2007	Chaplain, FCI McKean, Bradford, PA
1/01/2008 – 8/21/2008	Sabbatical
8/22/2008 – 8/31/2012	St. Michael, Emlenton, PA
8/22/2008 – 8/31/2012	Chaplain, Clarion University of Pennsylvania, Clarion, PA
10/21/2016 – 11/04/2016	Temporary Parochial Administrator, St. Elizabeth Seton, Sun City, AZ

Summary

The Diocese of Erie personnel file for Father Jan Olowin contained a document entitled "*Summary of Phone Conversation*." It was the memorialization of a telephone conversation that was written by Robert J. Smith, Vicar General, on May 27, 1993. The document recorded the alleged abuse of a victim by Olowin. Victim #1. It is the Diocesan notes regarding a phone call Smith had with Victim #2, who is a victim of clergy sex abuse himself. These notes record some of Victim #2's abuse and record Victim #2 informing the Diocese of his friend's (Victim #1) abuse. Victim #2 said he was disillusioned with the Church when Olowin was appointed pastor of St. George. Victim #2 explains that Victim #3, who was also a friend of his, was sexually accosted by Olowin while on a trip to Mexico. The document does not record the age of Victim #3, only that he was young at the time of the assault. Victim #2 tells Smith that Victim #3 was able to fight off Olowin's sexual advances by pushing him away. Sometime later Victim #3 shared the incident with Victim #2, who subsequently shared the story with Smith in 1993.

On November 4, 2016, Bishop Lawrence Persico wrote a letter to Olowin, now retired in Peoria, Arizona, indicating that he had learned of an allegation of clerical misconduct made

Summary

several decades ago against Olowin. Persico's letter did not mention details, but it referenced a phone call that Persico and Olowin had the day before. The Grand Jury can infer that Persico outlined Olowin's offences in this call and articulated the reason for the letter in greater detail. This letter officially restricted Olowin from public exercise of all priestly ministry until further notice.

The Grand Jury was unable to determine from the subpoenaed files what prompted Persico to restrict Olowin's priestly faculties twenty-three years after Olowin's name was first associated with sexual abuse. In a later production of files to the Grand Jury, a letter from the Bishop of Phoenix, Arizona to Olowin was found. This document was dated November 18, 2016 and was written to Olowin and carbon copied Persico in Erie. It thanked Olowin for his service and informed him that, due to a letter received from Persico, Olowin would be restricted from all ministry until the matter of the alleged abuse was resolved. It is unknown if the investigation of Olowin is continuing or if law enforcement was ever notified.

Father Andrew Pawlaczyk

Biographical Information

YEAR OF BIRTH:	1936
YEAR OF DEATH:	1982
ORDINATION:	May 31, 1962

Employment/Assignment History

6/09/1962 – 1971	Faculty, Cathedral Preparatory, Erie PA
1/22/1971 – 1976	Chaplain, United States Army
8 /1976 – 1978	Chaplain, Hamot Medical Center, Erie PA
5/01/1978 – 1982	Chaplain, Unites States Army

Summary

In a letter dated April 20, 2011 and addressed to Bishop Trautman, a victim reported abuse by Father Andrew Pawlaczyk. The victim explained that it began when the victim was a student at Erie Cathedral Preparatory. and Pawlaczyk took him to football games where they were permitted to sit in the press box. Soon after that, Pawlaczyk began taking the victim to steam baths, one on the East side, and another on West 8th Street. They sat naked together and Pawlaczyk noted that it was not unusual for one man to whisk the back of another with a strange looking brush while in the steam bath.

Pawlaczyk built a fairly strong relationship with the victim's parents and began visiting their home regularly. That type of relationship building continued for several months. The following summer, Pawlaczyk picked up the victim and took him to a cottage on the lakefront. The first thing they did was go swimming without swim suits. Although the victim thought it was strange, he attributed the behavior to simply being rebellious. After swimming they went back to the cottage. Pawlaczyk took the victim into the bedroom and told him that he was going to give him a massage. The victim was face down on the bed with no clothes on. Pawlaczyk then sat on the victim's buttocks - - wearing no clothers - - while he massaged him. Then they reversed roles. After they were done, the victim found ejaculate in the bed which was not from him.

When Pawlaczyk was serving in the United States Army and stationed at Walter Reed Hospital, the victim's parents arranged for the victim to fly to Washington, D.C. by himself. When he arrived, Pawlaczyk took him to the Kennedy Center for a concert and to a basketball game to watch "Pistol" Pete Maravich. From the time he arrived, Pawlaczyk supplied him with cigarettes and alcohol. After a few nights, Pawlaczyk suggested that instead of sleeping in separate rooms, they should sleep on fold out beds in the living room. They again performed mutual massages and then Pawlaczyk fondled the victim's genitals. Pawlaczyk asked him, *"Have you ever had an erection like this?"* That same evening Pawlaczyk took the victim into the shower so they could wash each other. Pawlaczyk also let the victim drink heavily amd the

Summary

victim did not recall what occurred the following night. The next day, the victim left for home and never saw Pawlaczyk again.

The Grand Jury did not find any documentation that indicated that the Diocese ever reported the case to local law enforcement. Additionally, there is no indication that the Diocese offered any counselling to the victim.

Reverend John A. Piatkowski

Biographical Information

YEAR OF BIRTH:	1898
YEAR OF DEATH:	1970
ORDINATION:	November 10, 1935

Employment/Assignment History

11/11/1935 – 5/21/1948	St. Stanislaus Koska, Erie/Tyler, PA
5/22/1948 – 11/16/1970	Assumption, Sykesville, PA

Summary

In a letter dated March 16, 1955 and addressed to the Bishop of Erie, a victim reported abuse by Father John A. Piatkowski. He advised that at the age of 12, he became an altar boy. Growing up, he was taught by his parents and the Catechism that priests were Christ's representative and would not do anything wrong.

During his time as an altar boy, Piatkowski began to kiss the victim and tell him that he loved him. He took the victim for rides and to the movies. It was during this time that Piatkowski would play with the victim's penis until he had an orgasm. On numerous other occasions, Piatkowski committed similar abuse on the victim in the church basement and in the parish house where Piatkowski lived. The victim related that while he felt that the entire situation did not seem right, he was afraid to tell his parents for fear that they would not have believed him.

The Grand Jury reviewed a letter dated October 29, 1959 authored by "*A married and devout Catholic*" that was addressed to the Archbishop of Erie, Reverend John Mark Gannon. The letter indicated that the writer was requesting on behalf of the parish in Sykesville that the parish be assigned a new priest. The letter stated that Piatkowski had been molesting little boys, and that the boys were afraid to talk. The letter alleged that Piatkowski made nervous wrecks out of the children and that they were afraid of him. It is unknown to the Grand Jury if this incident was ever referred to law enforcement by the Diocese.

In a report authored by Bishop Donald W. Troutman, he indicated that on December 19, 2008, he met with a victim and his wife at the St. Catherine rectory in DuBois. The victim reported that Piatkowski repeatedly sexually abused him when he was approximately seven or eight years old. The sexual abuse took place in the 1940's in a small parish in Tyler. Troutman referred the victim to counseling and reported the matter to Erie County District Attorney's Office on January 5, 2009.

Father David L. Poulson

Biographical Information

YEAR OF BIRTH:	1953
YEAR OF DEATH:	Unknown
ORDINATION:	June 22, 1979

Employment/Assignment History

7/05/1979 - 6/09/1982	Faculty, Bradford Central Christian High School, Bradford, PA
	Weekend Education, St. Francis of Assisi, Bradford, PA
6/09/1982 - 8/24/1997	Faculty, Gannon University
6/01/1991 - 8/24/1997	Director, Parochial Administrator Gannon University
8/24/1997 - 12/03/1997	Administrator, St. Francis of Assisi, Clearfield, PA
12/03/1997 - 6/06/2000	Pastor, St. Agnes, Morrisdale, PA
6/06/2000 - 7/24/2001	Sp. Ministries, Clarion University/Catholic Chaplain
6/07/2000 - 6/30/2006	Pastor, St. Michael, Fryburg, PA
8/08/2000	Chaplain, Dio. Div. of World Apostolate of Fatima
7/01/2006 - 11/08/2010	Pastor, St Michael (2nd 6 year term), Fryburg, PA
11/08/2010 - 11/08/2016	Pastor, St. Anthony of Padua
11/08/2010 - 11/08/2016	Pastor, St. Bernadette, Cambridge Springs, PA
1/13/2012 - 9/11/2014	Dean, Meadville Deanery, Complete term of Father O'Hern
11/01/2013 - 10/31/2018*	Other, Bishop's Delegate to Mass in the Extraordinary
11/29/2013 - 11/28/2018*	Other, Diocesan Liaison to the Catholic Charismatic Renewal
9/12/2014 - 9/11/2019*	Dean, Meadville Deanery
9/12/2014 - 9/11/2019*	Diocesan Board, Presbyteral Council, Erie, PA

* Refers to unifinished appointment

Summary

See presentment of Fortieth Statewide Investigating Grand Jury.

Father John Philip Schanz

Biographical Information

YEAR OF BIRTH:	1924
YEAR OF DEATH:	2010
ORDINATION:	May 18, 1950

Employment/Assignment History

6/05/1950 – 09/01/1950	Temporary Parochial Administrator St. Elizabeth, Smethport, PA
9/01/1950 – 10/01/1996	Faculty; Professor of Theology Gannon University, Erie, PA
9/01/1950 – 10/01/1996	Weekend Assistant Holy Cross, Fairview, PA
6/13/1960 – 10/01/1996	Regional Director of the College Branch Of the Confraternity of Christian Doctrine Gannon College, Mercyhurst College & Villa Maria College
4/06/1962	Examiner of Junior Clergy of the Diocese of Erie
3/08/1967	Appointed as Advocate of the Tribunal of the Diocese of Erie
5/14/1969	Advocate of the Tribunal of the Diocese of Erie
10/01/1996 – 4/17/2002	Retires from Gannon University to private residence
4/17/2002	Withdraws from Priestly Ministry and removed of any faculties
4/16/2010	Deceased

Summary

Based on information provided by the Diocese of Erie, a victim wrote a letter to Bishop Donald Trautman that was postmarked April 11, 2002. In the letter, the victim detailed an assault which occurred in 1969 or 1970 when he was going into seventh or eighth grade and was an altar boy at St. Andrew and The Villa. According to the victim, he met John Philip Schanz, who invited him to his apartment on the southwest corner of 6th and Sassafras Street. Schanz began to wrestle the boy and grab his body. When the victim asked his older brother, who was a Gannon College student at the time, if he knew of Schanz, his brother began to laugh and remarked "*you mean the one who likes little boys?*"

It should be noted that there is a gap in documentation in the file from when the initial letter was sent by the victim and May 2014.

In a letter dated November 17, 2015, Bishop Lawrence T. Persico stated that, based on the information he was provided, Bishop Trautman had offered the victim professional

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counseling in 2002 but the victim had declined this offer. Additionally, in an e-mail from victim to Persico, the victim acknowledged that he had declined Trautman's offer of help in 2002.

Within the Diocese file provided, there was also a Post-It note that stated that there was a message left for Monsignor Smith from Victim #1 on May 12, 2014. The message was attached to a piece of paper on which Smith noted that he called the victim on May 12, 2014 and May 14, 2014.

A handwritten note by Trautman revealed that on Sunday, May 18, 2014, he called the victim. They two discussed the victim's "*situation.*" Trautman wrote that he reviewed the actions which had been taken for the removal of Schanz, a teacher at Gannon University, and later stated that he himself had removed Schanz from the active ministry. Trautman also noted that the victim was still bothered by the incident of abuse and that Trautman had assured him of "*our help & guidance.*" Trautman noted in these documents that the victim suffered from a troubled marriage, anxiety, nightmares, and guilt regarding the incident with Schanz.

In a letter written to victim from Persico and dated February 23, 2016, it was noted that enclosed with the letter was a check in the amount of $32,000 as a final reimbursement owed to him from the Diocese of Erie for his counseling. It was also stated that the check supplemented the $12,500 check which he had already received from the Diocese and concluded all financial reimbursement.

In a letter postmarked May 9, 2002 and addressed "*Attn: Bishop Catholic Diocese,*" a second victim wrote that in the early 1970's he had attended a Gannon University basketball game and was approached by Schanz. Schanz asked he victim if he would like to go to all of the games, to which the victim replied that he would. According to the victim, after the games, they would go to Schanz's apartment at the rectory on West 6th Street, where Schanz always wanted to drink and wrestle. The victim was 12 or 13 years of age at the time.

The victim went on to note that he was writing the letter from prison. He stated that he was incarcerated as a result of crimes that he had committed under the influence of drugs and alcohol. He attributed his substance abuse problem to the sexual abuse that he had endured at the hands of Schanz years prior. The victim sought acknowledgement from the church that they had received the letter and expressed a desire to know if Schanz was still alive and whether or not he was still victimizing individuals.

Trautman responded to the victim's letter. He stated that he wished to acknowledge the unfortunate incidents that occurred to him in the early 1970's. Trautman informed the victim that Schanz was no longer celebrating the sacraments or mass publicly and that he was in frail health. Additionally, Trautman noted that Schanz was no longer representing the church in any public way and did not wear clerical garb.

Bishop Trautman went on to write that he was glad the victim brought his concerns to the Bishop's attention and that he deeply regretted the tragic circumstances of his life that may have been influenced by his contact with Schanz. The Bishop told the victim that he prayed that

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the Lord would bring him healing and to leave the past in the past and go on to find happiness and peace in his life.

The second victim wrote to Trautman again on October 30, 2002, seeking assistance from the Catholic Charities upon his release from prison. Ultimately, at the request of Trautman, the Director of Catholic Charities Counseling and Adoption Services reached out to the victim and offered assistance upon his release.

The second victim's allegations were reported to the Erie County District Attorney's Office.

On January 2, 2007, Monsignor Robert Smith received an e-mail outlining an incident that occurred in 1974 when the writer was 17 years old and in a supervisory role at Camp Glinoda. The writer would later state that the incident had actually occurred at Camp Notre Dame. The writer recalled an instance when approximately 20 children jumped into the pool. Schanz jumped into the pool as well, but seemed to focus on one boy in particular. The lifeguard noticed Schanz hugging the boy, as well as picking the boy up out of the water and dunking him under water. The lifeguard told the writer to get the children out of the water. The unknown boy then told the writer that he wanted to show Schanz something in the cabin. A few minutes passed and the writer went looking for them. The boy and Schanz eventually emerged from the woods. The writer did not recall whether or not the pair were clothed, as he looked away. He asked the boy later in the day what had been going on. The boy described the incident as "*weird.*" The writer reported the incident to camp administrators. He was advised that they would take care of the matter and that they should keep it to themselves.

The Diocese was able to identify a James O'Connor as being the Director of Camp Notre Dame in the 1970's possibly in 1974 at the time of the allegation. However, O'Connor stated that he did not recall anyone coming forward in his five years as Director to report an incident of clergy sexual abuse.

The allegation was reported to the Erie County District Attorney's Office.

On April 15, 2002, another victim sent an e-mail messge to Trautman about abuse that he had suffered at the hand of Schanz. He stated that in 1974, he was an altar boy at Holy Cross Church. Shortly thereafter, Schanz began taking him to his cottage on Lake Erie to go boating and provided him with alcohol nearly every weekend. The victim stated that he would fall asleep and wake up to Schanz kissing him on the lips or touching his genitals. Additionally, Schanz would take off the victim's clothing while he believed the victim was sleeping and photograph him nude, specifically his genitals. Schanz would also masturbate in front of the victim after he had removed his clothing and believed him to be asleep. The victim stated that Schanz would kiss him a lot, at times attempting to French kiss him, but that he would not allow that to happen. According to the victim, Schanz would buy him gifts and clothes and take him to dinner, the movies and even on trips to Florida in the winter months. While he knew what had happened to him was wrong, he never told anyone.

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The victim reported that when he was 20 years old, he and his now ex-wife, went to Father Orbaniek to be married. Prior to their marriage, Orbaniek told the victim's now ex-wife about what had happened between the victim and Schanz. Orbaniek also told her about incidents between Schanz and other boys. As a result of Orbaniek's statements, the victim and his wife ended up divorcing after 18 years of marriage. Finally, the victim stated that he had letters he had written to Schanz about the abuse.

In the e-mail that the victim sent to Trautman, he stated that an attorney he had been in contact with wanted to file suit against the Diocese, the Vatican, Schanz and Orbaniek.

In the documents provided pursuant to subpoena, it was noted that Schanz's attorney reached out to the victim and requested that all correspondence go through him. On the copy of the correspondence that the attorney sent to the victim, there was a hand written note by Trautman which stated, "*this case was settled directly by Father Schanz & [his attorney] for $50,000*" –DWT June 21, 2002.

Based on the information provided by the Diocese of Erie, namely two sheets of notes handwritten by Bishop Donald Trautman, in an unknown year an unidentified additional victim came forward with allegations that Schanz had sexually abused him. The abuse took place in 1978 or 1979 when Victim #5 was sixteen or seventeen years old. Schanz befriended Victim #5 and invited him to his home on West 6th Street in Erie. Victim #5 went on to state that Schanz had given him alcohol, which caused him to be "*tipsy*" and that Schanz French kissed him while attempting to pull his pants down. Additionally, Victim #5 stated that the worst incident had occurred at Schanz's cabin in Fairview, PA.

The notes go on to say that the Victim #5 had visited Schanz 3 or 4 months prior to the handwritten notes. Additionally, the notes state that Father Schanz had given Victim #5 an 'F' in a course that he taught. Another written note outlined "*pay for counseling*" with the calculations of $85.00 per session, one session per week for fifty-two weeks. There is also a note about schooling at the cost of $17,000, but no indication as to where this schooling may have been. It should be noted that these handwritten notes, which do not identify the Victim #5, were found in the file of Victim #6.

The first page of this file received from the Diocese of Erie is a single sheet of paper with the word "*Redacted*" printed on it. In the Diocese of Erie File labeled Victim #6-SCHANZ, there are handwritten notes by Bishop Donald Trautman that outline the abuse which was suffered by Victim #6 at the hand of Schanz. At the time of the abuse, Schanz was working at the Cathedral at Gannon University (G.U.). Victim #6's abuse began when he was 15 years old and took place between the years 1980 and 1983. The file contains a note that states "*told Monsignor Slatin*". The notes read that Victim #6 had no friends and was from a dysfunctional family. His father was an abusive alcoholic. Schanz had invited Victim #6 to his West 6th Street residence and gave him alcohol on many occasions. Bishop Trautman notes that the worst incidents of abuse occurred at Schanz's cabin in Fairview, Pennsylvania where Schanz would French kiss the Victim, massage him while clothed and unclothed, and rub oil on his body. It was noted that Victim #6 massaged Schanz as well. As a result of the abuse that Victim #6

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endured, he suffered from severe depression and considered himself to be a womanizer. His wife deserted him and he was actively receiving counseling. Perhaps the most telling sentence in Bishop Trautman's handwritten notes is the statement "*another person abused by Father Schanz.*"

In what appears to be a list of compensation that Victim #6 was to receive, Bishop Trautman noted "*small settlement, education, therapy costs.*" Additionally, Bishop Trautman made a list that appears to outline his plan for dealing with Schanz stating "*1. Retire from G.U. 2. Change location/residence 3. WE-what is being done 4. Counseling- St. Zavier or St. Luke's*"

Bishop Trautman made notes from information which he appears to have obtained from Schanz as a result of Victim #6 coming forward. It notes *"72"* which is the age that Father Schanz would have been in 1996 when Victim #6 came forward. "*No sex attraction, 3 in area, craving for friendship no sex involvement would call from Cleveland. Did give rubdown to other fellow.*" The notes continue stating *"Admits no guilt but some settlement (Aug. 5) give up Holy Cross- no contact w. youth stay at (illegible) house.*"

The remainder of the file contains documentation related to Schanz's retirement from Gannon University, including a letter from Monsignor David A. Rubino, President of Gannon University dated August 19, 1996, which is the same date that Victim #6 met with Bishop Trautman. The letter stated that Schanz was paid at his normal salary until his insurance was transferred to the Diocese of Erie. Additionally, Monsignor Rubino allowed Schanz to take his mattress with him, as a token of the University's appreciation for his service.

A letter written to Bishop Trautman by Victim #6's attorney, John H. Moore, Esq. of Erie, stated that he discussed the "*ramifications of trying to pursue a legal claim for something that occurred so long ago as well as the additional trauma that would be an inevitable result of the litigation.*" Victim #6 sought compensation from the Diocese of Erie for his counseling sessions with Psychologist Jacqueline Phillips, as well as payment for tuition, books, room and board for Cuyahoga Community College where Victim #6 was pursuing his Associates Degree. Copies of the course catalog were included in the file to show proof of enrollment costs. Ultimately, on September 18, 1996, Victim #6 signed a General Release stating that he received $8,800 in "*full satisfaction of payment for or on account of any and all liability of any kind whatsoever including vicarious liability for alleged indecent assaults and/or acts perpetrated by Reverend John P. Schanz. This release forever discharged Reverend John. P Schanz, Gannon College, now known as Gannon University, Bishop Michael J. Murphy, Bishop Donald W. Trautman and the Diocese of Erie.*" Additionally, there is a bill from Daniel J. Brabender, Jr., Esquire for $425.00 for his services to the Diocese of Erie for the matter of Victim #6/Father Schanz.

A supplemental document written by Monsignor Robert J. Smith, Vicar General, on April 18, 2002, which was not in the Diocese file for Schanz and is titled "*Summary Report #4*", outlines the sexual abuse allegation by a thirty-two-year-old male believed to be Victim #6 and the steps taken by the Diocese of Erie to settle the matter. Additionally, though there are

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no victim names listed in this document, the document appears to outline the reporting of sexual abuse by victims #1 and #4 at the hand of Schanz.

Based on the documents received from the Diocese of Erie, on March 1, 2005, Barbara Edwards, a psychologist local to the Erie area, called the Diocese to alert them that one of her clients, Victim #7, had alleged that he was abused by Schanz.

In a letter written to Monsignor Smith dated February 28, 2005, Victim #7 described how his life since a young age had been filled with drug and alcohol abuse, promiscuous sexual activity, emotional issues, and physical health problems. Victim #7 was an altar boy who only felt at home and purposeful in the church. According to this victim, Schanz enjoyed engaging in recreational activities with the altar boys. Schanz would intimidate Victim #7 and hold him underwater repeatedly, scaring him terribly. Schanz then took Victim #7 to a bath house, where he "*did things he should not have done*." Victim #7 does not recall how many times this happened. According to Victim #7, his life is now clean and sober. He is happily married with three children and is a successful licensed professional counselor, yet he misses the closeness of the parish community.

On Diocese of Erie letterhead, Bishop Donald Trautman recalled the following interaction with himself, Monsignor Smith and Barbara Edwards. According to Bishop Trautman, Victim #7 was in the sixth grade at St. Andrew's in Erie, PA at the time of the abuse suffered at the hands of Schanz. According to Bishop Trautman, Schanz helped at St. Andrews in the summer. Bishop Trautman wrote that Schanz took Victim #7 and a few other boys to the beach to go swimming, where Schanz became aggressive with Victim #7. Bishop Trautman went on to write that Schanz took Victim #7 to a bath house or sauna, where he rubbed Victim #7 down with oak leaves. Victim #7 stated "*he spent too much time on my genital and rectum.*" This bothered Victim #7 greatly and he told his father. His father told him to stay away from Schanz. Bishop Trautman wrote that the Victim did not want Schanz "*hurt*" *or* "*disciplined.*" Additionally, Bishop Trautman offered to pay for counseling, Victim #7 told him that he did not think it was necessary because he had insurance.

Bishop Trautman went on to write that Victim #7 wanted to return to the Church, so Monsignor Smith took his confession and they discussed reentry to Mass. Bishop Trautman wrote that he called Schanz, who admitted to taking boys to the beach, but that Schanz adamantly denied ever going to a sauna or bath house. Bishop Trautman wrote that he informed Edwards of Schanz's statements.

Reverend Samuel B. Slocum

Biographical Information

YEAR OF BIRTH:	1951
YEAR OF DEATH:	
ORDINATION:	May 16, 1980

Employment/Assignment History

6/0519/80 – 8/12/1983	Secondary Education, DuBois C.C. High School, DuBois, PA
6/05/1980 – 8/12/1983	Weekend Asst. St. Michael, DuBois, PA
8/12/1983 – 6/14/1985	Secondary Education, Elk Co. Catholic St. Mary's, PA
8/12/1983 – 6/14/1985	Resident at Faculty House, Elk Co. Catholic School, St Mary's, PA
11/15/1984 – 6/14/1985	Resident at Holy Rosary, Johnsonburg, PA
1/05/1985 – 6/14/1985	Administrator, St. Benedict, Ridgway, PA
6/14/1985 – 8/07/1989	Secondary Education, Erie Cathedral Preparatory, Erie, PA
6/14/1985 – 8/07/1989	Weekend Asst. Holy Trinity, Erie, PA
8/07/1989 – 11/01/1994	Secondary Education, Bradford Central Christian High School, Bradford, PA
8/07/1989 – 11/19/1990	Weekend Asst., St. Bernard, Eldred, PA
11/19/1990 – 11/01/1994	Administrator, St. Bernard, Eldred, PA
11/01/1994 – 11/0319/97	Administrator, St. Bernard, Eldred, PA
11/01/1994 – 8/01/1995	Secondary Education, Bradford Central Christian High School, Bradford, PA
8/01/1995 – 12/15/1997	Sick Leave
1/26/1997 – 6/30/1999	Administrator, St. Theresa Shinglehouse
11/0319/97 – 7/31/2001	Pastor with residence, St. Raphael, Eldred, PA
8/01/2001 – 4/01/2011	Pastor with residence, Our Mother of Perpetual Help, Ephrata, PA
8/01/2001 – 4/01/2011	Pastor, St. Francis of Assisi
4/01/2011 -	Leave of Absence/Suspension

Summary

Father Samuel B. Slocum testified before the Grand Jury on September 14, 2017, detailing his days as a priest in the Diocese of Erie. In 2012, a jury found him guilty of the crimes of concealment of the whereabouts of a child and corruption of minors

Slocum testified that in 1980 he had been reported to Monsignor Heberlein by a fellow priest for an alleged inappropriate relationship with a fourteen-year-old girl. Slocum testified that Heberlein and then-Bishop Michael Murphy knew about his relationship with the young girl, but did nothing about it. In this same year, Slocum also recalled having a relationship with a sixteen-year-old boy. He testified that he would not call his relationships with these children

inappropriate. He said that he did get some sort of emotional or sexual gratification from relationships with children, however. Slocum testified that while he never touched the girl, he did engage in physical wrestling, tickling and touching of the young boy. Slocum befriended his intended victims by gaining the trust of their parents and then engaging the children in inappropriate relationships or what is now known as "grooming". Slocum engaged in grooming behavior with four children before he was finally arrested.

When Slocum described his relationships with fourteen-year-old Victim #1 and seventeen-year-old Victim #2, he testified to the Grand Jury that these girls were in love with him and wrote him love letters. When questioned about groping Victim #2's buttocks and upper thigh, Slocum summed up the touching as accidental in nature. He informed the Grand Jury that to escape the accusation by Victim #2, he enlisted the assistance of a third party to apply pressure to Victim #2 and have her recant her accusation against him. Slocum testified that he had this mutual friend talk to Victim #2's family because, *"I felt like I was saving my neck, to be honest."*

Slocum added that he and Victim #2's family remain friendly to this day and exchange Christmas cards. Diocesan records showed that Bishop Trautman and the Diocese opened an investigation into the Victim #2 groping incident and quickly closed it in less than two days. Trautman's handwritten notes in the Slocum–Victim #2 file reads, "*Sam Slocum – Denied Categorically All Aspects.*"

Slocum testified in the Grand Jury about Victim #3's case, the fifteen-year-old victim for whom Slocum was eventually convicted of felony and misdemeanor charges relating to grooming behavior. Slocum admitted to buying the friendship of Victim #3 and others with gifts and allowing them to stay at his residence in the rectory, even when their parents forbid it. Slocum taught Victim #3 how to hide their communications on social media by deleting text and photographs. Some of the texts that Slocum sent to Victim #3 would later be used against him in court and are sexually suggestive in nature. Slocum texted Victim #3, "*I always knew there was something special about you, but I never knew what it was, Majic,"* and, *"I'm trying not to say bad stuff but your [sic] pushing it.*"

In Victim #3's case, Slocum bought him items from Abercrombie and Fitch and would later make Victim #3 negotiate to get them. In one text exchange, Slocum informed Victim #3 that a package has arrived. When Victim #3 texted back asking what it was, Slocum responded that the Abercrombie and Fitch package is now in. Slocum texted, "*It's in my bedroom, it came from the post office today. You can start negotiations anytime…"* Slocum claimed that Victim #3 memorized his credit card number and made the purchases himself. Slocum asserted that he never reported this theft to law enforcement or the boy's parents because he did not want to get the boy in trouble. It also came out in court proceedings that Slocum hid the whereabouts of Victim #3 from his parents and coached Victim #3 to lie to his parents.

This behavior that Slocum exhibited in the aforementioned cases was again apparent in 1995 when the Diocese became aware of another target of Slocum's grooming. This incident was addressed in a letter dated May 10, 1995, from Monsignor Charles Kaza to Bishop Trautman. In that letter, Kaza outlines Slocum's "*unhealthy relationship*" with a high school

Summary

senior. The letter described how Slocum worked late hours with this student outside the school grounds, offered the student cash, and invited him to drink beer. This report came from the student's own mother to Monsignor Kaza at great risk to her employment. This mother was, at the time, a teacher employed by the Diocese. The letter went on to describe how the victim felt uncomfortable with the level of Slocum's closeness and that Slocum routinely violated his personal space. Slocum denied any physical sexual contact with this student, but admitted that the relationship certainly filled a void in his life.

In an attempt to get Slocum help for his inappropriate behavior toward children, the Diocese sent him to psychotherapy on two occasions. His first stint in therapy occurred in 1991 at the Diocese's own treatment facility in Erie called the Ecclesiastic Center. There Slocum received treatment that the Diocese called "*Growth Counseling*," along with fellow accused pedophiles Rev. Thomas Smith and Rev. Gary Ketchum. Slocum's second stint at psychotherapy occurred in 1995 at the St. Michael Center in St. Louis, Missouri, which is an inpatient facility. Slocum was sent there eight days after the Monsignor Kaza letter to Trautman was sent regarding the student discussed above. Upon his discharge from the St. Michael Treatment Center in January of 1997, Slocum was placed back into ministry, where he remained until 2011. In 2011, the allegations that led to Slocum's eventual arrest surfaced and the Diocese placed him on suspension until he was laicized by Rome and removed from ministry.

Slocum's canon law case and Slocum's conviction were documented in what the Catholic Church called "*The Acts of the Case" or "The Acts of Slocum.*" In the documents provided to the Grand Jury, nowhere was it found that Trautman informed his superiors in Rome that Slocum had a history dating back to 1980 involving four other victims. Slocum's dismissal from ministry was based solely on his criminal arrest and the incidents involving Victim #3. Additionally, no evidence was ever found that the Diocese of Erie had ever notified law enforcement of Slocum's predatory behavior, nor was there any evidence found that the Diocese notified law enforcement at the time of the Victim #3 investigation that Slocum had a predatory history that dated back 30 years.

Monsignor Thomas Snyderwine

Biographical Information

YEAR OF BIRTH:	1943
YEAR OF DEATH:	
ORDINATION:	May 8, 1968

Employment/Assignment History

6/05/1968 - 6/03/1971	Weekend Asst., St. Michael, DuBois, PA
6/05/1968 - 6/03/1971	Faculty, DuBois Central Catholic, DuBois, PA
1/01/1970 – 6/01/1970	Administrator, St. Joseph, DuBois, PA
6/03/1971 – 6/05/1976	Faculty, Erie Cathedral Preparatory, Erie, PA
6/03/1971 – 5/31/1974	Weekend Asst., St. Boniface, Erie, PA
5/31/1974 – 6/05/1976	Weekend Asst., St. Patrick's School, Erie, PA
6/05/1976 – 9/01/1979	Parochial Vicar, St. Patrick's, Erie, PA
9/01/1979 – 8/17/1992	Weekend Asst., St. George, Erie, PA
9/01/1979 – 8/17/1992	Higher Education, Gannon University, Erie PA
8/17/1992 – 9/05/1997	Pastor, St Paul, Erie, PA
9/05/1997 – 8/10/2012	Pastor, St. Luke's, Erie, PA
9/01/2009 – 8/10/2014	Diocesan Presbyterian Council, Erie, PA
8/10/2012	Retired, Private residence
10/14/2013 – 10/13/2018	Other. Sr. Priest Advocate
9/12/2014 – 9/11/2019	Diocesan Board. Presbyterian Council, Erie, PA

Summary

Sometime in 1996, a young fifth grade girl came to talk with Sister Steff at St. Boniface school. The child was a student of Steff's. Steff also served as the principal at the school. The girl approached her with her friends because she had disturbing news to report. The young girl told Steff that her godfather, Monsignor Thomas Snyderwine, had taken a shower with her and touched her in ways that she was uncomfortable with. The child reported that this incident occurred five years prior when she stayed overnight at Snyderwine's trailer. The girl added that Snyderwine would buy her dresses and shower her with gifts.

Steff took the girl's information and approached Snyderwine and the girl's parents with the accusation. The parents confirmed the incident and told Steff that they had become friends with Snyderwine, but felt awkward talking to him about the incident. The parents explained that they had informed their daughter to never be alone with him and expressed their gratitude to Steff if she would talk with Snyderwine for them.

When Steff approached Snyderwine with the accusation, she informed him of the incident and threatened to go to Bishop Murphy if this behavior ever happened again. She further admonished Snyderwine by telling him that he had better change his behavior.

Summary

This incident resurfaced in 2002 because of the increased scrutiny being cast upon the Catholic church in the United States. On May 2, 2002, Steff wrote Bishop Trautman to inform him of the incident that happened six years earlier. Steff wrote that she notified Trautman because of an article she had read in Time Magazine titled, "*What the Nuns Didn't Know*." Steff also asked Trautman several questions in this letter. She asked Trautman, *"Is showering with a young non relative (in this case, a young girl) an act of Pedophile? I'm not sure. Is it normal Action? I don't think so."* This letter and Trautman's handwritten notes were discovered in subpoenaed Diocesan files. In his notes, Trautman wrote that he would speak to the Diocesan Review Board on the issue and make a decision on Snyderwine's future in ministry. The only issue was that Steff refused to give the Bishop and the Review Board the name of the family or the victim. Trautman noted that Steff told him, *"she would have to pray and think about that and that she would give me* (Trautman) *the name only after she spoke with them* (victim's parents*)."*

In later notes written by Trautman, he documented that the victim was now a freshman in college and the parents (both teachers themselves) did not want to pursue the matter. He also noted that Steff informed him that Snyderwine recently said mass for the family when a death in the family occurred.

Several additional points of interest were found in subpoenaed files, which included Snyderwine's personnel file. A handwritten note by Trautman indicated the following: *"I contacted [the Diocesan lawyer] who said I am not a mandated reporter in this case."* These documents also contained notes that Trautman took while he was talking with Steff. In one such note, Trautman wrote, *"Sister feels the matter is over with and priest deserves a second chance."*

Seminarian John Tome

Biographical Information

YEAR OF BIRTH:	1949
YEAR OF DEATH:	
ORDINATION:	Failed out of seminary

Employment/Assignment History

9/03/1963 – 5/31/1967	St. Marks's Seminary High School, Erie PA
Unknown-5/14/1974	St. Mark's Major Seminary, Erie, PA

Summary

Very little is known about Seminarian John Tome. The subpoenaed Diocesan records contained only four documents. These documents include three documents that state his grades from high school and one letter from Rev. Salvatore Luzzi to Rev. Alban Maguire, Rector of Christ the King Seminary in St. Bonaventure, New York. Salvatore Luzzi is an accused sex offender in the Diocese of Erie (see Luzzi Narrative). This letter shed little light onto Tome's past, it only expressed that Tome had problems communicating with others while in seminary in 1974.

This investigation was able to locate several survivors of Tome's abuse. The Grand Jury heard testimony from and about five members of the same family that Tome had abused in the 1970s. The survivors reported that they were poor, dysfunctional, and dependent upon the diocese for their mother's employment at St. Brigid parish. Furthermore, the parents were befriended by the abusers and the family would often invite them over to engage in drinking parties. Each of the victims testified to the Grand Jury about similar statements that their abuser made to threaten them if they ever disclosed the abuse.

Victim #1 was a twelve year old girl living in the Meadville area who was abused in her home in the mid-1970s. She testified that Tome fondled her on one occasion and that Tome represented to her family that he was a Deacon in the Diocese of Erie at the time of the abuse. She recalled him wearing all black and displaying the trademark white collar that clergy wore. She reported that Tome, whom she knew as "Jack Tome" and Father Stephen Jeselnick would come to her home and drink with her parents until late at night. Stephen Jeselnick is an accused sex offender in the Diocese of Erie (See Jeselnick Narrative). She further testified that her mother worked for the Diocese, specifically, Monsignor Karg, during this time period. This victim testified that on one occasion after a night of drinking with her parents, her mother let Tome put her to bed after she had her night time bath. She testified that as she lay on her stomach in the top bed of a bunk bed, Tome placed his hand under her night gown, then under her panties to her buttocks. She told the Jurists that she was frozen with fear as he rubbed and squeezed her bare buttocks.

Summary

Victim #1 recalled that as Tome was fondling her, she held her arms tight to her body with her hands over her face. She didn't recall when he left the room or how long the assault lasted. She added that her memory was dark, and that she was only able to talk about the assault after Agents from the Attorney General's Office visited her. After some time, Victim #1 gained the courage to tell her mother what had happened. She said that her mother scolded her for trying to ruin Tome's life and reputation. She added that she believes that her mother informed Monsignor Karg of the incident because Tome "*disappeared for a while and then came back.*" It was this chain of events that made Victim #1 believe her mother told Karg, who in turn sent Tome away.

Much of Victim #1's testimony came in the form a written document that she prepared for the Grand Jury. She explained that reading the details even after so much time would still be difficult for her. Part of her letter read, "*The sexual and emotional torture I built in my head, one man, a man of God, had done so much harm that I was not prepared to face the realities or the gravity of the situation.*" She also wrote, "*This man corrupted my deepest belief system and tarnished my faith and modeled by distrust for others and made it difficult to develop meaningful or trusted relationships. I also developed poor self-image and low self-esteem, identity confusion, sexual confusion, early onset of depression, becoming a defiant teenager, suffering a strong sense of guilt and shame over the experience, and obsessive rumination over the abuse and recurring flashbacks.*"

Victim #2, the younger brother of Victim #1, was approximately eight or nine years old at the time of his abuse at the hands of the man he knew as Deacon Tome. He explained that at his age he did not know the difference between a Deacon and a Priest, however, he often saw Tome wearing vestments. Victim #2 testified that he never told anyone of the abuse for over 40 years. He testified that the abuse began in approximately 1974 and lasted for about a year and a half, occurring as often as once a week. He explained that it consisted of mostly oral sex. The act was performed on him and he was forced to perform the same on Tome. He was emotional as he testified, recalling his sexual abuse and remembering that he saw Tome naked, adding that Tome would often fondle him in front of his parents while they were all in the car together.

Victim #2 testified that he believes that Monsignor Karg knew full well of Tome's behavior, since he would often come over to the family home with Tome and drink with his parents. Victim #2 testified that once he would fall asleep, Tome would find him and sexually abuse him. He expressed anger and frustration that Karg did nothing about Tome's behavior. Victim #2 went on to testify that he feared his little brother also becoming a victim of Tome so he took the abuse, hoping that Tome would not turn his attention to the younger brother.

Victims #3 and #4 are the younger sisters of Victim #1 and asked that their testimony be read into the Grand Jury by an Agent of the Attorney General's Office. In an interview with them about their abuse at the hands of Deacon Tome, they expressed the belief that it would be too emotionally traumatic for them to tell their story in person to a large crowd. They indicated that their interview with the Agents would be the last time they ever wanted to speak of either their abuse or Deacon Tome.

Summary

Their abuse occurred separately after they went to bed and after Tome was done drinking with their parents, who they described as *"drunks."* They were very emotional in telling their story, often pausing to regain their composure. Each family member reported that they worked very hard for several years to try to forget about the abuse. Some of the few details they did recall was that it occurred between 1973 and 1979, however they could not recall their exact ages.

Victim #3 said she was abused at least ten times and her sister, Victim #4, stated that she was abused less than ten times but more than five times. A few of the lingering details that they recalled were that Tome would often have a red hat on and that the abuse often involved a pool cue stick. Victim #3 reported that Tome would often attempt to penetrate her with the pool cue and that when she would cry out he would use his fingers to digitally penetrate her. Her sister, Victim #4 said that she did recall the pool cue but had blocked from her memory how Tome had used it on her. She did recall that he used his hands to abuse her.

All three of the sisters recalled how Tome would come to their house to drink and would often play hide and seek or tag with them. Victim #1 told the Agents that Tome would put his hands all over her and her sisters while playing these games. She said she didn't think much of it when she was younger, however, after the abuse and getting older, she now sees that this horseplay was Tome's way of groping the sisters.

Finally, the Grand Jury heard from Victim #5, who was between the ages of 10 to 13 years old when he was abused by both Tome and Jeselnick. He testified that Tome and Jeselnick would both engage him in oral sex and anally rape him. Victim #5 indicted that Tome's abuse occurred at his home and that Jeselnick sexually abused him in the rectory of St. Brigid. He informed the Agents in his interview that he was abused ten to fifteen times, off and on with no regularity. He added that he is currently in therapy that is being paid for privately and that no assistance has been offered by the Diocese to date. This victim also testified that he observed both men naked and that he witnessed them sexually assaulting his sister, Victim #3, as well as his oldest sister, who is now deceased. It was the opinion of Victim #1 and her brother, who was not abused because he was in the military during this time frame, that the oldest and now deceased sister was also victimized by Tome and/or Jeselnick when she was a young girl. It is their belief that she was abused more than any of the other family members.

Father Patrick Vallimont

Biographical Information

YEAR OF BIRTH:	1948
YEAR OF DEATH:	
ORDINATION:	May 17, 1974

Employment/Assignment History

Summary

On September 23, 1976, Father Patrick Vallimont was admitted to St. Vincent Health Center, suffering from severe depression. In a letter to the Vatican dated July 7, 1977, Vallimont requested laicization. He disclosed in that document that he had serious doubts about living a life of celibacy. His file noted that he had short sexual relationship with a 13-year-old female parishioner. The Grand Jury found little to no documentation of this relationship in the subpoenaed files received from the Diocese.

Vallimont ended the relationship with the 13-year-old victim when he was released from St. Vincent Health Center.

There were no documents found in the file that indicate that the case was ever turned over to law enforcement.

[redacted]

Biographical Information

[redacted]

Employment/Assignment History

[redacted]

Summary

In [redacted], a [redacted] law firm sent a letter to [redacted] advising that a civil suit was planned by a victim wherein it was claimed, among other things, that [redacted]:

> *repeatedly fondled and harassed the under-age victim, despite protestations. You also intentionally encouraged [victim] to engage in perverse and unnatural homosexual acts as well as romantic relationships with other priests. Further, you caused [victim] to become exposed to your consecration of a homosexual marriage.*

Ultimately, a confidential settlement agreement between the Diocese of [redacted], [redacted], and the victim in the [redacted] was signed on [redacted] with the parties agreeing not to disclose the contents of the settlement.

In records received from the [redacted] pursuant to Grand Jury subpoena, there was a handwritten note from [redacted], dated [redacted] that stated, "[redacted] *testified to me he was in presence of the victim a total of 6 times.* [redacted] *or the victim's parents were always*

REDACTED -- ONGOING APPELLATE LITIGATION

Summary

present…..[redacted] denies all sex contact…..[redacted] met the victim in [redacted] – the victim was 20 yrs….[redacted] offers [redacted]; case settled for [redacted] paid by [redacted]. Release given. Pure extortion!" The note further states that [redacted] admitted he attended a gay wedding with another priest, [redacted], but did not bless it or offer a prayer and wore a sport jacket during it. The note ended with the following, "*Our investigation shows no truth to any of allegations. [redacted] is guilty of going to a gay wedding. No proof of any other charge. Settlement was done to protect [redacted] from publicity of wedding."*

The Grand Jury found handwritten notes by [redacted] that also make references to [redacted] preference for young boys and a complaint about his unwanted touching. Furthermore, an undated letter from the [redacted] appeared to contain some type of warning to [redacted] about his handling of [redacted]. This warning referred to the friendship between [redacted] because of his sexual abuse of a 16-year-old boy. This victim would eventually settle with [redacted] out of court for [redacted].

Two noteworthy undated documents were included in [redacted] file. Their approximate timing appeared consistent with the Diocese first having been made aware of the complaint against [redacted] in [redacted]. An undated, handwritten note titled "[redacted]" stated, among other things, that *"3 yrs ago [name] brought suit against [redacted] – settled out of court…"* It should be noted that according to media reports, [redacted] was dismissed from the clerical state in 2005 for the sexual abuse of children. The second document was an undated letter sent from [redacted], to [redacted] and was located in the files on [redacted]. It was a clear reference to the connection between [redacted] stating, *"Dear Bishop, I understand what you are going through. The man here was guilty but we went through much denial. He is still totally unrealistic about his status. Just Bishop be very careful because there are connections…maybe they go back over the years but they come home to haunt us."*

The Diocese of [redacted] continued to assign [redacted] to positions where children were abundant. These assignments included weekend duties at [redacted], as well as renewing his assignment as [redacted].

The Grand Jury also found a handwritten note by [redacted], dated [redacted], stating, among other things, that he *"met with [redacted] on [redacted] about allegations, which [redacted] denied. Allegations consisted of a young man now at [redacted] being uncomfortable with touch and rubbing of shoulders. This young man refused to see [redacted]. Therefore no formal complaint received. Allegations come from his mother (name listed). I admonished [redacted] with regard to demonstrative exhibitions of friendship. He simply responded he is part [redacted]."*

Summary

These reports of suspicious rumors and sexual touching by [redacted] continued on into [redacted] and [redacted]. This review of Diocesan documents found another handwritten note by [redacted] dated 2008 documenting some type of meeting or report issued about [redacted]. The note stated, among other things, that *"in the past young men complained about [redacted] favoring young boys."* On [redacted] an e-mail was sent from the Principal of [redacted], advising that they have called the Childline number to report possible sexual abuse by [redacted] Childline is a state run child advocacy program run by the Pennsylvania Department of Human Services. Their website states *"Childline is part of a mandated statewide child protective services program designed to accept child abuse referrals and general child well-being concerns, and transmit the information quickly to the appropriate investigating agency."* Attached to the e-mail was a copy of a comment made on what appeared to be a rating site for the [redacted]. The comment, referring to "[redacted]" stated, "*He sexually abused my son*." No further details were found in the records other than a handwritten note by [redacted] on a printout of the e-mail advising that they have met with [redacted] and he denied the allegation. It is unknown whether this complaint has been verified, although it does appear the Diocese reported it to law enforcement upon learning of it.

DIOCESE OF GREENSBURG

Father Dennis Dellamalva

Biographical Information

YEAR OF BIRTH:	1949
YEAR OF DEATH:	1994
ORDINATION:	May 3, 1975

Employment/Assignment History

6/03/1975	Mt. St. Peter, New Kensington, PA
8/17/1977	Mother of Sorrows, Murrysville, PA
5/25/1982	Holy Family, Latrobe, PA
10/01/1983	Leave of Absence

Summary

During the relatively short time period Father Dennis Dellamalva served as a priest in the Diocese of Greensburg, numerous allegations of child sexual abuse were made against him.

In 1983, as conveyed in complaints to the Church and various legal filings, two adolescent brothers went to their parents and told them of sexual assaults committed against them by Father "Denny," as Dellamalva was known. These sexual assaults occurred throughout 1981 and 1982.

The reports revealed that on occasions when Dellamalva would be welcomed into the family home, Dellamalva would get the brothers alone in their respective bedrooms and pray with them when they went to bed for the night. He would massage their necks and rub their backs before ultimately massaging their buttocks and working his way into the bottoms of their pajamas. He would fondle their genitals and, on occasion, place the boys' hands on their own genitals and have them massage themselves while he held their hand. This molestation happened both in the boys' home and on trips Dellamalva would be invited on with their family, such as to the Seven Springs Ski Resort and Rehoboth Beach, Delaware.

While at the ski resort, Dellamalva shared a bed with the younger brother because beds were at a premium. Again, he fondled the boy's penis on this occasion.

On another occasion while at the family home, Dellamalva attempted to rub and massage the back of the younger brother. He yelled at Dellamalva to stop and screamed that he hated when the priest would rub his neck and back. When this occurred, the boys' parents became concerned and spoke to the boys about Dellamalva, at which point the brothers finally told their parents what Dellamalva had been doing to them. The boys told their parents they were afraid to tell them about what had been happening because their parents seemed to like Dellamalva so much.

Summary

Between 1981 and 1982, Dellamalva had also become friendly with the family of a boy who was friends with the brothers. Dellamalva engaged in the same sexual behavior with the third victim as he did with the brothers.

The families of all of the victims reported Dellamalva's abuse to Bishop William Connare and ultimately filed a lawsuit against Dellamalva, the Diocese, and the Bishop. Neither set of parents wanted criminal charges filed, however, because they did not want the matter publicized nor did they want to put the boys through a criminal trial.

In August of 1985, a settlement offer totaling $375,000 was extended to, and accepted by, all three victims.

Records provided by the Diocese also contained voluminous documents on two other juvenile boys who were sexually assaulted by Dellamalva. One of these individuals - - the fourth victim - - described his time serving as an altar boy at Mother of Sorrows in Murrysville. He stated that while in grades nine through twelve, "*I had the misfortune of attending an annual mountain 'retreat,'*" which he explained was specifically created by Dellamalva so that he could *"get closer to the church's young people."*

The fourth victim stated that he was sexually assaulted by Dellamalva while on the mountain retreat.

The fourth victim eventually left the Murrysville area is now an attorney in California. He explained the horrors of fighting the depression and addiction brought on by Dellamalva's sexual abuse and the difficulties he had to overcome in order to accomplish what he had in his life. He stated that in spite of his success, he is still haunted by the memories of being molested by Dellamalva. He placed the blame for his struggles with depression and addiction squarely on Dellamalva and Connare for letting Dellamalva prey on the church's youth.

The fourth victim ultimately reached a $25,000 settlement with the Diocese.

Another lawsuit was filed against Dellamalva, the Diocese, and church officials by a fifth victim who alleged that he was molested by Dellamalva when he was between 13 and 15 years old and playing junior varsity football for Franklin Regional High School.

According to this victim, while alone with Dellamalva in the rectory at Mother of Sorrows, Dellamalva had him lay on a blanket on the floor while Dellamalva laid beside him and removed the victim's pants and t-shirt. Although he was not comfortable with what was happening, he went along with it, in part because Dellamalva had been in the locker room with the football team after games and had seen them undressed.

Dellamalva told the victim to close his eyes and meditate, at which point he removed the victim's shorts and massaged his penis, before performing oral sex on him. Dellamalva then had the victim hold his erect penis as he ejaculated on the victim's face. When Dellamarva then began kissing the victim on the mouth, the victim fled.

Summary

The fifth victim ultimately reached a settlement with the Diocese in the amount of $25,000.

From 1982 to 1983 - - at the time the Diocese received complaints of sexual abuse by Dellamalva - - he was given a leave of absence and sent to the Spencer Abbey treatment center in Massachusetts.

With respect to Bishop William Connare, among the pertinent facts appearing in his deposition in connection with civil litigation was that after the parents of the first two victims came and personally confronted him with the allegation that Dellamalva had molested their sons, Dellamalva was transferred to Holy Family. When Connare was asked whether Dellamalva had admitted to molesting the two boys, the Bishop stated that he did.

Further, in his deposition, when Connare was specifically asked if he informed the pastor of Holy Family of the reason Dellamalva was being transferred to his parish, Connare stated that he did not. When Connare was asked why he failed to do so, he stated he did not believe it was necessary due to the fact that Dellamalva had been to treatment and was reportedly dealing with his issues. This was after Dellamalva had admitted to Connare that he had sexually molested children in the Mother of Sorrows.

Connare also never informed the pastor of Mother of Sorrows, Monsignor Donald Fisher, of Dellamalva's admitted molestation of boys. When Connare was asked why he did not inform Fisher of Dellamalva's apparent sexual attraction to, and abuse of children, he once again stated he believed Dellamalva had dealt with his problems and did not feel he should get involved.

Eventually, according to church records, after several other parents complained about Dellamalva's behavior with their children (no specifics provided with respect to these complaints), Connare stated he informed the pastor of Holy Family that it may be best to limit Dellamalva's contact with children.

Dellamalva last functioned as a priest in the Diocese in 1984, before resigning from the priesthood in 1986. He died in 1994.

Father Gregory Flohr

Biographical Information

YEAR OF BIRTH:	1937
YEAR OF DEATH:	2004
ORDINATION:	August 15, 1963

Employment/Assignment History

6/3/1964 – 6/24/1968	All Saints, Masontown, PA
6/25/1968 – 6/10/1971	Immaculate Conception, Irwin, PA
6/11/1971 – 6/2/1975	Seton Hill College, Greensburg, PA
6/3/1975 – 8/20/1975	Holy Cross, Iselin, PA
8/21/1975 – 1/28/1981	St. Anthony, Clymer, PA
1/30/1981 – 1/14/1985	St. Mary, Yatesboro & its Mission, St. Gabriel, Nu Mine, PA
1/15/1985 – 1/2/1992	St. Cecilia, Grindstone, PA
1/3/1992 – 1/29/1996	Holy Rosary, Republic, PA
1/30/1996 – 1/2002	St. Matthew, Saltsburg, PA

Summary

A Victim Assistance Coordinator in the Diocese of San Bernardino, California received an allegation in November 2004 regarding Father Gregory Flohr of the Diocese of Greensburg. The abuse allegedly occurred when the victim was approximately 10 or 11 years old in 1967 to 1968 and attended Immaculate Conception school in Irwin. The Office of Catholic Schools had a record that the victim attended Immaculate Conception from 1965 to 1969.

According to the victim, when he became an altar server in 1965, Flohr was the leader of the Junior Altar Boys Association. While Flohr always paid him special attention, he did not begin abusing him until 1967. Flohr allegedly touched the victim's genitals for the first time while saying "*God loved all His children.*"

The abuse escalated to Flohr instructing the victim on how to touch Flohr's genitals. However, the victim "*reportedly displayed reluctance to do so, the priest reportedly sat the [victim] on his knee while he touched the [victim's] genitals, showing him what the priest wanted him to do.*" Flohr then took the victim's hands and placed them on his own genitals.

The abuse further escalated to oral sex. Flohr wanted the victim to "*kiss the priest's genitals.*" When he did not do so in a manner to Flohr's liking, Flohr performed oral sex on the victim to show him how it was to be performed. Flohr continued to force the victim to perform oral sex on him for one year.

Flohr's final act of sexual abuse against the victim occurred in November 1969, when Flohr allegedly took the victim into the confessional of the Immaculate Conception church and

Summary

began kissing him and tied him up with rope into a "*praying position.*" The victim began to scream, so Flohr tried to silence him by forcing his penis into his mouth. "*When the [victim] refused the priest allegedly became angry and sodomized the [victim] with a crucifix approximately 7"x 5"x 1" in size."* Flohr then stated that the victim was a "*bad boy*" and let him go. Following this incident, the victim deliberately set the church carpet on fire.

Between 2005 and 2007, the Diocese of Greensburg reimbursed the victim for 107 therapy sessions, eight hospitalizations, and four medication bills; a value totaling $51,163. According to a letter to the victim from Father Lawrence Persico;

> *It is not now, or ever has been the policy of the Diocese of Greensburg to provide financial support for hospitalization, direct medical treatment, or medication. We extended such coverage to you only after the fact of your multiple emergency treatments, and as an act of Christian charity in your dire need.*

Flohr died in 2004.

Father Charles B. Guth

Biographical Information

YEAR OF BIRTH:	1896
YEAR OF DEATH:	1986
ORDINATION:	June 22, 1924

Employment/Assignment History

7/1924-4/1925	St. Peter, N.S., Pittsburgh, PA
4/1925-3/1926	St. Andrew, N.S., Pittsburgh, PA
3/1926-8/1928	St. Joseph, Braddock, PA
8/1928-1/1929	St. Bernard, Dormont, PA
1/1929-1/1932	St. Ambrose, N.S. Pittsburgh, PA
1/1932-7/1932	St. Wendelin, Carrick, PA
7/1932-5/1935	Presentation, Midland, PA
5/1935-6/1935	St. Mary, McKees Rocks, PA
6/1935-10/1942	St. James, W. E. Pittsburgh, PA
10/1942-8/1944	St. Mary, Parkers Landing and Mission, St. James, Petrolia, PA
8/1944-11/1962	Holy Family, West Newton, PA
11/1962-5/1973	St. Mary, Kittanning, PA
5/1973	Retired, Residing at St. Mary, Kittanning, PA
8/1982	St. Anne's Home for the elderly, Greensburg, PA (Resident)

Summary

On July 31, 2005, an adult male sent an e-mail communication to Father Roger Statnick of the Diocese of Greensburg with the subject line entitled, "*abuse memory*." In this message, the victim shared the details of abuse he suffered at the hands of Father Charles Guth when Guth was assigned to Holy Family in West Newton. The e-mail message was forwarded to Monsignor Lawrence Persico.

In his message, the victim revealed that while living in West Newton when he was around seven years old, he was told by a Sunday school teacher that missing mass could make you die. Concerned for his mother who was missing mass, the victim went down to the church to plead the case of his mother. The victim related that *"Father Gooth"* (Guth) took the victim into the rectory office where Guth sat in a chair as the victim stood before him, sobbing and pleading for his mother's soul.

Guth asked the victim whether he believed that Jesus suffered and died for our sins, in response to which the victim said *"of course"* as that is what he was taught. Guth talked about penance and having crosses to bear and asked the victim if he would do anything to save his mother. Guth then spoke of secret confessions and penance before reaching over and unbuckling the victim's pants, pulling them down, fondling him, and sticking his finger up the victim's anus.

Summary

The victim believed Guth then spoke in Latin. The victim stated he was frozen stiff when the abuse was occurring and that when Guth was done, he was instructed to pull up his pants and that if he told anyone about the secret penance, not only would his mother go to hell, but he [the victim] would burn with her. Guth then gave the victim a nickel and warned him again not to say anything to anyone or his whole family would burn in hell.

The victim stated he was in therapy as a result of his abuse by Guth but stopped going when his insurance refused to pay for his sessions. He explained he was suffering and withdrawing from people and that he had shared his story with another priest and a support group, but was angry, scared, lonely, and felt betrayed.

Persico responded to the victim's e-mail message, telling him he was willing to assist and wanted to meet to discuss his issues. The victim replied that he was not yet ready to meet face-to-face. About six weeks later, on September 27, 2005, Father Job Foote, O.S.B., who was separately described by the victim as "my friend and semi mentor," wrote an e-mail to Persico indicating that he had spoken with the victim and while the victim appreciated Persico's attention to the matter, he would not contact him again and was in therapy.

Father Francis Lesniak

Biographical Information

YEAR OF BIRTH:	1916
YEAR OF DEATH:	1991
ORDINATION:	June 6, 1943

Employment/Assignment History

8/12/1943 –2/27/1946	St. Monica, Wampum and St. Theresa, Hoytdale, PA
2/28/1946 –2/10/1953	St. Mary, New Kensignton, PA
2/11/1953 –5/14/1953	St. Bernard, Indiana, PA
5/15/1953 –8/3/1954	Transfiguration Church, Mount Pleasant, PA
8/4/1954 –4/3/1956	St. Mary, New Kensington, PA
4/4/1956 –9/7/1960	St. Michael, Glen Campbell and SS Peter & Paul, Arcadia, PA
9/8/1960 –8/31/1965	St. Stanislaus, Calmut, PA
9/1/1965 –6/26/1969	St. Anne, Fellsburg and Holy Cross, Webster, PA
6/27/1969 –5/24/1976	Seven Dolors, Yukon, PA
5/25/1976 –8/1987	St. Francis de Paul, Ford City, PA

Summary

Via a telephone call placed on March 3, 2004, the Diocese of Greensburg received its first sexual abuse allegation against Father Francis Lesniak. A victim reported that in approximately 1977 when he was 13 years old, Lesniak fondled his genitals in a church rectory. Although the summary of the complaint did not specify in which rectory the abuse occurred, Lesniak's assignment history would place the incident at St. Francis de Paul church.

In describing the incident, the victim explained that Lesniak invited him to "*an overnight social for the altar boys at the parish.*" When he arrived at the rectory, he realized that he was the only boy to attend. While watching television, he claimed Lesniak began rubbing his genitals over his clothes.

When the victim initially informed his mother about what had occurred with Lesniak, she did not believe him.

Although the victim requested financial compensation for the alleged abuse by Lesniak, the Diocese of Greensburg initially stated such compensation was not available. However, in January of 2006, the Diocese ultimately settled with the victim for $5,000 and 90 counseling sessions.

In September of 2004, a second victim alleged that he was sexually assaulted by Lesniak in 1962. In this incident, Lesniak took the victim and a friend ice-skating, followed by an

Summary

overnight stay at the rectory. Although the summary of the incident did not specify in which rectory the abuse occurred, Lesniak's assignment history would place it at St. Stanislaus. The victim claimed that as he was on the verge of falling asleep, Lesniak fondled his genitals on the sofa. The victim feigned waking up and then went to bed. He later awoke to find Lesniak attempting to fondle his genitals again.

The second victim ultimately settled with the Diocese for $5,000 and 90 counseling sessions.

A third victim approached the Diocese on May 13, 2005 and alleged that in 1965 or 1966, Lesniak fondled his genitals during an overnight stay at the rectory. Once again, the summary of the complaint did not specify in which rectory the abuse occurred, but Lesniak's assignment history would place the incident in either St. Stanislaus, St. Anne, or Holy Cross. The third victim claimed that when Lesniak took him swimming, he would, on occasion, attempt to fondle his genitals in the pool.

In January of 2006, the Diocese settled a civil lawsuit with the third victim for $5,000 and 90 counseling sessions.

In 2007, a fourth victim alleged that Lesniak sexually abused him from 1983 through approximately 1987 or 1988 while he was attending St. Francis of Paola in Ford City. According to the victim, the abuse began when he was approximately seven or eight years old and occurred during the summer after his first Holy Communion at a picnic at Falcon Park. Lesniak took the victim on a walk, which eventually led to Lesniak's vehicle, where Lesniak forced the victim to perform oral sex on him. After this incident, the victim became an altar boy. Lesniak informed him that altar boys must go to confession each time before they served mass. Instead of taking the victim to the confessional, however, Lesniak took him into a back room of the church. "*Father Lesniak would listen to his sins and indicated to him that if he was not too bad he would 'get to suck on a strawberry lollipop or popsicle.'*" The victim stated that after confession, Lesniak would expose his penis and tell him it was his "strawberry lollipop." This particular scenario occurred dozens of times.

Lesniak's abuse of the fourth victim eventually escalated to anal rape. During these rapes, Lesniak reportedly told the victim, "*this is what all good altar boys do.*" The victim claimed that Lesniak provided him with wine every time he anally raped him. As he stated, "*I remember that he gave me wine before every time that he put his penis in me. I can remember drinking whole large containers full of wine.*" This abuse occurred well over 100 times over the course of approximately four years.

The fourth victim reported that he experienced a number of problems as a result of Lesniak's abuse, including severe issues with intimacy and trust, poor anger management, depression, low self-esteem, and stomach cramps when he was nervous or upset. Additionally, he became an alcoholic by the time he turned twelve years old.

Summary

The Diocese of Greensburg provided the victim with 90 sessions of counseling following his complaint of Lesniak's sexual abuse. Additionally, the Diocese offered him $5,000 in financial compensation, which he rejected.

On May 14, 2015, the attorney for the victim contacted the Diocese to again ask for additional counseling for the victim. Counsel requested the Diocese honor their earlier agreement and pay for additional counseling sessions. In a May 28, 2015 letter, Monsignor Larry Kulick agreed pay for an independent psychological evaluation for the victim and additional counseling following the evaluation.

According to Diocesan records, Lesniak retired in 1987. He died in 1991.

Father Henry J. Marcinek

Biographical Information

YEAR OF BIRTH:	1930
YEAR OF DEATH:	1987
ORDINATION:	May 26, 1956

Employment/Assignment History

7/1956-7/1957	Holy Name, Monessen, PA
7/1957-8/1958	SS Cyril & Methodius, Fairchance, PA
8/1958-6/1960	Holy Trinity, Ford City, PA
6/1960-8/1965	Holy Rosary Church, Republic, PA
8/1965-6/1967	St. Mary Church, Uniontown, PA
6/1967-6/1970	St. Elizabeth Church, Starford, PA & Sacred Heart, Dixonville, PA
6/1970-5/1973	Holy Rosary Church, Republic, PA
5/1973-1/1982	Holy Cross, Youngwood and St. Gilbert Church, Hunker, PA
1/1982-1/1985	St. Pius X, Mt. Pleasant, PA

Summary

In November of 2007, a 45-year-old male sent a letter to the parish in Fayette County alleging that he had been sexually assaulted by Father Henry Marcinek. The abuse allegedly began in approximately 1972, when the victim was around ten years old and attending the Holy Rosary school. The abuse continued until the early 1980's.

The victim wrote to the Diocese of Greensburg detailing his deep depression and problems with nerves stemming from the abuse he suffered at the hands of Marcinek, including bed wetting into adulthood, suffering from hives and other skin disorders, as well as significant family-related problems. He stated, *"I don't remember the last time I laughed"* and *"I try to fake a smile as much as possible."* Out of a feeling a desperation, he had reached out to the church for "mental help."

On November 14, 2007, the victim was interviewed by Monsignor Lawrence Persico. As detailed in a typed account of an interview, the victim detailed how Marcinek regularly requested that he, an altar server, carry firewood to the rectory, where Marcinek would have oral sex with him. A year or two after the abuse began, Marcinek took the victim to his cabin, where he provided him with alcohol and attempted to have anal sex with him. The victim stated that it would not work and hurt, so they proceeded with performing oral sex on each other.

The victim explained that Marcinek had the complete trust of his family. Marcinek exploited that trust by taking the victim on vacations where he would share a bed with him. For

Summary

example, when the victim was around age 11, Marcinek took him to Sea World and Geauga Lake amusement park in Ohio. They stayed in a hotel room together and Marcinek sexually abused him. They similarly took a trip to Niagara Falls where they shared a room together.

The victim explained that Marcinek bestowed gifts and money upon him, including a car when victim was older, which was registered in Marcinek's name. The victim confided that he liked receiving money from Marcinek because his family was very poor. The victim worried that Marcinek may have targeted the victim's brother as well, in that the victim overheard him say that *"Father Henry kissed me on the lips and he kissed me real hard."*

According to the victim, Marcinek's abuse was deeply degrading and caused profound and long-lasting damage to his emotional and psychological well-being. For example, he shared the following with Persico: *"You want to hear the low down, how disgusting our world is, I peed in his mouth, because he used to cum in mine and I thought that was what I was supposed to do."* He felt that *"he was fricking prostituting himself, basically at the age of 12-13."*

The victim reported that he confronted Marcinek as an adult and that Marcinek told him he had washed his hands of him.

The victim requested the Diocese's assistance in helping him move out of the country and/or help him get his driver's license back. He further let Persico know he blamed the church for *"ruining my life. I have not relaxed since I was 10 years old, I have been fighting and full of rage and it was a pretty miserable existence that I spent on this earth."* He accused the church of breeding pedophiles, saying:

> *It was just rampant, disgusting . . . it had to be so rampant that none of you guys could say you did not know what was going on, not a one. You can't say there was not a lot of pedophile shit going on . . .*

The Church ultimately settled with the victim for $10,000 and he was to receive 90 sessions of counseling.

Greensburg Priest #1

Biographical Information

Omitted

Employment/Assignment History

Omitted

Summary

In November 1962, Bishop William Connare wrote a memorandum to Monsignors Cyril Vogel and Norbert Gaughan regarding allegations involving a priest then serving in the Diocese of Greensburg "Greensburg Priest #1"[9] and an unnamed victim who was a seminarian. While the nature of the allegation and age of victim were not specified, Connare consistently referred to the victim as a "boy."

In the letter, Connare acknowledged that only Vogel, Gaughan, Father Leonard Sanesi, and the "Father's pastor" (meaning the pastor of the father of victim) knew of the situation. Connare expressed that he "*sincerely hopes that we can contain the whole matter within this circle.*" Connare consistently conveyed his concern should this knowledge become public, so much so that he agreed not to confront Greensburg Priest #1 with the accusation. Connare did not reassign the accused priest out of fear that "*too many would connect the two incidents, the dismissal of the seminarian and the removal of a priest.*" Furthermore, Connare expressed concern that the victim's family would find out, while then reassuring himself that the family would only know if the victim told them. Connare ended the memorandum by instructing those *"in the circle"* to keep an eye on Greensburg Priest #1 and to send him to Via Coeli if the incident was made public until "*the whole thing could be resolved.*" Via Coeli was a treatment facility where the church would send priests known to have engaged in, among other aberrant behaviors, sexual abuse.

Greensburg Priest #1 was not made aware of the 1962 accusation until 2002, when he was questioned regarding the incident during a Diocesan file review. When questioned about the matter, he stated the incident was not previously brought to his attention, that he knew nothing about the accusation, and did not know who the seminarian could be.

[9] Consistent with the Grand Jury's methodology used to determine which clergy members to identify and describe in its Report, the Grand Jury finds the allegation against "Greensburg Priest #1" were insufficient to warrant naming him in its Report. The Diocese of Greensburg's response to the complaint made against Greensburg Priest #1 was relevant to the Report, however, so the Grand Jury has decided to include the above information with respect to the allegation made against this Priest.

Father Fabian G. Oris

Biographical Information

YEAR OF BIRTH:	1915
YEAR OF DEATH:	2007
ORDINATION:	June 14, 1942

Employment/Assignment History

8/27/1942 – 5/14/1953	St. Mary, Brownsville, PA
5/15/1953 – 1/31/1955	St. Bernard, Indiana, PA
2/1/1955 – 3/21/1962	St. Hedwig, Smock, PA
3/22/1962 – 6/10/1971	St. Florian, United, PA
6/11/1971 – 5/2/1973	Holy Rosary, Republic, PA
5/2/1973 – 2/10/1990	St. Mary, Uniontown, PA

Summary

In an April 16, 2002 letter to Bishop Anthony Bosco, a woman alleged that Father Fabian Oris sexually abused her beginning when she was around four or five years old until she was approximately 12 years of age. Her parents were friends with Oris as her father had attended high school with him.

According to the victim, Oris fondled and performed oral sex on her while they shared the same bed in the St. Hedwig rectory. Oris also forced her to fondle him, which caused Oris to have an erection. Oris took her on trips locally and out of state, including to the New York State Fair and Atlantic City, New Jersey. Their relationship was sufficiently close that other children in her class would tease her that she was sleeping with a priest.

The abuse continued even after Oris was transferred to St. Florian in United. She related that Oris explained *"the birds and the bees"* and told her, *"I want to make you my woman."* She began to cry and ran to another room

The victim reported that Oris sexually abused her older sister, as well. According to a memorandum from Father Lawrence Persico dated April 23, 2002 regarding a telephone call detailing the abuse, *"it wasn't until she (the victim) was 18 and visited her sister in Florida, that in the course of conversation this relationship with Father Oris came up."* Oris frequently asked the girls' parents if the older sister could stay overnight with him at the St. Hedwig rectory because he was lonely. The abuse began when the older sister was in third or fourth grade and continued until she was in fifth grade.

According to an April 25, 2002 memorandum by Persico, Oris stopped inviting the older sister to the rectory because he began inviting another one of her younger sisters to stay with him instead.

Summary

Oris frequently fondled and slept in the same bed as the older sister. She reported that her family frequently watched television at the rectory, since Oris had a color television. During these occasions, Oris forced her to sit on his lap and slid his hands up her skirt. She stated that her parents either did not notice or did not want to address the issue.

[redacted]

The Diocese notified Oris of the allegation and instructed him that he was no longer permitted to publicly present himself as a priest. Although Oris claimed to not recall any details of the allegations, he did apologize. As indicated in his file:

> *He [Oris] said I have been praying all these years, asking god that they forgive me, asking all these girls to forgive me . . . he added I'm praying for them and I am sorry for what I have done. I am deeply sorry. I never thought that it would come to this, but young girls are pretty and they throw themselves at you, you say thing and do things I guess I never meant to hurt anybody. Their mother knew, but never said anything. I asked him if she knew that he sexually abused them and he said no, but she knew that they came to the rectory to sleep overnight.*

In 2014, an additional victim alleged that Oris kissed her on the mouth when she was approximately 10 or 11 years old in 1977 or 1978. This additional victim attended St. Mary in Uniontown and was sent to the rectory by her principal for disciplinary action on approximately five occasions. It was during these meetings that Oris kissed her on the mouth. While the incident was reported to the Fayette County District Attorney's Office, the Diocese took no further action because Oris had died in 2007.

REDACTED -- ONGOING APPELLATE LITIGATION

Father George R. Pierce

Biographical Information

YEAR OF BIRTH:	1933
YEAR OF DEATH:	2009
ORDINATION:	May 23, 1959

Employment/Assignment History

6/23/1959 – 12/8/1960	St. Mary, Freeport, PA
12/9/1960 – 2/13/1963	All Saints, Masontown, PA
2/14/1963 – 6/12/1966	Immaculate Conception, Connellsville, PA
6/13/1966 – 6/19/1967	St. Mary and Holy Trinity, Ford City, PA
6/20/1967 – 6/24/1968	Immaculate Conception, Irwin, PA
6/25/1968 – 6/7/1972	St. Gertrude, McIntyre and its mission St. Anthony, Aultman, PA
6/7/1972 – 6/4/1985	Holy Family, Seward and its missions: St. Mary, Bolivar and St. Mary, Florence, PA
6/4/1985 – 6/20/1995	Our Lady of Perpetual Help, Leckrone, PA
6/20/1995 – 5/14/1997	St. James, Maxwell, PA
5/14/1997	Leave of Absence
8/1998	Retired

Summary

In 1997, the Diocese of Greensburg received an allegation of sexual abuse against Father George Pierce. The victim claimed that the abuse began in 1968 when she was 12 years old and continued until she was approximately age 20. She explained that had worked for Pierce, cleaning the St. Gertrude rectory. According to the victim, a normal evening with Pierce included dinner and alcoholic drinks followed by sexual intercourse in the rectory. She continued to visit Pierce even after he was transferred to Holy Family and its missions in 1972.

The victim felt that she had a legitimate romantic relationship with Pierce and became jealous of another female from Jeannette with whom Pierce also had a sexual relationship (it is unclear if the other female was a minor or an adult). According to the typed Diocesan notes from a meeting with the victim on April 28, 1997, *"he [Pierce] picked me up and we took her home to Jeannette. On the way home he had her perform oral sex on him in the car. I [Victim #1] was 15 or 16."*[10]

[10] It is somewhat unclear who the "her" is in the notes. Handwritten notes indicate that the "her" is Victim #1 by stating, "*he [Pierce] picked me up and we took her home to Jeannette. On the way home, he had me perform oral sex on him in the car.*" However, the typed version of the notes changed "me" to "her," which would indicate that the other female performed oral sex on Pierce.

Summary

Pierce's Diocesan file reveals that Bishop William Connare knew about inappropriate behavior between Pierce and a young woman in his parish as early as 1972. Connare instructed Pierce not to hire "a teenage woman from his former parish as housekeeper." Connare received several complaints from parishioners about young women staying overnight at the parish. While Connare sent Pierce several letters of warning, he took no further action on the matter. According to the files, parishioners from every parish (except St. James) complained to the Diocese about Pierce's relationship with a "particular female" (understood to be the victim descrbied above).

Pierce acknowledged having an inappropriate relationship with the victim, but denied having sexual intercourse with her. Rather, he contended they only engaged in mutual masturbation. Pierce further stated he was in love with the victim and also claimed that *"after [the victim], he 'white knuckled' it."*

Following the report of the allegation, Pierce received therapy and an evaluation from November 1997 to May 1998 through the Anodos Center. He soon thereafter retired from the priesthood in August of 1998. Upon his retirement, he was not permitted to function as a priest.

A handwritten note in the file by an unknown author referenced a conference call with Pierce dated April 20, 1998. It stated, "*Contact Erie and ask what their mind is about his helping out there. Invite them into dialogue with us.*" The Grand Jury understands that the Diocese of Erie had been known to accept and assist priests living in their Diocese who previously had sexual misconduct allegations made against them. After retiring, Pierce moved to Linesville which is within the Diocese of Erie. According to Pierce's Diocesan file, the Diocese of Erie received no allegations of misconduct against Pierce while he lived there.

The victim filed a civil suit against the Diocese of Greensburg in 1997. The case was settled for $30,000. The settlement include strict confidentiality terms which barred the victim from discussing its terms or publicizing the facts of the settlement through any media form.

In 2002, the Diocese of Greensburg received an allegation from a second victim who claimed that Pierce sexually abused him for three years during Pierce's assignment at St. Anthony and St. Gertrude. Pierce was assigned to this parish from June of 1968 to June of 1972. According to the victim, when he was approximately 10 years of age, he confided in Pierce that he was "gang raped" by his older brother and his friends shortly before his seventh birthday. Pierce reportedly told the victim he had to provide oral and anal sex to him in order to be saved and go to heaven. Feeling Pierce could be trusted due to his position and authority within the church, the victim engaged in anal and oral sex with Pierce for three years beginning in 1969 until 1972, when Pierce was transferred to Holy Family and its missions.

In a letter dated August 28, 2003, Father Roger Statnick offered the victim counseling and assured him that Pierce had undergone a psychological evaluation, had retired from active ministry, and was banned from any public functioning as a priest.

Summary

On November 18, 2004, [redacted] requested that Cardinal Joseph Ratzinger (later Pope Benedict XVI) dismiss Pierce from the clerical state due to the sexual abuse allegations against him. The letter indicated a judicial process to assess Pierce's guilt would be unnecessary because he had admitted to committing the allegations in question. Additionally, [redacted] request included a representation that the first victim had agreed not to publicize the abuse she suffered at the hands of Pierce.

Pierce died in 2009.

REDACTED -- ONGOING APPELLATE LITIGATION

Father Gregory F. Premoshis

Biographical Information

YEAR OF BIRTH:	1938
YEAR OF DEATH:	N/A
ORDINATION:	May 18, 1968

Employment/Assignment History

6/25/1968	St. Paul, Greensburg, PA
6/27/1969	Religion Teacher, Greensburg Catholic High School; Residence at St. Paul
6/9/1980	Religion Teacher, Geibel High School, Connellsville, PA; Residence at Immaculate Conception, Connellsville, PA
7/15/1986	Religion Teacher, Geibel High School, Connellsville, PA; Residence at St. Rita, Connellsville, PA
10/12/1987	Visitation Church, Mt. Pleasant, PA
7/7/1998	President of Geibel Catholic High School, Connellsville; Residence, St. Stanislaus, Calumet, PA
3/19/2002	Administrative Leave
8/2002	Retired

Summary

In March 2002, a victim alleged that Father Gregory Premoshis sexually abused him from 1980 to 1982 when he was a student at Geibel High School in Connellsville. The victim explained that he had developed a close relationship with Premoshis because he did not have a good relationship with his father and that by the time he was approximately 16 or 17 years old, Premoshis had become his mentor and surrogate father. Premoshis bought the victim many gifts and dinners, supplied him with alcohol, and allowed him to borrow his car.

The victim reported that he spent many evenings at the Immaculate Conception rectory, during which he and Premoshis would engage in *"rough-housing."* This entailed Premoshis fondling and wrestling with the victim while Premoshis in his underwear. Premoshis would often have an erection during these *"wrestling matches."* Ultimately, the victim started staying overnight at the rectory and slept in the same bed as Premoshis. One morning, the victim awoke with "cream" on him, which he later realized was semen.

Premoshis also took the victim on numerous overnight trips and vacations, including to Waynesboro, Virginia, Atlantic City, New Jersey, Dayton, Ohio, and to Myrtle Beach, South Carolina. During one trip, the victim awoke to find Premoshis fondling the victim's genitals, at which point Premoshis jumped back into his own bed. When the victim asked Premoshis about what he was doing the previous night, Premoshis said he did not remember.

Summary

Upon being confronted by a Bishop's representative on March 18, 2002, Premoshis admitted to giving gifts to the victim, buying him dinner, supplying him with alcohol, and loaning him his vehicle. He further admitted to wrestling with the victim and acknowledged becoming slightly aroused while doing so. He also confirmed having slept in the same bed with the victim on multiple occasions, both in the rectory and on trips. Premoshis denied, however, ejaculating on the victim, but explained he may have had a "wet dream" while they were sleeping in the same bed.

Bishop Anthony Bosco wrote a decree in July of 2002 regarding Premoshis, which stated the following:

1. *Examination by doctors at the Anodos Center, experts in psychology, has indicated that Father Premoshis engaged in inappropriate boundary violations with a minor involving physical contact and providing alcohol.*

2. *That behavior of the part of Father Premoshis has created disturbance including scandal if he would minister publicly.*

3. *According to the experts, this behavior, which afflicts Father Premoshis, could grow worse if he doesn't receive psychotherapy to address inappropriate boundaries in ministry especially in relationship with adolescents.*

The Diocese of Greensburg revoked Premoshis's public ministry in this decree. Bosco further stated, however, that if Premoshis accepted treatment, his "case would be reviewed." In August of 2002, Bosco notified Premoshis that since he "retired early," he would receive 70% of his full benefits, $200 per month for a living allotment until age 65, and full health benefits.

In 2002, the victim filed a lawsuit against the Diocese of Greensburg, Bishop Bosco, and Premoshis. Although the lawsuit was dismissed in 2003 due the expiration of the statute of limitations, the victim ultimately received a settlement of $5,000 plus 90 counseling sessions.

Father Thomas W. Rogers

Biographical Information

YEAR OF BIRTH:	1923
YEAR OF DEATH:	2005
ORDINATION:	January 26, 1952

Employment/Assignment History

1953	St. Edward, Herminie, PA
1953 – 1954	St. Mary, Freeport, PA
1954 – 1955	Immaculate Conception, Connellsville, PA
6/29/1955 – 7/4/1956	Immaculate Conception, Irwin, PA
7/5/1956 – 7/7/1958	SS Simon and Jude, Blairsville, PA
7/8/1958 – 1960	St. John the Baptist, Scottdale, PA
1/6/1961	Incardinated in the Diocese of Greensburg, PA
6/3/1965 – 6/24/1968	St. Anthony, Clymer, PA
6/25/1968 – 8/7/1972	St. Charles Borromeo, Suatersville, PA
8/8/1972 – 2/18/1981	St. Mary, Ford City, PA
2/19/1981 – 1/21/1991	Seven Dolars, Yukon, PA
1/22/1992 – 11/4/1998	St. Anne, Rostraver, PA
11/4/1998	Retired

Summary

On August 14, 1962, Monsignor Robert J. Giroux of the Diocese of Ogdensburg, New York wrote a letter to Bishop William Connare of the Diocese of Greensburg regarding an incident in which Father Thomas Rogers was alleged to have attempted to sexually assault a high school-aged boy. According to Giroux, state and local police received a complaint from the boy that a man attempted to sexually assault him while he was hitch-hiking near Saranac Lake. The boy was able to escape, however, and provided a detailed description of his attacker, the vehicle he was driving and a license plate number. The police determined that the vehicle was registered to Rogers, who was visiting his mother in the area at the time. The police also located two witnesses who were willing to testify to seeing the boy with Rogers.

According to Giroux, *"[k]nowing that a priest might be involved the police did not wish to follow their usual procedures."* When Rogers was confronted by police in the rectory of the local church, he denied the incident and claimed to have been at the local parish at the time it occurred. Rogers claimed that his vehicle could have been stolen and thereafter returned while he was at the church, which the police noted would have been impossible given the time in which this would have had to occur. Further, the victim's description of Rogers as his assailant was "*perfect*" and detailed. Regardless, Rogers maintained his innocence, and even later provided Connare with a letter in 1963 from an anonymous person who admitted to stealing the

Summary

vehicle and attacking the minor. Rogers left town the same day that he was interviewed by police.

The victim's father was called to the rectory to discuss the matter with police and Church officials. Described as *"a good Catholic,"* he agreed not to pursue charges so long as there was an admission of guilt by Rogers and he left town. Similarly, the police offered to drop the matter so long as Rogers stayed away from the community.

On August 22, 1962, Connare responded to Giroux via letter. Connare indicated he had confronted Rogers, who categorically denied the accusations. Connare appeared to be conflicted by Rogers' denial and reluctant to *"flatly call him a 'liar.'"* Connare also mentioned that Rogers claimed to personally know the Chief of Police in Saranac Lake, who he called by his first name. Rogers also remarked that his brother was also on the force. Connare expressed concern about Rogers returning to the Saranac Lake area given his mother living there, but that he would forbid him if necessary. Ultimately, driven by a perceived need to *"proceed cautiously to protect his [Roger's] reputation,"* no further action was taken and Connare assured Giroux that he would "*wait, and watch carefully.*"

Connare received a reply letter from the Bishop of Ogdensburg written September 10, 1962. Noting that the matter of Roger's attempted sexual assault had "been well handed here," he pressed Connare not to permit Rogers to return to the area because of the involvement of the state police, whom he described as heavily patrolling the area, and the father of the victim, who he believed would pursue charges should Rogers return.

A review of Rogers' file in 2002 prompted Bishop Anthony Bosco to inform Rogers that he was no longer permitted to publicly present himself as a priest.

Father Leonard Sanesi

Biographical Information

YEAR OF BIRTH:	1923
YEAR OF DEATH:	1992
ORDINATION:	1953

Employment/Assignment History

6/16/1953 – 6/21/1955	St. Rita, Connellsville, PA
6/22/1955 – 7/7/1958	St. Cajetan, Monesson, PA
7/8/1958 – 1/15/1962	Immaculate Conception, Irwin, PA
1/16/1962 – 6/12/1966	St. Joseph Minor Seminary, Greensburg, PA
6/13/1966 – 5/28/1974	Holy Family, West Newton, PA
5/29/1974 – 8/22/1983	Immaculate Conception, Irwin, PA
8/23/1983 – 6/17/1990	Mount St. Peter, New Kensington, PA
6/18/1990 – 1/10/1992	All Saints, Arnold, PA

Summary

In 2002, the Diocese of Greensburg received its first allegation of sexual abuse committed by Father Leonard Sanesi. The victim alleged in a letter that during the early 1960's when Sanesi served at St. Joseph's Diocesan Minor Seminary - - a school for boys who had completed high school and believe they may be called to the seminary - - Sanesi repeatedly sexually abused him.

The victim stated that he suffered from psoriasis, the treatment of which required the application of a variety of lotions and salves. Sanesi suggested to the victim that "*I'd [the victim] be more comfortable with these applications in the privacy of his [Sanesi's] residence rather than in the dorm room.*" According to the victim, during Sanesi helping him apply his lotions and salves, Sanesi's contact escalated to fondling the victim's genitals. This would happen as a nightly occurrence. The victim related that Sanesi "*always took care of me – trips, gifts, clothes, restaurant meals.*"

According to notes in Sanesi's file, Bishop Anthony Bosco wrote back to the victim and apologized for Sanesi's abuse. However, no response was received. The victim's complaint was forwarded to the Westmoreland County District Attorney's Office but because Sanesi had been deceased for a decade at the time the abuse was reported, no action was taken.

In 2013, via an e-mail communication exchange with Monsignor Raymond Riffle, a second victim alleged that Sanesi sexually abused him at St. Joseph Hall beginning in 1962. The second victim alleged that Sanesi came into his dormitory room on two or three occasions in the middle of the night and attempted to fondle his genitals and masturbate him. In response and to deter Sanesi, the victim pretended to be asleep and rolled onto his stomach. On another occasion

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when the victim was sick, Sanesi took him to his quarters and provided him with alcohol and again attempted to fondle him. The victim also claimed "*there was another occurrence in January 1963 which ended in the same fashion.*" Because of Sanesi's repeated attempts at fondling him, the victim began sleeping on his stomach. He continued to do so throughout the remainder of his life.

Riffle apologized to the second victim and offered him counseling sessions, which he declined.

Father Roger A. Sinclair

Biographical Information

YEAR OF BIRTH:	1947
YEAR OF DEATH:	N/A
ORDINATION:	May 4, 1974

Employment/Assignment History

1974 - 1977	Immaculate Conception, Connellsville, PA
1977 – 1979	Holy Family, Latrobe, PA
1979 - 1980	St. Therese, Uniontown, PA
1980 – 1983	St. Mary, Kittanning, PA
1983 - 1984	Sick Leave
1984 - 2002	Released to the Archdiocese of Military Services
3/7/2002	Facilities Revoked
4/12/2002	Removed from the Archdiocese of Military Services

Summary

In May of 1981, two mothers wrote letters to Bishop Norbert F. Gaughan of the Diocese of Greensburg alleging that Father Roger Sinclair molested their sons (first victim and second victim) when they were approximately 14 years old. In approximately September 1980, Sinclair visited the first victim's father for a drink late one night while the two victims were watching television during a sleepover. After the father went to bed, Sinclair proceeded to chase the victims around the room attempting to *"shake hands"* with them. Each time Sinclair shook hands with one of the boys, however, he pushed their hands towards their genitals. The first victim reported that Sinclair tried to put his hands down his pants as well.

According to a May 26, 1981 letter from the second victim's mother to Gaughan, both parents first reported the incident to Father Thomas Bertolina, the pastor of St. Mary. She reported, however, that Bertolina failed to address or acknowledge the situation and "*wanted to keep it all hush-hush and swept under the rug.*" Bertolina's inaction on the matter prompted the second victim's mother to report the incident to Gaughan. She pleaded with Gaughan that Sinclair "*needs professional help away from parish life where he cannot bother others*" and expressed concern that although she felt her son was safe, Sinclair could pose a risk to other children if proper action was not taken.

In June of 1981, Bishop William Connare requested therapy for Sinclair through the Catholic Social Services for "*possible hidden hostility and anger which leads to occasional drinking and evinces itself in aggressive behavior.*"

Father Thomas J. Klinzing wrote a memorandum dated August 5, 1981 titled "*Father Sinclair's Problem"* which indicated that Sinclair visited the first victim's father on August 4,

Summary

1981 after Sinclair's abuse had occurred and been reported to the church by the mothers of the boys. During this visit, the father yelled at Klinzing for making up stories about Sinclair, while Sinclair "*just sat there and drank.*" According to the first victim, "*Sinclair tells his dad everything and then 'I get it.'*" The first victim became frightened and upset by Sinclair's presence and ran to his mother's home.

During her visit with Klinzing on August 5, 1981, the first victim's mother indicated she wanted to call the police to keep Sinclair away from her son. However, Klinzing urged her to calm down and that "*I would talk to Bishop Gaughan and get back to her later this afternoon.*" Later that afternoon, Klinzing spoke with Monsignor John Conway (described above) regarding the incident. Conway relayed the following information to Klinzing:

> *When Father Sinclair was in Latrobe there was an incident with a young man whom he took on vacation to Florida with him. The young man's father refused, however, to confront Father Sinclair.*

It does not appear the Diocese of Greensburg maintained a record of any incident involving Sinclair and a young boy in Florida.

In March 1982, Gaughan stated in a letter to the Catholic Social Services of Allegheny County that "*a number of people were after us to see that Father Roger Sinclair was transferred.*" According to Connare, when he asked Sinclair about a transfer, "*he [Sinclair] made it quite clear to me [Connare] that he prefers to remain in his present assignment and to work through his problems.*" Connare permitted Sinclair to remain at St. Mary at that time.

An undated document appearing in Sinclair's Diocesan file addressed facts related to the accusations against him. According to this document, the Diocese acknowledged only the complaints of the first two victims'. However, a letter from the second victim's mother dated February 25, 1983 indicated that Sinclair may have had more victims. As the letter stated: "*She [another mother] said a group of mothers was having a meeting regarding Father Sinclair and would I come tell our story as other boys were involved.*" During the meeting, the mothers decided to contact the Chief of Police for advice. When the Chief arrived, he indicated he had already heard the "*rumors*" and spoken with Bertolina the previous day.

Despite the assertions of the victims' mothers that they notified Bertolina of the incident between Sinclair and their sons in 1981, during a meeting he had with them, Bertolina "*tried to tell them he did not know the real story of what had happened*" between the victims and Sinclair. The August 5, 1981 memorandum indicated that Klinzing had also spoken with Bertolina regarding details of the incident.

No action was taken against Sinclair.

The mother's February 25, 1983 letter also indicated that Sinclair had unsupervised access to minor boys. She questioned Connare regarding the lack of proper action following the original incident. As she stated:

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Why did he have to bother other boys before something was done – Why Father Bertolina did nothing, even let Father Sinclair have the boys in the rectory to play Atari and eat pizza for many hours at a time – Why no one was concerned for the safety of the young boys of the parish.

Further, according to the second victim's mother, she had heard rumors that Sinclair had exposed himself to male minors and showed "*dirty movies*" in the rectory.

In a March 2, 1983 letter responding to the mother's letter, Connare stated:

I regret the developments, as I felt the individual concerned was working through his problem with a professional counsellor. I have already arranged a further evaluation and treatment for the individual beginning with approximately the next ten days. He will no longer be in the parish.

On March 3, 1983, Connare wrote a letter to Richard Gilmartin, the Acting Director of the House of Affirmation (a treatment facility for priests). In this letter, Connare thanked Gilmartin for consenting to see Sinclair and provided additional background and contextual information on Sinclair. Significantly, Connare stated that:

On Wednesday, February 23, I received a call telling me that Father had again made some attempts on young boys [to what extent is not clear]. Because it was the second incident in that parish, I felt it necessary to take him from there and to turn to you for help

From June of 1983 to June of 1984 the Diocese placed Sinclair on sick leave and he received therapy for *"emotional problems"* at the House of Affirmation in Missouri. Following Sinclair's treatment, Connare allowed him to apply for chaplaincy with the Air Force, stating that Sinclair was "a priest in good standing." In a letter dated May 23, 1984 to Archbishop John May of the Archdiocese of St. Louis, Connare stated that Sinclair had been at the House of Affirmation "for emotional problems" Connare also stated that Sinclair would leave the program soon and that his therapists suggested he be assigned as an *"auxiliary chaplain for one of the military establishments of the area."* Connare assured May that Sinclair had his permission to work in such a setting if it were agreeable to May.

According to a letter from November of 1991, the Topeka State Hospital reported that in November of 1991 Sinclair "*managed to gain access to a locked unit deceitfully*" and attempted to check out teenage boys from the hospital to go see a movie on two separate occasions. However, the hospital refused to allow Sinclair to escort the minors out of the building. He was subsequently dismissed from the hospital.

In February 2002, a third victim came forward and made a complaint against Sinclair due to abuse that began when the victim was approximately nine or 10 years old. The abuse continued in periodic episodes throughout his early teenage years. This complaint was made to

the Diocese via an e-mail communication on February 5, 2002 from the victim to Bishop Anthony Bosco. The victim subsequently met with a representative of the Diocese and thereafter engaged in a series of e-mail communications with Father Roger Statnick in March 2002.

According to the victim, he met Sinclair when he was an altar server at the Immaculate Conception church. Sinclair would invite him into the rectory to watch television and eat breakfast prior to serving the early mass. During these visits, Sinclair would often tickle him, although reportedly did not sexually abuse him at that time. Sinclair was then transferred to Latrobe.

The victim had no further contact with Sinclair until he was reassigned to St. Teresa in Uniontown. Because his family considered Sinclair trustworthy and a friend, Sinclair saw the victim and his brothers over the holidays and took them to the Kennywood amusement park in Pittsburgh. Sinclair began inviting the victim and his brothers to the rectory in Uniontown to watch televisions. During these visits, Sinclair would often tickle and wrestle with the boys, with occasional "*inappropriate contact*" (it is unclear whether Sinclair abused the victim's brothers as well). According to the victim, Sinclair then began to only invite him to the rectory, rather than all of his brothers.

During an overnight stay at Seven Springs Mountain Resort for a convention in 1978 or 1979, Sinclair reportedly slept in the same bed as the victim with only his underwear on. According to the victim, Sinclair kept trying to get closer to him throughout the night. During the second night, Sinclair did not wear any clothing to bed. The victim became uncomfortable, went to the other room to watch television, and ultimately asked to be taken home. According to the victim, Sinclair attempted to inappropriately touch him on this occasion.

Following receipt of this allegation in 2002, the Diocese revoked Sinclair's Diocesan faculties, rescinded their Archdiocese of Military Services endorsement, and sent him for treatment at the Anodos Center. On March 14, 2002 Statnick e-mailed him and stated, *"I would prefer that we meet again after the assessment and the board's review."* However, according to the victim, the Diocese did not follow-through with him. Rather, years later on September 18, 2007, the victim e-mailed Monsignor Lawrence Persico, introduced himself, and informed Persico of his contact with the Diocese in 2002. The victim stated:

> *The priest at the time took information regarding these incidents and I was told that he would investigate and get back to me. I never received a response. I have tried over the years to make my peace with not only the incidents with Father Sinclair, but also the lack of response from the diocese.*

In response to this e-mail, Persico offered the third victim 90 counseling sessions and a meeting with [redacted]

In April 2002, a fourth victim, via a telephone call from his attorney, notified the Diocese that he had been sexually abused by Sinclair in 1979 at Holy Family in Latrobe. The victim was approximately 13 years old at the time. According to Diocesan files, "*the event happened in the*

Summary

sacristy of the church after serving Mass. It was interrupted by an older couple that walked into the sacristy." The victim alleged that Sinclair began wrestling with him and the other altar server. When the other altar server left, "*he [Sinclair] continued to wrestle with me and it got rough. It developed into his rubbing up against me, caressing my genitals, and breathing hard on me.*" He never told anyone about what had happened and avoided Sinclair after the incident. According to the victim, he could tell "*he [Father Sinclair] wanted to revisit the event, so I would leave directly after serving.*"

In 2004, [redacted] wrote to Cardinal Joseph Ratzinger (later Pope Benedict XVI) requesting Sinclair be dismissed from the clerical state. In his letter to Ratzinger, [redacted] stated that:

> *Sinclair has a history of acting out, and has freely admitted that, in the past, he has engaged in inappropriate sexual contact with minor males during the early years of his priestly ministry.*

[redacted] requested to forgo the penal process, since Sinclair had already confessed to the allegations against him and because a trial would only place an additional burden on the Diocese. Meanwhile, on December 23, 2004, Sinclair wrote a letter to His Holiness John Paul II requesting dismissal from the clerical state. On January 1, 2005, he resigned from the priesthood.

Father Joseph L. Sredzinski

Biographical Information

YEAR OF BIRTH:	1944
YEAR OF DEATH:	2015
ORDINATION:	May 9, 1970

Employment/Assignment History

1970-1972	St. Margaret Mary, Lower Burrell PA
1972-1974	Holy Rosary, Republic, PA
1974-1979	St. Mary Czestochowa, New Kensington, PA
1979-1984	St. Peter, Brownsville, PA
06/05/1984-06/05/1989	St. Stanislaus, Calumet, PA
09/1989-12/1989	Theological Studies, North American College, Rome
06/05/1989-1999	St. Joseph, Everson, PA
06/18/1999-07/05/2007	St. Hubert, Point Marion, PA
7/05/2007-04/01/2009	St. Emma's Monastery, Greensburg, PA
7/05/2007-04/24/2009	SCI Greensburg, Greensburg, PA
7/05/2007-8/18/2010	Chaplain, Westmoreland Manor Nursing Home, Greensburg, PA
8/18/2010-/2014	Sacred Heart Church, Jeannette, PA

Summary

According to notes in the Diocesan file of Father Joseph Sredzinski, on May 29, 1991, a meeting was held between Father Roger Statnick and Tim Shoemaker, the then Mayor of Everson, PA. The purpose of the meeting was for Mayor Shoemaker to convey his concerns, and the concerns of the community, to the Diocese of Greensburg regarding Sredzinski's perceived inappropriate relationships with several local boys. Mayor Shoemaker informed Statnick that a local police officer had discovered Sredzinski parked in his car in a cemetery at night with a young boy on May 18, 1991 and written an "incident report" regarding the matter. According to Shoemaker's account of the incident, when approached by the police officer, Sredzinski abruptly exited his vehicle, told the officer nothing was wrong, and that he was merely talking to the boy about some problems he was having.

Additionally, Shoemaker informed Statnick that numerous people in the community had made comments to him about Sredzinski spending too much time with local boys in inappropriate circumstances, such as in the church rectory at night and in the woods at night around a camp fire. Another witness informed the Diocese that she had seen Sredzinski alone in an alley with a young boy around 2:00 a.m. in and around the time he was discovered in the

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cemetery with a young boy.[11] This boy in the alley was identified by Shoemaker as one of three boys Sredzinski was, according the community, too-often seen with, the other two being Victim #1 and his younger brother. Shoemaker also informed Statnick about an additional boy who had served as an altar boy and was heavily involved with the church, but had suddenly completely withdrawn from the parish. Shoemaker indicated *"an atmosphere of fear and suspicion"* hung over this occurrence.

On May 30, 1991, Statnick confronted Sredzinski with the information Mayor Shoemaker shared with him and documented their conversation. Sredzinski told Statnick who the boy he was alone with in the cemetery was ("Witness #1") and that he was a high school junior at the time. Sredzinski claimed he picked up Witness #1 and took him to a Dairy Queen before driving to the cemetery to talk to him privately about some problems the boy was having. The incident with the police officer discovering them at the cemetery occurred around 10:00 p.m. Sredzinski stated he wanted the police officer to know he was in control of the situation and that nothing was wrong. Otherwise, he denied spending too much time with boys in the community, that various kids came to the rectory at night because they felt comfortable there, and that he was not, as the Mayor claimed, constantly with the three boys identified by Shoemaker.

Statnick instructed Sredzinski during this May 30, 1991 meeting that he was to have no further contact with young people outside of business hours and in public areas of the rectory. When Sredzinski requested time to adjust his customary way of interacting with the young people of the parish, Statnick told him he was to change his ways immediately.

Undated handwritten notes in Sredzinski's file included information regarding Witness #1; the young man Sredzinski claimed he was discovered alone with in the cemetery. Witness #1 repeatedly contacted the church regarding his concern over Sredzinski's relationship with Victim #1. Specifically, Witness #1 informed the Diocese that on the afternoon of June 18, 1991, Sredzinski took Victim #1 swimming at the Bridgeport dam. Victim #1 told Witness #1 that Sredzinski had *"roaming hands"* while they were swimming and could see that Sredzinski had an erection. Additionally, on June 20, 1991, Sredzinski took Victim #1 and another boy to Cleveland. Victim #1 told Witness #1 that Sredzinski made Victim #1 sit in the front seat of his car during the trip and held his hand like you would hold a girl's hand. Additionally, Sredzinski put his hand on Victim #1's leg and had Victim #1 put his hand on Sredzinski's leg. After this trip to Cleveland, according to Witness #1, Victim #1's parents told Sredzinski to stay away from their son.

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[11] Diocesan notes indicate that the incident with the boy in the alley was discussed with his father. While the father indicated his son had spent time with Sredzinski and taken short trips with him on several occasions, he did not believe anything inappropriate occurred and that his son understood what a pedophile was and that nothing sexual had occurred. He also indicated that Victim #1 was always with him and Sredzinski when they were together.

Summary

Significantly, Witness #1 informed the Diocese of his belief that that the boy in the car with Sredzinski at cemetery was Victim #1; meaning it was not Witness #1 with Sredzinski, as Sredzinski had claimed. Meanwhile, Witness #1 indicated Sredzinski never tried anything inappropriate or sexual with him.

Another undated handwritten page in Sredzinski's file included an incident conveyed by Witness #1 in which Sredzinski went to Witness #1's house one night and told him, with his face in his hands, that he was distraught that Victim #1 would not go out for ice cream with him.

There is a notation in Sredzinski's Diocesan file dated May 30, 1991 that Witness #1 called Father Statnick and told him it was getting worse and that Sredzinski took Victim #1 to Washington D.C. on a trip.

Handwritten notes appeared in Sredzinski's file dated July 23, 1991 document an interview with "Sister McCarthy." This interview appears to have been focused on McCarthy's knowledge of Sredzinski's behavior with young people. As she indicated, she worked with Sredzinski with Kindergarten through 8th grade students and that Sredzinski was very active at the school. She specifically noted that Sredzinski took four boys on a vocational trip (all of whom were named and none of whom included Victim #1 or appear to have accused Sredzinski of any impropriety). Notably, Sister McCarthy indicated she was asked by Sredzinski to tutor Victim #1. She mentioned an "altar boy situation" with Victim #1, although this was not further explained, and that the accusations she heard were primarily ones of Sredzinski being partial towards Victim #1.

An August 8, 1991 memorandum written by Statnick stated that Statnick met with Sredzinski to discuss the May 18, 1991 police incident report,[12] Sredzinski's trips with young people since their May 30th meeting, and the effect rumors regarding Sredzinski could have on the Church. Sredzinski explained that he went on the trips despite Statnick's instructions to restrict his contacts with young people because they were pre-arranged. Statnick stated that Sredzinski had broached a direct order regarding his conduct following their May 30th meeting by traveling with young boys.

Two letters written by Sredzinski to Victim #1 appear in Sredzinski's diocesan file. The first letter, dated June 26, 1992 and written on "St. Joseph R.C. Church, Everson, PA" letterhead, stated that Sredzinski was responding to a thank you note he had received from Victim #1 for a graduation gift Sredzinski had given him. Sredzinski stated there was another part of the gift, in that he wanted to take Victim #1 and his friend to Amish Country. Sredzinski wrote that someone had told him Victim #1 was not permitted to ride in his red car, but that when Victim #1 was ready, they would go together. Sredzinski also stated he had several items belonging to Victim #1 and that he could come by the rectory to pick them up. Sredzinski said he would be

[12] In an undated letter from Mayor Shoemaker to Bishop Anthony Bosco, Shoemaker stated Sredzinski had no police record in the Borough of Everson, suggesting the record involving Sredzinski was destroyed.

waiting to hear from Victim #1 and would include his name on the new high school serving schedule.

A second letter dated September 8, 1992, also on "St. Joseph R.C. Church, Everson, PA" letterhead, stated, "*when you came to pick up your lantern I wanted to talk but I was speechless.*" Sredzinski went on to write that no matter what others may say, he was not mad at Victim #1 and still considered him his friend and that he also kept a picture of Victim #1 above his desk. Sredzinski also stated that the youth group was going to Colorado the following year and asked Victim #1 to join them.

On April 17, 2002, Father John Cindric wrote a memorandum to Statnick referencing an April 2, 2002 conversation between the two of them which also involved letters written by Sredzinski to Victim #1. Cindric stated he had letters provided to him by Witness #1 which Witness #1 indicated were from Sredzinski to Victim #1. Witness #1 also indicated that seven years prior, two similar letters were given to the Diocese (presumably the two letters described above). Additionally, Witness #1 informed Cindric of an incident in which Sredzinski took Victim #1 swimming one afternoon (presumably the incident described above in which Victim #1 told Witness #1 that while swimming with Sredzinski, he had roaming hands and could see that Sredzinski had an erection). Cindric indicated to Statnick that Victim #1's family would probably remain silent on the matter, but believed it needed to be brought to his attention.

On January 14, 1994, Bishop Anthony Bosco of the Greensburg Diocese wrote a letter to Sister Jolenta Sredzinski - Sredzinski's sister - in response to a letter Sister Jolenta apparently sent expressing concern over her brother being aggrieved by his treatment by the Diocese. While Sister Jolenta, via her brother, appears to have been told that Mayor Shoemaker was fully supportive of Sredzinski, Bosco informed her that it was the Mayor who had contacted the Diocese and initiated actions on their behalf to address Sredzinski's improper behavior. Bosco expressed that Sredzinski's conduct, contact with law enforcement, and rumors in the community had *"created great anxiety and concern in me."* He repeatedly emphasized the danger Sredzinski's actions posed to the Diocese in terms of civil and criminal liability and to its leadership specifically, including Bosco. Bosco indicated the focus of the Diocese's response was to protect the Church and its reputation, with the interest of Sredzinski's possible victims being secondary. As Bosco wrote:

> *At no time did we conduct an investigation with any of the families precisely because we did not want to agitate the waters any more. Some families involved initiated contact with Father Statnick. He met with them at their requests, and took down the points of view they presented, most of which were supportive of your brother.*

A March 18, 1994 memorandum to Sredzinski from Statnick addressed ongoing developments with Victim #1's father. According to Victim #1's father, Sredzinski filed a civil complaint against him for $513.00 for unpaid tuition. Victim #1's father stated he believed this civil complaint was filed by Sredzinski because he would not allow his son to be around the priest. According to the memorandum, Victim #1's father further stated he would not reveal the

Summary

matter that his son shared with him about Sredzinski. Statnick wrote that he told Victim #1's father that he investigated reports in the past regarding Sredzinski's contact with minors, but that any allegations made were withdrawn. Statnick further emphasized that he needed the information about what Sredzinski was alleged to have done to Victim #1 in order to take further action. Statnick documented that he tried to call Sredzinski twice about the matter, but could not reach him.

Around the time of Statnick's March, 1994 discussions with Victim #1's father, the matter involving Sredzinski and Victim #1 appears to have abated within the Diocese of Greensburg.

On April 12, 2002, a phone call was received by Father Lawrence Persico from a witness ("Witness #1"), the contents of which were provided to Statnick. Witness #1 claimed that Sredzinski abused a relative of hers in Brownsville, PA in 1985 and that Sredzinski should be looked into further. There was nothing otherwise noted in the file regarding this phone call, including whether there was any follow-up by the Diocese.

Three letters dated April 22, 2002, June 15, 2002, and August 4, 2002 from a witness ("Witness #2") to Bishop Bosco stated that Sredzinski bought Victim #1 presents, took him on overnight trips, to all night bowling, let him drive his car, and opened a bank account for him. She also said that Sredzinski had been caught by a police officer with a young boy in his car while parked in St. Joseph's cemetery. Witness #2 expressed her awareness that Sredzinski was obsessed with Victim #1 and even had the boy's picture on his desk, expressed her belief that the Diocese had a file on Sredzinski, and speculated that the family of Victim #1 must have been paid off by the Church.

According to notes in Sredzinski's Diocesan file, on April 9, 2007, the mother of a classmates of Victim #1 placed a telephone call to Persico and informed him that her son had told her that when he was in 7th or 8th grade, Sredzinski abused Victim #1. It was her understanding that Victim #1's parents tried to report the incident to Statnick when Victim #1 was in 7th or 8th grade, but that nothing was ever done about it. She also indicated that Sredzinski took Victim #1 and her son overnight to Seven Springs when they were young. Persico's response was that because Victim #1 was 28 years old at the time of the mother's call, Victim #1 needed to report any abuse by Sredzinski himself.

[redacted]

Summary

[redacted]

REDACTED -- ONGOING APPELLATE LITIGATION

Father John T. Sweeney

Biographical Information

YEAR OF BIRTH:	1942
YEAR OF DEATH:	N/A
ORDINATION:	May 9, 1970

Employment/Assignment History

1970-1975	Holy Family, Latrobe, PA
1975-1980	Blessed Sacrament Cathedral, Greensburg, PA
1980-1982	St. Hedwig, Smock, PA
1982-1985	St. Mary, Freeport, PA
1985-1998	St. Margaret Mary, Lower Burrell, PA
1998-2008	St. James, Apollo, PA
2008-2016	Holy Family, West Newton, PA
12/31/2016	Retired

Summary

Father John Sweeney was the Pastor of St. Margaret Mary in Lower Burrell for approximately twelve years spanning from 1985 to 1998. St. Margaret Mary Catholic School, grades kindergarten through eighth, was associated with this parish.

In August of 2016, the Lower Burrell Police Department received information through child services (ChildLine) of an anonymous report of child sexual abuse against Sweeney. On September 6, 2016, separate from that anonymous report, a United States Marshal made contact with the Lower Burrell Police Department and informed them that his brother had confided to him that he had been sexually molested by Sweeney when he was a fourth grade student at St. Margaret Mary. The brother of the United States Marshall and the subject of the ChildLine report were the same individual.

According to the victim, who was 35 years old at the time of the investigation, he was 10 years old when the assault occurred. He stated that while in fourth grade at St. Margaret Mary, he had been sent to the principal (now deceased) because of his misbehavior. He was then sent to see Sweeney. According to the victim, Sweeney threatened to punish him and told him he would not do so if the victim performed oral sex on him, which he did.

Testimony regarding Sweeney's sexual assault was taken before this Grand Jury and, on July 11, 2017, we issued Presentment No. 16 wherein it was recommended that criminal charges be filed against Sweeney for violations of the Crimes Code of Pennsylvania. Sweeney was thereafter arrested and charged with involuntary deviate sexual intercourse. He is presently awaiting trial in the Westmoreland County Court of Common Pleas.

Reverend Joseph A. Tamilowski

Biographical Information

YEAR OF BIRTH:	1928
YEAR OF DEATH:	1994
ORDINATION:	May 29, 1954

Employment/Assignment History

6/1954-7/1956	Transfiguration, Mt. Pleasant, PA
7/1956-2/1959	St Mary, New Kensington, PA
2/1959-12/1960	St. Hyacinth, Monessen, PA
12/1960-6/1967	Assumption in Leechburg, and the Mission of St. Mary Church, Schenley, PA
6/1967-11/1971	Holy Spirit, Fayette City, PA
12//1971-Unknown	St. Barbara, Harrison City, PA
8/1977-5/1984	St. Hyacinth, Monessen, PA
5/1984-4/1994	St. Joseph, Uniontown, PA
4/1994	Retired

Summary

According to a handwritten note appearing in the Diocesan file of Father Joseph Tamilowski, on April 5, 2002, a victim came forth with an allegation that Tamilowski inappropriately touched him while he served as an altar boy at Assumption in Leechburg and the Mission of St. Mary.

The victim reported that on a few occasions while serving as an altar boy, he entered the sacristy and Tamilowski pushed him into the corner and grabbed him in the crotch area. He reported that Tamilowski remarked that even if the boy told his parents about what he had done, they would not believe him. The assaults prompted the victim to quit serving as an altar boy. Additionally, the victim noted that his stepfather would allow no criticisms of Tamilowski.

"*Many years*" prior to making a report in April 2002, the victim told the office manager for the Diocese of Greensburg what Tamilowski had done to him. The victim was told to leave the issue alone and not "*rock the boat*" any further.

Tamilowski would later go on to hold pastor positions at four other churches within the Diocese before resigning due to health reasons in April of 1994.

Father Roger J. Trott

Biographical Information

YEAR OF BIRTH:	1944
YEAR OF DEATH:	2017
ORDINATION:	May 9, 1970

Employment/Assignment History

1970 - 1975	Blessed Sacrament Cathedral, Greensburg, PA
1975 – 1982	Holy Trinity, Ligonier, PA
1982 – 1985	St. Matthew, Saltsburg, PA
1985 – 1987	St. John the Baptist de la Salle, Delmont, PA
1987	Leave of Absence

Summary

In 1987, the families of 12 altar boys alleged that Father Roger Trott committed sexual acts on them during his assignment as Pastor at St. John the Baptist de la Salle. An investigation was conducted and Trott ultimately confessed in a written statement. He admitted that on numerous occasions he invited boys and young men on "outings" and to the rectory. Trott acknowledged his sexual motive in these invitations.

While specific sexual acts were not described, according to court records associated with criminal charges later filed against Trott, Trott fondled and masturbated at least four of his victims and massaged and performed oral sex on an additional eight. It should be noted that although one of the victims was listed as 21 years of age at the time of the abuse, he was described as being a "mongoloid"[13] who was reportedly hospitalized for *"surgery for a blockage of the lower bowel, which the doctors say is directly linked to the incidents with Father Trott."*

On February 26, 1987, Trott pled guilty to one count of corruption of minors and was sentenced to five years' probation. The parents of all the victims, the Westmoreland County District Attorney's Office, the investigating officers, and Westmoreland County Child Services all agreed to the disposition of Trott's criminal case, believing it was in the best interest of his victims. Representatives of the Diocese of Greensburg were present for the meeting during which this agreement was reached.

Following his guilty plea, Trott went to the St. Luke's Institute in Suitland, MD, for inpatient treatment. He was discharged on January 12, 1988.

[13] "Mongoloid" is an outdated term that was once used to describe a person with Down syndrome.

Summary

Among the penalties imposed upon Trott by the church were: "*Suspension of all priestly Power of Orders in the public forum until an evaluation can be made in conjunction with medical advisors*," "*Absence from the Delmont area for a period of five years*," as well as "*No unsupervised contact with any person under the age of eighteen for a period of five years.*"

The files regarding Trott provided by the Diocese of Greensburg also contained a complaint made on April 17, 2002 from an adult male who was approximately 39 years of age at the time. He alleged abusive behavior by Trott in 1973, when he was ten years of age. While hist complaint stated he was abused by Trott on numerous occasions, the victim specifically mentioned an occasion in the sacristy of the church during which Trott "sexually fondled" him. The victim further alleged that on another occasion, after serving for the Bishop, Trott took him out for dinner and while sitting in the parking lot of the restaurant, Trott performed oral sex on him in his car.

Also in the files provided by the Diocese of Greensburg were numerous newspaper reports related to the victim's allegations of sexual abuse by Trott. In these articles, it was reported that he accused Trott of repeatedly raping him while he was an altar boy in 1973.

The victim ultimately filed a lawsuit against the Diocese of Greensburg and was awarded $130,000.

Diocesan files also contained handwritten letters by Trott to Bishop Anthony Bosco and retired Bishop William Connare requesting permission to return to his priestly duties at the completion of his five years' probation. Trott was informed that if he could find a "*benevolent bishop*" to accept him into his diocese, then Bishop Bosco would not stand in his way, but that he would be required to inform any such bishop of his previous misconduct. Bosco also pointed out to Trott that his return to active church service involved numerous problems, including the liability of placing an offending priest into a diocese, regardless of him having completed his treatment requirements, and the issue of whether parishioners would accept him. Additional obstacles were posed by the effect his return to ministry would have on his victims' families should they find out about it and the potential for renewed bad publicity.

After Trott's five year leave of absence was set to expire, he contacted the Diocese of Greensburg - Connare specifically - in an effort to be reinstated as an active priest. Connare, who was retired at the time, appeared to have been supportive of Trott in his attempt to be reinstated into a diocese. Bosco, in contrast, while telling Trott he would not block his efforts to transfer to another diocese, did not encourage or otherwise support his efforts. Bosco told Trott he did not believe he would ever find a diocese which would accept him and that his arrest for child molestation had brought about the death of his career as a priest.

On November 18, 2004, [redacted] shortly after taking over as Bishop of the Greensburg Diocese, petitioned the Vatican to have Trott dismissed from the Roman Catholic Church. [redacted] request was granted. Trott died in 2017 in Florida.

REDACTED -- ONGOING APPELLATE LITIGATION

Father Charles Weber, O.S.B.

Biographical Information

YEAR OF BIRTH:	1919
YEAR OF DEATH:	2000
ORDINATION:	November 4, 1945

Employment/Assignment History

Full Assignment History Not Available

Summary

On May 11, 2015, the Diocese of Greensburg received an allegation regarding child sexual abuse against Father Charles Weber. The victim claimed that in the early 1980's, Weber gave a lecture to children about the meaning of impure thoughts and actions at St. Gertrude Church in Vandergrift. After the lecture, the victim, who was between 11 and 13 years old at the time, was alone with Weber when asked if he was fully aware of what the lecture meant. At this point, Weber began to fondle the boy's genitals. The victim reported, "*the inappropriate contact was limited to fondling and not any penetration or sexual intercourse.*"

According to a document titled "*Bishops Delegate Report*" by Monsignor Raymond Riffle, the victim requested "*counseling with somebody who, in his words "knows about this stuff.*"" Riffle put the victim in contact with the Diocese's Victim's Assistance Coordinator one week later. The file does not contain any further information regarding counseling for the victim.

The Diocese encouraged the victim to contact ChildLine regarding the abuse. While he was initially reluctant to do so, he contacted ChildLine, who reportedly stated that since the perpetrator was deceased, they would not be able to conduct a full investigation. Riffle then forwarded the information to Westmoreland County District Attorney's Office.

DIOCESE OF HARRISBURG

Reverend Francis J. Allen

Biographical Information

YEAR OF BIRTH:	1945
YEAR OF DEATH:	N/A
ORDINATION:	Diocesan seminarian, not a priest

Employment/Assignment History

1974-1978	Allen worked around St. Patrick in York, PA and assisted with altar boys

Summary

In 1989, the Diocese of Harrisburg learned that a boy alleged that Francis "Scotty" Allen sexually abused him in the 1970's. The Diocese documented the allegation. The Diocese's documents revealed the following information.

The boy's mother reported the alleged abuse to Monsignor Thomas Brenner; Brenner informed [redacted]. The boy alleged that Allen had "sexual encounters" with him on three occasions; once at St. Mary's Seminary and twice at the boy's home. The boy's mother reported that she came home one day and "caught them with egg on their face." [redacted] summarized the allegation and noted, *"[t]his matter is confidential with us. We would never revealed [sic] unless he would have any work in a parish, church or exercise with the diocese."* The mother reported her son's abuse again in 2002.

In 1994, a woman reported to the Diocese that her son was molested by Allen from 1974 to 1975. Her son was 11 to 12 years old at the time of the abuse. The boy then informed the Diocese that in 1974, while he was in fifth grade, he remembered that Allen went to a park where boys skateboarded and Allen photographed the skateboarders. Allen obtained permission from the boy's parents to take the boy to St. Mary's Seminary for an overnight stay. At the Seminary and during the overnight stay, there were no other seminarians around. During the night, Allen began to massage the boy and fondle the boy's genitals until the boy ejaculated. Diocesan documents dated January of 1994 and February of 1994 reveal that there were more "encounters" between the victim and Allen. The use of the term "encounters" in the Diocesan documents suggests the "encounters" included Allen sexually abusing the boy. The boy ceased contact with Allen shortly after starting the sixth grade.

REDACTED -- ONGOING APPELLATE LITIGATION

Reverend John G. Allen

Biographical Information

YEAR OF BIRTH:	1944
YEAR OF DEATH:	N/A
ORDINATION:	May 16, 1970

Employment/Assignment History

5/29/1970-9/01/1971	Assumption Blessed Virgin Mary, Lebanon, PA
9/01/1971-5/06/1976	St. Patrick, Harrisburg, PA
5/06/1976-8/12/1976	St. Francis Xavier, Gettysburg, PA
8/12/1976-4/21/1978	St. Francis of Assisi, Harrisburg, PA
4/21/1978-5/05/1980	St. Ann, Steelton, PA
5/05/1980-6/20/1986	St. Pius X, Selinsgrove, PA
6/20/1986-11/01/1992	St. Joseph, Lancaster, PA
4/29/1991-5/01/1991	The Anodos Center at St. John Vianney
1/31/1992	Arrested by Lancaster City Police for solicitation of undercover police officer, pleaded guilty to harassment and paid fine
11/01/1992-7/06/1993	Leave of Absence
7/06/1993-6/28/1995	St. Theresa, New Cumberland, PA
6/28/1995-4/05/2002	St. Margaret Mary, Harrisburg, PA
4/05/2002	Resigned
2/17/2006	Dispensed

Summary

Diocesan documents reveal the Diocese was concerned with Father John G. Allen's sexual behavior as early as January 1970. In 1991, the Diocese sent Allen to the Anodos Center at St. John Vianney for an evaluation.

In 1992, parishioners contacted the Diocese of Harrisburg by letter and telephone after learning that Lancaster City Police had arrested Allen for soliciting an undercover officer. Parishioners also heard that Allen had invited altar boys in his room at the church rectory.

In 1993, Father Paul Helwig authored a memorandum to Bishop Nicholas Dattilo, which stated he received information that Allen attended a Sex and Love Addicts Anonymous (SLAA) meeting where Allen gave the impression to members that he was a pedophile and had an "obsession with young boys."

In April 2002, a man reported to the Diocese that Allen had abused him. The man reported that he was abused from age 14 to age 18. Allen picked up the then-boy along State Street in Harrisburg during the 1990's. Allen reportedly sexually abused the boy approximately

Summary

10 to 15 times; the abuse included fondling, oral sex and mutual masturbation. The Diocese issued a penal precept suspending Allen's ability to function publically as a priest.

In a note dated July 23, 2002, Father M. McFadden stated the Diocese received a call to verify "employment" for Allen. The caller did not want any additional information, nor a reference. McFadden noted, *"I did not volunteer any additional information."*

In January 2003, another man reported abuse to the Diocese. He stated he was under 18 years old at the time of the abuse. He stated that he and others met with Allen when he was stationed in Selinsgrove. The then-boy, Allen, and the others undressed and sat in a circle around a lit candle. They all masturbated themselves. Allen paid the victims either $40.00 or $50.00 each. The man stated that anytime Allen sexually abused him, Allen paid him money.

The same man who reported to the Diocese in 2003 stated that Allen brought him to a hotel in Harrisburg when he was a teenager and they engaged in "touching" and oral sex. On some occasions, Allen and the boy watched pornographic movies. The man said prices were negotiated for sex acts. The man stated that Allen paid him between $40.00 and $80.00 depending on the sex act.

When Allen was stationed in Lancaster from 1986 to 1992, the same man who reported to the Diocese in 2003 was an adult. The reporting man stated that sexual encounters between Allen and himself continued and Allen paid him for the sexual encounters.

In July of 2004, the Diocese of Harrisburg for the Congregation for the Doctrine of the Faith produced a document regarding the process for dismissing clergy. In that document, three sexual abuse victims (two who were underage at the time of sexual abuse) were identified.

On September 28, 2005, the Congregation for the Doctrine of the Faith presented and supported a petition presented by the Diocese of Harrisburg to dismiss Allen from the clergy. Pope Benedict XVI granted the dispensation on February 17, 2006.

In December of 2016, another man contacted the Diocese of Harrisburg. As a minor, and altar server, Allen made the boy engage in strip poker in 1971. Allen also took the boy to his private quarters at the rectory.

Reverend Francis A. Bach

Biographical Information

YEAR OF BIRTH:	1936
YEAR OF DEATH:	2010
ORDINATION:	May 19, 1962

Employment/Assignment History

6/01/1962-6/30/1964	St. Theresa, New Cumberland, PA
6/30/1964-5/28/1965	St. Patrick, York, PA
5/28/1965-5/29/1970	St. Patrick Cathedral, Harrisburg, PA
1/06/1967	Relieved of duties, Young Adult Ministry, Harrisburg, PA
5/29/1970-6/24/1970	St. Joseph, Danville, PA
6/24/1970	Appointed Area Scout Chaplain, Columbia-Montour area
8/27/1970	Coordinator, Family Life Apostolate
10/04/1971	Campus Minister, Millersville University, Lancaster, PA
9/03/1974	St. Joan of Arc, Hershey, PA
4/15/1975	Inappropriate behavior with adult at seminary
5/14/1975-4/12/1976	St. Rose of Lima, York, PA
4/14/1976	Leave of Absence
10/19/76-8/01/1977	Annunciation Blessed Virgin Mary, McSherrystown, PA
8/01/77-12/01/1980	Holy Family, Harrisburg, PA
12/01/80-4/21/1983	Assumption Blessed Virgin Mary, Lebanon, PA
4/22/91	Appointed Dean, Lebanon, PA
5/09/94	Resigned; early retirement

Summary

In a letter dated May 1, 2007, Bishop Kevin C. Rhodes informed the Congregation for the Doctrine of Faith of complaints that Bach sexually abused minors. Rhodes attached multiple exhibits to the letter. The first report of abuse concerning Bach occurred in 1994. A man reported that in 1969, when he was 13 years old, Bach invited him to his boat in Maryland. They went to sleep in separate beds on the boat. The then-boy woke to Bach stroking his penis. The man stated the sexual abuse included kissing and oral sex. The man also reported Bach took Polaroid pictures of his naked body.

Father Paul Helwig interviewed Bach. Bach did not admit, nor deny the allegation concerning the boat incident. When asked if there were other situations like this one with the boy discussed above, Bach admitted there were. Bach stated he recognized his situation was a "timebomb;" he was willing to leave active ministry, but he did not request laicization.

Summary

The Diocese issued Bach a penal precept and sent Bach to be evaluated at St. John Vianney Center. A Diocesan document summarizing his treatment stated Bach admitted to sexually abusing 14 victims, between 14 and 16 years old.

In 2002, the Diocese of Harrisburg learned that Bach abused another victim, whose identity at that time was unknown. This victim stated Bach sexually abused him in the 1970's on Bach's boat in Maryland and in the Cathedral parish in Harrisburg. This victim reported that Bach and another priest jointly owned the boat in Maryland. This victim died in 2004.

In 2007, the Diocese received an e-mail from another man. When this man was in the fifth or sixth grade, he was sexually abused three times. The then-boy was 12 years old during the first incident when Bach touched him inappropriately while staying in a motel.

The second incident of abuse also occurred in a motel. The boy swam in the motel's pool. When he returned to the motel room, he removed his swimsuit and was naked. He turned to find Bach was also naked. Bach wrestled with the boy, which led to Bach attempting to anally penetrate the boy.

When the boy was 17 years old, Bach took him to his boat in Maryland. Bach gave him alcohol and attempted to anally penetrate the boy.

In 2007, Bishop Rhoades sent a summary of Bach's sexually abusive behavior to the Congregation for the Doctrine of the Faith. Rhoades wrote that he did not believe there was a need for any trial or process, judicial or administrative. Bach was living his life in *"basic solitude, doing good when he can,"* and *"spending time in prayer and penance, trying to make reparation for the harm he has caused others through his acts of sexual abuse that occurred early in his priesthood."* Rhoades also stated, *"[f]urthermore, the true reason Francis Bach left all priestly ministry is unknown to others. If his case is now brought to trial or given any kind of publicity, I fear it will cause scandal to many, as he is still a priest who is beloved by many in our diocese."* The Congregation for the Doctrine of the Faith agreed with Rhoades.

In 2009, another man came forward and reported to the Diocese that he was abused by Bach. The then-boy was between 9 and 13 years old when Bach took him to a motel to stay overnight. Bach directed the boy to remove his clothes. The boy complied and undressed to his underwear. Bach photographed the boy in his underwear. Bach then removed his clothes and wrestled with the boy. Bach fondled the boy and anally penetrated the boy. Afterwards, the boy showered and Bach fondled the boy's penis again.

The Diocese interviewed Bach about this allegation in 2009. Bach stated he could not remember the incidents raised by the victim in 2009. Bach stated, "with my history, anything is possible. I'm not saying he is fabricating the story."

In 2016, the Diocese received a phone call from another man. This man was an altar boy at St. Patrick in York in 1960. He stated that he was eight years old when Bach fondled him.

Reverend Jesus Barajas

Biographical Information

YEAR OF BIRTH:	1947
YEAR OF DEATH:	N/A
ORDINATION:	June 6, 1982

Employment/Assignment History

3/1987-11/1989	Office of the Vicar for the Spanish-Speaking People (assigned to York, Lebanon and Bendersville)
11/1989	Columbia, South America

Summary

Father Jesus Barajas was a Trinitarian Father from Columbia who assisted the Diocese of Harrisburg with the Spanish speaking population of York and Lebanon. On June 30, 1989, Monsignor Hugh Overbaugh wrote a memorandum to Monsignor Damian McGovern. Overbaugh noted that Father Bernardo Pistone cited ongoing problems with Barajas and whether Barajas should continue to serve in the Diocese of Harrisburg. Overbaugh described that Pistone outlined three specific concerns related to Barajas. One of those concerns provided, *"[i]n spite of past allegations with respect to his associations with the youth of the parish about which he received special warnings, he continues these associations."*

In a letter dated November 7, 1989, Pistone informed McGovern that he received two telephone calls from parishioners that *"quite clearly repeated the past accusations of child molestation."* Pistone asserted in the letter that he knew the parishioners who made the complaints and Pistone questioned their credibility. Pistone stated, *"I think that the accusation of child molestation has no basis, however, because of his immaturity and other bad habits people could easily read them in the wrong sense."* Pistone also stated he *"was hoping we could keep Father Jesus in Lebanon until the Spring changes; but, with all these issues flaring up again I do not know if it would be wise to keep him here."*

In a memorandum dated November 16, 1989, Monsignor William M. Richardson informed Edward G. Faraday that Barajas would leave the Diocese on November 20, 1989. The Diocese provided Barajas with $2,000 to help cover his transportation costs to Columbia and to help with his resettlement expenses. The Chancellor of the Diocese would later testify that this was "disturbing".

On January 17, 1990, McGovern wrote to the Very Reverend Antonio Caprarola, O.SS.T in Rome, Italy. McGovern stated, *"I deeply regret to inform you that, for many serious reasons, the life and ministry of Father Barajas proved to be most unsatisfactory and, accordingly, he was asked to terminate his association with the Diocese of Harrisburg."*

Summary

On June 16, 1995, Father Paul Helwig wrote a memorandum to the file of Barajas. Helwig stated that the Archdiocese of New York had contacted the Diocese of Harrisburg. An allegation that Barajas committed sexual misconduct was presented to the Archdiocese of New York. The Archdiocese stated, *"there were some concerns raised about Father Jesus, but nothing specific was presented."* Based on a letter written by the Diocese of Harrisburg, the Archdiocese was informed that the Diocese of Brooklyn denied Barajas faculties.

Reverend Richard J. Barry

Biographical Information

YEAR OF BIRTH:	1949
YEAR OF DEATH:	N/A
ORDINATION:	May 20, 1978

Employment/Assignment History

9/02/1981-7/1983	St. Joseph, Dallastown, PA
1983	Reassigned by his community
9/01/1984-9/02/1986	St. Margaret Mary, Harrisburg, PA
9/02/1986	Recalled by religious community
1991	Leave of Absence

Summary

On April 5, 2001, Father Edward Malesic wrote a memorandum to the file of Father Richard J. Barry. He received a phone call from a woman who reported that Barry had molested her son when her son was an elementary school age student from 1978 to 1980.

On April 6, 2001, Malesic wrote a memorandum regarding a phone conversation with Father Dave Kalert, the Provincial of the Eastern Province of Oblates of Mary Immaculate. Malesic informed the Provincial that a report of sexual misconduct was made against Barry, which occurred at the St. Margaret Mary church in the late 1970's.

Kalert stated that Barry was not in active ministry because he took a leave of absence 10 years prior, in 1991, at Kalert's request. Kalert stated he did not recall any allegations of sexual misconduct against Barry, however, *"there were some indications of strange situations with him."*

In 2002, a second man reported a sexual abuse allegation against Barry to the Diocese. The man, age 11 at the time of the abuse, reported to the Diocese that Barry developed a friendship with the then-boy's mother, who was going through a divorce at the time. The man recalled this was between 1981 and 1982. On one occasion, the then-boy stated he went to Barry's mother's house in Philadelphia and stayed the night. Barry asked the boy if he wanted to stay in Barry's father's bed or with him. Barry informed the boy that his father was an old man who sweated a lot and his father's bed probably smelled bad. The boy decided to sleep in the same bed with Barry. The boy woke up to Barry fondling him and then performing oral sex on him. He was reassured by Barry that *"it was O.K."*

The man who reported abuse to the Diocese in 2002 remembered another boy, about his same age at the time, who spent time with Barry. He stated this boy had a similar experience

Summary

with Barry. This boy developed issues with alcohol and drug use. The man who reported abuse to the Diocese in 2002 stated the other boy committed suicide.

In December 2002, a third allegation of sexual abuse against Barry was reported to the Diocese. A male called the Diocese and stated in approximately 1985 or 1986 his son was a victim of sexual advances by Barry while on a trip to Twin Falls, Minnesota.

On August 9, 2004, Bishop Nicholas Dattilo summarized the Diocese's review of the third report of sexual misconduct made against Barry. Dattilo stated the victim was unwilling to discuss the matter. Dattilo also stated Barry was not under his supervision, did not hold office in the Diocese, did not live within the Diocese's territory, and would not be reassigned to ministry within the Diocese. Dattilo then stated the Diocesan investigation into this matter was concluded.

Reverend James Beeman

Biographical Information

YEAR OF BIRTH:	1926
YEAR OF DEATH:	2016
ORDINATION:	May 30, 1953

Employment/Assignment History

6/0419/53-5/29/1958	St. Mary Church, Lancaster, PA
5/29/1958-8/20/1959	St. Patrick, Carlisle, PA
8/20/1959-6/02/1961	St. Joseph, Danville, PA
6/02/1961-6/30/1964	St. Columba's, Bloomsburg, PA
6/30/1964-7/10/1968	Our Lady of Visitation, Shippensburg, PA
7/10/1968-9/15/1968	St. Joseph, Milton, PA
9/15/1968-11/13/1968	St. Ignatius, Centralia, PA
11/13/1968-10/10/1969	St. Francis of Assisi, Harrisburg, PA
10/10/1969-1/20/1973	Our Lady of Blessed Sacrament, Harrisburg, PA
1/20/1973-3/19/1973	St. Columba, Bloomsburg, PA
3/19/1973-2/19/1975	Inner-city ministry,
2/19/1975-3/26/1975	Sacred Heart, Williamstown, PA
3/26/1975-4/21/1977	Inner-city ministry,
4/21/1977-4/25/1980	Our Lady of Blessed Sacrament, Harrisburg, PA
4/25/1980-7/01/1980	Inner-city ministry,
7/01/1980-12/02/1991	Chaplain, Harrisburg State Hospital
1/22/1981-7/07/1983	Our Lady of Blessed Sacrament, Harrisburg, PA
7/07/1983-12/02/1991	Chaplain, State Correctional Institution, Camp Hill, PA

Summary

In July of 1991, a woman reported that Father James Beeman sexually abused her daughter at St. Columbia in Bloomsburg from 1961 to 1964. When her daughter was eight years old, the mother remembered seeing blood in her daughter's underwear. The daughter reported to the Diocese of Harrisburg in September 1991 that Beeman sexually assaulted her four times from 1961 to 1973. The daughter reported the following information, which was documented in a Diocesan summary of all allegations against Beeman.

1) In catechism class, Beeman set up a projector to show films and held the daughter on his lap and touched her inappropriately;

2) At age seven, the daughter had her tonsils removed and she was recovering in the hospital. Beeman raped her when he visited the hospital room;

Summary

3) At age 13, he came to her house when her parents were away. He raped her at her house;

4) At age 19, the abuse continued. Beeman raped her when she was pregnant;

5) Due to the constant abuse by Beeman, the daughter considered suicide.

Beeman was confronted about the allegations in October 1991. He admitted the sexual abuse of this victim. He was issued a penal precept that revoked any priestly faculties. In February 1992, the Diocese sent Beeman for an assessment. Diocesan officials summarized his treatment and included the following:

1) From 1953 to 1958, Beeman sexually abused a girl, who was age six to 12 during that time frame, by fondling her genitals on two to three occasions;

2) In 1968, he fondled the genitals of a six year old girl, approximately three to four times;

3) In 1972, he fondled the genitals of a 6 year old girl twice.

In 2002, the victim from the 1953 to 1958 sexual abuse came forward and reported her molestation. She stated Beeman kissed her and fondled her genitals. The Diocese spoke with Beeman regarding the victim's allegations from 1953 to 1958. Beeman admitted to the allegations and stated he had a "deep love" for this victim. He stated she was *"still in my mind; I guess I am still in love with her."* He kept pictures of this victim. Beeman turned over to Diocesan officials the following items: one large framed portrait of this victim, one medium framed portrait of this victim, and five photographs of this victim. He admitted to Diocesan officials that he sexually abused seven young girls while a practicing priest in the Diocese of Harrisburg. In September 2014, Bishop Ronald Gainer submitted Beeman's acts to the Congregation for the Doctrine of the Faith for final resolution. Bishop Gainer wrote, *"I believe that the scandal caused by his admission of the sexual abuse of minor girls has been sufficiently repaired by his acceptance of the penal precepts."* The Congregation for the Doctrine of Faith responded that the Dicastery carefully and attentively studied the facts for review and decided Beeman was to live a life of prayer and penance.

In November 2016, another woman came forward and stated that when she was a child Beeman forced his tongue down her throat while having her sit on his lap.

Reverend John Bostwick

Biographical Information

YEAR OF BIRTH:	1941
YEAR OF DEATH:	N/A
ORDINATION:	May 17, 1969

Employment/Assignment History

1976-1990	St. Catherine Laboure, Harrisburg, PA (weekends, holidays and summer)
12/05/1990-10/23/1991	St. Leo the Great, Lancaster, PA
10/23/1991-2/17/1992	Assumption Blessed Virgin Mary, Lebanon, PA
2/17/1992	Transferred to Lafayette, Louisiana

Summary

In December 1989, Bishop Walter Sullivan, of the Diocese of Richmond, wrote a letter to the Diocese of Harrisburg Chancery Office regarding Father John Bostwick. Sullivan learned that Bostwick was staying in Harrisburg at St. Catherine Laboure church. Bostwick did not have permission to minister in the Diocese of Harrisburg because he did not cooperate with the Bishop of Richmond's efforts to have Bostwick receive proper counseling. The Diocese did not suspend him; however, the Diocese did not give him any assignments. In 1990, Bostwick officially received permission to minister outside of the Diocese of Richmond.

In March 1996, Father Paul Helwig and Monsignor Hugh Overbaugh wrote a memorandum to Bishop Nicholas Dattilo regarding an accusation made against Bostwick concerning the 1980 to 1982 time period. Bostwick befriended a family and eventually stayed overnight at their house. The family had a boy between 12 and 14 years of age. The boy drank beer with Bostwick and Bostwick fondled the boy's genitals. Bostwick took the boy to St. Mary's Seminary when school was out of session. Bostwick fondled the boy's genitals while the boy was sleeping overnight. The last incident involved Bostwick attempting to have the boy touch Bostwick's genitals. The boy became scared and locked himself in a room. The boy remembered Bostwick becoming emotional, falling to the floor crying and apologizing to the boy. Bostwick expressed his regret. In 1997, Sullivan authored a report that provided that Dattilo informed Sullivan that Bostwick was not welcomed back in the Diocese of Harrisburg. The Diocese of Harrisburg issued a public statement regarding Bostwick in the newspaper.

According to Diocesan documents, another man contacted the Diocese to make a report of abuse. During the summer of 1987, the man was between 14 and 15 years old and went to Bostwick's home in Virginia. Bostwick attempted to *"make genital contact with him"* but did not persist when the then-boy rejected his attempt.

Summary

In 2002, the same victim made the same report to the Diocese of Harrisburg regarding an attempt at inappropriate touching that occurred in 1987 when he was between 14 and 15 years old. He stated he passed out from drinking alcohol while he watched a movie with Bostwick. He woke up in another room when Bostwick reached for his genitals and he stopped Bostwick from making contact.

Reverend Donald Cramer

Biographical Information

YEAR OF BIRTH:	1970
YEAR OF DEATH:	N/A
ORDINATION:	June 2, 2001

Employment/Assignment History

6/2001-6/2004	Good Shepherd, Camp Hill, PA
6/2004-6/2005	St. John the Baptist, New Freedom, PA
6/2005-2/2006	Leave of Absence
6/2006-6/2010	Christ the King Mission & Bloomsburg University
6/2010-8/2012	St. Monica
8/2012	Leave of absence
11/2014	Dispensed

Summary

Diocesan documents contained information summarized below.

On August 17, 2012, the Department of Homeland Security and the Postal Inspection Service were present at the Diocese of Harrisburg for an investigation into Father Donald Cramer. The investigation revealed that Cramer was in an online chatroom using the screen name "Bigmark512." While online, he communicated with an individual in Connecticut who was charged criminally for possessing child pornography. In his online communications, Cramer mentioned he wanted to go to Mexico where he could "rent" boys. After an investigation, Cramer was not arrested because he was not in possession of child pornography. However, the Department of Homeland Security's investigative report listed, in detail, the nature of the e-mail communication where Cramer expressed an interest in minor boys. The Department of Homeland Security eventually terminated its investigation and closed its file.

The Diocesan files for Cramer also contained a letter that Cramer wrote to Pope Francis in September of 2013, where Cramer requested dispensation from the priesthood. He was officially dispensed in November of 2014.

Chancellor Carol Houghton of the Diocese of Harrisburg wrote a handwritten note dated January 24, 2013, which described a summary of a forensic examination of an electronic device that Cramer possessed. A forensic company in Harrisburg conducted the examination. The examiner told Houghton that Cramer *"was 'definitely' looking for underage boys/teens (w/ all the websites w/ those names) – then he shifted to hardcore sites."*

[redacted]

Summary

[redacted]

REDACTED -- ONGOING APPELLATE LITIGATION

Reverend Walter Emala

Biographical Information

YEAR OF BIRTH:	1927
YEAR OF DEATH:	2008
ORDINATION:	1952

Employment/Assignment History

1981-1985	Part-time (functioned without faculties); St. Peter, Mount Carmel, PA
1981-1985	St. John, New Freedom, PA

Summary

In May 1979, the Diocese of Memphis wrote to the Diocese of Harrisburg and stated that Father Walter Emala was *"once accused of sexually handling some of the children where he was an associate, but this does not seem to have been proven definitely."* On May 31, 1979, then Chancellor William Keeler responded to the Diocese of Memphis, in writing and stated, *"in light of the information which you provide, this diocese certainly would not refrain from the granting of the faculties to Emala for occasional, weekend help."*

In December 1985, a memorandum was written by Keeler that reported that Emala had been *"accused of being overly and overtly familiar with certain boys"* by parents in St. Peter's parish. The memorandum noted the parents made reports to the parish priest, Father Frederick Farace. There was no abuse reported. The parents stated Emala gave boys wine and the parents were concerned about over familiarity. One parent was "*a state policeman*" who spoke to Farace at length. Keeler noted Emala was informed he no longer had faculties in the Diocese of Harrisburg.

In a letter dated March 8, 1986, Farace wrote to Keeler regarding Emala. The letter stated that the parents of three boys ages 12, 13, and 13, reported to Father DiChico *"about what they termed undue familiarity between Father Emala and their boys."* Some person or persons contacted Children and Youth Services concerning the incident involving Emala from December 1985. The parents complained to the Diocese that they were disturbed that their children were questioned regarding the incident.

On April 29, 1986, Monsignor Overbaugh wrote a letter to the Chancellor of the Diocese of Memphis. The letter stated that in 1979 the Diocese of Harrisburg did not accept Emala and he was not granted faculties to minister. Overbaugh stated, *"unbeknown to the Chancery,"* Emala was invited to assist a priest in a parish. Keeler was going to withhold the granting of faculties to Emala should he have sought pastoral ministry in the Diocese of Harrisburg. However, as described above, then Keeler in 1979 stated the Diocese would grant faculties to Emala for occasional, weekend help, which contradicts the statement in Overbaugh's letter.

Summary

In December 2002, a woman called the Diocese of Harrisburg and spoke with Father William King. She reported that she heard that a woman in Mount Carmel saw Emala kissing an altar boy on the lips in 1985. In January 2003, the woman who actually witnessed Emala kiss the altar boy reported the kissing incident to the Diocese. King contacted Father Thomas Kujovsky and asked if he had any recollections of Emala. Kujovsky recalled Father Farace telling him that he once walked into Emala's room at the rectory and found a *"shoe-box full of photographs of adolescent males, all undressed from the waist up."*

In 2004, the Diocese of Harrisburg wrote to "Rev. Walter Emala." The Diocese told Emala the statute of limitations for criminal prosecution is suspended when an accused leaves Pennsylvania. The Diocese informed Emala, *"In order to avoid scandal and to avoid exposing you to continued accusation and possible criminal investigation, it is important that you not be present at any time within the territory of the Diocese of Harrisburg."*

Reverend Paul R. Fisher

Biographical Information

YEAR OF BIRTH:	1967
YEAR OF DEATH:	N/A
ORDINATION:	January 1, 1977

Employment/Assignment History

1995-1997	St. Norbert, Paoli, PA
1997-1998	Archmere Academy, Claymont, Delaware
6/16/1998-6/19/2003	Queen of Peace, Millersburg, PA
6/2003	Incardinated as a Priest of the Diocese of Harrisburg
6/19/2003-6/18/2009	Sacred Heart of Jesus, Cornwall, PA
6/18/2009-6/20/2011	St. Columbia, Bloomsburg, PA
6/20/2011-6/20/2016	Our Lady of the Blessed Sacrament, Harrisburg, PA

Summary

On February 18, 2011, Bishop Joseph McFadden issued a Decree after receiving a report from the Secretary of Clergy and Consecrated Life that Father Paul Fisher made a self-incriminating report involving pornography, *"which may include child pornography."* The Decree was/is to remain in the Diocese's secret archives to safeguard the reputation of all persons involved. Fisher agreed to allow the Diocese of Harrisburg to obtain his electronic devices (laptop and cell phone) and have them forensically examined by a local company.

In February 2011, Diocesan officials interviewed Fisher. Fisher stated that he conducted online searches for pornography that included "*incest*" and *"really sick, abusive stories."* He stated that he was more interested in fantasy stories. He admitted sometimes the *"son character in the story (or eventually, the brother/sister characters) looked under 18."* He stated that he was not interested in the images, however, he noted the images depicted naked people, including *"all out porn, including penetration."* He admitted he went to nudist websites where there were images of nude children playing volleyball, but no sexual acts were depicted on said websites.

The Diocese sent Fisher for treatment and evaluation. The forensic examination of Fisher's electronic devices did not identify images depicting the sexual abuse of children, even though Fisher admitted it was possible.

Bishop McFadden placed Fisher back into ministry.

The Diocese of Harrisburg's subsequent bishop, Bishop Ronald Gainer, reviewed the restricted files in 2016. In June 2016, Gainer issued a decree to reinvestigate the matter involving Fisher due to his admission of viewing pornographic images of minors.

Summary

On June 20, 2016, the Diocese interviewed Fisher a second time. He consented to the Diocese forensically examining his current laptop, which was not Fisher's laptop from 2011. He noted he only had the new laptop for a few months, stating his previous laptop had been stolen. Diocesan officials told Fisher that they would have to turn over to the Dauphin District Attorney's Office what was found in the forensic examination conducted in 2011 of Fisher's first laptop. The Diocese gave the new laptop to the same forensic company. Later that day, Fisher called [redacted] and rescinded his consent for an examination of the new laptop and stated that he had obtained civil counsel.

A second forensic examination was conducted on the 2011 hard drive image. This time, a questionable image was found. As in 2011, numerous elicit websites were also in the search history. The Office of Attorney General obtained a search warrant, which resulted in a law enforcement forensic examination of the 2011 hard drive image (results pending).

[redacted] wrote a Diocesan document dated August 8, 2016, which appeared to summarize a conference call that occurred in the morning of that same day. The document appeared to also summarize a meeting that occurred on August 4, 2016. [redacted] stated there was a collective disappointment at the results of a risk assessment of Fisher that was conducted at St. John Vianney Center. Additionally, [redacted] also stated there was collective disappointment at the *"countermeasures he [Fisher] was believed to have employed to invalidate the results of the polygraph [administered to Fisher]."* A sentence in the document stated, *"His [Fisher] clarification on the polygraph question regarding masturbating to the images of minors, his persistent need to clarify his responses to our committee and his decision not to take a second polygraph test because of his belief that his answers 'were always more than yes or no' left Bishop Gainer with too little certitude about returning him to ministry."*

On August 8, 2016, Fisher was discharged from the evaluation program at St. John Vianney Center and requested to reside at the Canonry of his former's Order, the Norbertines in Delaware. Gainer wrote a letter to the Bishop of Wilmington, Delaware, advising him of Fisher's stay at the Norbertines' Canonry and he has no active ministry at this time. He noted that Fisher wished to return to the Norbertine community and be reinstated as a Norbertine priest instead of a Diocesan priest. Gainer also noted he was sending paperwork to the Congregation for the Doctrine of the Faith for guidance and advice. He noted: "if he is at that time considered suitable for active ministry, I will then be willing to consider his return to active ministry as a Norbertine."

Chancellor Carol Houghton of the Diocese of Harrisburg testified before the Grand Jury on October 20, 2017. She stated she had a great concern with Fisher being placed back in ministry in 2011 when he admitted to viewing images of naked children. Houghton stated she questioned McFadden about his decision. McFadden told her to forget it because nothing was found criminal on the laptop. Chancellor Houghton reviewed the clergy files in 2016 and remained concerned with how the Diocese handled the Fisher matter in 2011. She raised her concern to [redacted] and they approached Gainer, which resulted in the Diocese interviewing Fisher again in 2016, which is summarized above.

REDACTED -- ONGOING APPELLATE LITIGATION

Harrisburg Priest #1

Biographical Information

Omitted

Employment/Assignment History

Omitted

Summary

[redacted]

In [redacted], a parent reported to the Diocese of [redacted] that his son had a close relationship with this priest, which started when the boy was a senior in high school. [redacted].

A memorandum located this priests' restricted file, dated [redacted], detailed an anonymous report to the Diocese. The anonymous caller stated [redacted]

[redacted]

REDACTED -- ONGOING APPELLATE LITIGATION

Harrisburg Priest #2

Biographical Information

Omitted

Employment/Assignment History

Omitted

Summary

A Grand Jury subpoena was served on the Diocese of Harrisburg in September of 2016. While reviewing documents to turn over pursuant to the subpoena, the Diocese identified an allegation from [redacted] against a priest, which the Diocese did not follow up on. [redacted]

In [redacted], a mother reported to Father [redacted] that she believed her [redacted] may have been molested by a priest at [redacted] spoke with the mother and stated this priest denied the allegations, even though [redacted] and this priest did not know what abuse was alleged. The mother stated the [redacted] were [redacted] and she believed abuse occurred then.

A Special Agent of the Pennsylvania Office of Attorney General, Bureau of Criminal Investigations, interviewed the mother in December of 2016. She could not recall the priest's name. She stated her [redacted] denied ever being abused. She stated her [redacted] never made allegations, but she felt there were "signs" of possible abuse. She also stated the boys would most likely not talk with law enforcement. The Special Agent attempted contact with the alleged victims. Neither victim responded.

This priest spoke with the Office of Attorney General. He stated he was made aware of an allegation against him in [redacted] by [redacted]. This priest noted he was not told what the actual accusation entailed. This priest stated he was never interviewed, sent for counseling or treatment, nor placed on leave in [redacted] It was not until he looked at his Diocesan file to find out what happened concerning the accusation. He stated he did so to find out the outcome and if anyone was identified as the abuser.

REDACTED -- ONGOING APPELLATE LITIGATION

Deacon Donald "Tim" Hackman

Biographical Information

YEAR OF BIRTH:	1946
YEAR OF DEATH:	N/A
ORDINATION:	June 4, 1983

Employment/Assignment History

1983-1999	St. James, Lititz, PA

Summary

The Diocese of Harrisburg's restricted file for Deacon Donald "Tim" Hackman contained a resignation letter dated January 22, 1999, and a Decree dated February 3, 1999. Hackman had mailed child pornography to an undercover law enforcement officer. The federal government charged him with crimes. Bishop Dattilo issued a Decree, which noted Hackman's *"sincere and credible display of remorse"* and he was forbidden to exercise functions of any ecclesiastical office. Documents in the restricted file also showed the Diocese offered and followed through with counseling for Hackman.

The church asked the parishioners to pray for Hackman and his family during a difficult and trying time. The allegations against Hackman were reported in a newspaper in 2001 when Hackman pled guilty to the federal charges described above. Parishioners complained to the Diocese and the parish after they read the newspaper article. The Diocese had not notified the parishioners of the real reason for Hackman's departure.

The Diocese wrote, *"civil authorities saw no reason to make the arrest public, which they would have done if they felt that it was necessary to protect children or to gain testimony from others."* This was the Diocese's justification for not notifying the parishioners of the reason for Hackman's resignation.

Reverend T. Ronald Haney

Biographical Information

YEAR OF BIRTH:	1952
YEAR OF DEATH:	2012
ORDINATION:	May 15, 1958

Employment/Assignment History

5/20/1958-6/02/1961	St. Anne, Lancaster, PA
6/02/1961-8/01/1961	St. Peter, Columbia, PA
8/01/1961-12/14/1961	Assumption BVM, Lancaster, PA (canonical reasons)
12/14/1961-9/12/1963	St. Peter, Columbia, PA (canonical reasons)
9/12/1963-6/30/1964	Sacred Heart, Lancaster, PA (canonical reasons)
6/30/1964-1/12/1967	St. James and Bishop McDevitt High School
6/12/1967-6/02/1967	St. Ann, Steelton, PA (canonical reasons)
6/02/1967-6/02/1970	St. Edward, Shamokin, PA
6/02/1967-1/22/1976	Our Lady of Lourdes Regional High School, St. Edward; St. Anthony of Padua, Shamokin, PA
1/22/1976-6/18/1981	Holy Spirit, Palmyra, PA
6/18/1981-6/28/1985	St. Ann, Steelton, PA
2/28/1985-7/31/1992	St. Catherine, Harrisburg, PA
7/31/1992-3/03/2006	St. Theresa, New Cumberland, PA (canonical only)
3/03/2006	Retired

Summary

Father T. Ronald Haney entered the priest seminary at age 14. He attended the seminary until being ordained a priest in the Diocese of Harrisburg in 1958.

Diocesan officials wrote memorandums wherein officials noted that in 1995 a husband and wife informed the Diocese that Father Haney was a family friend who frequented their household for dinner. The family had a seven year old daughter and a four year old son. One evening, the parents' heard Haney say to their daughter, *"I guess you have heard about pedaphilia [sic]."* He repeated the sentence a second time after the daughter's mother overheard and called his name.

The daughter's mother also reported that another female parishioner confided in her that Haney commented that her daughter had a *"cute firm ass."* This comment was made before Christmas of 1994. On Christmas Day, Haney stopped at the second woman's home. He put his hand on the daughters' buttocks and said *"she has a nice tight ass."* The woman stated, after speaking with her husband, they felt this was an *"error in judgment"* by Haney.

Summary

After speaking with Diocesan officials, the first daughter's mother and the female parishioner who confided in her about another allegation of abuse, decided to confront Haney regarding their complaints and concerns. The women reported back to the Diocese that Haney felt embarrassed and hurt and *"apologized profusely for the difficulties he caused them."*

Reverend John Herber

Biographical Information

YEAR OF BIRTH:	1939
YEAR OF DEATH:	N/A
ORDINATION:	N/A

Employment/Assignment History

7/10/1980-7/29/1982	St. Joseph Convent & School, Columbia, PA
8/01/1995-2/18/1998	St. Ann Home, Columbia, PA

Summary

A memorandum dated April 29, 1997, provided that a priest stationed in Lancaster received a disturbing report of sexual misconduct from a parishioner. The parishioner attended one Mass that was celebrated by a visiting priest, Father John Herber. The parishioner recognized the priest. The parishioner was aware of an abuse allegation made against Herber in 1990. Bishop Nicholas Dattilo issued a Decree authorizing an investigation.

According to a handwritten memorandum dated July 30, 1997 by [redacted], a woman called the Diocese of Harrisburg and reported that Herber abused her when she was seven years. In a report dated July 30, 1997, [redacted] wrote: *"at the age of 7 she was molested by a religious priest.* [redacted]." The molestation occurred between 1981 and 1982. The victim told her father in 1990 when she was 15 years old. Her father then reported the molestation to the Missionaries of the Precious Blood Order.

Father Paul Helwig searched Herber's file and found a statement from the Superior of the Precious Blood Order that was dated March 13, 1995. The statement provided: *"to the best of my knowledge in the external forum, I am of the opinion that Father Herber is of good character and reputation. I believe that he is qualified to perform his ministerial duties in an effective and suitable manner. More specifically, I have not been made aware of any pattern of sexual abuse."*

In a memorandum from 1997, Helwig contacted the Missionaries of the Precious Blood Order and requested a statement about Herber. The Provincial of the Order stated he recalled a report about inappropriate touching of a young girl and that Herber was sent for treatment. The report provided that the victim rode in a car and Herber touched her genitals.

On August 1, 1997, the Order sent a statement outlining that Herber was sent for an evaluation and received treatment in 1991. He received aftercare treatment from 1991 to 1993. As of 1997, he had attended AA (alcoholics anonymous) and SA (sexaholics anonymous) meetings for approximately four years.

REDACTED -- ONGOING APPELLATE LITIGATION

Summary

Memorandums are contained in the Diocese's records that outline discussions with the Provincial for the Precious Blood Order and Helwig regarding when to remove Herber from ministry in the Diocese of Harrisburg. The Diocese requested the Provincial recall Herber. They allowed Herber to remain in active ministry until February 18, 1998, when he was transferred by his order.

According to Diocesan documents, in 2012, a woman called the Diocese of Harrisburg to report she was molested by Herber (the woman's sister has also alleged that Herber had abused her). The woman was four years old and alleged Herber digitally penetrated her. This occurred between 1982 and 1983. She wanted to know what happened to Herber. The Diocese contacted the Missionaries of the Precious Blood Order and determined that Herber was living as a *"lay brother."* Herber had no sacramental ministry and was on a safety plan, monitored, and was repentant and compliant.

Bishop Joseph McFadden sent a letter to the Provincial in 2012 informing him that Herber does not have any faculties in the Diocese of Harrisburg. The Provincial responded to McFadden and stated, *"with the announcement of the Charter for the Protection of Children in May of 2002, John was removed from all ministry."* This letter also mentioned a third victim reporting that Herber abused her. This allegation was made by another sister of the original victimized family. The Order allowed Herber to remain in active ministry from the time of the 1997 report until 2002.

Philip Hower

Biographical Information

YEAR OF BIRTH:	1969
YEAR OF DEATH:	N/A
ORDINATION:	Never ordained

Employment/Assignment History

1981	Seminarian at Pontifical College, Josephinum

Summary

Philip Hower was a seminarian sponsored by the Diocese of Harrisburg in 1985. The Diocese discontinued the sponsorship of Hower. In a Diocesan letter, the Diocese stated he was *"brusque and officious in his dealings with others,"* and he asked sexual inquiries of people and was too negative of a person.

Hower's sister wrote to the Diocese of Harrisburg in 1988 and reported that Hower molested her son while her son was between ages five and seven. She alleged Hower performed oral sex on her son. The alleged victim never came forward.

At the time of the 1988 report, Hower was a seminarian for the Diocese of Tucson, Arizona. He was never ordained. The Diocese informed the Diocese of Tucson of the allegations made by Mr. Hower's sister.

Reverend Kevin Kayda

Biographical Information

YEAR OF BIRTH:	1985
YEAR OF DEATH:	2013
ORDINATION:	June 1, 2013

Employment/Assignment History

6/01/2013-10/03/2013	St. John the Baptist, New Freedom, PA

Summary

In September of 2013, the Diocese of Harrisburg received a complaint from a concerned parent. The parent reported that Father Kevin Kayda was having inappropriate online communications with their minor daughter on Facebook. The Diocese confronted Kayda and requested permission to forensically examine his computer. Kayda consented to the forensic examination. On October 1, 2013, Kayda's electronic items were turned over to a forensic company. The Diocese also prepared to send Kayda to St. John Vianney Center for treatment. The forensic examination revealed pornographic material that included "adolescents." On October 3, 2013, Kayda committed suicide. Kayda wrote multiple suicide notes; Kayda alluded to being an abuse victim, but he did not disclose the name of his alleged abuser.

Reverend Edward Konat

Biographical Information

YEAR OF BIRTH:	N/A
YEAR OF DEATH:	N/A
ORDINATION:	June 13, 1975

Employment/Assignment History

5/28/1987-10/08/1987	Asst. Pastor St. Theresa, New Cumberland, PA

Summary

In August of 1987, Monsignor Hugh Overbaugh wrote a memorandum to Bishop William Keeler regarding Father Edward Konat. Overbaugh received a phone call from the Diocese of Salt Lake City, Utah. The Diocese of Salt Lake advised that they heard Father Konat was working in the Diocese of Harrisburg. While Konat was at the Diocese of Salt Lake, he was accused of pedophilia. Konat had been accused at least four times of sexual advances towards young boys. On one occasion, Konat conducted "scrotum" checks of minor boys. His priestly faculties were withdrawn.

According to a memorandum by Overbaugh in August of 1987, Keeler requested Konat resign because Konat failed to disclose the allegations against Konat from the Diocese of Salt Lake. In November of 1987, the Diocese notified the Province of the Society of Jesus regarding Konat.

Diocesan documents provide the following information. In June 1988, the Diocese of Miami contacted the Diocese of Harrisburg regarding Konat. Keeler noted that he received and contacted the references provided by Konat in 1987. The references checked out positively. Overbaugh reported to the Diocese of Miami that Konat had not disclosed the events from Utah. Overbaugh advised Konat to disclose his past history to the Diocese of Miami. Overbaugh advised that Keeler affirmed that Konat *"worked well in the short amount of time he served in the Diocese of Harrisburg but could not condone the fact that Father Konat had deliberately withheld information concerning his time spent in Utah."*

Reverend George Koychick

Biographical Information

YEAR OF BIRTH:	1922
YEAR OF DEATH:	N/A
ORDINATION:	April 2, 1949

Employment/Assignment History

4/22/1949-9/23/1949	Annunciation Blessed Virgin Mary, McSherrystown, PA
9/23/1949-5/23/1952	St. Francis of Assisi, Harrisburg, PA
5/23/1952-6/04/1953	Our Lady of Mt. Carmel, Mount Carmel, PA
6/04/1953-5/23/1957	St. Joseph, York, PA
5/23/1957-11/08/1957	Assumption Blessed Virgin Mary, Lebanon, PA
11/08/1957-10/02/1962	Chaplain, Penna. Industrial School
10/02/1962-11/24/1967	Sacred Heart, Williamstown, PA
11/24/1967-6/18/1981	St. Patrick, York, PA
6/18/1981-6/04/1997	Church of the Holy Spirit, Palmyra, PA
1997	Retired

Summary

Multiple individuals alleged that Father George Koychick sexually abused them. In 2003, a woman notified the Diocese of Harrisburg via an anonymous e-mail account. The woman stated in the 1970's, when she was 13 or 14 years old, Koychick touched her sensually. He rubbed her upper thighs. She reported that Koychick rubbed multiple girls. This occurred at St. Patrick's, York.

Diocesan officials followed up on the e-mail complaint. A report summarizing an interview between the Diocese and Koychick was located in Koychick's Diocesan files. Koychick was asked if there was any truth to the allegation of sexual touching of minor girls. Koychick responded, *"yes, it was when I was going through a touchy/feely time in my life."* Koychick stated he had eighth grade girls record the collections the church received from attendees at the rectory. He sat close to girls and touched or patted the girls' inner thighs or the top part of their thighs. He admitted touching skin on skin, under the girls' skirts. Koychick admitted *"it was sensual rubbing."* He stated he sensually touched multiple young girls. He admitted that one time he touched the breasts of one young girl, but immediately apologized afterwards. He admitted he felt an attraction to the young girls and the touching was for his own sexual pleasure. Koychick stated, *"This is a test of ones [sic] faith. I have prayed over this for years. I have lived in fear for years wondering if anyone would come forward with an allegation…I have said more Acts of Contrition than anybody."*

Koychick was immediately suspended from active ministry and issued a penal precept. In 2004, the Diocese of Harrisburg authored a document noting a 2003 allegation that provided:

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"By the actions taken (removing him permanently from all active ministry, forbidding him from residence in any rectory, and admonishing him to lead a life of prayer and penance), Bishop Dattilo believed that the harm done by his past actions has been sufficiently repaired, and therefore did not seek his dismissal from the clerical state." Koychick was allowed to remain retired. In 2005, the Diocese of Harrisburg and the Archbishop of Alabama granted Koychick permission to celebrate a funeral mass for his sister. There was to be no publicity regarding his celebration of mass.

In 2013, another woman came forward and made a report to the Diocese of Harrisburg against Koychick. She asserted that she was abused from age 12 to age 15, between 1976 and 1979. She reported that Koychick touched her breasts over top of her clothing. She reported that Koychick also exposed his genitalia. This occurred while Koychick was at St. Patrick's in York. Koychick took the victim on boating trips and touched her breasts on the trips. She stated he never touched her in the rectory. An additional penal precept was issued detailing the suspension of priestly activities.

A news article dated March 24, 2014, from Fairhope, Alabama, announced the Marietta Johnson Museum was planning a christening of its Memory Garden and its donors. Listed as a donor was "Father George Koychick." This was a direct violation of the penal precept issued May 10, 2013, which stated in relevant part: *"You are not to present yourself as a priest or a cleric. Accordingly you may not wear the attire appropriate to the clerical state, or employ the title 'Father' or 'Reverend'."* There was no document establishing that the Diocese of Harrisburg undertook any action concerning Koychick's violation.

The Diocese received notice that in 2015 Koychick's cousin wrote Archbishop Vigano at the Apostolic Nunciature of the Holy See in the United States asking Pope Francis to send a note of encouragement to Koychick, who was suffering his final illness. Koychick's cousin noted that Koychick resided in Fairhope, Alabama and was a Catholic priest in the Harrisburg Diocese for 64 years, currently retired.

Archbishop Vigano sent a letter to the Diocese of Harrisburg to be forwarded to Koychick. The letter stated, *"As the personal representative of His Holiness Pope Francis to the United States of America, I wish to express my gratitude for your long and fruitful ministry as a priest of Jesus Christ. During these days especially, when the accumulation of years has rendered your health frail, I pray that the good Lord may let His face shine upon you and give you His peace."* A note was found attached to the letter from Archbishop Vigano to the Diocese of Harrisburg from an unknown person that stated Archbishop Vigano should have checked with the Diocese before writing a letter. It is unknown if a copy was ever sent to Koychick.

In 2016, another victim came forward to report she was sexually abused by Koychick from 1976 to 1979. The victim stated Koychick touched her breasts and sunbathed nude.

The allegations were reported to the York County District Attorney's Office.

Reverend Thomas Kujovsky

Biographical Information

YEAR OF BIRTH:	1930
YEAR OF DEATH:	2015
ORDINATION:	May 11, 1957

Employment/Assignment History

5/23/1957-6/01/1962	St. Casimir, Kulpmont, PA
6/01/1962-8/09/1963	St. Joseph, York, PA
8/09/1963-5/29/1964	St. Catherine, Oakleigh, PA
5/29/1964-6/22/1972	Mt. Carmel Elementary School, Mt. Carmel, PA
9/23/1966-2/03/1967	Our Lady of Mercy, Roaring Creek, PA
2/03/1967-12/15/1969	St. Joseph, Locust Dale, PA
12/15/1969-6/22/1972	St. John the Baptist, Mt. Carmel, PA
6/22/1972-6/02/1983	Immaculate Conception Blessed Virgin Mary, Berwick, PA
6/02/1983-8/26/1986	St. Columbia, Bloomsburg, PA
8/26/1986-6/09/1989	Corpus Christi, Chambersburg, PA
6/09/1989-11/11/1990	St. Anne, Lancaster, PA
11/11/1990	Villa Vianney
12/15/1990	Retired
8/26/1994	Administrator Pro Tem, Villa Vianney
6/28/1995	Secretary to the Lebanon Tribunal
4/27/1999	Administrator Pro Tem at St. Peter, Elizabethtown, PA
1/01/2003	Retired

Summary

In 1981, Bishop Joseph Daley documented a report against Father Thomas Kujovsky. Two women reported to Father Coakley that a person found magazines that contained photographs of former altar boys in the nude. The items were found by Kujovsky's bed in the rectory. Bishop Daley discussed the nude photographs with Kujovsky. Daley noted Kujovsky expressed *"utter surprise and absolute disbelief concerning them."* He denied *"absolutely that he had any sexual aberrations."* Bishop Daley noted he did not reveal the source of the information and accepted Kujovsky's word. The Diocese identified one of the boys that was photographed naked. However, there was no record in the file that the child was ever interviewed, nor was there any police involvement. Kujovsky stayed in ministry.

Kujovsky wrote a letter, which is contained in Diocesan files. In the letter, he referenced what he deemed were false charges leveled against him in August of 1990. The Diocese referred Kujovsky for an evaluation after receiving the 1990 allegations. The allegation was later recanted when the accuser admitted that the allegation was made up for the sole purpose of

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trying to get money via a settlement. Kujovsky was reinstated with faculties; however, he was retired.

Reverend Thomas Lawler

Biographical Information

YEAR OF BIRTH:	1925
YEAR OF DEATH:	1987
ORDINATION:	November 1, 1955

Employment/Assignment History

11/11/1955-5/24/1960	Sacred Heart, Lewistown; Youth Chaplain and Scout Chaplain, Juniata Valley Area, PA
5/24/1960-10/26/1960	St. Aloysius, Littlestown, PA
10/26/1960-12/14/1960	Good Shepherd, Camp Hill, PA
12/14/1960-6/02/1961	St. Vincent, Hanover, PA
6/02/1961-6/01/1962	St. Joseph, York, PA
6/01/1962-10/10/1969	Annunciation Blessed Virgin Mary, McSherrystown, PA
10/10/1969-9/01/1971	St. Peter, Columbia, PA
9/01/1971-10/19/1987	Sacred Heart of Jesus, Lewisburg, PA

Summary

A document issued by Diocesan officials discussed a 2002 allegation made by a man against Father Thomas Lawler. The man stated the abuse occurred in 1963 when he was 10 years old. Lawler hugged the boy and placed his hands inside the back of the boy's pants and underwear. Lawler squeezed and fondled the boy's buttocks. The Diocese of Harrisburg reported this boy's allegation to the Dauphin County District Attorney's Office.

A Diocesan document provided that another man came forward in 2014 and notified the Diocese that Lawler abused him while Lawyer was assigned to Sacred Heart of Jesus in Lewisburg. The reported abuse started in 1985 and ended when Lawler died in 1987. The man was 13 years old when the abuse started. Lawler kissed the then-boy and told the boy that he was proud of him. The abuse progressed to touching and "French" kissing. The man stated the abuse occurred in the basement of the rectory. The man remembered one instance when he painted a table in the basement. Lawler crawled under the table and pulled the boy's pants down. Lawler then fondled the boy's genitalia and kissed his buttocks.

The man told his parents about the abuse in 1987. Initially, his parents did not believe him. After the boy was able to convince his parents the abuse occurred, his stepfather decided to contact the police. The next morning, the man was told Father Lawler died. The man noted no report was made to the police. The Diocese made a report to the Union County District Attorney's Office in 2014.

Reverend Robert Logue

Biographical Information

YEAR OF BIRTH:	N/A
YEAR OF DEATH:	N/A
ORDINATION:	N/A

Employment/Assignment History

Unknown

Summary

The Diocese of Harrisburg's file for Father Robert Logue contained a "supplement" dated August 24, 1968. The supplement was to a previous report written by Father Frederick Bradel. The supplement noted that a 13 year-old-boy and his father reported Logue showed an interest in the boy, which disturbed the boy and his father. Logue reportedly asked the boy to expose his genitalia. The boy stated the contact with Logue started the year before, which was 1967. The boy stated that he and his friends had discussed that Logue was preoccupied with sex.

Bradel confronted Logue. Logue *"admitted his tendencies and stated they were becoming more pronounced and were a source of great and increasing concern for him."* Bishop Joseph Daley was notified and advised Logue to contact his spiritual director, consult a psychiatrist, and resign from his orders. Logue agreed to contact his spiritual director and consult a psychiatrist, but Logue decided to request a leave of absence instead of resigning from his orders.

Daley wrote to Bradel on September 5, 1968, thanking him for the confidential report. He stated *"we shall follow closely the immediate future of the individual concerned."* No other documents were in this file.

Reverend David H. Luck

Biographical Information

YEAR OF BIRTH:	1961
YEAR OF DEATH:	N/A
ORDINATION:	May 30, 1987

Employment/Assignment History

Summer 1986	St. Paul the Apostle, Annville, PA (Deacon)
Spring 1987	St. Paul the Apostle, Annville, PA (Deacon)
6/19/1987-1/01/1989	St. Joseph, Mechanicsburg, PA

Summary

Diocesan documents held in secret archives detailed the following information. David Luck was a deacon at St. Paul the Apostle during 1986 and 1987. He was successfully ordained a priest in May of 1987. In December of 1988, a family reported to their local priest that their two minor sons were molested by Luck. The local priest notified Bishop William Keeler. Luck, while a deacon, was close with the reporting family and often stayed overnight at the family's home. The abuse occurred during the overnight stays.

It was reported that Luck anally penetrated a 15 year old boy. He fondled the genitals of the 15 year old boy and an 11 year old boy. The Diocese sent Luck to St. Luke's Institute in February 1989 for an evaluation. Luck sent a letter to seventh grade children at his local school telling them he could not wait to see them again.

Notes of St. Luke's Institute's evaluation of Luck were summarized on Office of Judicial Vicar letterhead in 1989. St. Luke's diagnosed Luck with Paraphilia, a sexual deviation. Luck admitted to fantasizing about sex with boys, fondling and touching them, and performing mutual fellatio with them. St. Luke's recommended Luck not be in ministry around children or adolescents. Luck began writing letters to other dioceses around the country asking to be allowed to minister. Bishop Nicholas Dattilo was installed as the Bishop of Harrisburg in January of 1990. Dattilo suspended Luck in May of 1990.

In October of 1990, [redacted] hand wrote a memorandum to Dattilo outlining a September meeting with Luck. Luck stated, *"I am a pedophile"* to [redacted] and Father McGovern. Luck was told not to have any contact with the victims, per Dattilo's notes. Shortly thereafter, Luck approached one of the victims at a parish festival.

There is no evidence in Luck's files, which were turned over by the Diocese of Harrisburg, that anyone from the Diocese called the police when Luck's abuse was reported. There was a 1996 document, which discussed that the family of the victims went to the police

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(even naming the officer), and if the Diocese was contacted about Luck, they would cooperate. Luck was never criminally charged.

The Diocese of Harrisburg was contacted by a mental health agency where Luck applied for a job in 1996. In a memorandum from Father Paul Helwig to Dattilo on July 15, 1996, Helwig noted he received a form from a mental health employment agency asking for a reference for Luck. Helwig wrote that the Diocese *"received a standard form, but instead of responding to the questions on the form, I wrote a letter and stated that, 'Because of conduct unbefitting a minister of the Church, David was relieved of his duties and does not have authorization to present himself or work as a priest.'"*

After many years of Canonical appeals, Luck was dispensed from priestly ministry in 2005.

Reverend Monsignor Robert Maher

Biographical Information

YEAR OF BIRTH:	1911
YEAR OF DEATH:	1990
ORDINATION:	May 22, 1937

Employment/Assignment History

6/03/1937-6/09/1939	St. Rose of Lima, York, PA
6/09/1939-12/1939	St. Mary's, Kulpmont, PA (left due to health)
1/06/1940-4/04/1941	St. Peter, Columbia, PA
4/1941	Chaplain to Boy Scouts
1/1946-10/1961	Superintendent of schools
4/04/1941-7/10/1946	St. Mary Assumption, Lebanon, PA
7/10/1946-5/24/1960	St. Peter, Columbia, PA
5/24/1960-12/14/1961	St. Patrick's Cathedral, Harrisburg, PA
12/14/1961-8/1974	St. Vincent, Hanover, PA
4/23/1975	Resignation accepted; faculties not revoked; Villa Vianney Retirement home
1979 to 1986	Archivist for the Diocese of Harrisburg

Summary

An undated, unsigned, handwritten chronology for Monsignor Robert Maher was found in his restricted file in the Diocese of Harrisburg. This chronology noted that in April of 1975 Maher submitted his resignation to St. Vincent in Hanover. A quote from Maher is documented as: *"I cannot pretend, nor do you, that this whole experience is without pain. But like surgery it must be endured trusting no metastasis will overtake our spiritual therapy."* Maher further stated, *"most important is that Father Christie has a rather complete knowledge of my personal history."*

The following entry in the chronology reads: *"Bishop [Joseph] Daley accepts resignation and grants approval for residence at Villa Vianney. Faculties not revoked."*

There were no documents in the file that discussed the reason for the resignation and/or why faculties were not revoked.

In 1994, Father Paul Helwig wrote to Bishop Nicholas Dattilo regarding a man's allegation that Maher committed sexual abuse. Dattilo wrote:

> *Is there anything in his file? Monsignor is dead and can't defend himself. Are we in the situation of having to treat and/or support everyone who makes an allegation? To what extent? +NCD*

Summary

The man who made the report in 1994 stated Maher kissed him, touched him in an *"immodest"* way, and performed oral sex on him to the point of ejaculation. The then-boy was in sixth or seventh grade. This abuse occurred sometime during Maher's assignment at St. Vincent (1961-1975).

This same man made the same reports to the Diocese in 1997, 2002 and 2007.

In 1997, a Secular Franciscan Brother reported to the Diocese via a letter that as an adult he had sought Maher for counseling. During counseling, Maher hugged him, kissed him on the lips, and *"stuck his tongue"* in the victim's mouth.

In 2012, another man reported to the Diocese that Maher had sexually abused him when he was a boy. This was documented in a summary interview written by Father Paul Clark. The then-boy's mother took him to Maher because she found her son to be *"intractably bad."* This boy had to sit on Maher's lap and he was kissed when he was nine years old.

In 2015, another man's statement was summarized in an interview report by Diocese of Harrisburg officials. When this boy was 10 years old, he broke his collarbone. Maher commented on the boy's broken bone and leaned in as to kiss him on the mouth. The boy backed away. During confession, Maher asked this boy if he masturbated, got a *"hard on,"* and how big was his penis.

A parishioner of St. Vincent wrote a letter in 2015 describing that 15 boys were sexually abused by Maher during his assignment at the parish from 1961 to 1975. The reporting parishioner was interviewed by Diocesan officials. The parishioner was a student at the time of the alleged abuse, essentially the same age of the other boys. The parishioner did not disclose the names of the 15 boys; he stated they had the right to privacy and the right to come forward on their own.

In 2016, another man's statement was summarized in an interview report by the Diocese. The man reported that Maher touched the genitals of a seven year old boy; Maher also reportedly performed oral sex on the boy.

Reverend Daniel Mahoney

Biographical Information

YEAR OF BIRTH:	1926
YEAR OF DEATH:	2007
ORDINATION:	May 10, 1952

Employment/Assignment History

5/23/1952-4/21/1954	St. Patrick, York, PA
4/21/1954-8/01/1956	St. Edward, Shamokin, PA
8/01/1956-6/02/1961	St. Joan of Arc, Hershey, PA
6/02/1961-6/30/1964	St. Joseph, Shamokin, PA
6/30/1964-5/31/1968	Immaculate Conception, Fairfield, PA
5/31/1968-6/13/2002	Holy Name of Jesus, Harrisburg, PA
6/13/2002	Retired

Summary

Father Daniel Mahoney's file contained complaints regarding inappropriate publishing in the Holy Name Jesus Church bulletin. More complaints were made to the Diocese of Harrisburg regarding postings on his personal website, http://www.revmahoney.com. The website had links to "Puberty for BOYS" and "Puberty for GIRLS." Mahoney provided descriptions of growing up and sexuality. One description regarding pregnancy in a section titled Purity for Boys stated, "The semen is squirted into a girl's body through the penis into the vagina or little opening between her legs." In another section titled Purity for Girls, Mahoney provided great detail regarding menstruation and periods for girls. It was reported to the Diocese of Harrisburg that Mahoney handed out these documents at Bishop McCort High School in 2003.

During an interview with a catechist of Immaculate Conception Blessed Virgin Mary Church in 2002, she provided information concerning Mahoney. Diocesan records of the 2002 interview stated her brother disclosed to her that Mahoney sexually abused him. The alleged abuse occurred between 1966 and 1968. The brother never reported the abuse to the Diocese.

In 2016, a Diocesan document noted a different woman reported to the Diocese of Harrisburg that her brother was also sexually abused by Mahoney. Mahoney reportedly took her brother out of classes and took him to the Holy Name rectory. The boy never reported abuse to the Diocese.

Reverend Guy Marsico

Biographical Information

YEAR OF BIRTH:	1947
YEAR OF DEATH:	N/A
ORDINATION:	May 19, 1973

Employment/Assignment History

6/01/1973-10/10/1977	Assumption Blessed Virgin Mary, Lebanon, PA
10/10/1977-4/29/1982	St. Leo the Great, Rohrerstown, PA
4/29/1982-8/01/1985	St. Rose of Lima, York, PA
8/01/1985-7/28/1994	St. Gregory the Great, Lebanon, PA
7/28/1994	Leave of Absence
2010	Requested laicization

Summary

The following information was obtained from a summary written by Diocesan officials for the Congregation for the Doctrine of the Faith and by a man testifying before the Grand Jury on October 18, 2016.

The man came forward in 1994 and reported he had been sexually molested by Father Guy Marsico while at St. Leo the Great. Marsico asked the boy's parents for permission for the boy to spend the night at the rectory. The boy's parents knew he wanted to be a priest and granted permission for the boy to stay overnight. The boy went to the rectory to stay overnight. Marsico had boxes on a spare bed. Marsico told the victim he could not remove the boxes and that he had to sleep in the same bed with Marsico. Marsico made the boy undress. Marsico gave the boy full body massages and touched the boy's penis. Marsico put his mouth on the boy's penis. The boy stated that Marsico and he slept together in the same bed overnight. The boy also blacked out for a period of time due to fear. The boy was 13 years old at the time.

The boy disclosed that he told his mother about the abuse when he was 14 years old. His mother did not tell anyone. The boy told his father about the abuse when he was 16 years old. His father did not tell anyone.

The boy felt strong enough to report the abuse to the Diocese of Harrisburg. Diocesan officials confronted Marsico. Marsico admitted to sleeping in the same bed with the boy and giving him massages. Marsico stated that he *"brushed his penis aside"* when massaging the boy's stomach and pelvic area. Marsico sent the boy a letter of apology.

The Diocese of Harrisburg agreed to pay for prescription medications and counseling for the boy. The boy later found out that his counselor reported what occurred during his counseling to the Diocese. The boy disclosed that he attempted suicide in 1986. [redacted]

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[redacted]

Marsico admitted to being sexually involved with three other minors while at Assumption of the Blessed Virgin Mary and St. Leo the Great. Marsico took a leave of absence and resigned from his parish. He went to the Anodos Center for an evaluation.

Diocesan officials wrote a summary, which stated while at treatment Marsico specifically named his victims. As a result of admitting his sexual abuse, the Diocese issued a penal precept in 1995.

In September 1996, another victim came forward and reported abuse by Marsico. The victim was previously identified during Marsico's admission. The victim was between fifth and sixth grade when molested by Marsico. Marsico fondled the victim, slept in the same bed naked with the victim, and engaged in oral sex and masturbated the victim.

Marsico requested laicization in 2010. Marsico paid for the first victim's counseling and prescription medication for a period of time.

Marsico testified before the grand jury on November 9, 2016. Marsico explained to the attorney for the Commonwealth that when he was in fifth grade he obtained paperwork to become a priest. At age 14, Marsico went to the Seminary in Columbus, Ohio and stayed there for 12 years. During his testimony, Marsico confessed to molesting children. A relevant excerpt of Marsico's testimony follows:

Q: But to be clear, though, while you were engaged in the sexual conduct with these boys, you were admitting the conduct to your confessor, Father Michael Homola?

A: Correct.

Q: And he was a parish priest in which parish?

A: He was in various parishes. The last one was St. Philip in Millersville.

Q: And his advice to you certainly was not, you know, call the police and turn yourself in; but it was to essentially pray about it?

A: Pray about it and try to get away from it. Reform your life.

Q: And then you would come back and say, it happened again; and he would say pray about it, reform your life?

A: Basically.

Reverend John M. McDevitt

Biographical Information

YEAR OF BIRTH:	1924
YEAR OF DEATH:	1999
ORDINATION:	Unknown

Employment/Assignment History

1960's	Bishop McDevitt School
8/23/1982	Transferred out of Diocese of Harrisburg

Summary

In [redacted], [redacted] reported to Chancellor Carol Houghton of the Diocese of Harrisburg that a man from Seven Sorrows in Middletown approached him. The man reported that Father John McDevitt of the Oblates of St. Francis de Sales abused him. Houghton notified [redacted] via e-mail. The man stated McDevitt kissed him in the confessional at Bishop McDevitt High School. The year of the abuse is unknown, but the reporting man was 50 years old in 2012.

The Diocese of Harrisburg notified the Provincial for the Oblates of St. Francis de Sales, Wilmington-Philadelphia Province of the abuse allegation. No other information was found in Diocesan records.

However, on August 5, 2011, an article located on www.delawareonline.com reported the Oblates of St. Francis de Sales reached a $24.8 million settlement with survivors of abuse committed by priests. As part of the settlement, the Oblates of St. Francis de Sales released the names of 12 priests who either admitted to committing sexual abuse or sexual abuse allegations against them were substantiated. McDevitt was one of the 12 priests listed.

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Reverend Anthony McGinley

Biographical Information

YEAR OF BIRTH:	1920
YEAR OF DEATH:	2006
ORDINATION:	December 1945

Employment/Assignment History

12/20/1945-8/25/1953	Annunciation Blessed Virgin Mary, McSherrystown, PA
8/25/1953-11/20/1953	Assumption Blessed Virgin Mary, Lebanon, PA
11/20/1953-10/11/1957	Our Lady of Mt. Carmel, Mt. Carmel, PA
10/11/1957-12/14/1961	St. Thomas More, Northumberland, PA
12/14/1961-4/30/1970	St. Patrick, Carlisle, forced to resign as pastor at in Carlisle and permitted to continue his education
4/30/1970-10/24/1972	Catholic University; Graduate School of Education for Guidance (Counseling)
1970's-1982	Marymount College; forced to resign 1982
5/10/1972-9/01/1972	St. Joseph, Mechanicsburg, PA (part-time)
11/26/1987	Retired; faculties revoked

Summary

The Diocesan file for Father Anthony McGinley contained a handwritten memorandum, dated November of 1953, by Father Robert Gribbin, who was stationed at the Lebanon Catholic High School. Three high school boys reported that McGinley made *"immoral advances"* towards them. Gribbin asked the boys *"if they realized the terrible gravity of these charges."* He asked if they "were so convinced of them, would they testify under oath to their truth." The boys notified Gribbin that two senior boys knew of the *"immoral advances."* Gribbin "warned them to be absolutely silent and dismissed them." The memorandum stated, *"I spent most of the day in shocked disbelief – I could not believe these charges. Yet the evidence seemed so grave, and the danger of scandal so imminent, that I felt bound in conscience to inform the pastor, who I felt to be the competent superior in the case."*

One boy reported that McGinley took him to a funeral and then stayed overnight. McGinley encouraged the boy to drink alcohol. They slept in the same bed together and McGinley touched the boy. Another boy reported that McGinley took him to Centralia for a funeral, gave him alcohol, and touched him inappropriately. This boy went on a trip to McSherrystown and McGinley tried to touch him. A third boy reported he went on trips to McSherrystown with McGinley and McGinley engaged in *"soft talk"* and then touched his genitals over his clothes.

Bishop Leech suspended McGinley until he reported for an interview in the Bishop's Office in November of 1953. According to a document, McGinley stated he was innocent

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however *"there may have been imprudent association w/ boys and that conduct w/ them might be construed wrongly."* On November 20, 1953, McGinley was transferred to Our Lady of Mt. Carmel.

From 1953 to 1982, there were many reports that McGinley had sexual encounters with other males. Bishop Keeler revoked his faculties and the Diocese sent him to St. Luke's Institute for treatment. His faculties were not reinstated. He was caught practicing ministry in the Diocese of Allentown, without faculties.

In 1987, Father Hugh Overbaugh wrote a memorandum about a meeting between Bishop Keeler and McGinley. Keeler met with McGinley and explained the *"moral and legal ramifications resulting from priests accused of improper sexual activity, especially cases of pedophilia"* and revoked all faculties.

In 2004, a man came forward and made a report to the Diocese of Harrisburg. The man alleged that McGinley molested him when he was 11 years old in 1950. The reported abuse started with genital fondling and moved to oral sex. This abuse happened six to eight times.

In 2008, the Diocese received a letter from a prison inmate reporting that he was molested by McGinley in 1969 at St. Patrick's in Carlisle. The boy was in fifth grade at the time. When the boy was in the eighth grade, he told the pastor of the church, Father Braubitz, of the molestation. Braubitz replied to the victim that McGinley was *"ill"* and no longer with that church.

Reverend James McLucas

Biographical Information

YEAR OF BIRTH:	N/A
YEAR OF DEATH:	N/A
ORDINATION:	N/A

Employment/Assignment History

Summer 2014	Carmel of Jesus, Mary and Joseph Monastery, Elysburg, PA

Summary

In 2014, Father James McLucas was a priest in the Archdiocese of New York living in Elysburg as the Chaplain to the Monastery. The Archdiocese of New York sent the Diocese of Harrisburg a testimonial letter of good standing for McLucas.

The head Mother of the Monastery called the Diocese of Harrisburg after finding out McLucas had sexually abused a 14 year old girl and continued a relationship with her into her adulthood. This was reported to the Archdiocese of New York in 2012.

The Diocese of Harrisburg revoked McLucas' faculties to perform ministry.

Reverend Ibarra Mercado

Biographical Information

YEAR OF BIRTH:	N/A
YEAR OF DEATH:	N/A
ORDINATION:	Archdiocese of Military Services

Employment/Assignment History

7/01/1994	Lebanon V.A. Hospital

Summary

On June 8, 1994, Monsignor Hugh Overbaugh wrote a memorandum to Bishop Nicholas Dattilo marked as "**CONFIDENTIAL**." The Diocese of Harrisburg was notified by Father Michael Connelly, Oblates of St. Francis de Sales who served as the Judicial Vicar for the Military Archdiocese under the Archbishop of Military Services, of child sex abuse allegations against Mercado. The Archdiocese of Military Services advised they would conduct the investigation. The Judicial Vicar stated because the abuse occurred at the Veteran's Administration ("VA") hospital, it was on federal territory. A memorandum stated, *"There is no danger, therefore, that the Diocese of Harrisburg will be involved."*

The allegations involved Mercado *"French kissing"* a 12 year old girl. The girl's mother was an organist for masses that Mercado celebrated at the Lebanon VA Hospital.

On July 1, 1994, Father Paul Helwig wrote a memorandum to Bishop Nicholas Dattilo that stated he received word that Mercado was being *"reassigned."*

[redacted]

Biographical Information

[redacted]

Employment/Assignment History

[redacted]

Summary

In [redacted], the [redacted] County District Attorney's Office wrote a letter to Bishop [redacted] concerning "serious allegations" lodged against [redacted]. The letter provided the following information. [redacted]. The District Attorney's Office informed the Bishop of the defendant's sentence for [redacted] and that [redacted] actions *"may constitute criminal activity and require some disposition by this office."* The District Attorney's Office informed the Bishop that it would be *"most happy to co-operate with Your Excellency in reaching a reasonable resolution to this matter."* The letter concluded by offering assistance to the Diocese: *"Please do not hesitate to contact us if we can be of any further assistance or provide you with additional information."*

According to an undated, handwritten chronology found in the Diocesan records, in [redacted]

Summary

[redacted] responded that [redacted] was transferred from [redacted] The Diocese instructed [redacted] not to return to the [redacted] area. The memorandums noted [redacted] continued to frequent the [redacted] area.

On January 16, 2018, Diocese of [redacted] Chancellor [redacted] testified that [redacted] recalled an internal Diocesan memorandum in the restricted file for [redacted] that [redacted]

REDACTED -- ONGOING APPELLATE LITIGATION

Reverend Charles Procopio

Biographical Information

YEAR OF BIRTH:	1927
YEAR OF DEATH:	1997
ORDINATION:	May 10, 1956

Employment/Assignment History

5/25/1956-8/01/1956	St. Theresa's Church, New Cumberland, PA
8/01/1956-4/09/1959	St. Joseph, Danville, PA
4/09/1959-12/14/1961	St. Anthony of Padua, Lancaster, PA
12/14/1961-10/02/1962	St. Andrew, Waynesboro, PA
10/02/1962-12/11/1964	St. Joan of Arc, Hershey, PA
12/11/1964-10/12/1967	Sacred Heart of Jesus, Harrisburg, PA
10/12/1967-5/31/1968	Assumption Blessed Virgin Mary, Lancaster, PA
5/31/1968-6/04/1971	St. Rita, Fairfield, PA
6/04/1971-8/10/1979	St. Peter, Mount Carmel, PA
8/10/1979-7/28/1983	Holy Name of Jesus, Harrisburg, PA
7/28/1983-5/30/1984	St. Joseph, Hanover, PA
5/30/1984-2/04/1991	Christ the King, Benton, PA
2/04/1991-1/11/1994	St. Casimir, Kulpmont, PA
1/11/1994-6/28/1995	Villa Vianney/Our Lady of Mt. Carmel
6/28/1995	Retired

Summary

Diocese of Harrisburg documents reveal an allegation of sexual abuse was made against Father Charles Procopio in October 1965. Father McAndrew wrote a memorandum dated October 18, 1965, which stated he was informed via a telephone call that Procopio had molested girls in the seventh and eighth grades at Sacred Heart of Jesus in Harrisburg. The person who made the report to McAndrew stated the girls told the principal of the school about the molestation, but nothing happened in response to the report. McAndrew described one allegation of abuse as "immodest touches." He detailed how Procopio kissed the girls and felt their breasts. Procopio pressed one girl against the wall in the rectory and touched the girl "in an immodest manner" and he made motions simulating intercourse while his body was pressed against the girl. Procopio touched another girl in an "indecent manner" in a school hallway, which caused her to scream. A teacher heard the scream and found her in the hallway frightened.

The person making this report in 1965 stated *"if nothing were done about this matter, he would be forced to take it to the police. However, he says that he would do nothing without consulting with the Chancery Office."*

Summary

The next day, on October 19, 1965, McGovern reviewed McAndrew's memorandum regarding Procopio. McGovern noted,

> *"Father Propocio's so-called immodest touches were actually manifestations of his effusive nature, imprudent but pure on his part. We also agree that the touches were not objectively immoral but only interpreted as such by pre-adolescent girls."*

He also wrote they

> *"concluded that the more recent actions received a distorted interpretation in the highly imaginative minds of pubescent girls."*

The memorandum from 1965 also provided that McGovern spoke with Procopio regarding the complaint. McGovern explained to Procopio that

> *"a girl of that age is so conscious of her womanhood that she feels all other people likewise are constantly noticing it all the times. She considers any touch a 'sex' touch. The pre-adolescent girl indulges in fantasy quite often."*

The Diocese of Harrisburg allowed Procopio to stay in ministry.

Reverend Guido Miguel Quiroz Reyes, OFM

Biographical Information

YEAR OF BIRTH:	N/A
YEAR OF DEATH:	2006
ORDINATION:	Order of St. Francis (Franciscan Fathers from Peru)

Employment/Assignment History

12/1975-1/1980	Hispanic Center, Lancaster, PA

Summary

Father Guido Miguel Quiroz Reyes of the Order of St. Francis in Peru obtained faculties in the Diocese of Harrisburg verbally on December 11, 1975. In a memorandum dated December 12, 1975, Bishop Joseph Daley decided no written faculties would be granted to Reyes. However, Monsignor Keeler was authorized to grant faculties verbally to Reyes.

Multiple Diocesan memorandums provided that in September of 1994 the Diocese of Harrisburg was advised that a family living in Florida, formerly from Lancaster, made sexual molestation allegations against Reyes. The memorandums summarized the following information. The family met Reyes in Lancaster while he was stationed at the Hispanic Center. He befriended the family. When the family moved to Florida, they asked Reyes if he wanted to live with them. He lived with the family from 1980 to 1993. In 1993, the family confronted him with accusations that he sexually abused three girls in the family. Specifically, the family believed that Reyes sexually abused two daughters of the family in the 1970's when they were minors. That abuse reportedly continued when the family moved to Florida. The family also believed that Reyes sexually abused a minor granddaughter when he lived with the family in Florida.

After the family confronted Reyes, the following occurred. Reyes denied the accusations. The family asked him to leave their home. Reyes left the family's home. In 1994, Reyes asked the family to not take legal action against him in relation to the sexual abuse allegations. The family then contacted law enforcement. Law enforcement in Florida apparently began an investigation. The Diocese's files do not contain any other information about the investigation that was apparently commenced in Florida.

Deacon James Rush

Biographical Information

YEAR OF BIRTH:	1944
YEAR OF DEATH:	2016
ORDINATION:	June 3, 1979

Employment/Assignment History

Prior to 2001	Archdiocese of New York
2002-2005	St. Richard, Manheim; Our Lady of Good Counsel, Marysville; St. Bernadette Mission, Duncannon, PA
11/2015	Retired

Summary

Diocesan documents provided that the Archdiocese of New York had authority over Deacon James Rush when he applied for employment in the Diocese of Harrisburg. In 2015, two adult woman complained that Rush engaged in inappropriate actions that crossed boundary lines. After being confronted by the Diocese of Harrisburg, Rush retired. Bishop Ronald Gainer issued a penal precept that prevented Rush from ministering in the Diocese without explicit permission.

In 2016, a woman reported to Children and Youth Services and to the Diocese of Harrisburg that Rush had developed an inappropriate relationship with a 14 year old girl. He recently took the girl to a hockey game and held her hand. He told her he only had eyes for her and told her she was his *"girlfriend."* The girl also told the woman who reported the allegation that Rush kissed her. Rush told the girl not to tell her mother because her mother would get the wrong impression. Although retired, Rush was still assisting around the local parish.

In a letter to the Archdiocese of New York dated June 1, 2016, the Diocese of Harrisburg disclosed the two complaints, the penal precept, and the new allegations against Rush. The Diocese of Harrisburg determined no sexual abuse occurred against the girl in relation to the most recent allegation, but the Diocese determined what happened, *"we might deem grooming behavior."*

[redacted]

Biographical Information

[redacted]

Employment/Assignment History

[redacted]

Summary

The Diocese of [redacted] restricted file for [redacted] contained a memorandum from [redacted] to [redacted] dated [redacted]. The memorandum stated [redacted] was called and asked to report to the Pennsylvania State Police Barracks in [redacted]. [redacted] went to the Barracks where a corporal questioned him regarding an incident from the prior week. [redacted]

[redacted]

[redacted]

[redacted]

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Summary

Bryan Schlager

Biographical Information

YEAR OF BIRTH:	1990
YEAR OF DEATH:	N/A
ORDINATION:	N/A

Employment/Assignment History

8/2009	Seminary applicant
12/2010	Withdrew from seminary

Summary

In August of 2009, Bryan Schlager was a seminarian for the Diocese of Harrisburg. In December of 2010, he withdrew from the seminary and was no longer studying to be a priest for the Diocese of Harrisburg.

According to a Diocesan memorandum, in February of 2011, a 15 year old boy reported to Father Sawicki (St. Joan of Arc) that he had received inappropriate communications from Schlager during a private Facebook chat. Schlager asked the 15 year old about masturbation and pornography. After being confronted by the Diocese of Harrisburg, Schlager *"voluntarily withdr[e]w"* from all activities on a parish or Diocesan level to include *"working with the youth in any capacity whether that be through religious education, youth groups or diocesan parochial or high schools."* The Diocese requested Schlager be removed from a substitute teacher list at Lancaster Catholic High School. He retained his Youth Protection credentials, which is apparently a Diocesan program.

The Diocese of Harrisburg conducted an investigation and found a minor in 2008 had received inappropriate communications from Schlager prior to him entering the Seminary. The Diocese produced a report of the investigation. Another minor received inappropriate communications from Schlager in November of 2010. Schlager withdrew from the Seminary in December of 2010 after he had inappropriate sexual conversations with seminarians. Another minor received inappropriate communications from Schlager in 2011.

In 2012, Schlager was the organist at St. Ignatius in Sinking Springs. He was removed from this position because he had befriended a family with small children. He passed an inappropriate note to a young boy who was in the family. The pastor at St. Ignatius did not disclose the contents of the note to Chancellor Carol Houghton.

In March 2014, Schlager was observed volunteering at a faith-based retreat. The Diocese removed his Youth Protection credentials.

Reverend Herbert Shank

Biographical Information

YEAR OF BIRTH:	1941
YEAR OF DEATH:	N/A
ORDINATION:	May 20, 1967

Employment/Assignment History

6/02/1967-6/04/1971	Sacred Heart, Lewistown, PA
6/20/1969-unknown	Chaplain for Boy and Girl Scouts, Juniata Valley area
6/04/1971-9/03/1974	St. Joan of Arc, Hershey, PA
9/03/1974-5/14/1975	Sacred Heart, Lancaster, PA
5/14/1975-1/01/1981	Holy Spirit Hospital, Camp Hill, PA
1/01/1981-4/09/1984	St. Patrick, Carlisle, PA
4/09/1984-5/30/1984	Immaculate Conception Blessed Virgin Mary, Fairfield, PA
5/30/1984-11/21/1994	St. Rose of Lima, York, PA
11/21/1994	Leave of Absence

Summary

According to the Diocese of Harrisburg's records, in 1994, one boy alleged that Father Herbert Shank molested his brother, himself, and five altar boys.

The reporting boy stated Shank took him on trips and he would stay at the parish overnight. One night at the rectory, Shank showed the boy a box full of half-naked photographs of other boys his age. He recognized some of the boys as altar boys. Once the report was made, Shank requested a leave of absence, which Bishop Nicholas Dattilo granted.

A maintenance man approached the Diocese with information about a relationship between Shank and a minor. The maintenance man also had knowledge of the disturbing photographs of minor boys. In an undated memorandum written by Father Paul Helwig to the case file, he emphasized that the maintenance man was not Catholic. The memorandum mentioned a second maintenance man, who also had knowledge of the photographs. Helwig's memorandum included the second maintenance man's prior history of alcohol abuse.

[redacted] Vicar General, wrote a memorandum that discussed a telephone call from Father Leo Goodman. Goodman found hundreds of pictures of young boys in drawers in Shank's room at the rectory. Goodman also found *"negatives of pictures of young boys – mid teens – including shots of genitalia. No corresponding pictures were found, only negatives."* Goodman wanted to allow the victim, one of the altar boys referenced above, to pack up

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photographs of himself, although the victim would not be allowed to keep the photographs of himself. [redacted] suggested that was not a good idea. Goodman allowed the victim to help gather Shank's belongings. Goodman left the room briefly, and when he returned the negatives were missing. The victim admitted he took the negatives from Shank's room.

Another victim contacted the Diocese of Harrisburg to report abuse by Shank. This victim was very concerned about the photographs Shank had taken of him. A memorandum written on November 18, 1994 by [redacted] noted that Shank called the victim the day before. The priest from the rectory suggested the Diocese look at the VHS tapes Shank had in his "collection" noting "especially the ones that appear to be blank tapes."

Helwig wrote a memorandum that noted Diocesan officials removed Shank's photographic collection from his room.

On December 2, 1994, another victim contacted the Diocese of Harrisburg. This is the brother of the first victim who made a report. This victim stated between 1971 and 1974 Shank molested him. He first met Shank when he was in sixth grade and acted as an altar boy. Shank took the victim and other boys to drive-in movies, swimming, and on field trips to other states. In seventh grade, Shank took this victim to different places alone. Shank gave him massages, which led to overnight stays with this victim that included naked rubdowns, kissing and Shank photographed the victim. Shank photographed this child's erect penis. Shank placed his mouth on the child's penis until it became erect and then he took photographs. The victim remembered he was under 16 when this occurred. He stated in 1998 Shank wrote him an apology letter.

On December 31, 1994, Helwig wrote a memorandum to Dattilo noting he had a conference call with Shank and others regarding his stay at the Institute of Living, a treatment center. He mentioned there was a legal obligation to contact the District Attorney. The memorandum stated, *"Father Shank said that, if this must be done, it must be done."* Two other priests at the conference offered to help and support Shank through this *"difficult time;" "both said that they have had experience in matters such as this."*

In February 1995, the Diocese of Harrisburg notified the York County District Attorney's office. The Diocese turned over "photographic negatives and videotape cassettes." The Diocese disclosed the name of one of the victims who was in the photographs. The Diocese offered to assist in identifying other victims in the photographs.

After the Thirty-Seventh Statewide Grand Jury Report into the Diocese of Altoona-Johnstown was made public, the Office of Attorney General, received information from another victim of Shank. The Agent interviewed the victim in 2016. The victim reported that in 1981 Shank preyed on him while he was an altar boy. Shank massaged the victim's naked body and kissed the victim. Shank photographed him at age 10 when he was in his underwear and also when he was completely naked. He often times went to New York with Shank where Shank gave him alcohol. The victim recalled one night at the rectory. While sleeping, Shank stood over top of the victim in bed. Shank was naked and rubbed his penis on the victim. The victim stated Shank kept photographs of naked boys in a binder. One day, he snooped around Shank's

Summary

room and found a letter addressed to another victim. A few years later, Shank arrived at the victim's home and informed him that someone made a report that he was inappropriate with a minor. Shank asked the victim, *"why didn't you stop me."*

In 2017, agents from the Office of Attorney General spoke with the York City Police Department regarding the 1995 report. An officer who was not working on the case, but familiar with it, stated Shank recorded television shows on VHS tapes. Shank then recorded himself assaulting young boys. Shank preserved his assaultive recordings on VHS tape spliced in the middle of recorded shows. The officer stated the victim made it clear he would not testify and that the Diocese of Harrisburg shipped Shank out of the area.

The Diocese's file noted that Shank was sent to the Institute of Living in Connecticut for treatment from December 1994 to at least mid-1997.

Reverend Patrick Shannon

Biographical Information

YEAR OF BIRTH:	1940
YEAR OF DEATH:	N/A
ORDINATION:	1972

Employment/Assignment History

1993-2005	Sacred Heart and of St. George's Mission, Mifflinburg, PA

Summary

On November 2, 2005, the Diocese of Harrisburg was copied on a letter written to the Provincial Superior of the Oblates of St. Francis de Sales in Wilmington, Delaware. The letter was written by an individual who alleged that Father Patrick Shannon sexually abused him in 1973 as follows. The victim worked at Camp Brisson in Maryland as a counselor in training. He was 16 years old at the time. While on a camping trip overnight, Shannon shared his blanket with the victim. Once under the blanket, Shannon fondled the victim's genitals underneath his clothing. The victim told Shannon, *"no."* Shannon responded, *"sometime [sic] we say no when we really mean yes."* Shannon eventually stopped molesting the victim. The victim woke up in the morning to Shannon having his arm wrapped around him and his genitals cupped in Shannon's other hand.

The Diocese of Harrisburg removed Shannon's faculties to practice ministry.

Reverend Timothy Sperber

Biographical Information

YEAR OF BIRTH:	1949
YEAR OF DEATH:	N/A
ORDINATION:	April 8, 1978

Employment/Assignment History

4/18/1978-4/21/1983	St. Joan of Arc, Hershey, PA
4/21/1983-12/1/1992	St. Philip, Millersville, PA
12/1992	Transfer to Florida
12/01/1992-2/15/1996	St. Gregory, Plantation, Florida
2/15/1996-9/01/1998	St. Boniface Church, Pembrooke Pines, Florida
9/01/1998	Leave of Absence
10/10/2000	Suspended for failing to appear for assignment

Summary

The Diocese of Harrisburg received a report in 2004 from a female alleging that a priest sexually abused her around 1979. Diocese of Harrisburg Chancellor Carol Houghton interviewed the victim and generated interview notes. The victim was between nine and ten years old and a student at St. Joan of Arc in Hershey. She was not doing well with math and the Principal, assigned Father Timothy Sperber to tutor her. Sperber was part of the parish, but not the school.

Chancellor Houghton's interview notes also provided that the victim went to the rectory and met Sperber in a room she identified as having lots of books. Sperber rubbed her hand. Sperger progressed to having the victim remove her shirt. He looked at her breasts and fondled them. He made her turn around, with her shirt up, so she had her back to him. He touched her bare back with things she believed to be his finger and/or penis. She heard him make noise and then she believed he ejaculated on her back. She remembered having to sit all day at school with the stickiness of something on her back.

The interview notes also established that she begged her mother to remove her from St. Joan of Arc School. When the new school year began, she tried her best to improve at math. The principal told her she had to tutor with Sperber again. The victim told the principal that Sperber touched her in weird ways. The Principal became angry with the victim. The victim continued telling her that Sperber made her remove her shirt. The principal scolded the victim and stated, *"How dare you make these terrible accusations. You are a demon-child."* The Principal made the victim's mother pick her up from school immediately. The victim was placed in public school. When the victim tried to talk with her mother, her mother replied, *"We're not going to talk about this. I don't want anyone thinking that this was our fault."*

Summary

Sperber transferred to the Archdiocese of Miami in 1992; however, he was still considered a priest in the Diocese of Harrisburg. Bishop Nicholas Dattilo wrote the Archbishop of Miami that Sperber has permission to seek ministry in Miami due to his sick mother. On September 4, 2000, Sperber wrote a letter to Dattilo, which stated he did not intend to return to active ministry. Dattilo suspended Sperber in October of 2000.

Reverend Carl J. Steffen

Biographical Information

YEAR OF BIRTH:	1930
YEAR OF DEATH:	2015
ORDINATION:	May 15, 1958

Employment/Assignment History

6/29/1958-4/09/1959	Assumption Blessed Virgin Mary, Lancaster, PA
5/24/1960	Assistant Director of Youth for Boy Scouts
4/09/1959-6/02/1961	St. Gertrude, Lebanon, PA
6/02/1961-8/09/1963	St. Joan of Arc, Hershey, PA
8/09/1963-6/02/1967	Bishop McDevitt High School, Harrisburg, PA
8/09/1963-6/18/1969	St. Joseph, Shamokin, PA
6/02/1967	Local Director, Shamokin Office Catholic Charities
7/01/1969	Chaplain to the Newman Apostolate for Gettysburg College
1969	"Temporary leave for retreat work," Gettysburg for weekends
6/18/1969-5/06/1976	St. Francis Xavier, Gettysburg, PA
1/13/1972	Permission reaffirmed for Retreat Apostolate
4/18/1978-2005 (retired)	St. Ignatius Loyola, Buchanan Valley, PA

Summary

According to the Diocese of Harrisburg's file, Diocesan officials learned of sexual abuse allegations against Father Carl J. Steffen. The first allegation the Diocese knew about was in May 1966 when Steffen was a Chaplain at a local high school. Father Joseph Hilbert of St. Francis of Assis wrote a report that stated that Bishop Joseph Daley had been briefed on the accusations. The following information was obtained from a report written on January 11, 1967. The report begins with *"several complaints from reputable parents"* regarding Father Steffen's *"questionable procedures during interviews of high school boys." "He was alleged to fondle, caress and touch them."* Daley ordered Hilbert to speak with Steffen. Hilbert stated Steffen was in a cold sweat at the end of the interview. Steffen stated that sometimes he sat on a couch with the boys and gave them a *"gesture of friendliness."* Hilbert gave Steffen the following commands:

1) He cannot use his couch for counseling, but must always have a desk between himself and a student;

2) Discontinue all face to face confessions *"which he had continued in spite of an explicit warning from Father Shaull during the middle of the year"*;

3) He must cease touches and friendly embraces;

Summary

4) Confessions were never to be held outside of the confessional;

Diocesan documents revealed that additional individuals also complained of Steffen's conduct. He went to high school football practices and patted the boys on their back; Steffen also showed the same signs of affection reported in May of 1966. Hilbert stated, *"I immediately informed Father Steffen that the boys were misinterpreting his signs of friendliness."* A female student reported that Steffen spoke to her about masturbation, intercourse and *"certain aberrations of the marital act."* Parents of three other students reported to Hilbert that Steffen gave children *"purity talks."* Steffen was not removed from his position as Chaplain at the high school until May of 1969.

In 1993, Diocesan documents noted more accusations leveled against Steffen. The victim stated in high school Steffen asked him about the size of his penis and discussed masturbation. In 1997, a deacon reported to Hilbert a family left the parish because Steffen asked their three sons about sex.

In July 2002, the Diocese asked a psychologist to interview the victim from 1993 (who also made another report in 2002). He stated in 1968, when he was 10 years old, he had his appendix removed. Steffen went to the hospital and touched his genital area over top of the bed sheets. The victim stated Steffen discussed masturbation and climaxing. They psychologist wrote to the Diocese, *"a case could readily be made that the priest in question was taking a parental role in educating these boys to their evolving sexuality."* She stated in her report, "that it may be expedient for the priest in question to take early retirement." (underlined in report).

In September 2002, Bishop Dattilo issued a Decree, which provided, *"insufficient evidence exists to suggest that an offense has been committed which is deserving of a penalty. Father Steffen's offense seems to have been a violation of prudence rather than an overt offense of sexual misconduct or abuse."*

Finally, in 2003, a penal precept was issued warning Steffen of his actions. In February of 2009, Steffen had the faculty for hearing confessions revoked for *"consistent pattern of inappropriate sexual questioning within the sacrament of penance."*

Reverend Frederick Vaughn

Biographical Information

YEAR OF BIRTH:	1909
YEAR OF DEATH:	1992
ORDINATION:	December 18, 1937

Employment/Assignment History

7/30/1958-8/09/1963	St. Catherine Laboure, Harrisburg, PA
8/09/1963-9/10/1965	St. Joseph, York, PA
9/10/1965-1/08/1971	St. Peter, Elizabethtown, PA
1/08/1971-8/26/1986	St. Mark the Evangelist, Greencastle, PA
1986	Retired

Summary

The following information was obtained from the restricted file for Father Frederick Joseph Vaughn, born Frederick Joseph Von Hartensten, from the Diocese of Harrisburg. On April 17, 2002, the Diocese received a letter from a woman who stated Vaughn molested both of her daughters from about 1961 to about 1966. The abuse started when the daughters were approximately nine years old. Vaughn fondled the girls' genitals.

A Diocesan document provided that on July 15, 2002, the Diocese received a letter from different parents alleging one of their daughters was sexually abused by Vaughn from age three to age 13. The abuse occurred between 1961 and 1974. The abuse consisted of genital fondling, as well as vaginal and anal intercourse. The parents' other daughter was also sexually abused from age five to age 10. Vaughn's abuse consisted of genital fondling. The abuse occurred between 1958 and 1963.

A Diocesan document provided that on July 26, 2004, the Diocese received a call from another female stating Vaughn abused her around 1958 when she was 11 or 12 years old. She was in grade school at St. Catherine Laboure at the time. She reported Vaughn pressed himself up against her body and fondled her from behind. He held her tight to his body and rubbed up against her.

On August 30, 2004, a parent reported to the Diocese that Vaughn abused her daughter when she attended St. Catherine Laboure. Vaughn was a constant guest at her home. While at her home, the mother walked into a room and saw Vaughn with both his hands on her minor daughter's breasts, over top of her clothing. Vaughn saw the mother and calmly put his coat on and left the home. He continued to visit the family at their residence. The mother never told her husband, nor Diocesan officials of the incident. She reported this caused a rift between her and her daughter for years.

Summary

In May of 2012, a letter was sent to St. Catherine Laboure that stated Vaughn molested a female from 1959 to 1963. Vaughn fondled the girl underneath her bathing suit while swimming in nearby Mermaid Lake.

In 2016, a witness and victim spoke with Diocesan officials about an allegation against another priest and about her own victimization. As an 11 year old girl, Vaughn visited her home to see her father. If her father was not at home, Vaughn wrestled with her on the floor. One time, she fought back and he whispered, *"I like a fighter."* Vaughn then moaned and made noises that scared her. She refused to let him back in the home the next time he stopped over. She stated she witnessed Vaughn grab little girls as young as two years old and Vaughn bounced the girls on his lap. Vaughn fondled the girls' breasts while doing this. The victim never spoke of the abuse. The victim knew of another victim who was fondled while swimming with Vaughn.

Reverend Salvatore V. Zangari

Biographical Information

YEAR OF BIRTH:	1918
YEAR OF DEATH:	2004
ORDINATION:	June 3, 1944

Employment/Assignment History

6/09/1944-3/22/1946	St. Patrick, York, PA
3/22/1946-6/20/1951	St. Peter, Mt. Carmel, PA
6/20/1951-11/08/1957	United States Army Chaplain; Industrial School in Camp Hill, PA
11/08/1957-8/20/1959	Assumption Blessed Virgin Mary, Lebanon, PA
8/20/1959-6/30/1964	Our Lady of Visitation, Shippensburg, PA
6/30/1964-10/10/1969	St. Thomas More, Northumberland, PA
10/10/1969-10/10/1973	St. Ann, Steelton, PA
10/10/1973-12/12/1975	Immaculate Conception Blessed Virgin Mary, Fairfield, PA
12/12/1975-6/12/1986	Moderator, Council of Catholic Women; Permanent Diaconate Program; St. Peter and Chaplain at Elizabethtown, PA
6/12/1986	Retired

Summary

Multiple allegations of unwanted sexual misconduct between Father Salvatore Zangari and adult women were reported to the Diocese of Harrisburg in 1980 and in 1986. In 1986, the Diocese sent Zangari to St. Luke Institute for evaluation. Monsignor Hugh Overbaugh wrote a memorandum, on June 12, 1986, to Bishop William Keeler that reported the results of Zangari's evaluation. The Institute relayed that Zangari reported he was *"literally married"* for eight or nine years and had fathered a child.

A Diocesan report provided that in 2002 Diocese of Harrisburg Chancellor Carol Houghton and Father Mike McFadden met Zangari to inquire about the revelations revealed in 1986 because it had appeared they had never been followed up on. Zangari denied being married or ever saying he was married. However, he admitted to fathering a child with a former student. At one time, she was a high school student at St. Mary (Assumption Blessed Virgin Mary). Zangari stated they reacquainted when she was maybe 18 years old. He gave consent for Bishop Nicholas Dattilo to receive a full copy of the 1986 evaluation from St. Luke's.

On December 13, 2002, after reviewing the evaluation report by St. Luke's, Bishop Dattilo issued a decree and penal precept stating, *"Such admissions on the part of Father Zangari constitute full proof of his sexual misconduct with minors."* Even though he was retired, his faculties to perform priestly ministry were removed.

DIOCESE OF PITTSBURGH

[redacted]

Biographical Information

[redacted]

Employment/Assignment History

[redacted]

Summary

[redacted]

Summary

[redacted]

REDACTED -- ONGOING APPELLATE LITIGATION

Summary

Summary

[redacted]

Reverend James R. Adams

Biographical Information

YEAR OF BIRTH:	1935
YEAR OF DEATH:	2011
ORDINATION:	May 4, 1963

Employment/Assignment History

5/1963-2/1966	St. Francis Xavier, Pittsburgh, PA
2/1966-8/1966	St. Peter, McKeesport, PA
8/1966-5/1972	St. Raphael, Morningside, PA
5/1972-10/1977	St. Francis of Assisi, Finleyville, PA
10/1977-9/1979	Resurrection, West Mifflin, PA
9/1979-10/1992	St. Isaac Jogues, Elrama, PA
6/17/85-11/19/85	Leave of Absence
10/4/1992-3/31/93	Leave of Absence
3/31/1993-3/1/2003	Leave of Absence
3/1/2003	Withdrew/Dismissed from Ministry

Summary

On July 24, 1992, then-Father David Zubik had a telephone conversation with a young man who accused Father James R. Adams of sexually assaulting him in the 1970's when the victim was between eight and 12 years old and a member of St. Francis of Assisi. The victim said that Adams had touched his genitals while the victim was fully clothed on at least two occasions, both times, while Adams was driving the victim and other boys to outings. The victim and the other boys discussed that Adams was "*strange*" and fought over where to be seated in his vehicle because no one wanted to sit next to him. The victim indicated that Adams had done this to other pre-adolescent boys as well.

In light of the allegation, Adams' ministerial faculties were withdrawn and he was sent to St. Michael's Community in St. Louis, Missouri for evaluation and treatment. Adams left before completing the program.

In January 2003, his faculties were withdrawn and he was permanently removed from ecclesiastical ministry, referencing the publication of *Charter for the Protection of Children and Young People*.

Reverend James L. Armstrong

Biographical Information

YEAR OF BIRTH:	1950
YEAR OF DEATH:	2012
ORDINATION:	October 1, 1977

Employment/Assignment History

10/13/1977 – 7/07/1982	St. Elizabeth of Hungary, Pittsburgh, PA
7/08/1982 – 6/02/1985	St. Francis Xavier, Pittsburgh, PA
6/03/1985 – 6/21/1989	Resurrection, West Mifflin, PA
6/21/1989 – 2/20/1990	St. Ursula, Allison Park, PA
7/23/1990 – 6/27/1991	Holy Sepulcher, Butler, PA
6/27/1991 – 12/27/1991	Leave of Absence
10/24/1992 – 8/02/1999	St. Paul, Butler, PA
8/02/1999 – 7/23/2007	Newman Center, Slippery Rock, PA
8/02/1999 – 7/23/2007	St. Peter, Slippery Rock, PA
7/24/2007	Administrative Leave

Summary

According to a "File Synopsis" contained in records subpoenaed from the Diocese of Pittsburgh, a file was opened on Father James Armstrong on February 16, 1990. That synopsis and attached documents reflected that there was an allegation that Armstrong gave homeless boys from Pittsburgh drugs, alcohol, and money in exchange for sex.

In May 1991, Armstrong was sent to St. Luke Institute in Maryland for evaluation. Residential treatment was recommended and the Diocese placed Armstrong on administrative leave. Armstrong was granted a leave of absence for health reasons on June 27, 1991. He was admitted to St. Michael Center in St. Louis for residential treatment in July of 1991 and was discharged on December 27, 1991. He completed his aftercare program in December, 1993.

A confidential memorandum authored by Rita Flaherty, Diocesan Assistance Coordinator, indicated that a victim contacted the Diocese on September 30, 2009 and requested counseling. He reported that he had been abused by several priests in the course of his life, including a priest whom he knew as "Father Tom." The male stated that his father was a heroin addict and his mother was a prostitute. He eventually ran away from home and became a "street kid." He said he was struggling to put the pieces of his abuse together. Flaherty asked the male to put his allegation in writing to the best of his ability.

The male's therapist subsequently indicated that he was sure that something happened to the male; that the names, places, and other information was very specific. The therapist

Summary

advised that the incidents invovlved "sex for pay" and occurred when the male was 14 to 15 years old.

Within the Diocesan records was a letter dated August 3, 2011 informing Armstrong of the sexual abuse allegations against him. The letter that the victim wrote to the Diocese dated January 22, 2010 was attached and referred to Armstrong as "Father Tom." The victim indicated that he was introduced to him when he was 16 years old in the winter of 1985-86.

According to the victim, Armstrong would drive him [the victim] and a "hustler" far out Route 28 to Route 8, the Red Belt, toward Shaler Township up a winding road, always late night around 11:00 PM to midnight. In his letter, the victim wrote that Father Tom had them do various violent sex acts like calling him degrading things while he gave them oral sex. They beat his body, slapped his face, and spanked him too. This lasted for a couple of years.

In the period following his placement on administrative leave, there was correspondence between Armstrong and the Diocese for approximately four years, until 2011, which reflected he was still receiving treatment in Maryland. Armstrong died in 2012.

Reverend John M. Bauer

Biographical Information

YEAR OF BIRTH:	1947
YEAR OF DEATH:	N/A
ORDINATION:	May 5, 1973

Employment/Assignment History

5/22/1973-10/02/1978	Parochial Vicar, St. Joan of Arc, South Hills, PA
10/02/1978-1/17/1988	Parochial Vicar, Immaculate Conception, Washington, PA
6/17/1988-6/27/1994	Pastor, Immaculate Conception, Washington, PA
6/27/1994-2/18/1998	Pastor, Good Samaritan, Ambridge, PA
2/18/1998-1/20/1999	Leave of Absence
1/20/1999-6/04/2006	Administrator, Our Lady of Consolation, Carmichaels, PA
1/20/1999-present	Pastor, St. Hugh, Carmichaels, PA
6/04/2006-present	Pastor, Our Lady of Consolation, Carmichaels, PA

Summary

Documents subpoenaed from the Diocese of Pittsburgh revealed that an allegation of sexual abuse by Father John Bauer first surfaced when it was included in another complaint that was lodged against Father Michael Romero.

A memorandum to the file dated October 13, 2013 from Rita Flaherty, Diocesan Assistance Coordinator, indicated that, during a telephone conversation with the male, he told her that Romero and Bauer would provide him alcohol and encourage him to drink it. He stated that he has suffered with alcoholism for years while he was trying to suppress the memories of sexual abuse as a minor child. He stated that he attributes the majority of his problems with alcohol to his early exposure to alcohol by Romero and Bauer.

This memorandum also stated that Romero and Bauer would engage him and the other young boys in conversation about masturbation a lot. The male stated that he remembers Bauer taking him to a wrestling tournament on Columbus, Ohio along with two other students. They were all drinking alcohol as they drove.

The victim reported that Bauer would "wrestle" with him but maintained that there was no genital contact. He found this to be strange that Bauer would want to wrestle with all the boys since he was not a wrestling coach or was not really involved in the wrestling program.

The victim asked for assistance with counseling to help him deal with his repressed issues of sexual abuse. Flaherty told him that she would contact her counterpart in Florida, where

Summary

the victim was living, and would forward some referral information to him. Flaherty also asked him to make a written statement and told him that she would be obligated to share this information with the Washington County District Attorney's Office.

On October 17, 2013, Flaherty sent a follow up e-mail to the victim, providing him with contact information for a local counselor. She also asked him to make a written statement outlining his allegations because the Diocese wanted want to follow up with Bauer and would like to have the written statement to discuss with him.

In a memorandum to the file dated October 17, 2013, Flaherty outlined a meeting that she, Bishop William Waltersheild, Father Mark Eckman had with Bauer to address the allegations. Bauer stated that he recalled the victim and that he remembered him as one of the young boys who would work out in the "wrestling room." Bauer said he remembered wrestling with some of the boys on occasion in the "wrestling room." Bauer stated he would often "*join them*" since he enjoyed doing a good workout.

Bauer was specifically asked about the trip when he took three young boys to Columbus, Ohio and provided them alcohol. Bauer initially denied taking this trip but then then recalled this trip did occur. Bauer denied providing the boys alcohol in their car ride and suggested that maybe they had their own alcohol that they were drinking but he was unaware of that happening. Bauer also suggested that the victim may have mistaken him for the deceased Romero who was also assigned to the parish at the same time. Bauer stated that some of the boys would ask him to provide them alcohol but that he never did.

The victim's allegation was forwarded to the Washington County District Attorney's office on August 5, 2014.

Reverend John E. Brueckner

Biographical Information

YEAR OF BIRTH:	1915
YEAR OF DEATH:	1960
ORDINATION:	June 16, 1940

Employment/Assignment History

2/20/1940 – 9/6/1944	Immaculate Conception, Pittsburgh, PA
9/7/1944 – 9/11/1947	St. Joseph, New Kensington, PA
9/11/1947 – 4/6/1949	St. Mary and New Castle Hospital, New Castle, PA
4/7/1949 – 11/7/1951	St. Mary, Beaver Falls, PA
11/ 8/1951 – 6/13/1956	St. Lawrence, Pittsburgh, PA
6/14/1956 – 5/27/1959	Annunciation, North Side, PA
5/23/1959 – 10/2/1960	St. Luke, Carnegie, PA

Summary

The Diocesan records contained a memorandum dated May, 4, 2016 that was written by Father William J. Waltersheid. He reported that a woman had contacted the Diocese of Greensburg to report that her husband suffered abuse at the hand of a Catholic priest when he was only a child. Prior to the creation of the Diocese of Greensburg on March 10, 1951, the parishes in Armstrong, Fayette, Indiana, and Westmoreland counties were encompassed by the Diocese of Pittsburgh.

According to the memorandum, the woman stated that in 2002 her husband informed her that he had been abused by a priest from St. Joseph sometime between the years of 1947 and 1951. He stated that the abuse occurred in the priest's car after they saw a baseball game together. She could not recall the name of the priest who abused her husband.

A search of Diocesan records revealed that Father Brueckner and Father Stewart were assigned to St. Joseph during this time period.

On May 6, 2016, the Diocese sent a confidential memorandum to the Westmoreland County District Attorney's Office, reporting that sometime between 1947 and 1951, a catholic priest stationed at St. Joseph Church abused a boy "*just going into puberty*." The memorandum provided a list of priests who were assigned to St. Joseph. Brueckner and Stewart's names were contained on the list. The letter also mentioned a May 3, 2016 e-mail communication that had previously been sent to the District Attorney's Office. However, the Diocesan files do not contain a copy of this e-mail.

Summary

It does not appear that the Diocese of Pittsburgh took any further action in connection with the allegation.

Reverend Leo Burchianti

Biographical Information

YEAR OF BIRTH:	1939
YEAR OF DEATH:	2013
ORDINATION:	1964

Employment/Assignment History

5/27/1964-8/21/1966	St. Joseph, Natrona, PA
8/22/1966-6/09/1968	Immaculate Conception, Bloomfield, PA
6/10/1968-5/21/1973	Our Lady of Grace, Scott Township, PA
5/22/1973-1/24/1979	St. James, Sewickley, PA
1/25/1979-11/21/1980	St. Philip Neri, Donora, PA
11/22/1980-2/12/1981	Leave of Absence, health reasons
2/13/1981-12/03/1981	St. Rosalia, Greenfield, PA
12/04/1981-4/12/1993	St. Joseph, West Aliquippa, PA
4/12/1993-1/30/1995	Leave of Absence, health reasons/administrative
1/30/1995	Retired
1/31/2003	Withdrew from ministry

Summary

Records subpoenaed from the Diocese of Pittsburgh, including a confidential memorandum dated May 10, 2012, medical records, and victim files, reflected that from approximately 1967 to 1993, Father Leo Burchianti was alleged to have had inappropriate contact with at least eight young boys. These allegations included but were not limited to Burchianti: having anal or oral sex with them; inappropriately touching them; making suggestive comments to them; providing alcohol to them; allowing them to use drugs in the rectory; and inviting some to stay overnight to sleep in his bed with him.

In February/March 1979, a minor boy was asked by Burchianti to go over to the parish house by himself. While there, the boy was given alcohol by Burchianti and told by Burchianti that "he gets very horny after one beer." Burchianti also stated, "*Love the one you're with, if you're not with the one you love, and since you are not with the one you love (your girlfriend), he should love the one he was with.*" Burchianti then dimmed the lights in the room. A fuse then blew and the boy used this opportunity to leave the room very quickly. As he was leaving, he received the impression that Burchianti was going to kiss him, but Burchianti did not.

In the summer of 1979, another minor boy was given alcohol by Burchianti and on two distinct occasions, was told by Burchianti that he "*wanted to rape*" the boy. In September 1979, while the boy was at the rectory doing work for Burchianti, Burchianti attempted to go into the bathroom with the boy. He later placed his hand under the elastic in the boy's shorts. When he

Summary

told Burchianti not to tickle him, Burchianti responded, *"I'm not trying to tickle you, I'm trying to grab for something."* The boy quickly left.

In January 1980, another minor boy was having personal issues and was persuaded to talk to his parish priest. It was agreed that he would talk to Burchianti and spend the night at the rectory with him. While in Burchianti's room, he saw a picture of a young boy, approximately 17 years old. Burchianti pointed to the picture and said, "*You see that young boy, he is making $20.00 to $25.00 a hit and you could be too.*" Burchianti then stated that he had pornographic films and he could show them to the boy. As they both got ready for bed and undressed to their underwear, Burchianti sat next to the boy on the bed and grabbed at the boy's genital area. The boy hit Burchianti and Burchianti made the boy promise to not tell his mother. The boy then got into the bed and Burchianti got in beside him. The boy immediately got out of the bed and slept on the couch. The next morning, Burchianti asked the boy if it would help him if Burchianti made love to him. The boy, in response, twisted Burchianti's arm behind his back and told him not to try anything ever again.

On several unknown occasions in 1979/1980, another minor boy was involved in a number of incidents with Burchianti. On one occasion, Burchianti offered to watch "*film*s" of guys or girls with him, but Burchianti noted that he preferred to watch guys. On another occasion, Burchianti stated "*you could have just as much fun with a man as with a woman*" and then asked the boy, "*you mean to tell me you wouldn't take a blowjob from a guy*?" Burchianti then told the boy that he would like to kiss him. On another occasion, Burchianti told the boy that he was his "*secret admirer*" and that he "*wanted to rape him.*" The boy reported that Burchianti provided him alcohol several times.

In the early 1980s, a 12-year-old boy alleged that he was kissed and groped numerous times by Burchianti, while Burchianti was assigned to St. Joseph.

It should be noted that on October 26, 1980, Burchianti admitted to all of these allegations except the "*ones concerning abuse.*"

In 1985, a mother of a minor boy informed Father Nicholas Dattilo that Burchianti had made sexual advances toward her son in 1977. Burchianti reportedly told her son that they should go to bed together. The boy told his mother about this incident in 1982.

In November 28, 1990, a 30-year-old adult male (hereinafter referred to as John Doe 1) confronted Burchianti at his home about being sexually abused by him when the male was 14 years old. John Doe 1 was encouraged by his therapist to meet with Burchianti to obtain closure and so that he could be assured that Burchianti was receiving therapy for his "*problem.*" Burchianti assured John Doe 1 that he was receiving therapy. According to John Doe 1, the sexual abuse included Burchianti providing and receiving oral sex from him for a period of a year and a half starting in approximately 1974. During this time, Burchianti was assigned to St. Joseph.

Summary

On November 29, 1990, Father Theodore Rutkowski included a handwritten letter in Burchianti's file. That letter concerned his conversation with Burchianti about Burchianti's meeting with John Doe 1 the night before. Rutkowski stated at the end of his letter that:

> *Besides the usual assurances of our support, I advised . . . Burchianti that, legally, the statute of limitations had long since expired and that he should direct all contact from [John Doe 1's] family to me [Rutkowski].*"

Nothing more was done at the time.

On April 6, 1993, then-Father David Zubik and Father Robert Guay met with another victim (hereinafter referred to as John Doe 2) who stated that from the ages of 13/14 (from approximately 1976 or 1977) to age 21, he had engaged in oral and anal sex with Burchianti. John Doe 2 was initially referred to Burchianti by his father to discuss John Doe 2 having been being sodomized by another young boy. John Doe 2 stated that the abuse with Burchianti occurred approximately 200-300 times while Burchianti was assigned to St. Philip's in Donora and then approximately 20-30 times while Burchianti was at St. Joseph. John Doe 2 stated that he was coming forward now with the allegations because he saw Burchianti recently and it caused these memories to resurface.

On April 12, 1993, Zubik and Guay met with Burchianti to inform Burchianti of the allegations made by John Doe 2. Burchianti admitted to having had a sexual relationship with him over the years, but disputed the number of times it occurred. As a result of the meeting, Burchianti resigned as pastor of St. Joseph, effective immediately and then requested a leave of absence for health reasons. On April 13, 1993, Burchianti was admitted to St. Francis Hospital. On May 6, 1993, Burchianti was admitted to St. Michael's for assessment and treatment

Ultimately, on March 18, 1994, a signed settlement agreement for $15,000 was reached between the Diocese and John Doe 2.

On April 16, 1994, Burchianti asked the Assessment Board and Clergy Task Force to consider his request for reassignment. On August 29, 1994, the report of the Ministerial Assessment Board unanimously recommended that Burchianti not be given any assignment in the diocese. On September 22, 1994, Burchianti asked Bishop Wuerl to be reassigned somewhere within the diocese. On September 29, 1994, Bishop Wuerl informed Burchianti that given the recommendation of both the Assessment Board and the Clergy Task Force, his request would not be granted and no assignment would be given to him. On October 18, 1994, Burchianti requested early retirement "for reasons of health," which was ultimately approved.

On October 27, 1994, Zubik sent a letter to Bishop Donald Wuerl which referred to "Retirement Request: Reverend Leo R. Burchianti" The letter stated:

> *Attached you will find a draft letter granting Father Leo Burchianti early retirement from active ministry for reasons of health. I purposely did not indicate any reference to the possible arrangements for his work with the retired priests*

Summary

at St. John Vianney Manor nor his residence there. In light of the recommendation made by the Assessment Board, I feared this might appear to be an assignment. Because I indicated a reference in the letter to being in contact with me, I feel it would be better to work out the details of his work and residence at St. John Vianney with both Father Burchianti and Sister Joyce. If you feel the letter needs to be more explicit in this regard, I will make the appropriate changes.

Burchianti began residing at St. John Vianney Manor on February 1, 1995 and remained there until at least 2012.

On January 16, 2003, Father Young wrote to Burchianti, informing him that with the publication of the *Charter for the Protection of Children and Young People by the United States Conference of Catholic Bishops*, and with the approval by the Holy See of the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons,* he was being permanently removed from ecclesiastical ministry. Young also told Burchianti, "*Given this significant development, I would ask that you write Bishop Wuerl indicating that you are withdrawing from priestly ministry*."

On September 21, 2007, John Doe 1 met with Rita Flaherty, Diocesan Assistance Coordinator, regarding the sexual abuse he endured by Burchianti, which was discussed above. He told Flaherty of the sexual abuse that occurred when he was in seventh and eight grades and that these assaults occurred in the rectory, in Burchianti's room and car. Joe Doe 1 also recalled being taken to the seminary pool during this time frame, where he would see other boys from his class. These boys came to the pool with Father Bob Castelucci and Father Rudy Smoley, friends of Burchianti. He stated that the "priests would make statements to each other, bragging about the boy that each of them brought."

On September 25, 2007, Father David Bonnar, Father John Rushofsky and Flaherty, met with Burchianti to discuss the allegations. During this meeting, Burchianti admitted to sexual contact with John Doe 1 and "*wished he could erase his past*." Burchianti also admitted to being "sexually involved with [*John Doe 1's] mother for 6-8 months*" and that he along with Castelucci and Smoley, would take young boys to the seminary pool and brag to one another about them.

On June 10, 2008, the Diocese provided John Doe 1 with for $24,000 for counseling he was receiving as a result of this abuse.

During his tenure as a priest, Burchianti appears to have been evaluated and treated at St. Luke's and/or St. Michael's Institute on at least three separate occasions in 1989, 1993 and 2012 for "*inappropriate relationships with male minors*." Burchianti died in 2013.

Reverend Robert Castelucci

Biographical Information

YEAR OF BIRTH:	1938
YEAR OF DEATH:	N/A
ORDINATION:	May 9, 1964

Employment/Assignment History

5/27/1964-3/07/1965	St. Rosalia, Greenfield, PA
5/08/1965-5/21/1973	St. Joseph, Coraopolis, PA
5/08/1965-5/21/1973	St. Martha, Groveton, PA
5/22/1973-5/29/1974	St. Patrick, Canonsburg, PA
5/30/1974-6/29/1981	St. Mary of Mt. Carmel, Braddock, PA
6/30/1981-12/09/1994	St. Lawrence, Hillsville, PA
12/09/1994-7/27/1999	Leave of Absence
7/28/1999-3/25/2002	Administrative Leave
3/25/2002	Withdrew from active ministry

Summary

Documents obtained by subpoena from the Diocese of Pittsburgh show that Father Robert Castelucci is alleged to have engaged in inappropriate sexual conduct with several minors throughout his active ministry. The Diocese determined the allegations to be credible based on one victim's knowledge of Castelucci's anatomy, and Castelucci's psychological evaluation at St. Luke Institute. Despite having knowledge since 1994 of Castelucci's sexual abuse of children, the Diocese did not remove him from ministry, instead initially allowing him to take a leave of absence for personal reasons. Eventually, they requested Castelucci to voluntarily withdraw from the active priestly ministry in March 2002.

The first victim met with Fathers Robert Guay, David Zubik, Joseph Karabin and Rita Flaherty, Diocesan Assistance Coordinator on October 27, 1994. The victim stated that Castelucci molested him at the St. Mary rectory and in Castelucci's car. The victim said the abuse occurred from age 13 or 14 until age 17 in the 1970's. The victim alleged that sexual activity with Castelucci included masturbation, oral sex and one attempt at anal sex. He stated that he was a *"troubled"* youth at the time of the abuse. He reported that Castelucci gave him money and cigarettes.

The victim initially sent a letter to Castelucci on October 22, 1994, and wanted to speak with Castelucci regarding the abuse. In that letter, the victim stated, "*I was 13 or 14 when you talked me into masturbation parties only to offer me money later.*" According to a letter written by Bishop Donald Wuerl to the Vatican on May 6, 2005, after the victim confronted him, Castelucci reportedly called the victim and stated

not to get diocesan officials involved in the matter, and told [the victim] that he would never have gotten sexually involved with him had he known how much difficulty it would have caused him.

Castelucci also allegedly reminded the victim that he was "*a messed up young man already when he had met him.*"

The Diocese determined the allegation was credible due to the victim having detailed knowledge of Castelucci's anatomy. Based on the information available, it does not appear that the Diocese notified law enforcement of the allegations. The victim eventually filed a civil lawsuit along with 32 other individuals, which resulted in a $1.25 million settlement in October 2007. Diocesan records revealed that this victim signed a "Settlement Agreement and Release" document on October 3, 2007. The Diocese later forwarded three checks to the victim's therapist: One in 2008 for $1,130; one in 2010 for $1,820; and one in 2011 for $,1620.

Information about an additional victim was contained in materials obtained from the Diocese pursuant to subpoena. This additional victim appears to be a brother of the first victim. According to the civil lawsuit documents, this victim "*was a minor child approximately eight (8) years old when he was first sexually abused by Father Robert Castelucci.*" Based on the victim's date of birth and his approximate age, the abuse would have occurred in approximately 1978. It does not appear that the Diocese provided any further information regarding this victim or his alleged abuse. This victim also signed a "Settlement Agreement and Release" document on October 3, 2007.

In October 1994, Castelucci reluctantly agreed to go to St. Luke Institute for a psychological evaluation. According to a document entitled, "*Reverend Robert Castelucci – Confidential File Chronological Review,*" St. Luke Institute recommended that Castelucci undergo testify to determine, *inter alia*, "*to what degree this includes sexual attraction to adolescents.*" According to a letter in Castelucci's file from Bishop Wuerl dated February 28, 1996, Castelucci was unwilling to accept the recommendation for inpatient treatment, instead citing that he needed to take care of his ailing mother. Castelucci requested three extensions of his personal leave of absence. In May 1999, Castelucci requested an early retirement, which Wuerl "*did not grant since he did not meet the requirements in place for such a request.*"

Shortly after Castelucci requested an early retirement, the Diocese received information in July 1999 regarding an allegation that Castelucci had given a 17-year-old male a pornographic video, and performed oral sex on him. This third victim lived in Ohio where Castelucci moved after he took an extended leave of absence to care for his sick mother. Castelucci was placed on administrative leave. The Diocese reached out to the victim's family regarding assistance with counseling. According to the Diocese, they never received a response from the victim's family. In February 2000, Castelucci notified the Diocese that "*the authorities of Columbiana County, Ohio had decided not to press any charges against him.*"

According to a memorandum dated February 12, 2002, a fourth victim met with Diocesan officials to report a sexual conduct allegation against Castelucci. The victim alleged

Summary

that the abuse occurred while he employed as an organist at St. Mary, beginning in May or June 1974, when he was approximately 17 years old. The victim stated that almost immediately upon his arrival, he began to experience "*touchy feely*" behavior from Castelucci. He said that Castelucci would come up behind him, grab him, and put his hands down his pants. He would also attempt to kiss him.

The victim recalled that in July 1974, Castelucci offered him alcohol in the rectory living room. Castelucci came over to him and began to caress his legs, shoulders and chest, eventually performed oral sex on him. These incidents occurred off and on while the victim was employed at Mt. Carmel, ending in June 1977. He also recalled an incident where he stayed in the rectory to watch Castelucci's dogs while he was out. Castelucci returned around two in the morning, and suggested that the victim stay the night. He agreed to stay in the guest room, but Castelucci came into the room several times during the night to "*bother him.*" The memorandum does not detail what "*bother*" involved.

The victim further stated that there were multiple times that he told Castelucci he wanted the sexual activity to stop, but Castelucci made it known that sexual activity was expected as a condition for employment. The victim recalled, "*Father Castelucci saying on more than one occasion that 'this is why I hired you' or 'you can just leave your keys then.'*" The victim mentioned that he was paid by check for playing the organ but was also given cash.

The victim also said that his friend (the first victim mentioned in this report) told him that Castelucci abused him. He also mentioned another young male who lived in the rectory for two months until he eventually grew tired of the sexual arrangement and moved out. According to the victim, this male "*had a suspect background and who implied to (victim's name) that his living arrangement was in exchange for sexual favors provided to Father Castelucci.*"

The victim recalled nearly walking in on Castelucci and another unknown boy as they were about to engage in some type of sexual activity. The victim did not know the identity of this boy. Finally, the victim said that Burchianti would frequently visit St. Mary along with a *"TOR priest"* named "John," and both were also "*touchy feely with him.*" (*See* narrative regarding Leonard Burchianti in this report for further information regarding sexual abuse allegations against him.)

Diocesan officials offered counselling which the victim declined. They then advised the victim that if he became aware of other individuals who have been harmed by Castelucci he should direct them to the clergy office so assistance can be offered to them.

In March 2002, after the fourth victim's allegation, Diocesan officials met with Castelucci and indicated that it was in his best interest to voluntarily withdraw from ministry rather than be subjected to a canonical process. On March 25, 2002, Castelucci submitted a handwritten letter to Bishop Wuerl withdrawing from active ministry. On the same date, Castelucci sent a second letter to Bishop Wuerl which denied all allegations against him.

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A fifth victim sent an allegation to the Diocese in October 2002. The victim claimed that in the 1970's when he was a 12 or 13-year-old altar boy, Castelucci had asked his mother if he could stay overnight at the St. Joseph rectory. According to the victim, his mother readily agreed since his father was no longer around. She wanted him to spend time with a man, particularly a priest for a positive role model. The victim had heard from other altar boys that Castelucci had "*dirty movies*" that some of the boys watched. During the overnight stay, the victim asked to see Castelucci's *"dirty movies."* Castelucci allegedly responded, "*he [the vicimt] would have to allow Father Castelucci to put his hand in a 'dirty place' on [victim's name] before he would show him a movie.*" According to the victim, he declined. However, the victim stated that he awoke to Castelucci masturbating him while the two of them slept in the same bed. The victim also stated that he remembered "*seeing Father Castelucci standing by the window in the room and saying, 'What have I done[?]'"*

The Diocese offered to assist with the victim's counseling costs, which he initially declined. However, he called in November 2002 to accept the offer. On November 22, 2002, the Diocese issued two checks: One to the victim totaling $2,550 and the other to the provider of the therapy the victim was receiving (Clover Psychological Assoc.) for $494. The Diocese noted that the victim's allegation were credible, and the Allegheny County District Attorney's Office was allegedly notified. However, it does not appear that there were any documents with the victim's actual name in the file containing the written allegation.

Father David Bonnar and Flaherty, wrote to Castelucci on February 10, 2009 to explain the *Charter for the Protection of Children and Young People* promulgated in 2002. Bonnar and Flaherty reassured Castelucci, "*Please understand that all of these allegations are past the current Statute of Limitations and therefore time barred.*"

Another victim called Flaherty in May 2011 to report sex abuse by Castelucci at St. Mary when he was 15 or 16 in the late-1970s. The victim would not go into much detail, but stated that the alleged incident happened once when he was alone with Castelucci. The victim remembered that Castelucci took him to see an "X" rated movie. On another occasion when the same victim spoke with Flaherty, the victim's friend, who had also been molested, was present. The victim mentioned that he did not believe that his friend was inclined to come forward because he was mentally slow. Flaherty told the victim that the Diocese would be happy to help his friend if he decided to come forward.

In January 2015, Flaherty sent a letter to the victim's former therapist which indicated that the Diocese was moving towards a more time-limited approach to the therapy they would cover. The Diocese would offer a limitation of three years or 90 sessions for alleged victims. In this victim's file there were three photocopied checks made out to the victim's counselor in the amounts of $190, $814 and $1,447 for therapy. An allegation with the victim's name was sent to the Allegheny County District Attorney's Office on December 5, 2012.

Reverend Mauro James Cautela

Biographical Information

YEAR OF BIRTH:	1948
YEAR OF DEATH:	2005
ORDINATION:	May 4, 1974

Employment/Assignment History

5/1974-5/1979	Our Lady of Joy, Pittsburgh, PA
6/1979-8/1983	St. Vitus, New Castle, PA
8/1983-5/1984	St. James, Sewickley, PA
5/1984-1/1989	Mother of Good Counsel, Pittsburgh, PA
1/1989-10/1992	St. Norbert, Pittsburgh, PA
10/1992-2/2000	Purification of the Blessed Virgin Mary, Ellwood City, PA
7/1998-2-2000	St. Agatha, Ellwood City, PA
2/2000-8/2005	Holy Redeemer, Ellwood City, PA

Summary

According to records subpoenaed from the Diocese of Pittsburgh, Father Mauro Cautela was alleged to have inappropriately touched three young boys during the times that he respectively served as pastor of Our Lady of Joy, St. Norbert, Purification of the Blessed Virgin Mary, and Holy Redeemer. Additionally, Cautela is alleged to have used church donations and other funds to further some of his relationships with young boys as well as to purchase homosexual pornography on church computers.

In a confidential memorandum dated August 9, 2006, Rita Flaherty, Diocesan Assistance Coordinator, detailed a telephone call she had with an adult male who reported that Cautela had abused him. He stated that between 1975 and 1981, when he was about 14 years of age, Cautela molested him multiple times while on church property and at Bear Lake in Seven Springs. The victim alleged that he was provided alcohol on some occasions as well. The victim reportedly brought these allegations up directly to Cautela in a voice-mail message in November 2003. Cautela claimed that the victim asked for $20,000 in exchange for not exposing him as a pedophile. Cautela claimed that he deleted the message because he was upset by the allegation but reported the voicemail to Father James Young. Young said that the allegations had been forwarded to the Lawrence County District Attorney's Office. The records revealed that an Ellwood City Police Officer advised that a case number was never assigned to the matter out of respect for Cautela.

On July 7, 2005, Flaherty prepared a confidential memorandum regarding a telephone call she received from an attorney concerning possible sex abuse allegations against Cautela.

Summary

Flaherty indicated that she and other representatives would want to meet with this potential victim.

On August 17, 2005, Diocesan officials met with the victim about whom the attorney had called on July 7, 2005 and his parents. This adult male alleged that Cautela sexually abused him between 1998 and 2005 when he was between 12 and 19 years old. He explained that Cautela had befriended him during a very difficult time in his life, He reported that he was inappropriately touched repeatedly by Cautela. This victim said that Cautela first encouraged him to begin lifting weights at a nearby gym. There Cautela would "massage" the boy to keep him loose, touching around his body including his upper buttocks and upper leg. While lifting weights, Cautela constantly touched the boy's muscles commenting how much progress he was making. The victim also reported that on two different trips to Hilton Head, Cautela set up lodging to have the victim share a room and a bed with him. On one such occasion, the victim reported that Cautela began rubbing him down as he often did but ran his hands into the waistline of his shorts touching the top of his buttocks. The victim also reported that while on these trips Cautela was very insistent on applying sunscreen to the victim, partially exposing his buttocks in one instance while doing so. The victim further alleged that after he had suffered a staph infection, Cautela insisted on checking the boy for other abscesses on his leg. While pulling up his pant leg the victim incidentally revealed his scrotum to Cautela. After a football injury, the victim reported that Cautela came over his house while his parents were not home. Cautela began rubbing his leg, eventually sliding his hand up his shorts and further rubbing his groin.

The victim alleged that there were other males that Cautela was "helping" lift weights, massaging them in the same way as him. On August 23, 2005, he sent a 10-page letter to the Diocese in which he detailed his abuse.

The victim claimed that Cautela had purchased weight sets, a gym membership, a necklace, and a celllar telephone for him, gave the victim his car and paid for the insurance.

After the allegations were made, Cautela resigned from his position as pastor in August 2005 and was placed on administrative leave by the Diocese shortly thereafter in the same month. The Diocese advised the victim and his family that the allegations were forwarded to the Lawrence County District Attorney's Office.

On August 23, 2005, Trooper Janice Wilson of the Pennsylvania State Police ("PSP") took the initial information from the victim, and ultimately wrote a 24-page report of investigation detailing the abuse. The report of investigation included a number of allegations previously detailed above. Wilson noted the following in the narrative of the report:

- *In the fall of 1998 when the victim was approximately 12 years old, Cautela and the victim developed a close, friendly relationship after Cautela suggested that the victim begin lifting*

weights as a form of discipline while his parents went through a divorce.

- *Prior to working out, Cautela massaged the victim's thighs and buttocks to "loosen" the victim.*

- *Cautela exposed the victim to homosexual pornography.*

- *In the summer of 1999, the victim began to work at the rectory (unspecified) on a volunteer basis.*

- *Cautela requested the victim's help with one of the computers, and had the victim sit on his lap while he worked. Cautela would then massage the victim's legs, arms, shoulders, back, neck and buttocks.*

- *When the victim turned 14 in 2000, Cautela provided the victim alcohol and gave him two fifty dollar bills for his birthday.*

  - *The victim noted that Cautela would never give the victim gifts in front of anyone else.*

- *In August of 2001, Cautela took the victim and two additional minors to Hilton Head, South Carolina.*

  - *Prior to the trip, Cautela promised the victim that he would have his own room, however when they got to the condominium, they had to share a king size bed.*

  - *When the victim went to sleep in the same bed as Cautela, he began to rub the victim's back and proceeded to fondle the victim's genitals and buttocks under the victim's underwear.*

  - *The victim claims to have left, and slept on the couch for the remainder of the trip.*

- *In the fall of 2001, the victim injured his leg, and "Cautela would rub his leg, continuing up under his shorts, and rubbing his groin"*

- *The victim noted that Cautela had an extensive amount of homosexual pornography on his computer in the rectory, and would often have the victim delete Cautela's internet history.*

Summary

- *On August 25, 2005, the New Castle Police Department received a complaint of unauthorized dumping in their dumpster. The trash contained VHS tapes and DVDs of nude wrestling and homosexual pornography, at least 23 envelopes addressed to Cautela and a framed photograph of the victim and his two siblings.*

In addition, Wilson contacted an individual regarding his two sons. According to the father, his two sons did not want to speak with the trooper, stating:

> *he could see no advantage to his sons to speak with me. He stated that what happened was thirteen or fourteen years ago, and they didn't want to talk about it.*

Wilson also interviewed the first victim, mentioned above. According to the first victim, Cautela took him and a friend to a cabin that belonged to a friend of Cautela's at Bear Lake near Seven Springs. All three of them slept in the same bed because the other room was "*mice infested.*" The victim stated that Cautela provided them beer. When they went to bed, the victim reported that Cautela "*pulled his shorts aside and was performing oral sex on [the victim].*" The victim then rolled over, pretended to wake up and went to sleep on a lounger in the room.

Wilson also interviewed the cook/housekeeper of the St. Agatha rectory regarding Cautela. The housekeeper stated that Cautela "*often had young men up in his room even though that was against the rules.*" According to the housekeeper, Cautela told her that the young men needed to use his computer. The housekeeper also noted that the young man noted above frequently came to the rectory in 1998 and/or 1999.

Based on Wilson's report, PSP noted three potential charges: Endangering the welfare of children; corruption of minors; and indecent assault.

Between October and November 2005, Cautela wrote letters to the Diocese requesting that it postpone both his evaluation at St. Luke Institute and the Diocesan Review Board process. The Diocese accepted the proposal to defer the church-based proceedings.

According to Wilson, on December 9, 2005, the Federal Bureau of Investigation agreed to file federal charges against Cautela for the incidents that occurred outside the Commonwealth of Pennsylvania.

Cautela suffered a heart attack and died in 2005, however, thus concluding the criminal investigation.

Summary

On June 1, 2006, the second victim's attorney filed a civil lawsuit. The civil complaint stated:

> *Although aware of Cautela's history of sexually abusing children, including the plaintiff, the Diocesan defendants nevertheless made deliberate decisions:*
>
> *a. Not to notify police;*
>
> *b. Not to notify Children and Youth Services or other civil authorities;*
>
> *c. Not to suspend Cautela from his priestly duties and/or contact with children;*
>
> *d. Not to warn parishioners at Holy Redeemer Church that Cautela posed a serious risk to children; and*
>
> *e. Not to conduct an investigation to determine the identity of other children sexually abused."*

Ultimately, the second victim signed a "*Full and Final Release*" document on November 2, 2006, which released the Diocese of Pittsburgh of responsibility for the abuse. As part of the settlement, the Diocese of Pittsburgh agreed to pay the victim a total amount of $250,000.

Reverend Charles J. Chatt

Biographical Information

YEAR OF BIRTH:	1936
YEAR OF DEATH:	N/A
ORDINATION:	May 9, 1964

Employment/Assignment History

5/27/1964-3/27/1969	St. Alphonsus, Springdale, PA
3/28/1969-5/29/1974	St. Anne, Castle Shannon, PA
5/30/1974-8/23/1981	St. Albert the Great, Baldwin, PA
8/24/1981-7/27/1992	Our Lady of Loreto, Brookline, PA
7/27/1992-1/31/2003	Leave of Absence
1/31/2003	Withdrew from Active Ministry

Summary

Subpoenaed Diocesan files concerning Father Charles J. Chatt, including confidential, personnel and victim files, indicate that on July 27, 1992, the father of a young man reported his son's sexually abuse by Chatt. These incidents occurred in either 1970 or 1971, when the victim was in seventh or eighth grade at St. Anne. According to the Diocesan report, the father reported that he had gone to see Chatt and had told Chatt that he (Chatt) needed to call the Diocese or he (the victim's father) would.

That same day, Chatt met with Diocesan officials and admitted to the sexual contact which began at St. Anne when victim one was 14 years of age. The report recited that: "*Chatt states he never felt 'it' was wrong, felt it was a service—later felt like their whore.*" The sexual contact continued after Chatt's assignment at St. Anne's had ended because "*they came to him.*" Chatt advised that the "*relationship*" lasted during his assignment at St. Anne's and that it (sexual contact) "*tapered off*" after that. He claimed that the victim would ask for money and that the "*relationship*" stopped when the victim was 20 years of age.

The report further disclosed that when Chatt was assigned to St. Albert's, he had sexual contact for a few months with a 15-year-old from that parish. Chatt admitted this conduct during his meeting.

Chatt denied ever having contact with anyone from Our Lady of Loreto, but admitted to having contact with the first victim and his two brothers at Our Lady of Loreto when the boys were over 18. Chatt submitted his letter of resignation from Our Lady of Loreto on July 27, 1992. According to Diocese-provided documents, after submitting his resignation, Chatt sought treatment at St. Michael's Community in St. Louis, Missouri. Documents in the file indicated that he worked at St. Michael's and at "Vianney Renewal Center" until approximately 1999.

Summary

A letter in the file dated August 3, 1992 provided further details of the sexual abuse against the first victim. The letter was addressed to Father William D. Perri of the St. Michael's Community and was written by then-Father David Zubik.

The letter provided the details about the abuse of the first victim. It also furnished additional details about Chatt's subsequent statements to Diocesan representatives. The letter indicated that Chatt confirmed for church representatives that he was "*involved in sexual relationships*" with the fist victim as well as "*five other youngsters under the age of eighteen in the 1970's.*" He attributed his behavior to the "*free spirit*" of that time when the "*anything goes*" mentality was in "*vogue*," in addition to his own sexual weaknesses and what he described as the "*promiscuity of the adolescent boys involved.*"

On February 3, 1994, the first victim and his wife met with Diocesan officials. He advised that in 1970, he was 13 years old and in the seventh grade at St. Anne school. The victim went to Chatt, who was principal of the school, to tell him that the basketball coach, Mr. Giles, had been fondling the genitals of many boys on the basketball team. He further reported that Giles would also spank the boys. The victim advised that Chatt did nothing about the reported incidents.

The victim further recalled going to the rectory to visit Chatt on many occasions after Saturday night mass. The victim said that they would listen to the radio, have Cokes, etc. The abuse began shortly after he reported the incidents involving Giles.

The victim reported that he knew of at least five other victims. He said that Chatt had confessed to him about three of them and that he [the victim] was present when two others were abused at the same time he was. This occurred in the rectory and at a cottage on the Youghiogheny Reservoir that belonged to Father Mihock. The victim stated that there was a lot of alcohol consumption, mostly at the cottage.

The victim described sexual acts to include, oral sex, anal sex and said that Chatt would insert objects into his anus. The victim recalled that he and Chatt would pair up and that Chatt would encourage the other two victims to be partners.

There were also instances of abuse within the victim's home by Chatt, who was a frequent guest. Chatt would go up to the victim's room after he went to bed and abuse him.

The victim stated that Chatt had bought him expensive gifts, including: a dirt bike, a drum set and hockey equipment. When he was 15, the victim told his mother about the abuse. The victim, his mother and Chatt then went to Father Hugh McCormley for confession. The victim's relationship with Chatt "*tapered off around the age of 16.*" Chatt then moved to St. Albert the Great, but the victim continued to occasionally visit Chatt.

The victim said that Chatt kept pornographic magazines in a safe in the rectory. He recalled one magazine in particular, "*Blue Boys,*" which contained images of young men and

boys together. Chatt then moved on to his assignment at Our Lady of Loreto. The victim further recalled seeing a pornographic video there that Chatt claimed he found in a dumpster.

The victim's wife recalled seeing nude photographs of a six-year-old girl, who lived next door to Chatt's parents. She said that Chatt had told her and the victim that he took showers with the girl.

The Diocese's file indicated that on February 16, 1994, officials met with Chatt to discuss the meeting they had had with the victim and his wife. According to the file, Chatt was "*disheartened*" that the victim and his wife were "*still focusing so much anger and hatred towards him.*"

Documentation, including correspondence, receipts and treatment plans, indicated that the Diocese paid for counseling for the first victim and members of his family for several years after the allegations were reported.

In July 2001, another allegation involving Chatt was brought to the attention of the Diocese. This victim (the third victim) reported that Chatt had fondled him on many occasions while the victim worked in the rectory answering phones in the evening. This occurred in the early 1980's at Our Lady of Loreto when the victim was approximately 15 to 16 years of age. The abuse occurred one to two times per week, about every week or two, and lasted for several years. The fondling then abruptly stopped.

The victim explained that he was part of a small group of boys that worked within the rectory and parish. The boys were seen as "*Father Chatt's favorites.*"

The victim recalled an incident when Chatt asked him to retrieve something from his (Chatt's) room. The victim found a nude photograph of one of the boys who worked at the rectory. The victim said that, based on the photograph, he assumed that at least one of the other boys was sexually involved with Chatt. The file indicated that the Diocese offered assistance with counseling to to this victim.

In August of 2001, Diocesan representatives spoke with Chatt, via telephone, regarding the incident reported in July 2001. The details of the conversation were documented in a memorandum and contained the following information. Chatt admitted that there were occasions that he "*playfully groped*" the victim, but advised that they were infrequent and denied that the fondling occurred several times per week, off and on, for a year.

Chatt stated that he was not sexually involved with the victim. He was confronted with, but did not respond to, questions about the nude photograph of a boy that the victim found in the rectory. In notes of the conversation, Chatt was described as "*remorseful*" and concerned that he may have hurt the victim. The report further indicated that, "*Charles minimized his behavior as being 'much less than' his behavior that ultimately led to his treatment at St. Michael's.*" Chatt further expressed concern about possible legal action, but was advised that the victim's allegation was "*time barred*" so no legal action could take place.

Summary

The Diocese's file further documents a series of e-mail conversations with Rita Flaherty, Diocesan Assistance Coordinator, and a fourth victim in July and August of 2003. He alleged "*sexual, moral, and mental manipulation*" that occurred at St. Anne, St. Alphonsus in Springdale and at also a cottage outside of Pittsburgh. The abuse initially occurred when the victim was 15 years old. In speaking of Chatt, the victim stated, "*Due to his [modus] operandi of taking nude photos as part of his grooming process, it is safe to say that [dozens] of individuals are affected.*" "*I am in contact with a family where all of the brothers were sexually abused in Castle Shannon.*" Flaherty advised him in the e-mails to file a formal complaint, however nothing appears in the file.

Following the first documented report of sexual abuse of children reported in July 1992 that occurred in 1970 or 1971 at St. Anne's Parish, Chatt resigned as pastor of Our Lady of Loreto Parish. The parishioners were told that he had resigned for health reasons and to allow him time to better care for his aging parents. Chatt was sent to St. Michael's Community for an evaluation and thereafter returned to the facility for treatment where he remained for approximately five months. At the completion of treatment, St. Michael's staff recommended he be returned to ministry. Bishop Donald Wuerl did not honor Chatt's request for ministerial assignment and instead encouraged him to consider offers for assignment at St. Michael's. Chatt began an assignment at St. Michael's where it appears he remained on staff until approximately 1999. Thereafter, it appears that he began to do "*telephone work*" assisting the elderly and later became a social worker. In January 2003, at the request of the Bishop, Chatt withdrew from ministry and the Bishop withdrew his faculties and permissions.

Reverend Anthony J. Cipolla

Biographical Information

YEAR OF BIRTH:	1943
YEAR OF DEATH:	2016
ORDINATION:	October 28, 1972

Employment/Assignment History

12/06/1972-11/14/1974	Parochial Vicar, St. Bernard Church, Mt. Lebanon, PA
11/15/1974-5/20/1975	Parochial Vicar, Immaculate Conception, Washington, PA
5/21/1975-9/22/1975	Parochial Vicar, St. Philomena, Beaver Falls, PA
9/23/1976-7/04/1978	Parochial Vicar, St. Agatha, Bridgeville, PA
7/05/1976-10/08/1978	Parochial Vicar, St. Francis Xavier, Pittsburgh, PA
10/09/1978-6/28/1983	Parochial Vicar, St. Canice, Knoxville, PA
6/28/1983-7/05/1983	Parochial Vicar, St. Philip, Crafton, PA (7 days)
12/01/1983-11/01/1988	Chaplin, McGuire Memorial Home for Exceptional Children, New Brighton, PA
11/01/1988-9/19/2002	Leave of Absence
9/19/2002	Laicized

Summary

Pursuant to a Grand Jury subpoena, records concerning Father Anthony Cipolla were provided by the Diocese of Pittsburgh, including a confidential Diocesan file, personnel and legal document files, victim files and files containing numerous copies of documents related to civil litigation. As detailed further below, the Grand Jury heard testimony from two of Cipolla's victims, their mother and by members of the Pittsburgh Police Department who investigated the victims' allegations.

These files and testimony reflected that during the time Cipolla served as a priest, three different Bishops headed the Diocese. Cipolla was moved by his superiors from parish to parish, throughout the Diocese, several times during his tenure, for a total of eight moves in a sixteen year period.

Cipolla was first accused of sexually abusing children, specifically, two brothers who were ages 9 (first victim) and 12 (second victim) in 1978 while Cipolla was assigned to St. Francis Xavier. The abuses occurred in Cipolla's bedroom in the rectory and also in a hotel room in Dearborn, Michigan. On July 25, 1978, the victims' mother called the Pittsburgh Police Department and criminal charges were filed. Ultimately, the criminal charges were not pursued to a conclusion because, according to the mother, she was harassed and threatened by church officials to drop the charges and to "*let the church handle it.*"

Summary

Members of the Pittsburgh Police Department who investigated the abuse of the brothers testified before the Grand Jury. The Grand Jury learned that on July 25, 1978, police responded to a residence in Upper Brighton Heights where they met the first victim and his mother. The first victim was taken to the hospital for an examination and detectives thereafter took over the investigation.

The Grand Jury was informed that the detectives subsequently interviewed the first victim, with his mother and father present. During the interview, the first victim related that on July 25, 1978 at approximately 1515 hours, he had gone to St. Francis Xavier church/rectory for the purpose of communion instructions as communion was scheduled to take place on July 29, 1978. The victim reported that he was taken to the bedroom of Cipolla after he had answered some questions pertaining to his catechism instructions. In the bedroom, the victim was told, "*I (Cipolla) did this to you before. I'll do this again.*" According to the victim, Cipolla shut all of the curtains and told the victim to take off his clothes. Cipolla took all of his clothes off and Cipolla placed a thermometer in the boy's mouth and stethoscope to his chest and told him he was going to examine him again. The boy reported that Cipolla sat in a chair by the bed and he sat on his lap while Cipolla reached around and touched the boy's penis in a squeezing motion; first, 20 times and then 50 times. The victim stated that he knew this because Cipolla counted every time he squeezed the victim's penis. The victim also reported that Cipolla placed his finger inside the victim's anus at one time. The child stated that he got up when Cipolla was done and sat on the bed. Cipolla told him that this was their secret and it would be a sin if he told anyone. He was made to sign a paper saying he would not tell anyone. The victim reported that he believed there was a list of names under a table in the room but he did not know what it meant. Detectives were told by parents that when the victim came home, he seemed scared. When they questioned him about it, he told them what had happened.

The first victim told investigators that Cipolla had done the same thing to him approximately three weeks earlier. Cipolla had also stated, "*I went through this same thing with your brother, and the doctor would charge $60 for this.*"

The second victim was interviewed by the detectives and reported that he was a victim of the same type of conduct as his brother. He believed that these incidents occurred "*during the early vacation period of the summer of 1977.*" He explained that after school let out for the summer and before a trip to Dearborn, Michigan, he was told to get a physical examination. Cipolla informed his mother that if her son came to the rectory, he would check her son's heart and blood pressure and they would not have to spend any money. When the second victim arrived at the rectory he was told to take off all of his clothing. Cipolla then took his blood pressure and checked his heart with a stethoscope. Cipolla then checked him for a hernia and the second victim was made to bend over. Cipolla checked his rectum by placing his finger into it. When the child asked what that was for, Cipolla stated that he was checking to see if there was anything in there. When asked why he never told his parents, he stated that he just thought he was getting a physical examination. He further stated that the priest asked him to come to the rectory and that he would pay him to clean up his room, but that the victim never went. The victim noted that the price of $3.00 was mentioned.

Summary

On July 25, 1978, a search warrant was executed at the St. Francis Xavier rectory. Investigators recovered the following: 1) One stethoscope; 2) One blood pressure gauge; 3) One thermometer; and, 4) Three 3x5" index cards containing the names of the [victims]. Although Cipolla admitted that he "*examined*" the two children, he said he did it "*because they had related that they were a bit ill and he felt he was being of service for the family.*" When detectives asked him why he told the youths to take off all of their clothing, Cipolla stated that he had not given them such an instruction; instead, he claimed that when he had entered the room, "*that is the way they were.*" Cipolla denied placing his finger in the victim's anus and denied placing his hand on the victim's penis.

After speaking with the mother of the boys and hearing her request to prosecute, the detectives obtained an arrest warrant for Cipolla. However, when investigators arrived for the preliminary hearing on August 28, the charges were dismissed. As one of the investigators told the Grand Jury:

> *[I] didn't recall seeing Father Cipolla, but I do recall there was - - approximately - - there was five men and it has been a while back. I don't know if they were all attorneys or who they belonged to. But one of them approached me and told me that the mother doesn't want to press charges and they - - to the effect they didn't want to get the priest in any trouble or hurt the priest. Something to that effect. And I said, 'Well, what about the boy?' And I didn't get an answer. So I kind of asked again. I said, 'What do we want to do with the boy? He is the one who is the victim here.' And I was kind of ignored, to be honest about it. And the case was dropped, thrown out, whatever you want to call it, and it was nothing that the police - - that we could do because the Magistrate went along with it and dumped the case. So here we are today.*

On August 18, 2017, the mother of the victims testified before the Grand Jury. She recounted how her family was friendly with Cipolla, trusted him and thought that he was "*a nice man.*" With respect to her younger son (first victim), she described the following events when he came home following his catechism class with Cipolla:

> *When he came back, his two eyes were all puffy . . . Everybody was upset because I couldn't -- I'm asking them, 'What's wrong with you? Why are your eyes all red? What's going on?' [The first victim] said, 'I can't tell you, mom.' I said, well, 'You better tell me or I'm going to whoop you if you don't tell.' [The first victim] said, 'Well, I can't because I swore on a Bible that I wouldn't.' I'm like, 'What do you mean? There's isn't anything you can't tell your mother. You know, your mother would understand anything. So what's going on?' [The first victim] says, 'Well, Father Cipolla gave me a physical.' I said, 'A physical?' [The first victim] said, 'Yeah, he made me take my clothes off and gave me a physical.' And I'm thinking, boy, they really changed things since I was going to school. They never made us get a physical for First Holy Communication. I said, 'Why are you crying like that?' He says, 'Because I can't tell you.'*

***

Summary

It took me a while to get it out of him because Father Cipolla made him sign a paper in the Bible saying that he would not tell anyone what had happened to him or that he even had a physical. Anyway, [the first victim] told me that Cipolla put his finger up his behind and started playing with him. [The first victim] called it his dingdong. He said Cipolla played with his dingdong and that sort of thing. And then [the first victim] was like, 'I got to get out of here. My mom's making dinner.' But Cipolla wouldn't let him leave until he signed that paper saying I promise, I swear to God -- or how did it -- it had something to do with God, you know, that he had to swear on the Bible that he would not tell. So that's how I found out.

The Grand Jury learned that records from the first victim's hospital examination revealed the presence of a lubricant on his underwear.

The mother testified that when she arrived at the preliminary hearing, she believed that both of her boys were going to testify. She stated that even though charges had yet to be filed for the abuse of the second victim, it was known that Cipolla had offended on both of them. However, upon arrival, an attorney from the District Attorney's office and an attorney for the Diocese took her into a room. The attorney for the Diocese then began "firing questions at [the first victim and the second vitim] really fast." The second victim "had tears in his eyes" and the first victim "was just shaking like a leaf." She stated that the prosecutor permitted the attorney for the Diocese to interrogate both of her sons. The mother stated:

[T]the Diocese attorney was writing all this stuff down and I thought they were going to do something with it. But the next thing I know, the big tall attorney (Diocese Attorney) just started - - he became a bully. He was telling my kids, 'Well, look, you go into court.' He said, 'You're going to be talking - - if you don't want to talk about it now, there could be 100 people in there that you're going to have to talk about it in front of and we're going to tear your testimony apart.' My kids are like, you know, and I was just as scared as they were because how do I know what they can do? They're pushing the District Attorney around or this guy is ignoring the District Attorney. And the District Attorney is not sticking up for us. He isn't telling them, you know, 'Hey, don't talk to them kids like that' or 'Don't talk to that woman like that.' He just let him say whatever he wanted to do and he did. And he intimidated us really bad.

The mother further recounted that the Diocesan attorney was relentless regarding how this would negatively affect her children. According to the mother:

The Diocese Attorney said, 'Don't you understand how embarrassed -- you see them kids. You see how embarrassed they are. They're not going to want to go in in front of a hundred people.' And they kept talking like that. They were scaring my kids half to death and it scared me too.

Summary

The mother testified that the Diocesan attorney also brought up the impact that the case would have on the church. He asked her why they wanted to "*hurt the church*?" She told the Grand Jury, however, "*We weren't there to hurt the church. We were there to stop Cipolla before he did it again with some other kids*." According to the mother, the prosecutor told her that if she signed to expunge the charges against Cipolla and he "*does it again*" within 10 years, "*we can bring those charges back up*." She was told that "*it would be kept quiet unless he committed the crime again*."

The mother also reported that one day prior to the preliminary hearing, Bishop Vincent Leonard phoned her. Leonard told her that Cipolla "*was going to go through this intensive therapy or something like that to get his mind right and all that*." Leonard told her that Cipolla "*got that way from hearing confessions and the devil, you know, influenced him*." Leonard further told her to "*let the church handle it. We've got good psychiatrists. We got good doctors.*" Leonard called her a total of three times stating, "*Just let the church handle it . . .*"

In addition to Leonard calling her immediately following the abuse and prior to the preliminary hearing, Cipolla also attempted to get in touch with the first victim. According to the mother, Cipolla came to their house a few times and tried to call on the telephone. Cipolla wanted to talk to the first victim "*really bad*" but she wouldn't let him. The mother explained that Cipolla was trying to convince them to drop the charges against him.

The mother further explained that her family was harassed by numerous people in the community who believed that Cipolla was innocent and that her sons were making up the accusations. Some of the harassment included having their car windows shot out, a tire being slashed, an apartment window broken, the first victim being slapped, including in the face "*for telling lies on a poor blessed priest*," and receiving numerous threatening telephone calls and letters. Due to this harassment, she and her family moved out of the state.

On October 20, 2017, the first victim testified before the Grand Jury and recounted the details of how, on two separate occasions, he was sexually abused by Cipolla. When describing when Cipolla placed a finger in his anus, he stated, "*I felt like that there was—you know, smart to know that - - you know, just something wasn't right about it. And then for him to make me swear like that (not to tell anyone)*." He explained that if he told anyone, "*it would be an unforgiveable sin*."

With respect to the charges being dropped against Cipolla, his recollection/interpretation as a nine-year-old child was:

> *I remember my mom being in tears, bawling in tears and, you know, them just trying to make liars out of us. And I remember some compassion from some police officers, though, you know, and them just being like, you know, they - - they felt like their hands were tied. I know there was a jail in that building, too; but I don't remember exactly what building it was. And I just remember asking them questions as a kid would, and I was just - - I was kind of - - you know, how kids have a tendency to block stuff out. I wasn't really bumming except for*

watching my mother bawling her eyes out. But I remember - - yeah, I remember them. Just from what I understand and remember, they (the attorneys) tried to just say, you know, they would make me look like a liar and there was nothing we could do.

The first victim explained to the Grand Jury how the abuse affected his life. He noted his suffering (losing his father to suicide and losing his brother who was struck and killed by a car) and stated that he would have been able to handle it better "*without [the sexual abuse] happening to me, you know. I feel like I would've had a way more sound mind.*" He ended his testimony with the statement, "*God's word never returns void.*"

The Grand Jury also heard testimony by the second victim about his abuse by Cipolla. He stated tha Cipolla gave him an anal exam once at the St. Francis Xavier rectory and a second time at a hotel room in Dearborn. He ended his testimony by stating:

Basically, when a child is fooled with in any way, shape, or form, it is a lasting injury. It is a lifelong injury. And I'm assuming some recover from fully others never recover from. I consider myself one of the lucky ones that - - having a stronger mind and ability to deal with adversity, but it is ongoing. I still have, you know, my issues with authority at points; and I still have my anger issues, but making great strides. And if there is anything that you as a grand jury can do to ensure that you - - if you can save just one child, I have done my job. You have done yours. Please, please protect the children. Please.

After these sexual abuses occurred and the charges were dropped, the Diocese reassigned Cipolla immediately to St. Canice where he reoffended on another young male.

In 1988, a third victim reported that he was sexually abused by Cipolla for approximately a four year period when he was 13 to 17 years old. Notes by Father Theodore Rutkowski dated June 22, 1988 which were contained in subpoenaed Diocesan files, stated that the boy moved to the Pittsburgh area when he was 12 years of age and Cipolla asked him to become an altar boy at St. Canice. Cipolla became a father figure to him.

The third victim reported that he saw nude pictures of young boys in some files in Cipolla's room and that some of the boys were masturbating in these pictures; Cipolla would give him "*physicals*" telling the victim that he (Cipolla) was a "*missionary doctor;*" that after he showered Cipolla would insist on putting talcum powder all over his body including his genitals; and that he would go on vacations with Cipolla, who would hug and him while they shared a bed.

The third victim advised that in September 1987 he entered St. Paul Seminary to become a priest but left in November 1987 because of his confused, four year relationship with Cipolla.

Documents dated July 1, 1988 contained within the subpoenaed files, indicated that the Diocese conducted an "*internal review*" and concluded that the third victim's allegations "*were*

Summary

without foundation and the matter be dropped." The police were not informed of these allegations against Cipolla.

In December of 1988, the third victim reported the sexual abuse to the Beaver County District Attorney's Office.

Because of the allegations lodged against him again, Cipolla was sent by Bishop Wuerl to St. Luke Institute for a psychiatric examination and evaluation. The staff at St. Luke's recommended that Cipolla "*not have any ministry which involves children.*" It was further recommended that Cipolla report immediately to St. John Vianney Hospital in Downingtown. Cipolla adamantly refused to go there. Wuerl informed Cipolla that he did not have to go for treatment to St. John Vianney specifically, but that he did have to go to a "*bona fide*" church-approved facility that they both agreed on and that he needed to do this sooner rather than later.

Cipolla refused to cooperate and insisted on going to a facility of his choosing, St. Michael's Institute in New York City, which is an outpatient counseling center. Wuerl tried to discourage him from going there because St. Michael's was not a church-approved facility.

Cipolla nonetheless went to St. Michael's and from it received a "*glowing*" evaluation that basically disagreed with everything in the report from St. Luke's. Cipolla hired an attorney who wrote to Wuerl requesting that he reassign Cipolla to a parish based on the report from St. Michael's, which found no bar to such an assignment.

In a letter to Wuerl dated March 16, 1989, Cipolla indicated that he had changed his mind and was going to cooperate. The letter said Cipolla would go to St. John's.

However, three weeks later, in a letter from Cipolla to Wuerl dated April 6, 1989, Cipolla asked to be released from the Diocese so that he might seek another diocese in which to serve. In reply correspondence, Wuerl indicated that Cipolla had to secure a letter from the Bishop of the Diocese in which he wished to serve. Wuerl also told Cipolla that he (Wuerl) would have to write to that Bishop and tell him of the sexual abuse allegations that had been lodged against Cipolla, as well as the findings and recommendations of St. Luke's.

In a May 15, 1989 letter, Wuerl informed Cipolla that he (Wuerl) would be meeting with his advisors to discuss Cipolla's situation including his refusal to report to St. John's and his request to leave the Diocese of Pittsburgh. Wuerl warned Cipolla that he would not be able to exercise his priestly ministry unless he went for the recommended evaluation. In a letter dated June 6, 1989, Wuerl told Cipolla that he is still unassignable to pastoral ministry. In a subsequent letter dated June 30, 1989, Wuerl notified Cipolla that he could not be reinstated until he underwent the evaluation (at St. John's) recommended by St. Luke's. Cipolla repeatedly wrote to Wuerl requesting to be reinstated. His requests were all denied because he continued to refuse to go for the recommended evaluation and counseling.

While these communications were occurring, Cipolla continued to present himself as a priest in good standing despite being repeatedly warned by Wuerl to stop doing so. On

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September 17, 1990, Wuerl wrote to Cipolla, and notified him that his canonical facilities had been removed because he failed to take the actions directed. He therefore could not act as a priest in good standing; could not conduct any public celebrations as a priest; and could not wear priestly attire. He could not resume doing any of these things until he obtained a church-approved evaluation.

In October 1992, the third victim filed a civil suit against Cipolla, the Pittsburgh Diocese and several officials of the Diocese. The lawsuit maintained that as a result of the above-detailed 1978 sexual allegations involving the two brothers, the defendants should have known that Cipolla was using his position as a Catholic priest to gain access to and to acquire the confidence of others and otherwise seduce minor male children for his sexual gratification. It also alleged that Cipolla's superiors in the Diocese covered that up.

On March 9, 1993 an order from the Vatican called a "Signatura" ruled that Wuerl violated Canon Law and ordered that Cipolla should be reinstated as a priest in good standing.

On March 27, 1993 Wuerl asked the Supreme Tribunal to re-open the case involving Cipolla because there were factual errors.

On September 30, 1993 this civil lawsuit was settled out of court with an undisclosed financial settlement.

In April 1993, Wuerl traveled to Rome in connection with the appeal to the Supreme Tribunal. When he returned, he issued a precept reminding Cipolla that he was not to celebrate the sacraments publicly or to identify himself as a priest in good standing. Wuerl again instructed Cipolla to go get the recommended psychological evaluation at a church-approved hospital or it would be considered an act of disobedience.

In September 1995, the Vatican reversed the "Signatura" and declared that Wuerl acted properly when he banned Cipolla from ministry. Even after the "official" ruling from the Vatican that he was no longer a priest in good standing, Cipolla continued to perform masses and to present himself as a priest in good standing, even though he was advised in person, several times, that he was barred from doing these things. Cippola's appeal to the Vatican was denied in November 1996.

Following the Vatican's September 1995 ruling, Cipolla was assigned to St. John Vianney Manor and was told he must report for this assignment by February 29, 1996. They reminded him again that he was not to present himself as a priest in good standing and that in order for him to be reinstated he would have to undergo the recommended psychological evaluation. Cipolla told Diocese officials that they could not force him to do this and not even the pope could make him.

Wuerl repeatedly insisted that Cipolla meet with him and the other church officials, but Cipolla kept declining to meet, offering excuses as to why he could not meet.

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In March 1996, Cipolla wrote to Wuerl requesting additional money. He complained that he had not received his priestly salary since December 1995. In April 1996, Father John Kozar wrote to Cipolla, telling him that, since he was put on leave in 1988, the Diocese had provided him with a monthly check along with his medical insurance benefits which, to date, then totaled $135,000. Kozar added that in return for this the church had received nothing in the way of priestly ministry, service or cooperation and an increase scandal in the eyes of the community. Kozar wrote:

> *At the present you are being provided a residence by the diocese at St. John Vianney Manor, a residence for priest of this diocese. The cost of providing this residence for you is $782 per month in addition to the $638 afforded you monthly by way of the medical coverage offered for active priest[s]; namely Blue Cross/Blue Shield coverage in the amount of $190 per monthly; Major Medical coverage at the expense of $90 per month; dental insurance in the amount of $25 per month; and a monthly payment in the amount of $333 to the Priest Benefit Plan in anticipation of your retirement. With all these provisions, the Church of Pittsburgh is more than meeting your need to substances and social assistance.*

In May 1996, Cipolla caught again acting as a priest in good standing, Wuerl issued another degree forbidding him to do so and asked to meet with Cipolla. Cipolla refused claiming medical stress.

In July 1996, Cipolla wrote Wuerl again asking for his priestly salary. By this time the Diocese had received his tax statements (although not all of the documents requested in March of 1996) which showed he had significant money elsewhere (because of the interest he reported) and determined Cipolla was not "*a priest in need.*" The Diocese therefore refused to provide him any more money.

In September 1996, the Diocese received a letter from an individual in Warren, Ohio which claimed that Cipolla's parents were helping him financially and that he was performing masses regularly in their home where he was staying part time. In November of 1996 the Diocese also received information from several people who said that they were on a recent pilgrimage and that Cipolla was there celebrating masses and telling everyone he was a priest in good standing. Over the next six years numerous reports were received that Cipolla was continuing to conduct himself in the same manner.

In July 2002 Wuerl wrote to the Pope asking for Cipolla's dismissal from priesthood. Official approval for Cipolla's dismissal as a priest was issued on September 19, 2002. Despite this, in December of 2003 the Diocese received information that Cipolla was still saying masses and acting as a priest.

In August 2015 Cipolla wrote to Bishop Zubik asking him for retirement and a monthly stipend and pension for the time he served as a priest. Cipolla was informed in a January 2016 letter that that he did not qualify for a pension because he was dismissed as a priest.

Reverend John P. Connor

Biographical Information

YEAR OF BIRTH:	1934
YEAR OF DEATH:	N/A
ORDINATION:	April 4, 1962

Employment/Assignment History

4/28/1962	Assistant, St. Francis of Assisi, Vineland, NJ
1/08/1966	Assistant, St. Mary, Gloucester, NJ
6/18/1966	Assistant in Residence, St. Rose of Lima, Haddon Heights, NJ
6/18/1966	Faculty, Paul VI High School, Haddon Township, NJ
1969-1970	Assistant CYO Director of Diocese, Diocese Center
1970-1985	Chairperson, Bishop Eustace Preparatory, Pennsauken Township, NJ
2/2002	Removed from active ministry/retirement

Summary

Records obtained by subpoena from the Diocese of Pittsburgh, show that in October of 1984, Father John P. Connor was arrested in New Jersey for sexually molesting a 14-year-old child. The sexual abuse for which Connor was apprehended took place in Connor's home in the Diocese of Camden during the time he was a theology teacher and golf coach at Bishop Eustace Preparatory School in Pennsauken. According to the 2005 Philadelphia Grand Jury Report, Connor never went to trial on the charges because lawyers for the Diocese of Camden negotiated a pretrial intervention with the Cape May Prosecutor's Office. The terms of the agreement were that if Connor would admit to sexually molesting the 14-year-old child, he would have the record of his arrest erased, as long as he were not re-arrested within one year. In Connor's Diocesan file, a letter dated March 29, 1985 from the Office of the Prosecutor, County of Cape May to Connor's attorney stated:

> [W]*e have placed explicit reliance on the internal discipline of the institutional church in assuring that Father Connor takes all the steps reasonably necessary to live up to the letter and the spirit of the Participations Agreement—even after the period of court supervision expires.*

The subpoenaed Diocesan files contained several memoranda and letters from the Southdown Institute outside of Toronto, Canada where Connor spent approximately eight months in treatment after his arrest. The documents from Southdown indicated an assessment that because of Connor's problem with alcohol: "*he acts out sexually with some preference to late adolescent males.*" They specifically warned against giving Connor responsibility for adolescents. In a September 3, 1985 memorandum to Bishop George Guilfoyle of Camden from the Executive Director of Southdown specifically cautioned that "*because of the incident for*

which he was apprehended, we would not recommend any ministry that would directly put him in a positions of responsibility for adolescents such as a teaching situation."

In a letter dated September 11, 1985, Guilfoyle, wrote to Bishop Anthony Bevilacqua, the Bishop of Pittsburgh asking if Bevilacqua would consider accepting Connor. Guilfoyle later acknowledged in a letter dated September 12, 1985 that he could not keep Connor in Camden stating; "*If it were not for the matter of scandal, I would be willing to keep him here.*"

In a memorandum dated September 11, 1985 to Bevilacqua, Father Nicholas Dattilo expressed several concerns about the request from Guilfoyle. Dattilo specifically pointed out that: "*If the problem is homosexuality or pedophilia we could be accepting a difficulty with which we have had no post-therapeutic experience.*" He also stated in this memorandum:

> *If, after you have talked with Bishop Guilfoyle you believe there is no serious risk in accepting Father Connor, we will do everything we can to keep the tradition of bishops helping bishops intact.*

It should be noted that there is a hand-written note at the bottom of the memo which reads: "*I cannot guarantee that there is no serious risk.*" It is initialed "*AJB*" (Anthony Joseph Bevilacqua) and dated September 17, 1985. Despite this acknowledgement, and after receiving reports from Southdown. Bevilacqua agreed to give Connor an assignment in the Diocese.

According to the 2005 Philadelphia Grand Jury Report, an additional memorandum dated September 11, 1985 from Dattilo documented his concern about bringing Connor to the Diocese which stressed the "*serious consequences of recurrence*" given "*the nature of the incident for which he was apprehended.*" Bevilacqua initialed this memorandum and added a note stating; "*He must also be told that his pastor/supervisor will be informed confidentially of his situation.*" There is no documentation regarding this September 1985 memorandum in the file that was provided by the Diocese.

In a letter to Connor dated October 9, 1985, Bevilacqua appointed him as Chaplin to the Catholic patients at Sewickley Valley Hospital and assigned him to reside at St. James.

However, less than a year later, in a letter dated September 5, 1986, Bevilacqua informed Connor that he had appointed another priest as Chaplain at Sewickley Valley Hospital, and reassigned Connor to St. Alphonsus in Wexford. Connor's new assignment gave him an unrestricted ministry. There was no warning to the parishioners of the church that he was an admitted child molester.

According to Philadelphia Grand Jury Report, after Bevilacqua left Pittsburgh to become the Archbishop of Philadelphia, Dattilo revoked Connor's assignment citing "*legal complications*" and suggested Connor apply to the Philadelphia Diocese since Bevilacqua had been willing to accept Connor before. In a memorandum to Connor dated September 7, 1988, Bevilacqua appointed him as assistant pastor of St. Matthew in Conshohocken, a parish with a grade school. Bevilacqua encouraged Connor, among other things, to "*educate youth.*" Once

again Connor was given an unrestricted ministry and there was no warning to the parishioners of the church that Connor was an admitted child molester.

According to the Philadelphia Grand Jury Report, Bevilacqua told the Grand Jury that he recalled Connor calling him directly to request the new assignment in Conshohocken. He stated that while he asked Monsignor Samuel Shoemaker to handle the appointment, he did nor recall whether he had told Shoemaker about Connor's history. An excerpt from the 2005 Grand Jury Report reads as follow:

> *Bevilacqua and the Philadelphia Archdiocese accepted this dangerous priest readily but did nothing to ensure the propriety of his future conduct. Father James W. Donlon, the pastor of St. Matthew Church since March 1989, testified to the Grand Jury that Cardinal Bevilacqua never told him about Father Connor's arrest or that he had been treated at Southdown for abusing alcohol and a 14-year old boy. The Archbishop met with Father Donlon for a half hour in February 1989 to familiarize Father Donlon with his new parish. Rather than share information that might have aided the pastor in protecting the children of St. Matthew, Archbishop Bevilacqua chose to say that Father Connor was brought from Pittsburgh to be closer to his family. Moreover, Father Donlon was given no guidance as to what activities Father Connor should or should not participate in, even though the Southdown report that Cardinal Bevilacqua had received explicitly recommended that Father Connor not be put in a position of responsibility for adolescents. Since Father Donlon received no warning from the Archbishop, he allowed Father Connor full access to the youth of the parish. The pastor did not know to be concerned about an especially close relationship that was developing between Father Connor and a young boy from the parish grade school, named "Timothy."*
>
> *The Grand Jury further heard that Archbishop Bevilacqua also neglected to tell that pastor that Father Connor had a history of alcohol abuse and that Southdown had warned that excessive use of alcohol could increase the risk that the priest would act out sexually with adolescents. Thus, when Father Connor continued to drink, Father Donlon did not know to be especially concerned.*

Donlon also told the Grand Jury that it was not until a newspaper reporter called him in 2002 that he became aware of Connor's arrest for the sexual abuse of a minor. Donlon explained to the Grand Jury that he "*would have been more careful about everything*" meaning Connor's activities and his association with the school.

The Grand Jury report went on to say that "Timothy," the child from St. Matthew in Conshohocken to whom Connor was paying a great deal of attention, had been located and was now 24 years old. Although Timothy did not openly admit to the sexual abuse, he claimed that from third grade until the beginning of high school Connor took him, once a week, to the movies, dinner, bowling and golfing and that Connor bought him golf clubs and a bike.

Summary

In 1993, Connor was suddenly moved back to Camden because his 1984 victim of sexual abuse had sued and received a settlement from the Diocese of Camden.

In 1994, it was reported that Connor (who was assigned to a church in New Jersey) was still continuing to visit "Timothy" in Conshohocken weekly to take him on trips and give him gifts. Monsignor Lynn called Camden Chancellor and the Archdiocese attorney to notify them of Connor's "*imprudent*" behavior, but according to the Grand Jury Report, there was still no attempt to notify Timothy's mother that Connor was an admitted child molester.

In 1995, Father John Kelly, the parochial vicar at St. Matthew reported that Connor was back in the parish and still in "Timothy's" life. The 2005 Grand Jury report quoted Lynn as saying: "*I told Father Kelly that all I could do was inform the Camden Diocese, as I did before, that Connor was back in the picture with this young boy here in Conshohocken.*"

Included in the file for Connor that was provided by the Diocese, is a letter to Father Ronald P. Lengwin, from Father Peter Murphy, pastor of St. Alphonsus. Murphy's letter stated that on October 27, 2008 a man called the rectory. The caller apparently wanted the current priest to apologize to the whole church during the homily for assigning Connor to the church and about the terrible things Connor did. When the man was asked if he had been abused by Connor, he said he had. Murphy told the man to call the Diocese of Pittsburgh to make the accusation.

In a memorandum dated November 5, 2008 to Diocesan Assistance Coordinator Rita Flaherty, Lengwin stated that he spoke to the Allegheny County District Attorney's Office on October 27, 2008 about an allegation of sexual abuse made against Connor. There was concern that a threat was being made against the church and was asking for help on how to deal with it.

More recently, in the files obtained from the Diocese, there is a letter to Bishop David Zubik dated December 18, 2014 from an attorney who represented a victim who claimed that he was repeatedly sexually molested by Connor from approximately 1986 to 1988 when he was a 12 to 14 years of age. During that time, Connor was assigned to St. Alphonsus. The male, then 40 years old, claimed that Connor ruined his life and that Connor stole his innocence. The letter stated that the victim suffered from trust issues, low self-esteem, suicidal ideation, alcohol abuse, estrangement from the Catholic Church, guilt, shame, embarrassment, etc. As a result of his suffering, the victim demanded a settlement for $1 million. .

In a "*Confidential Memorandum*" to the Diocese file dated January 21, 2015, Flaherty stated that she and Father Mark Eckman phoned Father Terry Odien, the current Vicar for Clergy in the Diocese of Camden, to alert him of the allegations they had received. Odien advised that Connor was out of active ministry and living in a retirement facility for priests. They also called the Archdiocese of Philadelphia and spoke to Monsignor Daniel Sullivan to inform him of the recent allegations. Flaherty stated, "*we had little information about him [the victim] and that we have had no contact with the alleged victim.*"

Summary

The subpoenaed Diocesan files contain little to no information on the victim's status or whether he was offered counseling. The Grand Jury investigation found little to no documentation that the Dioceses of Pittsburgh, Philadelphia or Camden notified local law enforcement or the District Attorney's office about Connor's sexual abuse.

Reverend John David Crowley

Biographical Information

YEAR OF BIRTH:	1929
YEAR OF DEATH:	2006
ORDINATION:	May 29, 1954

Employment/Assignment History

6/10/1954-6/9/1968	St. Elizabeth, Pleasant Hills, PA
6/10/1968-3/27/1969	St. Margaret, Green Tree, PA
3/28/1969-1/17/2003	Holy Angels, Hay, PA
1/10/2003	Resigned

Summary

Subpoenaed Diocesan records indicate that, at the time of his release from seminary in 1954, there were reports that Father John David Crowley would need "*constant supervision*" because he was "*inclined to look for 'loop-holes,' special privileges, etc.*"

In 1992, a complaint was made by a mother and her twin adult daughters, one of whom was 16 years old at the time of victimization. Crowley was presented with the allegations in June 1992 and a referral for a mental health evaluation at St. Michael's Community was made in September 1992. In the interim, Crowley remained in his assigned parish. Evaluators at St. Michael's opined that Crowley was being truthful in his denials regarding the sexual abuse of the mother and her twin daughters and recommended outpatient therapeutic support to address insecurities, low self-esteem and obsessive-compulsive tendencies. Upon his discharge from St. Michael's following the one week evaluation period, Crowley was returned to his parish.

In late-2001, the mother and twin daughters renewed their complaint with the Diocese. The 2002 *Charter for the Protection of Children and Young People* triggered a report of this allegation on August 30, 2002, to the Allegheny County District Attorney's Office. Additionally, the allegation was presented to the Diocesan Review Board. The Board found the victims' allegations to be credible and rejected Crowley's testimony. On December 9, 2002, the Board recommended that Crowley be asked to resign his position as pastor and should he refuse, that he be removed according to the norms of Canon Law. They further recommended that Crowley be requested to retire from active ministry, that his faculties be withdrawn and that he be asked to begin intensive counseling.

Following the recommendations, Bishop Donald Wuerl gave Crowley an option to voluntarily resign and withdraw from active ministry, or undergo a judicial canonical process. Crowley chose resignation and submitted the same on January 7, 2003. Wuerl permitted him to announce to his parish that he was "*voluntarily accepting an earlier retirement since he was only two years away from submitting a mandatory letter of retirement at age 75.*" This was

Summary

permitted, according to Wuerl, to "*protect his [Crowley's] reputation in the widespread community.*" Wuerl faced great scrutiny regarding Crowley's departure by members of the parish and the media who loved Crowley and thought there was more to the story (they believed that Wuerl had forced Crowley out). Wuerl maintained that "*Father Crowley, for reasons of his own, asked to retire.*"

Crowley was notified by Wuerl on May 30, 2003, that his ministerial faculties had been withdrawn. On June 9, 2004, the Congregation for the Doctrine of the Faith confirmed Wuerl's decision that Crowley remain in retirement and that he not exercise any public ministry

Crowley died in 2006.

On July 24, 2008, Rita Flaherty, Diocesan Assistance Coordinator, prepared a memorandum to Crowley's file that documented a meeting with an adult male who stated that he was sexually abused by Crowley in the 1970s when he was 11 to 12 years old. The Diocese reported this complaint to the Allegheny County District Attorney's Office on August 13, 2009.

Reverend Richard Deakin

Biographical Information

YEAR OF BIRTH:	1955
YEAR OF DEATH:	N/A
ORDINATION:	April 13, 1985

Employment/Assignment History

3/1984-6/1987	Deacon until ordained; Assistant Pastor after ordination, St. Martin, Baltimore, MD
6/1987-8/1988	Parochial Vicar, St. Cecilia Church and Friary, Rochester, PA
1988	St. Francis Friary, Brookline, PA (in residence only)
8/15/1989	Leave of Absence
12/29/1992	Dismissed from clerical state

Summary

Documents subpoenaed from the Diocese of Pittsburgh reflected that in May 1990, Father Richard Deakin was contacted by the Baltimore City Police Department about allegations that he had sexually abused a 13-year-old girl for more than a two year-period while his was the assistant pastor of St. Martin in Baltimore, Maryland. At the time police contacted him, Deakin was on a leave of absence from his Order and the priesthood.

Deakin was arrested on June 25, 1990. He was charged with and, in October 1990, pled guilty to charges of second degree rape and sexual abuse of a child, who was identified in court filings as "*Jane Doe*." He was sentenced to a 15-year suspended prison sentence and five years of probation.

Correspondence from the victim's attorneys which was included in subpoenaed Diocesan files reflected that when the victim was 13 years old, she underwent serious surgery to remove a tumor from her chest. During this vulnerable period, Deakin assumed a prominent role in her life, being both her friend and confidant. He would visit her in the hospital regularly and they became very close. "*In the winter of 1985-86*," Deakin began sexually abusing her. "*The sexual relationship intensified and sex occurred in St. Martin's Church, the rectory, Father Rich's car, (redacted) home, and various other locations*."

In an undated letter by Deakin which was addressed to "*Most Holy Father*," he described in his own words, details of his inappropriate relationship with this young girl. He stated:

> *During my last year to sixteen months at St. Martins' I became progressively more sexually involved with a teenage girl in the parish. I had become friends with her and her family. Our relationship started by this girl and her brother accompanying me when I went out shopping or to the movies or to the park. Our*

Summary

physical contact progressed from occasional playful contact to kissing and petting to sexual intercourse.

Deakin wrote that he "*[had] never forced [redacted] to have any sexual contact without her consent*" and that she "*[had] initiated the sexual behavior between us as often as I did.*" "*We both knew that this behavior was inappropriate and wrong.*" He went on to say that he believed that he and the victim "*were both so emotionally needy that we overlooked what was right and wrong*" and that he "*was using this teenage girl to gain a sense of power, as well as, to feel needed by someone not as a priest but as a man.*"

Deakin admitted that "[i]*t was a very sick relationship*," and added that '[n]*o one was aware of the sexual behavior between myself and this teenage girl.*" Deakin also admitted that he never told his psychiatrist about his relationship with the victim because he "*knew there were legal consequences.*" Deakin's abuse of this girl which lasted over a year and a half, continued after he was transferred to St. Cecelia in Rochester, PA. Deakin returned to Baltimore on several occasions, however, and would meet the victim at a motel. The relationship was finally terminated when Deakin told the victim that he was in love with another woman whom he intended to marry.

Shortly after Deakin ended the relationship, she became a troubled child, acting out in school and eventually failing tenth grade. In December, 1989, she began to have nightmares about the sexual abuse she endured. She entered counseling and revealed her relationship with Deakin to her mother and to her psychiatrist. She became despondent and suicidal and she had to be hospitalized.

In October 1990, she was hospitalized again and was not released until January, 1991. She reentered the hospital again in March of 1991 for a short stay. She underwent psychotherapy on an outpatient basis. She was eventually diagnosed with post-traumatic stress disorder and major depression, all the result of the sexual abuse.

This victim and her mother subsequently filed a civil lawsuit.

On November 17, 1992, Father Robert F. Guay of the Diocese of Pittsburgh testified in a deposition taken in connection with the litigation. Guay had served as the Director of the Department of Clergy Personnel for the Diocese during the time that Deakin was transferred to St. Cecilia. During his testimony, he stated that after the Diocese found out about the ongoing sexual abuse of this victim, it did not investigate or inquire of anyone at St. Cecelia to learn if Deakin had engaged in sexual misconduct with any of the children in that parish. Guay also testified that he only learned that Deakin had been formally charged for sexual abuse of a minor through a newspaper article. Guay said that he was not aware if anyone from the Diocese of Pittsburgh had contacted the Archdiocese of Baltimore to find out more information regarding the charges.

The lawsuit was settled on October 11, 1993 for $2,705,000.

Reverend Ferdinand B. Demsher

Biographical Information

YEAR OF BIRTH:	1914
YEAR OF DEATH:	1983
ORDINATION:	May 25, 1946

Employment/Assignment History

8/22/1946 – 7/16/1947	St. Peter, New Kensington, PA
7/17/1947 – 6/29/1949	Christ the King, Ambridge, PA
6/30/1949 – 5/20/1951	St. James, West End, PA
5/20/1951 – 6/29/1963	United States Army
7/02/1963 – 6/06/1966	Resurrection, Brookline, PA
6/07/1966 – 6/24/1983	St. Mary of the Assumption, Pittsburgh, PA

Summary

Documents subpoenaed from the Diocese of Pittsburgh revealed that on March 18, 2002, a victim contacted the Diocese via e-mail to report sexual abuse by Father Ferdinand Demsher. The victim stated that the abuse occurred from 1975 to 1976 at St. Mary of the Assumption church. The victim was approximately 13 to 14 years old at that time.

Demsher died in 1983.

According to the victim, his grandparents arranged for him to be employed at St. Mary doing odd jobs for Demsher. One summer day, he complained of a heat rash on his inner thigh. Demsher offered to look at the rash, and the victim remembered being in Demsher's office in the rectory with his pants down. He stated that Demsher had "*manipulated his penis until it was hard*" and when he could no longer "*stand it he ejaculated.*" The victim stated that he knew it was wrong, but "*he [Demsher] could cause problems for me.*" Demsher continued this pattern of abuse while the victim had the heat rash.

The victim further claimed that Demsher attempted to manipulate him into sexually touching him [Demsher] by using a ruse related to a prostate check. He explained:

> *[Demsher]would stick a finger into his anus and massage the prostate until he [Demsher] would ejaculate and this would "help open his urinary tract." He [Demsher] said I [the victim] had large hands and my long fingers could reach the prostate muscle.*

Demsher also asked the victim to massage his back thighs and buttocks to ease Demsher's sciatic nerve pain.

Summary

One of the victim's job duties was to straighten up clutter on the second floor of the rectory. He related:

> *[A]t some point I don't remember exactly how it happened but he had managed to get me naked in his bed and was manipulating me with a hand held electrical vibrator and after as long as I could try to hold out I ejaculated. He took off his cloths (sic) and I ended up doing the same thing to him. This was the first time I had ever manipulated his penis to orgasm.*

The abuse finally ended when the boy started Lawrenceville Catholic High School as a freshman. He got a different job at a country club and made excuses as to why he could no longer visit the rectory.

The victim requested counseling from the Diocese. An internal Dioesan memorandum dated April 4, 2002 ended with "*we found [the victim's] allegation to be credible.*"

In May 2005, the victim contacted the Diocese again seeking assistance in the form of counseling because of the sexual abuse he suffered. There were several documents in the file which reflected that the victim participated in therapy. The Diocese also agreed to cover the cost of tuition for his daughters to attend Catholic school in the Florida area.

On March 12, 2012, an individual called the Diocese to report that a male friend had been molested by Demsher as a child in the late-1970's to early-1980's. Rita Flaherty, the Diocesan Assistance Coordinator, gave the individual contact information to forward to her friend. The individual provided the potential victim's first name. Diocesan documents do not reveal that this potential victim contacted the Diocese.

In February 2015, a confidential memorandum was prepared regarding a complaint of sexual abuse by Demsher. On February 4, 2015, a second victim met with Bishop William J. Waltersheid and Flaherty to discuss allegations of abuse. In that complaint, he advised that Demsher engaged in sexual activity with him while he was approximately 14 years old. He stated that the abuse occurred when he was a freshman at Central Catholic High School. The victim explained that the first time that he went to pick up his report card from Demsher, the victim had a cold. According to the memorandum, "*Demsher told [the victim] he had been a chaplain in the Army. (Somehow he must have implied or given the impression from that comment that he knew how the victim] should take care of his cold.)*" The victim was instructed by Demsher to drop his pants and Demsher then began to fondle his genitals.

The second victim reported that Demsher also fondled his genitals the second time that he had to pick up his report card. By the time he had to pick up his third report card, the victim asked a friend to go with him. Demsher again "*made the suggestion about 'examining him'].*" In response, the victim explained that his friend was waiting outside, and Demsher did not attempt to fondle his genitals that day. As a result of the abuse, the victim's grades began to

Summary

drop, and he lost faith in the Catholic Church. He was offered counseling, which he ultimately accepted.

In a "*Confidential Memorandum*" to Demsher's file dated February 1, 2016, it was noted that a third victim claimed to have been fondled by Demsher when he was approximately 10 to 11 years old. This victim had attended Resurrection grade school and had been an altar server for the parish. The notes regarding the allegation did not provide any further information or details of the abuse. On February 11, 2016, Flaherty contacted the victim again to offer him counseling.

In February 2015, the Diocese notified the Allegheny County District Attorney's Office that a complaint of sexual abuse by Demsher had been made to the Diocese. The Diocese stated that the activities occurred in 1964-1965 at a church in Allegheny County.

In a "*Confidential Memorandum*" dated April 27, 2016, it was noted that a fourth victim called to report sexual abuse by Demsher. In the complaint, this victim reported that Demsher abused him in the mid-late 1960's. The memorandum did not provide a detailed account of the abuse. The victim further advised that Demsher took him and several other boys to Wildwood, New Jersey and provided alcohol to them on two occasions. On one occasion, another boy started to choke on his own vomit as a result of drinking too much alcohol. Flaherty attempted to set up a meeting with the victim to further discuss the abuse allegation, however the victim cancelled several times. The victim indicated that although he knew it was the right thing to do, "*I am fighting with myself about doing it. I guess it is my 'Catholic guilt.'*" On May 20, 2016, the Diocese notified the Allegheny County District Attorney's Office that a complaint of sexual abuse by Demsher had been made to the Diocese. The Diocese provided the fourth victim with financial help on September 9, 2016.

Reverend Myles Eric Diskin

Biographical Information

YEAR OF BIRTH:	1948
YEAR OF DEATH:	N/A
ORDINATION:	March 1, 1975

Employment/Assignment History

3/12/1975 – 7/17/1979	St. Paul, Butler, PA
7/18/1975 – 11/26/1981	Purification of the Blessed Virgin Mary, Ellwood City, PA
11/27/1981 – 7/05/1987	Sacred Heart, Pittsburgh, PA
7/06/1987 – 1/01/1991	Diocese of Pittsburgh
1/31/1991 – 5/24/2002	Diocese of Pittsburgh
3/19/2003	Resigned

Summary

Documents subpoenaed from the Diocese of Pittsburgh indicated that in April 2002, a complaint of sexual abuse by Father Myles Eric Diskin was made to the Butler County District Attorney's Office. In that complaint, an adult male reported that Diskin had engaged in sexual activity with him when he was a minor child. The abuse occurred in the mid-1970's at a church in Butler.

In October 2002, another complaint of sexual abuse by Diskin was made to the Butler County District Attorney's Office. In that complaint, a woman reported that Diskin had inappropriately touched her while she was a minor child. She stated that the activities occurred in the mid-1970's at a church located in Butler.

In June 2004, another complaint of sexual abuse by Diskin was made to the Butler County District Attorney's Office. In that complaint, "John Doe" advised that Diskin sexually abused him in the school, in the rectory, in Diskin's automobile, in the sanctuary of the church (St. Paul), and in the male's home. The abuse included fondling of the genitals and performing oral sex. The abuse took place in 1976 to 1977 when the victim was 12 to 13 years old.

In November 2004, a complaint was made to the Diocese of sexual abuse by Diskin. A "*Confidential Memorandum*" from the Diocesan Assistance Coordinator indicated that the complaint filed by an adult male asserted that Diskin sexually abused him at St. Paul when he was a minor.

In February 2009, a complaint of sexual abuse by Diskin was made to the Allegheny County District Attorney's Office. In the complaint, two victims reported that Diskin sexually abused them in the mid-1970's. Internal Diocesan records indicated that the victims would have been approximately 11 and 14 years old, respectively, at the time of the abuse.

Summary

In January 2015, a complaint of sexual abuse by Diskin was made to the Allegheny County District Attorney's Office. In the complaint, "John Doe" advised that Diskin sexually abused him by inappropriately touching him. The abuse took place Butler County in 1976 to 1977 when the victim was 15 to 16 years old.

In January, 2015, a complaint was made to the Diocese of sexual abuse by Diskin. In that particular complaint, a woman advised that Diskin sexually abused her by inappropriately touching her. The abuse took place in the mid-1970's in Butler County when she was a minor.

In a letter dated July 7, 2003, Father Lawrence Dinardo wrote to Diskin following a meeting during which Diskin admitted to having had a sexual relationship with a young man for a few years while Diskin was assigned as a priest in Butler. The young man was a minor at the time of the sexual activity. Their interaction ended in 1979 or 1980.

Diocesan records also contained a letter dated June 23, 2004 to Butler County District Attorney's Office which acknowledges a series of civil lawsuits relating to Diskin's conduct.

Father Richard J. Dorsch

Biographical Information

YEAR OF BIRTH:	1944
YEAR OF DEATH:	N/A
ORDINATION:	May, 1970

Employment/Assignment History

6/15/1970-5/20/1975	Parochial Vicar, St. Basil, Carrick, PA
5/21/1975-10/12/1977	Parochial Vicar, St. Philip, Crafton, PA
10/13/1977-3/07/1983	Parochial Vicar, All Saints, Etna, PA
3/08/1983-5/25/1985	Parochial Vicar, St. Michael, Butler, PA
6/26/1985-9/23/1991	Pastor, St. Francis De Sale, McKees Rocks, PA,
9/23/1991-2/07/1994	Administrator, St. Coleman, Turtle Creek, PA
2/07/1994-8/26/1994	Team Ministry, Risen Lord, Pittsburgh, PA
8/26/1994	Leave of Absence
5/28/1996	Withdrawn from Ministry

Summary

In early August 1994, a 13-year-old boy was taken by his parents for a routine physical examination. During the examination, the boy disclosed to his doctor that he was sexually assaulted by Father Richard Dorsch. The doctor informed the victim's mother of the assault and reported it to Children & Youth Services in Allegheny County. The Allegheny County Police Department thereafter initiated an investigation into the complaint.

At the time of the victim's complaint, Dorsch was serving as pastor at the Risen Lord on the North Side of Pittsburgh. It was determined that the sexual assault of the victim took place at "North Park" in Allegheny County on August 2, 1994. An investigation by law enforcement resulted in Dorsch's arrest on August 26, 1994.

Dorsch's arrest prompted the Diocese of Pittsburgh to place him on administrative leave. Arrangements were then made to send Dorsch to St. Luke Institute in Suitland, Maryland for an evaluation. The evaluation was scheduled for the week of October 9, 1994.

On August 26, 1994 - - the day of Dorsch's arrest - - a meeting was held with Dorsch and officials with the Diocese regarding the victim's allegations. Handwritten notes from the Diocesan file detailed what occurred during this meeting. Dorsch admitted to "i*nappropriately*" touching the victim, holding him longer than necessary, and sitting the victim on his (Dorsch's) lap while stroking the victim's stomach and touching his nipples. When asked if he touched the victim's genitals, Dorsch replied, "*I didn't touch his genitals . . . I don't think I did?*" Dorsch also admitted during the meeting that he had always been attracted to young boys, but that he had been able to control this attraction by making sure he was never alone with them.

Summary

In April 1995, a jury convicted Dorsch of two counts of indecent assault and one count of corrupting the morals of a minor. On June 23, 1995, Dorsch was sentenced to 11 ½ to 23 months incarceration. However, only a week later (June 30, 1995), Dorsch was released on parole and admitted back to St. Luke Institute in Maryland.

In a letter dated June 29, 1995 from Rita Flaherty of the Diocese to a physician at St. Luke Institute, Flaherty wrote, *inter alia*:

> *I look forward to working with you and maintaining the excellent working relationship that the Diocese of Pittsburgh currently has with St. Luke Institute. I also want to thank you for "going the extra mile" on behalf of Father Richard Dorsch.*

Flaherty continued the letter by stating, "*Again, I thank you and all of the staff at St. Luke Institute for all that you do for the priests of our diocese.*"

On December 9, 1994, a handwritten letter was sent to Father Guay by another victim. In his letter, a second victim indicated he was sexually assaulted by Dorsch at the All Saints church in Etna when he was 10 years old. The victim indicated the assaults first occurred in the spring of 1981 and that on the first such occasion, Dorsch had the victim touch his (Dorsch's) bare chest, while Dorsch kissed the victim on the head.

Dorsch thereafter began taking the second victim to a racquetball club in Shaler. After playing racquetball, Dorsch and the victim would sit naked in a hot tub together and Dorsch would put his hand on the victim's leg under the water. In the fall of 1991, Dorsch reportedly sat in the hot tub and fondled the victim's genitals by sitting the victim on his lap and placing his hands on the victim's penis and testicles. During the following weeks, Dorsch assaulted the second victim at the church by placing his hand down his pants and, again, fondling his genital area.

On another occasion, the second victim went to Moraine State Park with Dorsch and three or four other youths. While swimming in a lake, one of the other boys, who the victim told Diocesan officials he could identify, complained that Dorsch had tried to fondle his testicles.

The second victim indicated that Dorsch's sexual abuse stopped only when Dorsch was transferred from All Saints when the victim was in eighth grade. He estimated that, in total, Dorsch assaulted him on 50 to 70 separate occasions. The second victim later filed a lawsuit against the Diocese alleging a decades-long conspiracy to protect priests who molested minors. A review of Dorsch's Diocesan file did not reveal how this lawsuit was ultimately resolved.

Between July and November 1996, the Diocese made various payments and reimbursements to Dorsch, including $140 for a computer course, $1,732 for classes and $622 for student fees at the University of Pittsburgh at Greensburg, and $2,493 for "*courses and books.*"

Summary

On January 23, 1997, a letter was sent from the Diocese to St. Luke Institute. The letter read, in part:

> *Dear Bill, As I am sure you are aware, Father Richard Dorsch will be returning to St. Luke's for his second Aftercare workshop the week of February 16 . . . Since Richard's last Aftercare workshop, several new developments have occurred. On a positive note, Richard recently received word that civil charges have been dropped as a result of a mediation process and out of court settlement. This resolution has alleviated a lot of anxiety for Richard regarding his future.*

On May 22, 1997, Dorsch wrote a letter to Bishop Donald Wuerl. A portion of the letter read:

> *Dear Bishop Wuerl, I was speaking with Rita Flaherty today and she informed me that the time period for my receiving an increase in my monthly stipend ($1,000) has expired. She suggested that I write you if I need an extension on this benefit.*

There was a handwritten notation on this letter which read, "5*/30 called Richard to give O.K. by Bishop W.*"

On May 30, 1997, a letter was sent to Dorsch confirming that he would continue to receive a monthly sustenance check of $1,000 from the Diocese. Dorsch continued to receive monthly sustenance checks from the Diocese from the year of his conviction through 2009. In total, Dorsch received $159,700.00 in "*sustenance*" payments.

On July 6, 2000, a letter regarding Dorsch was sent from Father James Ruggiero, Episcopal Vicar for Clergy and Religious, to Father Douglas Nowicki of St. Vincent Archabbey in Latrobe. In the letter, Ruggiero acknowledged that Dorsch had been arrested and convicted of molesting a 13-year-old boy. In the letter, Ruggiero asked for Nowicki's assistance in getting Dorsch a job in an infirmary setting within a "*religious community*." Ruggiero further added that Dorsch was trying to stay out of the Pittsburgh area to avoid causing any additional scandal for the Diocese. In asking for Nowicki's assistance, Ruggiero stated, "*It would be greatly appreciated by Bishop Wuerl, myself and all those in the Clergy Office . . . His salary would not need to be large. It could be subsidized by the diocese.*"

On May 20, 2002, Rita Flaherty, Diocesan Assistance Coordinatr, sent a letter to Dorsch. A portion of the letter read,

> I *am embarrassed that only now am I responding to your February 25 letter. At about the time your letter arrived, I was knee deep in work related to fallout from the Boston situation. Lent and Easter have passed me by. On day runs into the next and now it is May. These past few months have been very difficult.*

Summary

So many people are in pain with lives being turned upside down. By far, this is the most difficult time I have ever spent in the clergy office since I started there over eight years ago. Your support and prayers are deeply appreciated. Should a circumstance arise where a priest feels the need to speak to someone who has travelled the same journey as you, I will not hesitate to pass along your name. I'm sure that all the media attention related to clergy misconduct has also been difficult for you. . . I'm sure your example and courage in facing your own situation would be a tremendous witness to the many priests who are new to facing an uncertain future.

On February 25, 2004, a Pittsburgh law firm sent a letter to Wuerl informing him of yet another reported victim of Dorsch. The victim who was an adult in 2004, reported through the law firm that when he was in the fourth, fifth and sixth grades, he was repeatedly sexually assaulted by Dorsch. This third victim, who served as an altar boy and attended a school associated with All Saints, described how after Dorsch taught him to play racquetball at the gym, he would make him sit on his lap in the hot tub. After masses at church, Dorsch would take the victim to play board games and put his hands down the victim's pants. On other occasions, Dorsch would take him for car rides and make the victim touch him sexually while he drove.

On February 27, 2004, Counsel for the Diocese sent a letter responding to the law firm. The letter read, in part, "

I have been asked to respond initially to your letter on behalf of Bishop Wuerl. The matter that you presented in your letter is tragic and very sad. The Diocese of Pittsburgh is concerned utmost about the safety and well-being of children, victims and their families.

On July 20, 2008, the third victim wrote a letter to the Diocese outlining the sexual assaults committed against him by Dorsch. In his letter, he explained how he was sexually, physically, and emotionally abused by Dorsch from 1982 to 1985 while he was a student at All Saints and an altar boy at All Saints church. The abuse occurred a year after his father had passed away. The letter describes one particularly damaging assault by Dorsch.

One occasion stands out due to the violent intensity of the abuse, sexual, physical and emotional. Dorsch led me down to a trail, then known as the "Braille Trail" (located in North Park/Allegheny County), saying he wanted to teach me how blind people read. This incident replayed itself and resulted in my attempt to take my own life the night of Friday, 20 June 2008. That day on the trail back in 1983, Dorsch had me close my eyes. He guided my hand across a Braille sign. Then, his hand squeezed tight on mine. He forcibly restrained me. I said,

Summary

> *"Father, that hurts!" He said, "It's going to be okay" as he gripped my hand around his penis. I cried out through tears, "No, Father!" His grip got even tighter and he kept his hand clasped around mine as he forced me to masturbate him to ejaculate. I was sobbing, I felt disgusting. He said this is what made our love special, and that only he and I were to know. He always said that, as if to threaten me.*

The victim further informed Diocesan officials that he also sexually abused by Dorsch in the sacristy, the rectory, the Shaler Racquetball Court, and in the parking lot of a local shopping center. These sexual assaults reportedly included oral and anal sex.

On July 22, 2008, Dorsch was confronted with the allegations. In a "*Confidential Memorandum*," Flaherty documented that she asked Dorsch if the allegations were true. Dorsch responded that he did know the victim and admitted he was "*inappropriate with him.*"

In the years following his abuse, the third victim attempted suicide on numerous occasions, including in 2008 and 2009. The Diocese thereafter began paying for his mental health treatment in July 2008, a month after his attempted suicide.

On December 11, 2008, the victim sent an e-mail communication to Flaherty, the contents of which Flaherty forwarded to Bishop Zubik. A portion of the e-mail message read:

> *Early in the summer this year – in fact, it was the day of the summer solstice itself- I attempted to take my own life. It happened in the wee hours of the morning following a night of heavy drink, which my doctors have explained may have induced an inescapable episodic flashback of sexual abuse, which has haunted me over the years. This time, however, the pain of that flashback I couldn't stand any longer, and decided that enough was enough. No more pain I thought as I swallowed dozens of pills.*

In March 2010, the Diocese announced it would stop paying for the victim's mental health treatment. On May 4, 2010, the victim committed suicide.

On January 13, 2012, Flaherty and Bishop William John Waltersheid met with yet another victim of Dorsch. The fourth victim, who was 45 years old at the time of the meeting, indicated his abuse by Dorsch occurred when he attended All Saints school. This meeting was memorialized in a "*Confidential Memorandum*" to Bishop Zubik.

The fourth victim reported that when he was in sixth grade, he became an altar server and was considering becoming a priest. He stated that when he was in the seventh and eighth grade, Dorsch began sexually abusing him and that for all his young life, carrying the dark secret of Dorsch's abuse placed a heavy burden on him. As a result of this abuse, by the end of his

eighth grade school year, he was drinking heavily. At his worst, he was drinking a half gallon of vodka per day in the hopes that his drinking would kill him.

The memorandum stated that the fourth victim's "*purpose in coming to meet with us (Flaherty and Waltersheid) was to be able to tell his story and to be heard as a person who mattered.*" He also hoped that the church could help him rebuild his life, as he was homeless. The Diocese ultimately decided to help the victim and paid for a bed and bus pass for him.

On July 2, 2012, Flaherty, at the direction of Waltersheid, contacted a woman whose son was reportedly molested by Dorsch when he served as an altar boy at St. Coleman. The molestation took place when the victim, who was 32 years old at the time of reporting, was 12 to 14 years of age.

The mother of this fifth victim stated that she learned of the molestation when "*Father Dorsch was arrested back in 1994 or 1995.*" She stated that once she became aware of what happened to her son, she approached Father Markell, the parochial vicar assigned at the time with Dorsch at the parish. She stated that Markell discouraged her from pursuing the matter any further and asked her son - "*what did you do?*" - as if to imply he was responsible for or encouraged Dorsch's sexual misconduct. Markell asked them whether they were going to sue the church and instructed her not to take her complaint to the Diocese, as there was nothing they could do or offer.

The fifth victim's mother also told Flaherty, "*she took [her son] to a child psychologist in Monroeville for 2 ½ years. She said she, her husband and daughter also entered family counseling.*" The mother stated that she paid privately for her son's therapy. Flaherty told the mother that as part of the Diocese policy, they have to turn over all allegations of abuse to the District Attorney's Office in the location where the abuse occurred. The mother stated that she would talk to her son.

On July 18, 2012, Flaherty spoke with the mother, who said she had not yet spoken to her son about the matter. She asked Flaherty not to do anything with this information until she spoke with her son.

On July 19, 2012, an Allegation Report listed "*Alleged Victim: John Doe, Age 32, Address Unknown and Accused Priest: (Rev.) Richard Dorsch*" was sent to counsel for the Diocese. Because of the concerns expressed by the victim's mother, the initial report did not identify him by name but only as a "John Doe."

On June 29, 2016, Diocesan officials met with an adult male who reported that when he was 10 to 12 years of age, he was sexually abused by Dorsch. The abuse took place when the victim was a member of St. Coleman. The victim, who was an altar boy and enjoyed basketball, explained how he and Dorsch became friendly after Dorsch would come to his games. He recalled Dorsch giving him gifts and taking pictures of the two of them together. Dorsch soon began fondling the victim in his (Dorsch's) bedroom at the rectory and at the gym.

Summary

The victim also reported he and Dorsch would get into a hot tub together while they were both naked.

Reverend David F. Dzermejko

Biographical Information

YEAR OF BIRTH:	1948
YEAR OF DEATH:	N/A
ORDINATION:	May 4, 1974

Employment/Assignment History

5/30/1974-6/10/1979	Our Lady of the Most Blessed Sacrament, Natrona Heights, PA
6/11/1979-6/03/1984	St. Teresa of Avila, Pittsburgh, PA
6/04/1984-6/10/1991	St. Susanna, Penn Hills, PA
6/10/1991-10/26/1992	St. Jerome, Charleroi, PA
10/26/1992-6/15/2009	Mary, Mother of the Church, Charleroi, PA
6/15/2009	Leave of Absence
6/15/2009-1/18/2013	Resides at St. John Vianney Manor, Pittsburgh, PA
10/2015	Laicized

Summary

Files obtained by subpoena from the Diocese of Pittsburgh, including a confidential report from the Diocesan Review Board, as well as personnel, confidential and victim files, reflected that Father David Dzermejko was reported to have had inappropriate contact with several young boys, conduct which included anal and oral sexual assaults of young minors.

In June 2009, the Diocese first received a report that Dzermejko had sexually abused a minor child. A woman called to report that prior to her husband's suicide in April, 2009, he told her that he had been sexually abused by Dzermejkko. It occurred sometime between 1979 and 1984. The first incident took place in Dzermejko's car where the victim "*had been pushed back in the seat of the car and Dzermejko touched his chest and did other things to him that he would not detail.*" The second incident occurred when the victim was on a ferris wheel ride with Dzermejko during a church festival. During this incident, Dzermejko "*fondled*" the victim and the victim wrote in a journal he was keeping at the time that, "*I wasn't raped or sodomized just fondled.*" The victim went on to add that Dzermejko had warned him, "*You can't tell anyone. I'll tell your mother.*" The victim also stated in the journal that he could not get off of the ride because Dzermejko told the operator to keep the ride going three times longer than it should have. The victim wrote, "*I was trapped and couldn't get off.*" After meeting with representatives from the Diocese, it was decided that this victim's family would be provided with funds for counseling.

On June 19, 2009, counsel for the Diocese received a telephone call from a second victim. The victim had previously contacted the Allegheny County District Attorney's office and was encouraged to make an "official report" to the Diocese. The victim stated that he was an altar boy at St. Teresa of Avila while he was a student at the school. This was during the

time period of 1979-1982, while he was in the fifth, sixth and seventh grades. He said that "Father Dave" (Dzermejko) was very friendly with his family and they "*went on picnics and spent time at each other's homes*." This victim also said that:

> *Numerous times he stayed overnight at the rectory and his parents never had a problem with him doing so. Dave had attractive things to young people such as a video console and a CB radio among other things.*

This victim reported that he was "r*aped, had anal and oral sex and performed oral sex with Dave over a course of three years.*" He feared Dave because his parents were friendly with him and they drank and shared meals together. The victim stated that the last abuse occurred in the summertime when his father was working the night shift. His mother and Dave were on the porch drinking and the victim was with them. Dave became intoxicated and the victim's mom encouraged Dzermejko to stay the night. After his mother went to bed, he and Dave performed oral sex on each other and then the victim got scared and ran away and hid in the basement.

On January 31, 2012, a third victim contacted the Diocese. This adult male reported that he was sexually abused by Dzermejko in the late 1980's when he was 15 to 16 years of age. In correspondence to the Assistant Prosecuting Attorney in Ohio County, West Virginia, it was noted by Diocesan counsel that the victim had called the Diocese several times in the past but did not leave his name. Only after speaking with the prosecutor's office did the victim decide to give more complete information.

The third victim reported that he was initially introduced to Dzermejko by one of his friends. At the time, he was living in Cambridge, Ohio. He had stated that Dzermejko would take him to bars in Wheeling, West Virginia and in Pittsburgh. The victim advised that he had been on Dzermejko's boat "*The Seaman*," and had been to the rectory in Charleroi. He was also in Dzermejko's various cars.

The victim advised that when he initially met Dzermejko, he did not know that Dzermejko was a priest. Dzermejko had told this victim that he was a "*hospital administrator*" and had a "*teddy bear strapped in the backseat of his car that wore a doctor outfit.*" This victim had said that "*when he first met Dzermejko, he did not do anything sexually to him.*" He said there "*were other boys ages to 14-16.*"

The victim reported that "*eventually Dzermejko had oral sex with him but he never performed oral sex on Dzermejko and never had intercourse with him.*" The victim gave the following locations as the places where he had "sexual encounters" with Dzermejko: 1) Outside the "True Colors" bar in Elm Grove, West Virginia (the victim stated he was 15 to 16 years old at the time); 2) Outside the Lamont restaurant (the victim stated he was about 15 to 16 years old at the time); 3) On Dzermejko's boat somewhere between Charleroi and Pittsburgh (the victim stated that he was 15 to 16 years old); 4) In Dzermejko's rectory in Charleroi (though the victim said that he was 15 to 16, based on the date when Dzermejko first arrived in Charleroi, he would have been 18. The victim further reported that he went to the Crowne Plaza Hotel in Columbus with Dzermejko but he could not recall if oral sex occurred there.

Summary

By letter dated June 15, 2009, Dzermejko was notified that he was being placed on administrative leave *"[i]n light of an allegation made against [him] involving the sexual abuse of a minor . . . ."* That correspondence also directed Dzermejko *"to take up residence at St. John Vianney Manor . . . , effective immediately."*

On January 11, 2013, law enforcement officers executed a warrant to search Dzermejko's rooms at St. John Vianney Manor. They seized child pornography, located on his computer and also found firearms and illegal drugs. He was arrested in April 2013 for possession of child pornography. When Dzermejko spoke with law enforcement, he admitted: That he had been viewing child pornography for in excess of 10 years; that he had historically travelled to Thailand to have sexual encounters with teen boys; and, that he had gone there as recently as the same calendar year.

In November 2013, Dzermejko pled guilty to possession of child pornography in federal court. He was sentenced to three years in prison. He began serving that sentence in June, 2014.

On September 11, 2015, Zubik wrote to Vatican authorities requesting that Dzermejko *"be dismissed from the clerical state in the most expedient manner possible."* The official decree dismissing Dzermejko from the clerical state was issued on October 31, 2015 and the Diocese received it on November 16, 2015.

Records subpoenaed from the Diocese reflected that financial assistance to Dzermejko was not suspended upon his incarceration, but appear to have continued for approximately one year after he went to prison. On March 1, 2016, Dzermejko wrote to Zubik indicating that the $350 a month he had been receiving for prison commissary expenses and to pay home bills had stopped and requested financial assistance. In response to Dzermejko's letter, on March 11, 2016, Zubik wrote:

> *Having just received your heartfelt-letter, please know that I am quickly following up on your request for financial assistance. I have asked Bishop William J. Waltersheild to make this a top priority. Please know that you will be hearing from him very shortly.*

The records received from the Diocese do not reflect what, if any, action was taken to provide Dzermejko with financial assistance.

[redacted]

Biographical Information

[redacted]

Employment/Assignment History

[redacted]

Summary

In a memorandum dated [redacted], the Diocese of [redacted] documented a meeting wherein a woman reported an incident involving [redacted] and her younger brother. Her brother told her that when [redacted], he and [redacted] went to [redacted] for a retreat. While there, [redacted]. At that time, [redacted] was [redacted]

Diocesan records also contained a confidential memorandum dated [redacted] that was written by Father [redacted] stated that he had received a telephone call on that date from Father [redacted]. [redacted] reported that he had been contacted by an individual who stated that [redacted] in the early [redacted]. Specifically, it was reported that [redacted]. It was further reported that [redacted] was encouraged to have the individuals contact [redacted] or [redacted]

REDACTED -- ONGOING APPELLATE LITIGATION

Reverend John P. Fitzgerald

Biographical Information

YEAR OF BIRTH:	1948
YEAR OF DEATH:	N/A
ORDINATION:	May 4, 1974

Employment/Assignment History

5/30/1974 – 2/7/1977	St. Thomas, Braddock, PA
5/30/1974 – 2/7/1977	St. Michael, Braddock, PA
2/8/1977 – 7/7/1982	St. Michael the Archangel, Butler, PA
7/8/1982 – 3/7/1983	St. Alexis, Wexford, PA
3/8/1983 – 6/12/1988	All Saint's, Pittsburgh, PA
6/13/1988 – 6/21/1989	St. Anselm, Pittsburgh, PA
6/21/1989 – 8/2/1991	St. Teresa of Avila, Pittsburgh, PA
8/2/1991 – 7/17/1995	St. Anthony, Bessemer, PA
11/28/1994 – 6/17/1996	Pittsburgh International Airport
1/3/1995 – 7/17/1995	St. Lawrence, Hillsville, PA
7/17/1995 – 6/17/1996	St. John Neumann, Pittsburgh, PA
6/17/1996 – 7/1/2009	Pittsburgh International Airport
7/1/2009 – 7/31/2014	Our Lady of Peace, Conway, PA

Summary

On March 10, 2014, a priest contacted the Diocese of Pittsburgh to advise that a male family member had been molested as a boy by Father John P. Fitzgerald in 1996 while Fitzgerald resided at Holy Trinity Church and was the Chaplain at the Pittsburgh International Airport. It was reported that on one occasion, Fitzgerald droved the boy to a hanger in New Castle where Fitzgerald's airplane was kept. During the ride, Fitzgerald moved his arms to the beat of the music playing on the radio and then touched the boy's genital area. On another occasion, while they were in Fitzgerald's airplane, Fitzgerald touched the boy's genital area and attempted to put his hand down the boy's pants. The boy further reported that Fitzgerald exposed himself in the Pittsburgh International Airport chapel and also had the boy perform oral sex on him "maybe half a dozen times." Fitzgerald instructed the boy not to tell anyone, warning that he would do the same thing to his mother and sister. Fitzgerald told him, "*I know when your father isn't at home.*"

Fitzgerald denied the allegations. A memorandum of a telephone conversation with Fitzgerald from August 1, 2014 indicated the following:

> *Today I received a phone call from Father Jack Fitzgerald. Father Fitzgerald stated that this would be the only time that I heard from him directly, that all other conversations would be done through his canonical advocate. Father*

Summary

Fitzgerald told me that he wanted me to communicate to [the male's] family that they had one opportunity to recant their statement or else all hell would break loose, it will be like World War III. Then Father Fitzgerald hung up.

On December 12, 2014, the Diocese held a Diocesan Review Board hearing relative to the allegations made against Fitzgerald. Their findings included the following:

1. *The Review Board did not completely accept the testimony of the family of (the victim). However, some of the board members believe the testimony at certain points was consistent with abuse and those members tend to believe that abuse had occurred.*

2. *There was a great deal of discrepancy in the facts between the family's testimony and Father Fitzgerald's.*

3. *This abuse could have occurred but there is some disagreement regarding how to interpret all of the testimony given."*

The following were the recommendations of the Diocesan Review Board:

1. *That the allegations brought forward by (the victim) demonstrate that a semblance of truth exists.*

2. *That Reverend John P. Fitzgerald not be returned to his assignment and that a further hearing of the case take place according to the norms of the document from the Holy See Sacramentorum Sanctitatis Tutela."*

The current status of proceedings against Fitzgerald is unknown.

The Diocese paid for some of the counseling and drug treatment for the male in addition to providing the family with a $40,000 reimbursement for drug treatment expenses that were incurred prior to the report being made.

Reverend Joseph M. Ganter

Biographical Information

YEAR OF BIRTH:	1892
YEAR OF DEATH:	Unknown
ORDINATION:	May 25, 1922

Employment/Assignment History

7/1922-9/1923	Saint's Peter & Paul, Pittsburgh, PA
9/1923-7/1932	St. Martin Church, West End, Pittsburgh, PA
7/1932-3/1942	St. Athanasius Church, West View, PA
3/1942-6/1964	St. Boniface Church, Penn, PA
6/3/1964	Retired

Summary

In 2008, an 80-year-old male contacted the Diocese of Pittsburgh to report that Father Joseph M. Ganter had abused him in the 1930's when he was approximately 10 years of age and an altar server at St. Anthanasius. He advised that he stopped serving mass after the abuse occurred. He further advised of five boys who had slept with Ganter as well as an unknown boy from West View who spent his vacation with Ganter. When a Bishop's delegate reviewed Ganter's personal file, an allegation from 1944 was discovered whererin an adult male had complained of immoral and corrupt relationships between Ganter and at least three teenage boys, ages 13 to 15.

The first teenage boy was 14-years-old when Ganter approached him in January, 1943 in his office. Ganter asked the boy to engage in a sex act. The boy became frightened, started to cry and then asked to go home. Ganter gave the boy $3.00 and instructed him to never tell anyone.

The second teenage boy was 15-years-old when Ganter asked him to commit a sex act in his office. This occurred on a Sunday evening in April, 1943. The boy refused. Ganter gave him $12.00 and one ticket for bingo, instructing him not to tell anyone. A witness informed the boy that he should do whatever Ganter requested because it was not sinful. The witness futher advised the boy not to be afraid because Ganter told him that everybody does it.

The third teen entered the parish house on the evening of September 30, 1943 with another boy. The other boy then went to the school hall. When the other boy returned to the house with two others, they witnessed the teen and Ganter engaged in a sex act. This occurred in the office opposite the dining room.

Summary

In 1945, at the request of Ganter, a Justice of the Peace conducted an investigation into the accusations. The individuals were interviewed, having given different stories and denied any supposed immoral relations with Ganter.

Reverend John A. Genizer

Biographical Information

YEAR OF BIRTH:	1941
YEAR OF DEATH:	N/A
ORDINATION:	December 23, 1967

Employment/Assignment History

7/31/1968-5/21/1973	Parochial Vicar, St. Paul, Butler, PA
5/22/1973-2/17/1975	Special Assignment, Office of Religious Education, Diocese of Pittsburgh Pastoral Center
5/22/1973-2/17/1975	Duquesne University—Graduate Studies
2/17/1975-8/21/1980	Assistant Director, Adult Religious Education Diocese of Pittsburgh Pastoral Center
8/25/1980-4/29/1990	Associate Spiritual Director, Mount St. Mary Seminary, Emmitsburg, MD
6/11/1990-6/10/1991	Parochial Vicar, Holy Innocents, Pittsburgh, PA
6/01/1991-2/07/1994	Assistant Chaplain Nursing Home, McGuire Memorial Home, New Brighton, PA
6/10/1991-2/07/1994	Administrator, St. Cyril & Methodius, New Brighton, PA
2/07/1994-1/17/2000	Pastor, St. Colman, Turtle Creek, PA
1/17/2000-3/12/2007	Chaplain Military-US Navy, Archdiocese for Military Services, Washington, DC
3/12/2007-7/07/2008	Administrator, St. Barbara, Bridgeville, PA
7/07/2008-6/06/2011	Parochial Vicar, St. John the Baptist, Pittsburgh, PA
6/06/2011-present	Chaplain, Little Sisters of the Poor

Summary

In a document dated July 7, 1995 and initialed "*R.F.G.*" (Father Robert F. Guay), it was noted that a telephone call had been received from Father William Lynn, Secretary for the Clergy of the Archdiocese of Philadelphia. It was reported that the son of a member of the Archdiocese had revealed that was fondled by Father John A. Genizer in 1980 when he was 13-years-old. Lynn advised that the son's parents were very involved in the church and were reputable. He further stated that the parents did not want to make the information public.

Guay sent a letter to the family dated August 7, 1995 wherein he explained that in order for the Diocese of Pittsburgh to conduct an investigation, a statement or written allegation was necessary so that they had something documented to review with the priest involved.

In February, 2009, Geinzer wrote a letter to Bishop Zubik, asking for his endorsement to serve under the supervision of the Apostleship of the Holy See USA as a chaplain aboard a passenger cruise ship. In a confidential memorandum to the file dated March 24, 2009, the

Summary

Diocese reported that Father Bonner met with Geinzer to discuss his recent request. It was noted that Genizer needed the endorsement of the Bishop and that the Bishop would have to sign a document stating that Genizer; "*Enjoys a good reputation and has no problems of a moral nature.*" They then discussed the 1995 report of abuse. Genizer denied the allegation.

It was subsequently determined that because of the sexual allegation listed in his confidential file, Genizer would not be endorsed by the Bishop to serve as chaplain. Genizer was assured, however, that the allegation would not affect his current standing in the Diocese because the Diocese deemed it to be an "*inconclusive allegation.*"

In a confidential memorandum dated May 28, 2014, a telephone call from a woman was documented wherein she complained about Genizer's conduct around her son. She stated that three years ealier, she and her family went to the Little Sisters of the Poor to visit her parents. Her son was eight-years-old at that time. While they were there, Genizer took her children to get candy. When they returned, she noticed that Genizer was showing a little too much interest in her son's clothes and how her son looked. This made her son feel very uneasy. During their next visit, Genizer approached her son. He stated that "*he looked so handsome*" and touched the boy as he made this comment. She stated that her son broke into tears and told her that he did not want to talk to Genizer. The boy further stated, "*I don't want him touching me.*" Finally, the woman revealed that on a more recent vistit to Little Sisters of the Poor, they attended mass. As they were leaving, Genizer approached another young boy who was approximately 13 years of age. She stated that Genizer began touching the boy and made comments about how he was dressed. The woman advised that she had just attended a "safe environment training" and thought that Genizer's behavior towards young boys needed attention.

Another memorandum in the file dated May 30, 2014 revealed that a discussion of the allegations with Genizer occurred. Father Eckman told Genizer that he had received a complaint through Father Rushofsky that Genizer was making the boy uncomfortable by patting him on the back for prolonged periods of time, making comments about his clothes and focusing on the child in unusual ways. He also explained that Genizer had been observed exhibiting this same type of behavior with other young boys, but never with any of the girls. Genizer responded that he was unaware of his behavior and how it made others feel. He advised that he would make extra effort not to touch any minors.

After these specific allegations of unnatural interest in young boys were made and documented in his file, Diocesan officials continued to write and sign letters advising that Genizer was a priest in "*good standing.*" Specifically in a May 19, 2016 document entitled; "*Testimonial of the Diocese of Pittsburgh of Suitability for Priestly Ministry*" that was signed and initialed by Eckman, it was stated that not only was Genizer a priest in good standing, "[n]*o accusations of misconduct have ever been made against him, nor has he ever been involved in any incident, to my knowledge, which has led to potential or public scandal.*" The letter further stated; "*To the best of my knowledge, he has never engaged in sexual behavior inconsistent with priestly celibacy, nor had he ever acted in an inappropriate manner with minors.*"

Reverend Charles R. Ginder

Biographical Information

YEAR OF BIRTH:	1914
YEAR OF DEATH:	1984
ORDINATION:	June 11, 1940

Employment/Assignment History

8/1940-9/1942	St. Gregory, Zelienople, PA and St. Mathias, Evans City, PA
9/1972-2/1946	Society of St. Suplice (NFI)
2/1946-6/1950	Saint's Simon & Jude, Blairsville, PA
6/1950-12/1953	St. George, Pittsburgh, PA (South Side)
12/1953-6/1959	St. Joseph, Pittsburgh, PA (North Side)
12/1954-7/1962	Censor Librorum
6/1959-2/1961	St. Mary, New Castle, PA
2/1961-8/1962	School Sisters of St. Francis, Bellevue, PA
7/1962-7/1963	Health related leave of absence
8/1963-5/1964	Our Lady of Mercy Academy (NFI)
5/1964-6/1964	St. Januarius, Pittsburgh, PA
5/1964-6/1964	St. John the Baptist, Pittsburgh, PA
6/1964-1/1967	Sick Leave
1/1967-?	St. John the Baptist, Baden, PA
1970-6/1984	Sick Leave

Summary

Over the course of the years, an adult male residing in Seattle, WA contacted the Diocese of Pittsburgh on multiple occasions. He never provided details of his abuse, but he threatened to sue the Diocese and recorded telephone calls that he made. The male was advised in 1999 that the records pertaining to Father Charles R. Ginder were destroyed as Ginder had died in 1984. The male subsequently sent a letter wherein he stated that he was taken to New York, New Jersey and Philadelphia by Ginder. He estimated that the trips occurred between 1958 and 1961. He did not provide details of any abuse, but advised that the details would be contained in a book that he planned to write. The male also advised that he was abused by another priest in Pittsburgh who now lived in Florida. He refused to name the other priest, however, in order to maintain "the element of surprise."

In September, 2005, the male called the Diocese to say that he would be in Pittsburgh in the near future and wanted to make the abuse publicly known. He advised that he had requested that CNN and 60 Minutes accompany him. In 2006, he called the Diocese to advise that he was expecting reimbursement for the cost of many years of counseling and medication that he has incurred due to abuse by Ginder.

Summary

On November 28, 2007, a letter was went to the male from the Ministerial Assistance Coordinator of the Diocese which included a check in the amount of $4,092.00 for monthly insurance premiums. A copy of a Receipt and Release was also enclosed which stated:

> *I hereby forever remise, release and discharge the Diocese of Pittsburgh . . . from any and all continuing obligations, liabilities or claims that I may have in the future for counseling and counseling benefits.*

Additionally, there was a June 20, 2008 letter in the file that was sent to the male. This letter stated that the Diocese had entered into a mediation process in connection with a lawsuit and that sums of money were apportioned to the plaintiffs. The male was advised that, as a plaintiff, he was to receive $16,000.00 as his portion of the resolution.

In 2002, a 50-year-old male living in New Jersey reported that he had been abused by Ginder when he was between the ages of 15 and 17. He stated that he and a boy from Denmark would gather at the residence of the Bishop on many occasions. He stated that they would drink alcohol and "*sexual activity would occur there.*" According to the male, the sexual activity occurred with Ginder and the Bishop was aware of it. The male further stated that he lived with Ginder on Murray Avenue for a short time. He stated that the relationship with Ginder and others was "*out of control.*" He described Ginder as "*a physically abusive monster.*"

In 2007, a 69-year old male living in Florida called the Diocese to report that he had been molested by Ginder. He stated that he attended St. Mary's on the North Side as a child in the late 1940s. Ginder, who was assigned to a neighboring parish, would wait outside of St. Mary's early in the morning to offer him rides. He did not provide specific details. However, he explained that after a few occasions, he no longer accepted rides from Ginder. He stated that the abuse he suffered caused his marriage to fail; that he had feelings of guilt; and, that he had attempted suicide. He further related that he was diagnosed with post-traumatic stress disorder; had been in and out of hospitals; and experienced terrible nightmares.

In 2011, an adult male reported sexual abuse through the Diocese of Manchester in New Hampshire. He stated that in 1980, when he was approximately 15 or 16-years-old, he attended an overnight retreat at Hundred Acres in New Boston. Another man, possibly a priest, attempted to assault him in his bed. When he screamed loudly, Ginder came into the room. Ginder then offered to drive him home. During the car ride, Ginder pulled over by a river. He then fondled the young man on the top of his clothes. The young man got out of the vehicle before it went any further and took a bus home.

In 2013, an adult male reported that he was befriended by Ginder following the death of his brother in 1960. He stated that they often made trips from New Castle to Pittsburgh and had dinner together. The male recalled that on one occasion, he fell asleep in the front seat of the car following dinner with Ginder. He awoke to Ginder putting his hand up his pant leg, touching his thigh. When asked what he was doing, Ginder explained that he was checking to see if the boy was cold. After this incident, he did not accompany Ginder anywhere else.

Reverend James G. Graham

Biographical Information

YEAR OF BIRTH:	1940
YEAR OF DEATH:	2015
ORDINATION:	May 14, 1966

Employment/Assignment History

6/07/1966 – 1/23/1972	St. Lawrence O'Toole, Pittsburgh, PA
1/24/1972 – 5/29/1974	St. Elizabeth of Hungary, Pittsburgh, PA
5/30/1974 – 9/18/1978	St. Bernadette, Monroeville, PA
9/19/1978 – 4/13/2012	St. Lawrence O'Toole, Garfield, PA
4/13/2012 – 3/06/2015	Leave of Absence

Summary

On July 24, 2012 the Diocesan Review Board heard and reviewed testimony pertaining to the following allegations of abuse by Father James G. Graham:

1. A long-time female partner of a male victim verified a letter that he wrote prior to his drug overdose death wherein he detailed his abuse at the hands of Graham which started when he was 9 years old. The abuse lasted two or three yeaars. The female partner became aware of the abuse after the birth of her daughter when the victim refused to allow Graham to baptize her. The victim died in 2012.

2. The sister of a victim testified that when her brother was placed on a liver transplant list, she had several conversations with him about Graham. He told her about the intimacy and sex he had with Graham when he was 15-years-old. The victim died in 2002.

3. This victim did not appear before the Review Board as assigned; instead, his interview by the Clergy Office was accepted as his testimony. He stated that Graham once wrote him a love letter. On April 30, 2012, the victim had a telephone conversation with the Diocesan Assistance Coordinator. He advised that on two occasions while he was playing pool, Graham came up behind him, lowered his pants and inserted his penis into the victim's anus. The victim was 16-years-old at the time. He advised that shortly thereafter he began using drugs and alcohol.

All three allegations were deemed to be credible. Graham's testimony before the Review Board was deemed not to be credible. The Review Board believed that Graham's mental capacity was diminished due to his alcoholism. It was recommended to Bishop Zubik that

Summary

Graham was no longer suitable for public ministry. This recommendation was accepted and Zubik perrmanently removed Graham as a priest.

The Diocese forwarded information regarding all three allegations to the Allegheny County District Attorney's Office.

Brother William Hildebrand

Biographical Information

YEAR OF BIRTH:	Unknown
YEAR OF DEATH:	1979
ORDINATION:	N/A

Employment/Assignment History

Unknown

Summary

In May 2014, four adult males reported that they were abused by Brother William Hildebrand, who was a member of the Marianist Order. The first male stated that he was a student at North Catholic High School during the 1952-1956 school year. During a time period when the young man was utilizing crutches, Hildebrand rubbed his behind. The young man told Hildebrand to get away from him.

The second male reported that he was a student at North Catholic High School during the 1960's school year. He stated that Hildebrand managed the school bookstore and would get the students to go behind the counter so that he could have sex education talks with them and touch them. He accused Hildebrand of inappropriately touching him.

The third male advised that he was a student at North Catholic High School from 1959-1961. He explained that Hildebrand was his Latin teacher and would make him stay after school. He reported that Hildebrand made him pull down his pants and then groped him. He stated that this occurred on three to four occasions before he dropped out of school.

The fourth male was a student at North Catholic High School from 1956-1960. He accused Hildebrand of inappropriately touching him.

In June, 2014, a 69-year-old male reported that he was abused by Hildebrand when he was a student at North Catholic High School during the 1959 school year. He stated that during his freshman year, he went to the school bookstore in order to purchase a new notebook. While there, he stated that Hildebrand grabbed his genitals.

The records indicated that the Diocese attempted to reach out to the victims regarding counseling.

Reverend John S. Hoehl

Biographical Information

YEAR OF BIRTH:	1938
YEAR OF DEATH:	N/A
ORDINATION:	May 9, 1963

Employment/Assignment History

1964	St. Mary Magdalene, Homestead, PA
1966	St. Francis Xavier, Pittsburgh, PA
1971	Quigley Catholic High School, Baden, PA
1985	Bishop Boyle High School, Homestead, PA
1985	St. John Joachim, Greenfield, PA
1986	Secretariat for Education, Pittsburgh, PA
1987	Shadyside Hospital, Pittsburgh, PA

Summary

On May 2, 1986, a 28-year-old male made a report to the Diocese of Pittsburgh that he had been sexually abused by Father John S. Hoehl. He stated that from 1972, when he was a 14-year-old freshman at Quigley High School, until 1979, when he was a senior at Duquesne University, Hoehl fondled his genitals and they performed mutual masturbation and oral sex on each other on a regular basis. At the time when this disclosure was made to Diocesan officials, a young man was living with Hoehl at the rectory at St. Joachim. Found within the rectory were various drug paraphernalia, condoms and other pornographic materials, including videos and literature.

In 1993, a 29-year-old adult male reported that he had been sexually involved with Hoehl beginning in 1978 when he was 15-years-old. He stated that it continued from his sophomore year at Quigley until 1980 when he was a senior. He stated that he was sodomized on at least two occasions. He further stated that oral sex and mutual masturbation occurred on many occasions during that time period. He advised that he had sought the assistance of Hoehl in connection with sexual abuse that he had suffered prior to attending Quigley.

In 1997, a 29-year-old male reported that in 1976, when he was nine years of age, Hoehl touched and rubbed his genitals, and, performed oral sex on him. He stated that the sexual activity lasted until he was 18-years-old. It then occurred again when he was a sophomore in college. He indicated that there were many boys who stayed at Hoehl's residence at Quigley and that some of them had similar experiences with Hoehl. On September 22, 2000, the male and his wife filed a lawsuit against Hoehl and the Diocese in connection with the sexual abuse. On December 14, 2007, Bishop Zubick provided the male's parents with a check in the amount of $10,000.00. The accompanying letter stated that the money was for emotional and financial hardship suffered.

Summary

On April 26, 2002, a 33-year-old male reported sexual abuse by Hoehl. He stated that the sexual contact occurred at Hoehl's private residence at Quigley in 1979 when he was 16 years of age. The male reported that Hoehl sexually abused him and provided him with drugs and alcohol until 1982.

In 2004, an adult male informed the Diocese that he was sexually abused by Hoehl when he was 16 years old and in his sophomore year at Quigley. He stated that in April, 1978, he was outside of the school building when a friend came out to tell him that a girl (hereinafter referred to "Jane Doe") was in trouble in Hoehl's office. The two boys ran into the office where they saw her. She was naked from the waist down. She was being held down by an older student and Hohel was about to rape her. The boys helped Jane Doe retrieve her clothes and wanted to get her out of the office as quickly as possible. Hoehl told them that he would release Jane Doe if they stayed behind to take her place. They agreed and Jane Doe was released. Hoehl locked the office on both sides. He then sodomized both boys. The adult male reported that he and Jane Doe told a female teacher what had occurred but the teacher did not take any action. The male further stated that he came forward after receiving the letter wherein Bishop Wuerl invited people to contact the Diocese if they had been abused.

Another additional victim came forward in 2004 to report that Hoehl had touched him inappropriately between 1980 and 1984. The incidents occurred in Beaver County. The male attended therapy and was diagnosed with post-traumatic stress disorder. The Diocese assumed responsibility for the costs of the therapy sessions and his prescriptions. On April 21, 2008, the Diocese issued a check to the male in the amount of $10,000.00 as a pastoral gesture for the financial difficulties he had experienced.

The Diocese received additional reports regarding abuse at the hands of Hoehl. Specifically:

- Hoehl entered the shower with a 14-year-old boy in 1975. He also engaged in manual masturbation with the boy and oral sex. The abuse occurred in the school locker room, Hoehl's residence at Quigley and at a cabin near Youghiogheny Lake;
- Hoehl sexually touched a boy from 1972 to 1973 when he was 15 to 16 years of age. The incidents occurred in Beaver County;
- Hoehl inappropriately touched a boy from 1979 to 1980 when the boy was 12 to 13 years of age. The incidents occurred in Beaver County;
- Hoehl fondled the genitals of a 16-year-old boy in 1976. The incidents occurred at Quigley and at the Youghiogheny Reservoir.

The Diocese was also notified that Hoehl fondled the genitals of a 13-year-old boy in 1979. He also approached the boy in the shower. These incidents occurred at Quigley and in a "cabin at a lake." The victim received $40,000.00 from the Diocese to settle his part of a 32 victim lawsuit against the Diocese. He later received a check in the amount of $10,000.00 to help with his additional expenses.

Summary

The following is a summary of further allegations of sexual abuse committed by Hoehl:

- Hoehl fondled the genitals of a boy and washed his back. This occurred between 1974 (when the boy was 10-years-old) and 1981. The conduct occurred at Quigley and at a cabin at Youghiogheny Lake. He is the brother of the immediate victim listed above;
- In 1973, Hoehl wrestled and showered with a 15-year-old boy. He removed the boy's underwear and rubbed his genitals. The incidents occurred at Hoehl's private home at Quigley. He is the brother of the immediate victim listed above;
- A male reported that Hoehl would make the boys go to bed wearing long shirts with no underwear so that he could fondle their genitals in the middle of the night; and
- From 1975 to 1976, Hoehl kissed a boy, provided him with alcohol, performed oral sex on him, fondled his genitals and took nude photographs of him. The incidents occurred from 1975 to 1976 when the boy was 17 to 18 years of age.

On May 18, 2015, Father David DeWitt, Pastor of Risen Lord, telephoned Father Mark Eckman. DeWitt explained that he was scheduled to preside over a funeral and was contacted by the son of the deceased who stated that he was having a difficult time dealing with his father's death. The son further advised that he felt uncomfortable coming back to Pittsburgh because he was sexually abused by Hoehl when he was a student at St. Francis Xavier from 1966 to1967.

An adult male met with Diocesan officials on May 11, 2005. The male explained that he was a student at Quigley and, when he was approximately 15-16 years of age, Hoehl took him and several other boys to his cabin. While at the cabin, everyone was divided up to sleep in various places. He was assigned to sleep with Hoehl and Hoehl insisted that the boy sleep in a long t-shirt with no underwear. During the night, Hoehl fondled him. The male also reported that Hoehl had him work around his property during the summer. Afterwards, Hoehl instructed him to take a shower. When he got out of the shower, Hoehl was there waiting with a towel to dry him off. After three days in a row of this behavior by Hoehl, the male did not return. Finally, the male reported that on graduation day, his diploma case was empty. Hoehl informed him that if he wanted his diploma, he needed to come to see him. He cried all the way home and never returned to get his diploma because he did not want to deal with Hoehl.

The file contained a confidential memorandum that revaled that on May 20, 2009, Bishop Zubik met with a man whose brother was abused by Hoehl. The family had heard second-hand information that the brother was also abused by another priest who served at St. Teresa of Avila in Perrysville. Zubik stated in his report that he reached out to the widow of the brother several times, but she never returned any of his messages. Attached to the confidential memorandum were what appeared to be journal writings authored by the brother wherein he described certain incidents at Quigley.

Summary

In an e-mail commnunication on November 2, 2004, a 1979 Quigley graduate wrote to Father Ronald Lengwin about Hoehl. He stated that when he was a student, he was approached by Hoehl. However, he was able to avoid being molested by him. Others in his class were not so lucky. The male advised that his cousin was molested by Hoehl "*that creature*" and that another good friend of his committed suicide because of what Hoehl did to him. He expressed a strong concern because other priests and adults affiliated with the school were aware that Hoehl was giving the boys drugs and alcohol and having them spend the night at his house. He stated that as an adult, he now he realizes how the adults at the school buried their heads in the sand. He wrote: "*Not one adult did anything to stop it*" and "*To say that there was no knowledge or conspiracy is ludicrous and a flat-out lie.*"

In 2010, a woman telephoned the Diocese Hotline to report that her son was abused by Hoehl in the late 1980's or early 1990's. She stated that Hoehl "*grabbed*" her son and asked to sleep naked with him while at his cabin on the Youghiogheny River. Her son, now 33 years of age, did not want to see or speak with Hoehl.

Following the first report of sexual abuse on May 2, 1986, Hoehl was removed as pastor of St. Joachim and as Headmaster of Bishop Boyle High School on May 4, 1986. He was admitted to Southdown treatment facility in Aurora, Canada on May 6, 1986. While at Southdown, he underwent therapy for approximately six months and was discharged on November 21, 1986. During his treatment at Southdown, the Director informed the Diocese that Hoehl had admitted that he had been sexually involved with several high school students when he was Headmaster at Quigley. At the conclusion of his treatment, Southdown provided the Diocese with an assessment that Hoehl, in fact, was/is a pedophile. On December 3, 1986, Hoehl was assigned as an educational consultant to Father Douglas Nowicki, then Secretary of Education for the Diocese.

On July 1, 1987, Hoehl was appointed as a chaplain at Shadyside Hospital. However, on November 29, 1988, he was informed by the Diocese that he could no longer continue in ministry. Hoehl resigned. After the Diocese withdrew his priestly faculties, he was provided with subsistence and medical benefits for three and one half years. The Diocesan records indicated that each report of sexual abuse was brought to the attention of the District Attorney's Office and that counseling for the victims and their families was provided.

The expiration of the statute of limitations prevented Hoehl from being arrested and charged criminally for sexual abuse of minors.

On April 26, 2002, several victims reported to WTAE Channel 4 that they were sexually abused by Hoehl when they attended Quigley.

In October, 2007, following an initiation of a lawsuit, 32 victims settled with the Diocese.

In 2009, Hoehl was reported to be living in Addison, Pennsylvania. In a letter to the Diocese of Altoona-Johnstown, the Diocese of Pittsburgh reported the allegations against Hoehl and where he was living.

Reverend James Hopkins

Biographical Information

YEAR OF BIRTH:	Unknown
YEAR OF DEATH:	Unknown
ORDINATION:	1968

Employment/Assignment History

Unknown

Summary

In November 2012, the Diocese of Pittsburgh received an e-mail communication from an adult male about Father James Hopkins. He stated that several decades earlier, Hopkins performed a "medical exam" on him when he was freshman at St. Fidelis Seminary High School. The exam involved the young man bending over naked in front of Hopkins and listening to Hopkins make creepy comments about his behind. There was no indication in the records that the Diocese conducted an investigation or attempted to contact the male about counseling.

That same month, the Diocese sent a letter to the Butler County District Attorney's Office, advising of the allegation. The letter stated that Hopkins was transferred to the Diocese of Camden, New Jersey in 1973. In 1995, he pled guilty to sexually molesting an altar boy in Camden County. He received a ten year prison sentence and was ordered to register as a sex offender.

Reverend John J. Huber

Biographical Information

YEAR OF BIRTH:	1942
YEAR OF DEATH:	1998
ORDINATION:	05/18/1968

Employment/Assignment History

6/1968-5/1973	St. Canice Church, Knoxville, PA
5/1973-5/1979	St. Joseph Church, Duquesne, PA
5/1979-6-1983	St. James Church, Sewickley, PA
6/1983-7/1984	St. Joseph Home for Aged, Pittsburgh, PA
7/1984-8/1985	St. Bernard, Mt. Lebanon, PA
8/1985-8/1991	St. Thomas Aquinas, California, PA
8/1991-12/1998	St. Catherine of Siena, Wireton, PA

Summary

In March 2009, a report was made to the Diocese of Pittsburgh of sexual abuse committed by Father John J. Huber when he served as the pastor at St. Canice. An adult male reported that when he was in fourth or fifth grade, another priest by the name of Father Adams had touched him in his genital area. Sometime later, the boy went to confession and told Huber that he may be attracted to men. Huber responded that he should attend one-on-one counseling sessions. During one of those sessions, Huber performed oral sex on him and then gave him $20.00 afterwards. The male stated that this occurred on more than one occasion.

On March 30, 2009, counsel for the Diocese sent a letter to the Allegheny County District Attorney's Office, advising of the allegations.

Reverend Edward G. Huff

Biographical Information

YEAR OF BIRTH:	1947
YEAR OF DEATH:	N/A
ORDINATION:	May 5, 1973

Employment/Assignment History

5/22/1973 – 2/27/1978	Holy Innocents, Pittsburgh, PA
2/27/1978 – 6/29/1983	North American Martyrs, Monroeville, PA
6/29/1983 – 1/10/1987	St. Gabriel of the Sorrowful Mother, Whitehall, PA
1/10/1987 – 6/17/1991	St. Anthony, Bessemer, PA
6/17/1991 – 2/27/1992	St. Anselm, Swissvale, PA
2/27/1992 – 11/2/1992	Leave of Absence
11/2/1992 – 1/7/1993	Office for Chaplaincies and Campus Ministry
1/7/1993 – 2/16/1993	Leave of Absence
2/16/1993	Resigned

Summary

Beginning in 1992, several victims reported to the Diocese of Pittsburgh that while Father Edward G. Huff was a priest at St. Anthony, he inappropriately touched them. It was reported that he would invite teenage male students to the rectory, provide them with alcohol, and wrestle with them, at times. Huff would also attempt to take students with him to go bowling, to see Pittsburgh Pirates games, and to go to Cedar Point.

One victim stated that Huff would repeatedly ask him to go places with him. Eventually, the victim agreed to attend a Pittsburgh Pirates game alone with Huff. While Huff was driving them home, he asked the victim to move closer to him in the front seat of the car. Huff then allowed the victim to drive the car by taking control of the steering wheel while the car was travelling at 55 mph on the interstate. Huff then pulled up the victim's pant legs and began feeling his legs. Huff then moved his hand up to the victim's thigh, untucked his shirt and rubbed his stomach. Huff then unbuttoned the victim's pants and attempted to place his hand down the front of the victim's pants. At that point, the victim told Huff he no longer wanted to drive and moved back to the passenger seat. Once again, Huff began rubbing the victim's stomach and attempted to move his hand down into the vicitm's pants. This continued off and on until Huff took the victim home. The records revealed that other victims provided similar accounts of Huff allowing them to drive his car while touching them inappropriately.

Prior to the victim's Confirmation, Huff met with him privately in the rectory. While sitting, Huff pulled the victim's chair closer to his and began touching the victim's knees and rubbing his thighs. The victim grabbed Huff's wrist and pushed him away. The victim reported these incidents to the Diocese in the form of a letter dated December 31, 1992.

Summary

On February 27, 1992, while a priest at St. Anselm, Huff was removed from his assignment. Subsequently on March 5, 1992, Huff was evaluated by St. Michael's Community Program in St. Louis, Missouri and began treatment there on April 16, 1992. In October, 1992, Huff returned to Pittsburgh and was assigned to the Office for Chaplains and Campus Ministry where he was responsible for supervising chaplains at hospitals and nursing home facilities.

On January 7, 1993, Huff was placed on administrative leave and then returned to St. Michael's the following day for further treatment. On February 16, 1993, Huff resigned from active ministry.

On June 22, 1994, Huff was arrested and charged with several crimes in Lawrence County, Pennsylvania for conduct that occurred when he was a priest at St. Anthony's. On August 21, 1996, Huff pled guilty and was sentenced to serve 18 months to 5 years in prison. He was paroled on August 5, 1999.

There was a May 5, 2000 handwritten note (author unknown) in Huff's file. The note stated that Huff, "*admitted to touching 500 kids and targeting at least 1200 . . .*"

On May 5, 2008, another victim disclosed that in the early 1980s, while he was an altar server at St. Gabriel, he was inappropriately touched by Huff. Huff often took the victim to Pittsburgh Pirates games and provided him with alcohol. While the victim was in Huff's car, Huff would stroke the victim's leg and gradually move up to his genital area. The victim could not remember everything that occurred due to being intoxicated. He stated that he passed out from alcohol provided by Huff.

A narrative contained in Diocesan files indicated that on June 14, 2015, altar server training was conducted at St. Joseph the Worker in New Castle. Huff came into the church and was overheard asking a teenage male if he would like to go to a Pittsburgh Pirates game with him in the future. The teen declined the offer and his mother contacted church officials about the incident.

Monsignor Edward Joyce

Biographical Information

YEAR OF BIRTH:	1915
YEAR OF DEATH:	1969
ORDINATION:	June 16, 1940

Employment/Assignment History

3/15/1941 – 12/04/1946	Parochial Vicar, St. James, Wilkinsburg, PA
12/05/1946 – 6/15/1955	Parochial Vicar, St. Andrew, North Side, PA
6/16/1955 – 7/29/1959	Parochial Vicar, St. Titus, Aliquippa, PA
7/29/1959 – 10/05/1959	Parochial Vicar, St. Joseph, Sharpsburg, PA
10/06/1959 – 9/21/1959	Vic Enc, St. Joseph, Sharpsburg, PA
9/22/1959 – 7/22/1963	Pastor, St. Joseph, Sharpsburg, PA
7/23/1963 – 8/27/1968	Pastor, St. Joseph, North Side, PA
8/28/1968 – 1/11/1969	Chaplain, Sisters of St. Francis, Mt. Assisi, PA

Summary

In December 2002, an allegation of sexual abuse by Monsignor Edward Joyce was made to the Allegheny County District Attorney's Office. A male had reported to the Diocese of Pittsburgh that Joyce had inappropriately touched him from 1966 to 1968 at a church in Allegheny County. He stated that he and Joyce gave each other massages which eventually led to naked massages and heavy touching. On one occasion, he and Joyce were caught in a compromising position by Father Patrick Jones. After the incident, Joyce was quickly reassigned to an all-girls school.

In April, 2010 a female requested her school records from St. Joseph. She provided "*troubling information*" about. Joyce in connection with the request. The "*troubling information*" was never described, however, and there was no other documentation in the file to detail the incident and/or how it was resolved.

Reverend Marvin Justi

Biographical Information

YEAR OF BIRTH:	1933
YEAR OF DEATH:	2009
ORDINATION:	June 7, 1958

Employment/Assignment History

1958-1969	St. Fidelis Seminary
1969-1972	Quigley High School, Ambridge, PA
1972-	Good Shepard Catholic Church, Shawnee, KS
1980	St. Cecilia Catholic Church, Ambridge, PA
2002	St. Joseph Church, Cabot, PA

Summary

In August 2016, an adult female reported that in June, 1969, she was a 17-year-old nursing student at Sewickley Valley Hospital. During that time, Father Marvin Justi was a patient at the hospital and she gave him a sponge bath. During the bath, he became sexually aroused and and insisted that she continue to wash his genitals. After that, Justi began sending her suggestive letters and notes. Her mother found the notes and reported Justi to his superior.

In 1982, the female was working at a physical therapy facility in Ambridge when Justi arrived as a patient. He proceeded to undress and refused to get dressed when she attempted to start the session. He was asked to leave and seek therapy elsewhere.

In 1985, Justi appeared at the female's house unannounced. She allowed him to enter. While there, he used the restroom. He then re-appeared in the living room naked with a freshly shaven genital area. He left after she picked up the telephone to call the police.

Diocesan records contained little to no documentation on any investigation conducted by the Diocese of Pittsburgh.

Reverend Bernard J. Kaczmarczyk

Biographical Information

YEAR OF BIRTH:	1929
YEAR OF DEATH:	Unknown
ORDINATION:	May 25, 1957

Employment/Assignment History

6/13/1957-10/19/1959	Assistant, St. Robert Bellarmine, E. McKeesport PA
10/20/1959-5/30/1961	Assistant, St. Ladislaus, Natrona, PA
5/31/1961-9/21/1967	Assistant, St. Adalbert, South Side, PA
9/22/1967-9/19/1968	Assistant, St. Stanislaus, Ambridge, PA
9/20/1968-3/01/1970	Assistant, Holy Family, Lawrenceville, PA
3/01/1970-10/26/1992	Pastor, Holy Name of Mary, Donora, PA
10/30/1992	Leave of Absence
2/28/1994	Faculties withdrawn
11/1997-1/1998	Halfway house
6/1998	Suspended as a priest

Summary

On February 8, 1994, the Diocese of Pittsburgh was informed that allegations had been lodged against Father Bernard J. Kaczmarczyk concerning sexual abuse of at least three minors. These allegations were investigated by the Diocese and deemed to be credible.

On February 8, 1994, the Coordinator of Clergy Support Services received a telephone call from a female who allegd that Kaczmarczyk had sexually abused her three nephews, ages 11, 14 and 15. She explained that she and her entire family had been life-long friends with Kaczmarczyk and had total access to the rectory because of their relationship with him. She stated that her nephews were sexually abused by Kaczmarczyk at the rectory in Donora and also at his home in Florida.

The caller reported that when her oldest nephew was approximately 12 years old, Kaczmarczyk would meet with him every day in Kaczmarczyk's bedroom. Kaczmarczyk would also go into the bathroom when her nephew was showering to make sure he was "*showering properly*." She also reported that her nephew would frequently sleep with Kaczmarczyk, who wore his sister's dresses as pajamas.

One morning her oldest nephew awoke to find Kaczmarczyk performing oral sex on him. Kaczmarczyk was very controlling of the boy and would slap him if he said anything about it. Kaczmarczyk often bought things for the child and had the child's name on some bank accounts.

Summary

At one point all three boys and their mother moved to Florida with Kaczmarczyk. When the mother moved back to Donora, Kaczmarczyk insisted that the two oldest boys stay in Florida with him. The caller reported that a detective went to the house and later called the boy's mother to inform her that Kaczmarczyk was *"using all three boys."*

The woman went on to state in June, 1992, Kaczmarczyk had her nephew make a "*Consecration to the Mystical Rose*" and had him wear a rosary ring on his left hand. (There were notes in the file that suggested that this was some sort of marriage ceremony, similar to vows, between the boy and Kaczmarczyk).

The woman reported that she spoke with the mother of her nephews on February 11, 1994. According to the mother, her children became involved with Kaczmarczyk when her oldest son was approximately seven-years-old. Kaczmarczyk then trained him as an altar boy when he was around 10 years of age and he began staying overnight at the rectory with Kaczmarczyk. When her son was between the ages of 10 and 12, he recalled waking up in the morning with his underwear removed and found Kaczmarczyk kneeling next to his bed.

From October 1992 through February 1993, the mother stated that she and her boys lived in Florida to help Kaczmarczyk. Thereafter, Kaczmarczyk insisted that her two oldest boys stay in Florida with him (approximately two more weeks.) Her oldest son later told her that there was an occasion when he woke up and Kaczmarczyk was performing oral sex on him. He also told her that once he woke up and Kaczmarczyk was trying to "*put his penis in his butt.*" Kaczmarczyk also gave him wine to help him sleep. He told his mother that Kaczmarczyk did not want him looking at girls and that he and Kaczmarczyk had taken vows which he wanted the boy to renew every year.

Reverend Joseph D. Karabin

Biographical Information

YEAR OF BIRTH:	1947
YEAR OF DEATH:	N/A
ORDINATION:	May 4, 1974

Employment/Assignment History

1974 - 1979	Presentation of the Blessed Virgin Mary, Midland, PA
1979 – 1980	St. Joan of Arc, Library, PA
1980	St. Joseph the Worker, New Castle, PA
1980 – 1981	Holy Name, Duquesne, PA
1981 – 1986	St. Albert the Great, Baldwin, PA
1986 – 2002	Braddock Hospital, Braddock , PA

Summary

In March 1980, the Diocese of Pittsburgh received a report from a victim who was sexually abused by Father Joseph D. Karabin while Karabin was assigned to St. Joan of Arc. Bishop Vincent Leonard then sent a letter to the House of Affirmation, a treatment center, notifying them that Karabin would arrive on March 25, 1980 for an evaluation with respect to the "incident" which Leonard advised he did not want to describe in the letter. Karabin was returned to active ministry after he completed treatment.

In March, 1985, Father Raymond Froelich, Pastor of St. Albert the Great where Karabin was assigned as Parochial Vicar, notified Bishop Bevilacqua of another child whom Father Karabin had sexually abused.

On March 7, 1985, two memorandums by Bishop Bosco documented a meeting held between himself and Karabin in with respect to the new report. Bosco advised Karabin that he would have to be reassigned due to the complaint. Karabin agreed, but "*did not seem happy*" with the possibility that his reassignment may not be immediate due to this being a "*recurrence of a previous problem.*" According to Karabin, this "*latest incident*" was caused by stress he was under from not having his own pastorate. He related that if he was assigned as a pastor of a parish, it would prevent him from "*acting out.*" Handwritten notes by Bishop Bevilacqua on one of the memorandums stated, among other things, "*I do not feel Father Karabin should be given another immediate assignment after leaving his present one. There should be some sign to him that what he did was very grave.*"

Diocesan records contained undated handwritten notes that appeared to have been written by Father Dattilo in 1985 after the second report of sexual abuse by Karabin had been received by the Diocese. Among other things, Dattilo made the following notations:

Summary

- "*How is the Diocese liable for his actions*?"
- "*It is best he hear this in therapy and that we be honest about his status and not protect him.*"
- "*What is his standing in the Diocese after 2 incidents*?"
- "*Is not like an alcoholic mistake. Can mean jail & scandal & lawsuit.*"
- "*Joe* [Karabin] *wants to know if the incident was reported. Does he have a record? Can legal action be taken___for how long*?"

On March 13, 1985, Karabin was sent to St. Luke Institute for evaluation and treatment.

From April 1985 through September 1985, the Diocese documented that St. Luke Insttitute advised that Karabin was not a pedophile but had a "*homosexual interest in boys 15 – 18*" and that the "*two incidents*" of "*acting out*" were partially due to alcohol. However, because the initial treatment center in 1980 advised Karabin that he was not an alcoholic, this "*confused him and gave him permission to drink.*" Furthermore, it was noted that because the treatment center informed him that he was not a homosexual, this "*gave him permission to act out sexually.*"

The records also contained handwritten notes from August 27, 1985 which appeared to have been written by Dattilo with respect to Karabin. Among other things, the notes documented that approximately two weeks prior to Easter in 1985, an eighth grade boy reported to Father Froelich that Karabin had *"touched him in private parts"* and that he was afraid of Karabin.

On April 24, 1989, a letter was sent from the Western Regional Office of Children, Youth, and Families ("WROCYF") to Bishop Wuerl documenting a meeting held on November 16, 1988 between WROCYF, Diocesan representatives and counsel for the Diocese. Among other things, the WROCYF advised Wuerl that the Diocese was considered to be a mandated reporter of child sexual abuse and was therefore required to report any suspected abuse immediately. Further, the WROCYF advised that the Diocese was not permitted to conduct its own internal investigation to determine whether or not to report such abuse, but was required to report it immediately on becoming aware of it.

On June 30, 1989, a letter was sent by Wuerl to the Vatican with respect to other priests recently accused of child sexual abuse. Wuerl advised the Vatican of actions taken against the priests, details of the Diocesan policies for dealing with the sexual abuse of children by priests, and his own judgements in regards to the serious nature of child sexual abuse. Further, Wuerl advised that due to the scandal caused by these priests, he initiated a review of any previous cases of Diocesan priests who had been accused of "*pedophilic activities*" with minors. He stated that Bishops and Dioceses could become liable once they were made aware of sexual abuse complaints; that priests who denied the "*crime*" of pedophilic activity with minors was "*common in pedophiles*;" that pedophilia was "*incurable*;" and that the "*unassignability*" of a priest must rest solely with the Bishop. This was due to "*parents who have a moral right to expect chaste conduct from the priest,*" and the parishioners who "*would be gravely unsettled and scandalized in the knowledge that a priest pedophile has been assigned in their midst.*"

Summary

On October 30, 1991, Father Robert Guay, Secretary for Clergy and Religious and Vicar for Clergy, met with a third victim who advised that he had been sexually abused by Karabin. The victim advised that when he was approximately 13 to 14-years-old and an altar boy, Karabin undressed him, fondled him, and attempted anal sex with him.

On November 1, 1991, Guay and then-Bishop David Zubik met with Karabin with respect to the latest report. Karabin advised that he made a sexual pass at the victim and although he did not remember touching him, this *"isn't to say he didn't"* and that he was in an "*alcoholic stupor*" at the time. Karabin then admitted to sexually abusing two additional boys as well. From the handwritten notes in the file, it appears that Karabin may have been referring to the two previous cases set forth above.

On April 23, 1993, Guay sent a letter to Karabin with respect to recent work that Karabin had been performing. Guay advised that Wuerl was "*very much concerned*" that

> *such activities, while helpful in conveying the message of priests in recovery and ministry, might eventually compromise your ministry as well as the diocese should the anonymity ever be broken.*

Guay advised that he believed that Wuerl was "*very nervous about this.*"

On June 21, 1993, Karabin sent a handwritten letter to Wuerl requesting an assignment to a parish. Included on the letter were separate handwritten notes that appear to state that the "*circle of secrecy has to be broken- if you want another assignment- if not work in our confines,*" "*Can't make us responsible for his viewpoint,*" "*Recognition from himself or others,*" "*Dignity,*" "*Policy- this is what he has to do.*"

On July 1, 1997, Karabin sent a handwritten letter to Wuerl requesting an assignment as pastor of the Risen Lord. Separate handwritten notes on the letter stated, "*I met w Joe on July 3 and shared with him that Bishop Wuerl feels that it is best that he remain at Braddock Hospital and that Joe keep a 'low profile'.*"

Diocesan records contained a September 5, 1997 a memorandum that was sent to Zubik from Father Ruggiero. Ruggiero advised that, "*There is nothing in our file relating to the more recent allegation you spoke of made by a college youth who met Father Karabin at Braddock Hospital.*"

On January 6, 2002, an article detailing the Catholic Church practice of reassigning priests accused of sexual abuse of children was published in the Boston Globe. Several weeks later on February 22, 2002, Father John Rushofsky, Director of Clergy Personnel, sent a letter to Father Thomas Wagner at Good Shepherd advising him that Wuerl had appointed Karabin as Chaplain to the residents and staff at the Vincentian Home and Vincentian Regency, effective February 25, 2002. However, on February 28, 2002, letters were sent from Rushofsky advising that Wuerl had withdrawn this appointment. That same day, Father James Young, Episcopal Vicar for Clergy and Religious, sent a letter to Karabin advising him that Wuerl had withdrawn

Summary

his faculties and that he was no longer a priest in good standing.

Wuerl sent Karabin a letter dated July 16, 2002 wherein he advised that Karabin's resignation had been accepted. However, Wuerl further advised that "*I assure you that your sustenance needs and benefits will continue according to the norms of law.*"

On November 2, 2004, a Votum to the Congregation for the Doctrine of the Faith was submitted to the Vatican by Wuerl documenting Karabin's history. Wuerl requested that Karabin's withdrawal from active ministry be accepted by the Congregation. Wuerl noted that Karabin continued to receive his sustenance and health benefits. The request was accepted. In a letter to Wuerl dated April 4, 2005, the Congregation noted that it had decided that Wuerl's methods to "*deal with the issue at hand are canonically and pastorally sound.*" The letter further noted that the "*incident*" of abuse, "*while serious in nature, occurred over twenty-five years ago and at a time when the priest was in an alcoholic stupor.*"

On November 3, 2004, Father Young sent a letter to Karabin wherein Karabin was advised that his current sustenance payments would be reduced to the normal amount of $750 per month, plus his other benefits of health insurance, room, board, and residence. His monthly sustenance had been equal to his full salary from the time he was placed on administrative leave on February 28, 2002 until this date.

On July 20, 2006, Diocesan personnel sent a confidential memorandum to Bishop Bradley advising him that Karabin had requested to move out of the Cardinal Dearden Center and into his sister's home. Karabin requested that the $475 per month cost to house him at the Center be added to his continued sustenance payments and paid directly to him once he moved. The Clergy Task Force approved this request.

On October 1, 2007 Father David Bonnar, Secretary for Parish Life and Ministerial Leadership, sent a letter to Karabin. In the letter, he stated that the Pittsburgh Post-Gazette had recently published an article that named a number of priests allegedly involved in cases of sexual abuse that prompted lawsuits against the Diocese. Bonnar advised, "*Please know that the Diocese of Pittsburgh did not furnish the names for this article.*"

Brother John Keegan

Biographical Information

YEAR OF BIRTH:	1925
YEAR OF DEATH:	Unknown
ORDINATION:	Unknown

Employment/Assignment History

Unknown

Summary

In April 2014, an adult male contacted the Diocese of Pittsburgh to report that from 1957 through 1961, while he was a student at North Catholic High School, Keegan fondled his genitals and masturbated him. He stated that Keegan asked to meet with him monthly and that is when the abuse occurred. The allegation was shared with the Marianist Provincial and the Allegheny County District Attorney's Office.

In May 2014 an adult male reported to the Diocese that Keegan fondled his genitals in 1958 or 1959 while he was a student at North Catholic High School. This report was shared with the the Marianist Provincial and the Allegheny County District Attorney's Office.

A second report was made to the Diocese in May 2014 about Keegan. A male alleged that in 1958 or 1959, while he was a student at North Catholic High School, Keegan fondled his genitals. Keegan also provided him with an "*obscene, vile sexual script*" in order for him to become erect. When he could not become erect, he left Keegan. The allegation was shared with the Marianist Provincial and the Allegheny County District Attorney's Office.

A third allegation against Keegan was made to the Diocese that same month (May 2014). A male alleged that in 1958 or 1959, Keegan fondled his genitals when he was a minor attending North Catholic High School. This report was shared with the Marianist Provincial and the Allegheny County District Attorney's Office.

In May, 2014, a fourth adult male reported incidents to the Diocese involving Keegan and Brother Hildebrand. The male stated that from 1956 through 1960, Keegan fondled his genitals when he was a minor attending North Catholic High School. Keegan also offered to "*examine*" the male's penis because of the male's masturbation habits. The male further reported that Hildebrand asked him whether he ever saw his sister naked. Hildebrand then attempted to fondle him sexually. These allegations were shared with the Marianist Provincial and the Allegheny County District Attorney's Office.

A fifth allegation was reported to the Diocese in May 2014 by an adult male. He stated that when he was a student at North Catholic High School from 1958 through 1959, Keegan

Summary

spoke with him in a very sexual manner. Keegan also asked him what he thought about men having sex together. He further reported that Brother Meder, who ran the cafeteria, would provide minor children with pop and candy and then require them to sit on his lap while he was seated in his rocking chair. The male stated that he could feel Meder's erection through his pants. These reports were shared with the Marianist Provincial and the Allegheny County District Attorney's Office.

In May 2014, the Diocese received a sixth complaint about Keegan. An adult male reported that when he was a student in 1958 or 1959 at North Catholic High School, Keegan fondled his gentials. He also stated that Keegan asked to examine his genitals while they were together in the band pit area at the school. The allegation was shared with the Marianist Provincial and the Allegheny County District Attorney's Office.

[redacted]

Biographical Information

[redacted]

Employment/Assignment History

[redacted]

Summary

In a St. Bernadine Clinic report dated May 28, 1987, [redacted] admitted to enagaging in relationships with parishioners, but did not specify whether they were sexual or non-sexual in nature. He stated that he became aware of his constant struggle to meet his affectionate needs without violating the norm of celibacy. He admitted to affectionate interest in a teenager whom he met when she was 15 years of age. He stated that they did not become romantically involved until she was "*close to her 18th birthday.*" [redacted] acknowledged that the age disparity and his priestly role made the relationship somewhat inappropriate.

REDACTED -- ONGOING APPELLATE LITIGATION

Reverend Henry Krawczyk

Biographical Information

YEAR OF BIRTH:	1952
YEAR OF DEATH:	N/A
ORDINATION:	September 30, 1978

Employment/Assignment History

10/09/1978 – 6/28/1983	Parochial Vicar, St. Mary, McKeesport, PA
6/29/1983 – 6/12/1988	Parochial Vicar, Our Lady of Joy, Pittsburgh, PA
6/13/1988 – 10/26/1992	Parochial Vicar, St. Therese, Munhall, PA
10/26/1992 – 10/31/1994	Team Ministry, St. Maximillian, Homestead, PA
10/31/1994 – 6/23/2003	Pastor, St. Maximillian, Homestead, PA
6/23/2003 - Present	Administrative Leave

Summary

A review of Diocesan records revealed an internal document entitled "*File Review*" that contained the following three allegations against Father Henry Krawczyk:

1. On October 19, 1986, a mother filed a complaint against Krawczyk for providing alcohol and marijuana to minors and for making sexual advances towards those minors (including her son). Krawczyk only admitted to providing alcohol to minors.

2. On August 24, 1988, a complaint was filed against Krawczyk for providing alcohol to minors at a graduation party where no other adults were present.

3. On November 2, 1992, a mother filed a complaint against Krawczyk for drinking alcohol with her underage son.

In February 2005, Krawczyk pled guilty to one count of involuntary manslaughter. The charge stemmed from a cookout that Krawczyk hosted on June 17, 2003 wherein he supplied alcohol to several underage University of Pittsburgh football players. One of the players fell from the roof of St. Anne to his death.

In November 2006, the Diocese of Pittsburgh drafted a confidential memorandum pertaining to an allegation of sexual abuse against Krawczyk. Two brothers reported that Krawczyk engaged in sexual activity with their younger brother. Their younger brother told them that he and Krawczyk would frequently get high and drunk together. On one occasion, he passed out and awoke to Krawczyk performing oral sex on him. He committed suicide in

Summary
August, 2006. The brothers requested that the Diocese pay and/or reimburse them for their brother's drug treatment as well as funeral expenses. These requests were granted.

[redacted]

Biographical Information

[redacted]

Employment/Assignment History

[redacted]

Summary

In an undated, handwritten letter to [redacted] received in [redacted], an anonymous sender advised that [redacted] had asked several [redacted] before and after [redacted]. No further documentation was provided about the allegation.

In [redacted] an allegation of sexual abuse was made against [redacted] In the complaint to the [redacted] County Distict Attorney's Office, it was reported that [redacted]

A report was issued by the Diocesan Review Board. Their Findings and Recommendations included the following:

[redacted]

REDACTED -- ONGOING APPELLATE LITIGATION

Reverend Edward L. Kryston

Biographical Information

YEAR OF BIRTH:	1946
YEAR OF DEATH:	N/A
ORDINATION:	May 4, 1974

Employment/Assignment History

5/30/1974-6/17/1979	Assistant, St. Luke, Carnegie, PA
6/18/1979-10/05/1980	Assistant, St. John, Unity, PA
10/06/1980-7/15/1984	Assistant, St Pius X, Pittsburgh, PA
7/16/1984-6/12/1988	Parochial Vicar, St. Martin, Pittsburgh, PA
6/13/1988-6/21/1989	Parochial Vicar, Our Lady of Joy, Holiday Park, PA
6/22/1989-1/11/1996	Parochial Vicar, Holy Trinity, Moon Run, PA
1/17/1996-9/23/1996	Leave of Absence
9/23/1996-8/27/1999	Parochial Vicar, St. Albert the Great, Baldwin, PA
8/27/1999-	Pastor, St. Albert the Great, Baldwin, PA

Summary

On May 1, 1984, a letter was sent to Bishop Bevilacqua from Father Thomas Marpes of St. Pius X regarding his associate, Father Edward L. Kryston. In part, the letter stated:

> *His major problem is his inordinate interest and association for and with grade school girls. Many unsavory remarks have been made to me relevant to this situation. He has even had these "little" girls in his room, behind closed doors. At times the girls have been of high school age. Climaxing all of this a few months ago was the incident involving a High School Junior girl, whom he took to his room. Evidently, advances were made which terrified her. The next day she reported this incident to her CCD teacher, who is a very fine person with shock, surprise, etc. The CCD teacher and the Religious Education Coordinator came to me with troubled minds. I suggested she write to Bishop Bosco. In the meantime, I spoke to Bishop Bosco about the problem, and he requested to speak to the teacher personally about the same matter. At this point it has been referred to Father Campbell. It is my understanding that Father Kryston has had this problem for some time.*

On May 3, 1984, a letter was sent to the Diocese of Pittsburgh from the president of the St. Pius Parish Council. A portion of the letter stated:

> *Your Excellency, Over the past 2 ½ years, I have received several complaints, as President of St. Pius X Parish Council, about one associate pastor, Father*

Summary

Edward Kryston. The complaints deal with his negative attitude, his lack of concern for the Parish, and his seemingly strong interest in young women.

On May 17, 1984, Father Philip Campbell questioned Kryston "*regarding complaints that had been received by Bishop Bosco regarding his conduct with young women.*" Kryston denied any inappropriate conduct or behavior. There was a notation in the memorandum that Kryston admitted that he took girls into his room to watch television. However, Kryston stated that the girls were always in "*groups.*" At the conclusion of the meeting, Campbell sent a letter to Bevilacqua, recommending that Kryston be transferred. Kryston was then transferred to St. Martin.

On November 1, 1984, a letter was sent to Bevilacqua from Judith Kanya, a CCD teacher associated with St. Pius. The letter stated:

> *Last December one of my CCD students talked to me about how to handle a priest who was making passes at her. After talking to our Pastor Father Marpes and at his request writing to Bishop Bosco and then talking to him around February 1, 1984, I was assured that something would be done. In July, Kryston, the priest in question, was transferred to another parish. I was very prayerful that he was getting help with this problem. But I have been very concerned that he was just moved to shut me up. He has returned to St. Pius on many occasions and last Saturday he came to our home football game with four teenage girls (I did not know the girls so they were not from St. Pius) and sat at the game with a group of our young teenage girls. I keep worrying about these girls. . . I really feel disappointed in the hierarchy of the church that this problem is being glossed over . . . why is this being covered up?"*

On December 17, 1985, Father Dattilo wrote notes pertaining to a meeting he had with Mona Rush, a CCD teacher. Rush reported that she was concerned about Kryston's attention to eighth and ninth grade girls, while ignoring boys. Rush advised that Kryston invited girls to the rectory to talk at 11:15 p.m. He also circled the block of a young girl and then invited her to accompany him alone on a shopping trip. By January 7, 1986, Dattilo documented additional concerns regarding Kryston, including "*drinking and fooling around with girls,*" arranging a dinner for two in the rectory with an eighth grade girl, and asking a CCD class how they would feel if they were naked answering the telephone.

On November 8, 1995, a meeting was held with Father Guay, Father Zubik, Rita Flaherty and the mother of an eighth grade school girl. The mother reported that her daughter recently attended a school dance. Kryston was at the dance and encouraged the boys and girls to dance together. During the dance, Kryston reportedly lifted up two different school girls by grabbing them by the buttocks.

By November 15, 1995, additional information was obtained by Diocesan officials regarding Kryston's actions at this same school dance. The additional information came from the mother of a 13-year-old girl. The girl reported that she felt uncomfortable with the way

Summary

Kryston was holding her during a dance. Later, Kryston grabbed her buttocks as she walked by the DJ booth. The girl went home and cried over the incident. It was learned that Kryston committed a similar indecent assault on another seventh grade girl. Additionally, it was learned that Kryston had invited an 11-year-old girl to his room. It was reported that there were pornographic magazines under Kryston's bed and that he had pictures of a young girl from the school on his wall. The young girl in the photographs was situated in various poses, such as sitting under a tree, in a bikini. The identity of this girl was known and it was reported to the Diocese that Kryston had invited the girl on an overnight trip to an amusement park. They were to share the same motel room. The young girl's parents refused to give Kryston permission to take their daughter on the trip, however.

On November 27, 1995, Flaherty placed a telephone call to Sister Mary Ann Lostoski, Principal of the Holy Trinity school. Sister Mary Ann reported that Kryston was always around seventh and eighth grade girls and often smelled of alcohol. She added that a family had left the school because of Kryston's interest in school girls. Sister Mary Ann stated that she did not "*want her* [Sister Mary Ann] *name used*" regarding this information.

On December 4, 1995, Guay, Zubik and Flaherty held a meeting with Kryston. Kryston was asked about his actions at the school dance. He "*did not deny*' dancing with the two girls. He acknowledged physical contact, but "*denied any sexual intent.*" It was then explained to Kryston that he would be placed on administrative leave until he was evaluated at St. Luke Institute.

On December 28, 1995, the Diocese received an evaluation report from St. Luke's. The report indicated that there was a disparity between Kryston's self-report and the observations of others. The report stated that there was reason for "*extreme caution*" and that Kryston was at risk and in need of much support. It was recommended that he enter residential treatment as soon as possible and it was "*very important that he have NO contact with adolescents.*"

On July 26, 1996, Flaherty sent a letter to St. Luke's regarding the release of Kryston from treatment. There was a question as to whether or not the issue of "ephebophilia" had been decided, because this issue would contribute to the decision about Kryston's "*assignability.*" By August 14, 1996, Kryston was released from St. Luke's and living with his mother in the Pittsburgh area. On August 26, 1996, Flaherty received a letter from St. Luke's that advised that "*treatment did not identify ephebophilia;*" however, it would be wise to err on the side of caution and avoid ministry focused specifically with junior or high school students, and to avoid situations of being alone with vulnerable women. Flaherty forwarded this information to Bishop Wuerl.

On August 31, 1996, Wuerl met with Kryston regarding Kryston's return to active ministry. Thereafter, on September 17, 1996, Wuerl appointed Kryston as parochial vicar at St. Albert the Great. The effective date of this appointment was September 23, 1996.

Summary

On February 28, 2002, Wuerl placed Kryston on administrative leave and assigned him to a residence at St. John Vianney Manor, a retirement home for priests. Situated on the same property and in close proximity to the retirement home is Bishop Canevin High School.

On August 4, 2002, Kryston wrote to Wuerl and asked for permission to withdraw from active ministry. On August 9, 2002, Wuerl granted Kryston permission to withdraw, while at the same time assuring him that the Diocese would continue to pay for his sustenance and benefits.

On May 17, 2016, Father Mark Eckman sent a letter to Kryston advising Kryston that he could continue to live at St. John Vianney.

Reverend Anujit Kumar

Biographical Information

YEAR OF BIRTH:	1954
YEAR OF DEATH:	N/A
ORDINATION:	04/13/2002

Employment/Assignment History

4/13 2002	Parochial Vicar, India
9/2008	Missionary, St. Joan of Arc, South Park, PA

Summary

In September 2008 an allegation of sexual abuse was made against Father Anujit Kumar to the Allegheny County District Attorney's Office. A minor female reported that Kumar had kissed her on her lips several times using his "*tongue*" and was "*sucking her lips.*" He then asked for her telephone number and gave her his business card along with a gift. Several other altar servers witnessed the incident.

Kumar was interviewed by the Clergy Office concerning the incident and admitted to the conduct. He stated that his reason for kissing her inappropriately was that he was trying to "recruit her for the convent."

The incident was reported to the South Park Police Department but the victim and her parents declined to go forward with prosecution.

Reverend George Kurutz

Biographical Information

YEAR OF BIRTH:	1917
YEAR OF DEATH:	1977
ORDINATION:	June 11, 1944

Employment/Assignment History

9/21/1944 – 11/08/1944	St. Stephen, Pittsburgh, PA
11/09/1944 – 6/25/1952	St. Joseph, West Aliquippa/St. Catherine Parish, Wireton, PA
6/26/1952 – 6/15/1955	St. George, South Side, PA
6/16/1955 – 10/05/1955	Holy Trinity, McKeesport, PA
10/06/1955 – 4/10/1960	Immaculate Conception, Washington, PA
4/11/1960 – 5/30/1961	Our Lady of Consolation, Nemacolin/St. Mary Parish, Crucible/Sacred Heart, Rices Landing, PA
5/31/1961 – 5/07/1965	St Lawrence O'Toole, Pittsburgh, PA
5/08/1965 – 6/06/1967	St. Michael, New Castle PA
6/07/1967 – 8/31/1976	St. Helen, East Pitsburgh, PA
9/01/1976	Resigned

Summary

Diocesan records contained a handwritten letter dated June 15, 1996 indicating that the Diocese of Pittsburgh had received a telephone call from a 47-year-old female who stated that she and her sister were molested by Father George Kurutz in the late 1950's and early 1960's. The caller stated that Kurutz came into a room and laid with her. He put his hands under her shirt and squeezed her close to him. She stated that their mother sent them with Kurutz to his new parish in New Castle when she was in sixth grade. She believed that is when he laid with her and fondled her. She reported that more serious incidents occurred with her sister. She also advised that her sister walked in on their mother performing oral sex on Kurutz. Her sister stated, "*Mother knew what was going on and she did nothing to stop it, no one helped me.*"

Reverend Fidelis Lazar

Biographical Information

YEAR OF BIRTH:	1936
YEAR OF DEATH:	N/A
ORDINATION:	August 15, 1963

Employment/Assignment History

1966 – 1969	St. Vincent / Latrobe, Instructor
1970 – 1975	St. Bede / Bovard, Instructor
1975 – 1976	Sacred Heart / St. Mary, Instructor
08/16/1976 – 03/22/1981	St. Clare / Clairton, Parochial Vicar
03/23/1981 – 07/07/1982	St. Joan of Arc / Library, Parochial Vicar
07/08/1982 – 05/31/1984	St. Mary / New Castle, Parochial Vicar
06/01/1984 – 06/13/1986	St. Joseph / Bloomfield, Parochial Vicar
06/14/1984 – 04/23/1987	St. Teresa / Koppel, Parochial Vicar
04/23/1987 – 09/25/1989	Leave of Absence
09/25/1989	Withdrew from active priestly ministry

Summary

In October 1986, the Diocese of Pittsburgh received a report from an adolescent male that he had been sexually abused by Father Fidelis Lazar in June, 1986. Lazar took this victim on overnight trips. They slept in the same bed. The victim stated Lazar kissed him and began touching the child's genitals. While in bed, Lazar pulled the victim close to him, close enough the victim felt the erect penis of Lazar.

In the same confidential summary, it was noted by Diocesan officials that Father Nicholas Dattilo, then Secretary for Clergy, confronted Lazar about the sexual abuse allegation. Lazar initially denied the allegation, stating the family was "troubled" and was singling him out. Dattilo sent Lazar to a Diocesan treatment facility for evaluation in November 1987. While in treatment, the Diocese documented the summaries provided by the treating doctors. It was noted that Lazar admitted being sexually active with children after his ordination.

Lazar took a personal leave of absence from ministry citing health reasons. In September 1989, he withdrew from active ministry. The Bishop determined Lazar could not continue in ministry due to the allegation and his diagnosis of Ephebophilia. Ephebophilia is the primary sexual interest in mid-to-late adolescents.

In September 1994, another male contacted the Diocese and gave an in-person account of his abuse by Lazar. He reported that he was only 15 or 16 years of age when Lazar sexually molested him. He explained that Lazar had befriended his family. There were many incidents

Summary

where Lazar would kiss him, remove his pants and fondle his penis. This occurred when Lazar was assigned at St. Joan of Arc.

In March 2002, the Diocese received an e-mail communication from a male asking for the status of Lazar. This male reported that when Lazar was a Benedictine monk in the 1960's, Lazar abused him while he was at St. Vincent's Preparatory School in Latrobe. The male was provided with the contact information for the Archabbot of the Benedictine Monks.

[redacted]

Biographical Information

[redacted]

Employment/Assignment History

[redacted]

Summary

In [redacted] and [redacted], the Diocese of [redacted] received letters from an adult male who reported that he had been sexually abused by [redacted] for several years beginning when he was [redacted] years of age. It continued until he was [redacted] years of age.

The victim first met [redacted] after the victim's [redacted] and [redacted] became involved with his family. After awhile, they went on overnight trips together and [redacted] provided him with alcohol and "*dirty*" magazines. They also began sleeping together and showering together. [redacted] then began performing oral sex on him. This abuse occurred approximately once a month for a period of years. Once the victim turned 15 or 16 years old, he told [redacted] he wanted the sexual activities to stop and threatened "*to tell on*" him. In response, [redacted] grabbed him by the throat and threatened to kill him if he told anyone. [redacted]

REDACTED -- ONGOING APPELLATE LITIGATION

Summary

also threatened to tell the victim's parents that he was gay and that he [the victim] was the one who initiated and pursued the sexual contact with [redacted]

According to the file, the victim "*asked nothing of the Diocese*" and that

> *He made no threats to sue [n]or make his allegations public. His only motivation appeared to be to make someone in the diocese aware of what had occurred. [The victim's] concern for his own children brought home the awareness that* [redacted] *might be abusing others.*

Based upon the meeting with the victim and a separate telephone call with him, the Diocese found that his *"allegations were consistent in detail."*

[redacted]:

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

[redacted]

[redacted]

[redacted]

Summary

[redacted] then recommended that [redacted] be returned to active ministry. [redacted] and [redacted] referred to [redacted] time at [redacted] as being due to [redacted] or [redacted]

On [redacted], a letter was sent from [redacted] to [redacted] requesting that he remain as pastor [redacted] further requested that if the [redacted]

On [redacted], a confidential report sent from [redacted] to the Diocese advised, among other things, that [redacted]

[redacted] thereafter sent a letter to [redacted] on [redacted] wherein he welcomed him back *"following your leave of absence for personal reasons."* [redacted] further advised, *"I share with you my joy at your return to full-time ministry."*

File documents revealed that from [redacted] to [redacted], the Diocese paid for counseling sessions for the victim.

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On January 6, 2002 an article detailing the Catholic Church's practice of reassigning priests accused of sexual abuse of children was published in the Boston Globe. [redacted] sent [redacted] a letter dated [redacted] advising him that his ministerial faculties were restricted to [redacted] and that he was no longer permitted to function as a priest without permission. A memorandum in the file dated [redacted] documented a conversation between [redacted] and [redacted] wherein [redacted] "*in confidence*" explained to [redacted] that it had become necessary for him to restrict [redacted] faculties. The memorandum revealed that [redacted] advised [redacted] that "*he would keep it confidential.*"

On [redacted], the victim notified the Diocese again about his abuse and advised that he was seeking compensation. In a letter to the victim dated [redacted], the Diocese advised him that his allegation was never fully substantiated and it had been denied by [redacted]. The Diocese further advised that because there was no clear resolution, *"the priest in question is asking to appear before the Ministerial Assessment Board for a review of this allegation."* The victim was invited to appear before the Board to tell his story.

REDACTED -- ONGOING APPELLATE LITIGATION

Summary

On [redacted], [redacted] sent a letter to [redacted], advising him that the "*enclosed confidential information comes by way of a friend in law enforcement.*" Among other things, [redacted] provided the victim's current address and date of birth and requested that the Diocese re-send the letter to him (as it had been returned as undeliverable). That way, it could be demonstrated that he had been given an opportunity to appear before the Board. [redacted] then provided details of the victim's criminal history in order to show that he was not a "*credible accuser.*"

Following a meeting of the Diocesan Review Board, the Board concluded that it could not determine "*with certainty*" the credibility of the victim's claim. The Board recommended that [redacted] be allowed to continue in "*non-parochial ministry*" without access to children, in spite of his admission to the Board of his "*attraction to minors.*" Included with the supporting documents for the Board's recommendation was a four-page letter by [redacted] denying any sexual abuse and requesting a return to ministry.

On [redacted], the Diocese notified the [redacted] County District Attorney's Office of "*inappropriate sexual contact that occurred sometime between [redacted] when [the victim] was a minor of age [redacted].*"

In a letter dated [redacted], the Diocese advised the victim that [redacted] had accepted the Board's recommendation that [redacted] be given a "*limited non-parish assignment.*" It should be noted that in a [redacted] that was completed by Diocesan personnel, it was documented that the complaint against [redacted] was both internally consistent and consistent with known facts.

On [redacted], sent a letter to [redacted] granting him 17 faculties in his role as [redacted]. These faculties included [redacted].

On [redacted], Pennsylvania Child Abuse History Clearance was granted to [redacted] certifying that no record existed in the Pennsylvania Department of Public Welfare's statewide central registry listing [redacted] as a perpetrator of an indicated or founded report of child abuse.

[redacted]

REDACTED -- ONGOING APPELLATE LITIGATION

Reverend Albert Leonard

Biographical Information

YEAR OF BIRTH:	1954
YEAR OF DEATH:	N/A
ORDINATION:	Unknown

Employment/Assignment History

1987	Parochial Vicar, Saint Ursula, Allison Park, PA
November 1993	Leave of Absence

Summary

In 1989 and 1993, the Diocese of Pittsburgh received complaints about Father Leonard's behavior with children. In one case, parents expressed their concern about Leonard's relationship with their 14-year-old son. In another case, parents expressed concern about Leonard's relationship with their minor son and reported that he swam nude with boys.

Shortly after the 1993 complaint, Leonard requested a six month leave of absence in November, 1993.

In September 1994, Leonard attempted to onbtain employment with Holy Family Institute. The Holy Family Institute is a residential treatment facility for children. The Diocese disclosed information regarding Leonard's sexual history with minors to the institute. Leonard complained to the Diocese that the disclosure of that information had hindered his employment.

The Diocese did not notify law enforcement of Leonard's conduct.

Reverend Casimir F. Lewandowski

Biographical Information

YEAR OF BIRTH:	1918
YEAR OF DEATH:	1978
ORDINATION:	November 4, 1945

Employment/Assignment History

12/6/1945 – 10/23/1946	St. Matthew, Pittsburgh, PA (Southside)
10/24/1946 – 6/17/1953	St. Kieran, Pittsburgh, PA (Lawrenceville)
6/18/1953 – 9/16/1953	Mercy Hospital, Pittsburgh, PA
9/17/1953 – 6/7/1955	Catholic University, Washington, DC (Studies)
7/8/1954 – 9/1/1954	St. Leocadia Parish, Wilmerding, PA
6/16/1955 – 3/13/1964	Diocesan Charities
3/14/1964 – 12/16/1973	Madonna of Czestochowa, New Castle, PA
12/17/1973	Resigned

Summary

Diocesan records contained a confidential memorandum dated February 8, 2016, that reflected a telephone conversation with a 64-year-old female. She reported to the Diocese of Pittsburgh that she was sexually abused by Father Casimir F. Lewandowski when she was approximately 12 years of age and in sixth grade. The incident occurred when he was assigned to Madonna of Czestochowa.

The female reported that she recalled walking upstairs in the rectory with Lewandowski. She was wearing a yellow dress. She recalled his erect penis and semen on her dress. He said to her, "*You are a dirty little girl, aren't you?*" The Diocese informed her that the Lawrence County District Attorney's Office would need to be contacted. The Diocese reimbursed her for the cost of years of therapy.

Reverend John P. Maloney

Biographical Information

YEAR OF BIRTH:	1938
YEAR OF DEATH:	2007
ORDINATION:	May 9, 1964

Employment/Assignment History

5/27/1964 – 6/01/1971	Nativity of Our Lord, Pittsburgh, PA
6/02/1971 – 9/30/1973	St. Phillip, Pittsburgh, PA
10/01/1973 – 2/04/1979	St. Kieran, Pittsburgh, PA
2/05/1979 – 10/12/1982	St. Michael, Pittsburgh, PA
10/13/1982 - 9/03/2004	Holy Sepulcher, Butler, PA

Summary

On January 7, 2004, the Diocese of Pittsburgh received a report from an adult male that he had been sexually abused as a child by Father John P. Maloney beginning when he was in the eighth grade. The male explained that he was one of nine children and that his father passed away in November 1970, leaving the family with financial difficulties. He, along with his brothers and sisters, obtained part-time jobs to assist the family financially. His job was to deliver newspapers and one of his stops was at the rectory of St. Philip. When he would deliver the paper, Maloney would sometimes invite him into the rectory to sit and talk. This usually occurred around 5:30-6:00 AM. The male reported that during these times together, Maloney would take photographs of him. At first, he was fully clothed when photographed but it eventually progressed to Maloney taking pictures of him in his underwear. He stated that after this started to occur, he woke up around 3:00 a.m. when the papers arrived so that he could deliver the paper before Maloney awoke. He stated that while this plan worked sometimes, there were other times when. Maloney would still grab him by his arm and bring him into the rectory. He further reported that when he brought his younger brother along with him, Maloney would just have his brother wait in another room. Eventually, he told his mother about the abuse, but she did not believe him. The abuse continued until he was a freshman in high school.

The male stated that he was not reporting the abuse for financial gain. He explained that he wanted to protect his family from discovering the evidence of the embarrassing photograaphs taken of him and to prevent such actions in the future.

When confronted with the allegations that he had taken photographs of the male, Maloney stated that he did ask the boy to take his shirt off to show his muscles. Maloney denied that he took photographs of the boy in his underwear or that he had any sexual contact with him. Maloney contended that he did not do anything inappropriate.

Summary

On January 9, 2004, the Diocese placed Maloney on administrative leave and he resigned as pastor at Holy Sepulcher. On September 3, 2004, Maloney's priestly faculties were withdrawn by Bishop Donald Wuerl.

The male reported that after the abuse by Maloney, he befriended a priest at Canevin by the name of *"Dom McGee."* McGee was a teacher of his freshman religion class and became a family friend who would come to their house two or three times per month for dinner or to watch a Steelers game. McGee provided him with counselling with respect to the abuse. However, McGee then began abusing him. He recalled McGee taking him to Williamsburg once. He stated that there was a lot of hugging that occurred; however, at that particular time, he did not really think anything of it. He then stated that when he was a sophomore around the year 1973, he went to the home of McGee's parents to help McGee paint. While there, he went into the bathroom to use the toilet while McGee was in the shower. McGee became extremely upset that he had entered into the bathroom. McGee got out of the shower and then grabbed him, pulled his pants down and masturbated him. McGee then said, *"Now how do you like that, don't you ever walk in on me again*!"

The male also reported that McGee molested his brother. On January 15, 2004, his brother reported to Father Canice Connors and Rita Flaherty that he had been groped by McGee on one occasion while sitting on the couch with him, watching television. He stated that he fell asleep and awoke to find McGee groping his genitals. He also stated that there was a time when he and another boy went to Erie with McGee and McGee encouraged them to undress along with him behind a picnic pavilion so that they could go swimming. He recalled that he and the other boy were embarrassed to undress in front of McGee. Finally, he recalled a time in class when McGee made each child talk about their sexual experiences. He stated that he so embarrassed that he never said a word during that class or any other time.

Brother Julius May

Biographical Information

YEAR OF BIRTH:	Unknown
YEAR OF DEATH:	1970
ORDINATION:	N/A

Employment/Assignment History

Summary

In May 2011, an adult male reported when he was a student at North Catholic High School durnng the 1963-1964 school year, he had developed a medical condition known as orchitis which is a form of mumps that settles in the testicles. He stated that Brother Julis May, who was a counselor at the high school, demanded to conduct a medical examination of his genitals. He refused and left May's office.

In May 2014, a 66-year-old male reported that he was inappropriately touched by May when he was a student at North Catholic High School during the 1962-1963 school year. He accused May of running his hand up his pant leg. The young man left before May touched his genital area. When he informed the principal of May's actions, the principal passed off the experience as May just being friendly.

The files indicated that the Diocese attempted to reach out to the victims with respect to counseling services.

Reverend Dominic McGee

Biographical Information

YEAR OF BIRTH:	Unknown
YEAR OF DEATH:	Unknown
ORDINATION:	Unknown

Employment/Assignment History

Unknown

Summary

The Grand Jury was provided little to no information on Father McGee. The only documents that were provided were three internal Diocese of Pittsburgh memorandums. The memorandums revealed that in January 2004 a sexual allegation was made against McGee wherein an adult male alleged that McGee masturbated him when he was a high school student in the early to mid-1970's at Canevin High School in Allegheny County. The male's younger brother further advised that McGee groped his genitals while he slept on a couch.

These allegations were shared with the Allegheny County District Attorney's Office.

Reverend Donald W. McIlvane

Biographical Information

YEAR OF BIRTH:	1925
YEAR OF DEATH:	2014
ORDINATION:	June 7, 1952

Employment/Assignment History

6/26/1952-6/12/1957	Parochial Vicar, St. Stephen, Pittsburgh, PA
6/13/1957-10/31/1960	Parochial Vicar, St. Paul Cathedral, Pittsburgh, PA
11/01/1960-6/26/1962	Parochial Vicar, Resurrection, Pittsburgh, PA
6/27/1962-4/20/1966	Chaplain Correctional Institution, Allegheny County Jail
4/21/1966-6/07/1976	Administrator, St. Richard, Pittsburgh, PA
6/08/1976-11/22/1985	Pastor, Corpus Christi, Pittsburgh, PA
11/23/1985-6/01/1992	Pastor, Presentation of Virgin Mary, Midland, PA
6/01/1992-12/01/1992	Sabbatical at St. John Fisher, Pittsburgh, PA
12/01/1992-1/22/1993	Awaiting Assignment at St. John Fisher, Pittsburgh, PA
1/22/1993-6/27/1994	Parochial Vicar (Part-time), St. John Fisher, Pittsburgh, PA
6/27/1994-12/30/1994	Chaplain, Motherhouse at Sisters of Divine Providence, Allison Park, PA
9/29/2008-12/15/2008	Leave of Absence

Summary

On July 22, 2008, the Diocese of Pittsburgh received a letter from a 43-year-old man who reported that in 1973, he was in the third grade at St. Richard's and served as an altar boy. On one particular day that year, he was not feeling well and Father Donald W. McIlvane escorted him up to a bedroom in the rectory. After he lay down, McIlvane began to rub his stomach and thighs. McIlvane then started to rub his penis through his clothing and his penis became erect. McIlvane then unzipped his pants and performed oral sex on him. He was given $5.00 by McIlvane. The male reported that between 1973 and 1977, McIlvane performed oral sex on him at least 40 times per year and that he was always paid afterwards with money from the parish donations.

On September 9, 2008, the Diocese provided the male with a check in the amount of $5,000.00 to help him through some additional financial difficulties. The money was not intended to be considered as any type of reimbursement or "settlement" related to his claim.

On October 29, 2008, the Diocesan Review Board met and reviewed the allegations. The Board accepted the written material submitted by the male and heard testimony from him. The Board determined that the allegation could not be substantiated because the information was inconclusive and unable to be verified. The Board then recommended, and Bishop Zubik

Summary

accepted, that McIlvane be restored to priestly ministry. The Board voted unanimously that there was no semblance of truth to the allegations.

On January 20, 2009, Father David Bonnar wrote a letter to the male wherein he stated:

I am sorry that the Independent Review Board did not come back with an outcome for which you were hoping. Nevertheless, the Diocese of Pittsburgh is still willing to offer counseling and spiritual direction to you.

Reverend Thomas McKenna

Biographical Information

YEAR OF BIRTH:	1935
YEAR OF DEATH:	Unknown
ORDINATION:	May 6, 1972

Employment/Assignment History

5/31/1972 – 5/21/1973	Parochial Vicar, St. Anselm, Swissvale, PA
5/22/1973 – 2/13/1978	Parochial Vicar, Immaculate Conception,Washington, PA
2/14/1978 – 10/01/1978	Chaplain, Marian Manor Nursing
10/02/1978 – 2/04/1979	Parochial Vicar, St. Maurice, Forest Hills, PA
11/01/1978 – 2/04/1979	Leave of absence, Health reasons
2/05/1979 – 8/15/1982	Parochial Vicar, St. Kieran, Lawrenceville, PA
8/16/1992 – 5/31/1984	Parochial Vicar, St. John Fisher, Churchill, PA
6/01/1984 – 9/11/1986	Parochial Vicar, Holy Innocents, Sheraden, PA
9/12/1986 – 7/21/1987	Chaplain, Sewickley Valley Hospital, PA
7/22/1987 – 8/22/1988	Chaplain, Forbes Regional Hospital, PA
8/22/1988 – 5/23/1994	Pastor, St. Edward, Blawnox, PA
5/23/1994 – 1/05/1998	Pastor, Our Lady of Fatima, Hopewell, PA
1/05/1998 – 7/31/1998	Chaplain, SCI – Pittsburgh, PA
8/31/1998 – 10/30/1998	Asst. Chaplain, Allegheny University Medical Center, PA
10/30/1998	Administrator, St. Patrick – St. Stanislaus, Pittsburgh, PA
9/13/2004	Withdrew from active priestly ministry

Summary

Diocesan records contained a handwritten letter dated July 28, 1992 authored by a priest (name illegible) about sexual allegations against Father Thomas McKenna. It noted that two teenage brothers claimed to have been sexually assaulted by McKenna in the 1970's.

An October 1996 Diocesan memorandum documented the fact that McKenna was confronted with several allegations of improper sexual activity.

On October 18, 1999, a lawsuit was filed against McKenna by an inmate incarcerated at the State Correctional Institution at Pittsburgh. He alleged that McKenna had sexually assaulted him while he was in prison.

In May, 2002, the Diocese of Pittsburgh received a report from a woman who stated that McKenna had sexually abused her son in 1975. No other documentation was found in the file.

Summary

In December, 2004 a final summary of treatment for Father McKenna from St. Luke Institute was completed. He was diagnosed with, *inter alia*, Ephebophilia (attraction to teenagers).

Reverend Albert McMahon

Biographical Information

YEAR OF BIRTH:	Unknown
YEAR OF DEATH:	Unknown
ORDINATION:	Unknown

Employment/Assignment History

7/05/1961- 7/01/1964	Team Ministry at St. Pamphilus, Beechview, PA
Unknown - 9/14/1967	Parochial Vicar at Our Lady Help of Christians, Pittsburgh, PA
Unknown - 2004	Province of the Immaculate Conception, New York
10/2004	Removed from active ministry

Summary

On April 22, 2004, thie Diocese of Pittsburgh received a telephone call from a 54-year-old female who reported that she was sexually abused by Father Albert McMahon when she was approximately 11 years of age. She explained that she went to St. Pamphilus in order to play. While there, "Father Albert" always showed her a lot of attention and that on a few occasions, he would have her sit on his lap. He would then fondle her breasts and genitals. She noted that Father Albert smelled of alcohol.

The Diocese contacted Father Campagna, Provincial Minister for the Province of the Immaculate Conception, in New York where McMahon was living at the time. On October 22, 2004, Campagna sent a letter to the female which stated, in part:

> *Once again I need to reiterate that I have not ignored, nor disbelieved, your accusations made against Father McMahon. If that were the case, I would not have removed him from active ministry. At the present time, Father McMahon does not enjoy participation in active ministerial priesthood, based solely on your complaint . . .I also assure you, as I have from the very beginning, I committed myself to provide for an appropriate time, access to therapeutic counseling that will hopefully bring some healing to your life.*

On January 10, 2014, a 63-year-old adult male contacted the Diocse to report that in the mid-1960's, when he was approximately 11 to 14 years of age, he served as an altar boy at St. Pamphilus. That is where he met McMahon. He stated that "Father Albert" would invite the altar boys to his friary room on Saturdays in order to wrestle. To the best of his knowledge, Father Albert would always invite the boys to wrestle with him individually, never in a group.

The male reported that when they would wrestle, McMahon would always get on top of him and that McMahon would always have an erection.

Summary

The male was offered counseling and advised that the allegation would be forwarded to the District Attorney's office where the incident occurred (Allegheny County).

On January 14, 2014, the Diocese sent a letter to Father Primo Piscitello, Provincial Minister for the Province of the Immaculate Conception. The letter stated, in part:

> *As I promised, I am including with this letter a copy of my file memo on the allegation I received against Father Albert McMahon, OFM. I am also including the brief notification we make to the District Attorney's Office in Allegheny County. As I mentioned, this is part of our policy here in the Diocese of Pittsburgh. . . I shared with* [the male] *that Father Albert is no longer in ministry given his age and current struggles with the onset of dementia. . . . I shared with him that you had been very honest in telling me that Father Albert had complaints about his behavior in the past but none that would be considered sexual abuse.*

On January 31, 2014, Bishop David Zubik addressed a letter to parishioners at St. Pamphilus that explained that allegations had been made against McMahon. The contact information for the abuse hotline was provided in the event that a parishioner was harmed by McMahon.

On February 5, 2014, a 64-year-old male contacted the Diocese to advise that he became aware of the fact that a letter was read and distributed at St. Pamphilus concerning McMahon. He reported that when he was approximately 12 to 13 years of age, he would wrestle with McMahon. He recalled that McMahon would have an erect penis and would attempt to put it in his "*behind.*" At first, the wrestling seemed innocent; however, once he realized that McMahon had an erect penis near his "*back side*," he got out of the rectory and never came back.

On February 17, 2014, the male met with Rita Flaherty, Bishop Waltersheid and Father Eckman. The male recounted two incidents of abuse. During the first incident, while he was wrestling with McMahon, his hand slightly passed over McMahon's penis. He did not know if McMahon did this on purpose, or if it was an accident. During the second incident, McMahon placed him on his lap. McMahon had an erection at the time. According to a confidential memorandum in the file documenting this meeting, the male was very tearful at times while telling his story. At the conclusion of the meeting, Diocesan officials offered counseling to him. They further advised that his allegations had been forwarded to the Allegheny County District Attorney's Office and the Provincial for the Franciscan community.

The Diocese ultimately provided up to 90 counseling sessions for the male over a three year period

No information could be located within the files as to whether if/when McMahon was confronted with any/all of the allegations.

Reverend John H. McMahon

Biographical Information

YEAR OF BIRTH:	1914
YEAR OF DEATH:	1993
ORDINATION:	June 16, 1940

Employment/Assignment History

12/05/1940-1/14/1942	Parochial Vicar, Holy Family, Latrobe, PA
1/15/1942-6/17/1953	Parochial Vicar, St. Mary Mercy, Pittsburgh, PA
1/15/1942-6/17/1953	CCD Assistant, St. Mary Mercy, Pittsburgh, PA
6/18/1953-6/12/1957	Parochial Vicar, St. John the Baptist, Pittsburgh, PA
6/13/1957-2/19/1958	Parochial Vicar, St. Sylvester, Brentwood, PA
2/20/1958-1/19/1960	Parochial Vicar, St. Peter, Pittsburgh, PA
1/20/1960-6/07/1960	Parochial Vicar, St. Catherine, Pittsburgh, PA
6/08/1960-6/14/1970	Pastor, North American Martyr, Monroeville, PA
6/15/1970-6/30/1984	Pastor, Resurrection, Pittsburgh, PA
6/30/1984	Retired

Summary

On June 7, 2004, the Diocese of Pittsburgh received a telephone call from a therapist who was counseling an adult female patient. The call was to inquire about the process for bringing a sexual abuse allegation to the attention of the Diocese.

Seven days later, a meeting took place between the therapist, the adult female and Rita Flaherty, Father James Young and Father John Rushofsky. The female explained that between 1969 and 1976, she was molested by Father John H. McMahon and [redacted] while she was a student at Resurrection. She advised that her recollection of the events was not completely clear but she estimated that it occurred when she was seven to 15 years of age. She stated that the molestation took place on the second floor of the rectory where the two priests maintained private residences. Some of the abuse occurred during school hours, while other abuse took place during the summer. She stated that she could recall being with McMahon when he was naked. McMahon encouraged her to touch him in inappropriate areas of his body. On other occasions, other children were present and McMahon encouraged them to touch each other.

The female stated that she recalled seeing pictures of naked boys and girls scattered on McMahon's desk.

The female reported that the abuse by McMahon and [redacted] progressed over time from touching and fondling to sexual intercourse. She disclosed that on one particular occasion, she

REDACTED -- ONGOING APPELLATE LITIGATION

Summary

was in the school cloakroom with [redacted] He exposed his penis to her. He then touched her inappropriately and ejaculated on her underwear.

At the conclusion of the meeting, Diocesan officials stated that they would investigate the allegations and address them with [redacted]. Officials advised that should [redacted] deny the allegations, a Diocesan Review Board would make a ruling on [redacted] suitability in the ministry.

REDACTED -- ONGOING APPELLATE LITIGATION

Brother Frank Meder

Biographical Information

YEAR OF BIRTH:	Unknown
YEAR OF DEATH:	1976
ORDINATION:	N/A

Employment/Assignment History

Unavailable
Marianist Community

Summary

On August 1, 2011, Bishop Zubik received a letter from an adult female who reported that Brother Frank Meder inappropriately touched her in the late 1950's when she was approximately eight or nine years of age. She stated that Meder would invite the Troy Hill neighborhood children into the North Catholic High School to give them leftovers from the cafeteria such as drinks or candy. She stated that she followed Meder into his office and sat on his lap. He then fondled her. She stated that this abuse occurred to many children who visited the school.

On April 6, 2014, an adult male contacted the Diocese of Pittsburgh to report that he also had been abused by Meder when he was approximately 10 or 11 years of age (1953 or 1954). He stated that Meder invited the Troy Hill neighborhood children into North Catholic High Shool to see his stamp collection on Saturdays. Meder then took each child into his office located behind the kitchen and molested them. He reported that this occurred for at least two years. He also reported abuse by Brother Hildebrand.

On May 5, 2014, another adult male reported inappropriate sexual contact by Meder that occurred between 1955 and 1957 at North Catholic High School, when he was approximately eight to 10 years of age. He came to know Meder because his mother worked at the school. After his father died, Meder offered to cut his hair as well as his brother's hair for free in order to help his mother save money. During these monthly haircuts (which always occurred on Saturdays), Meder would rub the boys' thighs and smack their buttocks. Meder would then give them a bag of chips and some pop. The male's brother was contacted and confirmed this information.

On May 7, 2014 a third adult male contacted the Diocese to report inappropriate sexual contact by Meder that occurred in the mid-1960's at North Catholic High School when he was approximately nine to 10 years of age. He stated that he and other children from the Troy Hill neighborhood encountered Meder in the summer. Meder invited them into the school where he took each child into his office, one at a time. He reported hat Meder gave them candy, but only after he spanked them. This occurred on approximately six occasions.

Summary

On May 8, 2014, a fourth adult male contacted the Diocese to report sexual abuse by Meder in 1953 or 1954 when he was 10 or 11 years of age. He stated that, Meder invited the children into North Catholic High School on Saturdays. He often gave the children pop and candy. He would then line the children up, and have them take turns sitting on his lap in a rocking chair in his office. The office was located behind the kitchen. He recalled that as a child, he "*always wondered what was in Brother Franks' pants.*" When he got older, he realized that Brother Frank had an erection. He also provided information about abuse by Brother Keegan.

The Diocese offered counseling to the victims, but they declined. They were informed that the incidents would be reported to the Allegheny County District Attorney's Office and to the Provincial for the Marianist community.

[redacted]

Biographical Information

[redacted]

Employment/Assignment History

[redacted]

Summary

According to a [redacted] confidential memorandum, [redacted] received a telephone call from [redacted] in the Archdiocese [redacted], [redacted], regarding an allegation of sexual abuse made aainst [redacted]. Later that day, the Diocese contacted the male who reported [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

REDACTED -- ONGOING APPELLATE LITIGATION

Reverend Arthur R. Merrell

Biographical Information

YEAR OF BIRTH:	Unknown
YEAR OF DEATH:	N/A
ORDINATION:	1970

Employment/Assignment History

Not specified	Chaplain, Allegheny County Jail and Shuman Juvenile Detention Center
2/20/1998	Resigned

Summary

In September, 1997, the Diocese of Pittsburgh received a report that Father Arthur R. Merrell had innapropriately touched a boy under the age of 15. Merrell admitted to the inappropriate sexual act and withdrew from the priestly ministry in February, 1998. The Diocese did not forward the information to the Allegheny County District Attorney's Office.

A handwritten note in the file dated February 2, 1998, detailed a sexual relationship that Merrell had with "James," a mentally ill man. "James" stated that he and Merrell masturbated together and that Merrell stuck his finger up his [James'] rectum and they kissed on several occasions. Merrell admitted to these acts.

In a confidential memorandum dated July, 2014, Rita Flaherty of the Diocese recounted a meeting with Merrell wherein he minimized his inappropriate actions with minors and asked the Diocese for money. The Diocese granted Merrell's request for a "*charitable gift of money*" in the sum of $5,000. In 2015, Merrell requested another sum of money from the Diocese.

[redacted]

Biographical Information

[redacted]

Employment/Assignment History

[redacted]

Summary

During the year 1990, the Diocese of Pittsburgh received a report from a 30-year-old male that he had engaged in sexual activity with [redacted] in the early 1980's when he was 22 or 23 years of age. [redacted] acknowledged the sexual activity.

On December 23, 1993, a 28-year-old male met with Father Guay, Father Zubik and Rita Flaherty. He reported that he was sexually assaulted by [redacted] when he was 17 years of age. He stated that shortly after his father's death, he went to see [redacted] at the rectory. During the visit, [redacted] offered him a "*joint*" to smoke. He and [redacted] then started to drink alcoholic beverages while smoking marijuana. The male reported that [redacted] then grabbed his genital area. Stunned by this incident, he left the rectory. He stated that he not have any contact with [redacted] again until 1986, when he was a junior in college. He described their relationship as being one of a social nature with "*sexual overtones*." In 1988, after being away from the Pittsburgh area, the male made contact with [redacted]. On this occasion, [redacted] again grabbed for his genital area. The male resisted and no conduct occurred.

Diocesan officials thereafter conducted an interview with [redacted] who denied having made any attempt at sexual contact with the male when he was 17. He did acknowledge, however, that he saw the male at his rectory socially when he was a young adult. [redacted] stated that on those occasions, there was movement toward sexual activity but it never progressed very far. Eventually, [redacted] felt that the male was just "*toying with him*" so the friendship ended.

The male was provided with therapy/counseling through the Diocese.

REDACTED -- ONGOING APPELLATE LITIGATION

Reverend Joseph Mueller

Biographical Information

YEAR OF BIRTH:	1936
YEAR OF DEATH:	2010
ORDINATION:	June 25, 1983

Employment/Assignment History

7/05/1983 – 7/14/1984	Parochial Vicar, St. Bernard, Mt. Lebanon, PA
7/15/1984 – 6/16/1986	Parochial Vicar, Holy Spirit, West Mifflin, PA
6/16/1986 – 1/22/1987	In Residence, Cardinal Wright Center
1/23/1987 – 2/1988	St. John's Hospital, Ministry
11/29/1988 – 2/24/2003	Administrative Leave
2/24/2003	Withdrew from Active Ministry

Summary

In April 1986, an allegation of sexual abuse against Father Joseph Mueller was made to Father Wilt, Pastor at St. Bernard. A young man advised that when he was approximately 13 to 14 years of age, Mueller attempted to remove or pull down his shorts on several occasions. This occurred when he stayed overnight with Mueller at the Holy Spirit rectory.

In December 1986, in a letter to the Diocese, St. Luke's stated that that they stood by their recommendation that Mueller "*not work with children or adolescents*." As of November, 1988, Mueller's faculties were withdrawn.

In a confidential memorandum to Bishop Wuerl, it was suggested that Mueller was "*unassignable*." In a November 1988 letter to Mueller, he was presented with three options: 1) Enroll in an interim program at St. Luke's to assist with the vocational discernment process; 2) Withdraw from active ministry; or 3) Petition the Holy See for a dispensation from the obligations of priesthood.

In September 1987, the Diocese received a complaint about Mueller. Specifically, a mother advised that Mueller paid "*inappropriate attention*" to her 16-year-old son.

Reverend Lawrence O'Connell

Biographical Information

YEAR OF BIRTH:	1906
YEAR OF DEATH:	1986
ORDINATION:	June 15, 1930

Employment/Assignment History

7/03/1930-7/21/1948	Parochial Vicar, Annunciation, North Side, PA
1/04/1940-7/23/1941	Administrator, Annunciation, North Side, PA
3/10/1946-3/27/1946	Vicar ENC, Annunciations, North Side, PA
7/22/1948-10/16/1948	Vicar ENC PRO TEM, Master Dolorosa, Chicora, PA
10/16/1948-6/25/1952	Pastor, Master Dolorosa, Chicora, PA
6/26/1952-6/28/1983	Pastor, St. Gabriel, Whitehall, PA
6/29/1983	Resigned

Summary

On January 7, 2004, an adult female alleged that Father Lawrence O'Connell sexually abused her on numerous occasions when she was approximately 11 to 13 years of age. She stated that she and a friend worked in the rectory at St. Gabriel on Mondays, counting the loose change from the Sunday services. She stated that, inevitably, O'Connell would ask her to stay behind and then invite her into his office where he would touch her inappropriately, french-kiss her and have her perform oral sex on him. She reported that the abuse occurred once a week for over a year. O'Connell told her; "*You are special and this is our special time together.*" He also told her not to tell anyone about their secret because otherwise it would not be special anymore. Additionally, he told her he loved her.

The female further related that O'Connell took her and her friends out for lunch or to a movie and bought gifts for them. She stated that she remembers the feeling of dread that she had on Sunday nights knowing that she would be subjected to the sexual abuse the next day. Although she told her parents about the abuse many years later, they did not pursue the subject.

The Allegheny County District Attorney's Office was notifed of the allegation.

On April 28, 2004, a local reporter for KDKA TV contacted Father Lengwin to advise that she had heard there were sexual allegations against O'Connell. The reporter noted that she and her family had been members of his parish and that she had attended school at St. Gabriel. She then reported that she and three other girls worked at the rectory and that O'Connell would occasionally call them into another room where he would kiss them; "*place his tongue down your throat, fondle you and make overtures.*" He also bought them gifts. The reporter noted that although she had "*no desire to make a case*," it was something that she would never forget.

Summary

In a memorandum to the file dated April 28, 2004, it was documented that the Diocese of Pittsburgh contacted the reporter and invited her to talk about the allegation that she had made involving O'Connell. The reporter responded that she did not feel that coming in to talk was something that she would like to do. She stated that the reason she had called Lengwin was to add credibility to the allegation that she had become aware of during her morning staff meeting at KDKA. She stated that she was not currently interested in counseling and that she did not want her allegation to go any further due to her public position. She then reiterated the nature of the abuse that occurred in O'Connell's office. She stated that when she told her mother shortly after it occurred, her mother told her that she needed to focus more on her schoolwork and that she really did not have time to work at the rectory anymore. The other girl quit aroud the same time. The reporter noted that O'Connell would often buy gifts for the girls or take them to dinner at the Lamont.

On April 29, 2004, the Pittsburgh Post-Gazette published an article reporting that a lawsuit had been filed against the Diocese for ignoring and concealing the sexual abuse of six people by priests dating back to 1954. The article stated:

> *The suit claims the church was negligent, acted in concert to conceal incidence of sexual abuse, misrepresented the status of the various priests, violated the statute by not publicly acknowledging incidents, did not care for and provide safe environments for children, did not protect children against risks of abuse, did not warn anyone of repeat offenders, and did not properly supervise the priests.*

The article continuing, stating that "[t]*he suit further claims church officials were incompetent in allowing the abuse, that their negligence caused emotional distress, and that the plaintiffs were harmed because of official inaction*."

The article reported that O'Connell was named in the lawsuit by an adult female who stated that when she was 12 years old, O'Connell had her perform sex acts with him. She explained that the abuse started with kissing and fondling, while two other girls watched. It ended three years later when O'Connell hired a new girl to work with him at St. Gabriel.

In a letter dated June 29, 2004, the Diocese provided the Allegheny County District Attorney's Office with a list of the most recent allegations of abuse received. O'Connell's name was on the list. It was noted that a female known as Jane Doe 1, who wished to remain anonymous, was abused by O'Connell at St. Gabriel when she was between the ages of 12 and 15 years of age.

On July 1, 2004 the Pittsburgh Post-Gazette and the Pittsburgh Tribune-Review both published articles reporting that six more lawsuits were filed against the Diocese. O'Connell was named as one of the abusers. The article stated that two women reported that O'Connell often fondled them as they arrived for class at St. Gabriel. They were seven and 14 years of age, respectively, when this occurred. The lawsuit named the Diocese, Bishop Donald Wuerl and Cardinal Anthony Bevilacqua as the defendants.

Summary

In a September 30, 2004 article printed in the Pittsburgh Post-Gazette, it was reported that eight more lawsuits were filed against the Diocese in connection with sexual abuse allegations. O'Connell was once again named in the lawsuit. The plaintiffs asked the court to hold church leaders, Wuerl and Bevilacqua responsible for allowing the alleged assaults to occur.

In Diocesan memorandums from May 2008, it was noted that one of the victims was seeking counseling through the church. There was also a payment agreement signed by the victim along with a check issued to her by the Diocese for counseling.

Reverend Thomas M. O'Donnell

Biographical Information

YEAR OF BIRTH:	1934
YEAR OF DEATH:	Unknown
ORDINATION:	May 21, 1960

Employment/Assignment History

6/1960-5/1964	St. Kieran, Lawrenceville, PA
5/1964-6/1966	St. John the Evangelist, Pittsburgh, PA
6/1966-8/1971	St. Norbert, Pittsburgh, PA
9/1971-4/1975	St. Clare, Clairton, PA
5/1975-6/1983	Annunciation, Pittsburgh, PA
6/1983-7/2000	St. Wendelin, Carrick, PA
7/2000-9/2001	St. Maximilian Kolbe, Homestead, PA
9/2001-11/2005	St. John Vianney, Pittsburgh, PA
11/2005-8/2006	St. Cyril of Alexandria, Pittsburgh, PA
8/2006-7/2014	St. Mary of Mercy, Pittsburgh, PA
7/2014-Present	Epiphany, Pittsburgh, PA

Summary

In 1988, parents complainied to administrators at St. Wendelin that Father Thomas M. O'Donnell was requiring boys, who were around the age of 12 at the time, to shower after basketball games. It was reported that O'Donnell was also making them get weighed while they were naked. Many parents expressed displeasure that all of this was occurring while O'Donnell was present in the locker room and shower areas. The parents also noted that some of the children were embarrassed to get weighed while naked; however, they ultimately agreed to it at the insistence of O'Donnell.

In early November 1988, Father Guay and Father Nowicki met with O'Donnell who acknowledged that while these incidents did occur, it was an error in judgement. He further stated that other coaches were present in the locker room at the time. O'Donnell was advised that he was not to be in the locker room or shower areas moving forward.

In mid-November 1988, a group of 10 parents sent a letter requesting that O'Donnell completely resign from the athletic programs due to his inappropriate behaviors in the locker room. They noted that it had been confirmed with the Director of Diocesan Athletic Programs that there was no requirement that the children be weighed or measured. The letter further stated that O'Donnell had already defied a June, 1987 order given to him by Father Rutkowski to stay out of the locker rooms.

Summary

In mid-November, 1988, a letter was also sent to Rutkowski from a parent who complained about the showering and nude weigh-in requirements. Then, another parent who had previously sent in a complaint, wrote that she was removing her child from the athletic program amid the inaction by the church to correct O'Donnell's behavior. On the same day, Rutkowski also met with Father Nowicki, Father Guay and Father Steidle about the situation.

In early December, 1988, Rutkowski sent a letter to O'Donnell wherein he outlined the complaints against him. He informed O'Donnell that he was to disassociate himself from the supervision of the athletic programs. Rutkowski also required that O'Donnell inform his coaching staff that showers and weigh-ins were not mandatory. On that same day, Rutkowski sent out a memorandum to the group of parents who had written the November letter. He advised that Diocesan officials met with O'Donnell on November 30, 1988 and that the matter was now resolved. It should be noted that there was no documentation in the file that Diocesan officials met O'Donnell on November 30, 1988.

From late December, 1988 through mid-March, 2002, parents continued to provide reports to the Diocese that O'Donnell had engaged in inappropriate behavior with children. In one instance, a parent disclosed that her son went on two trips with O'Donnell. During one of those trips, one of the boys had to sleep with O'Donnell twice. Another parent recounted that when her son and other players returned to St. Wendelin to shower after away games, it made O'Donnell excited. Another set of parents revealed that their son had a sexual conversation with O'Donnell and they requested that O'Donnell be removed from all children's programs. One parent advised that before her son entered eighth grade, he went on a trip with O'Donnell and other boys. When her son returned home, he was very upset and stated that he did not want to go anywhere with O'Donnell again. He told her that O'Donnell permitted the boys to undress in front of him, which made him [her son] uncomfortable. Next, a set of parents claimed that after their son went to a local wave pool with O'Donnell, O'Donnell insisted that her son and the other boys shower with him before getting into his car. Finally, a parent wrote a letter wherein she expressed that she could have done more to protect her child and others from O'Donnell. She stated that on one occasion, her son went to help O'Donnell with chores. When O'Donnell asked her son to wash the dog, O'Donnell insisted that her son get completely naked. Her son complied. The mother indicated that she approached O'Donnell about it, but no further information was provided about this encounter.

In late January 1989, the results of a psychological evaluation indicated that O'Donnell had no psychiatric issues. He was noted to be mentally fit to perform any duty.

In early June, 2000, Bishop Wuerl notified O'Donnell that he was being appointed full time judge to the Diocesan Marriage Tribunal and was relieved of his pastoral duties at St. Wendelin. On March 30, 2004, O'Donnell officially retired from the Diocese.

In November 2005, Wuerl assigned O'Donnell residency at St. Cyril to continue his role as a part-time judge and to assist the current pastor. Shortly afterwards, the principal of the St. Cyril grade school received two complaints concerning issues surrounding O'Donnell and his interactions with young children in his previous assignments.

Summary

In a memorandum dated December 1, 2005, the Diocese documented a second encounter between one of the initial complainants and the principal. The complainant was a grandparent of a few students at the school. He stated that he was one of 12 families who went to the Diocese in 1981 to report O'Donnell's inappropriate behavior towards children on the different sporting teams. This behavior included being present in the locker rooms and posting a bulletin that required the young boys to shower after events. The complainant told the principal that he was not inerested in bringing his allegations to the attention of the Diocese because the Diocese did nothing when he previously brought O'Donnell's behavior to its attention.

There was no documentation in the file that allegations of misconduct were received by the Diocese in 1981.

Shortly after the initial complaints regarding O'Donnell's residency at St. Cyril, Father Young notified Wuerl of these complaints as well as O'Donnell's past inappropriate behavior around children. Young noted that after reviewing O'Donnell's file and convening the Clergy Task Force, there was unanimous concern about that information surfacing in the public. They further indicated that a change of residency may be necessary to avoid a potential " . . . *groundswell of gossip that might harm the reputation of one of our priests or possibly appear to be negative in terms of the diocese dealing with a situation that occurred in the past.*"

In late November, 2005, Wuerl sent a memorandum to Young and Auxiliary Bishop Bradley wherein he requested that O'Donnell's file be reviewed again to ensure there was never an allegation of abuse received by the Diocese.

In early January, 2006, Diocesan officials met with O'Donnell regarding the recent complaints made to the principal of St. Cyril. O'Donnell stated that he never did anything to harm a child. The Diocesan staff cautioned O'Donnell not to spend time at the school for any reason moving forward.

In mid-March 2006, the Diocese contacted the principal at St. Cyril to ensure that there were no further allegations brought to her attention. The principal responded that while there were no new complaints, some of the children had remarked that O'Donnell was very nice to them during the First Reconciliation ceremony. The next day, Diocesan officials held another meeting with O'Donnell wherein he was questioned about, *inter alia*, why he was present during the First Reconciliation ceremony when he was cautioned not to be anywhere near the school. O'Donnell responded that he had been asked to help by Father Bruney. O'Donnell was instructed again not to be around the school for any reason.

In late November, 2006, O'Donnell applied to an Apostleship of the Sea program which required a letter from the Diocese that indicated that he was in good standing. Rushofsky, who had been present for the meetings with O'Donnell about the complaints against him, provided the letter.

Summary

In late February, 2008, O'Donnell asked Bishop Zubik to provide another letter of good standing to re-certify him for the Apostleship at Sea program. In a letter from Father Bonnar to Zubik, the allegations made against O'Donnell were outlined. Bonnar advised that if Zubik believed that O'Donnell should be recommended for the program, the signature should not come from him. On the letter, Zubik initialed handwritten notations, which read in part that the matter needed to be discussed by the Special Clergy Task Force before any decision was to be made.

O'Donnell was ultimately informed that he would not be recommended for the program.

In January 2014, O'Donnell requested permission to attend a memorial mass performed by the United States Navy. The Navy required that a Diocesan representative provide a letter of good standing in order for O'Donnell to attend. The Diocese not only provided a letter of good standing, but also provided a form which indicated that all files and records maintained by the church about O'Donnell had been reviewed and the Diocese could attest to the following statements, *inter alia*: "*No accusations of misconduct have ever been made against him, nor has he ever been involved in any incident, to my knowledge, which has led to potential or public scandal;*" and "*To the best of my knowledge, he has never engaged in sexual behavior inconsistent with priestly celibacy, nor has he ever acted in an inappropriate manner with minors.*" Father Mark Eckman initialed the statements and signed the form attesting that O'Donnell was fully permitted to participate in the memorial event.

Reverend William P. O'Malley, III

Biographical Information

YEAR OF BIRTH:	1944
YEAR OF DEATH:	2008
ORDINATION:	May 16, 1970

Employment/Assignment History

6/15/1970-5/23/1973	Assistant, St. Jerome, Charleroi, PA
5/22/1973-9/14/1978	Assistant, St. Canice, Pittsburgh (Knoxville), PA
9/15/1978-3/28/1982	Assistant, St. Francis de Sales, McKees Rocks, PA
3/29/1982-11/15/1985	Assistant, St. Paul, Butler, PA
11/16/1985-8/24/1992	Pastor, St. Conrad, Meridian, PA
8/25/1992-8/10/1995	Auditor-Assessor Tribunal, Diocese of Pittsburgh
8/11/1995-6/29/1997	Pastor at Devine Mercy, Beaver Falls, PA
6/30/1997-12/14/1997	Pastor at St. Irenaeus, Oakmont, PA
12/15/1997-11/15/1998	Requested Leave of Absence for Personal Reasons
11/16/1998-5/18/2003	Canonical Consultant Tribunal, Diocese of Pittsburgh,
5/19/2003	Withdrawn from active Priestly Ministry

Summary

On April 21, 1991, the Diocese of Pittsburgh received a complaint that Father William P. O'Malley was having young people spend too much time at the St. Conrad rectory. No names were provided. On this same date, two ministers advised Father Guay, Vicar for the Clergy, that O'Malley had given at least one underage boy numerous gifts, including remote control cars, electronic devices, use of O'Malley's credit card, and at least one trip to the Bahamas. On April 24, 1992, the father of this same boy (who was in tenth grade at the time) advised that he had concerns about O'Malley and both of his sons. The father stated that his oldest son had keys to the rectory and spent nights and weekends there with O'Malley. On May 1, 1992, Diocesan officials questioned O'Malley about the complaint but he denied any wrongdoing.

On March 24, 1993, a financial audit was conducted at St. Conrad due to complaints of financial mismanagement by O'Malley. Through the audit, it was discovered, *inter alia*, that O'Malley had given money to a local 17-year-old boy who stayed at the rectory and was the primary user of new guest furniture that had been purchased by O'Malley. It was also discovered that O'Malley and the teenager had a joint bank account together.

On December 23, 1993, an adult male contacted the Diocese to report that he was sexualy assaulted by O'Malley when he was approximately 22 years of age. He explained that O'Malley's residence had a pool table and hot tub and was always available as a "*place for kids to go.*" When questioned by Diocesan officials regarding the complaint, O'Malley admitted to receiving a backrub from the male but advised that he did not recall if any sexual contact had

Summary

occurred. O'Malley admitted that adolescents were still coming into the rectory to use the pool tables and pinball machine. Father Guay cautioned O'Malley against this activity, "[*e*]*specially since* [the complainant*] made reference to this as an opportunity for O'Malley to have access to other adolescents*."

On December 12, 1997, Diocesan officials interviewed an adult male who advised that he was sexually abused by O'Malley in 1978 when he was approximately 11 to 12 years of age. He stated that O'Malley provided him with alcohol and then, after he went to bed, O'Malley got into bed with him, removed his shorts, and fondled his genitals. On another occasion, O'Malley showed him photographs of three other boys in their underwear. O'Malley then asked if he could take similar photographs of him. The male futher advised that O'Malley kept a drawer filled with large candy bars, that kids were around the rectory all the time, and that O'Malley was still seen with groups of young boys.

When interviewed about the allegation made on December 12, 1997, O'Malley stated that the incident "*probably happened*" and that "*kids were around all the time*." O'Malley went on to state that he was "*much more careful now not to touch kids*," and that he recently had taken a group of young boys to a festival held at St. John Vianney.

Bishop Wuerl granted O'Malley a leave of absence. O'Malley was then sent to St. Francis Hospital and then to St. Luke Institute in Maryland for evaluation and treatment. He was later sent to Southdown Institute for continued treatment.

On January 12, 1998, a confidential memorandum was sent to Wuerl advising that O'Malley was given a diagnosis of "ephebophilia," based on his admitted sexual interest in adolescents and that O'Malley was at a high risk for seeking emotional gratification with adolescents. In spite of this diagnosis, only four days later, Wuerl sent a memorandum to the file documenting his meeting with O'Malley on January 15, 1998. Wuerl stated that O'Malley was "*anxious to return to his priestly ministry*." Wuerl continued, "*I expressed to him our desire to help him in whatever way we can do to all of the things that are necessary to present him for priestly ministry.*"

On February 12, 1998, a letter was sent from a psychiatrist to Wuerl regarding O'Malley. Th psychiatrist noted that O'Malley "*describes no sexual interest or experiences with any youngster who was not a teenager*" and that "*the incidents that occurred number 5 or less, were never repeated with the same individual, and never included anything more than touching with his hands.*" The doctor further stated that no sexual activity with minors had reoccurred since 1982 and that O'Malley should be allowed to return to his ministry.

On February 20, 1998, a confidential letter was sent from Southdown to Father Ruggiero, advising that during treatment, O'Malley stated that he had a fantasy for "*well built 16, 17 or 18 year olds,*" along with a continued over-involvement with youth, and an inappropriate preoccupation with things that attract youth. From April 1998 through October 1998, O'Malley remained in residential treatment at Southdown. While there, O'Malley received a letter from the Diocese including a $1,000 payment to O'Malley for his car insurance.

Summary

On November 9, 1998, Wuerl sent a letter to O'Malley appointing him as Canonical Consultant in the Tribunal of the Diocese, with continued residence at St. John Vianney. Among other things, Wuerl stated:

> *At the same time I welcome you back to priestly ministry following your leave of absence for personal reasons. Your willingness to serve in this capacity and to be of assistance . . . is a sign of your dedication and priestly zeal.*

On December 12, 1998, a letter was sent to Wuerl from the same victim who had disclosed being sexually assaulted by O'Malley a year earlier (as described above). The victim stated that it had been one year since he originally made his complaint to the Diocese about his abuse and his disclosure of three additional boys - - whom he stated he knew personally from school - - whom O'Malley had photographed in their underwear. The victim further stated that he believed the church was supporting O'Malley's behavior and cited as an example O'Malley's new position in the Diocesan building and the publishing of his appointment.

On May 17, 1999, a letter was sent from Ruggiero to O'Malley stating, among other things, that the Diocese had become aware that O'Malley had violated protocol by appearing in clerical attire and celebrating mass in public ceremonies. Ruggiero advised that any future violation(s) could affect O'Malley's position as Canonical Consultant.

On July 9, 1999, a recommendation was made by the Diocesan Clergy Task Force that O'Malley be moved from St. John Vianney to St. Mary of Mercy to "*cut down on some of his appearances at parishes and events which have been problematic in the past.*" It was suggested that O'Malley be placed back on administrative leave, but that he could "*continue to do tribunal work unofficially despite the fact that he no longer is assigned to the tribunal.*" This memorandum was initialed at the bottom as being approved by the Bishop.

On August 16, 1999, a confidential memorandum was sent from Ruggiero to Wuerl documenting the finalization of a loan made by the Diocese to O'Malley. The loan was in the amount of $37,800 and was to assist O'Malley with his current debts. The loan was approved by Wuerl. Weeks later, on September 24, 1999, another confidential memorandum was sent by Ruggiero regarding O'Malley. The memorandum referenced earlier information that O'Malley had been conducting research on child-care institutions located within the Diocese of Erie. As stated in the memorandum, it was Ruggiero's opinion that the Diocese should not allow O'Malley's name to be associated with any publication that may receive public notice, "*especially in an area related to child care.*"

From April 5, 2002 to January 13, 2006, a total of six additional victims independently came forward to report that they were sexually assaulted by O'Malley. Three of the victims advised that they were sexually abused in the 1970's. At the time of their victimization, their ages ranged from 8 to 14. The three remaining victims advised that they were sexually assaulted in the mid-1990's and as recently as 1999. These three victims ranged in age from 11 to 17. Many of the victims indicated that during the time period in question, O'Malley would provide

Summary

them with gifts and trips. It should be noted that a portion of this period of sexual abuse, (from the end of 1998 through 1999), occurred after Wuerl placed O'Malley back into ministry as Canonical Consultant.

On May 19, 2003, a letter was sent to O'Malley from Wuerl wherein Wuerl advised that he accepted O'Malley's resignation from active ministry. However, Wuerl also advised O'Malley that his "*sustenance needs and benefits would continue according to the norms of law.*"

On January 13, 2006, a memorandum was sent from Father Young to Wuerl advising that another victim had disclosed that he was "*sexually molested by Father William O'Malley from 1996 when he was 14 years old until 1999, when he was 17 years old.*" The victim stated that the abuse occurred in three different counties. In January, 2006, the Diocese reported this complaint to the Allegheny County District Attorney's Office. Diocesan records revealed that the District Attorney's Office subsequently advised that the victim did not wish to pursue the investigation.

Reverend George Parme

Biographical Information

YEAR OF BIRTH:	1923
YEAR OF DEATH:	2002
ORDINATION:	June 13, 1948

Employment/Assignment History

7/22/1948 – 2/6/1952	St. Peter, Butler, PA
2/7/1952 – 1/30/1957	St. Aloysius, Wilmerding, PA
1/31/1957 – 8/11/1958	Presentation BVM, Midland, PA
8/12/1958 – 10/15/1958	No Assignment
10/16/1958 – 1/19/1960	Most Holy Name, Troy Hill
1/20/1960 – 6/7/1960	No Assignment, in residence at St. Patrick, Strip District
6/8/1960 – 10/13/1963	St. Catherine, Beechview, PA
10/14/1963 – 12/13/1963	St. Agnes, Oakland, PA
12/14/1963 – 5/26/1964	St. Joseph, North Side, PA
5/27/1964 – 1/30/1968	Mt. Nazareth Academy, Bellevue, PA
1/31/1968 – 11/17/1969	Mother of Good Council, Brushton, PA
11/18/1969 – 11/14/1974	St. Louis and St. Pascal, Argentine
11/15/1974 – 6/19/1989	St. Cecilia, Glassport, PA

Summary

The only information regarding an allegation against Father George Parme was found with documents detailing a civil lawsuit against the Diocese of Pittsburgh, Bishop Donald Wuerl and Cardinal Bevilacqua. According to the lawsuit, the victim served as an altar boy at St. Aloysius. In 1954, when the victm was approximately 13 years old, Parme fondled his genitals while he was getting dressed before mass in the sacristy. It was also alleged that abuse occurred in Parme's car. The abuse continued for one year.

The lawsuit contended,

> [O]*n information and belief, Diocesan Defendants knew and/or had constructive knowledge of the sexual abuse of minors by a number of Diocesan priests, including Father Parme, and that such abusive behavior was a longstanding problem within the Diocese, having received actual notice of such abuse.*

On October 1, 2007, the victim signed a document releasing the Diocese, Wuerl, Bevilacqua, Bishop Paul Bradley and Bishop Zubik of all responsibility regarding the abuse. The Diocese agreed to pay a total amount of $1.25 Million to 31 plaintiffs in the lawsuit.

Reverend Paul E. Pindel

Biographical Information

YEAR OF BIRTH:	1924
YEAR OF DEATH:	1991
ORDINATION:	May 19, 1951

Employment/Assignment History

6/21/1951-12/03/1952	St. Stanislaus, Ambridge, PA
12/04/1952-12/16/1953	St. John Cantius, Sharpsburg, PA
12/17/1953-6/12/1957	St. Robert Bellarmine, E. McKeesport, PA
6/13/1957-6/09/1959	Holy Family, Pittsburgh, PA
6/10/1059-12/07/1960	Holy Angels, Hays, PA
12/08/1960-6/06/1966	St. William, E. Pittsburgh, PA
6/07/1966-3/27/1969	St. Martin, Pittsburgh, PA
3/28/1969-11/01/1971	St. Rose of Lima, Darlington
	St. Ann, New Galilee
11/02/1971-10/13/1973	Chaplain, Gilmary School, Coraopolis, PA
10/14/1973-12/09/1985	St. Genevieve, Canonsburg, PA
12/10/1985-7/06/1989	St. Hyacinth, Pittsburgh, PA
7/06/1989-2/26/1991	Leave of Absence (Brain Tumor)

Summary

In April 2012, the Diocese of Pittsburgh received an allegation from an adult male that Father Paul E. Pindel inappropriately touched him when he was between 13 and 15 years of age. This occurred from 1957 through 1960 in Allegheny County and Butler County.

The male reported that he and other boys would frequently go places with Pindel. On one occasion, Pindel took him and his brother to the farm where Pindel's sister lived. They spent the night there. Pindel slept between him and his brother on a mattress on the floor and inappropriately touched him during the night.

The victim also stated that when Pindel would take him and other boys swimming in Slippery Rock, Pindel would pull their trunks down while in the water and then laugh as if was a funny prank.

The victim also recalled going to a drive-in with Pindel at which time Pindel performed oral sex on him. Even after Pindel was transferred, he would continue to go to the victim's house, take the victim places and often give the victim money.

The victim recalled that after Pindel was transferred, he was taken to the new rectory. He was then taken to Pindel's bedroom where he became naked. The victim stated that this was

Summary

the first time that Pindel placed the victim's hand on his penis and it was the first time that Pindel attempted to have the victim touch him in a sexual way. That was the last time that he ever went back to the rectory or went anywhere else with Pindel.

The Diocese offered the victim assistance in finding counseling services.

In May, 2003, the Diocese received an allegation that Pindel engaged in inappropriate sexual contact with a minor who was an eighth grade student at St. William around the year 1965. According to the victim, once he entered high school, Pindel had senior boys threaten and beat him up so that he would not disclose the prior sexual contact. According to the victim, he attempted several times to discuss what happened to him but was told it would never go anywhere because they would believe a priest over a boy. Later in life, the victim attempted to talk to another priest and was told that he should be ashamed of himself.

The Diocese received an allegation in February, 2002 regarding Pindel. It was alleged that Pindel engaged in inappropriate sexual contact with a minor who was a student in eighth or ninth grade at St. William. This occurred in the 1960's. The victim advised that Pindel would often take boys to a farm that he owned. During a visit to the farm, the victim was given wine. Pindel then performed oral sex on him and "simulated anal intercourse."

According to the victim, Pindel would also enter the locker room after a game while the boys were changing cloths.

The Diocese received an allegation in August, 2011 regarding Pindel. Specifically, it was reported that Pindel engaged in inappropriate sexual contact with a minor between the ages of six and nine that occurred between 1980 and 1984 in Washington County. The victim stated that the abuse began when he was six years old and attending CCD classes. He related that he would be pulled out of class by Pindel and taken to the rectory where he would be sexual assaulted. The victim was instructed by Pindel to put on a red robe and lay across the desk. Pindel then inserted his fingers into the victim's anus. It was very painful. The victim reported that eventually Pindel started using a number two pencil. This went on for three years. The victim advised that there was an usher who would watch the door so that no one would enter. The usher would also touch the victim inappropriately on occasion. The Diocese offered the victim assistance in finding counseling services and provided reimbursement for treatment.

Pittsburgh Priest #1

Biographical Information

Omittted

Employment/Assignment History

Omitted

Summary

In a "*Memo to File*" dated April 21, 2004, Father Ronald P. Lengwin documented a discussion that he had with a KDKA TV reporter. The reporter had advised Lengwin that they were preparing to do a story about allegations being made by an 85-year-old World War II veteran that he was sexually abused by a priest 70 years earlier. While Lengwin never mentioned the priest's name in the memorandum, he did state that the priest in question died in 1958. The memorandum further stated that the victim spoke with Diocesan officials who offered him counseling services for assistance in dealing with this abuse. It also noted that the victim was comforted by the fact that the Diocese found his allegations to be credible.

The documents received via subpoena contained invoices and checks made payable to a psychologist who treated the victim. It appeared that the Diocese paid for those treatments and created a treatment plan for his recovery.

Reverend Francis Pucci

Biographical Information

YEAR OF BIRTH:	1931
YEAR OF DEATH:	2002
ORDINATION:	May 25, 1957

Employment/Assignment History

6/13/1957 – 11/28/1961	Parochial Vicar, St. Vitus, New Castle, PA
11/29/1961 – 6/16/1962	Parochial Vicar, Our Lady of Mount Carmel, Braddock, PA
6/17/1962 – 5/12/1965	Parochial Vicar, St. Vitus, New Castle, PA
5/13/1965 – 6/06/1966	Parochial Vicar, St. Mary, McKeesport, PA
6/07/1966 – 6/09/1968	Parochial Vicar, Epiphany, Uptown, PA
6/10/1968 – 3/27/1969	Headmaster, Lawrenceville Catholic
3/28/1969 – 6/14/1970	South Side Catholic, Consolidation
6/15/1970 – 5/21/1972	Administration, St. Januarius, Renton, PA
5/22/1972 – 7/01/1973	Pastor, St. Eugene, Liberty Boro, PA
7/02/1973 – 10/05/1980	Pastor, Purification, Ellwood City, PA
10/06/1980 – 9/29/1981	Pastor, St. Joseph, Coraopolis, PA
9/30/1981 – 6/30/1984	Pastor, St. Alphonsus, McDonald, PA
7/01/1984 – 2/14/1987	Pastor, Our Lady of Lourdes, Burgettstown, PA
2/15/1987 – 10/29/1987	Pastor, Immaculate Conception, Washington, PA
10/29/1987 – 2/10/1992	Leave of Absence, Health reasons
2/10/1992	Retired

Summary

In April 2002 an allegation of sexual abuse was made to the Diocese of Pittsburgh. An adult male revealed that Father Francis Pucci fondled him to the point of ejaculation in 1962 when he was a minor at St. Vitus school.

In February 2004, a sexual abuse allegation was made to the Washington County District Attorney's Office. An adult male advised that Pucci engaged in inappropriate sexual touching with him in 1988 at a chuch. This occurred when he was a minor.

The Diocese received another allegation of sexual abuse in September 2007. An adult male reported that Pucci engaged in inappropriate sexual touching with him when he was a minor. This conduct occurred at a church in Coraopolis. In information contained in the file suugested that the male never moved forward with the complaint after the initial allegation was made.

In November 2014, the Diocese received a report from an adult male that Pucci engaged in inappropriate sexual touching with him in 1981 to 1982 at a church in Corapolis. He stated

that he was an altar server during that time period and Pucci would instruct him to wear either nothing or jock straps underneath his cassocks. Pucci would also pat his buttocks along with the buttocks of other altar servers. The male also reported this information to the Allegheny County District Attorney's Office.

In December, 2014, an adult male reported to the Allegheny County District Attorney's Office that Pucci engaged in inappropriate sexual touching with him when he was a minor. He stated that the abuse occurred in 1981-1982 at a church in Allegheny County.

In May, 2016, the Washington County District Attorney's Office received a report from a male who wished to remain anonymous. The male alleged that Pucci had engaged in inappropriate sexual touching with him in 1983 at a church in McDonald.

Several months later, in October, 2016, an adult male reported to the Diocese that Pucci engaged in inappropriate sexual touching with him in 1980 at a church in Coraopolis.

Information pertaining to allegations of sexual abuse involving Pucci were also contained within the file of Father Robert Wolk. Wolk was apparently a friend of Pucci's in the Diocese. Wolk's file contained the following information:

> *In August 1988, two victims filed a lawsuit against the Pittsburgh Diocese. The two victims name Father Robert Wolk as a defendant in the sexual assaults, along with Father Francis Pucci and Father Richard Zula, all of the Pittsburgh Diocese. [Victim 1] alleges Pucci sexually assaulted him. On or about September of 1988, the victims report the assaults to law enforcement. In November 1988, Pucci was charged with sexually abusing [Victim 1]. More specific, in the summer of 1986, at the Marianna Parish House, where Zula resided at the time, Pucci touched and fondled [Victim 1's] genitals.*
>
> Acording to articles from the Associated Press and Pittsburgh Post-Gazette:
>
> *Washington County District Attorney John Pettit, filed the sexual abuse charges against three Roman Catholic priests for allegedly molesting two brothers who were altar boys, and accused the church of foot-dragging during the investigation. 'It was not the spirit of cooperation we would like to see,' Pettit said, calling it 'minimal at best.'*
>
> *Pittsburgh Bishop Donald W. Wuerl denied the allegation, saying, 'I think the diocese has made every effort to be cooperative.'*
>
> *Pettit charged the Rev. Richard F. Zula, 47, former pastor at Sts. Mary and Ann Church in Marianna; the Rev. Robert Wolk, a former paster and diocesan assistant chancellor of St. Thomas More Church in the Pittsburgh suburb of Bethel Park; and the Rev. Francis Pucci, former pastor of Immaculate*

Summary

Conception Church in Washington. All three men have been relieved of their pastoral duties.

In more than 150 counts, Pettit alleged that the priests sexually abused the two boys from 1981 to 1987. The homosexual acts allegedly took place in a barn, a church basement, a parked car and at a mountain resort.

Pettit said investigators do not believe the three priests acted in concert, although Zula and Pucci were charged with one count each of conspiracy because Pucci allegedly knew of Zula's intentions when he let Zula use his bedroom at a parish home to have sex with one of the youths.

Some of the incidents involved whips, chains, drugs and alcohol, Pettit said.

Pucci also was charged with conspiracy for allowing the Rev. Richard Zula to have sexual activity with one of the boys at the Our Lady of Lourdes parish house in Burgettstown, Washington County, in 1986. At the time, Father Pucci was pastor there.

The charges against Father Pucci were dropped after officials determined the statute of limitations had expired.

Reverend John W. Rebel

Biographical Information

YEAR OF BIRTH:	1937
YEAR OF DEATH:	2013
ORDINATION:	May 1, 1965

Employment/Assignment History

5/13/1965 – 6/6/1967	St. Bernard, Mt. Lebanon, PA
6/7/1967 – 8/27/1967	St. Veronica, Ambridge, PA
8/28/1967 – 9/19/1968	St. Joseph, Verona, PA
9/20/1968 – 5/22/1973	St. Michael, Elizabeth, PA
5/23/1973 – 8/15/1974	Leave of Absence
6/8/1973 – 8/15/1974	St. Kieran, Lawrenceville, PA
8/16/1974 – 11/4/1976	Assumption, Bellevue, PA
11/5/1976 – 6/29/1981	St. Margaret Mary, Moon Township, PA
6/30/1981 – 7/7/1982	St. Anselm, Swissvale, PA
7/8/1982 – 7/2/2001	St. Killian, Mars, PA
7/2/2001 – 6/15/2002	St. Bartholomew, Penn Hills, PA
	Sabbatical Second Semester of 2001-2002
1/15/2002 – 7/3/2002	Sabbatical at North American College in Rome
7/3/2002 – 9/1/2010	St. James the Apostle, Bedford, PA

Summary

The Diocese of Pittsburgh received a report that Father John W. Rebel molested a boy in the 1970's. The abuse occurred in the boy's bedroom when he was 10 to 12 years of age. It happened after a "home mass." The file contained a memorandum dated March 18, 2009, that revealed that Diocesan officials met with the parents of the victim who advised that their son (now deceased) told them of the abuse years after it happened. They stated that Rebel would often drive their son home after CCD. The memorandum stated that while his parents did not know for certain what occurred during those rides, it became clear from their son's level of emotion and sobbing, that sexual abuse may have occurred. Their son begged them to not make him go to CCD classes. The partents reported that after the abuse, their son became withdrawn from his family and friends.

On March 27, 2009, Diocesan officials confronted Rebel with the allegations. Rebel stated that while he remembered the victim's parents, he had no recollection of their children nor having a "*home mass*" at their residence. He denied taking the victim for rides in his car after CCD classes.

On May 28, 2009, the victim's parents met with Bishop Zubik and recounted their son's abuse. Zubik advised that he had spoken to Rebel and that he had denied harming their son.

Summary

Zubik also stated that he felt that Rebel was telling him the truth. In the end, while Zubik believed what their son had alleged, he felt that perhaps the abuse was committed by another priest. Zubik stated that after reviewing church records, it was in all likelihood that another priest was the parish priest at the time when the abuse occurred. He advised the family that the church would conduct more research.

Based on the files presented in response to the subpoena, it does not appear that any further investigation was conducted.

In a letter dated August 13, 2009, counsel for the Diocese forwarded information to the Allegheny County District Attorney's Office pertaining to allegations made against clergy members. The allegation invoving Rebel was included.

Reverend Raymond R. Rhoden

Biographical Information

YEAR OF BIRTH:	1950
YEAR OF DEATH:	2006
ORDINATION:	October 23, 1976

Employment/Assignment History

11/05/1976-7/07/1982	Parochial Vicar, Nativity of Our Lord, Pittsburgh, PA
7/08/1982-6/21/1989	Parochial Vicar, St. Francis of Assisi, Finleyville, PA
8/25/1988-6/21/1989	Chaplain, part-time, Monongahela Valley Catholic High School, Monongahela, PA
6/21/1989-10/05/1992	Chaplain, part-time, Our Lady of Sacred Heart High School, Coraopolis, PA
6/21/1989-10/05/1992	Parochial Vicar, St. Joseph, Coraopolis, PA
10/05/1992-10/26/1992	Administrator, St. Philip Neri, Donora, PA
10/26/1992-6/30/1997	Team Ministry-Moderator, Our Lady of the Valley, Donora, PA
6/30/1997-5/17/2002	Pastor, St. James, Sewickley, PA
5/17/2002	Administrative Leave
7/05/2002	Withdrew from active priestly ministry; Retired

Summary

On April 29, 2002, the parents of an adult male met with officials from the Diocese of Pittsburgh to report that their son was sexually abused by Father Raymond R. Rhoden between 1976 and 1977. The mother stated that they considered Rhoden a family friend and that he had spent a lot of time at their home. Her son informed them that Rhoden fondled his genitals and performed oral sex on him over a number of months when he was 16 and 17 years of age.

The parents stated that they had previously spoken to Bishop McDowell (date unknown) about the sexual abuse and he told them that he would take care of the allegations. However, they never heard from him again. The parents related that they prayed for a long time before reporting the incident again.

A memorandum to the file dated April 30, 2002, indicates that Diocesan officials spoke with the victim via telephone. The victim told them that Rhoden spent a lot of time in his family home and that when he was 16 and 17 years of age, Rhoden performed oral sex on him. He explained that Rhoden would come into his room after he went to bed and begin to massage his back, fondle his genitals and eventually perform oral sex on him. He stated that this occurred on multiple occasions. The victim was presently taken antidepressants.

Summary

The victim explained that he came forward with this information because his parents told him that Rhoden had recently come over to their home and spent some time alone with his younger brother in his room. His younger brother advised that Rhoden did not touch him.

The victim was asked to write a statement about the abuse, and on May 20, 2002, the allegations were brought to the attention of the Allegheny County District Attorney's Office.

A handwritten note on the bottom of the memorandum dated May 21, 2002, stated that the Diocese met with Rhoden and he admitted to the sexual abuse. The note further stated that the Diocese turned the matter over to civil authorities and that Rhoden was removed from his assignment.

In a memorandum to the file dated May 17, 2002, it was noted that Rhoden agreed to go to St. Luke Institute for a physiological evaluation. An evaluation was not included in the materials provided.

The file contained a church document marked "*confidential*" and dated July, 2004. It was addressed to Bishop Wuerl from Angelo Amato, Titular Archbishop of Sila. The document stated that the Dicastery had examined the case and agreed with the decision to allow Rhoden to remain in retirement. They stated that because the case involved "*a single case of abuse*" and it "*occurred over 25 years ago*," penal procedures and penalties would not apply.

A document entitled "*File Review for Compliance with the Charter for the Protection of Children and Young People*" noted that Rhoden moved to Sarasota, Florida. He received $750 per month for sustenance. In January 2003, Wuerl granted Rhoden an additional $400 per month to assist with housing and food.

Reverend Carl Roemele

Biographical Information

YEAR OF BIRTH:	1934
YEAR OF DEATH:	Unknown
ORDINATION:	May 6, 1963

Employment/Assignment History

5/1963-5/1964	St. Joseph, Mt. Oliver, PA
5/1964-6/1966	St. Alexis, Wexford, PA
6/1966-8/1967	St. William, Pittsburgh, PA
8/1967-5/1972	St. Joseph, Duquesne, PA
5/1972-9/1975	St. Agatha, Bridgeville, PA
9/1975-2/1976	Allegheny Community College, Pittsburgh, PA
9/1975-2/1976	Epiphany, Pittsburgh, PA
9/1975-2/1976	Allegheny County Jail, Pittsburgh, PA
2/1976-8/1976	Leave of absence; voluntary laicization

Summary

In late June 1967, the Diocese of Pittsburgh received a letter from a mother regading sexual abuse committed by Father Carl Roemele. The letter was addressed to "*Your Excellency*" and revealed that Roemele engaged in sexual misconduct towards four different young boys while he was a parochial vicar at St. William. She alleged that Roemele made sexual advances towards her son (first victim), his friend, and then another boy in a separate incident, when he took them to a cabin. Additionally, she alleged that on a fourth occasion while at the camp site with a boy, Roemele told him to shower after swimming. She stated that Roemele then entered the shower with the boy and when Roemele dropped the soap, he tried to bite the boy while bending to pick it up. The mother also expressed concern that Roemele gave the eighth graders a talk about sex prior to leaving his assignment. In the file provided by the Diocese, there is no documentation to indicate that any official action was taken towards Roemele.

In mid-August 2004, a letter was sent to Bishop Wuerl wherein an adult male alleged that he was continually abused by Roemele when he was an altar boy at St. Joseph. He reported that Roemele would grope and fondle him - - as well as two other altar servers - - before mass. The male also reported that when he was in sixth grade, Roemele took him and other members of a basketball team to a cabin at Aleo Lake. While there, he witnessed Roemele masturbating a young boy in the middle of the night.

In September 2004, Diocesan officials met with the victim to discuss his recent complaint to Wuerl. There, the victim further outlined his allegations and was offered counseling. He declined. He was asked to pass along the information for clergy staff to the other victims. In

Summary

late September, 2004, the Diocese sent a letter to the Allegheny District Attorney's Office, advising of the allegation.

Contained within the file was a March, 2008 letter from a law firm. Included in the correspondence was an undated letter from another victim of Roemele. The third victim alleged that he was abused around the year 1968 when he seved as an altar boy at St. Joseph. He was either 11 or 12 years of age. He stated the abuse started after Roemele convinced him to stay with him after mass. There, he fondled his genitals over his clothes. This conduct escalated to exposing the boy's genitals and Roemele exposing his own genitals to the boy. The victim stated that Roemele would often fondle him with the goal of giving the boy an erection. Roemele sometimes squeezed the boy's testicles to the point where he experienced pain, but Roemele encouraged the boy to try to endure it. The victim estimated that the abuse occurred after every mass for approximately one year, if not longer, and lasted 20 to 30 minutes each time. The victim felt as though he had to appease Roemele while waiting for the abuse to stop.

The victim further outlined a particular instance when he went to the cabin with Roemele. Although Roemele told him that he would be going to the camp with other boys, it turned out that the victim was the only boy there. Upon arrival, Roemele instructed him to strip down to his underwear and shoot baskets at a hoop outside. Later, while in the cabin, Roemele began to fondle the victim, eventually removing the victim's clothes as well as his own. Roemele then placed the victim's hand on his erection and began masturbating himself using the victim's hand. Roemele asked him several times if he wanted to "taste it," but the victim declined. The victim reported that when he would try to pull back his hand, Roemele would put it back on his penis. The victim stated that despite him being visibly uncomfortable, the abuse by Roemele continued on and off again for six hours before he was finally taken home.

In another letter from a law firm, the attorney inquired if a list of four victims would be able to settle their cases with the Diocese. The second and third victims' names were included on this list. It is unknown whether any settlement was reached. In late, August 2008, the Diocese sent a letter to the Allegheny District Attorney's Office regarding their receipt of the allegations.

In late October 2010, the Diocese received a telephone call from a mother who reported that Roemele had sexually abused her son when he was 10 years old. She alleged that her son and others were molested by Roemele at St. Joseph. She stated that Roemele would have the boys come in early for mass or devotions and then molest them. He also took them to a cabin that she referred to as "*Mo's cabin*." She went on to explain that her son had passed away in 2003 from complications from his alcoholism, adding that he began drinking in 1969 when he was just 10 years old.

In early November 2010, Diocesan officials met with the mother at her home. She stated that she believed her son would still be alive if not for the abuse he suffered by Roemele leading him to drink. The clergy staff offered to provide her with counseling services over the telephone since she was not able to leave her house. In July, 2011, the Diocese sent a letter to the Allegheny District Attorney's Office regarding their receipt of the victim's allegation. It was

Summary

indicated that the reasons for the delay in the submittal was due to the fact that the Diocese was unsure whether the allegation needed to be reported since the victim was deceased.

Roemele took a leave of absence from his assignment on February 2, 1976. He later resigned from active ministry in early August, 1976 and was officially laicized on February 25, 1978.

In early February 2009, Diocesan offiicials met with Roemele and confronted him with the allegations from the second and third victims. Roemele responded that he did not recall the second victim by name but did recognize the third victim by name, along with two of the altar boys identified by the second victim. Roemele ultimately denied all the allegations of sexual abuse, stating that they likely misinterpreted his actions towards them as sexually abusive in nature when they were not meant that way. The clergy staff informed Roemele that as part of a new policy, his name and address would need to be provided to the District Attorney where he lived (Butler County) advising that a priest with allegations of sexual abuse was residing in the county. In the memorandum documenting the meeting, it was reported that Roemele seemed calm and lacked curiosity about the allegations presented to him. He had no questions and did not seem upset about the policy of providing his information to the Butler County District Attorney's Office.

Reverend Michael C. Romero

Biographical Information

YEAR OF BIRTH:	1937
YEAR OF DEATH:	2000
ORDINATION:	October 1, 1977

Employment/Assignment History

10/13/1977-2/23/1978	Parochial Vicar, North American Martyrs, Monroeville, PA
2/24/1978-7/07/1982	Parochial Vicar, Immaculate Conception, Washington, PA
7/08/1982-6/02/1985	Parochial Vicar, St. Veronica, Ambridge, PA
6/03/1985-3/15/1990	Parochial Vicar, St. Basil, Carrick, PA
3/15/1990-6/17/2000	Leave of Absence

Summary

The first allegation of sexual abuse against Father Michael C. Romero surfaced on June 14, 2013. A memorandum to the file indicated that on that date, the Diocese of Pittsburgh received a telephone call from a woman named "Andrea." Andrea advised that her boyfriend was sexually abused by Romero when Romero was assigned to Immaculate Conception.

Andrea advised that her boyfriend's mother had previously contacted the Diocese to report the abuse and to obtain referral information to help her son. In the internal memorandum, it was observed that notes from a June, 2012 telephone conversation with the mother were located. According to the notes, the mother had provided some information about her son and asked if the Diocese would be able to help him. It was represented that the Diocese provided the mother with some referral information for the area in which her son lived. There was no report about the allegation made at that time.

Andrea subsequently contacted her boyfriend's mother and asked her to re-contact the Diocese. The mother called again and advised that her son was sexualy abused by a priest and that she believed that the priest was Romero. She stated that the abuse occurred at Immaculate Conception when her son was a student there. She stated that Romero bought her son all kinds of gifts, including a ski jacket. On one occasion many years later, her son came home for a visit and knocked a picture of himself off the wall and broke it. It was a picture of her son wearing the ski jacket. She also reported that Romero once took her son on a trip to Cleveland and gave him alcohol. Her son got so drunk that he could not remember anything afterward. She stated that her son was now a heavy drinker and she believed that it stemmed back to the sexual abuse and his early exposure to alcohol by the priest.

In a memorandum to the file dated October 2013, it was noted that the son contacted the Diocese and advised that he wanted to report "*questionable behavior*" that occurred when he was a child. He stated that he was an altar server at Immaculate Conception in grade school

Summary

through freshman year of high school. He stated that Romero would encourage him to drink wine after mass before he returned to class. He also recalled that, on occasion, Romero also took him to the racetrack and bought him alcohol there. He recalled Romero buying him gifts, specifically, a sweat suit that Romero asked him to change into. The male reported that other "*things*" happened but that he was reluctant to talk about anything else. He stated that Father John Bauer also provided him with alcohol and encouraged him to drink it. He stated that Bauer would also engage him in "wrestling" matches. He recalled that Romero and Bauer would talk about masturbation a lot in front of him and the other young boys. The male stated that he has spent his life dealing with issues of alcohol abuse and addiction. He attributed it to his early exposure to alcohol by Romero and Bauer.

The male advised that he was seeking assistance with counseling to deal with his repressed issues of sexual abuse. The Diocese advised that its counterpart in Florida (where the male now lived) would be contacted and that referral information would be provided to him. He was asked to make a written statement and that this information would be shared with the Washington County District Attorney's Office.

On October 17, 2013, the Diocese sent a follow up e-mail message to the victim providing him with contact information for a local counselor. She also asked him to make a written statement.

A letter in the file revealed that the Diocese forwarded the victim's information to the Washington County District Attorney's office on August 5, 2014.

The file also contained a January 19, 2012 memorandum from Father Harry Bielewicz that included information about a second allegation of abuse against Romero. The memorandum documented that on January 19, 2012, Father George Moneck called to report that he had received a telephone call from a male victim who alleged that he was sexually abused by Romero while he was a parishioner at Immaculate Conception. The memorandum stated that Moneck was advised by telephone and in a letter to have the victim call Rita Flaherty of the Diocese.

No other information about the victim was provided in the files obtained from the Diocese.

Reverend Oswald E. Romero

Biographical Information

YEAR OF BIRTH:	1919
YEAR OF DEATH:	1997
ORDINATION:	July 15, 1950

Employment/Assignment History

1955-1965	St. Francis Borja HS, Quito, Ecuador
1961-1965	Jesuit College & University, Quito, Ecuador
1961-1965	Catholic University, Quito, Ecuador
1966-1977	University of Pittsburgh
1977-1993	Chaplin, St. Joseph House of Hospitality, Pittsburgh, PA
1993	Retired
1991-1997	St. Mary of Mercy, (Confessor), Pittsburgh, PA

Summary

In April 2006, a 53-year-old man came forward with allegations that Father Oswald E. Romero had sexually abused him while he was between the ages of 13 and 14 (1966 or 1967). This occurred when Romero was assisting at a parish in a suburb of Pittsburgh. The male reported that this abuse has had a lasting impact on his life.

The victim was interviewed by Father James Young and Father John Rushofsky to discuss the abuse. The victim was prompted to come forward after speaking with his priest. The victim explained that he attended St. Regis in Oakland and was familiar with Romero. It should be noted that church records indicate that while Romero was never assigned to St. Regis, he would assist the parish at various times. As a young teenager, the victim thought Romero was friendly and trusted him enough to enter his car while at a local park.

Romero asked the victim if he wanted a driving lesson. Eager to learn, the victim got into the car. Romero instructed him to sit on his lap so it would be easier to use the stick shift along with the gas and brake pedals. Nothing happened during this lesson and Romero drove him home without incident. A few weeks later, Romero inquired if the victim wanted another driving instruction in the same park. The victim accepted the offer. It was much later in the day then the previous lesson when they arrived at the park. The victim stated that Romero soon began to rub his leg and eventually his genitals. Romero then proceeded to perform oral sex on him. It was only when Romero realized that he could not finish the sexual act that he stopped. The victim stated he felt immobile during the abuse and the moment Romeo stopped, he jumped out of the car and fled home.

During the interview, the victim noted that he suffered from severe depression and prescription drugs as a result of trauma from abuse. He noted that he had sought psychological

Summary

treatment in the past. Young and Rushofsky offered continued therapy; the victim was open to the option. The allegations were brought to the attention of the Allegheny County District Attorney's Office.

In May 2006, the victim called Flaherty and informed her that he was seeking outpatient treatment at Mercy Hospital in Pittsburgh. He called her again in June of 2006 and claimed that he was seeking additional outpatient treatments at Mercy Hospital. He asked for financial help and was directed to contact a local charitable organization for further assistance with counseling and financial support.

Reverend David Scharf

Biographical Information

YEAR OF BIRTH:	1957
YEAR OF DEATH:	N/A
ORDINATION:	May 11, 1985

Employment/Assignment History

6/03/1985 – 6/14/1987	Parochial Vicar, St. Michael Archangel, Butler, PA
6/15/1987 – 2/10/1992	Parochial Vicar, Our Lady of Grace, Scott Township, PA
2/11/1992 – 1/27/1997	Parochial Vicar, Our Lady of Fatima, Hopewell Township, PA
1/27/1997 – 8/31/1998	Parochial Vicar, St. Robert Bellarmine, East McKeesport, PA
8/31/1998 – 1/20/1999	Sabbatical
1/20/1999 – 12/13/1999	Parochial Vicar, St. Hugh, Carmichaels, PA
12/13/1999 – 11/21/2003	Pastor, St. Philomena, Beaver Falls, PA
11/21/2003 – 8/17/2009	Leave of Absence
8/17/2009 – Undetermined	Chaplain, Sisters of St. Joseph, Baden, PA

Summary

In December, 2002 a sexual allegation (foot fetish) complaint against Father David Scharf was made to the Diocese of Pittsburgh. Several males (both adults and minors) complained of Scharf massaging their feet.

In August 2003, Scharf requested a leave of absence to attend St. Luke Institute for evaluation in order to "*end accusations*." The request was granted. In July, 2004 St. Luke's staff wrote in Scharf's discharge from the residential treatment program the following: "*Father Scharf recognizes his practice of foot reflexology should be discontinued immediately.*"

In February 2005 St. Luke's staff noted Scharf's discharge from the halfway house that Scharf did not successfully complete the program and was at a high risk for re-offending.

In October 2007, Scharf wrote a letter requesting re-entry into ministry. He stated that he was at peace with himself and had taken responsibility for his past actions. He wrote another letter requesting re-entry into ministry in June, 2008. Both requests were denied.

It should be noted during several St. Luke Institute Continuing Care Workshops from 2005 to 2010, Scharf admitted to massaging the feet of minors and later masturbating to the image of the minors' feet.

Reverend Richard Scherer

Biographical Information

YEAR OF BIRTH:	1924
YEAR OF DEATH:	2007
ORDINATION:	June 12, 1949

Employment/Assignment History

6/30/1949 – 6/09/1954	Assistant, St. Charles, Donora,
6/10/1954 – 3/03/1964	Assistant, St. Anne, Castle Shannon,
3/04/1964 – 2/02/1965	Assistant, St. Coleman, Turtle Creek,
2/03/1965 – 6/1965	Assistant, St. Patrick, Canonsburg, PA
6/1965 – 5/1968	Sick Leave
5/1968 – 1992	Chaplain, Holy Cross Hospital, Diocese of Miami, FL
1992	Retired

Summary

Records from the Diocese of Pittsburgh revealed that in August 1991, a woman reported to the Diocese that she was sexually molested by Father Richard Scherer when she was a student at St. Anne. The abuse occurred between 1957 and 1961 at the church.

Records further revealed that in a letter dated October 24, 1965, Scherer wrote of his "*revelation*" of his nervous breakdown resulting from the "*relationship*" with the woman. It should be noted that no other documentation was supplied to the Grand Jury regarding a description or exaplanation of the "*relationshi*p."

In a letter dated January 17, 1966, Scherer wrote about his continued improvement in health, body, and mind and stated that the "*severe feeling of guilt*" had left him.

In a letter to the Diocese dated April 5, 1966, Father Tobin from Our Lady of the Snow/Clergy House Retreat located in Minnesota wrote that he had been counseling Scherer for three months; that Scherer was making progress in the tensions that plagued his priesthood; that Scherer suffered a nervous breakdown; and, that involvement with the "*young lady*" was part of his emotional escape.

Monsignor Raymond T. Schultz

Biographical Information

YEAR OF BIRTH:	1922
YEAR OF DEATH:	1999
ORDINATION:	June 15, 1947

Employment/Assignment History

7/17/1947-1/19/1949	St. Mary, Kittaning, PA
1/20/1949-6/28/1950	St. Leonard, Monessen, PA
6/29/1950-6/15/1955	Holy Rosary, Homewood, PA
6/16/1955-6/12/1957	St. Margaret, Greentree, PA
6/13/1957-4/20/1966	Catholic Information Center, Diocese
12/29/1964-4/20/1966	St. Richard, Pittsburgh, PA
4/21/1966-1/22/1997	Pastor, SS Peter & Paul, Beaver, PA
1/22/1997-10/15/1999	ADM, SS Peter & Paul, Beaver, PA

Summary

In 2009, an adult male reported to the Diocese of Pittsburgh that he was sexually abused by Monsignor Raymond T. Schultz around the year 1978 when he attended SS Peter and Paul Catholic School in Beaver. [redacted]. Correspondence in the file from the male's mother and father indicated that they were not aware of the sexual abuse until around the time when it was reported in 2009. The victim's mother indicated that she recalled one incident when she was doing laundry and she discovered that her son's underrwear was in the pocket of his pants. He told her that he had an accident. She did not ask any further questions. But, she realized now that the underwear had a pinkish-red stain.

In 2010, a psychologist reported that she had been seeing the victim since 2007 and that he was being treated for symptoms of post-traumatic stress disorder and panic relative to reported sexual molestation by a priest during his elementary school years. The victim reported during treatments that he had nocturnal memories of the sensation of breath on the back of his neck from when Schultz was sexually assaulting him. He also recalled a particularly distressing incident of anal penetration by Schultz that occurred on a rainy day when his clothes were wet. He participated in 67 therapy sessions and required inpatient hospitalization. He also suffered from substance abuse.

 REDACTED -- ONGOING APPELLATE LITIGATION

An attorney representing the victim subsequently wrote a letter to the Diocese stating that the victim did not wish to discuss or accept the offer for counseling and spiritual assistance. The Diocese indicated that it was unable to confirm independently the allegation of sexual abuse.

The Diocese contacted some of the nuns and teachers that taught at SS Peter and Paul during the years when the victim was a student. The responses to questions about confession indicated that the children went to confession as a classroom group until eighth grade when three to four students could go at a time. However, it was reported that no single child was sent to confession alone. The nuns also stated that there were often secretaries and parents present at the school and that students were not placed in a room alone. The nuns also stated that there were only a few bus riders.

[redacted].

A report of the allegation of sexual abuse by Schultz [redacted] was reported to the Beaver County District Attorney's Office by the Diocese in 2010.

On April 11, 2017, the victim testifed before the Grand Jury. He explained that he made a complaint to the Pennsylvania Office of Attorney General on September 22, 2016 through the child sexual abuse hotline that was opened after the investigation into the Diocese of Altoona-Johnstown.

Prior to testifying, the victim provided a document detailing his ordeal as a victim of clergy abuse. This document was read to the Grand Jury. The document stated:

[redacted]

[1] [redacted].

The abuse from Monsignor Schultz occurred when I first started to serve the early mass. At first, he would tell me to turn around and not move. He would -- then he would stand behind me and rub his private area on my behind as he made some noises. I then noticed something on the floor, which I would later realize was his (Schultz's) semen and that he had had an orgasm. After a few times of doing this, he had me take down my pants and he stood behind me. Then he rubbed his penis on my behind and put his penis into my rectum as I screamed loudly in pain. After that, he covered my mouth and told me no one will ever hear me scream again. I now know he had an orgasm, as I felt his semen on my back. No one could hear me because I served the early masses alone. Usually, the masses were served by two altar boys. As a child, I didn't realize that I was the only one serving alone; but now I know why I was. This all started at the end of my seventh grade year. After he told me no one would hear me scream again and I won't be able to tell anyone, he never let me go back to class again.

[redacted] *One day, after an instance of abuse by Monsignor Schultz,* [redacted] *I thought I had had an accident in my pants.* [redacted] *I didn't know then, but the wetness I was feeling was the drainage of semen from my rectum.* [redacted] *When I would go to confession, I would always be last. When it was my time to go in, Monsignor Schultz told me to sit down and* [redacted]

When everyone was gone, Monsignor Schultz would come into the confessional with me. This happened about five times. He would get very angry with me because he would take his penis out and make me kneel in front of him as he put his penis towards my face. He got angry because I didn't know what he wanted me to do. When I asked him, he started to hit me in the head and then he masturbated. When he had an orgasm, some of the semen got on my face. He took his white handkerchief from his pocket and told me to wipe my face. To this day when I see a white handkerchief, I go from sad to angry. When it rains, I just try to make the best of that day.

As I look back on this now, I try to figure out when I could have asked someone to help me. There was a time when, after I was abused by Monsignor Schultz [redacted] *Then I had to put my pants back on without underwear because it was almost time for the buses to come take us home. I put my underwear in my pocket,*

[redacted] *I can remember my mother asking me as she was doing laundry why my underwear was in my pocket. I told her I put them there because I had tinkled a little in my pants. Really, they were in my pocket because, if I would have taken the time to put them back on, I would have missed my bus and would have had to have called for a ride home. That is the only time that I can remember when I had a chance to get help.*

When I look back now, it was made very clear to me that I was a, quote, bad boy, unquote, and would be punished more if I ever told anyone what was happening. Most of these abuses happened after my dad dropped me off for early morning masses. I try to see through a child's eyes; but as an adult, it is very difficult to look back.

As another form of punishment, I would have to clean and organize the altar and the altar boy's closet. I was also abused by Monsignor Schultz behind the altar in the room where we got dressed as altar boys or in the confessional. I would say Monsignor Schultz touched or raped me about 10 to 15 times. [redacted]

The victim estimated that this abuse occurred "*From around fourth grade to the end of -- middle of seventh grade probably. Eleven, 12.*"

The victim stated that the first time he came forward about this abuse was seven years ago when he informed his wife. The next time he spoke of the abuse was when he was in counseling. He said that approximately five years ago, he along with his mother and father, had a meeting with Bishop Zubik. According to the victim, Zubik responded by saying *"he was sympathetic. He [Zubik] made it very clear that he believed in me. Asked me if -- started to offer me certain things*." Zubik offered, "*College tuition for my children, little bit of money, and then the last one was to pay for counseling."*

The victim stated that he ultimately refused Zubik's offer because by taking the offer, the Diocese told him that:

you are going to have to meet with our lawyer and this and sign these documents that basically say you are done with -- you can't come after us. It is over. No public. Your mouth is closed.

He said the greatest insult was that by taking the offer, he would not be allowed to talk about the abuse and what he endured.

In addition to testimony, the victim provided a letter from a former classmate. Some of the excerpts from the letter read to the Grand Jury stated:

My first memories of [the victim] were in the third grade. He was well liked and popular with the students. He was funny. Once we got older, I remember seeing [the victim] less and less in the classes. When we asked, there was

always a reason why he wasn't there. The reason I most remember is that it was not our business. I remember seeing him sleeping in the room we called the health room. It was on the right near the exit stairs. It was the room we had physicals in when the doctor was there. It was also the room that we used when we weren't feeling well. [The victim] was in there on more than one occasion. I remember wondering why he was always lying down there. I remember seeing him in there on a consistent basis. Another memory I have of [the victim] is in what was the learning center on the first floor. We were in a small tutoring group of some kind. [redacted]

The victim recalled being offended on by Schultz first, with the sexual assaults consisting of oral and anal sex and also Schultz ejaculating onto the victim's face. He testifed that these assaults occurred in Schultz's residence, next to the school, and, in the church. [redacted] The victim testified:

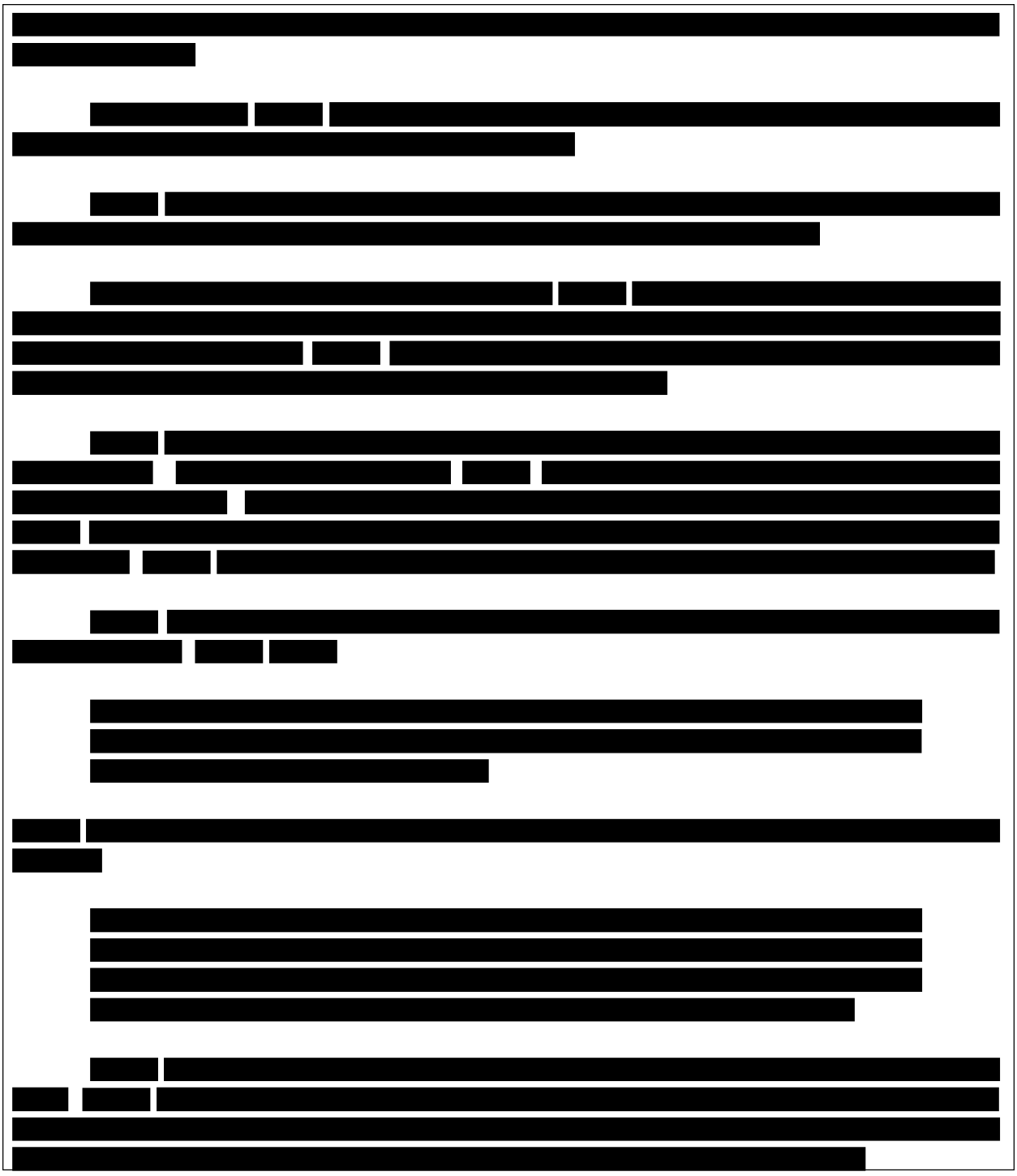
It started with me having a tummy ache . . . [redacted]
when I became an adult, I realized what that stuff was.

The "*stuff*" was Schultz's seminal fluid.

Approximately six years ago, the victim met with Beaver County investigators to officially report the abuse. He stated that the Beaver County District Attorney's Office contacted him and advised that nothing could be pursued because of the statute of limitations.

The victim concluded his testimony by stating that this abuse has had a destructive impact on his life "*that consumes you.*" When asked how important it was for him to be able to come into a grand jury after all of these years of wanting transparency, he responded, "*This is the most important thing besides my wife and children on this planet in this world. This is a sign for hope.*"

[redacted]



REDACTED -- ONGOING APPELLATE LITIGATION

Reverend Francis Siler

Biographical Information

YEAR OF BIRTH:	1937
YEAR OF DEATH:	2015
ORDINATION:	May 4, 1963

Employment/Assignment History

5/20/1963 – 6/14/1970	Parochial Vicar, Nativity, Broughton, PA
6/15/1970 – 12/05/1972	Parochial Vicar St. Bernard, Mt Lebanon, PA
12/06/1972 – 8/07/1974	Parochial Vicar, St. Titus, Aliquippa, PA
8/08/1974 – 5/20/1975	Leave of Absence
5/21/1975 – 10/10/1976	Parochial Vicar, St. Catherine, Wildwood, PA
10/11/1976 – 2/07/1983	Pastor, St. Margaret, New Castle, PA
2/08/1983 – 5/02/1984	Pastor, St. Catherine, Wildwood, PA
5/12/1984 – 6/30/1985	Parochial Vicar, St. Agnes, West Mifflin, PA
7/01/1985 – 2/23/1986	Leave of Absence, Health Reasons
2/24/1986 – 9/27/1987	Chaplain, Allegheny Valley Hospital, PA
9/27/1987 – 2/25/2002	Parochial Vicar, St. Mary Mercy, Pittsburgh, PA
2/25/2002 – 7/05/2002	Leave of Absence
7/05/2002	Withdrew from Active Ministry

Summary

A review of the Diocesan records pertaining to Father Francis Siler revealed a reference made in a St. Bernadine Clinic report that "*sexual problems with adolescents*" had occurred in 1972 which caused Bishop Leonard to change Siler's assignment. In 1974, Leonard wrote in a letter to the House of Affirmation that "*in the last three years the problem arose about which I spoke to you in a phone conversation.*"

In a 1985 memorandum written to Bishop Bevilacqua, Father Campbell recounted that:

> *You may recall from our conversation that Frank [Siler] made a pass at a young boy whose father is a policeman. The irate father was about to take the matter to court. It was this that necessitated our quick removal of Father Siler from the post.*

In 1994, an adult male came to see Siler in order to confront him about molesting him as a child. After being confronted by the man, Siler required hospitalization at St. Francis for suicidal feelings. Thereafter, he was sent to St. Luke Institute Continuing Care Workshop.

During a workshop held in May, 1994, St. Luke's expressed concern that Siler was engaging in parish ministry. The concern was that because he had a history of sexual behavior

Summary

with minors, and since he had been experiencing relapse behavior around sexual issues, there was some concern about the possibility of his behavior with minors recurring. It was suggested that Siler avoid all contact and ministry with minors.

In 1995, an adult male reported to the Diocese of Pittsburgh that Siler fondled him on several occasions when he was an altar boy at St. Catherine church and in the second or third grade. Siler denied the allegations. Some of the dates provided by the male did not correspond to Siler's age or assignment at the time, however, Siler was placed in restricted ministry.

In December 2002, another allegation of sexual abuse was made against Siler. An adult male reported that Siler had touched him inappropriately when he was a child. This occurred in a church in Beaver County between 1972 and 1973. The male demanded answeres from the Diocese as to what happened with Siler and why he was "*protected.*"

In November 2011, the Diocese received a report of sexual abuse by Siler that occurred between 1972 and 1974 at a Beaver County church. An adult male reported that Siler had groped and fondled him through his clothes when he was just a child. He also reported that a Father Hoehl tried to "*make some moves on him*" but he was bigger thatn Hoehl and was able to protect himself.

Reverend Rudolph M. Silvers

Biographical Information

YEAR OF BIRTH:	1949
YEAR OF DEATH:	N/A
ORDINATION:	May 3, 1975

Employment/Assignment History

5/21/1975-5/18/1980	Parochial Vicar, St. Sylvester, Pittsburgh, PA
5/19/1980-7/07/1982	Parochial Vicar, St. Robert Bellarmine, East McKeesport, PA
7/08/1982-6/28/1983	Parochial Vicar, St. Canice, Pittsburgh, PA
6/06/1983-6/15/1986	Assist. Dir. Vocation Office, Diocese of Pittsburgh Pastoral Center
6/16/1986-8/01/1986	Parochial Vicar, St. Peter, Butler, PA
8/02/1986-2/07/1994	Pastor, St. Peter, Butler, PA
2/07/1994-6/27/1994	Replacement Ministry, St. Vincent de Paul, New Castle, PA
6/27/1994-2/25/2002	Pastor, St. Ann, Bulger, PA
2/25/2002-7/24/2002	Leave of Absence
7/24/2002	Withdrawn from service

Summary

The first allegation of sexual abuse involving Father Rudolph M. Silvers occurred on November 14, 1988 when an 18-year-old male reported that Silvers had sexually fondled him when he was between the ages of 12 and 15. He further reported that Silvers pinned him down and had "taken advantage of him." He stated that he felt overwhelmed and that people did not believe him. The victim subsequently requested counseling but was informed by Father Rutkowski that there were no funds available for counseling. Silvers denied the allegation.

On March 26, 2002, the victim met with Diocesan officials to provide details of his abuse by Silvers. He explained that his relationship with Silvers began when he was 13- years-old in 1977. His family lived across the street from St. Sylvester and the victim was one of the kids that hung around the rectory. He reported that it was not uncommon for Silvers to "*rough house*" with the boys and sometimes he would "*reach into the boys shorts and feel around.*" The victim stated that eventually this behavior evolved into more one-on-one activity between Silvers and him. He recalled that Silvers was a "*significant presence*" in his life and that Silvers would tease him in front of the other boys about his sexual inexperience. This made the victim feel inadequate compared with his peers. The victim reported that Silvers would rub his beard over his chest and nibble and lick the victim's neck.

Summary

On one particular occasion when the victim was 15, Silvers became more sexually aggressive. He pinned the victim down by putting his arms behind him. Silvers then kneeled over him and reached down and grabbed his genitals. After this sexual assault, the victim's life spiraled out of control. He ran away from home several times but eventually graduated from high school in December of 1981. He then began counseling.

After years of moving from place to place and receiving counseling from numerous counselors, the victim decided to confront Silvers. In a letter to Bishop Wuerl, the victim recounted that sometime in 1993, he drove to St. Anne's in Butler to confront Silvers "*man to man*." When Silvers saw the victim, he "*froze and turned white*." The victim told Silvers how he screwed up his life because of what he had done to him and that his family knew and would be watching him. Silvers had nothing to say in response.

During the March 26, 2002 meeting, the victim made three requests: 1) That Silvers not be in ministry where he would have contact with children and harm someone else; 2) An apology; and, (3) that he be compensated for the years of counseling expenses he had incurred.

On April 15, 2002, Silvers was confronted with the allegations. He denied any sexual contact. When confronted with the fact that the victim had traveled to St. Anne's to confront him, Silvers became vague and evasive, claiming that while he had some recollection of the visit, he could not recall the content of the conversation.

Diocesan records contained several letters between the victim and the Diocese with respect to the reimbursement of funds for years of counseling. Eventually, on April 6, 2002, the Diocese forwarded a check to the victim in the amount of $96,750.00 for compensation for counseling received from 1979 through the present. There was also a promise of future counseling, if needed.

A letter from the Diocese of Pittsburgh to the Allegheny County District Attorney's Office dated April 29, 2002 provided the name of the victim and a description of the allegations against Silvers.

The records provided by the Diocese contained a document entitled, "Chronology of Reverend Rudolph Silvers." In the chronology, there was an entry dated July 9, 1990 wherein a mother met with Father Gloninger in Butler to express her concerns with Silver's inappropriate and unnatural attachment to her 13-year-old son. There were several handwritten letters from her in the file about this subject. The mother asserted that her complaints about Silvers and his inappropriate interest in young boys was not being taken seriously. She reported that when her son was 14 years of age, Silvers called him at least three times per week and offered him various gifts. He also stayed overnight at the rectory without parental permission and no one was there except Silvers. She stated that Silvers was now showing inappropriate interest in another young boy, just like he did with her son, but the boy's family did not want to get involved. Her son also wrote a letter wherein he stated:

Summary

> *I am deeply disturbed about the issue with Father Silvers. I feel that this issue has been overlooked and needs much more attention . . . But I do know one thing and that is what Father Silvers is doing is wrong and should be stopped immediately before someone gets seriously hurt . . . This has been going on for a year and a half now and I have seen no progress. I find it hard to believe that a man can go on for so long and get away with it. Especially when he know what he is doing is wrong.*

He ended the letter by writing, "*I feel that this matter better be looked into a lot more closely for Father Silvers' sake and some other helpless kid.*"

In a file notation dated July 18, 1991, Gloninger wrote that he had reviewed the concerns of the mother about Silver's association with young boys but that there were never any accusations of sexual misbehavior on the part of Silvers. However, a notation dated February 2002, revealed that Silvers was placed on administrative leave after a review of his confidential files. Silvers resigned.

A document dated October 20, 2004 and entitled "*Confidential File Summary*" was found in Silvers' file. It stated:

> *Issue with [mother] and her complaint-file not clear. [Mother] was told that the matter was to be addressed on a "local level"-i.e. with Father Gloninger-7-27-90. Not clear if [mother's] situation is ever properly addressed.*

In a "*Confidential Memorandum*" to the file written by Rita Flaherty on January 20, 2012, she noted that she received a call on the 1-800 number from a male who reported that he was sexually abused by Silvers in the mid-late 1970's at St. Sylvester when he was approximately 10 to 11 years of age. This victim stated that he was receiving individual counseling from a therapist at Catholic Family Services and would like assistance with the cost for counseling. The memorandum recounted that Flaherty advised the victim that the Diocese could assist him and ask for the contact information for his therapist. She also asked the victim to provide the details of abuse in writing for their records.

On January 31, 2012, the victim sent a letter pursuant to Flaherty's request. He stated that Silvers would invite several boys to the rectory on Friday and Saturday evenings and that they would go down to the recreation area in the basement to play games. During these visits, Silvers grabbed at the boys' buttocks and genitals. He would also grab them and pinch their chests. The victim reported that Silvers would get very excited during this "*horse play*" and that eventually he would take one of the boys up to his private living quarters and be gone for approximately 30 to 45 minutes. When they returned, the boy who had gone with Silvers looked very pale and would not talk for the rest of the evening. The victim reported that this conduct lasted a few years. He explained that he blocked out much of this time and did not currently recall whether he went to Silvers' private quarters. He related that his brother once went to the private quarters but he refused to discuss what occurred there.

Summary

Diocesan officials confronted Silvers and read a portion of the letter to him that was written by the victim. Silvers stated that the allegations were absolutely false. While he acknowledged that minors came to the rectory basement for recreations, he stated that he would not tolerate such pinching and grabbing behavior. He also denied that anyone went upstairs to his private living quarters. He did recall that the victim and his brother had been altar servers. Silvers asked, "*What is [the victim] looking for?*" It was explained to him that the victim was looking for assistance with the cost of his counseling.

The file documents revealed that the Diocese of Pittsburgh paid approximately $1,000 for 10 weeks of the victim's counseling. A letter from the Diocese to the Allegheny County District Attorney's Office dated February 3, 2012 provided the name of the victim and that allegations of sexual abuse against Silver had been made.

A memorandum from Bishop Wuerl dated July 24, 2002, was located in Silvers' file. It stated that on July 22, 2002, Silvers had written and requested permission to withdraw from active priestly ministry with the understanding that his priestly faculties would be withdrawn. Wuerl noted that he granted such permission in a letter to Silvers dated July 24, 2002.

Reverend Edward P. Smith

Biographical Information

YEAR OF BIRTH:	N/A
YEAR OF DEATH:	1956
ORDINATION:	N/A

Employment/Assignment History

Unavailable	Sacred Heart Church, Emsworth, PA

Summary

Several legal documents contained in Diocesan records revealed that Father Edward P. Smith was accused of sexually abusing a 16-year-old female during the time period when he was assigned to Sacred Heart. The girl reported that the abuse occurred in the church rectory when Smith counseled her. The abuse included Smith "*fondling her breasts and her genitals.*" The documents also stated that the girl:

> *believed that it would be sinful or wrong to make any kind of accusation against a priest or a bishop; and that priests and bishops could not and would not engage in conduct considered evil or wrong or illegal.*

A section of the legal documents was entitled "*Fraud and Concealment.*" Within that section, several allegations were made including the following:

- *In furtherance of their own interest, including the continued financial support of parishioners, the primary concern of Diocesan Defendants has been the protection of the reputation of its priests and therefore its Diocese, including Father Smith.*"

- *Diocesan Defendants have concealed the danger the predator clerics presented by misrepresenting them as priests in good standing in the following ways:*

    1. *Enabling their continued unrestricted access to minors;*
    2. *Assigning them and/or allowing them to reside and serve at parishes and/or schools within the Diocese;*
    3. *Allowing them free and unrestricted use of premises of the Diocese for otherwise unchaperoned activities with minors;*
    4. *Assigning them to duties specifically involving minors;*
    5. *Announcing to the public or allowing offending clerics to give the public less disagreeable or less serious reasons for leaving an*

Summary

assignment or position, other than sexual misconduct with children;

6. *Promoting offending clerics within the church hierarchy;*
7. *Privately assuring concerned parents that offending cleric's problems would be taken care of;*
8. *Providing and/or subsidizing education, maintenance and/or living arrangements for offending clerics after removal from their assignments or upon their suspension; and*
9. *Continuously listing offending clerics in official directories and/or publications by phrases such as absent on leave, advanced studies, special assignment or retired after removal or transfer from their assignment or suspension for sexual misconduct with children; and*
10. *Allowing offending clerics to honorably retire.*

On November 5, 2007, the Diocese of Pittsburgh entered a settlement with 31 individuals for the total amount of $1.25 Million.

Reverend James E. Somma, M.Ed.

Biographical Information

YEAR OF BIRTH:	1934
YEAR OF DEATH:	2004
ORDINATION:	May 30, 1959

Employment/Assignment History

7/10/1959 – 4/19/1964	Purification of the Blessed Virgin Mary, Ellwood City, PA
4/20/1964 – 5/04/1964	St. Pius V., McKeesport, PA
5/05/1964 – 6/21/1984	Archdiocese for Military Services, Washington, DC
6/22/1984 – 5/11/1985	St. Aloysius, Pittsburgh, PA
5/12/1985 – 1/08/1992	Nativity, Pittsburgh, PA
1/08/1992 – 2/07/1994	Holy Trinity, West Mifflin, PA
2/07/1994 – 2/07/2002	Forbes Regional Hospital- Monroeville & St. Michael, Pitcairn, PA

Summary

In a handwritten letter dated September 17, 1986, Father Nicholas Dattilo stated that he spoke with a victim over the telephone. She claimed that a priest sexually abused her for seven years from age 11 ½ until age 18. She provided the priest's name, but the name was not provided in Dattilo's letter. The victim stated that she "*expressed concern that the priest was now a pastor and could be out there harming other children.*" When Dattilo spoke with Bishop Bosco and Nick Cafardi on the matter, Cafardi stated, "*until she gives her name, we have no credible evidence.*"

Dattilo and another priest subsequently met with Father James E. Somma following another telephone call from the victim in January, 1988. Dattilo concluded that Somma should not be removed from ministry based on his "*strong denial, sterling military career, the passage of time and the victim's admitted psychiatric treatment.*" According to handwritten notes dated February 18, 1988, Somma was evaluated at the St. Luke Institute. A portion of the notes stated, "*May need counseling from neuro-psycho rehabilitation person.*"

A March 8, 1988 evaluation report from St. Luke's recommended that children and adolescents not have free access to Somma's home given the present day sensitivity to priests' relationships with children.

On March 20, 2002, the victim sent a letter to Dattilo advising that she was in counseling, had obtained an attorney, and had filed a lawsuit. Articles from several newspapers do not provide her name, but report that Somma forced her to engage in oral sex and sexual intercourse with him until her late teens. The lawsuit was dismissed based upon the statute of limitations. Since then, she reported that she has been hospitalized for serious, clinical depression and

attempted suicide twice. She requested a settlement of $900,000 ($20,000 per year since the beginning of her ordeal).

A second victim contacted the Diocese in a letter dated April 28, 2002. An adult male provided the following account of abuse:

> *I'm not sure how I met Father James E. Somma (Lt. Col., USAF, Ret.), I can only remember that my mom helped him find the house that would later become my prison. When I would help out at his [Somma's] house, which was secluded from town and off the Air Force Base, he would treat me to dinner and movies and give me pocket money for doing chores when I was 13. This went on for the first few months, and then I would start spending the weekends at his place, spending the night there. I thought of him as a "father figure" who praised me, and all was pretty normal the first few months. Then I remember one night when we were coming home from somewhere that we stopped by his [Somma's] office to pick up some videos. I never thought anything of it, then when he played the tape I knew it was a XXX rated film. I don't think I said anything, I was thrilled, I mean all young kids dream about this stuff, and here I was getting it with someone I cared about. Someone who I felt knew what was my best interest, someone who has two adopted kids of his own.*

He explained that he watched these XXX movies while lying in bed with Somma, Somma placed his hands down his own pants and talked about masturbation or "*wacking off.*" They fell asleep under the covers and Somma "*cuddled him like a teddy bear.*" The second victim wrote, "*I don't think I knew what was really happening at the time. Anyway I felt protected by him, and my parents trusted him and I knew they wouldn't let anyone harm me.*"

From 1984 until 1992, Somma had the second victim fly from Ludwig, Illinois to the Pittsburgh area. In the Pittsburgh area, Somma showed him pornography and talked about masturbation. He stated that Somma would explain that when he and his friends were younger, they would "*'jerk' each other off and stand around naked and see who could shoot the farthest load (while erect).*" The second victim stated that he was sexually abused by Somma but not molested. The victim further advised that each time Somma visited his family in Illinois, he came with a different young boy. He specifically remembered three boys who looked like him, except for the color of their hair. He then wrote, "*When I visited Pittsburgh [at Somma's expense] the same boys hung around the rectory with him.*" In addition, the second victim wrote, "*I have not spoken to Father Somma in several years, I do remember him apologizing to me about the past, but I didn't want to talk about it, only that I felt in my heart that I forgave him.*"

In April 2000, the second victim was at the seminary and told Father Charles Bober about Somma's sexual abuse. Bober supported the victim and told him to inform the clergy office of the abuse, where it could be addressed. The second victim ultimately left the seminary and entered the military.

Summary

In April of 2002, the Diocese referred the second victim's allegation to the Allegheny County District Attorney's Office.

Also on April 4, 2002, a note in the Diocesan records was made that stated that there was a conference call with the second victim and that the victim mentioned that he knew of a woman who came forward and Somma said, "*they didn't believe her, they won't believe you.*"

In May 2002, the Diocese offered to provide the second victim with financial assistance for counseling and provided him with the names and telephone numbers of several therapists.

By January 2009, the second victim had moved to Illinois and e-mailed the Diocese, asking for help with therapy. The Diocese offered to pay for his therapy. In October 2011, the victim had moved to California and again asked the Diocese for help. The Diocese provided him with the names of 16 therapists and offered to pay for the therapy. In June and September of 2012, the victim sent e-mail messages to the Diocese advising that he still had not seen a therapist. Again, the Diocese offered to help by giving him the name and telephone number of an assistance coordinator and offering financial assistance.

In a March 2002 telephone call and an April 2002 letter to the Diocese, a male claimed that Somma had sexual contact with him in 1983 when he was in seventh grade at Nativity, and then on and off from 1984 to 1992 in Pittsburgh. The contact started with tickling and progressed to Somma performing oral sex on the victim and forcing the victim to perform oral sex on Somma. The abuse allegedly happened at least once a week. Somma took the victim on numerous trips, bought him gifts, even a car. The victim reported that Somma also bought him pornography and offered to pay for a female prostitute. According to the victim, Somma threatened to kill his parents if he told anyone. The Diocese offered to assist with psychological and spiritual help. In May 2002, the Diocese gave the victim the names of several counselors and priests. The Diocese also offered to pay for therapy.

In July 2002, the Diocese referred the third victim's allegation to the Allegheny County District Attorney's Office.

Diocesan records also contained a letter dated December 14, 1988 wherein the Diocese informed Bishop Donald Wuerl about "*suspicions of Father Somma's misbehavior involving four named, potential male victims.*"

Reverend Bartley A. Sorensen

Biographical Information

YEAR OF BIRTH:	1949
YEAR OF DEATH:	Unknown
ORDINATION:	October 23, 1976

Employment/Assignment History

11/1/1976 – 6/29/1981	St. Ferdinand, Cranberry, PA
6/30/1981 – 6/28/1983	St. Colman, Turtle Creek, PA
6/29/1983 – 1/31/1985	St. James, Sewickley, PA
2/1/1985 – 6/11/1990	St. Valentine, Bethal Park, PA
6/11/1990 – 6/1/1992	Our Lady of the Most Blessed Sacrament
6/1/1992 – 9/1/1995	Mater Dolorosa, Chicora, PA
9/1/1995 – 9/10/1999	St. Joseph, Chicora, PA
9/1/1995 – 9/10/1999	Mater Dolorosa, Chicora, PA
9/10/1999 – 1/27/2003	St. Victor, Bairdford, PA
2/9/2004 – 2/4/2011	West Penn Hospital, Pittsburgh, PA
2/4/2011 – 11/14/2011	St. Ann, Pittsburgh, PA
11/14/2011 – 12/9/2011	St. John Fisher, Pittsburgh, PA

Summary

On December 9, 2011, a woman went to the residence of Father Bartley A. Sorensen in order to speak with him. Upon entering his office, she observed him looking at child pornography on his computer. She believed that the child was older than five years of age, but no more than 10 years of age. When she questioned him about it, he acknowledged it. The woman left and immediately reported the incident to the Diocese of Pittsburgh.

By special mandate, the Bishop placed Sorensen on administrative leave and all his faculties were revoked. The Diocese then immediately contacted the Allegheny County District Attorney's Office. Sorensen was arrested that same day. A search of Sorensen's residence revealed over 5,000 images of child pornography on his computer, as well as on CDs, DVDs and various print books. The information was then turned over to the United States Attorney for the Western District of Pennsylvania who prosecuted the crime federally.

On May 23, 2012, Sorensen entered a guilty plea and was incarcerated immediately. On January 2, 2013, he was sentenced to 97 months of incarceration, followed by five years of supervised release. Additionally, he is required to permanently register as a convicted sex offender and pay a fine of $25,000

Reverend Robert E. Spangenberg, C.S.Sp.

Biographical Information

YEAR OF BIRTH:	1947
YEAR OF DEATH:	2006
ORDINATION:	June 15, 1974

Employment/Assignment History

1974	Faculty, Holy Ghost Preparatory School, Bensalem, PA
N/A	Associate Pastor, St. Mary Detroit, MI
N/A – 1977	Associate Pastor, St. Anthony Millvale, PA
1977 – 1979	Unknown ministry, North Carolina
1979 – 1980	Assistant Pastor, St. Mary, Sharpsburg, PA
1980 – N/A	Chaplain, St. Francis de Sale High School, Chicago, IL
1982 – 1984	Pastor, St. Stanislaus, Pittsburgh, PA
1984 – 1989	Pastor, St. Anthony, Millvale, PA
1989 – 1990	Superior of the Congregation Retirement home, Sarasota, FL
1990 – 1993	Pastor, St. Patrick, Charleston, SC
1993 – N/A	Administrator, St. Peter Claver, Philadelphia, PA
1994 - N/A	Pastor, St. James, Hamlet, NC
1997 – N/A	Pastor, Epiphany, Pittsburgh, PA
2002	Director of Retirement community, Sarasota, FL
2003	Retired

Summary

Father Robert E. Spangenberg professed vows to *The Congregation of the Holy Spirit Province of the United States* Order, also known as the *Spiritans* which is based in Bethel Park.

Much of the information recounted here was discovered through newspaper articles and Spangenberg's own obituary. The documents provided by the Diocese of Pittsburgh revealed that Spangenberg was involved with at least two children, possibly more. Since Spangenberg's holy obligation was to the Spiritans, the Diocese had very few documents on his ministry.

The Diocese was first notified that there was a problem with Spangenberg's ministry in 1988. At that time, a woman wrote to the Diocese and to the Vatican in order to obtain help for her son. She named Spangenberg as her son's abuser and stated that another priest from Spangenberg's order was helping them with counseling. She wrote that she was upset that her letter was simply "*noted*" and that she has not heard from anyone regarding the matter since.

The priest that was giving counseling to the boy's family was Father Norman E. Bevan, C.S.Sp from Spangenberg's holy order. In Spangenberg's file, there was a letter dated January 12, 1989, that Bevan wrote to the Father Theodore Rutowski, Associate General Secretary for

Summary

the Diocese. He reported that they had investigated the issue and were enclosing a report of their findings. Although the Spiritans did not take the accusation by the victim's family serious enough to remove him, they did reassign Spangenberg to a retirement home in Florida shortly thereafter. Bevan wrote,

> *If we felt them to be true, we would recognize our responsibility to remove Father X from ministry and to insist on therapeutic rehabilitation. At the same time, we realize that a priest's reputation could be irreparably damaged by false accusations.*

No report on the Spiritans findings were included in Spangenberg's file to the Grand Jury.

On March 9, 1989, Bevan wrote a letter to the boy's family wherein he stated that he had spoken with both Spangenberg and the boy about the incident or incidents. He mentioned the responsibility of the church and that their failure to act could hold them culpable for not responding. He referred several times to the fact that the incident was more than five years old. Later in the letter, Bevan stated, "*Excessive use of alcohol contributed significantly to clouding the judgment and perception and further exacerbates the reliability of memory both at the time of the alleged incident."* He acknowledged that *"I do believe that Father Spangenberg exercised questionable judgment."*

In 2009, an adult male reported that when he was 15 to 16 years of age, he and Spangenberg engaged in many types of sexual encounters. The boy reported that he was involved in street prostitution with young boys known as "*Hustlers*." He was befriended by Spangenberg during this period and Spangenberg actually promoted the activity by engaging the boy in a sexual activities after he ran away from home. Spangenberg also paid the boy a finder's fee for him to locate younger hustlers (known as "*Chickens*") to have sex with Spangenberg.

The boy reported that Spangenberg enjoyed using "*huff*" (sniffing glue) while Spangenberg performed oral sex on him. Additionally, Spangenberg would pay for his sexual services with money from the collection box (typically one dollar bills) and would even pay the boy in drugs and alcohol. In a note in the Diocesan files, it was documented that the boy thought Spangenberg was a "*really sick guy – he would have person urinate and defecate on him.*"

The Diocese and the Spiritans continue to share financial responsibility for the cost of the male's therapy, medication, job searches, criminal court costs and assistance with child support.

Reverend Paul G. Spisak

Biographical Information

YEAR OF BIRTH:	1944
YEAR OF DEATH:	N/A
ORDINATION:	May 5, 1973

Employment/Assignment History

5/22/1973-10/01/1978	St. Mary of the Mount, Pittsburgh, PA
10/02/1978-10/05/1980	St. Benedict the Abbot, McMurray, PA
10/06/1980-11/19/1981	Sacred Heart, Pittsburgh, PA
11/20/1981-6/29/1990	St. Dominic, Donora, PA
6/25/1988-6/29/1990	St. Charles, Donora, PA
6/30/1990-2/07/1994	St. Philip, Pittsburgh, PA
2/07/1994-2/12/1997	St. Andrew, Butler, PA
2/16/1998-10/26/1998	St. Mary, Cecil, PA
7/03/2000-7/11/2002	Chaplain Nursing Home, Allison Park, PA
7/03/2000-7/11/2002	Chaplain Nursing Home, Pittsburgh, PA
5/30/2003	Removed from ministry

Summary

In October 1998, parish staff from St. Dominic reported Father Paul G. Spisak to the Diocese of Pittsburgh. Parish staff had found pornographic magazines, tapes and internet material in Spisak's room that depicted homosexual and sadomasochistic activity. There were also several pictures of Spisak with two different underage boys including pictures of the boys showing their buttocks and pictures of Spisak pulling down his swim trunks and pulling down the boy's pants. According to the staff, Spisak allegedly destroyed these pictures of the boys. The staff estimated that the boys were 15 years old.

In October 1998, the Coordinator of Clergy Support Services for the Diocese met with a Diocesan employee. She stated that Spisak had written her a note that month wherein he indicated that he would be going to St. Luke Institute for evaluation but wanted to reassure her that he "*hadn't done anything wrong in the past or in the present.*" The secretary advised that Spisak had always shown a particular interest in her son and had taken him on vacation many years earlier. She stated that she felt uncomfortable about the attention he gave her son and that her son would often leave their house and Spisak was expected to arrive.

Spisak was interviewed in October 1998 by the Diocese with respect to the pornography and pictures that were found. The records indicated that "*Spisak denied ever having any sexual contact with minors or adults*" but did admit that "*he has been struggling with the problem of viewing pornography for several years.*" Further, he did admit to taking several young men of high school age on vacation with him during his time in Donora sometime between 1981 and

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1990. When asked about the photographs that were seen by the parish housekeeper, Spisak stated they were taken years ago during these vacations and that the photographs were very innocent and "*just for fun.*"

In a letter from the Diocese to Wuerl pertaining to Spisak's evaluation dated November 10, 1998, the findings were recounted as follows:

1. *Spisak has both sexual and interpersonal issues that are significant enough to warrant residential treatment;*
2. *Spisak was diagnosed as having a sexual disorder that is compulsive in nature and is currently manifested in his use of porn;*
3. *Some of the testing identified Spisak shows a "significant interest in grade school age males" and his interest in one of the boys pictured in a photo found in the rectory began when the boy was in 7th or 8th grade.*

In a letter dated April 23, 1999, Father Ruggiero wrote to the Diocesan employee's son and requested to meet with him to discuss disturbing information that his mother had provided to the church "*concerning a priest of the Diocese.*" Ruggiero stated in the letter, "*I am sure revisiting these painful memories is not easy for you . . . I can only imagine how difficult it must have been to discuss this with your mother.*"

A June 21, 1999 letter was sent from Flaherty to Wuerl regarding a meeting with Spisak at St. Luke:

> *While Spisak has been vague about the extent of his past involvement with [the victim], he has been able to acknowledge the sexual motivation in this relationship. Spisak has also acknowledged a sexual attraction to minors as well as to adult men. Spisak will need to continue to develop both internal & external resources to control his emotional impulsivity and his tendency to isolate himself. Without such control, Spisak is at risk to act out his problematic behavior again (i.e. use of pornography, compulsive masturbation and possible sexual activity either with minors or adults).*

In July 1999, Wuerl assigned Spisak to residence at St. Mary of Mercy to assist with certain duties in the care of the parish.

On October 15, 2017, Diocesan officials wrote to Wuerl about a request made by Spisak to expand his "*ministerial functions*;" specifically "*to be able to hear confessions during the penace services that routinely occur during Advent and Lent.*" The letter stated that Spisak "*has done well in his recovery.*" The following recommendations were suggested: That Spisak continue his current assignment as chaplain to the patients of Vincentian Home and Regency Hall and continue in residence at St. Alexis with "*limited involvement in sacramental work within the parish at the discretion of the pastor.*" The other recommendations listed were that Spisak be permitted to hear confessions only during Advent and Lent in the parishes of St. Alexis, St. Alphonsus, Sts John and Paul and St. John Neumann.

Summary

On May 24, 2002, a memorandum was sent to the Diocese from Sister Margaret. It included a letter from a psychotherapist to Wuerl. The psychotherapist reported that he had been Spisak's psychotherapist for almost two years and was writing with hope that "*Father Spisak's priestly ministry can be reestablished in the future.*" The psychotherapist went on to say:

> *[A]llegations of inappropriate sexual contact with a young man who was mentored by Spisak are not only unsubstantiated, but also not highly credible. As a friend of the family, Spisak knew [X], the man who made the allegations, from his infancy . . . The alleged inappropriate contact occurred when Spisak, [X] and [others] went on a trip to the shore. The allegations were made 15 years after the trip, after [X] was told by his mother that Spisak was in treatment at St. Luke's. Upon questioning, [X] described possible fondling by Spisak while they were both in bed fully clothed. No one from the church spoke directly to [X] or [others]. Spisak's memory is quite clear . . . he strongly asserts his behavior with young men was always proper.*

It should be noted that no information regarding this fondling incident was given to the Pennsylvania Office of Attorney General.

In July 9, 2002, Spisak requested to withdraw from active priestly ministry for personal reasons.

On May 9, 2003, Wuerl sent a letter to Spisak stating:

> *In light of allegations of sexual abuse of a minor which are deemed to be established . . . and in consideration of the pastoral needs of the faithful and the scandal which arises regarding the assignment of a priest to any form of ministry who has been involved with sexual abuse of a minor, the judgment has been made that your ministry would be ineffectual and possibly harmful . . . You are prohibited from performing any public celebration of the sacraments or sacramental, from wearing clerical attire, presenting yourself as a priest in good standing or as a representative of the Diocese of Pittsburgh.*

On May 15, 2006, Wuerl was advised via letter of the arrest of Spisak. Spisak pled guilty to a disorderly conduct charge and had to pay a $300.00 fine. Spisak was also required to "*provide a letter from his therapist verifying that he is still in therapy dealing with the sexual difficulties that have been a part of his life.*" No further information regarding this issue was provided by the Diocese.

In June 2017, Special Agents in the Pennsylvania Office of Attorney General obtained the police reports from Upper St. Clair Police Department regarding the arrest of Spisak. The reports revealed that on April 21, 2006, police responded to the South Hills Village Mall for a complaint in a first floor men's bathroom. A male reported while in the men's bathroom stall,

Summary

he observed a camera recording him from the rear corner of his stall. The camera was protruding through the opening of the stall and was being recorded by Spisak. When initially approached by mall security, Spisak denied having a camera. Spisak then faked that he was ill and ran into the bathroom. A security guard followed Spisak and saw him flush the memory card from the camera down the toilet.

On April 26, 2017, Spisak arrived at the police station for further questioning. He admitted to having the camera, recording the victim in the stall and then flushing the memory card. Spisak also admitted to police that he had a "*sexual fixation with the male buttocks*."

Reverend Lawrence F. Stebler

Biographical Information

YEAR OF BIRTH:	1934
YEAR OF DEATH:	1997
ORDINATION:	May 4, 1963

Employment/Assignment History

5/20/1963 – 8/27/1967	St. Hilary, Washington, PA
8/28/1967 – 11/30/1969	Our Lady of Fatima, Hopewell Township, PA
12/1/1969 – 6/13/1988	St. Stephen, Hazelwood, PA
6/14/1988 – 1/1/1996	St. Victor, Bairdford, PA
1/1/1996 – 6/17/1996	Leave of Absence
6/17/1996 – 6/9/1997	St. Theresa of Avila, Perrysville, PA

Summary

The Diocese of Pittsburgh received a report from an adult male who recounted that when he was approximately eight to nine years of age, he was sexually abused by Father Stebler when Stebler was assigned to St. Hilary. He explained that his family was very close with Stebler and that when Stebler would visit their home, he would ask the boy's parents if he could tuck him into bed at night. The male provided a written statement where he stated:

> *Once we would get to my room he would lay me down on the bed. He would then touch my head, eyes, chest, belly, waist and then lower than that. I remember not liking that and asking him what he was doing? He told me to lay quietly and not say anything. He said my mom and dad said it was OK and that he was blessing my organs."*

He reported that this abuse occurred for two or three years. The victim also noted that he did in fact previously disclose the abuse to two priests "*who basically told him not to discuss it further.*" The documents do not indicate the names of those two priests.

In a letter dated February 13, 2006, the victim's therapist wrote to the Diocese to document the "*severity of the mental health issues that the victim is struggling with as a result of being sexually abused by a priest as a child in the diocese of Pittsburgh.*" She further noted that:

> *the sexual abuse has stunted the (male's) emotional development to the point where he cannot emotionally connect with others, which subsequently leads to severe depression . . . (male) also has a history of anxiety and panic attack, drug and alcohol abuse, as well as suicidal ideation...(male) has had two suicide attempts . . . (male) has flashbacks*

Summary

to the abuse in the form of dreams which is one of the criteria for diagnosing Post Traumatic Stress Disorder (PTSD . . . he also experiences anxiety and panic attacks as well as a fear of being watched.

Diocesan records contained invoices from, and payments made to, the Village of St. Joseph Counseling Services for therapy sessions. The Diocese paid a total amount of $1,000. On September 20, 2006, in a letter to Bishop Paul Bradley, an attorney notified the Diocese that his firm was retained to represent the victim. There was no mention of any pending litigation made at this time.

On May 1, 2007, the attorney wrote a letter to the Diocese wherein he expressed his disappointment in not receiving a response to his September 20, 2006 letter. Based on the dcouments provided by the Diocese, it does not appear that a response was sent to the attorney

Reverend Richard Gerard Terdine

Biographical Information

YEAR OF BIRTH:	1938
YEAR OF DEATH:	Unknown
ORDINATION:	May 1, 1965

Employment/Assignment History

5/13/1965 – 12/05/1965	St. Vitus, New Castle, PA
12/06/1965 – 9/21/1967	St. Scholastica, Aspinwall, PA
9/22/1967 – 6/09/1968	Our Lady of Grace, Scott Township, PA
6/10/1968 – 4/13/1970	St. Lawrence O'Toole, Garfield, PA
6/15/1970 – 8/31/1971	Epiphany, Uptown, Pittsburgh, PA
9/01/1971 – 5/30/1972	Duquesne University, Graduate Assistant, Pittsburgh, PA
5/31/1972 – 8/08/1973	St. Basil, Carrick, PA
8/09/1973 – 5/30/1974	Purification of the Blessed Virgin Mary
5/31/1974 – 11/21/1986	Intermediate Schools Unit, Psychologist
11/22/1986 – 1/16/1989	St. Peter, McKeesport, PA
1/16/1989 – 11/05/1989	Cardinal Wright Center/ Without Assignment
11/06/1989 - 7/02/1990	Leave of Absence
7/02/1990 - 6/17/1991	UPMC Shadyside Hospital, Pittsburgh, PA
6/17/1996 – 7/01/2009	UPMC Presbyterian Hospital, Pittsburgh, PA
7/01/2009 – 11/01/2009	UPMC Shadyside Hospital, Pittsburgh, PA
6/25/2012 - Present	St John Vianney Manor, Pittsburgh, PA

Summary

A Ministerial Assessment Board Report dated April 9, 2003 detailed an allegation that Father Richard Gerard Terdine abused a 16-year-old boy who worked part-time at the rectory of St. Peter's church. The report revealed that in December, 1988, Terdine touched or patted the genital area of the boy on two-to-three occasions, gave the boy an x-rated videotape to watch, provided him with condoms, and massaged his back.

Shortly afterwards, Diocesan officials met with Terdine to discuss the allegations. Terdine denied any sexual touching of the boy. However, he did admit that he gave the boy an x-rated video as well as condoms. He stated that he wanted to educate the boy because he seemed naïve about human sexuality. Terdine subsequently resigned from his assignment at St. Peter. The Diocese sent him to St. Luke Institute for a psychological evaluation.

On May 11, 1990, St. Luke's provided the Diocese with the following assessment of Terdine that stated:

Summary

Father Terdine does not have a sexual behavior disorder. We see him as at very little risk of acting out sexually, either with youth or others, and this good prognosis is supported by the formal psychological testing which indicates good impulse control and a very high need to comply and obey. One downside element is noted in that there does appear to be little growth in his sexual awareness and understanding.

The Ministerial Assessment Board subsequently made the following finding about the allegation:

- *The purchase of condoms and x-rated video was wrong to the point of immoral;*
- *While not illegal or immoral, it was poor judgement for Father Terdine to massage the young boy's neck;*
- *Given the totality of the circumstances acknowledged by Father Terdine, it was extremely poor judgement for him not to inform the victim's parents or at least his school guidance counselor of the social or sexual concerns expressed by the victim leading to the purchase of the condoms and the X-rated video tape.*

As a result, the Board recommended that Terdine not be assigned to any parish. The Board stated:

It is the opinion of this Board that Father Terdine's admitted conduct is sufficient to warrant this recommendation. Moreover, given the possibility of the truth of averments made by the (victim), the moral integrity of the Diocese cannot be jeopardized by any assignment of Father Terdine.

Terdine was thereafter placed in restricted ministry and assigned as the chaplain at UPMC Hospitals throughout Pittsburgh.

[redacted]

Biographical Information

[redacted]

Employment/Assignment History

[redacted]

Summary

In [redacted], an adult female reported an allegation of sexual abuse to the Diocese of [redacted] involving [redacted] and [redacted] The abuse occurred in the early [redacted] when she was a student at [redacted] At the time of the complaint, [redacted] was deceased.

On [redacted], Diocesan officials interviewed the female who advised that she was [redacted]

On [redacted], [redacted] was interviewed in connection with the allegations. He denied them. He was placed on administrative leave and was scheduled to undergo a psychological evaluation at St. Luke Institute.

On [redacted], counsel for the Diocese sent a letter to the [redacted] County District Attorney's Office advising that the allegations included *"inappropriate touch of a minor that*

Summary

occurred sometime between [redacted], *when the alleged victim was between* [redacted] *years of age.*" [redacted]

In a [redacted] memorandum sent by [redacted] to [redacted], [redacted] advised that the victim's account "*seemed to have a semblance of credibility.*" However, [redacted] also advised that [redacted] denied the abuse had ever occurred and that the "*Clergy Office felt very strongly that* [redacted] *was believable in his denial of the allegation.*"

In [redacted], Diocesan Assistance Coordinator, contacted several priests, a secretary, and at least one teacher who were assigned to [redacted] during the same time that [redacted] and [redacted] were there. These individuals wrote letters advising that they did not [redacted]

On [redacted] documented a meeting with the victim. Among other things, the victim provided a drawing of her recollection of the [redacted]. [redacted]

On [redacted] sent a memorandum to [redacted] providing him with details of [redacted]. Among other things, [redacted] advised that [redacted]

On [redacted], a letter was sent to [redacted] advising that as of [redacted], the administrative leave placed upon him had been lifted and that the findings of the investigation were "*proven to be unsupported and lacking a semblance of truth.*" The letter then restored all of his priestly faculties. No restrictions were included in the letter.

On [redacted], the Diocese sent a letter to the victim advising that the Diocesan Review Board was unable to reach the conclusion that [redacted] was involved in any activity that she had alleged and that he would continue in his ministry.

On [redacted], the victim received a letter from the Diocese that included a check in the amount of $3,965 to pay for her continued therapy from January 2004 through July 2004.

REDACTED -- ONGOING APPELLATE LITIGATION

Summary

[redacted] issued a [redacted] stating that [redacted] was seeking to be given faculties and/or exercise priestly ministry in the Diocese of [redacted] Among other things, [redacted] stated that [redacted] was in good standing and that "*no accusations of misconduct have ever been made against him, nor has he ever been involved in any incident, to my knowledge, which has led to potential or public scandal.*"

REDACTED -- ONGOING APPELLATE LITIGATION

Reverend Charles Thomas

Biographical Information

YEAR OF BIRTH:	1909
YEAR OF DEATH:	1967
ORDINATION:	June 16, 1935

Employment/Assignment History

1935 - 1937	St. Killian, Mars, PA
1937 - 1940	St. Peter, Pittsburgh, PA
3/1940 – 11/1940	St. Wendelin, Carrick PA
1940 – 1941	St. Martin, Pittsburgh, PA
1941 – 1944	St. Mary Mercy, Pittsburgh, PA
1944 – 1952	St. Coleman, Turtle Creek, PA
1952 – 1957	St. Hugh. Carmichaels, PA
1952 – 1957	St. Marcullus, Pittsburgh, PA
1957 – 1965	St. Paul, Butler, PA
8/1965 – 9/1965	St. Christopher, Prospect, PA
1965 – 1967	St. Robert Bellarmine, Pittsburgh, PA
6/1966	Resigned

Summary

Dioecesan records contained a memorandum dated April 2, 1996 that was written to Father Charles Thomas regarding an allegation that had been made against him. The memorandum stated that an adult male had reported that, when he was a minor, he was sexually assaulted by Thomas on several occasions beginning in 1958 when Thomas was asssigned to the St. Hugh. The male stated that the assaults began with Thomas fondling him and showing him pornographic material. The assaults then progressed to anal penetration of the victim by Thomas. The victim also related that a nun (name unknown) assigned to St. Hugh helped Thomas in some of the assaults. He explained that this unknown nun had sexually assaulted him on separate occasions as well.

The records revealed that the victim was compensated $15,042.50 by the Diocese of Pittsburgh in connection with his private psychiatric counseling sessions from 2011 throughout 2016.

[redacted]

Biographical Information

[redacted]

Employment/Assignment History

[redacted]

Summary

In a letter to the Diocese dated [redacted], an adult male reported that he was sexually abused by [redacted] on three occasions in the [redacted]. He stated that [redacted] had asked him and [redacted].

[redacted]

REDACTED -- ONGOING APPELLATE LITIGATION

Reverend John William Wellinger

Biographical Information

YEAR OF BIRTH:	1944
YEAR OF DEATH:	2011
ORDINATION:	May 16, 1970

Employment/Assignment History

6/15/1970-5/20/79	Assistant at St. Wendelin, Pittsburgh, PA
5/21/1975-5/1977	Graduate Studies in Theology, Catholic University of America, Washington, D.C.
6/08/1977-8/31/1979	Assistant Pro Tem, St. Athanasius, West View, PA
9/01/1979-6/29/1981	Faculty of the Pontifical College Josephinum, Worthington, OH for the scholastic year of 1979-1980
6/30/1980-6/29/1981	Assistant Pro Tem, St. Cyril of Alexandria, Pittsburgh, PA
6/30/1981-7/14/1985	Assistant, St. James, Wilkinsburg, PA
7/15/1985-1/25/1987	Parochial Vicar Assistant, St. Clare, Clairton, PA
1/26/1987-6/23/1987	Parochial Vicar Assistant, Our Lady of Grace, Scott Township, PA
6/24/1987-6/24/1991	Pastor, Holy Spirit, West Mifflin, PA
8/01/1987	Campus Ministries, Community College of Allegheny County South Campus, West Mifflin, PA
6/11/1991	Resignation for reasons of health
1/24/1992-2/06/1994	Parochial Vicar (Pro Tem) at St. George, Allentown, PA
2/07/1994-6/01/1995	Parochial Vicar, St. Philip, Crafton, PA
5/16/1995	Resigned for personal reasons
5/18/1995	Leave of Absence
1/16/2003	Placed on Administrative Leave
3/01/2003	Declared de facto withdrawn from active ministry

Summary

On or about February 19, 1986, Father John Wellinger was sent to the St. Luke's Institute for a number of issues, including drug and alcohol abuse.

Diocesan records received pursuant to a Grand Jury subpoena revealed that on the evening of October 8, 1987, Wellinger provided alcohol and drugs to an 18-year-old parishioner of the Holy Spirit church. The parishioner had a *"bad reaction"* to the drugs and had to be taken to Shadyside Hospital for treatment. Within days, Wellinger was confronted by the victim's parents. Efforts were made by the church to promote a reconciliation between Wellinger, the victim and the victim's parents.

Summary

On July 12, 1988, a letter was sent to Bishop Wuerl from *"Concerned Parishioners"* of Holy Spirit. This letter outlined concerns about drug use and excessive drinking to the point of intoxication by Wellinger. The parishioners also expressed concern about Wellinger exposing the young people of the church to illegal drugs.

On June 22, 1989, Father Theodore Rutkowski of the Office of Clergy and Pastoral Life received a letter from a parishioner at Holy Spirit. Bishop Wuerl was carbon copied in the correspondence. In this letter, the parishioner listed a number of problems that the parish was having with Wellinger. In part, the letter read *"Just to refresh your memory and bring you up to date on John's ministry here at Holy Spirit here are some of the significant problems . . ."* The list included: *"Giving drugs and alcohol to teens;" "Teens in the parish have been warned by their parents about drugs from Father;" and "Young men staying at the parish house."*

On June 3, 1991, Wellinger was drinking alcoholic beverages with a 24-year-old man in the rectory. Wellinger unbuttoned the man's pants and began to perform oral sex on him without consent. A few days later, the victim reported the incident to the Diocese. Wellinger was subsequently questioned by Diocesan officials, at which time he admitted to the unsolicited sexual activity with the victim. Wellinger was then sent to St. Michael's Community in St. Louis, Missouri for an evaluation. Wellinger's absence from the parish was explained as a request for resignation for "*reasons of health.*"

On January 2, 1992, a meeting took place between Wuerl and Wellinger. The Bishop agreed that Wellinger could return to priestly ministry and was appointed as Parochial Vicar (Pro Tem) at St. George in Allentown.

On July 30, 1994, Wellinger was stopped by officers of the Borough of Crafton Police Department for driving under the influence of alcohol. Father David Zubik, Director of Clergy Personnel, subsequently notified Wellinger that he had been placed on a leave of absence until he returned from an evaluation at St. Luke's Institute. Wellinger was at St. Luke's from September 29, 1994 to March 27, 1995. Because he did not complete the required treatment, his leaving was unauthorized by the Diocese. On May 18, 1995, Wuerl granted Wellinger a leave of absence from June 1, 1995 to December 1, 1995 for "*personal reasons.*"

On September 22, 1995, Diocesan officials met with the parents of a 17-year-old boy. The parents said that a week earlier, their son told them he had been sexually molested by Wellinger. This abuse reportedly occurred in June 1991, when he the victim was 13 years old. The victim stated he and some of his friends were watching videos with Wellinger late into the night. They all fell asleep on the floor. The victim awakened to find that Wellinger had put his hands down the victim's pants and was fondling his penis. More than two weeks later, on October 10, 1995, Diocesan officials met with Wellinger to discuss the allegations. Wellinger admitted to spending a lot of time with the victim. Wellinger denied consciously touching the victim's genitals. Wellinger explained that he did fall asleep on the floor with the victim. He said it was *"pretty tight quarters"* so he may have *"unknowingly"* touched the victim's genitals. The Diocese did not report the matter to law enforcement for years. Instead, arrrangments were made to provide counseling for the victim. The victim later notified Diocesan officials that

Summary

during counseling, he was informed that the sexual abuse that occurred was his own fault. By the year 2004, the victim's allegations against Wellinger became part of a lawsuit that accused the Diocese of conspiracy to cover up the sexual abuse of minors. By March 21, 2005, the victim had disclosed Wellinger had molested him on several occasions. He stated these incidents occurred both in the rectory where Wellinger lived and at the victim's home. In 2007, Bishop Paul Bradley settled the lawsuit, which included accusations from 32 individuals against 17 priests, for $1.25 million.

On November 9, 2012, a woman contacted the Diocese to report that her brother had just died in August of that year. She indicated that about a month prior to his death, he told her he had been molested by Wellinger, while Wellinger was assigned to St. James. The woman explained that her brother was an altar boy when the abuse occurred and he was about 11 or 12 years of age at that time. She estimated the assault(s) took place in 1981 to 1982. She added that Wellinger used illegal drugs and he provided drugs to some of the children.

Reverend Joseph S. Wichmanowski

Biographical Information

YEAR OF BIRTH:	1919
YEAR OF DEATH:	1977
ORDINATION:	Unknown

Employment/Assignment History

7/13/1944- 12/15/1945	St. Mary (Polish) in McKeesport, PA
12/06/1945- 10/23/1946	Holy Cross in Glassport, PA
10/24/1946- 5/18/1949	St. Albert on South Side Pittsburgh, PA
5/19/1949- 12/03/1952	St. John Cantius in Sharpsburg, PA
12/04/1952- 6/12/1957	St. Stanislaus in Ambridge, PA
6/13/1957- 6/27/1962	Chaplin Allegheny Co. Workhouse
6/27/1962- 1/31/1969	Pastor St. Cyprian in Pittsburgh, PA
2/01/1969- 4/28/1977	Pastor St. Stanislaus in Ambridge, PA

Summary

The files provided by the Diocese of Pittsburgh included an April 29, 2004 article entitled "*Conway Woman Alleges Priest Abuse.*" This article reported that a victim alleged that Father Joseph S. Wichmanowski repeatedly forced her to perform sexual acts on him beginning when she was 12 years old. The victim alleged that Wichmanowski forced her to perform oral sex on him, provided her with alcohol in the form of church wine, and made her dress provocatively. The victim related that at one point Wichmanowski invited her to New York, where he told her he would/wanted to impregnate her.

On June 23, 2004, a personal and confidential letter was sent from counsel for the Diocese to the Beaver County District Attorney's Office. The letter described allegations of abuse by Wichmanowski while *"he was at St. Stanislaus Parish in Ambridge, PA."* This letter appeared to refer to the victim described above.

In an article dated September 17, 2007, it was reported that this victim, along with 31 other victim of abuse, was part of a settlement with the church for payments totaling $1.2 Million.

Reverend George A. Wilt

Biographical Information

YEAR OF BIRTH:	1931
YEAR OF DEATH:	N/A
ORDINATION:	May 30, 1959

Employment/Assignment History

6/10/1959 – 3/17/1968	Sacred Heart, Pittsburgh, PA
3/18/1968 – 5/26/2003	St Bernard, Pittsburgh, PA

Summary

In a memorandum dated November 17, 2000, and authored by Rita Flaherty of the Diocese of Pittsburgh, it was recorded that a woman had reported that Father George A. Wilt made unwanted advances and embraced and kissed her on her mouth. She reported that Wilt embraced her two more times and again tried to kiss her on her mouth, but that she was able to turn her head. Wilt also made what she felt were inappropriate comments to her.

In another memorandum dated April 11, 2003, and authored by Flaherty, it was noted that the Director of the Religious Education Department at St. Bernard expressed several concerns about Wilt's behavior. She stated that Wilt failed to take immediate action when it was discovered that the janitor was viewing pornography on a school computer. Furthermore, he dismissed several incidents where the same janitor walked in on women and girls while they were using the bathroom. Wilt was also alleged to have engaged in inappropriate physical contact with adult women and teenage girls. It was further reported that people had left the parish because of inappropriate touching and kissing on the mouth, often during first communions. Also mentioned in this memorandum were two other allegations of inappropriate conduct by Wilt that were made by adult women. One incident occurred in November 2002 in Wilt's office with an intern. The other incident occurred several months prior to April 2003 and stemmed from a confession in the church sanctuary.

In another Diocesan memorandum dated April 24, 2003, it was noted that Wilt denied kissing eighth grade girls on the lips and inappropriately touching adult women. Flaherty also wrote in the memorandum that Wilt was informed of the situation with the janitor. While Wilt agreed that the behavior was inappropriate, he asked officials several times if the janitor could be re-hired.

In a memorandum dated May 2, 2003, Flaherty noted that two women, a youth minister and CCD secretary, met with Diocesan officials. Both women stated they had seen Wilt inappropriately touch women during various celebrations and kiss eighth grade girls.

Summary

In a memorandum dated December 10, 2003, Flaherty wrote that adult women had accused Wilt of inappropriate advances. It was the recommendation of the Diocesan Review Board, however, that Wilt retain his faculties as they found him suitable for ministry.

On March 8, 2004, a victim reported she had been sexually abused by Wilt sometime between 1961 and 1963. She stated the abuse occurred when she was in the seventh or eighth grade at St. Bernard. The victim explained that she had sought counseling from Wilt because she was being sexually abused by her father at the time. She thought Wilt could make it stop. Wilt invited her into a small room in the parish house and during their conversation, he fondled her. On another occasion she was called out of class and asked to go to the rectory. The victim stated that Wilt began to fondle her again and she ran out of the room and hid for the rest of the day until school was out. She never met with Wilt again.

Wilt was not assigned to St. Bernard until 1968. Wilt said that he was only at the parish once prior to his assignment there, when he paid his respects of the passing of the pastor (Monsignor Quigley). He said he was there for about 15 minutes.

Reverend Robert G. Wolk

Biographical Information

YEAR OF BIRTH:	1940
YEAR OF DEATH:	N/A
ORDINATION:	May 4, 1966

Employment/Assignment History

6/07/1966-5/30/1972	St. Athanasius, West View, PA
9/1972-5/1974	Attended Catholic University of America
5/30/1974-1986	Assistant Chancellor of the Diocese of Pittsburgh
7/22/1979-6/10/1981	La Roche College, Pittsburgh, PA
5/13/1986-9/23/1987	St. Thomas More Church, Bethel Park, PA
9/24/1987	Resigned

Summary

Located within the confidential files of the Diocese of Pittsburgh was a handwritten memorandum from "*T.R.*", presumably Reverend Theodore Rutkowski, regarding Father Robert Wolk. It indicated that on September 22, 1987, Father Bober and Rutkowski met with an adult male who attended St. Vincent College in Latrobe, PA. The victim explained that he had been experiencing anger and frustration because he felt that he had been used and abused. The victim explained that when he was 12 years old and in the sixth grade, he became friendly with Wolk, a resident at St. Thomas More. The victim stated he was invited into the rectory by Wolk to watch football games and to socialize. Eventually the use of cigarettes and alcohol became part of this socializing. The socialization progressed into *"belly rubs"* and then *"oral sex on the part of both."* The victim added that x-rated movies were sometimes involved as well. The victim reported sometimes he would stay overnight at the rectory in Wolk's apartment. The victim indicated that his sexual relationship continued with Wolk for an extended period of time. The victim added, however, that he was greatly concerned about his brother, who was two years younger than him. The victim indicated that his younger brother had a similar sexual relationship with Wolk, which included *"oral sex on the part of both."* The victim indicated that neither he, nor his brother, had a current relationship with Wolk.

Located within this same memorandum was a notation that read:

On 9-24-87, Father Wolk came to the Clergy office to meet with Father Rutkowksi and Father Guay. Father Wolk admitted without hesitation his sexual relationship with [the two minor victims]. He said his relationship with the victims was over. He understood the necessary action to be taken by the Diocese, as explained by Father Rutkowski and Father Guay. Father Wolk will leave the rectory today. He will go to St Fidelis Monastery, Herman, PA., under the supervision of Fathers Brendan Malloy and Bernard Finerty, where he will

remain until he departs for St. Luke Institute for an October 12-23, 1987 evaluation there. He will not celebrate mass publicly. He will not return to the parish after today's departure. He will not communicate with (the victims), nor the (victims' family)."

From October 9, 1987 until June 21, 1988, Wolk received treatment/therapy at St. Luke Institute in Maryland.

On or about August 1988, a lawsuit was filed by the two above-mentioned victims. Wolk was named as a defendant along with Father Francis Pucci and Father Richard Zula.

On or about September 1988, the two victims reported the assaults to the Bethel Park Police Department and the Pennsylvania State Police. It was subsequently determined that some of the sexual assaults committed by Wolk on one of the victims occurred in Washington County. This happened on or about 1982, when the victim's family moved to Washington County.

On October 11, 1988, Wolk was charged in Allegheny County with sexually assaulting the two victims, who were altar boys at the time of the assaults. These assaults occurred over a six year period. The charges against Wolk involved oral sodomy and attempted anal sex. During the investigation it was alleged that other unnamed priests conducted sado-masochistic rituals on several young boys in Washington and Somerset Counties, as well as in Florida and Canada. Contacted shortly after news that charges had been filed against Wolk, Father Ron Lengwin, spokesman for the Diocese, was quoted in an October 11, 1988 article in the Pittsburgh Press as stating:

Our response was to follow the diocesan policy that was set for cases of alleged sexual misconduct. The policy calls for the diocese to interview the person said to be abused, that person's parents or both, as circumstances dictate, then interview the subject of the allegation. The third step is the removal of the priest from his assignment if that is deemed appropriate after the initial interviews. The fourth step would be medical and psychological assessment, including counseling, of the alleged offender and finally, pastoral concern and support for the alleged victims and the priest. St. Luke's is an extended psychiatric care facility for priests.

On January 24, 1990, Wolk pled guilty in Allegheny County to four counts of involuntary deviate sexual intercourse and to corruption of minors. He was sentenced to five to 10 years of incarceration. At his sentencing, a clinical psychologist from St. Luke's testified on Wolk's behalf. He stated that Wolk underwent about seven months of inpatient treatment and attended outpatient therapy at the hospital. He stated that Wolk suffered from a psychological disorder- a compulsive attraction to adolescents which the psychologist *"likened to alcoholism."*

On June 28, 1990, Wolk pleaded guilty in Washington County to two counts of involuntary deviate sexual intercourse. In the Washington County case, Wolk received a sentence of five to 10 years, to be served concurrently to his Allegheny County sentence.

Summary

A Pittsburgh Press newspaper article quoted then-Washington County District Attorney John C. Pettit as saying the cooperation of the Diocese in the investigation was *"minimal at best."* Pettit accused church leaders of making his investigators' job more difficult. He noted a difficulty in locating the whereabouts of certain priests that the investigators were trying to interview. Pettit also said investigators were looking into more than 200 acts Wolk allegedly committed with one of the youths in Canada, Virginia, Florida and Ohio.

On June 30, 1994, Wolk requested that the Diocesan Bishop proceed with the formal process of seeking a dispensation from the obligations of priesthood.

On October 3, 2003, Diocesan officials met with a 37-year-old man about alleged abuse by Wolk in the mid-to-late 1980's. The man said that as a teen he had worked in the rectory of St. Thomas Moore. He stated that on one occasion he was in the bathroom when Wolk entered. Wolk complained that he [Wolk] was in pain and needed to use the bathroom. He asked the teen if he would help him use the bathroom by holding his [Wolk's] penis. The teen felt it was an odd request, but did so, viewing it as someone who needed help. On another occasion, Wolk gave the teen a massage. As the massage continued, the teen heard the sound of Wolk undoing his belt buckle. When the teen asked Wolk what he was doing, Wolk replied he was just loosening his belt to get comfortable. A little while later, Wolk told the teen he would be putting some lotion on his neck. Although the teen did not see any lotion, he felt Wolk put something wet over his neck. Wolk then took out a handkerchief and wiped off the excess. During the meeting, the victim told the Diocesan representatives that he wanted a face-to-face meeting with Wolk. The representatives explained to the victim that Wolk was no longer a priest. They suggested that the victim discuss the matter with his therapist.

Diocesan records also contained an October 18, 2017 "*Confidential Memorandum*" to the file. The memorandum memorialized a telephone call made to Sister Marilyn Welch, Victim Assistance Coordinator in the Altoona/Johnstown Diocese. In the memorandum, it was noted that an attorney had contacted the Diocese of Pittsburgh on behalf of his client. The attorney stated his client was accusing Father Francis Luddy and Wolk of abusing and molesting him. It was soon determined Luddy was a priest from the Altoona/Johnstown Diocese

On March 12, 2009, yet another adult male contacted the Diocese alleging abuse by Wolk. On March 17, 2009, this individual was interviewed by Diocesan representatives and he stated that he was abused by Wolk in 1968 to 1970 or 1971, while Wolk was assigned to St. Athanasius. The victim stated he was 14 to 17 years of age when the abuse took place. Some of the incidents occurred at the parish, while others occurred at a retreat house on Route 8. Through negotiations, the Diocese subsequently paid tuition for the victim's children to attend Catholic schools in Allegheny County.

On September 9, 2010, the Diocese received a telephone call from Father Michael Yaksick of Midland. Yaksick reported that one of his parishioners came to him regarding sexual abuse that occurred during his childhood. This particular victim indicated that the priests

Summary

involved in the abuse were Wolk and Father Leo Burchianti. (*See* narrative regarding Leonard Burchianti in this report for further information regarding sexual abuse allegations against him)

On September 14, 2010, Diocesan Assistance Coordinator Rita Flaherty conducted an interview of this victim. The victim told her he was now 44 years of age. He stated that when he was 12 years of age, Wolk took him to St. Vincent's in Westmoreland County for an overnight stay. While at the campus, Wolk allowed him to drive Wolk's car. He stated that this was pretty exciting, since he was only 12 years old at the time. He stated that during the overnight stay Wolk inappropriately touched him and performed oral sex on him. He also advised that several years later, when he was between 16 and 20 years of age, Burchianti cornered him in the sacristy and passionately kissed him, including putting his tongue *"down his throat."*

Reverend William B. Yockey

Biographical Information

YEAR OF BIRTH:	1952
YEAR OF DEATH:	N/A
ORDINATION:	October 1, 1977

Employment/Assignment History

10/13/1977-10/01/1978	Assumption Church, Bellevue, PA
10/02/1978-6/28/1983	St. Bernadette, Monroeville, PA
6/29/1983-5/31/1984	Department of Social & Community Development, Diocese of Pittsburgh
6/29/1983-5/31/1984	St. Canice, Pittsburgh, PA
6/01/1984-2/16/1986	St. Therese of Lisieux, Munhall, PA
2/17/1986-10/11/1987	St. Winifred, Mt. Lebanon, PA
10/12/1987-1/22/1989	Allegheny County Jail
1/23/1989-7/25/1991	Chaplain/Coordinator, Allegheny County Jail
1/23/1989-4/20/1989	St. Luke, Carnegie, PA (In Reserve)
4/21/1989-7/25/1991	St. Anthony, Bridgeville, PA (In Reserve)
7/25/1991	Leave of Absence
7/25/1991	Withdrawn from Active Ministry

Summary

Located in the files of the Diocese of Pittsburgh for Father William B. Yockey was a handwritten letter dated May 27, 1991 by Father Robert Guay. In part, the letter stated,

> *In May of 1991, a gentlemen, age 25, came to one of our diocesan priests and alleged that he had been sexually molested by Yockey at the age of 16. This same gentleman also indicated that a friend of his had also been sexually molested by Yockey at the age of 18. A meeting was arranged with these two gentlemen regarding their allegations with diocesan officials. The gentlemen indicated they had gotten to know Yockey during his first parish assignment when they were in 6th or 7th grade. They became friends with Yockey, going to movies and shooting the breeze with him in his room at the parish. After a year, Yockey was transferred to a new parish assignment and the friendship would continue. Yockey would often take (them) to his cabin outside the city to go fishing. They indicated that Yockey would always allow them to drink beer. One of the gentlemen would spend an overnight or weekends at Father Yockey's new assignment. On one occasion [one gentleman] indicated that Yockey sexually molested him in October of 1981. The pair had returned to the rectory following a Halloween party. Both had been drinking. [The first victim] was a junior in High School, age 16. [The first victim] told us he "crashed out"*

following the party after drinking too much. He fell asleep on the couch in Yockey's den. Yockey went to his own bedroom. At some point the victim fell off the couch and found Yockey fondling his genitals. Yockey then got on top of the victim and tried to kiss him. . . Another gentleman said a similar thing happened to him at another parish assignment in 1983. The [second victim] was 18 years of age at the time. Once again alcohol was involved by both Father Yockey and [the second victim]. The victim passed out and awoke to find Yockey feeling his genitals and attempting to kiss his genitals. . . When Yockey was confronted about these allegations on May 20, 1991, he acknowledged that the incident with the [first victim], age 16, was true. He also acknowledged that he, Yockey was drinking quite a lot during his first few years of ministry. When asked about the allegations regarding [the second victim], age 18, Father Yockey does not recall anything, but he did note that they were probably drinking and that it was not impossible and won't deny it, but he cannot remember it. Yockey has been put on administrative leave from his assignment as chaplain to the County Jail. He is not to celebrate sacraments or ... publicly. I trust this information is helpful to you in helping us discern what might be best for Father Yockey in the future. I might add that Yockey told us that he was never involved with anyone else that he is aware of.

On July 18, 1991, Yockey sent a letter of resignation to Bishop Donald Wuerl. A portion of the letter stated, *"I have discussed my decision with Father Guay and he informed me that medical coverage and perhaps some salary would be available if I request it. I would appreciate it."*

On April 3, 2006, a letter was sent from Father James G. Young, Episcopal Vicar for Clergy to *"whom it may concern."* The letter stated:

Enclosed is a questionnaire that you sent in regards to William B. Yockey who has applied for a position with the Veterans Administration. William B. Yockey was a priest in the Diocese of Pittsburgh from May 1976 to August 1991, when he asked for and was granted a leave of absence for personal reasons. We have had no contact with him since that time and therefore are not able to provide any information for you.

In this letter, there was no mention of Yockey's admission to sexually molesting a minor, or of Yockey's potential threat to prospective victims.

On July 10, 2009, a letter was received by Bishop Zubik from an individual who attended the Assumption in Bellevue. A portion of the letter stated:

Bishop Zubik, I was a victim of a sexual assault when I was in high school. Years later, a close friend shared a similar story involving the same priest. At that time we contacted Father John Gallagher at Assumption Parish. Father Gallagher set up a meeting with Father Guay and yourself. At some time in the

near future, Bill Yockey was dismissed or left the priesthood. I have never received a phone call or any contact from the Diocese concerning this matter.

On August 7, 2009, a confidential memorandum was sent from Rita Flaherty, Diocesan Assistance Coordinator, to Zubik. A portion of the letter read:

"*In preparation for your meeting with [the victim] on August 11, 2009 at 12:00 p.m., I share the following information. The [victim] called me on July 9, 2009 to say that he was an abuse victim of Father William Yockey. He stated that he came forward in the early 1990's when Father Bob Guay was in the Clergy Office. Father John Gallagher initially notified our office about his allegation as [the victim] first talked with Father Gallagher about this. The victim's allegation against Yockey involved inappropriate sexual contact with [the victim and another individual]. At the time of the incident, [victim] was a senior in high school (age 18) but his friend was only 16. (Our confidential files confirms that both the victim and his friend, did indeed come to the diocese in 1991.) [Victim] stated that since he came forward, he has not asked anything of the diocese. At this time, he is requesting some assistance with the tuition for his three children so they can continue with their Catholic education . . . Since my first contact with [victim], I have been working with Ron Bowes, Father Kris Stubna and Father Jim Young to see what help might be available to the victim's children. I have included a letter that was sent out to the victim's family on July 27, 2009 showing the original amount of aid that was offered along with a revised amount. Father Young is also willing to offer an additional $2,000 in financial aid to the family as soon as he is able to figure out a confidential way to do this while at the same time, having a record for auditing purposes. Father Young planned to talk with either Fred O'Brien or Joe Luttringer about how best to accomplish this.*"

In a letter from Zubik to the aforementioned victim, the Bishop wrote, "*I have received your letter requesting tuition support for your three children and I will make sure that your request is taken care of.*" The Diocesan records contained records specifying certain payments to the victim. One such document dated April 10, 2012, noted that a total of $10,065 was provided to three of the victim's children for their Catholic education. The money was taken from the "*Catholic Charities Fund.*" A document dated June 12, 2012, indicated that a total of $12,690 was provided for the catholic education of two of the victim's children. The money was listed as *"tuition assistance grants"* for the 2012-2013 school year. A document dated June 6, 2013 listed that $7,860 was provided to two of the victim's children from the Bishop's Education Fund and Scholastic Opportunity Scholarship Fund. The payment was listed under an *"educational grant award"* for the 2013-2014 school year. Additional payments were made to the victim for the 2014-2015, 2015-2016 and 2016-2017 school years that totaled $24,130.00.

On December 17, 2013, a letter was received by Bishop Waltersheid. It was sent from an individual who stated that he was molested as a young boy by Yockey. On December 20, 2013, a meeting took place with the victim at the Diocese office. During the meeting, the victim

Summary

stated his father died when he was nine years old and his mother died the following year. The victim was then raised by his maternal aunt, who lived in Wilkinsburg. The victim attended St. Bernadette in nearby Monroeville where Yockey was assigned from 1978 to 1983. While the boy attended the parish, Yockey began to molest him. The victim stated that Yockey performed oral sex on him in the rectory, in his [Yockey's] car, and even at the home of his aunt. During the meeting, the victim asked if there had been any other allegations made against Yockey. Waltersheid responded, "*that there have been.*" The victim was offered counseling by the Diocese.

Although the Diocese had information regarding alleged criminal actions on the part of Yockey as far back as the year 1986, there was only one document located in their files that was dated January 6, 2014 that illustrated a report to the Allegheny County District Attorney's Office. The document was dated January 6, 2014. There was no mention of the history of Yockey's reported sexual assaults.

Reverend Theodore P. Zabowski

Biographical Information

YEAR OF BIRTH:	1943
YEAR OF DEATH:	N/A
ORDINATION:	May 16, 1970

Employment/Assignment History

6/15/1970 – 5/20/1975	Parochial Vicar, St. Lawrence O'Toole, Garfield, PA
5/21/1975 – 10/05/1980	Parochial Vicar, Most Holy Name, North Side, PA
10/06/1980 – 1/13/1981	Parochial Vicar, Holy Family, Lawrenceville, PA
1/14/1981 – 1/10/1982	Parochial Vicar, St. Catherine of Sweden, Wildwood, PA
1/11/1982 – 6/28/1985	Parochial Vicar, St. Mary, Glenshaw, PA
6/29/1985 – 10/26/1992	Pastor, St. Adalbert, South Side, PA
10/27/1992 – 7/08/1996	Pastor/Resigned, St. Richard, Richland Township, PA
1/08/1996 – 9/16/1996	Leave of absence
9/16/1996 – 7/14/2000	Parochial Vicar, Immaculate Conception, Washington, PA
7/14/2000 – 7/29/2002	Leave of Absence
7/29/2002	Withdrew from ministry

Summary

An internal Diocese of Pittsburgh document labeled "Chronology of Father Zabowski", stated that in October, 1995 an allegation of sexual abuse was made against Zabowski. An adult male stated that between 1975 and 1979 he engaged in wrestling with Zabowski and then Zabowski asked him to remove his clothes. After he removed his clothes, Zabowski fondled him. This conduct occurred at a church in Pittsburgh. The male further advised that he and Zabowski took a trip to Canada where they slept in the same bed and Zabowski served him alcohol. Following the allegations, Zabowski was placed on administrative leave.

In a November, 1995 confidential memorandum, the Diocese noted that Zabowski had acknowledged the possibility of inappropriate touching and acknowledged sharing his bed with boys for *"companionship."*

Zabowski was sent to St. Luke's Institute for an evaluation. In an evaluation dated November 28, 1995, it was noted that Zabowski admitted to *"affectionate hugging"* of teenage boys

In an August, 1996 confidential memorandum, the Diocese observed that Zabowski had admitted that the allegations against him *"could potentially be true"* and that he should not be involved in any relationship with teenage males.

Summary

In a letter dated June 26, 2003 Zabowski informed Bishop Wuerl the *"therapy helped him deal with allegations of placing himself with adolescent boys in a sexually inappropriate manner, gave him the ability to deal with and yes, overcome the sexual ignorance and social backwardness of his life."*

Pittsburgh Priests #2-10

Biographical Information

YEAR OF BIRTH:	Various
ORDINATION:	Various

Employment/Assignment History

1980-2013	Various Assignments within the Diocese of Pittsburgh

Summary

This group of nine unnamed priests contained specific complaints against identified priests within the Diocese of Pittsburgh. A review of documents surrendered by the Diocese of Pittsburgh did not contain sufficient information to determine the validity of the complaints in every case.

The Grand Jury noted that in each case a detailed confidential memorandum was completed which provided the identities of the complainants and the accused priest. These confidential memoranda also contained information obtained through internal diocesan investigations. That information included specific allegations of sexual crimes and identified locations where the crimes occurred. In some cases it was documented that the priest was interviewed and confessed child sexual abuse to diocesan personnel.

In contrast to the detailed confidential memoranda, an "allegation report" was also generated and provided to law enforcement. The "allegation report" was substantially different from the more detailed diocesan internal memoranda. Rather than containing specific information, the "allegation report" provided a general timeframe of offenses, the identity of the "alleged victim" and "accused", a disclosure of "inappropriate touching" regardless of the actual offenses reported by the complainant, and the geographic area of the crime as identified by county rather than by specific parish or school.

The Grand Jury noted that the allegations included offenses against children as young as five years old. Some reports were made as recently as 2017.

DIOCESE OF SCRANTON

Reverend Philip A. Altavilla

Biographical Information

YEAR OF BIRTH:	1966
YEAR OF DEATH:	N/A
ORDINATION:	June 27, 1992

Employment/Assignment History

7/1992 – 6/1995	Asst. Pastor, St. Mary of Mt. Carmel, Dunmore, PA
6/1996 – 7/1996	Asst. Pastor, Holy Trinity, Nanticoke, PA
7/1996 – 3/2000	Asst. Pastor, St. Patrick, St. John the Baptist, Immaculate Heart of Mary Chapel, Holy Cross, Scranton, PA
3/2000 – 7/2000	Administrator, Church of the Immaculate Conception, Taylor, PA
7/2000 – 11/2004	Pastor, Immaculate Conception, St. John the Baptist, Taylor, PA
11/2004 – 2/2008	Pastor, St. Thomas More, Lake Ariel, PA
2/2008 – 7/2009	Administrator, Nativity of Our Lord Church, Scranton, PA
7/2009 – 9/2009	Chaplain, Holy Cross High School, Dunmore, PA
9/2009 – 7/2010	Administrator, Sacred Hearts of Jesus and Mary, St. John the Evangelist, Scranton, PA
7/2010 – 11/2010	Administrator, Immaculate Conception, Scranton, PA
7/2010 – 4/2014	Pastor, St. Peter's Cathedral, Scranton, PA
4/04/2014	Removed from assignment
4/17/2014	Resigned

Summary

On April 3, 2014, the Diocese of Scranton was notified by law enforcement that Father Philip A. Altavilla had been arrested for indecent assault, criminal attempt - indecent assault and corruption of minors in connection with a sexual assault on a female that occurred on December 15, 1998 when she was 13-years-old.

The victim reported that on that occasion she had been an altar server assisting Altavilla with midnight mass. Afterwards, Altavilla provided alcohol to her and gave her a ride home. During the ride to her house, Altavilla pulled into a parking lot and parked the vehicle. He then swung her legs across his lap, touched her feet and worked his hands up her thigh towards her vagina. The victim told him to stop and he did.

During the course of the investigation, Altavilla admitted to having fetishes with feet, legs, pantyhose, strangulation and chloroform.

On April 4, 2014, Father Thomas Muldowney removed Altavilla from his assignment as pastor and revoked his faculties to exercise priestly ministry.

Summary

On April 27, 2014, Altavilla submitted his resignation letter to Bishop Joseph C. Bambera advising that his resignation was effective April 3, 2014 "the day of my being arrested and charged."

In a letter from the Diocese dated June 3, 2015, it was noted that Altavilla "had admitted to the alleged victim in a consensual phone intercept that he had touched her inappropriately."

Prior to trial it was determined the statute of limitations had expired for the charges that were filed against Altavilla in connection with the assault on the victim. The case was dismissed but as observed in the June 3, 2015 letter, "not for lack of merit."

A civil lawsuit against Altavilla and the Diocese was settled in 2014.

The Diocese placed a notice in the bulletins distributed within of all the churches to which Altavilla was assigned, inquiring as to whether any minor in those congregations had been sexually abused by a priest, deacon, religious or lay employee of the Diocese. The victims were encouraged to immediately report such abuse to law enforcement.

Reverend Girard F. Angelo

Biographical Information

YEAR OF BIRTH:	1927
YEAR OF DEATH:	2009
ORDINATION:	June 4, 1955

Employment/Assignment History

6/1955 – 10/1955	Asst. Pastor, St. Matthew's, East Stroudsburg, PA
10/1955 – 9/1959	Asst. Pastor, St. Thomas, Archbald, PA
9/1959 – 9/1962	Asst. Pastor, St. Lucy, Scranton, PA
9/1962 – 7/1963	Asst. Pastor, St. Francis, Scranton, PA
7/1963 – 9/1967	Asst. Pastor, Mater Delorosa, Williamsport, PA
9/1967 – 3/1972	Asst. Pastor, Our Lady of Grace, Hazleton, PA
3/1972 – 9/1973	Administrator, St. Raphael, Harleigh, PA
9/1973 – 7/2003	Pastor, St. Raphael, Harleigh, PA
7/2003	Pastor Emeritus, Sacred Heart of Jesus, Harleigh, PA

Summary

In September, 2002, Bishop James C. Timlin received a letter from an adult male who wanted to report to the Diocese of Scranton that he had been sexually abused by Father Girard F. Angelo when he was 14-years-old. This occurred during the time period when Angelo was assigned to Mater Delorosa in the early 1960s. The first victim noted that he did not wish to sue, nor make a spectacle of himself or those involved.

Timlin contacted the male and advised that the allegations would be brought to the attention of the Lycoming County District Attorney's Office even though the statute of limitations appeared to have expired.

Timlin interviewed Angelo who denied that any sexual abuse had occurred.

Timlin advised the male that any compensation that he felt was due to him would be the responsibility of Angelo. The Bishop then suggested that the male contact Angelo about the allegations and provided him with Angelo's contact information. The male did not contact Angelo.

The statute of limitations period had expired under Pennsylvania law.

Reverend Mark G. Balczeniuk

Biographical Information

YEAR OF BIRTH:	1957
YEAR OF DEATH:	N/A
ORDINATION:	November 5, 1983

Employment/Assignment History

11/1983 – 9/1984	Asst. Pastor, St. Thomas, Archbald, PA
9/1984 – 9/1985	Asst. Pastor, St's. Peter and Paul, Plains, PA
9/1985 – 7/1990	Asst. Pastor, Holy Trinity, Swoyersville, PA
7/1990 – 9/1997	Asst. Pastor, Maternity of the Blessed Virgin Mary, Wilkes-Barre, PA
9/1997 – 7/2006	Pastor, Our Lady Help of Christians, Dorrance, PA
7/2006 – 7/2009	Pastor, St's. Peter and Paul. Hazleton, PA, Transfiguration, West Hazleton, PA
7/2009 – 3/2010	Episcopal Vicar of the Eastern Pastoral Region of the Diocese of Scranton, PA
3/2010	Leave of Absence
10/7/2011	Dispensation from the clerical state

Summary

On March 30, 2010, Father Mark G. Balczeniuk contacted the Reverend Richard J. Loch, Episcopal Vicar for Priests, and arranged a meeting with him. Balczeniuk stated that on the previous Friday he had spent the night at the home of a family with whom he had a close relationship. He admitted that while he was at their home, he kissed and hugged the family's son, whom he estimated to be in his twenties. Balczeniuk described the boy as having mental difficulties and being a little slow. He explained that he was reporting this conduct because he was informed by the Reverend Mark A. Honhardt that the boy's father was very upset and was going to report the incident to the Diocese of Scranton.

On March 30, 2010, the father did report the incident to the Diocese. He stated that Balczeniuk had kissed his 18-year-old stepson on the mouth, embraced him, and rubbed his back underneath his shirt.

That same day, Loch notified Balczeniuk that his conduct warranted immediate and aggressive action. Loch advised Balczeniuk that he could not continue to function as a priest and that he would be sent to the St. John Vianney Center as soon as possible.

On April 1, 2010, the Diocese notified the Luzerne County District Attorney's Office of the allegation.

Summary

On June 11, 2010, Earley also sent a letter to the Wyoming County District Attorney's Office wherein he stated that Balczeniuk had made certain statements to Loch on June 7, 2010. The letter stated, "when he was a seminarian he was assigned as a counsel at Camp St. Andrew in Wyoming County. The priest stated that he touched the genitals of some of the young boys who attended the camp. This self-disclosed behavior is supposed to have taken place in the mid-1970s."

On March 24, 2011, Balczeniuk notified Pope Benedict XVI of his request to be dismissed from the clerical state. Dispensation from the clerical state was approved on October 7, 2011.

[redacted]

Biographical Information

[redacted]

Employment/Assignment History

[redacted]

Summary

[redacted]

On [redacted], it was brought to the attention of the Diocese that [redacted] had an [redacted]:

[redacted]

Summary

[redacted]

On [redacted], the Diocese reported this incident to the [redacted] District Attorney's Office. It was determined that the behavior did not rise to the level of criminal conduct.

[redacted]

REDACTED -- ONGOING APPELLATE LITIGATION

Reverend Joseph P. Bonner

Biographical Information

YEAR OF BIRTH:	1926
YEAR OF DEATH:	2007
ORDINATION:	May 30, 1953

Employment/Assignment History

6/1953 – 9/1954	Asst. Pastor, St. Ann's, Freeland, PA
9/1954 – 3/1964	Asst. Pastor, St. Nicholas, Wilkes-Barre, PA
3/1964 – 6/1964	Asst. Pastor, Ascension, Williamsport, PA
6/1964 – 1/1970	Asst. Pastor, St. Francis, Nanticoke, PA
1/1970 – 9/1970	Asst. Pastor, St. Cecilia, Wyoming, PA
9/1970 – 1/1972	Asst. Pastor, St. Juliana, Rock Lake, PA
1/1972 – 6/1981	Pastor, Resurrection, Muncy, PA
6/1981 – 6/1982	Pastor, St. Patrick's, Milford, PA
6/1982 – 9/1982	Pastor, St. Paul's, Scranton, PA
9/1982 – 9/1985	Pastor, St. James', Pleasant Mount, PA
9/1985 – 7/1998	Pastor, Sacred Heart of Jesus, Weston, PA
7/1998 – 6/2002	Retired, Pastor Emeritus, Sacred Heart of Jesus, Weston, PA
6/2002	Removed from ministry

Summary

On May 13, 2002, the Diocese of Scranton was notified by an attorney via letter correspondence that his client had been sexually molested by Father Joseph P. Bonner in 1975. The attorney explained that the victim and his family had been visiting from Arizona that year and were invited to visit with Bonner in the rectory. They spent the night there. The victim's two aunts and his cousin were provided with accommodations on the third floor while the victim was given a pull-out bed that was located directly across from Bonner's bedroom on the second floor. After the victim fell asleep, he awoke to discover Bonner lying in bed with him, stroking his [the victim's] penis. The letter stated that when the client asked Bonner what he was doing, Bonner replied, "*I am sorry . . . I shouldn't have done that; Go back to bed.*"

On May 30, 2002, the Diocese notified the Lycoming County District Attorney's Office of the allegation. The Diocese was subsequently advised that the statute of limitations period had expired. The District Attorney advised, however, that he would alert the local police to the allegation. He further advised stated that he may have an investigator speak with Bonner and the victim.

On May 30, 2002, Bishop James C. Timlin sent a letter to the attorney, advising him that Bonner had retired. He stated that the Diocese was appalled that alleged behavior would ever happen, or that such an accusation would be made against one of their priests. Timlin suggested

Summary

that the victim contact Bonner directly in order to achieve a reconciliation of the troubling matter.

On July 31, 2002, counsel for the Diocese notified the victim's counsel that the Diocese would make no payment of any kind to his client as it had no responsibility for the alleged conduct. The letter suggested that "*you seek whatever redress you feel is appropriate from the responsible party.*"

On January 27, 2003, a settlement was reached and the victim received $25,000. It was agreed that the settlement did not constitute an admission by Bonner and that the parties could not release the contents of the settlement agreement to the public.

On March 12, 2004, the victim contacted the Diocese to report that he felt that he had not received any support from Timlin. He pointed out that Timlin refused to inform the parishes where Bonner had been assigned so that other victims might feel comfortable to come forward with any reports of abuse. On April 13, 2004, the Diocese requested that the pastors of the parishes to which Bonner had been assigned publish a "Notice Regarding Sexual Abuse" in their bulletin. The Notice stated, in part, that "*clerical sexual abuse may have occurred in this parish in the past. If this is the case, please come forward and make it known.*"

On November 29, 2004, the Diocese received a report from a 47-year-old male who advised that he had been sexually abused by Bonner when he was 14 to 16 years old. He stated that he was not interested in pursuing a lawsuit against Bonner or the Diocese. The Diocese sent a letter to the Lycoming County District Attorney's Office, advising of the allegation. On December 6, 2004, the Diocese agreed to assume financial responsibility for 20 psychiatric sessions for the victim.

Reverend Martin M. Boylan

Biographical Information

YEAR OF BIRTH:	1947
YEAR OF DEATH:	N/A
ORDINATION:	August 30, 1980

Employment/Assignment History

8/1980 – 6/1982	Asst. Pastor, St. Jude, Mountaintop, PA
6/1982 – 9/1983	Asst. Pastor, St. Gabriel, Hazleton, PA
9/1983 – 9/1985	Asst. Pastor, St. Patrick, Scranton, PA
9/1985 – 2/1986	Asst. Pastor, St. Peter, Scranton, PA
2/1986 – 9/1986	Administrator, Blessed Sacrament, Wilkes-Barre, PA
9/1986 – 9/1987	Asst. Pastor, St. Mary of the Immaculate Conception, Wilkes-Barre, PA
9/1987 – 9/1988	Chaplain and Procurator, Bishop Hannan High School, Scranton, PA
9/1988 – 9/1989	Confessor, Spiritual Director, St. Pius X Seminary, Dalton, PA
9/1989 – 4/1993	Chaplain, College, Scranton, PA
6/1993 – 1/1994	Sabbatical leave
7/1994 – 6/1997	Administrator, St. Rita, Gouldsboro, PA
7/1997 – 7/2001	Pastor, St. Rita, Gouldsboro, PA
7/2001 – 7/2007	Pastor, St. John the Evangelist, Honesdale, PA
7/2007 – 7/2009	Pastor, St. Joseph, White Mills, PA
7/2009 – 7/2011	Pastor, St's. Peter and Paul, Towanda, PA, St. Michael, Canton, PA, St. John Nepomucene, Troy, PA and St. Aloysius, Ralston, PA
7/2011 – 4/2016	Pastor, St. Patrick, Scranton, PA
4/05/2016	Leave of Absence

Summary

In April, 1993, while Father Martin M. Boylan was serving as a chaplain at Marywood College, a male graduate student alleged that Boylan sexually harassed him and propositioned him for sex. The Diocese of Scranton sent Boylan for a comprehensive psychological evaluation at the Anodos Center in Downingtown, and, after the evaluation was completed, it was determined that Boylan would take leave from the ministry and undergo two to three years of outpatient psychotherapy.

After completing the therapy, Boylan underwent evaluations in 1994, 1997, and 2004. According to a note in the file, the evaluations did not raise any serious concerns that would prevent Boylan from exercising public ministry.

Summary

On March 31, 2016, the Victim Assistance Coordinator for the Diocese of Florida notified the Diocese that an 18-year-old male had reported that he was touched inappropriately by Boylan when he was eight-years-old. On April 1, 2016, this victim contacted the Diocese and advised that the assault occurred at a summer event at St. Vincent's Camp in Honesdale. The victim reported that Boylan inserted his penis into the victim's rectum and touched many of his body parts, including his private parts. A report was immediately made to ChildLine.

Boylan was subsequently interviewed by the Diocese and denied the allegation. He stated that he had no recollection of the victim. Boylan was informed that his faculties to exercise public ministry were immediately suspended and that he would need to vacate the rectory. He was encouraged to undergo residential treatment at St. John Vianney Center to which he agreed.

On April 3, 2016, the Diocese notified the Wayne County District Attorney's Office of the allegation.

Bishop James C. Timlin created an Independent Review Board in the early 1990s. In a letter dated April 5, 2016, a former member of the Board wrote to Bishop Joseph Bambera and noted that throughout the years, Boylan's case had returned to the Board. The member stated that the Board noted that Boylan had resisted treatment and had resented the recommendations made by the Board and the team from Downingtown. In 1996, the Board had recommended that Boylan return to Downington, but this recommendation was ignored. The official notes of the Board observed that Boylan "attempts to orchestrate his own approach to therapy." The letter further stated that "[o]ver the course of time, Boylan often wrote to Timlin, requesting to be appointed pastor. The Board always objected to this possibility. Nevertheless, Timlin appointed him pastor and Boylan continued to consistently appear at public events throughout the diocese."

On April 6, 2016, the Diocese received a call from an anonymous male who advised that he was a student at Marywood University in 1983. The caller reported that Boylan had approached him with sexually suggestive overtures. The male reported this to the Marywood Administration. Although a contract was agreed to between Marywood University and Boylan - - which included Boylan's departure from the University - - and this eased the tension between Boylan and the male student, the male advised that he was upset to learn that Boylan was still practicing as a priest.

On May 25, 2016, the Diocese received a call from a former parishioner who advised of an incident of sexual abuse by Boylan that occurred in 1984. The caller advised that he did not intend to file charges and wished to remain anonymous. On August 23, 2017, the Pennsylvania State Police closed the investigation into this allegation of sexual abuse because of the victim's refusal to testify. A statement was subsequently released by the Diocese which stated, "While civil authorities have made this determination, the ecclesiastical process in Father Boylan's case continues. Father Boylan's status as a priest removed from ministry with his faculties to exercise priestly ministry suspended continues to remain unchanged."

Reverend Robert J. Bragué

Biographical Information

YEAR OF BIRTH:	1941
YEAR OF DEATH:	1997
ORDINATION:	May 9, 1970

Employment/Assignment History

5/1970 – 9/1970	Asst. Pastor, St. Ann, Tobyhanna, PA
9/1970 – 4/1972	Asst. Pastor, St. Peter, Wellsboro, PA
4/1972 – 9/1979	Asst. Pastor, St. John the Evangelist, Pittston, PA
9/1979 – 6/1980	Leave of Absence
6/1980 – 9/1980	Asst. Pastor, St. Maria Goretti, Laflin, PA
9/1980 – 9/1982	Asst. Pastor, St. Ann, Tobyhanna, PA
9/1982 – 9/1984	Asst. Pastor, St. Ann, Williamsport, PA
9/1984 – 9/1988	Pastor, SS Peter & Paul, Towanda, PA
9/01/1988	Leave of absence
1/19/1990	Appointed Parochial Vicar, St. Ann, Naples, FL

Summary

On August 20, 1979, Father Robert J. Bragué requested a leave of absence from Bishop J. Carroll McCormick. Bragué stated that he had had doubts about continuing in the active ministry for several years. McCormick granted his request.

On March 24, 1988, Bishop James C. Timlin received an anonymous letter from a parishioner advising that rumors were circulating about Bragué and a high school female. On June 16, 1988, that same anonymous parishioner sent a second letter to Timlin, advising that the relationship between Bragué and the teenage female was still continuing. The parishioner stated that it was assumed that Timlin had disregarded the previous letter and further suggested that Timlan did not have very much control over his priests.

On August 29, 1988, Timlin received a letter from the sister of the high school female. She advised that Bragué had had sexual relations with her sister at age 17 who became pregnant. She further advised that Bragué had had at least two other affairs.

On September 6, 1988, Timlin responded to the letter by stating that as soon as the matter was brought to his attention, Bragué was removed from office. Timlin noted that it was better to say as little as possible about the circumstances surrounding his removal rather than cause greater scandal through undue publicity. In the letter he further noted that, "*Father Bragué and your sister have a long, difficult road ahead. . . What has happened is their responsibility and certainly Father Bragué will take care of his obligations.*"

Summary

On December 1, 1988, the Reverend Neil Van Loon, Chancellor for the Diocese, sent a letter thanking Monsignor Henry Mansell of the Archdiocese of New York for his assistance in helping Brague secure a priestly assignment in his Dioecese. On December 7, 1988, the Archdiocese of New York notified Van Loon that the approval was not finalized, however.

In April, 1989, the victim gave birth to a baby boy.

On August 25, 1989, Timlin sent a letter to the Reverend John Nevins, Bishop of Venice, Florida, wherein he advised that Brague would no longer be able to exercise his priesthood in the Diocese of Scranton due to circumstances that had been discussed with Father Moretti. Timlin wrote that he wholeheartedly approved of Brague exercising his priesthood in Venice and highly recommended Brague.

On January 19, 1990, Brague was appointed Parochial Vicar of St. Ann's church in Naples, Florida, effective immediately.

On July 24, 1996, the victim requested that the Diocese cover the cost of tuition, or eliminate the tuition charge altogether, in order for her son to attend St. Agnes School in Towanda. On August 6, 1996, the victim was notified that her son would be able to attend the school, even though enrollment numbers were rather high for the following year. She was further advised that the school was willing to arrange for a scholarship for him.

Reverend Francis T. Brennan

Biographical Information

YEAR OF BIRTH:	1928
YEAR OF DEATH:	1974
ORDINATION:	June 5, 1954

Employment/Assignment History

6/1954 – 10/1957	Asst. Pastor, St. Therese, Shavetown, PA
10/1957 – 6/1965	Vicar Econome, St. Therese, Shavertown, PA
6/1965 – 9/1970	Chaplain, Marian Convent, Marywood, PA
9/1970 – 7/1974	Pastor, St. Maria Goretti, Laflin, PA

Summary

On August 4, 2010, the Diocese received a telephone call from a 65-year-old male who reported that he was sexually abused by Father Francis T. Brennan when he was 15 or 16-years-old. He reported that Brennan took him to a drive-in movie and put his hands inside the victim's pants. The Diocese offered to arrange for counseling for the victim.

That same day, an e-mail communication was sent from Chancellor James Earley to Bishop Joseph Bambera wherein he advised that in 2005, the Diocese had been sued by Richard Serbin, Esquire who was representing a client who stated that he had been abused by Brennan in 1966 when he was an altar boy. The Court rejected the case, however, concluding that the victim had waited too long to sue the diocese. A post-it note was attached to a print-out of this e-mail communication which stated "*bad abuse case. perpetrator. [Victim] sued us . . . we won.*"

Reverend Joseph Bucolo

Biographical Information

YEAR OF BIRTH:	1923
YEAR OF DEATH:	N/A
ORDINATION:	May 29, 1954

Employment/Assignment History

6/1954 – 9/1954	St. Patrick, Milford, PA
9/1954 – 9/1966	Most Precious Blood, Hazleton, PA
9/1966 – 9/1967	Asst. Pastor, Our Lady of Mt. Carmel, Carbondale, PA
9/1967 – 5/1970	Asst. Pastor, St. Lucy, Scranton, PA
5/1970 – 9/1972	Asst. Pastor, St. Anthony, Dunmore, PA
9/1972 – 4/1973	Asst. Pastor, Our Lady of Grace, Hazleton, PA
4/1973 – 9/1974	Pastor, St. Thomas, Elkland, PA
9/1974 – 7/1992	Pastor, St. Nazorius, Pardeesville, PA
7/1992 – 6/2002	Pastor, St. Mary, Lattimer Mines, PA
7/03/2002	Removed from ministry
7/25/2002	Pastor Emeritus, St. Nazarius, Pardeesville, PA

Summary

On January 4, 1971, Bishop J. Carroll McCormick was notified that the parents of a 10-year-old boy had reported that during the previous summer, Father Joseph Bucolo took their son on a two day vacation to the New Jersey shore area. They advised that during this trip, Bucolo committed acts with their son that were "*unbecoming a catholic priest*." It was recommended that Bucolo be transferred immediately to another parish within the Diocese of Scranton. It was also recommended that Bucolo see his personal physician.

McCormick memorialized the following on the memorandum:

> *Father Bucolo called to see me this afternoon at my direction. He readily admitted the charge, insisting that once and once only did he commit an immoral act with the individual mentioned above – while on vacation last summer. He stated he had never before or since become involved in that way and said he was very sorry. He claimed that it was in a moment of weakness it had occurred.*

Bucolo agreed to go to St. John Vianney to see a psychiatrist. He was further advised that he would be transferred from St. Lucy.

Bucolo was placed under Charter restrictions in June, 2002 due to his admissions to abusing the 10-year-old boy.

Summary

On September 1, 2010, a 64-year-old male reported to the Diocese that he was sexually abused by Bucolo when he was an eight-year-old altar boy. On September 7, 2010, the victim met with the Victim Assistance Coordinator and agreed to meet with Bucolo face to face.

On September 8, 2010, the Diocese notified the Luzerne County District Attorney's Office of this allegation.

On September 20, 2010, the victim attended a meeting where he confronted Bucolo. Bucolo told the victim that he did wrong and asked for forgiveness.

On December 9, 2010, the victim and Bucolo entered into a settlement agreement and release of all claims for the agreed upon amount of $20,000.00.

Monsignor Gerald J. Burns

Biographical Information

YEAR OF BIRTH:	1924
YEAR OF DEATH:	1999
ORDINATION:	June 3, 1950

Employment/Assignment History

6/1950 – 9/1950	Asst. Pastor, St. Ann, Shohola, PA
9/1950 – 9/1950	Asst. Pastor, St. Patrick, Wilkes-Barre, PA
9/1950 – 6/1952	Asst. Pastor, St. John, Honesdale, PA
6/1952 – 6/1953	Asst. Pastor, St. Peter, Wellsboro, PA
6/1953 – 9/1962	Asst. Pastor, St. John the Evangelist, Wilkes-Barre, PA
9/1962 – 9/1968	Asst. Pastor, St. Dominic, Wilkes-Barre, PA
9/1968 – 9/1970	Chaplain, Mercy Heights Hospital, Scranton, PA
9/1970 – 6/1982	Pastor, Blessed Sacraments, Wilkes-Barre, PA
6/1982 – 9/1984	Pastor, St. Gabriel, Hazleton, PA
9/1984 – 1/1994	Pastor, St. John the Evangelist, Pittston, PA
1/24/1994	Retired
1/1994	Pastor Emeritus, St. John the Evangelist, Pittston, PA

Summary

On January 11, 1994, Bishop James C. Timlin received a letter from a woman who advised that her husband was sexually molested for years by Monsignor Gerald J. Burns during the time when he was an altar server at St. John's in the 1950's.

On January 17, 1994, Timlin spoke to Burns and he denied any wrongdoing. Timlin suggested that it would be best for him to retire. Burns agreed. Timlin accepted the resignation effective January 24, 1994

On January 21, 1994, Timlin sent a letter to the victim and his wife apologizing for the pain and hurt that the victim had experienced. He advised that Burns had resigned and would never be assigned to another parish again. Timlin pledged to help both of them.

On February 15, 1994, Timlin notified the victim that the Diocese would assume responsibility for the cost for his counseling. This responsibility was to be shared with Burns.

On April 26, 1996, Timlin notified the victim that he had to bring some closure to the Diocese's payments for his therapy.

On June 10, 1996, Timlin wrote a note wherein he indicated that he contacted the attorney who represented the victim and requested that the attorney return his call. He also noted that he

Summary

had spoken with the victim and his wife, informing them that Burns had agreed to continue to pay for counseling for the victim, without any admission of guilt. An arrangement was made whereby the bills would be sent to the Chancery, who, in turn, would bill Burns. The victim and his wife agreed to this arrangement.

In 1999, Burns passed away. Nothing could be located in the files to indicate that any further assistance was provided to the victim after this event occurred.

Reverend Anthony P. Conmy

Biographical Information

YEAR OF BIRTH:	1927
YEAR OF DEATH:	Unknown
ORDINATION:	May 30, 1953

Employment/Assignment History

6/1953 – 9/1953	Asst. Pastor, St. Patrick, Milford, PA, St. Ann's, Tobyhanna, PA
9/1953 – 10/1955	Asst. Pastor, St. Francis, West Hazleton, PA
10/1955 – Unknown	Asst. Pastor, St. Patrick, Scranton, PA

Summary

On July 23, 1955, Rt. Reverend Monsignor Dennis Kane sent a letter to Bishop Jerome D. Hannan advising that a situation in West Hazleton had been brought to his notice. He wrote that:

> *It appears that Father Conmy is exposed to a danger because of a friendship which is not good for him and which is the occasion of gossip. If my judgment is correct and I think it is, a change to be effected when September comes around, will mean much for his protection. My thought is that he should be sent to one of the more remote parishes where the occasion would be remote. Moreover, he might be instructed to stay away from this Deanery.*

On August 5, 1955, Hannan responded to this letter by stating Conmy had agreed to Hannan's invitation for an interview. Hannan further stated that he felt that Kane's suggestion would be very acceptable to Comny since he had showed a willingness to cooperate in any manner that seemed advisable.

On April 7, 2008, a 49-year-old female reported to the Diocese of Scranton that she was sexually assaulted by Conmy when she was 10-years-old. She explained that she and a friend had stopped at the rectory to talk to Conmy and thereafter got into a car with him. He dropped off her friend at her home. Conmy then drove to a wooded area where he molested her. He grabbed her wrist tightly and put his hand over her mouth as she struggled. He also put his knee in her stomach in order to hold her down. When he removed his hand from her mouth, she begged him not to kill her. Conmy told her that he would not kill her if she would lie quietly. He then took her off her clothes and touched her. He took her hand and made her touch him. Next, he performed oral sex on her. The victim wrote that:

> *my whole world was being turned up-side-down, all my perceptions of ow things should be, of what good and bad were, or how people, especially priests, were supposed to act, of who to trust, were shattered.*

Summary

The victim requested that the Diocese not report this abuse to the Lycoming County District Attorney's Office. The Diocese agreed.

In a letter to the victim dated May 30, 2008, Bishop James F. Martino advised that Comny had died. He offered to meet with her and assured her that the Diocese would assist her with professional counseling services.

Monsignor J. Peter Crynes

Biographical Information

YEAR OF BIRTH:	1941
YEAR OF DEATH:	N/A
ORDINATION:	May 27, 1967

Employment/Assignment History

6/1967 – 9/1967	Asst. Director, Camp St. Andrew, Tunkhannock, PA
9/1967 – 9/1968	Asst. Pastor, St. Patrick, White Haven, PA
9/1968 – 9/1972	Asst. Pastor, Holy Rosary, Scranton, PA
9/1972 – 9/1975	Chaplain, St. Joseph's Children's and Maternity Hospital, Scranton, PA
9/1975 – 6/1988	Director, Our Lady of Fatima Center, Elmhurst, PA
6/1988 – 7/1994	Pastor, Church of Corpus Christi, Montdale, PA
7/1994 – 5/2006	Pastor, St. Therese, Shavertown, PA
5/2006	Removed from active ministry
5/19/2006	Resigned

Summary

On March 2, 2006, the Diocese received a letter from a law firm stating they represented a female that was sexually abused by Father J. Peter Crynes from 1974 until 1977. The abuse began when she was 17 years old and Crynes kissed her at a retreat. Over the course of the next three years, the abuse included fondling, fellatio and intercourse. At the suggestion of another priest during the victim's sophomore year at college, she confronted Crynes. When she did so, he laughed at her and told her that he wanted to continue even once she was married.

On March 2, 2006 Bishop Joseph F. Martino issued a Decree that a preliminary investigation be opened concerning the allegations against Crynes. The allegation was reported to the Lackawanna County District Attorney's Office on March 8, 2006.

The Diocese was made aware of another allegation of sexual abuse against Crynes on March 7, 2006. A female reported that when she was 15 years of age, she suffered from anorexia and her parents sent her to Crynes for counseling and direction. She stated that for two years the counseling was fine but then she rebelled at her situation at home. Her parents called Crynes to intervene. Crynes picked her up from a hotel and took her to Fatima Center for evaluation and counseling. The first night there, Crynes came into her room, sat on her bed, lifted her nightgown up and rubbed her thigh. A few days later, he stopped by to see her and asked her to rub his shoulders. He pulled her around and sat her on his lap where she felt his erection. Later that month, Crynes kissed her, putting his tongue in her mouth.

Summary

Upon returning home, the girl discovered that she was pregnant. Her parents were upset and called Crynes for help. He came to the house and drove her to Keystone College. When they arrived, he parked the car and pulled her over onto his lap. That was her last contact with him.

On March 12, 2006, Father Kopacz met with Crynes about the allegations of the first two women. He admitted to the sexual contact. He stated that he always saw his physical behavior with women as gestures of loving paternal affection.

On March 29, 2006, the third woman met with Father Kopacz and the Diocesan Victim Assistance Coordinator. It was discovered that she first consulted with Kopacz in 2002. She had brought her concerns to Kopacz on the advice of her confessor and had difficulty understanding why Kopacz did not take her concerns to Diocesan personnel. Kopacz explained that he had been her confessor in the past and felt that her trust in him meant that he would not reveal her experiences to anyone. He stressed that he believed her and that he never forgot what she had revealed. Kopacz further explained to her that, at that time, there was no defined policy mandating disclosure of such matters.

On May 19, 2006, Crynes resigned from St. Therese.

On June 6, 2006, a woman and her husband met with Kopacz and the woman revealed that she was sexually abused by Crynes in 1970 and 1971 during her junior and senior years in high school. She stated that it began with her going for rides to various points around the area with Crynes after school. Crynes would park the car and pull her onto himself to hold and kiss her. He kept it at the level of holding, touching and kissing, and told her they would only progress to the level at which she was comfortable. He also told her that Jesus would say this behavior was okay as a sign of their special friendship. Stated noted that she had written a letter to Crynes in April, 2002 wherein she told him how she agonized over the years because of what he did to her and how it ruined her life. She demanded an apology from him. That same month, she received a letter from him. He asked her to please accept his deepest and most heartfelt apology. He then asked her to forgive him for the pain and trauma she experienced.

On June 13, 2006, an adult female was interviewed by the Diocese. She was born in October, 1957. Throughout the course of her senior year, she and other friends attended events on a monthly basis (sometimes more than that) that were sponsored by the Diocese. Crynes was at these events. She reported that the abuse involved hugging and kissing and, on one of those occasions, he put his tongue in her mouth. She relayed that there was one occasion during the Sacrament of Confession where Father Crynes hugged her and told her that God loved her very much. He stated that he loved her and she was very special to God and very special to him. He then put his mouth on her mouth with his tongue going in and out of her mouth like a snake. He pulled her close to him and she could feel he had an erection. He continued to kiss her and was moaning during it.

On June 21, 2011, the Congregation for the Doctrine of Faith, issued a Decree that Crynes was removed from any public ministry and shall live a life of prayer and penance.

Summary

On January 15, 2016, a law firm notified the Diocese that they represented a 59-year-old woman who reported that she was repeatedly sexually molested by Crynes from approximately 1972 to 1973 when she was 16 to 17 years of age. She met him through an encounter program sponsored by the Diocese. On January 21, 2016, the Diocese notified the Lackawanna County District Attorney's Office of these allegations.

The Diocese of Scranton assisted with therapy for those victims that followed through with the protocol set up by the Diocese.

Reverend Raymond L. Deviney

Biographical Information

YEAR OF BIRTH:	1932
YEAR OF DEATH:	Unknown
ORDINATION:	May 23, 1959

Employment/Assignment History

6/1959 – 10/1959	Asst. Pastor, St. Mary of the Mount, Mt. Pocono, PA
10/1959 – 10/1960	Asst. Pastor, St. John Evangelist, Susquehanna, PA
10/1960 – 3/1964	Asst. Pastor, St. Thomas More, Lake Ariel, PA
3/1964 – 9/1968	Asst. Pastor, St. Gabriel's, Hazleton, PA
9/1968 – 9/1969	Asst. Pastor, St. John Evangelist, Pittston, PA
9/1969 – 9/1976	Asst. Pastor, St. John Evangelist, Wilkes-Barre, PA
9/1976 – 7/2007	Pastor, Christ the King, Blakeslee, PA
7/2007	Pastor Emeritus, Christ the King, Blakeslee, PA

Summary

On October 8, 1994, an adult female informed Bishop James C. Timlin that she was sexually abused by Father Raymond L. Deviney when she was a teenager in high school. She stated that he repeatedly acted sexually inappropriately with her, placing his hand on her thigh and asking her if she trusted him as he moved his hand further up her leg. She further reported that when she approached Deviney and confided in him after losing a baby and her husband, he took advantage of her and violated her. Timlin, in turn, sent her a letter dated January 6, 1995 wherein he apologized for Deviney's actions. He informed her that he would address the matter with Deviney and deal with it appropriately. Timlin asked that she contact him so he could talk to her before he met with Deviney.

On June 17, 2001, the female wrote to Timlin, inquiring as to whether Deviney had ever received treatment for his alcoholism and abuse of women. She indicated that she was touched by his previous letter and telephone call and held onto the belief that the Bishop was a good and honest man of deep religious faith. She told Timlin that she would be in the area on a certain date and provided contact information for where she could be reached.

On July 9, 2001, Timlin sent the female a letter apologizing for the delay in his response and for being unable to call her when she was in the Scranton area. He advised that he was not aware of any formal treatment that Deviney had received. Furthermore, he stated that he did not believe Deviney would ever admit that he had a problem with alcoholism and abuse of women. He advised that Deviney was approximately 67 years old and it was unlikely that he would ever see himself as a candidate for any kind of residential treatment. Timlin stated that he was sorry that she was still upset about whatever had occurred between her and Deviney and that he hoped that she would be able to put it all behind her.

Summary

On October 6, 2002, the female wrote a letter to Timlin, stressing that she had delayed writing it because she was appalled by his complete change in attitude. She stated that she was quite angry and distraught that the seriousness of Deviney's actions had been swept under the carpet.

On December 10, 2002, Timlin sent a letter to her wherein he apologized for giving her the impression that her complaint was somehow "*swept under the carpet*" or not taken seriously. He stated that he was finally able to talk to Deviney in person and reviewed her letter with him, along with her request that he be given some treatment. While Deviney did not admit to doing anything that was seriously wrong, he did agree to attend therapy. Timlin stated that he hoped that this would be of some help to Deviney and would be a source of peace of mind for her.

On May 6, 2006, the Diocese sent a certified letter to each of the District Attorney's Offices within the Diocese. The District Attorneys were notified by Bishop Joseph Bambera that in in an effort to further the Church's ongoing commitment to transparency as it continues to address the sad reality of child sexual abuse, he was submitting for their information a confidential comprehensive list of all priests in the Diocese of Scranton against whom accusations of sexual abuse of children had been made. While Deviney's name was on the list, the incident involving the female was not reported.

The Diocesan file indicates that the allegation against Deviney was unsubstantiated.

[redacted]

Biographical Information

[redacted]

Employment/Assignment History

[redacted]

Summary

On [redacted], the Diocese of [redacted] was notified by a law firm that their client, a [redacted], was [redacted] by [redacted] when [redacted]

[redacted]

No report was sent to the District Attorney's Office

[redacted]

REDACTED -- ONGOING APPELLATE LITIGATION

Reverend Donald J. Dorsey

Biographical Information

YEAR OF BIRTH:	1929
YEAR OF DEATH:	2007
ORDINATION:	June 4, 1955

Employment/Assignment History

6/1955 – 10/1955	Asst. Pastor, St. Ann, Shohola, PA
10/1955 – 2/1959	Asst. Pastor, St. Leo, Ashley, PA,
2/1959 - 10/1959	Faculties withdrawn, Sent to Hospice
10/1959 - 12/1960	Asst. Pastor, St. Ann, Shohola, PA, Faculties reinstated
12/1960	Sent to Hospice
6/29/1964	Faculties revoked

Summary

On February 3, 1959 and February 6, 1959, the Diocese of Scranton received two complaints about Father Donald J. Dorsey. One complaint indicated that Dorsey was with a high school girl. The other complaint indicated that Dorsey was creating scandal by spending time with - - and being too close with - - females in the town. On February 13, 1959, Bishop Hannon directed Dorsey to report to hospice and that his faculties were to be withdrawn. He further directed that Dorsey was forbidden to enter any house in Ashley, or in the territory of St. Leo's parish, and that he was forbidden to meet at any place under any circumstances - - or to communicate in any way with - - any person of the female sex whose domicile or quasi-domicile was at this time, or at any time within the territory of Ashley or within the territory of St. Leo's parish.

On October 1, 1959, the Diocese reinstated Dorsey and appointed him to St. Ann. With this appointment, Hannon forbid Dorsey to visit any homes in Ashley or Wilkes-Barre. Dorsey was again placed in hospice.

On June 29, 1964, Hannon revoked the faculties of the Diocese for Dorsey.

Hannon subsequently received inquiries from the Diocese of New York and the Diocese of Burlington, Vermont about Dorsey. Hannon notified them that Dorsey was an incorrigible recidivist. He advised that Dorsey was first sent to the Diocesan hospice after he became sexually involved with a high school girl.

Dorsey was listed as withdrawing from the Diocese in 1975.

[redacted]

Biographical Information

[redacted]

Employment/Assignment History

[redacted]

Summary

A letter dated [redacted] was sent to the Diocese from a parishioner who advised that during the previous Sunday, she had received a telephone call from a local police officer who asked her to meet him at the police station. [redacted]

On [redacted] the Diocese received an anonymous letter from a parishioner who reported that [redacted]. The Diocese referred the anonymous letter to the [redacted] District Attorney's Office. [redacted] was questioned and denied the allegation.

[redacted]

On [redacted], the Diocese sent a letter to the [redacted] District Attorney's Office recounting an allegation that was made by [redacted]. It was written that [redacted]

Summary

[redacted]

Reverend John M. Duggan

Biographical Information

YEAR OF BIRTH:	Unknown
YEAR OF DEATH:	Unknown
ORDINATION:	Unknown

Employment/Assignment History

5/1988	Asst. Pastor, St. Paul, Scranton, PA

Summary

Father John M. Duggan was assigned to the Jesuit community in Scranton in the 1970s. In the late 1980s, he was approved by the Diocese of Scranton to assist pastors in the area. Then, in 1988, Bishop James C. Timlin appointed Duggan to be the Assistant Pastor at St. Paul.

In 1993, Duggan was sent for a psychological evaluation and admitted to sexually abusing young children in his early priesthood. He denied that any of the abuse occurred within the Diocese. Upon his release, Timlin reinstated Duggan. However, Duggan was restricted to supervised ministry and was required to meet regularly with his aftercare counseling team.

On December 11, 1996, an adult male reported to Timlin that he was sexually abused by Duggan in the 1970s when he was a teenager engaged in spiritual counseling at the Jesuit house in Scranton. Timlin thereafter imposed a ban on Duggan's parish work and restricted him to convent and prison ministry.

In 1999, the same male reported that he believed Duggan was participating in unsupervised ministry. The Diocesan Review Board recommended to Timlin that the only ministries that would be open to Duggan were the celebration of mass and the administration of sacraments in correctional facilities, nursing homes and convents.

In May, 2002, the male contacted the Diocese and requested assurances that Duggan posed no threat to young people. Timlin then suggested to the Maryland Provincial that it would not be a good idea for Duggan to return to Scranton. The Provincial notified Timlin that Duggan had been removed from the Jesuit Community in Scranton.

The victim reported his sexual abuse to the Lackawanna County District Attorney's Office but the statute of limitations had expired. Paperwork was located wherein it indicated that the Jesuit Community provided free tuition to the victim's children and transferred Duggan from the Jesuit Community in Scranton.

Reverend John J. Dzurko

Biographical Information

YEAR OF BIRTH:	1904
YEAR OF DEATH:	1991
ORDINATION:	May 21, 1932

Employment/Assignment History

6/1932 – 9/1932	Asst. Pastor, St. Joseph's, Matamoras, PA
9/1932 – 10/1932	Asst. Pastor, St. Mary's, Wilkes-Barre, PA
10/1932 – 6/1934	Asst. Pastor, St. Patrick's, White Haven, PA
6/1934 – 9/1934	Asst. Pastor, St. Mary's, Lackawaxen, PA
9/1934 – 2/1938	Asst. Pastor, Holy Trinity, Hazleton, PA
2/1938 – 6/1943	Pastor, St. Michael's, Forest City, PA
6/1943 – 9/1959	Pastor, Holy Trinity, Simpson, PA
9/1959 – 1/1970	Pastor, St. Joseph's, Nanticoke, PA
1/1970 – 9/1979	Pastor, St. Joseph's, Wilkes-Barre, PA
9/1979 – 8/1991	Pastor Emeritus, St. Joseph's, Wilkes-Barre, PA

Summary

On November 28, 2005, the Diocese of Scanton received a complaint from a 48-year-old female who stated that she was sexually molested by Father John J. Dzurko in 1957 when she was 11 years of age. The Diocese believed the victim to credible and deserved to receive assistance in healing from her childhood trauma. The Diocese subsequently paid the cost of art therapy for the victim.

Reverend James F. Farry

Biographical Information

YEAR OF BIRTH:	1921
YEAR OF DEATH:	1990
ORDINATION:	June 29, 1946

Employment/Assignment History

7/1946 – 6/1948	Asst. Pastor, Our Lady of Mt. Carmel, Carbondale, PA
6/1948 – 1/1953	Asst. Pastor, St. Francis, Scranton, PA
1/1953	Suffered aneurysm, Confined to hospital
1/1954 – 5/1960	Resident, St. Michael's School for Boys, Hoban Heights, PA
6/1960	Cure of Ars Hospice
9/1966 – 9/1968	Asst. Pastor, St. Mary, Old Forge, PA
9/1968 – 11/1976	Chaplain, St. Mary's Villa, Elmhurst, PA
11/1976 – 6/1990	In Residence, St. Boniface, Williamsport, PA

Summary

In January 1953, Father James F. Farry suffered an aneurism and was unable to perform full time duties during his recovery.

On January 1, 1954, Farry was assigned to St. Michael's School for Boys. On May 29. 1960, Farry was notified by Bishop Hannan that his relations with the guests of St. Michael's had made it intolerable for him to continue to live there. Additionally, Hannan stated that since he would not be able to meet the responsibilities of the ministry in any available post which needed priestly service, Farry was invited to take up residence at the Cure of Ars Hospice.

On August 21, 2006, the Diocese received a report that resident at St. Michael's from 1953 to 1954 stated that he was sexually abused by a Father Collins. The victim later revealed that it was Farry.

The Diocese filed a report of the abuse with the District Attorney's Office of Wyoming County.

The Diocese agreed to assume responsibility for the co-payments associated with the victim's psychological counseling services.

Reverend James F. Fedor

Biographical Information

YEAR OF BIRTH:	1947
YEAR OF DEATH:	N/A
ORDINATION:	May 12, 1973

Employment/Assignment History

5/1973 – 9/1977	Asst. Pastor, Holy Trinity, Swoyersville, PA
9/1977 – 9/1979	Asst. Pastor, St. Peter's, Scranton, PA
9/1979 – 9/1980	Asst. Pastor, St. John the Evangelist, Scranton, PA
9/1980 – 6/1982	Asst. Pastor, St. Rose of Lima, Carbondale, PA
6/1982 – 7/1983	Asst. Pastor, St. Patrick's, Scranton, PA
7/1983 – 9/1983	Administrator, St. Mary's, Avoca, PA
9/1983 – 9/1984	Chaplain, Holy Family Residence, Scranton, PA
9/1984 – 8/1985	Pastor, St. Joseph, Wilkes-Barre, PA
8/1985 – 7/1986	Pastor, Holy Ghost, Olyphant, PA
7/1986 – 1/1987	Administrator, Christ the King, Dunmore, PA
9/1987 – 7/1991	Chaplain, Holy Family Residence, Scranton, PA
7/08/1991	Indefinite leave of Absence
5/03/1994	Laicized

Summary

From 1981 to 1986, Father James F. Fedor sought counseling on his own for issues/concerns relating to his desire to have contact with young girls. From 1986 to 1987, Fedor received psychological treatment/evaluation.

On July 7, 1991, Fedor was granted an indefinite leave of absence by Bishop James C. Timlin and he was laicized on May 3, 1994.

On November 1, 2012, the Diocese of Scranton received an anonymous letter from an adult female. She claimed that Fedor abused her in 1978 when she was 10-years-old. She stated that he engaged in grooming behavior which led to sexual abuse for a period of two years.

On November 15, 2012, a letter was sent to the Lackawanna County District Attorney's Office about the allegation.

Reverend Ralph N. Ferraldo

Biographical Information

YEAR OF BIRTH:	1943
YEAR OF DEATH:	1997
ORDINATION:	May 10, 1970

Employment/Assignment History

5/1970 – 9/1970	Asst. Pastor, St. Mary, Jessup, PA
9/1970 – 9/1976	Asst. Pastor, St. Francis, Nanticoke, PA
9/1976 – 9/1979	Catechist, Bishop O'Reilly High School, Kingston, PA
	In Residence, Maternity BVM, Wilkes-Barre, PA
9/1979 – 9/1980	Chaplain, St. Joseph Hospital, Carbondale, PA
9/1980 – 9/1984	Our Lady of Grace, Hazleton, PA
9/1984 – 2/1986	Chaplain, GWV Medical Center
2/1986 – 11/1986	Leave of Absence
11/1986 – 11/1988	In Residence, St. Boniface, Williamsport, PA
11/22/1988	Leave of Absence
11/30/1988	Indefinite Leave of Absence, removed from active ministry

Summary

On December 3, 1974, Chancellor James C. Timlin received a telephone call from a female who stated that her 16-year-old son had been touched by Father Ralph N. Ferraldo in an immoral manner. She further reported that Ferraldo had done this to other altar boys and to an orderly at a local hospital. The female did not want to provide her name. When questioned by Timlin and Bishop J. Carroll McCormick, Ferraldo denied the allegations. He did admit that he had older boys visit his room in the rectory, but nothing wrong had occurred. He was asked not to do that anymore. Ferraldo thereafter asked for a transfer out of Nanticoke if things were being said about him. He was informed that it was their understanding that the talk was not widespread and it would be an admission of guilt for him to be moved.

The caller was subsequently notified of the meeting between McCormick, Timlin and Ferraldo. She maintained that her son was telling the truth. She was told that if she wanted to pursue the matter, her son would have to come forward and face Ferraldo. Timlin pointed out that it was possible that her son was mistaken.

An October 3, 1985 note in the Diocesan records reveals that an evaluation on Ferraldo was undertaken after a report of inappropriate behavior with a hospital patient was received.

On February 14, 1986, two staff members from Geisinger Wyoming Valley Medical Center called Timlin to report that Ferraldo made improper sexual advances against a 23-year-

Summary

old male patient. Ferraldo admitted to this allegation, stating that he did not know what comes over him.

Ferraldo agreed to immediately leave his assignment and not return to the hospital. Timlin instructed Ferraldo to make arrangements for other priests to cover his masses and to tell them that he was not feeling well. He was further directed to report for evaluation and counseling.

On November 30, 1988, Timlin granted Ferraldo an indefinite leave of absence.

On May 14, 2002, the Archdiocese of New York notified the Diocese of Scranton that a male had reported that he was sexually abused by Ferraldo in 1982-1983 when he was 16 or 17 years of age. On June 6, 2002, Father Kopacz, Vicar for Priests, wrote that he had spoken with the victim and advised him that Ferraldo was removed from the ministry in the late 1980s and that he died in the early 1990s. The victim informed Kopacz that he did not report the sexual misconduct in order to expose Ferraldo, to embarrass the Church, or, to bring suit against the Church. Instead, he revealed the abuse for the sake of reconciliation.

Reverend Angelus Ferrara

Biographical Information

YEAR OF BIRTH:	Unknown
YEAR OF DEATH:	Unknown
ORDINATION:	1990

Employment/Assignment History

ASSIGNMENTS:	N/A

Summary

On September 20, 2000, Bishop James C. Timlin received a request from Father Angelus Ferrara to establish the Society of the Annunciation of the Lord, which would serve as a retreat for priests and lay persons. The facilities were also to include the Mary Mother of God Monastery. Ferrara wanted to settle this religious community and monastery in the eastern part of Pennsylvania; however, he needed the sponsorship of a Diocesan Bishop in order to do so.

Upon receiving the approval from Rome, Timlin notified Ferrara that he was willing to receive him into the Diocese of Scranton for the purpose of establishing the new religious community as of January 1, 2001. The Society of the Annunciation of the Lord was not to become a separate parish, however, so as to take people away from their local churches and be viewed as a competitor. The community settled in Warren Center.

On November 26, 2003, Ferrara asked for the transfer of canonical sponsorship from the Diocese to the Eparchy of Newton for Melkite Greek Catholics in the USA.

On January 10, 2011, the Executive Director of Catholic Charities received a report from the mother of a 14-year-old boy who revealed that he was sexually abused by Ferrara at the retreat house. It was reported that Ferrara had the boy massage his male parts. Ferrara admitted that this conduct occurred.

On March 28, 2011, Ferrara was terminated from his monastic venture. He was criminally charged and pled guilty. He was sentenced to state prison.

Reverend Austin E. Flanagan

Biographical Information

YEAR OF BIRTH:	1941
YEAR OF DEATH:	N/A
ORDINATION:	May 28, 1966

Employment/Assignment History

6/1966 – 9/1966	Parochial Vicar, Queen of Peace, Hawley, PA
9/1966 – 9/1969	Parochial Vicar, Nativity of BVM, Tunkhannock, PA
9/1969 – 9/1971	Parochial Vicar, St. Mary's, Avoca, PA
9/1971 – 9/1973	Parochial Vicar, St. Ignatius, Kingston, PA
9/1973 – 9/1975	Parochial Vicar, St. Mary, Avoca, PA
9/1975 – 9/1979	Chaplain, Little Flower Manor, Wilkes-Barre, PA
9/1979 – 9/1980	Pastor, St. Thomas the Apostle, Elkland, PA
9/1980 – 6/1982	Pastor, St. Francis of Assisi, Mildred, PA
6/1982 – 9/1985	Pastor, St. Mark, Inkerman, PA
9/1985 – 9/1986	Pastor, St. Agnes, Forest City, PA
9/1986 – 4/1990	Pastor, Blessed Sacrament & St. John the Baptist, Wilkes-Barre, PA
4/1990 – 6/1990	Sick Leave
6/1990 – 6/1993	Residence, St. Thomas Aquinas, Archbald, PA
6/1993 – 7/1994	Residence, St. Lucy, Scranton, PA
7/1994 – 7/1998	Residence, Most Precious Blood, Hazleton, PA Chaplain, St. Joseph Medical Center, Hazleton, PA
71998 – 9/1999	Residence, St. Francis of Assisi, West Hazleton, PA Chaplain, St. Joseph Medical Center, Hazleton, PA
7/2002	Removed from active ministry

Summary

On September 11, 1980, Bishop J. Carroll McCormick received a letter from a parishioner who advised that the parishioners were disgusted with Father Austin E. Flanagan. The letter stated that Flanagan would not let anyone in the rectory and that he was sleeping in sleeping bags with young boys.

On June 27, 1990, Bishop James C. Timlin received a letter from Dr. Richard D. Malone, Associate Medical Director, St. Vincent's Hospital and Medical Center in Harrison, New York concerning Flanagan. The letter was sent upon the request of, and with the permission of, Flanagan himself.

Flanagan related that approximately one month prior to his admission to St. Vincent's Hospital, he had been questioned about fondling two boys at a summer camp two years earlier.

Summary

The boys had reported it to another priest who, in turn, reported it to Timlin. Flanagan told Malone that he did not deny what happened. However, he stated, "I thought they were asleep and also I had a lot to drink." Flanagan acknowledge that several other similar instances in the past had occurred.

There was no information in the files concerning the identity of the two boys.

On July 3, 2002, Flanagan was removed from active ministry.

In June, 2005, the Diocese was contacted by a 34-year-old male who claimed that he was sodomized by Flanagan in the rectory at St. Mary's in 1973 when he was 11-years-old. Flanagan was questioned by Father Kopacz and denied any wrongdoing.

On June 27, 2005, the Diocese of Scranton reported the allegation to the Luzerne County District Attorney's Office.

On May 6, 2016, the Diocese sent a certified letter to each of the District Attorney's Offices within the Diocese. The letter included a list that contained the names of all priests against whom complaints of sexual abuse of minors had been made. Flanagan's name was on the list and several victims were identified.

Reverend Joseph D. Flannery

Biographical Information

YEAR OF BIRTH:	1928
YEAR OF DEATH:	2005
ORDINATION:	May 30, 1953

Employment/Assignment History

6/1953 – 6/1959	Asst. Pastor, St. John, Honesdale, PA
6/1959 – 4/1963	Asst. Pastor, St. John, Pittston, PA
4/1963 – 6/1963	Asst. Pastor, Holy Savior, Wilkes-Barre, PA
6/1963 – 9/1966	Asst. Pastor, Ascension, Williamsport, PA
9/1966 – 9/1967	Asst. Pastor, Sacred Heart, Jermyn, PA
9/1967 – 9/1970	Asst. Pastor, St. Jude, Mountain Top, PA
9/1970 – 9/1980	Pastor, St. Francis of Assisi, Mildred, PA
9/1980 – 9/1985	Pastor, St. Patrick, Nicholson, PA
9/1985 – 3/2000	Pastor, Immaculate Conception, Taylor, PA
3/2000	Pastor Emeritus, Immaculate Conception, Taylor, PA

Summary

In 1964, 1965 and 1966, the Diocese of Scranton received letters about Father Joseph D. Flannery's affairs with women, his dating a young girl and getting her pregnant, and, being seen on vacation in Atlantic City with this female. The letters were received from a member of the clergy, a parishioner and the mother of the young girl.

Nothing was found in the file reflecting an investigation or questioning of the priest.

The matter was not referred to the District Attorney's Office.

On May 6, 2016, the Diocese sent a certified letter to each of the District Attorney's Offices within the Diocese. The letter included a list that contained the names of all priests against whom complaints of sexual abuse of minors had been made. Flannery was included on that list.

Reverend Martin J. Fleming

Biographical Information

YEAR OF BIRTH:	1869
YEAR OF DEATH:	1950
ORDINATION:	September 14, 1898

Employment/Assignment History

9/1898 – 11/1898	Cathedral, Scranton, PA
11/1898 – 3/1899	Wellsboro, PA
3/1899 – 4/1899	Plymouth, PA
4/1899 – 1901	Sugar Notch, PA, St. John's, Scranton, PA
1901 - 1902	Hazleton, PA
1902 – 1907	Freeland, PA
1907 – 1919	Moscow, PA
1919 – Unknown	Swoyersville, PA

Summary

On April 14, 2006, the Diocese of Venice, Florida notified the Diocese of Scranton that a female victim had reported that she was sexually abused by Father Martin F. Fleming in 1940 when she was six-years-old. The victim reported that she underwent counseling over the years.

On June 30, 2006, the victim met with Bishop Dougherty and other members of the Diocese. She noted that she was in heart failure and "wants to put all of her ducks in a row." She stated that she desired to be counted as a victim of a priest from the Diocese of Scranton. She advised that this deepest secret came back again and again to trouble her spirit and cause her emotional distress.

Dougherty called the abuse an abomination, expressing his deep sorrow for the wounding of her child self. The victim was strongly encouraged to consult with a woman therapist or trusted female friend.

On May 6, 2016, the Diocese sent a certified letter to each of the District Attorney's Offices within the Diocese. The letter included a list that contained the names of all priests against whom complaints of sexual abuse of minors had been made. Fleming was included on that list.

Reverend Robert J. Gibson

Biographical Information

YEAR OF BIRTH:	1932
YEAR OF DEATH:	2012
ORDINATION:	May 31, 1958

Employment/Assignment History

6/1958 – 10/1958	Camp St. Andrew, Tunkhannock, PA
10/1958 – 9/1965	Asst. Pastor, St. Paul, Scranton, PA
9/1965 – 9/1968	Asst. Pastor, St. Matthew, Stroudsburg, PA
9/1968 – 1/1974	Asst. Pastor, St. Luke, Stroudsburg, PA
1/1974 – 9/1982	Administrator, Our Lady Queen of Peace, Broadheadsville, PA
9/1982 – 1/1983	Pastor, St. John Bosco, Conyngham, PA
1/1983 – 1/1995	Pastor, St. Bernadette, Canadensis, PA
1995	Resigns as Pastor, St. Bernadette
1/1995 – 8/1995	Leave of Absence
8/1995 – 1997	Residence, St. Ignatius Rectory, Kingston, PA
2/01/1998	Faculties removed

Summary

On January 5, 1995, the Diocese of Scranton was contacted by an attorney representing a man who claimed to have been sexually abused by Father Robert J. Gibson in 1975 when the victim was 14 years old. Gibson admitted to the sexual misconduct. A civil action was filed against the Diocese and a $30,000 settlement was reached.

On January 9, 1995, Gibson resigned as pastor of St. Bernadette. He was admitted to St. John Vianney Hospital in Downington for evaluation and treatment.

In August 1995, Gibson was discharged with a recommendation that he reside at a parish under supervision and continue to receive therapy. He was placed in residence at St. Ignatius Rectory.

In the spring of 1997, a complaint was received from a mother who accused Gibson of "grooming behavior" involving her son. Gibson was re-admitted to St. John Vianney Hospital for further assessment.

On September 16, 1997, the decision was made that Gibson could no longer exercise priestly ministry or reside in a Diocesan facility. He remained under supervision until he was able to be placed in a residential treatment facility.

Summary

On February 1, 1998, Gibson was placed in the St. John Vianney Renewal Center in Dittmer, Missouri. The facility monitors priests so as to prevent any behavior that would be harmful to the faithful. Bishop James C. Timlin removed Gibson's priestly faculties and directed him to refrain from wearing clerical attire outside of the Renewal Center. Gibson refused to seek voluntary laicization.

On February 26, 1998, the Diocese received information that Gibson was involved in sexual misconduct with his nephew, who was a minor at the time.

On April 5, 2002, the Diocese received a letter from an adult male who accused Gibson of sexual misconduct and providing pornographic material to him when he was a minor. A copy of the letter were shared with law enforcement.

On October 5, 2005, the Diocese was contacted by an adult male who reported that Gibson sexually assaulted him when he was a minor. The victim sought financial compensation. Gibson admitted to the allegations and arranged to pay the victim $700 a month until his own death.

On July 16, 2007, an adult male reported to the Diocese that he was sexually abused by Gibson frrom 1973 through 1974. The Monroe County District Attorney's Office was notified of the allegations. The Diocese offered to arrange for counseling for the victim and to arrange for the victim to meet with the Bishop. The victim declined. Gibson was questioned about the allegations but had no memory of the allegations. Gibson was diagnosed with dementia.

Monsignor Joseph G. Gilgallon

Biographical Information

YEAR OF BIRTH:	1934
YEAR OF DEATH:	1991
ORDINATION:	May 23, 1959

Employment/Assignment History

6/1959 – 6/1966	Asst. Pastor, St. Basil, Dushore, PA
6/1966 – 9/1966	Asst. Pastor, St. Francis, Eagles Mere, PA
9/1966 – 9/1972	Pastor, St. Ignatius, Kingston, PA
9/1972 – 9/1985	Pastor, St. Peter, Scranton, PA
9/1985 – 9/1987	Pastor, St. Therese, Shavertown, PA
9/1987 – 2/1991	Pastor, St. Francis, West Hazleton, PA

Summary

On January 31, 2006, the Diocese of Scranton was notified that a 40-year-old adult male who was undergoing counseling had alleged that he was sexually abused by Monsignor Joseph G. Gilgallon on December 31, 1986. Although the Diocese could not locate any paperwork that the incident had been reported by the victim, the Diocese spoke with other priests in service during that time period and confirmed that the abuse took place in the rectory. Counseling was continued for the victim.

On May 6, 2016, the Diocese sent a certified letter to each of the District Attorney's Offices within the Diocese. The letter included a list that contained the names of all priests against whom complaints of sexual abuse of minors had been made. Gilgallon was included in that list.

Reverend Joseph A. Griffin

Biographical Information

YEAR OF BIRTH:	1901
YEAR OF DEATH:	1988
ORDINATION:	June 11, 1927

Employment/Assignment History

6/1927 – 9/1927	Asst. Pastor, St. Matthew, East Stroudsburg, PA
9/1927 – 2/1928	Asst. Pastor, St. Andrew, Blossburg, PA
2/1928 – 9/1929	Asst. Pastor, Annunciation, Williamsport, PA
9/1929 – 1/1932	Studies – Catholic University
1/1932 – 9/1938	Chaplain, & Teacher, Marywood College, Scranton, PA
9/1938 – 6/1944	Chaplain, St. Joseph Children and Maternity Hospital, Scranton, PA
6/1944 – 9/1951	Pastor, St. Catherine, Moscow, PA
9/1951 – 9/1952	Administrator, St. Basil, Dushore, PA
9/1952 – 1/1967	Pastor, St's Peter & Paul, Towanda, PA
1/1967 – 9/1974	Pastor, St. Mary, Avoca, PA
9/1974 – 9/1976	Chaplain, Marian Convent, Scranton, PA
9/1976	Retired
5/1980 – 7/1980	Part-time Administrator, St. Catherine, Moscow, PA
7/1980	Part-time Administrator, Blessed Sacrament, Hughestown, PA

Summary

In September, 2009, the Diocese of Scranton was contacted by a 42-year-old male who reported that he was sexually abused by Father Joseph A. Griffin in 1967 when he was nine years old. This occurred when Griffin took the victim and other boys on boat trips to Seneca Lake, NY and to a summer cottage at Lake Henry in the Poconos. The caller stated that Griffin touched him, rubbed his backside and slept with his arm around him. The victim stated that he did not wish to pursue any action against the Diocese; rather, he just wanted the Diocese to be aware of what had occurred.

The victim contacted the Diocese again in 2011, just wanting to talk about what had happened to him.

Reverend P. Lawrence Homer

Biographical Information

YEAR OF BIRTH:	1933
YEAR OF DEATH:	2015
ORDINATION:	May 23, 1959

Employment/Assignment History

8/1959 – 10/1961	Asst. Pastor, Vicar, Holy Rosary, Scranton, PA
10/1961 – 6/1964	Asst. Pastor, St. John the Baptist, Scranton, PA
3/1965 – 9/1965	Asst. Pastor, Gate of Heaven, Dallas, PA
9/1965 – 9/1966	Asst. Pastor, Holy Trinity, Hazleton, PA
9/1966 – 2/1967	Asst. Pastor, St. Boniface, Williamsport, PA
2/1967 – 1/1970	Asst. Pastor, Queen of Peace, Hawley, PA
1/1970 – 1/1977	Asst. Pastor, St. John the Baptist, Pittston, PA
1/1977 – 10/1993	Pastor, Holy Trinity, Hazleton, PA
9/1987 – 10/1993	Pastor, Our Lady of Mt. Carmel, Hazleton, PA
10/1993	Resignation Effective October 03, 1993
10/1993 – 7/1994	Residence, Marian Convent, Marywood College, Scranton, PA
7/1994 – 6/2002	Residence, Our Lady Queen of Peace Rectory, Brodheadsville, PA
7/03/2002	Removed from ministry

Summary

On January 15, 1967, Father Post was advised that Father P. Lawrence Homer had a 14-year-old female in his locked office for the duration of an entire class period. It was reported that he engaged in a sexual conversation with her wherein he asked her about her "*sex hair*" and the development of her breasts and nipples. He told her that while she was only 14 years old, she had the body of an 18-year-old.

Post was also made aware of a second victim that Homer brought into his office. This victim was also approximately 14 years old. It was reported that she was in his locked office for more than one hour. During that time period, he asked her sexual questions about herself and told her that one day he would have her come to his office and he would undress her. He also took her into the examination room next to the health office where he unbuttoned the front of her blouse, french-kissed her and stated that she "*would be nice to marry even though it meant leaving the Priesthood.*" Homer was subsequently transferred to another parish.

On January 24, 1988, a female notified the Diocese that she was sexually molested by Homer in 1964 when she was 14 years old. She advised that Homer had fondled her breasts under her blouse.

Summary

The Diocese received multiple complaints from adult female victims over the years who alleged that they were sexually involved with Homer during a fragile time in their lives. One incident involved a nun whom Homer touched, hugged and kissed.

Homer was sent for evaluation and treatment on two separate occasions. Information contained within the Diocesan files was very vague, however. None of the incidents were reported to law enforcement.

He was removed from ministry in July 2002.

Reverend Mark A. Honart

Biographical Information

YEAR OF BIRTH:	1946
YEAR OF DEATH:	N/A
ORDINATION:	February 2, 1980

Employment/Assignment History

2/1980 – 8/1981	Asst. Pastor, Nativity of the Blessed Virgin Mary, Kansas City, MO
8/1981 – 7/1986	Asst. Pastor, Holy Cross, Kansas City, MO
7/1986 – 10/1990	Pastor, St. Patrick's, St. Joseph, MO
10/1990 – 1/1991	Sabbatical Leave
1/1991 – 6/1991	Asst. Pastor, Immaculate Conception, Kansas City, MO
6/1991 – 8/2000	Pastor, Immaculate Conception, Richmond, MO
8/2000 – 1/2001	Pastor, St. Rose of Lima, Savannah, MO
1/2001 – 1/2004	On loan to the Archdiocese of Santa Fe, NM
6/2004 – 6/2009	On loan to the Diocese of Scranton
6/2004 – 6/2005	Asst. Pastor, St. Rose of Lima, Carbondale, MO
6/2005 – 7/2007	Administrator, St. Anthony, St. Bridget, St. John the Baptist, Throop, PA
7/2007 – 7/2010	Administrator, Our Lady Help of Christians, Dorrance, PA
6/12/2009	Excardinated to the Diocese of Kansas City
6/13/2009	Incardinated to the Diocese of Scranton
7/2010 – 2/2011	Asst. Pastor, Ascension, Forest City, PA; St. Katherine Drexel, Pleasant Mount, PA
2/03/2011	Faculties removed

Summary

On February 2, 2011, the Diocese of Scranton was notified by the Diocese of Kansas City that there was an allegation that Father Mark A. Honart had sexually abused a young boy in 1985-1986 when he was in the fourth grade at Holy Cross. The Diocese of Scranton withdrew Honart's faculties and notified local law enforcement. Arrangements were made to relay the incident to law enforcement in Kansas City. In 2015, the Diocese of Kansas City-St. Joseph reached a settlement with the victim in the civil lawsuit.

On February 3, 2011, Honart was assigned to a leave of absence for health reasons.

Reverend Joseph F. Houston

Biographical Information

YEAR OF BIRTH:	1937
YEAR OF DEATH:	N/A
ORDINATION:	February 8, 1964

Employment/Assignment History

3/1964 – 9/1966	Asst. Pastor, St. Thomas More, Lake Ariel, PA
9/1966 – 9/1970	Asst. Pastor, St. Peter, Wellsboro, PA
9/1970 – 6/1977	Asst. Pastor, St. Paul, Scranton, PA
9/1977 – 9/1980	Pastor, Holy Child, Mansfield, PA
9/1980 – 9/1982	Pastor, St. Thomas More, Lake Ariel, PA
9/1982	Resigned
11/1982 – 6/2002	Pastor, St. Vincent de Paul, Plymouth, PA
6/2002	Removal from ministry

Summary

On June 29, 1971, Father George Jeffrey reported to Bishop J. Carroll McCormick that Father Joseph F. Houston and a minor female were observed going into a motel room late at night on multiple occasions. They had also been seen together in public on a regular basis.

On May 4, 2002, Bishop James C. Timlin received a letter from this female victim, advising that Houston had taken advantage of her from the age of 14 to the age of 17. She asked that the incident not be brought to the attention of law enforcement. On May 11, 2002, Houston sent a letter to her, apologizing for the pain that he caused her by his inexcusable behavior.

On June 28, 2002, Houston was removed from his priestly duties by the Diocese.

On July 06, 2004, Pope John Paul II granted Houston dispensation.

On May 6, 2016, the Diocese sent a certified letter to each of the District Attorney's Offices within the Diocese. The letter included a list that contained the names of all priests against whom complaints of sexual abuse of minors had been made. Houston's name was on the list along with the name of the victim.

[redacted]

Biographical Information

[redacted]

Employment/Assignment History

[redacted]

Summary

On [redacted] received a letter from an individual [redacted].

[redacted].

[redacted].

[redacted].

[redacted].

REDACTED -- ONGOING APPELLATE LITIGATION

[redacted]

Biographical Information

[redacted]

Employment/Assignment History

[redacted]

Summary

The Diocese of Scranton received complaints from three adult males who claimed that they were sexually molested by [redacted] in the 1970's during the time period when they [redacted] the [redacted]. The first two complaints were received in 2007.

The Diocese issued a Decree that the allegations were to be investigated. A private detective was hired. Although the two victims were shown photo line-ups containing photographs of priests from the 1970's, they could not positively identify [redacted]. The Diocese determined that the complaints were unsubstantiated but did offer to pay for counseling for the two victims. Law enforcement was not notified.

In 2014, the Diocese received the complaint from the third victim who alleged that he was sexually molested by [redacted]. The Diocese listed this complaint as unsubstantiated. However, it was referred to law enforcement.

Reverend Francis G. Kulig

Biographical Information

YEAR OF BIRTH:	1948
YEAR OF DEATH:	Unknown
ORDINATION:	May 18, 1974

Employment/Assignment History

6/1974 – 9/1974	Asst. Pastor, St. Matthew, East Stroudsburg, PA
9/1974 – 9/1979	Asst. Pastor, Immaculate Conception, Scranton, PA
9/1979 – 10/1985	Asst. Pastor, St. John the Evangelist, Wilkes-Barre, PA
10/1985 – 9/1986	Asst. Nativity BVM, Tunkhannock, PA
9/1986 – 8/1987	Pastor, St. Mary of the Lake, Lake Winola, PA
8/01/1987	Resigned from St. Mary of the Lake
9/1987 – 1/2001	Chaplain, Mercy Center Convent, Dallas, PA
1/2001 – 6/2002	Chaplain, Holy Family Residence, Scranton, PA,
7/03/2002	Removed from ministry

Summary

On November 4, 1986, a concerned father wrote a letter to the Diocese of Scranton wherein he alleged that his son was sexually molested by Father Francis G. Kulig beginning in 1979 when the boy was 12 years old. The abuse continued until Kulig was transferred on October 2, 1985. It was alleged that there was mutual masturbation, oral sex and anal sex.

When he was interviewed, Kulig admitted to having a relationship with the victim. He stated that mutual masturbation was the only activity that occurred.

On December 30, 1986, Bishop Timlin acknowledged that Kulig would receive treatment. He underwent treatment from February 17, 1987 through August 14, 1987.

At the request of Timlin, Kulig submitted his resignation from St. Mary of the Lake.

Following his treatment, Kulig was assigned to the Mercy Center Convent. Upon learning of this assignment, the victim's father began writing Timlin, expressing his concerns that Kulig was still a priest.

A sum of $10,000 was ultimately paid to the family.

Effective July 3, 2002, Kulig had his faculties removed. He was prohibited from wearing clerical garb and presenting himself as a priest. He was further prohibited from celebrating mass or the sacraments as a priest.

Reverend Albert M. Libertore, Jr.

Biographical Information

YEAR OF BIRTH:	1964
YEAR OF DEATH:	N/A
ORDINATION:	August 26, 1989

Employment/Assignment History

8/1989 – 6/1990	Student, Louvain, Belgium
7/1990 – 2/1991	Parochial Vicar, St. John the Evangelist, Pittston, PA
2/1991 – 6/1993	Parochial Vicar, St. Peter's Cathedral, Scranton, PA
7/1993 – 6/1995	Student, Louvain, Belgium
7/1995 – 6/1997	Director of Vocations, Scranton, PA
7/1995 – 4/1997	St. Pius X Seminary, Faculty, Dalton, PA
4/1997 – 6/1997	Resident, St. Clare, Scranton, PA
7/1997 – 1/2004	Administrator, Sacred Heart of Jesus, Duryea, PA
5/2004	Faculties removed
5/26/2006	Removed from the clerical state

Summary

On November 27, 1996, Father Joseph Bambera sent a memorandum to Bishop James C. Timlin expressing his concern about a close relationship between Father Albert M. Liberatore, Jr. and a young adult male. He wrote that he perceived it to be a potentially problematic situation. He stated that Liberatore knew the young male was not old enough to drink in Pennsylvania so therefore he took him to New York to consume alcohol. They spent the night there. Timlin wrote on the memorandum, "*Confidential – no action taken.*"

In March, 1997, a note was written that contained a summary of concerns about Liberatore.

One concern was about inappropriate behavior by Liberatore in February, 1997 when 20 young men from Bishop Hoban High School toured St. Pius X Seminary. As they walked by a room with the door ajar, Liberatore was observed lying on the bed being given a back rub by a seminarian. Timlin noted on the summary, "Strictly Confidential, spoke to Father Liberatore about all of this. Matter was resolved."

On December 16, 2002, Timlin received a letter from The American College in Louvain, Belgium. It was reported that while Liberatore was visiting there, a seminarian observed Liberatore taking a young man in his teens or early twenties into his bedroom. Liberatore was visibly inebriated.

Summary

On December 30, 2002, Bishop Dougherty and Timlin met with Liberatore. He admitted to the activity described in the letter but assured them that the person was out of college. It was agreed that Liberatore would go for an evaluation in January, 2003.

On January 3, 2004, the Diocese received a complaint that Liberatore had sexually abused two young men. The allegations were determined to be credible and they were reported to law enforcement.

On July 15, 2004, Liberatore was arrested by the Lackawanna County District Attorney's Office. He was charged with indecent assault, corruption of minors, endangering the welfare of children and furnishing alcohol to a minor in connection with the sexual abuse of an altar boy between May, 1999 and May, 2004. Liberatore was also arrested by the New York City Police for a felony for a sexual assault on the same minor. Liberatore pled guilty in both cases.

A civil action was also filed regarding this abuse and a settlement was reached in the amount of $3 million.

Reverend John A. Madaj

Biographical Information

YEAR OF BIRTH:	1914
YEAR OF DEATH:	1998
ORDINATION:	June 3, 1939

Employment/Assignment History

6/1939 – 9/1944	Asst. Pastor, Nativity, Plymouth, PA
9/1944 – 1/1946	Asst. Pastor, St. Mary, Wilkes-Barre, PA
1/1946 – 9/1946	Asst. Pastor, St. Hedwig, Kingston, PA
9/1946 – 5/1950	Asst. Pastor, St. Adalbert, Glen Lyon, PA
5/1950 – 10/1955	Pastor, St. Joseph, Morrris Run, PA
10/1955 – 1/1970	Pastor, Sacred Heart, Forest City, PA
1/1970 – 9/1984	Pastor, Transfiguration, West Hazleton, PA
9/1984 – 1/1985	Pastor, St. Mary of Czestochowa, Eynon, PA
1/1985 – 9/1989	Pastor, SS Peter and Paul, Scranton, PA
9/1989 – 11/1998	Pastor Emeritus, St. Peter and Paul, Scranton, PA

Summary

In December, 1952, Father McHugh received two anonymous letters alleging that Father John A. Madaj was having an affair with his housekeeper. Nothing was found in the file to indicate that any action was taken on the part of the Diocese.

On March 12, 1990, the Diocese received a letter from the parents of a 19-year-old male, alleging that Madaj had sexually molested their son when he was nine or 10 years of age. When Bishop James C. Timlin confronted Madaj, Madaj denied the allegation. Timlin then contacted the parents of the victim and informed them of Madaj's denial. Timlin recommended that their son speak to a counselor. He also suggested that they meet with Madaj.

[redacted]

Biographical Information

[redacted]

Employment/Assignment History

[redacted]

Summary

On [redacted] was notified of an incident that occurred in [redacted] involving [redacted]. [redacted]

REDACTED -- ONGOING APPELLATE LITIGATION

Reverend James M. McAuliffe

Biographical Information

YEAR OF BIRTH:	1914
YEAR OF DEATH:	1989
ORDINATION:	May 30, 1942

Employment/Assignment History

6/1942 – 9/1942	Asst. Pastor, St. Ann, Tobyhanna, PA
9/1942 – 3/1945	Asst. Pastor, St. Thomas, Archbald, PA
3/1945 – 6/1945	Asst. Pastor, Our Lady of the Snows, Clarks Summit, PA
6/1945 – 4/1947	Asst. Pastor, St. Mary's, Pittston, PA
4/1947 – 6/1953	Asst. Pastor, St. Paul, Scranton, PA
6/1953 – 6/1954	Asst. Pastor, St. Therese, Shavertown, PA
6/1954 – 9/1954	Asst. Pastor, St. Ann, Tobyhanna, PA
9/1954 – 2/1966	Asst. Pastor, Holy Saviour, Wilkes-Barre, PA
2/1966 – 9/1969	Asst. Pastor, St. Thomas, Dickson City, PA
9/1969 – 9/1973	Pastor, St. James, Pleasant Mount, PA
9/1973 – 9/1989	Pastor, St. David, Scranton, PA
9/1989	Pastor Emeritus, St. David, Scranton, PA

Summary

On June 24, 2010, an advertisement was placed in a Scranton newspaper, inquiring as to whether anyone had served as an altar boy at a certain parish and was sexually abused by Father James M. McAuliffe. If so, they were asked to contact the listed telephone number. As a result of this advertisement, the Diocese placed an announcement in the bulletins that were circulated to all of the parishes to which McAuliffe had been assigned. The announcement requested victims of sexual abuse by a member of the clergy to come forward. Several victims responded. Financial assistance was offered in connection with counseling for them and law enforcement was notified. These incidents of reported sexual abuse occurred between September 18, 1954 and April 3, 1963.

On August 23, 2010, one of the victim met with Bishop Joseph Bambera. He expressed concern that his report of the abuse was made in 1963 but McAuliffe continued to serve as a priest. Bambera confirmed that this incident was in fact documented in McAuliffe's file. In March 1963, the victim had informed his father that he was sexually abused and sodomized by McAuliffe. This was reported to the Diocese and McAuliffe was removed almost immediately. He was sent to Kentucky to spend time in a rehabilitation facility. Bishop Hannon was notified by the psychiatrist in charge that McAuliffe was cured of his problems and was ready to be reassigned. Hannon refused to follow that advice, however, and noted in the file that no altar boy should ever be put in danger of being hurt again by this priest. McAuliffe went to live with his sister in Scranton.

Summary

Hannon then traveled to Rome to participate in the Second Vatican Council. He passed away during the end of the Council. Thereafter, McAuliffe managed to return to ministry. Although the Diocese is now aware that McAuliffe re-offended on other young boys, there was no information in his file until the recent reports in response to the newspaper advertisement.

On March 20, 1963, it was announced McAuliffe was assigned to St. Christopher's effective April 5, 1963. On April 3, 1963, Hannon rescinded this assignment, stating that an unforeseen physical indisposition had intervened to prevent McAuliffe from accepting the appointment.

Monsignor Joseph A. Madden wrote in 1963 that McAuliffe was in need of some psychiatric attention. He also wrote to the parents of the victim that to report this was the best thing that could have been done for the interest of the Catholic Church; specifically, that Almighty God had seized this opportunity to make McAuliffe a better priest following his experience of being apprehended. Madden also made the following remark to the father of the victim, "*after all your son was over the age of reason.*"

Reverend Neil McLaughlin

Biographical Information

YEAR OF BIRTH:	Unknown
YEAR OF DEATH:	Unknown
ORDINATION:	1959

Employment/Assignment History

1961 – 1983	Taught at Scranton Preparatory School
1971 – 1995	Celebrated weekend masses at St. John Bosco, Conyngham, PA
1985 – 1986	Served as the Assistant Director of Campus Ministries, University of Scranton
1985 – 2006	Administrative jobs with the Alumni Association at the University of Scranton
1990s	Celebrated weekend masses at St. Mary of the Assumption, Scranton, PA
1996 – 2006	Ministered part-time at St. Thomas More, Lake Ariel, PA

Summary

Father Neil McLaughlin was a Jesuit priest from the Maryland Province of the Society of Jesus.

The Province had a Jesuit Community within the Diocese of Scranton. When Bishop Martino was installed as the Bishop of Scranton, he directed that a comprehensive review of all allegations of sexual misconduct involving clerics of the Diocese be conducted. A concern about McLaughlin was discovered.

Jesuit priests are not governed by the Diocesan Bishop in the area where they are serving; instead, they are governed by their Provincial leader. As a result of the Dallas Charter in 2002, the Society of Jesus notified the Diocese of Scranton of an allegation made against McLaughlin by his niece. While in therapy, the niece had recovered a memory that in 1959, McLaughlin hugged her in a sexual manner at his ordination.

McLaughlin was sent for an evaluation and was diagnosed as a latent pedophile.

The Society recently sent McLaughlin for another evaluation and that the physician felt that there was an error in the first evaluation and that McLaughlin was not a threat to children.

On January 30, 2006, the Diocese received notification from the Society of Jesus that it was recommended that McLaughlin continue ministry but that it be restricted to ministry that did not involve children.

Summary

On January 11, 2007, McLaughlin was assigned to the Jesuit Provincial Community in Baltimore, MD. McLaughlin was notified by the Diocese of Scranton that his faculties were withdrawn.

In December, 2008, an adult female reported to the Society of Jesus that Father McLaughlin touched her in a sexual and inappropriate manner in 1963, when she was 10 years old. The allegation was reported to the local police department in Maryland.

Reverend Joseph F. Meighan

Biographical Information

YEAR OF BIRTH:	1943
YEAR OF DEATH:	N/A
ORDINATION:	May 25, 1968

Employment/Assignment History

6/1968 – 9/1968	Asst. Pastor, St. Ann, Shohola, PA
9/1968 – 5/1970	Asst. Pastor, St. Boniface, Williamsport, PA
5/18/1970	Removed from St. Boniface and ordered to report for psychological evaluation and treatment
5/1970 – 6/1975	Asst. Pastor, St. Matthew, East Stroudsburg, PA
6/1975 – 5/1976	St. Meinrad, IN for further studies
5/1976 – 12/1981	Asst. Pastor, St. Nicholas, Wilkes-Barre, PA
12/1981 – 9/1984	Pastor, St. Martin of Tours, Jackson, PA
9/1984 – 9/1987	Pastor, St. Boniface, Wilkes-Barre, PA
9/1987 – 7/1990	Pastor, St. Therese, Shavertown, PA
	Resigned as pastor, St. Therese
8/1991 – 1/2001	Chaplain, Holy Family Residence, Scranton, PA
1/2001 – 2/2001	Chaplain, Mercy Center Convent, Dallas, PA
2/2001 – 6/2002	St. Mary's Villa Nursing Home, Elmhurst, PA
7/03/2002	Removed from ministry

Summary

In 1970, at least four boys were interviewed by the Diocese of Scranton and reported that Father Joseph F. Meighan had disrobed and fondled them. Meighan was transferred and ordered to report for psychological evaluation and treatment.

In 1990, a mother observed Meighan in the process of disrobing her 17-year-old son in the parlor of the rectory. Meighan thereafter resigned as pastor at St. Therese and was again sent for psychological evaluation and treatment. After he was released, he was assigned to Holy Family Residence. He was then transferred to Mercy Center. The father of one of the victims protested this assignment, however, because it was too close to the area where his son had been molested. Meighan was then immediately assigned to St. Mary's Villa Nursing Home until his removal from ministry.

At least 3 more complaints were made in 2003, 2007 and 2008.

Reverend Russell E. Motsay

Biographical Information

YEAR OF BIRTH:	1946
YEAR OF DEATH:	N/A
ORDINATION:	May 13, 1972

Employment/Assignment History

5/1972 – 3/1973	Asst. Pastor, Most Precious Blood, Hazleton, PA
3/1973 – 9/1974	St. Aloysius, Wilkes-Barre, PA
9/1974 – 1/1975	St. Lawrence, Williamsport, PA
1/1975 – 9/1977	5Sacred Heart, Peckville, PA
9/1977 – 8/1978	Asst. Pastor, Our Lady of Grace, Hazleton, PA
8/1978 – 6/1982	Asst. Pastor, St. John the Evangelist, Wilkes-Barre, PA
6/1982 – 9/1985	Asst. Pastor, Holy Name of Jesus, Swoyersville, PA
9/1985 – 7/1989	Pastor, St. James, Pleasant Mount, PA,
7/1989 – 7/1996	Pastor, St. Juliana, Rock Lake, PA
7/1996 – 4/2012	Pastor, Our Lady of Mount Carmel, Carbondale, PA
4/13/2012	Resigned
9/15/2015	Removed from priestly ministry

Summary

On March 16, 2012, the Diocese of Scranton received an e-mail communication from a sender only known as "Jeff" he wrote that he needed to speak with the "Bishop only" concerning sexual abuse by a clergy member. A reply was sent to "Jeff" wherein he was encouraged to contact law enforcement immediately regarding the allegation. After receiving no response, a copy of the e-mail correspondence was given to the Lackawanna County District Attorney's Office. The victim was ultimately located and the case was turned over to the Wayne County District Attorney's Office.

The Pennsylvania State Police interviewed the victim who reported that he was touched and fondled by Father Russell E. Motsay. He explained that he would stay overnight at the rectory and sleep in the same bed as Motsay. They would only be dressed in their underwear and Motsay would massage the victim, rubbing his inner thighs and fondling him. He reported that Motsay was sexually aroused during these incidents.

The Pennsylvania State Police subsequently identified four additional victims who experienced similar abuse. Because the statute of limitations had expired, however, no criminal action could be taken.

Summary

Motsay was interviewed and admitted to the allegations. On September 15, 2015, he was permanently removed from priestly ministry.

Reverend James F. Nolan

Biographical Information

YEAR OF BIRTH:	1897
YEAR OF DEATH:	1957
ORDINATION:	May 15, 1929

Employment/Assignment History

6/1929 – 9/1929	Asst. Pastor, St. Mary, Lackawaxen, PA
9/1929 – 1/1931	Asst. Pastor, St. Patrick, Wilkes-Barre, PA
1/1931 – 9/1939	Asst. Pastor, SS. Peter and Paul, Towanda, PA
9/1939 – 6/1944	Asst. Pastor, St. Vincent, Scranton, PA
6/1944 – 6/1950	Pastor, St. James, Pleasant Mount, PA
6/1950 – 6/1956	Pastor, St. Charles, Sugar Notch, PA
6/25/1956	Resigned

Summary

On November 7, 2003, the Diocese of Scranton was contacted by a 75-year-old male who reported that he was groped by Father James F. Nolan when he was a 15 years old altar boy. The male stated that Nolan had touched his genitals on the outside of his clothing.

The victim was advised that Nolan had died. The victim declined an offer to speak with the Victim Assistance Coordinator for the Diocese and stated that he believed that he could now put the matter behind him. This matter was not reported to law enforcement.

On May 6, 2016, the Diocese sent a certified letter to each of the District Attorney's Offices within the Diocese. The District Attorneys were notified by Bishop Joseph Bambera that in in an effort to further the Church's ongoing commitment to transparency as it continues to address the sad reality of child sexual abuse, he was submitting for their information a confidential comprehensive list of all priests in the Diocese of Scranton against whom accusations of sexual abuse of children had been made. Nolan's name was contained on the list.

Reverend W. Jeffrey Paulish

Biographical Information

YEAR OF BIRTH:	1956
YEAR OF DEATH:	N/A
ORDINATION:	September 3, 1988

Employment/Assignment History

9/1988 – 6/1991	Asst. Pastor, Our Lady of the Snows, Clarks Summit, PA
6/1991 – 1/1992	Asst. Pastor, Annunciation, Williamsport, PA
1/1992 – 6/1992	Asst. Pastor, St. Cecilia, Exeter, PA
6/1992 – 7/1993	Asst. Pastor, Most Precious Blood, Hazleton, PA
7/1993 – 1/1994	Asst. Pastor, Sacred Heart, Peckville, PA
1/1994 – 7/2000	Chaplain, Little Flower Manor, Wilkes-Barre, PA
7/2000 – 7/2004	Pastor, St. Francis Xavier, Friendsville, PA, St. Patrick, Middletown, PA and St. Thomas the Apostle, Little Meadows, PA
7/2004 – 11/2004	Leave of Absence
11/2004 – 6/2005	Asst. Pastor, St. Joseph's, Minooka, PA, Immaculate Conception and St. John the Baptist, Taylor, PA
6/2005 – 9/2005	Chaplain, St. Mary's Villa, Elmhurst, PA
9/2005 – 11/2005	Asst. Pastor, St. Patrick, Scranton, PA
11/2005 – 3/2006	Leave of Absence
3/2006 – 10/2006	Residence, St. Cecilia, Exeter, PA
10/2006 – 7/2008	Asst. Pastor, St. Mary, Old Forge, PA
7/2008 – 7/2011	Administrator, St. Elizabeth, Bear Creek, PA
7/2011 – 8/2012	Leave of Absence
8/2012 – 11/2012	Asst. Pastor, Holy Cross, Olyphant, PA
11/2012 – 7/2013	Leave of Absence
7/2013 – 11/2013	Asst. Pastor, Prince of Peace, Old Forge, PA
9/20/2013	Leave of Absence

Summary

On September 20, 2013, the Diocese of Scranton was notified by the Lackawanna County District Attorney's Office that Father W. Jeffrey Paulish was in custody. Campus security officers at the University of Scranton had caught Paulish having sex with a 15-year-old boy. Paulish ultimately pled guilty to the charge of corruption of a minor and was sentenced to eight to 23 months in prison.

The Diocese instructed the pastors of any churches to which Paulish had been assigned to advise their congregations that law enforcement had found Paulish engaged in an inappropriate act with a minor. The pastors were further instructed to encourage anyone who

Summary

may have been involved in, or may be aware of, any abusive situation involving Paulish to contact the District Attorney's Office or local law enforcement.

Reverend John A. Pender

Biographical Information

YEAR OF BIRTH:	1936
YEAR OF DEATH:	2009
ORDINATION:	June 6, 1962

Employment/Assignment History

6/1962 – 9/1962	Asst. Pastor, Queen of Peace, Hawley, PA
9/1962 – 2/1966	Asst. Pastor, Sacred Heart, Peckville, PA
2/1966 – 6/1967	Asst. Pastor, St. Leo, Ashley, PA
6/1967 – 10/1968	St. John, Susquehanna, PA
10/15/1968	Left the Diocese of Scranton without permission

Summary

Father John A. Pender was instructed to submit himself for psychiatric study by Bishop J. Carroll McCormick in October, 1968. Although Pender agreed to go to an institution for priests and nuns, he never reported for the treatment.

Years later, the Diocese of Scranton was contacted by the Diocese of Jefferson City and advised that Pender was practicing in their Diocese.

On May 6, 2016, the Diocese sent a certified letter to each of the District Attorney's Offices within the Diocese. The District Attorneys were notified by Bishop Joseph Bambera that in in an effort to further the Church's ongoing commitment to transparency as it continues to address the sad reality of child sexual abuse, he was submitting for their information a confidential comprehensive list of all priests in the Diocese of Scranton against whom accusations of sexual abuse of children had been made. Pender's name was on the list, noting that an allegation from a "John Doe" was made in 2014.

Reverend Mark T. Rossetti

Biographical Information

YEAR OF BIRTH:	1959
YEAR OF DEATH:	N/A
ORDINATION:	August 31, 1985

Employment/Assignment History

9/1985 – 1/1987	Asst. Pastor, St. John the Evangelist, Wilkes-Barre, PA
1/1987 – 9/1987	Asst. Pastor, SS Peter and Paul, Plains, PA
9/1987 – 7/1990	Asst. Pastor, St. John the Evangelist, Pittston, PA
7/1990 – 1991	Asst. Pastor, Holy Name, Swoyersville, PA
1991	Asst. Pastor, St. John the Evangelist, Pittston, PA
1994	Administrator, St. John the Baptist, Pittston, PA
7/1994 – 11/1995	Pastor, St. Joseph, St. Joseph, PA
11/29/1995	Resigned

Summary

On November 1, 1995, the Diocese of Scranton was made aware of an incident between Father Mark T. Rossetti and a 13-year-old boy that occurred when the boy was in eighth grade. It involving hugging, french-kissing and inappropriate conversations about how far they should go. The incident was immediately reported to the police. Rossetti was removed from ministry and sent for psychological evaluation and rehabilitation.

On November 21, 1995, the victim and his family signed a waiver of prosecution to end the investigation.

On October 17, 1997, Bishop James C. Timlin sent a letter to the Archbishop of New York. Although the Review Board for the Diocese of Scranton had reacted negatively to giving Rossetti an assignment in Scranton, it was Timlin's personal opinion that Rossetti was not a risk and that he should be allowed to perform some priestly work. In his letter, Timlin stated that he would be deeply grateful if the Archbishop could allow Rossetti to work in New York, at least temporarily. The Archdiocese of New York released Rossetti back to the Diocese of Scranton in 2002.

On November 11, 2014, Bishop Martino notified Rossetti that he was disturbed to find that his case had not yet been handled so as to comply with the requirements of the Code of Canon Law. He noted, "Bishop Timlin, I believe, felt that he had looked into the matter but was unable to decide on the truthfulness of the claims made by you and [the victim]."

Rossetti was withdrawn from the sacred ministry. He was laicized in 2007.

Reverend Edward J. Shoback

Biographical Information

YEAR OF BIRTH:	1942
YEAR OF DEATH:	N/A
ORDINATION:	May 27, 1967

Employment/Assignment History

6/1967 – 9/1967	Asst. Pastor, St. Ann, Shohola, PA
9/1967 – 9/1968	Asst. Pastor, St. Stephen, Plymouth, PA
9/1968 – 9/1970	Asst. Pastor, Holy Rosary, Ashley, PA
9/1970 – 9/1974	In residence, St. Therese, Wilkes-Barre, PA
9/1974 – 12/1980	Asst. Pastor, St. Aloysius, Wilkes-Barre, PA
12/1980 – 9/1987	Pastor, St. John Nepomucene, Luzerne, PA
9/1987 – 9/1989	Pastor, Transfiguration, West Hazleton, PA
9/1989 – 7/2004	Pastor, St.'s Peter and Paul, Scranton, PA
7/20/2004	Removed from active ministry
5/22/2009	Dismissed from the clerical state

Summary

On June 27, 2002, the Diocese of Scranton met with a male in his thirties who stated that he had been sexually molested by Father Edward J. Shoback 25 years earlier. The male was in theological formation and the Diocese of Raleigh terminated its relationship with him. Additionally, the St. Mary's Seminary in Baltimore dismissed him. The male stated that his troubles in the seminary were due to the sexual abuse. The male stated that he did not want to pursue the matter with Shoback because he liked him. He stated that he had put the matter behind him following several years of therapy and did not want to see Shoback defrocked.

When confronted, Shoback denied the allegation.

On July 19, 2004, an adult male contacted the Diocese to report that he was sexually abused by Shoback in 1981 at the age of 12. The incident occurred when Shoback invited him to watch a movie. Shoback removed the victim's clothing and performed oral sex on him at that time. The victim stated that he was certain that Shoback had sexually abused other boys. Three days later, a second male contacted the Diocese after speaking with the victim. He reported that Shoback had touched his genitals on the outside of his clothing. A third adult male then contacted the Diocese on July 26, 2014, and reported that Shoback introduced him to wine/liquor and pornography. The male reported sexual abuse by Shoback involving genital contact. When confronted, Shoback admitted to the allegations made by the first victim. He was removed from ministry.

Summary

As a result of the 2002 Charter, the Diocese was required to place a notice in the church bulletins that were distributed to congregations to which Shoback had been assigned. The notice requested that anyone who may have been sexually abused by Shoback to come forward. As a result of the notice, three additional victims came forward. The statute of limitations had expired, however, in connection with their cases. The Diocese offered to assist with counseling services.

Complaints received in 2007 and 2009 were referred to the Luzerne County District Attorney's Office.

Reverend Thomas P. Shoback

Biographical Information

YEAR OF BIRTH:	1951
YEAR OF DEATH:	N/A
ORDINATION:	May 7, 1977

Employment/Assignment History

5/1977 – 8/1977	Asst. Pastor, St. Matthew, East Stroudsburg, PA
9/1977 – 1/1984	Asst. Pastor, Nativity of the Blessed Mary, Plymouth, PA
1/1984 – 8/1984	Asst. Pastor, St. Joseph, Hazleton, PA
8/1984 – 2/1989	In residence, Sacred Heart, Plains, PA
2/1989 – 6/1997	Pastor, St. Andrew and St. Mary, Blossburg, PA
7/1997 – 7/2002	Pastor, Our Lady of Lourdes, Montoursville, PA
7/2002 – 7/2004	Pastor, Holy Redeemer, Harding-Falls, PA
7/2004 – 7/2006	Pastor, St. Joseph, Hudson, PA, Sacred Heart, Plains, PA
7/2006 – 11/2011	Pastor, Sacred Heart of Mary, Jermyn, PA
11/15/2011	Leave of Absence
5/01/2013	Resignation
11/14/2014	Removed from ministry

Summary

On May 20, 2006, the Diocese of Scranton received a report that an 11-year-old boy was sexually assaulted by Father Thomas P. Shoback when the victim was an altar boy. The allegation was reported to the Tioga County District Attorney's Office and was investigated by the Diocese. When questioned about the allegation, Shoback denied that anything inappropriate had occurred. The victim provided the name of another former altar boy who was also a victim. This second male was interviewed and denied that anything had occurred. No criminal charges were filed. Shoback was sent for an evaluation.

On November 14, 2011, the male who had denied that anything had occurred when he was interviewed in 2006 revealed that he was sexually abused by Shoback when he was 11years old and serving as an altar boy. The Diocese filed a report with the Tioga County District Attorney's Office and also filed a report with ChildLine. Criminal charges for child sexual abuse were filed against Shoback for assaults that occurred between 1991 and 1997. In April, 2013, Shoback was found guilty. He was sentenced to five to ten years in state prison.

On November 14, 2014, Shoback was removed from ministry.

Reverend John J. Tamalis

Biographical Information

YEAR OF BIRTH:	1944
YEAR OF DEATH:	N/A
ORDINATION:	May 1, 1971

Employment/Assignment History

5/1971 – 9/1971	Asst. Pastor, St. Mary of the Mount, Mount Pocono, PA
9/1971 – 9/1976	Asst. Pastor, Queen of Peace, Hawley, PA St. Boniface, Williamsport, PA
9/1976 – 8/1985	Campus Ministry, Lycoming College, Williamsport, PA
9/1985 – 7/1990	Pastor, Holy Child, Mansfield, PA
7/1990 – 7/1996	Pastor, St. Lawrence, South Williamsport, PA
7/1996 – 3/1997	Pastor, St. Boniface, Williamsport, PA
4/03/1997	Leave of Absence
2/02/1998	Removed from ministry
12/21/2007	Dispensation from clerical state

Summary

On February 28, 1997, a 33-year-old male reported to the Diocese of Scranton that he had been sexually abused by Father John J. Tamalis in 1976 when he was 13 years of age. He stated that Tamalis furnished alcohol to him and performed oral sex on him.

On March 10, 1997, Tamalis was sent for an evaluation wherein he admitted that he probably abused nine boys/young men. The Vicar for Priests was advised by professional staff that there was likely far more than nine victims. Additional victims subsequently came forward to the Diocese to report that they were sexually abused by Tamalis. However, the statute of limitations had expired. The Diocese offered to assist with counselling services for the victims.

On December 21, 2007, Tamalis was dispensed from his obligations to the priesthood by Pope Benedict XVI.

Reverend Virgil B. Thetherow

Biographical Information

YEAR OF BIRTH:	1964
YEAR OF DEATH:	N/A
ORDINATION:	June 29, 2002

Employment/Assignment History

ASSIGNMENTS:	None
1/23/2015	Dispensation from clerical state

Summary

On July 1, 1998 Father Virgil B. Tetherow was a professed member of the Franciscan Friars of the Renewal in New York and known as Brother Gabriel Francis Tetherow. He communicated with Bishop James C. Timlin about setting up a religious community within the Diocese of Scranton. Timlin agreed and on February 1, 2001 the establishment of the Servants Minor of St. Francis was approved.

Timlin assisted Tetherow with his ordination at Our Lady of Guadalupe in Denton, Nebraska. Upon his ordination, Tetherow was incardinated within the Diocese of Scranton. After his ordination, Tetherow was never given an assignment in the Diocese, but was allowed to reside within the Diocese.

In January, 2005, it was brought to the attention of the Pocono Mountain Regional Police that child pornography was found on a computer at a rectory within the Diocese. The police interviewed Tetherow and he admitted to downloading the child pornography. Tetherow was arrested and removed from ministry on March 24, 2005. He pled guilty to criminal charges and received a probationary sentence.

Complaints began to come in from the Diocese of Harrisburg that Tetherow had opened a church in York County after his faculties had been removed. Tetherow was thereafter dismissed from the clerical state by the Holy Father on January 23, 2015.

Reverend Robert M. Timchak

Biographical Information

YEAR OF BIRTH:	1965
YEAR OF DEATH:	N/A
ORDINATION:	June 27, 1992

Employment/Assignment History

7/1992 – 7/1994	Asst. Pastor, St. Mary of the Immaculate Conception, Wilkes-Barre, PA
7/1994 – 7/1996	Director of Religious Formation, Seton Catholic High School, Pittston, PA
7/1996 – 7/1998	Director of Religious Formation, Bishop Hoban High School, Wilkes-Barre, PA
	Holy Savior, Wilkes-Barre, PA
7/1998 – 7/2006	Asst. Pastor, Annunciation, Williamsport, PA
6/2000 – 7/2006	Transfiguration, West Hazleton, PA St's. Peter & Paul, Hazleton, PA
7/2006 – 7/2007	Leave of Absence
7/2007 – 4/2009	Asst. Pastor, St. Vincent de Paul, Milford, PA
	St. John Neumann, Lords Valley, PA
4/04/2009	Leave of Absence
1/24/2014	Dispensation from clerical state

Summary

On December 9, 2008, the Diocese of Scranton received an anonymous letter alleging that Father Robert M. Timchak was viewing / downloading child pornography. The Diocese turned over the material that was received to the Pike County District Attorney's Office. At the conclusion of a police investigation, Timchak was charged with possessing /downloading child pornography. He pled guilty and was sentenced to state prison.

On January 24, 2014, Pope Francis granted dispensation to Timchak.

Reverend Lawrence P. Weniger

Biographical Information

YEAR OF BIRTH:	1910
YEAR OF DEATH:	1972
ORDINATION:	May 26, 1934

Employment/Assignment History

6/1934 – 9/1940	Asst. Pastor, St. Boniface, Wilkes-Barre, PA
9/1940 – 6/1941	Asst. Pastor, St. Mary Magdolen, Honesdale, PA
6/1941 – 6/1949	Asst. Pastor, St. Mary, Scranton, PA
6/1949 – 9/1951	Pastor, St. Thomas, Little Meadows, PA
9/1951 – 9/1960	Pastor, St. John, Troy, PA
9/1960 – 5/1961	Pastor, St. Mary's Assumption, Pittston, PA
5/1961 – 5/1968	Pastor, Sacred Heart, Luzerne, PA
5/19/1968	Prelate of Honor
3/08/1971	Diocesan Consultor

Summary

On February 26, 2002, the Diocese of Scranton was contacted by an adult male who stated that he was sexually abused by Father Lawrence P. Weniger in the 1960s when he served as an altar boy. No further information was contained in the file.

On June 3, 2002, the Diocese was contacted by another adult male who stated that he was sexually abused by Weniger in the 1960's. The male stated that he was seeking information and inquired about compensation for his painful memories. Bishop James C. Timlin wrote a note stating that he had a good conversation with the male. Timlin wrote that he answered his questions and expressed how sorry he was. The note indicated that the male felt that compensation was sufficient for him.

On December 27, 2011, the Diocese was contacted by Catholic Social Services who reported that an adult male had revealed that he had been sexually molested by Weniger in the 1960's. The male was offered assistance with counseling and the allegation was reported to law enforcement.

Reverend Joseph B. Wilson

Biographical Information

YEAR OF BIRTH:	1925
YEAR OF DEATH:	Unknown
ORDINATION:	December 18, 1994

Employment/Assignment History

12/1994 – 7/1996	Asst. Pastor, St. Ignatius, Kingston, PA
7/1996 – 1/1998	Administrator, Ascension, Williamsport, PA
2/1998 – 7/1999	Chaplain, Marian Convent, Scranton, PA
7/1999 – 1/2000	Asst. Pastor, St. Nicholas, Wilkes-Barre, PA
1/2000 – 7/2002	Chaplain, Divine Providence Hospital, Williamsport, PA
7/03/2002	Resigned
8/19/2002	Removed from ministry

Summary

In 1994, Father Joseph B. Wilson was known as Brother Raphael Wilson, a member of the Order of Holy Cross Province. He approached Bishop James C. Timlin and requested to be accepted into the Diocese of Scranton. He was approved by the Admissions Committee. After several months of confirming his records, Wilson was ordained as a priest at 69 years of age.

Handwritten notes in the file reflected that in July, 2002, the Diocese became aware that while Wilson was a Religious Brother at Holy Cross, there were allegations made that he had sexually abused two boys. Wilson admitted to abusing one of the boys and he was sent for evaluation and treatment.

A confidential settlement in the amount of $250,000 was reached with the victim.

Society of St. John

Reverend Christopher R. Clay

Biographical Information	
YEAR OF BIRTH:	1964
YEAR OF DEATH:	N/A
ORDINATION:	June 27, 1998

Employment/Assignment History	
7/1998 – 7/2000	Catechist, Notre Dame High School, East Stroudsburg, PA
7/2000 – 5/2002	Chaplain, Bishop Hafey High School, Hazleton, PA
5/2002 – 2/2003	Administrative Leave, Removed from active ministry
2/2003 – 2/2003	Asst. Pastor, St. Thomas More, Lake Ariel. PA
2/2003	Leave of Absence

Reverend Eric S. Ensey

Biographical Information	
YEAR OF BIRTH:	1966
YEAR OF DEATH:	N/A
ORDINATION:	June 24, 1995

Employment/Assignment History	
11/1997 – 4/2001	Incardinated, Diocese of Scranton
4/2001 – 4/2002	Administrator Pro Tempore, St. Patrick, Milford, PA
4/2002	Removed From Active Ministry
11/2011	Tribunal – Diocese of Harrisburg, Pa: Removed From the Clerical State

Reverend Carlos Urrutigoity

Biographical Information

YEAR OF BIRTH:	Unknown
YEAR OF DEATH:	N/A
ORDINATION:	July 22, 1991

Employment/Assignment History

5/24/1998	Decree issued by Bishop James C. Timlin establishing the Society of St John Urrutigoity not issued a religious assignment
4/2002	Removed from active ministry

Summary

The Society of St. Pius X ("SSPX") was founded in 1970 by a retired missionary bishop, Archbishop Marcel Lefebvre, in order to perpetuate the traditional liturgical rites of the church. In 1971, a seminary was started in Econe, Switzerland in order to train priests for the SSPX. Despite being specifically warned by the Pope not to ordain them, the founder ordained the first seminarians to the priesthood in 1976. Those ordinations were valid, but illicit. Pope Paul VI immediately suspended the founder's faculties and those of the men he had ordained.

In 1988, the founder sought an agreement with the Holy See for the lawful continuation of SSPX and an agreement was reached. The founder then broke the agreement, in an act that was schismatic, by ordaining four bishops without papal mandate. This action incurred an automatic ex-communication that was later lifted by Pope Benedict XVI. However, until the status of the Society was regularized by the Holy See, the bishops and priests remained suspended from the exercise of Holy Orders.

In 1989, some SSPX clergy and seminarians who did not want to go into schism (separation from the church), sought an agreement with the Holy See. The agreement resulted in the founding of the Priestly Fraternity of St. Peter ("FSSP").

In an effort to return disaffected members of the SSPX to membership in the Catholic Church, Bishop James C. Timlin interviewed a group of men who claimed that they were seeking to return to the true church. The group of men called themselves the Society of St. John and included four priests: Carlos Urrutigoity, Eric Ensey, Daniel Fullerton and Marshall Roberts. There were no background checks or reviews of their seminary or priestly formation records at that time. Timlin presumed that the SSPX had prepared the men for ordination by adhering to the standards that were established by that organization. Father Urrutigoity and Father Ensey were subsequently incardinated into the Diocese. Timlin had the censures lifted and the priests took up residence with the FSSP in Elmhurst.

The FSSP established St. Gregory's Academy, a high school for boys, with FSSP headquarters located in the same building as the high school. While residing there, Ensey served as chaplain at the Academy during the 1997-1998 and the 1998-1999 school years. He and other members of the FSSP served as teachers at the Academy.

On May 24, 1998, Timlin issued a decree formally establishing the Society of St. John ("SSJ") as a public association of the faithful in the Diocese. SSJ informed Timlin of its intent to establish a Catholic community wherein lay people who were committed to the rites of the 1962 missal would live in close connection with the SSJ. The members also wanted to establish a college and Timlin approved this request. This decision went against the recommendation of Diocesan officials.

On September 16, 1999, SSJ, with Timlin's permission, purchased one thousand acres in Shohola, Pike County. The real estate was not placed in the Bishop's name as was the practice with all Diocesan property, however. Complaints were subsequently made to the Diocese that the SSJ was spending money beyond their means. Timlin, in turn, explored ways to assist the SSJ.

On September 15, 2001, Timlin was informed that Urrutigoity had made it a practice to sleep in the same bed with boys and young men. Timlin immediately questioned Urrutigoity who denied any immoral behavior. Urrutigoity did admit that there may have been occasions when overcrowded conditions prompted shared sleeping arrangements. Timlin ordered Urrutigoity to stop the behavior and the allegation was brought before the Diocesan Review Board. Because there was no specific complaint, however, the Board believed that Timlin's instruction was all that could be done.

On January 12, 2002, Timlin received correspondence from a representative of the Pope. Attached was a letter written by a victim's father accusing Urrutigoity and Ensey of sexual misconduct. Father Clay, who was staying at the Shohola property, was also accused. These allegations were investigated by the Lackawanna County District Attorney's Office. However, because the statute of limitations had expired, no criminal charges were filed against Urrutigoity and Ensey. Clay's case was referred to the Pike County District Attorney's Office but no criminal charges were ever filed.

The Diocese, along with Urrutigoity and Ensey, were ultimately sued by the minor victim. The victim received a $380,000 settlement.

Urrutigoity, Ensey and Clay were sent for clinical assessments and removed from active ministry, pending the outcome of the diocese investigation.

With respect to Ensey, the panel determined that Ensey did commit the grave delict of sexual abuse of a minor. The clinical assessments of Urrutigoity and Ensey resulted in the determination that neither one should be engaged in active ministry involving children.

Timlin reinstated Clay. Clay declined the appointment, however, and was granted a leave of absence. Clay ultimately moved to the Diocese of Fort Worth, Texas, where he became active in a Catholic Church.

While awaiting an investigation by the Diocese, Ensey travelled to Canada where it was learned that he was active in a Catholic Church. He was also involved in soliciting donations for the reinstatement of the SSJ in Paraguay.

Clay and Ensey's participation in another Diocese after decrees had been issued whereby they were forbidden to be part of any active ministry created negative publicity both for the Diocese of Scranton and the Dioceses where they were living.

In May, 2003, the Society had a debt of $2,650,000. On July 25, 2003, the Holy See announced that Bishop Joseph Martino had been appointed to the See of Scranton. Prior to Martino's installation, Timlin authorized an arrangement with PNC Bank wherein the Diocese guaranteed a loan in the amount of $2,650,000.

On November 19, 2004, Martino issued a decree suppressing the SSJ.

While awaiting the Diocesan investigation, Urrutigoity and Ensey requested to be excardinated from the Diocese so they could be incardinated by Bishop Livieres Plano into the Diocese of Ciudad del Este, Paraguay, with the hopes of re-establishing the SSJ. The request was initially denied. In 2008, however, Urrutigoity was excardinated from the Diocese and incardinated into the Diocese of Ciudad del Este, Paraguay. The Bishop of the Diocese of Ciudad del Este praised Urrutigoity, citing the letter written by Timlin wherein Timlin gave a glowing opinion of the SSJ and Urrutigoity. The SSJ was re-created in Paraguay and Urrutigoity was promoted to second in charge under Plano. In 2014, the Vatican initiated an investigation into Urrutigoity and Plano. Urrutigoity was removed as second in command and Plano was removed as Bishop.

Reverend Benedict J. Van der Putten

Biographical Information

YEAR OF BIRTH:	Unknown
YEAR OF DEATH:	Unknown
ORDINATION:	Unknown

Employment/Assignment History

Not Applicable

Summary

While in Los Gatos, California, van der Putten had "indecent acts" with a 15-year-old girl and attempted the same with another girl, age 17. *(no description of acts)* This occurred around 2000.

He was immediately sent to the International Headquarters for the Society of St. Pius X in Switzerland. He was sent on sabbatical to the island monastery in Orkney Islands of Scotland. While in Ireland, he was expelled from the Society.

In 2001, he became a member of the Society of Saint John and worked in relations with the Diocese of Scranton. When Bishop James C. Timlin sent the paperwork to Rome for van der Putten to be "regularized" with the Diocese of Scranton, Rome reported the sexual abuse allegation made by the Society of St. Pius X. In 2001 Bishop Timlin was notified that there was a past sexual abuse allegation against van der Putten while in California. In 2002, van der Putten was interviewed by Timlin and other Diocesan administrators. Van der Putten admitted involvement with a 16-year-old girl. He advised he kissed her and caressed her breast. He also exposed his genitalia. Van der Putten claimed there was "nothing erotic" about the encounter, just attempts "to build trust".

Timlin sent van der Putten for evaluation at the Southdown Institute in Ontario. In a report written by Diocesan officials, they summarized the evaluation of van der Putten. He admitted to recently fondling a young woman he met while on Christmas vacation in 2001. The Southdown Institute found van der Putten had "predatory behavior." The Diocese received a call from a woman in January, 2002. She reported van der Putten molested her 18-year-old daughter in December,2001. This woman tracked van der Putten to Sacramento, California where he was giving liturgy. The Diocese noted in a report documenting the woman's complaint that van der Putten had a "Celebret" from the Congregation in Rome, Ecclesiae Dei, which provided him, with legitimacy, to engage in liturgy.

In 2002, Timlin advised van der Putten he would not be given faculties with the Diocese of Scranton. In December 2003, a memorandum went out to all bishops by the United States Conference of Catholic Bishops, Office of the General Secretary advising that van der Putten

Summary

was a former member of the Society of St. Pius X and that he did not have faculties in the Diocese of Scranton due to admitted sexual misconduct.

Van der Putten is using a website, www.paxvobis.org, to advertise his availability for conferences, retreats and youth camps while stating he is a priest in good standing. He is also asking for Mass stipends.

The Diocese of Scranton did not have any contact with van der Putten after April 2002.

RESPONSES TO FORTIETH STATEWIDE INVESTIGATING GRAND JURY REPORT NO. 1

INTERIM-REDACTED

DIOCESE OF ALLENTOWN

THE DIOCESE OF ALLENTOWN

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20 June 2018

BISHOP SCHLERT'S RESPONSE TO THE 40th STATEWIDE INVESTIGATIVE GRAND JURY REPORT

We thank the Grand Jury and the Office of Attorney General for their work in preparing the Report. It is only by confronting and understanding the past that we, as a Church and as a Commonwealth, can begin to heal and move forward toward a goal that we all share: The elimination of child abuse wherever it may occur in society.

The incidents of abuse contained in the Grand Jury Report are abhorrent and tragic. Even though most of the incidents in the Report date back decades and involve priests who are no longer in ministry or are deceased, it does not change the fact that past abuse was terrible, sinful, and criminal. Child abuse is devastating and tragic for the victims and survivors, who remain in our daily prayers.

On behalf of the Diocese of Allentown, I apologize to everyone who has been hurt by the past actions of some members of the clergy. As a Diocese, we know that these past actions have caused mistrust for many people.

Fortunately, much has changed over the past fifteen years, as the Grand Jury acknowledged in its Report. The Diocese of Allentown has taken strong and decisive action to prevent abuse and to provide support for victims and survivors. This includes a policy of zero tolerance: the Diocese reports all cases of abuse to law enforcement, and perpetrators are removed from ministry.

As a Diocese, we view law enforcement as a partner in the effort to combat the problem of child abuse. For example, in May 2002, the Diocese voluntarily convened a meeting with the District Attorneys of the five counties which encompass the Diocese of Allentown. At the meeting, the Diocese provided the District Attorneys with the files for priests against whom known, credible allegations of abuse had been lodged. Since 2002, we have promptly informed each respective District Attorney when a new allegation is made, regardless of how long ago the abuse may have occurred.

Sadly, abuse still is part of the society in which we live. Today, in the Diocese of Allentown, victims and survivors are heard and cared for, perpetrators are held accountable and children are protected.

The Diocese of Allentown has the following protocols, which it diligently enforces, to protect children:

- Rigorous background checks for clergy, employees, and volunteers of all parishes, schools, and other organizations.
- Educational programs have been provided to over 38,000 adults. These mandatory programs provide training in recognizing, reporting, and responding to abuse.
- Annual, age-appropriate training is provided to children in diocesan schools and religious education programs to assist children in recognizing and preventing child abuse.
- Safe Environment Coordinators have been designated to ensure that each parish, school, or ministry is compliant with diocesan protocols.

- Mandated Reporter Training has been completed by more than 5,000 people. This training educates people on the legal requirements of reporting abuse.
- An Independent Review Board, comprised of people with expertise on child abuse, assists the Bishop in discharging his responsibilities involving the sexual abuse of minors by clerics.
- The Diocese promptly reports to law enforcement any allegation of child abuse.

The Diocese of Allentown is thankful for the vast majority of its priests, who had absolutely no involvement in this unholy criminal behavior, and who continue to work every day to carry out the mission and good works of our Church. We will focus on reestablishing trust among all those who rely on the Catholic Church for help, for spiritual guidance, and for strength.

The Diocese will learn from the Grand Jury Report and continue to work with law enforcement to proactively use the Report to further improve protections for children and young people. Our first priority remains keeping children safe.

Sincerely yours,

+ Alfred A. Schlert

Most Reverend Alfred A. Schlert
Bishop of Allentown

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	**: SUPREME COURT OF**
THE FORTIETH STATEWIDE	**: PENNSYLVANIA**
INVESTIGTING GRAND JURY	**: 2 W.D. MISC. DKT 2016**
	:
	: ALLEGHENY COUNTY COMMON
	: PLEAS
	: CP-02-MD-571-2016
	: NOTICE NO. 1

SEALED RESPONSE TO REPORT 1 OF THE FORTIETH STATEWIDE GRAND JURY

TO THE HONORABLE NORMAN A. KRUMENACKER, III
Supervising Judge
Fortieth Statewide Investigating Grand Jury

1. You can consider this a sealed response by Monsignor Thomas Benestad to the above captioned Investigating Grand Jury Report.
2. Monsignor Thomas Benestad officially retired in June of 2009.
3. The alleged victims came forward in 2011 to make allegations regarding Monsignor Benestad.
4. The summary of the Grand Jury Report implies that Monsignor Benestad retired as a result of allegations made by the alleged victims
5. Monsignor Benestad clearly did not retire because of allegations made by the alleged victims in this matter as he had retired two (2) years before any allegations were made.
6. When allegations were made by the alleged victims in 2011, the Bishop of Allentown informed Monsignor Benestad that he was to refrain from all forms of public ministry until the matter had been investigated and a resolution had been reached.

7. In the spring of 2014, the officials in Rome had adjudicated Monsignor Benestad case and notified the Diocese of Allentown of their decision, at which time Bishop Barres sent a decree revoking any restrictions upon Monsignor Benestad's ministry.
8. Monsignor Benestad has never done anything that would be deemed inappropriate with any individual.
9. Monsignor Benestad has never done anything that would be deemed immoral by the church with any individual.
10. Monsignor Benestad has never done anything illegal with any person as judged by any civil or criminal authority.

WHEREFORE, it is respectfully requested that this be a sealed response by Monsignor Benestad to the above captioned report of the Fortieth Statewide Investigating Grand Jury.

Respectfully Submitted,
HUBER WALDRON & WILLIAMS, LLC

Dated: 6/8/2018

BY: _____

John J. Waldron, Esquire
Attorney I.D. No. 36853
535 Hamilton Street, Suite 102
Allentown, PA 18101
Attorney for Monsignor Thomas Benestad

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REPLY TO:
Media

June 20, 2018

The Honorable Norman A. Krumenacker, III
Cambria County Courthouse
220 South Center Street
Ebensburg, PA 15931

RE: 40th Statewide Investigating Grand Jury
REPORT No. 1

Dear Judge Krumenacker:

Please be advised that the undersigned has been contacted and retained by Francis J. Fromholzer. Pursuant to your Order of May 22, 2018, would you please be good enough to consider this letter, as Mr. Fromholzer's response thereto.

As evidenced in the Report itself, Mr. Fromholzer denies these allegations of abuse. If you would be kind enough to place this response under seal as referenced your Order and more specifically paragraph 5 thereof, it would be appreciated.

Should you require anything further relative to this matter, don't hesitate to contact me.

I remain,

Very truly yours,

CHRISTOPHER G. FURLONG

CGF/cm

cc: Daniel J. Dye, Sr. Deputy Attorney General, via email
Francis J. Fromholzer

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	**: SUPREME COURT OF**
THE FORTIETH STATEWIDE	**: PENNSYLVANIA**
INVESTIGATING GRAND JURY	**: 2 W.D. MISC. DKT 2016**
	:
	: ALLEGHENY COUNTY COMMON
	: PLEAS
	: CP-02-MD-571-2016
	: NOTICE NO. 1

SEALED RESPONSE TO REPORT 1 OF THE FORTIETH STATEWIDE GRAND JURY

TO THE HONORABLE NORMAN A. KRUMENACKER, III
Supervising Judge
Fortieth Statewide Investigating Grand Jury

1. You can consider this a sealed response by Monsignor Anthony D. Muntone to the above captioned Investigating Grand Jury Report.
2. The numerous pages of the Grand Jury Report that relate to Monsignor Muntone suggest that he enabled a person or persons to engaged in Child Sexual Abuse, or enable individuals to violate a duty to safe guard the welfare of children.
3. It is Monsignor Muntone's position that he did not enabled individuals/priests to engage in Child Sexual Abuse or he did not violate a duty to safe guard the welfare of children.
4. It is Monsignor Muntone's position that during the time frame mentioned in the investigating grand jury he was not in a position of authority to appoint priests to various positions in the Archdiocese of Allentown.
5. It is Monsignor Muntone's position that any action he may have taken during the time frame alleged in the Investigative Grand Jury was results of meetings and telephone contact with legal counsel for the Archdiocese of Allentown.

WHEREFORE, it is respectfully requested that this be a sealed response by Monsignor Anthony D. Muntone to the above captioned report of the Fortieth Statewide Investigating Grand Jury.

Respectfully Submitted,
HUBER WALDRON & WILLIAMS, LLC

Dated: 4/8/2015

BY: _____

John J. Waldron, Esquire
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535 Hamilton Street, Suite 102
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Attorney for Monsignor Anthony D. Muntone

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William M. Davis
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May 29, 2018

VIA FEDERAL EXPRESS
Daniel J. Dye, Sr. Deputy Attorney General
Pennsylvania Office of Attorney General
Criminal Law Division
Criminal Prosecution Section
16th Floor, Strawberry Square
Harrisburg, PA 17120

RE: 40th Statewide Investigating Grand Jury Report No. 1
Supreme Court of Pennsylvania
2 W.D. Misc. Dkt. 2016
Allegheny County Common Pleas
CP-02-MD-571-2016

Dear Deputy Attorney General Dye:

Please allow this correspondence to serve as the response of Most Reverend Alfred A. Schlert of the Roman Catholic Diocese of Allentown to the Report No. 1 of the 40th Statewide Investigating Grand Jury (the "Report"). Specifically, the Bishop responds to the following passage, which appears on p. 44 of the Report excerpts sent to the Bishop:

> On July 31, 2003, Monsignor Schlert, the Vicar General, sent a letter to Monsignor Gobitas indicating that Rigney was apprehensive about attending a "*special retreat*" he was encouraged to attend by the Diocese, because "*he retired without Scandal, if he goes to the retreat with the other 'known' offenders, it will implicate him.*"

The Bishop wishes to clarify that the Memorandum dated July 31, 2003 authored by then-Monsignor Schlert was a recitation of a telephone call that then-Monsignor Schlert received from Rigney. The two quotations contained in the passage above are attributable to Rigney, and are not attributable to Bishop Schlert.

Please note that the Bishop's omission of a response to the other sections of the Report should not be interpreted as commentary on any other aspect of the Report.

Thank you.

Sincerely,

Brian M. McMonagle

BMM:sak
cc: Most Rev. Alfred A. Schlert, D.D., J.C.L.
Joseph A. Zator II, Esquire
Stephanie A. Koenig, Esquire

DIOCESE OF ERIE

THE DIOCESE OF ERIE

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K&L GATES

RESPONSE OF THE ROMAN CATHOLIC DIOCESE OF ERIE
TO
GRAND JURY REPORT NUMBER 1 OF
THE 40TH STATEWIDE INVESTIGATING GRAND JURY

June 20, 2018

SUBMITTED UNDER SEAL PURSUANT TO THE AMENDED ORDER DATED MAY 22, 2018 BY JUDGE KRUMENACKER ON DOCKET CP-02-MD-571-2016 (ALLEGHENY COUNTY COURT OF COMMON PLEAS)

Prepared by Diocesan Counsel:
K&L Gates LLP
Mark A. Rush
Joseph A. Valenti
Allison L. Burdette

Statement from Bishop Persico to the Victims of Sexual Abuse that Occurred within the Diocese of Erie

On behalf of the Roman Catholic Diocese of Erie, I am sorry. I cannot know the depth of the pain you have experienced. However, I—along with the rest of the Diocese—want you to come forward. We admire your courage in doing so. We want to share in your pain—and in your healing process—because this abuse should have never happened. Not then. Not now. Not ever. And certainly not by criminals holding themselves out as men of God, teachers of children, or leaders in the community. I apologize to each and every victim who has been abused.

Apologies and policies, however, are not enough. The Diocese of Erie is taking action. We are committed to publishing the abuses of the past and to being transparent with our decisions going forward. I encourage any person who was sexually abused by a priest or layperson within the Diocese to report that abuse directly to law enforcement. Any person in this Diocese who knows of abuse should also report that knowledge to law enforcement. Victims also can report to our independent investigators who have assisted in creating a public list naming abusers. The Diocese will not shroud abusers in secrecy—no matter who they are or how long ago the abuse occurred. Counseling and other resources are also available. I personally pledge to meet with any victim who wishes to meet with me and offer any assistance that I can.

Your voices have led to the implementation of these changes. Your reports allow us to work with experts in the field to refine our policies, procedures, and training to protect children today in the way that you should have been protected in the past. This new policy that you helped create already led to a successful investigation by our independent investigators that resulted in the Attorney General charging a priest with crimes occurring as recently as 2010. We have much work to do to rebuild trust and assist in healing. We are fully committed to it.

- Bishop Lawrence T. Persico

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I. Introduction

In 2017, under the direction of Bishop Lawrence Persico, the Roman Catholic Diocese of Erie asked a team of experienced investigators and lawyers—led by a former federal prosecutor—from K&L Gates LLP ("K&L Gates") to independently evaluate its historic child-protection policies, procedures, and known abuse reports, as well as to assist in updating/implementing these policies, managing these procedures, and investigating new abuse reports. Bishop Persico instructed all employees of the Diocese of Erie, as well as all organizations (including parishes, schools, and agencies) controlled by or receiving any funding from the Diocese of Erie, (collectively referred to as the "Erie Diocese" throughout this document) to fully cooperate with all requests from either the Grand Jury or K&L Gates. K&L Gates had complete access and full discretion to follow the evidence wherever it may lead and to report its findings and recommendations both to the Grand Jury and in this document.

After conducting 113 interviews and reviewing 109,409 documents, this team came to many of the same conclusions that the Grand Jury did. Horrific abuse occurred for decades, and concealment and ineptitude added to this tragedy. Yet, like the Grand Jury, the team "find[s] hope" (p. 305) in Bishop Persico who acknowledges past abuse, publicly unmasks abusers, and seeks full accountability.

The Diocese of Erie acknowledges and apologizes for the abuse of children caused by priests, lay teachers, and other people who worked or volunteered in parishes, schools, or agencies within the Diocese of Erie. The Erie Diocese recognizes its responsibility and is committed to regaining the trust of not only its parishioners but of all people through full and timely cooperation with law enforcement, full transparency with the public, and continuous self-improvement. To that end, the Erie Diocese has implemented measures to protect children from predators to include ill-intentioned priests, lay teachers, coaches, staffers, parents, relatives, neighbors, or other third parties.

The Erie Diocese wants to thank the Grand Jurors for their service in shining a light on this issue and providing a forum for victims and witnesses to fully discuss the abuses they suffered and saw. This forum is not only important in the healing process but also to help ensure that the abuses of the past are not repeated and that meaningful reform through action—and not simple policies—occurs. The historical failures of the Erie Diocese, as outlined by the Grand Jury in its report, led to additional abuse, as well as the maintenance of an unholy wall of silence that the Erie Diocese is now fully committed to shattering. Indeed, the Erie Diocese has, as part of a new Policy for the Protection of Children ("Protection Policy"), published and will routinely update a list of known offenders and individuals unsuitable for employment on child-protection grounds in the Erie Diocese's judgment. *See* https://www.eriercd.org/childprotection/disclosure.html. The Erie Diocese will continue in its efforts to:

(1) stop abuse;

(2) shine a light on abuse so all are put on notice;

(3) fund all necessary counseling and treatment programs;

(4) update and modify the actual implementation of its child-protection policies and procedures; and

(5) work with law enforcement to ensure that justice is done.

II. The Erie Diocese is taking aggressive action to protect children.

Under Bishop Persico, the Erie Diocese has taken action. While this section is not an exhaustive list, it includes recent cases that have been investigated by the Erie Diocese and law enforcement. Indeed, additional cases exist and unfortunately continue to be created.

A. Case #1 - Victim Report Received; Priest Investigated and Publicly Suspended within Three Weeks

In January 2018, the Erie Diocese received a report alleging that a priest committed sexual abuse against the victim from 2003 (when he was eight years old) until 2010. The Erie Diocese immediately informed the Pennsylvania Attorney General and the District Attorney of Crawford County, where abuse reportedly occurred and where the priest then resided. In a cooperative effort, the Erie Diocese had K&L Gates independently and promptly investigate the priest by both collecting evidence and interviewing him while law enforcement quickly was put in direct contact with the victim. This process resulted in a thorough and accurate investigation leading to the public resignation of the priest for clearly stated child-protection reasons within three weeks of the first report. Numerous inculpatory images and text messages from iPhones, iPads, and computers were collected by K&L Gates and provided to law enforcement. Additionally, the names of several other potential victims were identified and provided to law enforcement. The priest resigned shortly after the interview and vacated the rectory. These developments were publicized by the Erie Diocese to the media, with the hope that additional information would be brought forward to law enforcement. At least two additional victims did come forward to K&L Gates, who the Erie Diocese immediately put into contact with law enforcement.

The Erie Diocese, under Bishop Persico, has embraced the chance to build a bridge to law enforcement. Crawford County District Attorney Francis Schultz publicly said, "The Diocese has been cooperative and the Bishop provided me with the initial information about the complaint."[1] The Pennsylvania Attorney General's Office stated that the report was handled "exactly as we would have hoped" by the Diocese; indeed, Attorney General Josh Shapiro himself "commend[ed]" the actions of Bishop Persico in "announcing steps to prevent these horrors from happening again."[2]

B. Case #2 - Referral Made; Awaiting Law Enforcement Response

The Erie Diocese recently had cause to exercise its Protection Policy against a priest who failed to comply with Diocesan clearance and training requirements and who later was the subject of an allegation of sexual abuse of a child. After failing to submit documentation necessary to complete child-abuse clearances and failing to complete the Diocesan child-protection in-

service training, the Erie Diocese suspended the priest's faculties in September 2016. In March 2017, an allegation was made that the priest had abused a fifth-grade boy in the late 1980s or early 1990s. The allegation came from a third-party source who remembered the boy telling her about the abuse during religious-education classes. The priest was already suspended for non-compliance with the Protection Policy, so he did not have access to children through the Erie Diocese at the time of the allegation. However, the Erie Diocese immediately notified the District Attorney for the county in which the abuse was alleged to have taken place and where the priest also currently resided, as well as the Pennsylvania Attorney General. The Erie Diocese also reviewed all of the priest's personnel files, created a chronological summary of all relevant documents, and sent this summary—along with the source documents—directly to the District Attorney and the Attorney General.

After providing the District Attorney and the Attorney General with all relevant information in its possession, the Erie Diocese forged ahead with its own internal investigation of the allegation. It attempted to interview the third-party source of the allegation, but it was met with refusal—and lacked any subpoena power to compel testimony. K&L Gates was successful in contacting the alleged victim, who adamantly denied ever being sexually abused, ever telling anyone that he had been sexually abused, or even knowing the accused priest beyond a brief meeting once or twice in the presence of others. Nonetheless, the priest will remain suspended until the conclusion of the government's investigation.

Notably, this priest is not named in the Grand Jury Report (or the Erie Diocese's website) despite the third party, the alleged victim, and the priest all being subpoenaed to testify before the Grand Jury. The Erie Diocese continues to await written confirmation from law enforcement that the allegations were deemed unfounded. Of course, any reinstatement of the suspended priest will still require him to update his child-protection clearances and training.

This case (and a few other cases known to exist) offers an opportunity for the Erie Diocese and law enforcement to work together to implement specific criteria for when a suspension should be publicized, when the existence of an investigation may be announced by the Erie Diocese, when a resolution by law enforcement should be communicated in writing, and how these processes can complement each other without creating undue secrecy, confusion, or alarm.

III. Overview of the Protection Policy

The Erie Diocese has been developing procedures for effective implementation of policies and training programs specifically designed to protect the most vulnerable people in our society from people that would do them harm. The Erie Diocese is working with law enforcement, medical experts, survivor support groups, compliance auditors, and academia to ensure that its efforts are the gold standard when it comes to ensuring a safe environment for our children and other vulnerable populations. Everyone from the community—including the Grand Jurors, abuse survivors, and any commenter from the general public—is encouraged to provide input and ideas for improvement by e-mailing ErieRCD@klgates.com. This document explains several improvements already made by the Erie Diocese and further proposes more improvements that can occur with support from law enforcement and the public.

A. Background Checks and Public Disclosure Lists

All employees (including clergy members) and volunteers in the Erie Diocese are required to submit background checks, complete a mandatory child-abuse detection and prevention training program, and verify their understanding of the Protection Policy and related procedures. For background checks to work, all dioceses (and secular entities) must fully and promptly report offenders to the government. The Erie Diocese also has a public disclosure list. Additionally, the government should reconsider its purges of names from sex-offender registries and its use of plea bargains designed to allow abusers to avoid or minimize registration requirements. The media should continue to facilitate the publication of accurate information on historical cases and abuser names. The Erie Diocese hopes to continue its work with the community and law enforcement to provide training and reporting resources.

B. Addressing and Referring an Allegation Promptly and Thoroughly

When an allegation of abuse is made, the Erie Diocese promptly (1) notifies secular authorities, (2) restricts the alleged abuser's access to children, and (3) fully cooperates with governmental investigations. Often, the Erie Diocese conducts its own investigation as well, particularly in the cases where the government is unable to take action because a statute of limitations has expired. Indeed, the Erie Diocese has disciplined and removed clergy and laity for acts that could not be prosecuted at secular law. The Erie Diocese also has used its ability to mandate its clergy and employees to sit for interviews and to allow forensic collection of digital evidence as well as searches of offices and homes. These efforts are designed to prevent children from being endangered by people morally guilty of abuse or abusive tendencies but nonetheless able to pass all legally required background checks and evade prosecution. The Erie Diocese has assisted over 10 successful criminal prosecutions, and its website publicly names other people that could not be prosecuted but who nonetheless were determined to pose a risk to children.

The Erie Diocese continues to review, update, and implement its policy and procedures to most fully safeguard the welfare of its children. Likewise, the Erie Diocese continues to cooperate with government authorities that seek to identify and punish child abusers. Since the publication of its website, at least 42 individuals contacted the Erie Diocese, resulting in an additional 29 interviews by K&L Gates and the publication of six additional names—along with referrals to law enforcement and the potential for additional investigations and prosecutions. Several abuse survivors and witnesses that never previously came forward stated that the Erie Diocese's website served important purposes and motivated them to speak. While the Erie Diocese will not take any action that could impede a law-enforcement investigation or injure the privacy rights of victims/survivors, it will publish information about new reports and ongoing investigations to keep the community informed of evolving situations.

C. Building a Better Bridge with Law Enforcement

The Erie Diocese recognizes that the work of child protection is never complete. The Erie Diocese is exploring ways in which it can collaborate with law enforcement and other government agencies to take advantage of all the skills and tools available to continue to build

the most comprehensive child-protection program. Specifically, the Erie Diocese is seeking to collaborate with government authorities in the areas of child abuse training, investigation coordination, information sharing, and victim services.

The Erie Diocese expresses sincere gratitude to the Grand Jurors for their time and careful attention given to these serious matters. Additionally, the Erie Diocese appreciates the efforts of the Attorney General of Pennsylvania and his career prosecutors and agents, with whom the Erie Diocese has maintained a productive working relationship.[a] Several District Attorneys and local investigators also deserve recognition for working to investigate and prosecute cases that were referred by the Erie Diocese over the past two decades. Finally, the Erie Diocese thanks the courageous survivors and witnesses who came forward with reports of abuse that allow both investigation of those instances as well as a refinement of Diocesan policy and procedures to ensure that future similar cases will not go undetected.

The Erie Diocese devotes significant amounts of time and money to meeting with and providing assistance to victims/survivors that have come forward, whether the abuse occurred recently or decades ago. Similarly, child-protection training throughout parishes and schools in the Erie Diocese has shown measurable improvement in a variety of ways over the years. Finally, many priests and employees in the Erie Diocese are now part of the solution, having personally identified, reported, prevented, or otherwise properly handled child abuse, even when it meant making tough calls or going against higher authorities. These people deserve recognition, particularly in light of the systemic corruption and complacency the Grand Jurors found within both the government and the Church.

IV. The Status of the Erie Diocese's Current Child Protection Program

A. Diocesan Child Protection Policies

The Erie Diocese takes seriously the emotional accounts of child sexual abuse that have tragically occurred in this Diocese and elsewhere. As a result, Bishop Persico has undertaken great efforts to cultivate a safe and accountable Diocesan culture. The Erie Diocese maintains comprehensive policies and practices focused on creating a safe, productive learning environment for children. As described in detail below, the Erie Diocese has worked to construct and implement monitoring and reporting procedures that prioritize the protection of children.

The core of the Erie Diocese's commitment to safeguarding children in its schools and parishes is grounded in its comprehensive, continually-evolving Protection Policy.[3] In 1986, the Erie

[a] In October 2017, Senior Deputy Attorney General ("SDAG") Daniel Dye wrote the following regarding the Erie Diocese: "[W]e have found the [Erie Diocese] to be cooperative. While it cannot be said of every diocese, since [K&L Gates's] involvement, [K&L Gates has] not taken any action adverse to the investigation and have provided responsive materials. Thank you for keeping the lines of communication open." In May 2018, SDAG Dye commended the Erie Diocese for handling a January 2018 complaint that resulted in pending criminal charges against a now-suspended priest, writing, "No question you guys (and [Bishop] Persico) handled the new complaint exactly as we would have hoped."

Diocese first introduced a written child-protection policy, applied to all Catholic entities in the Erie Diocese. The Erie Diocese redoubled its child-protection efforts in conjunction with the release of the Charter for the Protection of Children and Young People (the "Dallas Charter") by the United States Conference of Catholic Bishops ("USCCB") in 2002.[4]

The Protection Policy was developed with specific consideration given to the Dallas Charter and Pennsylvania's amended child-protection laws. Since 2002, the Protection Policy has been updated ten times, most recently in March 2018. The Protection Policy seeks to remain current as secular child-protection laws are separately improved and as best practices in child protection are refined by experts in the field. The most recent revisions to the Protection Policy (and related training materials):

- Expand the scope of abuse sought to be prevented to include sexual, physical, emotional, and neglectful abuse;
- Include numerous detailed examples and red flags to educate people on how to recognize abuse or unsafe situations;
- Require direct reporting to government-run child-protective agencies and law enforcement in all abuse cases;
- Implement an independent investigative process that may be triggered confidentially and that results in communication back to the reporter while also preserving evidence and respecting the rights of all concerned parties during the course of the investigation, which is guided by clear but case-specific standards and mandatory expectations of cooperation; and
- Create a transparent and centralized system to encourage abuse reporting, screen personnel, document investigative findings, and inform the community about abuse-related decisions.

The Erie Diocese invests significant time and substantial resources to implement the tenets of its Protection Policy. Perhaps the most significant step in modernizing its protection program was the establishment of the Erie Diocese's Office for the Protection of Children and Youth ("OPCY" or "Office") in December 2003. Neither the Dallas Charter nor Pennsylvania law mandates that a Diocese establish an office strictly and solely committed to the critical ministry of child protection. However, the Erie Diocese has long believed that this Office was necessary to fully implement the Dallas Charter's goals and to prioritize the safety of children.

The OPCY's foremost mission is to create a safe and productive environment for children and youth, as well as to promote the healing of victim-survivors. The Office also provides age- and role-appropriate compliance training and resources to staff, educators, parents, and students across the Erie Diocese. The OPCY's full-time staff members and personnel from the Catholic

Schools Office work to implement the OPCY's mission around the Erie Diocese. These employees run background checks, ensure that clearances are current, and conduct on-site reviews for any local issues that were not properly reported to the Diocese in addition to confirming that all required federal, state, and Diocesan clearances and training certificates are obtained and filed. Moreover, each of the 33 schools in the Erie Diocese organize child-protection training/in-servicing of children and parents.

The Victim Assistance Coordinator, a licensed psychologist, also works with the OPCY to provide professional assistance to victims of abuse. In addition, many individuals, including the Bishop; Director of Media Resources; Clergy Personnel Office personnel; Catholic School Office personnel; religious education leaders; parish secretaries; school principals; and school secretaries, spend significant time (estimated at over 5,000 hours per year) ensuring that the Protection Policy is implemented in full force.

B. Partnering with the Government and Law Enforcement

Independent auditors, trainers, and investigators used by the Diocese over the years to assess compliance, provide enhanced training, and investigate reports of abuse also worked countless hours each year and cost millions of dollars. The Erie Diocese would welcome partnering with the government, policymakers, law enforcement, or public schools in developing efficiencies while ensuring quality in the paperwork/clearance process, developing and reviewing training materials, conducting joint trainings, investigating reports of abuse, or otherwise ensuring that resources devoted to child-protection issues within the Erie Diocese are used efficiently and in the manner that the Grand Jurors envision.

C. Prevention of Child Abuse Through Due Diligence, Training, and Cooperation with Law Enforcement

The Protection Policy establishes specific standards for the hiring, training, supervision, and retention of personnel, which emphasize the Erie Diocese's foremost priority of creating a safe and productive learning environment for children. In addition to passing required background checks, each employee and volunteer must also take part in an hour-long "Creating a Safe Environment" in-service training and must pass a test at the conclusion of the training. The Erie Diocese produced this video in-house in 2015. This training must be repeated once every five years. The Erie Diocese also purchases age-appropriate videos to teach children in schools and parishes how to identify abuse and what to do in the event of abuse. Additionally, all parents in schools and parishes are provided with educational materials each year, and each parish runs a monthly bulletin announcement on creating a safe environment.

The Erie Diocese has invested heavily in creating and upholding these standards. Within the Diocese between 2010 and June 2017, 5,961 educators, 6,453 employees, and 17,753 volunteers fulfilled these rigorous requirements. Additionally, between 2010 and 2016, over 122,000 student trainings (and nearly 7,500 pre-school student trainings) were completed on abuse recognition and reporting.

The Erie Diocese is not done finding new ways to enhance its child-protection training. The Erie Diocese believes law enforcement brings a unique perspective to child-abuse prevention and could provide added insight into the importance of reporting procedures, cooperation with investigations, and the behaviors of child abuse perpetrators. The Erie Diocese is exploring ways to better collaborate with law enforcement on the **prevention** of child abuse, which could take a number of forms:

- Law-enforcement-led training;
- Participation in joint training by an expert third-party;
- Develop online training course with an expert third-party; or
- Provide written resources for use in training and as a quick-reference guide.

1. Implementing the Protection Policy in Schools

The expectations of clearance and training completion for teachers are outlined in the Protection Policy. Notably, schools in the Erie Diocese maintain more rigorous reporting and compliance standards than schools run by the Commonwealth of Pennsylvania. Under state law, all school employees (whether public or private) who have direct contact with children must:

- Submit a report of their criminal history record information at hiring and every five years thereafter (Act 34);
- Submit a child abuse clearance at hiring and every five years thereafter (Act 151);
- Submit FBI clearance and fingerprints for background check at hiring and every five years thereafter (Act 114);[b]
- Complete three hours of training on child abuse recognition and reporting every five years (Act 126);
- Submit to an employment history review regarding abuse and/or sexual misconduct at hiring (Act 168); and
- Complete an arrest/conviction report and certification form (Acts 24 and 82).[5]

Consistent with its focus on creating a safe, productive educational environment for children, the Erie Diocese goes beyond Pennsylvania's requirements. Indeed, the Erie Diocese mandates that all school employees ***and volunteers*** in the Diocese having direct contact with children must—in addition to the Commonwealth's mandates described above—also:

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[b] Pennsylvania law provides that school *volunteers* having direct contact with children must only complete these first three requirements.

- Complete the Erie Diocese's online in-service program on child protection and abuse prevention (titled "Creating a Safe Environment") at the time of hire and every five years thereafter;
- Complete an annual mandatory-reporter compliance certification, verifying that the employee or volunteer understands when his or her duty to report is triggered and the process by which such a report is made;
- Complete an Intent for Compliance Statement, affirming that the employee or volunteer has received, read, and agrees to uphold the Protection Policy; and
- Assist as needed in the ***annual training of students*** in child-protection standards and creating a safe environment.

2. **Implementing the Protection Policy at Parishes**

At parishes, the religious-education leader typically oversees the training of all employees and volunteers and ensures that all clearances are up-to-date. Every year, all parishes must submit an annual compliance report for the Diocesan audit. The parish compliance reports verify, among other items, that all employees know when, how, and to whom to report an allegation of sexual abuse. The reports also verify that (1) the pastor knows how to obtain assistance for adult victims/survivors who were abused as children, (2) the Diocesan Code of Conduct is made available to all paid personnel and volunteers, and (3) clearances and compliance documents are maintained for each employee and volunteer who has unsupervised contact with children. The Diocesan OPCY then reviews all reports—checking to ensure that there are no gaps in clearances, trainings, or other compliance requirements—and assembles a Diocesan-wide audit report. The same procedure is followed in the Erie Diocese's schools.

3. **The Erie Diocese Employs External Auditors to Monitor Compliance in Schools and Parishes**

Every three years, in accordance with the USCCB's mandate, the OPCY completes an on-site audit of each of the Erie Diocese's 85 parish religious-education programs to verify compliance with the Protection Policy. On-site audits of parishes and schools involve reviewing on-site personnel files for complete and current forms and trainings discussed above. Employees and volunteers who refuse to complete background checks or trainings are not permitted to continue in their positions until they are in compliance.

Beginning in 2003, the Erie Diocese hired ex-FBI agents to assess how the Erie Diocese handled sexual-abuse cases and otherwise implemented the mandates of the Dallas Charter. These agents had full access to all files (as did the Erie County District Attorney in 2002 and in 2016). The Gavin Group of Boston performed full audits in 2003, 2004, 2005, and 2007, and Stonebridge Business Partners performed full audits in 2009, 2012, and 2015. In the years

where a full audit was not performed, the external auditors collected data, and the Erie Diocese performed its own internal audit. The Erie Diocese passed all such audits. Despite these efforts, predators continued to abuse victims, an issue that highlights the need for transparency among dioceses, secular entities, the government, and the media.

D. Victim Assistance

The Erie Diocese is committed to ensuring that each victim who comes forward is met with compassion and the Erie Diocese's sincere effort to help in the healing process. The Erie Diocese—including its Bishops, Vicars General, and Chancellors—does not hesitate to meet with victims to listen to their reports, apologize for pain they endured, offer spiritual guidance, provide reimbursement, and make the Erie Diocese available to help in any way that it can.

Some victims want only to be heard (particularly when the accused has long since passed), while other victims seek counseling or other assistance from the Erie Diocese. As a matter of policy—regardless of whether any viable legal claim or time-bar exists—the Erie Diocese offers to pay for counseling of abuse victims, whether within the Erie Diocese or otherwise, as well as reimbursement for the costs associated with the counseling, such as medication, hospital stays, missed-work/business costs, and parking expenses. From 1987 to 2016, the Erie Diocese contributed approximately $750,000 to victims through monetary payments, reimbursements, and victim-assistance services—in addition to the free counseling services provided by its Victim Assistance Coordinator and other trained personnel.

The Erie Diocese views victim assistance as an area that could be enhanced by collaboration with government authorities. Both the Erie Diocese's Victim Assistance Coordinator and county children/youth service agencies are tasked with coordinating care for victims. The Erie Diocese already coordinates with many of these agencies and welcomes additional ways to coordinate on the development, monitoring, and updating of treatment plans for victims, using the specialized knowledge and skills each brings to the process.

E. Information Sharing with the Government Beyond what is Required by Law

The Protection Policy requires all suspected child abuse to be reported to state and Diocesan authorities. It goes further by requiring all information regarding violations of the Protection Policy and other inappropriate behavior that is not suspected child abuse to be reported to the OPCY, analyzed, and kept on file. While this information is not required to be reported to state authorities by law, child protection within the Diocese and beyond would be enhanced if state authorities had an opportunity to assess the information. Law enforcement may have additional information or specialized skill, which may give greater context to the report and lead to further investigation.

If specific officials at the local and state government-run child-protection or law-enforcement agencies would be receptive, the Diocese's OPCY would generate a quarterly report of new instances of Protection Policy violations and reports of inappropriate behavior that did not give rise to a reasonable suspicion of child abuse and host those officials for a quarterly discussion.

F. Mandatory Cooperation; Use of Trained Independent Investigators

The Protection Policy requires that the Erie Diocese fully cooperate with government investigators in instances of child abuse. It further requires cooperation of all employees as a condition of employment.

The Diocese believes that further collaboration with government authorities will streamline investigations and enhance child protection. Child abuse investigations take a variety of forms and may involve several government agencies. Given the variable nature of the investigations, the Erie Diocese is developing a list of specific points of contact to communicate with regarding investigation cooperation and transfer of information. The Erie Diocese intends the list to include the following:

- The District Attorney's sexual assault prosecutor for each county in the Erie Diocese;
- An investigative case worker at each county child/youth service agency in the Erie Diocese;
- A contact trained in sexual assault cases at each sheriff's office and police department in the Erie Diocese; and
- A contact at the state attorney general's office that will continue to oversee and investigate abuse cases related to a religious organization.

Upon learning of an abuse report, the OPCY will use the list to notify the appropriate points of contact for that report. The OPCY, the Victim Assistance Coordinator, and other Diocese personnel will then coordinate with the investigators to ensure that they have all necessary information, duplicity is avoided, victim trauma is minimized, and information is relayed back to the Diocese allowing up-to-date files to be maintained.

Specifically, the OPCY should coordinate on the following:

- Transfer of information to the investigators, including the accused's record on file with the OPCY;
- Preservation of any evidence in the possession or control of the Erie Diocese;
- Coordination of interviews with the accuser, the accused, the victim, witnesses, and other individuals suspecting abuse or possessing information about the abuse. This process will help ensure the victim and his or her family is not further traumatized by repeatedly recounting the abuse for multiple investigative teams; and
- Process of information flowing back to the Erie Diocese so that its records may remain up-to-date.

V. The Erie Diocese suspended and assisted in the monitoring of past abusers and has recently updated that practice.

Beginning in 1990, the Erie Diocese undertook efforts to implement discipline in sexual-abuse cases, focusing on restricting or dismissing known abusers from the priesthood, rather than just focusing on mental-health treatment for abusers. Laicization (returning a priest to the lay state) can take several years to finalize through the Vatican, so the suspension powers held by a bishop are used in an effort to protect the children of the Erie Diocese from known threats of abuse.

Suspension is one of the strongest canonical actions a bishop can take against a priest, and its goal is to remove the priest from public ministry by prohibiting the priest from running a parish, teaching at a school, dressing as a priest, celebrating Mass, or otherwise representing himself as a priest. Of course, a suspended priest—like any other person—is still entitled to privately worship, access physical and mental health care, receive disability entitlements, and otherwise benefit from the charitable services provided by the Catholic Church. Additionally, accused individuals that are "under investigation" or "awaiting trial" are indeed innocent until proven guilty under Pennsylvania law. The Erie Diocese looks forward to working with the government to find ways to inform the public and limit the Erie Diocese's involvement with abusers while still respecting due-process rights, laws requiring access to health care, and similar issues.

Both the Grand Jury and K&L Gates found that monitoring of accused priests in the past was ineffective. Modern policy updates require the publication of a credibly accused priest's (or employee/volunteer's) name and require strict adherence to detailed monitoring and counseling conditions if the individual intends to reside on Diocesan property during the course of an investigation. *See* Exhibit 1 (Anonymized Monitoring Agreement). Some individuals simply leave their employment or the Erie Diocese, impeding further investigation or monitoring (though this conduct immediately warrants the placing of their names on the public-disclosure website). Indeed, the Erie Diocese goes to great lengths to remove an accused from its programs and facilities. Yet, the Erie Diocese is concerned that a cut-them-loose approach may lead to no one having any monitoring responsibility over an accused. For instance, several priests named in the Grand Jury Report and on the Erie website are still alive. The Erie Diocese alone has attempted to provide an accurate city and state of residence for each name to alert the relevant community to the risks. Particularly given that many of these accused will never be prosecuted, the Erie Diocese stands ready to have a discussion with the government and the community regarding how to move forward.

VI. Under Bishop Persico, the Erie Diocese has proactively and transparently addressed abuse allegations throughout the Diocese

Under the leadership of Bishop Persico—who was installed in 2012—the Erie Diocese has emphasized transparency and accountability in dealing with abuse allegations. Indeed, he was the *only* bishop to testify before the Grand Jury—and he did so voluntarily. It will take years to undo decades of harm, but he—and other top officials in the Erie Diocese—are committed to

doing so. External investigators and auditors found that the Erie Diocese now has a culture of compliance, from the top down, which is supported both on paper policy and in real-world acts.

While there may be no way for the Erie Diocese to fully repair the emotional, mental, and physical damage to past victims, the Erie Diocese is completely committed to ensuring that victims/survivors are cared for through Diocesan-funded counseling. Moreover, the Erie Diocese is devoted to ensuring that perpetrators of child abuse are addressed swiftly and justly by reporting the abuse to the proper authorities at the earliest possible opportunity. Additionally, Bishop Persico has undertaken concerted efforts to maintain transparency and inform the community in dealing with allegations of child abuse. He has maintained an open discourse by offering numerous reporting mechanisms and authorizing the publication of the names of accused individuals who are prohibited from employment or volunteering within the Diocese because of misconduct—including where the misconduct was not hands-on abuse but rather consisted of failures to report or non-cooperation with Diocesan child-protection procedures.

In addition to implementing transparency measures that take effect after an individual has been found to have engaged in misconduct, Bishop Persico and the Erie Diocese take proactive steps to separate an alleged abuser from Diocesan youth at the earliest stages of investigation. For example, a teacher in a Diocesan school was recently accused of sexual abuse. Pursuant to protocol, the teacher was immediately placed on paid administrative leave until an investigation could take place to determine the truth of the allegations. The Commonwealth was unable to collect sufficient evidence to prosecute a case, and ChildLine investigators deemed the allegations unfounded in accordance with its standards. Likewise, after receiving the results of a thorough investigation, the Erie Diocese similarly concluded that the allegations were not supported by Threshold Evidence. As such, this teacher was not automatically ineligible for employment and placed on the Erie Diocese's public-disclosure website. Nevertheless, out of an abundance of caution, the Erie Diocese declined to renew the teacher's contract for the next school year. The Erie Diocese's approach demonstrates its commitment to protecting the children in its schools.

The Erie Diocese is aware that, in addition to the survivors of the publicly-known accused, other survivors experience continued suffering as a result of abusive acts committed by priests and other personnel once employed by the Erie Diocese. Often, the Erie Diocese does not become aware of these allegations until years or even decades after the fact. The Erie Diocese will continue to do all that it can to assist survivors in their spiritual healing and recovery and to punish the guilty, where possible. Nonetheless, the Erie Diocese recognizes that it can never fully repair the damage that has been done. For this reason, the Erie Diocese is committed to using the sins of the past to improve the future by continually building on its child-protection policies and maintaining appropriate transparency in the process of addressing allegations of child abuse.

VII. Conclusion

The Erie Diocese is fully committed to the protection of children. As outlined above, the Erie Diocese strives to create and implement the gold standard for compliance and investigative

policies. The Erie Diocese devotes substantial time and resources to training its employees and volunteers on its policies, and it retains independent professional assistance to audit its overall compliance with them—as well as to investigate reports of misconduct. The Erie Diocese strives to provide a safe and productive environment for children to be educated in the classroom and in their faith. While the reprehensible actions of ill-intentioned individuals jeopardized these goals in the past, the Erie Diocese remains steadfast in its commitment to protecting its children and to appropriately punishing anyone who harms its children. The Erie Diocese recognizes that it cannot erase the harm caused by its priests and employees in the past, but it offers a sincere apology and a promise that it will continue to fully cooperate with law enforcement, medical experts, and the general public to lead child-protection advances in the future.

[1] Keith Gushard, http://www.meadvilletribune.com/news/full-story-two-priests-removed-by-diocese-of-erie/article_16693df6-1124-11e8-83dc-677fa8a2af0f.html.

[2] Christine Vendel, http://www.pennlive.com/news/2018/05/erie_bishop_meets_with_attorne.html.

[3] *See* Policy for the Protection of Children, The Roman Catholic Diocese of Erie, https://www.eriercd.org/images/sections/childprotection/pdf/CURRENTPolicy.pdf.

[4] *See* Charter for the Protection of Children and Young People, The Roman Catholic Diocese of Erie (June 2011), http://www.usccb.org/issues-and-action/child-and-youth-protection/upload/Charter-for-the-Protection-of-Children-and-Young-People-revised-2011.pdf.

[5] Pennsylvania Department of Education, "Background Checks," 2016, *available at* http://www.education.pa.gov/Teachers%20-%20Administrators/Background%20checks/Pages/default.aspx#tab-1.

MONITORING AGREEMENT

THIS MONITORING AGREEMENT ("**Agreement**") is effective as of _____, 2018, by and between **the Roman Catholic Diocese of Erie** (the "**Diocese**") and the **Reverend** _____ ("**Fr.** _____"). The Diocese and Fr. _____ are each sometimes referred to herein as a "Party" and collectively as the "Parties."

THE PARTIES, INTENDING TO BE LEGALLY BOUND, AGREE AS FOLLOWS:

1. **Background.** *[Provide overview of facts leading to the necessity of a monitoring agreement.]*

2. **Purpose.** Though the Diocese has fully briefed state and local law enforcement on all complaints and findings related to this matter, Fr. _____ has not been arrested, indicted, or charged in any matter. Fr. _____, by abiding by the restrictions set forth below ("**Restrictions**"), may remain in Diocesan housing in a manner that both protects children and his rights to due process, health care, and sustenance.

3. **Consideration.** Fr. _____ demands under Canon Law[1] that the Diocese provide a temporary residence. The Diocese for its part seeks to advance its mission of child protection by monitoring and counseling Fr. _____. In pursuit of these ends, the Parties expressly agree that each has provided and received adequate, reasonable consideration for the obligations imposed in this Agreement.

4. **Restrictions.** While this Agreement is in effect, Fr. _____ agrees to comply with the following Restrictions: *[Add, edit, or remove the clauses below (or new clauses) as appropriate based on each case's specific allegations, risks, procedural posture, and circumstances.]*

4.1. Fr. _____ is prohibited from any and all public ministry.

4.2. Fr. _____ is prohibited from presenting himself publicly as a priest.

4.3. Fr. _____ is prohibited from consuming illegal drugs, legal drugs in an illegal manner, or alcohol, except during the Eucharistic celebration.

4.4. Fr. _____ is prohibited from physical, virtual, communicative, and any other type of contact with minors.

4.5. Fr. _____ is prohibited from contact with the victim(s) in question, with any victim's family, or with any witness or cooperator.

4.6. Fr. _____ is prohibited from retaliation or retribution, direct or indirect, against the victim(s) in question, against any victim's family, or against any witness or cooperator.

---

[1] "Provision must also be made so that they possess that social assistance which provides for their needs suitably if they suffer from illness, incapacity, or old age." *See* Code of Canon Law, canon 281 § 2. *See also* canon 1350 § 1: "Unless it concerns dismissal from the clerical state, when penalties are imposed on a cleric, provision must always be made so that he does not lack those things necessary for his decent support (sustenance)." Sustenance is generally limited to basic provision for food, clothing, shelter, and medical needs.

EXHIBIT 1

4.7. Fr. _____ is prohibited from physical presence on the grounds of *Parish, School, Agency* or at any event sponsored by or participated in by this entity.

4.8. Fr. _____ must notify the Diocese within 24 hours of any contact with law enforcement, including without limitation any arrest, charge, self-surrender arrangement, booking, plea offer, search warrant, subpoena, or any other request for information that is known or brought to his lawyer or him.

4.9. Fr. _____ must cooperate promptly, truthfully, and fully with internal investigators or lawyers hired by the Diocese, including without limitation answering all questions during interviews, responding to all document requests, making all requested evidence available, and providing unrestricted access to electronically stored information or electronic devices.

4.10. Fr. _____ must provide a list of e-mail accounts that he uses or accesses. The list must provide username and login information for each e-mail account. If Fr. _____ changes the password or username for any of the e-mail accounts or gains access to or use of a new e-mail account, he must provide an updated list to the Diocese within 24 hours.

4.11. Fr. _____ must provide a list of electronic communication devices ("**Devices**") in his possession, including without limitation cell phones, tablets, and computers. The list must provide username and login information for each Device. If Fr. _____ changes the password or username for any of the Devices or possesses a new Device, he must provide an updated list to the Diocese within 24 hours.

4.12. Fr. _____ must allow a representative of the Diocese to search, at random intervals without notice, all of his belongings and to search the place where he will temporarily reside to determine whether Fr. _____ has provided a complete and accurate list of Devices.

4.13. The Diocese and its representatives have the right to search the Devices at any time without notice.

4.14. Fr. _____ is prohibited from using social media, including without limitation Facebook, Twitter, Snapchat, LinkedIn, Instagram, WhatsApp, Facebook Messenger, or Google+, as well as any new platform or social-networking tool that may be developed in the future.

4.15. Fr. _____ agrees to continuous and ongoing electronic monitoring by the Diocese, including without limitation:

4.15.1. Installing software or applications on the Devices that restrict access to social media, objectionable websites, and contact with certain people.

4.15.2. Installing software or applications on the Devices that block the use or installation of other software or applications.

4.15.3. Installing software or applications on the Devices that provides the Diocese real-time or on-demand access, without prior approval by Fr. _____, to the Devices.

4.15.4. Installing software or applications on the Devices that provides the Diocese with reporting regarding usage of the Devices and location of the Devices.

4.16. Fr. _____ agrees to fully cooperate with the Diocese or its representatives to install or troubleshoot the applications or software related to the electronic monitoring.

4.17. Fr. _____ agrees to continuous and ongoing in-person monitoring by a person employed or contracted by the Diocese, including without limitation:

4.17.1. Planned meetings to discuss the activities of Fr. _____.

4.17.2. Random searches, without notice, of the room and facilities in which Fr. _____ will temporarily reside.

4.17.3. Planned counseling sessions and periodic progress evaluations with a doctor, counselor, or professional as determined by the Diocese in its sole discretion.

4.18. Fr. _____ understands that a violation of any Restriction will result in automatic termination of this Agreement, including any housing on Diocesan property. Fr. _____ further understands that it is within the Diocese's sole discretion to determine a violation of any Restriction set forth above.

5. **Selection of Temporary Residence.** The Diocese, in its sole discretion, will select the temporary residence for Fr. _____.

6. **Vacating Temporary Residence.** The Diocese, in its sole discretion, can order Fr. _____ to vacate Diocesan property. Upon such order, Fr. _____ shall immediately vacate such property. Fr. _____ expressly waives all rights under any secular or canon law to object to his eviction in any manner or in any forum whatsoever.

7. **Term of Agreement.** This Agreement is effective upon the signing and shall remain in effect while the investigation by law enforcement of Fr. _____ is ongoing. If Fr. _____ wishes to terminate this Agreement because the investigation by law enforcement is no longer ongoing, it shall be his responsibility to demonstrate the same to the Diocese. At a minimum, he must ensure that written letters from a local District Attorney and a Deputy State Attorney General are sent directly to the Diocese noting that no charges will be filed against him for any of the conduct addressed in the Background section of this Agreement. The Diocese, in its sole discretion and through any necessary additional steps, will determine if the investigation by law enforcement is no longer ongoing.

If, at any time, Fr. _____ is arrested, indicted, or charged in any matter, this Agreement shall be terminated and Fr. _____'s ability to temporarily reside on Diocesan property shall be automatically revoked.

8. **Choice of Law.** This Agreement shall be governed by the laws of the Commonwealth of Pennsylvania, without regard its conflicts-of-laws statutes and jurisprudence.

9. **Forum Selection.** Any dispute regarding this agreement must be publicly filed and openly litigated in the Court of Common Pleas of Erie County, Pennsylvania.

10. **Independent Legal Advice.** Fr. _____ acknowledges that the Diocese has provided Fr. _____ with a reasonable opportunity to obtain independent secular and canonical legal advice with respect to this Agreement and that either:

10.1. Fr. _____ has had such independent secular and canonical legal advice before executing this Agreement; or

10.2. Fr. _____ has willingly chosen not to obtain such advice and to execute this Agreement without having obtained such advice.

11. **No Waiver of Rights.** No failure to enforce any provision of this Agreement by the Diocese of a right or remedy hereunder shall be deemed to be a waiver of any other right or remedy or of any subsequent right or remedy of the same kind.

12. **Severability.** The Parties agree that in the event any part of this Agreement is held to be unenforceable or invalid, then said part shall be struck and all remaining provisions shall remain in full force and effect.

13. **Entire Agreement.** This Agreement represents the sole and entire agreement of the Parties regarding the subject matter contained herein, and it supersedes all prior and contemporaneous understandings, agreements, rights, duties, representations, and warranties, both written or oral, at either secular or canon law.

AGREED AND ACCEPTED:

_____	_____
Reverend_____	The Roman Catholic Diocese of
(Fr._____)	Erie (Diocese)
	By: Bishop Lawrence T. Persico
Date: _____	Date: _____



Our Lady of Guadalupe Catholic Church

P.O. Box 100 • Newton Grove, NC 28366 • 910-594-0287

May 29, 2018

Mr. Josh Shapiro

Attorney General

Mr. Daniel J. Dye

Senior Deputy Attorney General

Criminal Law Division

16th Floor

Strawberry Square

Harrisburg, Pa. 17120

RECEIVED
JUN 04 2018
Office of Attorney General
Prosecutions Section

Dear Mr. Shapiro and Mr. Mr. Dye,

I receive the report that you sent me.

I can say that I had no involvement in this case of Rev. Donald Bolton C.Ss.R. I was a priest serving in Puerto Rico from 1970-1996. I became the Provincial Superior of the Redemptorists in 2002-2005 and 2011-2015. I know Rev. Bolton was not in any ministry at that time. All I knew was that he was retired. I know that no one got in touch with me about Rev. Bolton.

I will send these papers that you sent me to our new Provincial Superior Rev. Paul Borowski C.Ss.R. He became Provincial Superior in 2015.

I believe all of us are appalled, shocked and angry that any child could be abused or hurt by anyone, and especially by a priest or minister of God.

I pray for every child and any person that has suffered or is suffering abuse, physical, sexual, or emotional, that they may be healed as that is very much a part of our ministry every day.

Sincerely,

Rev. Kevin Moley C.Ss.R.

Rev. Kevin Moley C.Ss.R.

Pastor

Cc. Rev. Paul Borowski C.Ss.R.

Provincial Superior

7509 Shore Road

Brooklyn, N.Y. 11209

718 833-1900

CHRISTOPHER M. CAPOZZI
ATTORNEY AT LAW, PC

June 20, 2018

The Honorable Norman A. Krumenacker, III
Supervising Judge of the 40th Statewide Investigating Grand Jury
Cambria County Court of Common Pleas
Cambria County Courthouse
200 South Center Street
Ebensburg, PA 15931

Re: 40TH Statewide Investigating Grand Jury – Response of Stephen E. Jeselnick

Dear Judge Krumenacker:

Stephen E. Jeselnick did not ever sexually prey on or a victimize child, engage in child abuse, or sexually assault an adult and the assertions in Report No. 1 to the contrary are categorically untrue.

Mr. Jeselnick is responding to Report No. 1 for three reasons. Initially, Mr. Jeselnick – unequivocally – denies that he did what he is accused of doing. He is innocent and the only possible reasons for the assertions of fact and the conclusions made in Report No. 1 are insufficient (i) investigative rigor and inquisitiveness, (ii) false testimony to Grand Jury or statements to the Diocese of Erie or (iii) mistaken identification. It is essential the Grand Jurors, the Court, the prosecuting agency and the public know this.

Mr. Jeselnick also calls for Pennsylvania to afford the full panoply of due process rights to private individuals who are the subject of adverse grand jury or other governmental reports. The Pennsylvania Constitution embraces in its very first Article the right to "enjoy[] and defend[] life and liberty, of acquiring, possessing and protecting reputation, and of pursuing happiness" and to protect these rights through "due course of law". *Pa. Const. Art. 1 §§ 1 (Inherent Rights of Mankind) and 11 (Courts to be Open; Suits Against the Commonwealth).* In cases like this one, where the Commonwealth infringes on core constitutional rights, the law should provide private citizens with the tools necessary to respond to these infringements.

Due process should allow something much, much more than just the opportunity to author a response to heinous allegations and have it appended to an 800-page plus report which bears the imprimatur of a grand jury, this Court and the Office of Attorney General. Due process demands access to the materials and testimony submitted by the Commonwealth to the Grand Jury, the materials collected by the prosecution in its investigation and the prosecution should be required to prove at a contested hearing – even when liberty is not at stake – whether there is enough evidence to brand a private individual a sexual deviant and child abuser.

Finally, this response is as a matter of law, practicality, and principle, the only course of action open to Mr. Jeselnick to defend his reputation and vindicate his rights to enjoy life and pursue happiness.

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Pittsburgh: 100 Ross Street, Suite 340, Pittsburgh, PA 15219
Butler: 20120 Route 19, Gigliotti Plaza, Suite 208 Cranberry TWP, PA 16066

A. The Allegations Concerning Mr. Jeselnick are Fundamentally Flawed

Mr. Jeselnick served as an ordained Priest of the Roman Catholic Church from 1977 to 2014. He ministered to civilians in several parishes and in the United States Air Force ("USAF") where he served in various domestic and overseas posts.

Mr. Jeselnick is accused of victimizing adults and sexually preying on children. These things did not happen. These things are not true. The primary problem with Report No. 1 is not just false allegations and erroneous conclusions; the problem is it reveals a complete lack of investigative rigor or inquisitiveness and does not reflects that even a modicum of fairness was afforded to Mr. Jeselnick.

Report No. 1 states

> [a] review of the Diocese's files on Jeselnick reflected no abuse of children under the age of 18. . . . Jeselnick's file only listed two known victims and both were over the age of legal adulthood.

40th Statewide Investigating Grand Jury – Report No. 1, p. 102. This did not occur.

The sum and substance of the inquiry into the issue was to review the files of the Diocese of Erie. There is no mention of testimony on this issue; there is no mention of an effort to look beyond the records of the Diocese of Erie and speak with the authors of the documents included in the files produced by the Diocese; and, there is no indication that an Office of Attorney General investigator conducted interviews and reported back to the Grand Jury. Report No. 1 also does not state when, where or what occurred; or, when and to whom it was first reported. In other words, there is zero corroboration of these assertions. Absent this basic information, it is not possible for Mr. Jeselnick to respond other than to state he didn't victimize anyone or prey on anyone, adult or child.

Report No. 1 also states

> included genital fondling, oral, and anal sex[illegible] occurred in the late 1970's when Jeselnick was stationed at St. Brigid in Meadville. All three men and several of their sisters testified that Jeselnick and a previously unidentified Deacon would come to their house and get intoxicated with their parents. Once the adults were sufficiently drunk, Jeselnick would find the boys, who were usually alone, and prey upon them. The three men testified that their mother worked for the parish and would sometimes take them to work with her. Jeselnick would sexually violate them both at home and on church grounds, and this abuse still haunts them to this day.

This also did not occur.

It is not disputed Mr. Jeselnick resided at and ministered to the Roman Catholic community of St. Brigid in Meadville, Pennsylvania in the late 1970s. The remaining allegations not only reveal an inadequate investigation, but are also subject to direct rebuttal.

- Report No. 1 asserts Mr. Jeselnick would become intoxicated. This is not true. Mr. Jeselnick drank little, if any, alcohol in the 1970s. Addiction ran in his family and as a result, he was acutely aware of the negative impact alcohol could have on lives and very cautious about using it. Just as importantly, we do not know what, if any, evidence was presented to corroborate this allegation from other witnesses who knew Mr. Jeselnick? If no such evidence was presented, why was it not presented? Was no effort made to ferret it out? Or, would it have been inconvenient and contrary to the narrative of unrelenting depravity presented in Report No.1?

- Report No. 1 alleges some of these events occurred at a parish employee's home. This is not true. Mr. Jeselnick regularly visited members of the St. Brigid's community in their homes and shared meals with parishioners on many occasions. He never became intoxicated while visiting anyone's home whether an employee or a parishioner. He also does not have a memory of ever having dinner at a parish employee's home who had both sons and daughters. Further, what if any corroborating evidence was developed and, if not, why not? Was there an effort to talk with neighbors, aunts, uncles, cousins and other parish employees at the time about whether Mr. Jeselnick or other priests frequented the home? Was there an effort to talk with other priests who were assigned to the parish?

- Report No. 1 mentions a "previously unidentified Deacon." It appears he has now been identified. So, who is he? Did he testify? What did he say? If he did not testify, was he interviewed and, if so, what did he say? If he was not interviewed, why not? If he is deceased, is there corroboration from the Diocese or Parish that this person served as Deacon at St. Brigid's during the time Mr. Jeselnick resided there? Is there evidence he visited a parishioner or parish employee's home with Mr. Jeselnick? Were the Deacon's wife and children interviewed about these allegations?

- Report No. 1 does not state the circumstances of Mr. Jeselnick's identification as the perpetrator. These events are supposed to have occurred 40-years ago and memory is not just notoriously unreliable, it changes, it fades and it is malleable.[1] So, when was he identified? Where was he identified? How was

[1] Lawrence S. Kubie, M.D., *Implications for Legal Procedure of the Fallibility of Human Memory*, 109 University of Pennsylvania Law Review, 59 (1959); Ken Eisold, Ph.D., Unreliable Memory: Why memory's unreliable, and what can we do about ., Psychology Today, March 12, 2012 (*https://www.psychologytoday.com/us/blog/hidden-motives/201203/unreliable-memory*); Elizabeth Loftus, How reliable is your memory?, Ted Talk, June 2013 (*https://www.ted.com/talks/elizabeth_loftus_the_fiction_of_memory*)(*Exhibit C*); and, Erica Hayasaki, How many

he identified? Was the identification process sufficiently robust to withstand scrutiny?

- Report No. 1 does not reference testimony from or interviews of any other priest stationed at, any person employed at or a single parishioner of St. Brigid's during the time Mr. Jeselnick resided there. Were any of these people called to testify or interviewed? If so, what did they have to say? If not, why did they not testify or why were they not interviewed?

- Report No. 1 does not address the 40-year delay in reporting. Why did three men and theirs sisters, all of whom seem to have vivid memories of absolute horrific events, wait 40-years to say something? And, why did they come forward in 2017?

The circumstances of Mr. Jeselnick's identification are especially important because he did not do what he has been accused of doing. So, either the testimony presented to the Grand Jury was not truthful or this is a case of mistaken identification. Absent answers to these questions and others, Mr. Jeselnick is left shadowboxing and no one can win a shadow boxing match.

Report No. 1 also states

> [n]o record of this family's abuse were located in the Diocesan files. When they did come forward [in 2017], the Diocese directed them to the Crawford County District Attorney's Office. . . . . [I]t was only after a family member reached out to a local newspaper reporter that they were referred to the Office of Attorney General.

It is unbelievable that in 2017, 15 years after the Catholic Church sex abuse scandal broke in the Boston Globe[2] and the publication of the "*Charter for the Protection of Young Children and Young People*" was adopted, the Diocese of Erie brushed off a claim of sexual assault by one of its priests. It is equally unbelievable that in 2017 a family came forward to a reporter for a newspaper with a horrific story of serial sexual abuse by a Roman Catholic priest and no article was published. Yet, an Internet search using Bing®, Google® and Yahoo!® did not reveal a single newspaper article about Mr. Jeselnick in 2017 or 2018. The lack of skepticism by the investigators or an explanation for how and why they were able to overcome this skepticism is astonishing.

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of your memories are Fake?, The Atlantic, November 18, 2013 (*https://www.theatlantic.com/health/archive/2013/11/how-many-of-your-memories-are-fake/281558*).

[2] Betrayal – The Crisis in the Catholic Church, Investigative Staff of the Boston Globe, Little Brown and Company, May 2002.

Further, Report No. 1 states "it is unclear when [Mr. Jeselnick] officially retired." It is anything but unclear when he retired. On July 12, 2010, Donald W. Trautman, Bishop of the Diocese of Erie wrote

> Dear Fr. Jeselnick, *Steve*
>
> I understand that you retired as a full Air Force Colonel. I congratulate you on that high recognition by the United States Air Force.
>
> You are a retired priest of the Diocese of Erie with the faculties of that diocese. I pray you will enjoy your retirement years. Best Wishes,
>
> Fraternally yours in Christ,
>
> *Donald W. Trautman*
>
> Most Rev. Donald W. Trautman, STD, SSL
> Bishop of Erie

Exhibit B (Letter from Bishop Trautman re Retirement, July 12, 2010[3]. The fact that this detail was not known to the Grand Jury or known but omitted from Report No. 1 is deeply troubling, particularly in light of the fact the Grand Jury learned from a review of the files of the Diocese of Erie that Mr. Jeselnick's faculties as priest of the Diocese of Erie were revoked by Bishop Persico in 2014. This omission alone underscores the utter paucity of meaningful investigation and analysis as it relates to Mr. Jeselnick and suggests that none of the conclusions concerning his conduct should be credited.

2. *Report No. 1 Does Not Reflect Even a Modicum of Fairness to Mr. Jeselnick*

Mr. Jeselnick, unlike the Bishops of the various Dioceses in Pennsylvania, was not invited (or subpoenaed) to appear before the Grand Jury or given the opportunity make a written submission and, therefore, neither the Grand Jury nor the Court could know he denies these allegations. The fundamental Constitutional rights at issue here – the inherent rights of mankind and due process – mandate that the investigators obtain independent corroboration of the allegations or at least attempt to do so and also include the results of this aspect of the investigation in their report.

The Grand Jury did have and could not have had the opportunity to evaluate and consider the issues Mr. Jeselnick has raised about the quality of the investigation or weigh the

[3] The term "faculties" refers to permission given to a priest by his diocesan bishop or religious superior, legally permitting him to perform the Sacraments.

countervailing evidence he may have presented. For instance, any problems with the identification procedure, the substance of the identification and the lack of corroboration of the evidence presented.

The Grand Jury did not know he denies these allegations or that in the late 1970s he did not ever drink to the point of intoxication.

Finally, the Grand Jury may not know of his many years of service to the USAF, where he attained the rank of Colonel and earned many commendations before being discharged honorably. *Exhibit A (Letter from USAF re Retirement and DD-214s).* It also may not know of his many years of faithful service to the Church or the high-regard in which Bishop Trautman held him. *Exhibit B.* Finally, it may not know of the respect and love his family and friends have for him and him for them. These are all facts that are directly relevant to an assessment of whether he victimized and preyed on others.

B. The Procedural Due Process Problems With Grand Jury Reports Concerning Private Citizens

Mr. Jeselnick does not hold elected office, he is not a public official and this matter does not concern the public *fisc*. For these reasons, his conduct is not the proper subject of a grand jury report, or at least not the proper subject of a report where he is not accorded a much more vigorous version of due process.

> The scope of grand jury reporting has historically been limited to persons in government service and general conditions in a community. Comment has been made upon the unfairness of such reports, particularly as they affect any public official. However, we should bear in mind that the great protector of our democracy, Thomas Jefferson, declared that: "When a man assumes a public trust, he should consider himself as public property." Moral theologians approve public criticism of public officials as being in the public good, although they condemn such criticism of individuals not having public responsibilities.

Noah Weinstein and William Shaw, *Grand Jury Reports – A Safeguard of Democracy*, 1962:2 Washington University Law Review 203 (January 1962)(citations omitted).

Although, the subject of Report No. 1 may be of some public interest, the public's interest is no greater than an individual's core Constitutional rights to enjoy and defend life and liberty, of acquiring, possessing and protecting reputation, and of pursuing happiness. Where the Government elects to infringe on these rights, an individual should be afforded more process than the law presently permits.

In other cases, the Office of Attorney recognized state due process rights where there was no statutory directive to do so. In the *Report to the Attorney General on the Investigation of Gerald A. Sandusky ("Moulton Report")*, the Office of Attorney General embraced that state due process required aspects of a government report critical of ***unindicted former government***

officials that "might reasonably be understood to adversely affect [their] reputation" be disclosed so that the subject might be able to adequately respond to them prior to publication:

> In addition, after the report has been submitted . . . certain persons will be provided an opportunity to review those portions of the report that pertain to them and to respond prior to publication. In the leading case of *Simon v. Commonwealth*, the Pennsylvania Crime Commission had published a report (about organized crime in the "bingo industry") that had a potential negative effect on the plaintiff's reputation. In *Simon*, the Commonwealth Court recognized a state constitutional right to reputation and held that the Commission's failure to provide plaintiff with advance notice of its criticisms an opportunity to respond before publication violated plaintiff's state due process rights. The *Simon* case, while not elaborating on precisely what process is required, appears to mandate that persons referenced in a government report be provided: (1) those aspects of the report that might reasonably be understood to adversely affect their reputation, and (2) an opportunity to respond prior to publication. In connection with our submission of the report to Judge Krumenacker, we are seeking his authorization to provide notice and an opportunity to respond to persons who fall under the *Simon* decision.

Moulton Report pp. 11-12.

The Grand Jury Act itself provides for certain process in the context of a Grand Jury Report. *See* 42 Pa.C.S. § 4552(e) (*Authorization of Response by Non-Indicted Subject*). This process is not, however, sufficient to vindicate the rights of private citizen whose rights to enjoy life, protect their reputation and pursue happiness is being impaired by the Government.

> An elementary and fundamental requirement of due process in any proceeding which is to be accorded finality is notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and ***afford them an opportunity to present their objections.*** The notice must be of such nature as to reasonably convey the required information, and it must afford a reasonable time for those interested to make their appearance.

Herder Spring Hunting Club v. Keller, 143 A.3d 358, 376 (Pa. 2016) (quoting *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950))(emphasis added). The opportunity to author a denial and rebuttal is not an opportunity present an objection, an objection by definition – in a legal context – presents a prospect of prevailing on the objection before the court.

It is important not just pay homage to the principal of due process but also recognize the process due is not the same in every circumstance.

> Due process is a flexible concept which "varies with the particular situation." Ascertaining what process is due entails a balancing of three considerations: (1) the private interest affected by the governmental action; (2) the risk of an erroneous deprivation together with the value of additional or substitute safeguards; and (3) the state interest involved, including the administrative burden the additional or substitute procedural requirements would impose on the state. ***The central demands of due process are notice and an "opportunity to be heard at a meaningful time and in a meaningful manner."***

Bundy v. Wetzel, --- A.3d ---, 2018 WL 2075562, *4 (Pa. 2018)(emphasis added)(citations omitted); *see J.P. v. Department of Human Services*, 170 A.3d 575 (Pa.Cmwlth. 2017) (placing teacher's name on sexual abuse registry without a hearing violated due process); *Pennsylvania Bar Association v. Com.*, 607 A.2d 850 (Pa.Cmwlth. 1992) (placing attorneys on motor vehicle fraud index without notice or a hearing violated procedural and substantive due process). It is also essential to recognize that individuals who confront inclusion on the Department of Human Services ChildLine and Abuse Registry or the SORNA Registry are afforded the complete panoply of due process rights (notice, a hearing, discovery, cross-examination, subpoena the opportunity to present evidence) before suffering this indignity.

Mr. Jeselnick, on other hand, has been branded by the Government with these same labels – sexual deviant, child abuser and criminal – without being accorded any of those rights. The Commonwealth of Pennsylvania has irreparably damaged his reputation and impaired his enjoyment of life, as well as his pursuit of happiness, without according him any meaningful due process of law. This is not right. This is not justice.

Mr. Jeselnick requests the Court accept this response to Report No. 1 and enter an Order directing that it be appended to Report No. 1 and in the event the Office of Attorney General elects to distribute copies of Report No. 1 or post it on the Internet that it also distribute a copy of this response and post it on the Internet.

Your attention to this matter is appreciated.

Very truly yours,

Christopher M. Capozzi
CMC/tim
Attachments

Exhibit A

DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE
WASHINGTON DC 20330-1000

RESERVE ORDER
EL - 1881

17 FEB 2011

COL JESELNICK STEPHEN E
[redacted]
[redacted]

EFFECTIVE ON THE DATE RETIRED, YOU ARE AUTHORIZED RETIRED PAY PER TITLE 10, UNITED STATES CODE, SECTION 12731 AND PLACED ON THE USAF RETIRED LIST, RETIRED RESERVE SECTION 2B AND ENTITLED TO UNITED STATES UNIFORMED SERVICES IDENTIFICATION CARD, DD FORM 2, (RETIRED) (BLUE).

DATE RETIRED	DATE OF BIRTH	GRADE FOR RETIRED PAY (HIGHEST GRADE SATISFACTORILY HELD)
20 APR 2011	20 JUL 1951	COL

GRADE PLACED ON USAF RETIRED LIST
COL

SERVICE PER TITLE 10 USC SECTION 12732

YEARS:	MONTHS:	DAYS:
22	09	10

SERVICE FOR BASIC PAY

YEARS:	MONTHS	DAYS
24	00	29

SERVICE PER TITLE 10 USC SECTION 12733
15.73

REMARKS

A. 10 USC 12732 AOD: 20 MAR 2007

B. APPLY TO THE NEAREST MILITARY INSTALLATION WITH ONE COPY OF THIS ORDER TO OBTAIN DD FORM 2 RET, 'UNITED STATES UNIFORMED SERVICE IDENTIFICATION CARD', FOR YOURSELF AND DD FORM 1173, 'UNIFORMED SERVICE IDENTIFICATION AND PRIVILEGE CARD', FOR YOUR DEPENDENTS

C. MEMBER ELIGIBLE TO RETIRE WITH PAY PRIOR TO AGE 60 PER FY 2008 NDAA. MEDICAL BENEFITS NOT AUTHORIZED UNTIL THE MEMBER'S 60TH BIRTHDAY.

BY ORDER OF THE SECRETARY OF THE AIR FORCE

OFFICIAL

DEBRA A. YOUNG
CHIEF, TRANSITION PROGRAMS DIVISION
TOTAL FORCE SERVICE CENTER-DENVER

DISTRIBUTION
EL
RO EL - 1881

DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR RESERVE PERSONNEL CENTER

HQ ARPC/DPTTR
6760 E. IRVINGTON PLACE
DENVER CO 80280-4000

17-Feb-11

COL STEPHEN E JESELNICK ,USAF,Retired, [redacted]

[redacted]

Dear COL JESELNICK

I am pleased to inform you that your name will be placed on the Air Force Retired List, effective 20 Apr 11.

On or after your retired pay effective date, you may obtain a DD Form 2 (Retired)(Blue), United States Uniformed Services Identification Card, by presenting your current identification credentials and a copy of your Retired Pay Order to the nearest military installation (for any branch of service). Locations of military installations in your area may be found in your local telephone directory under United States Government or at these websites: www.military.com or www.globemaster.de. Any of your family members who are authorized the DD Form 1173, Uniformed Services Identification and Privilege Card, should accompany you when you obtain your identification card. To obtain an identification card, you and your family members must be enrolled in DEERS. You must have birth certificates for your children and your marriage certificate to prove dependency of your spouse. If you are mailing your application, please contact the Pass and ID section of that installation for further instructions.

At age 60, you are entitled to TRICARE health benefits. So that you can obtain the most accurate information applicable to your situation, you are highly encouraged to contact TRICARE by logging into their website at www.tricare.mil.

Your pay account is being established at the Defense Finance and Accounting Service-Cleveland Center. Any questions concerning retired pay should be directed to U.S. Military Retirement Pay, P.O. Box 7130, London KY 40742-7130, or call DFAS-CL/RO at 1-800-321-1080. Please notify DFAS-CL/RO of any change in your mailing address. Approximately 15 days after the commencement of your retired pay, a statement showing gross pay, deductions, and net pay, will be sent to you by DFAS-CL/RO. Thereafter, a statement will only be forwarded to you when there has been a change in your gross pay or deductions.

Your master personnel record will be maintained at the Air Reserve Personnel Center, 6760 E. Irvington Pl, Denver, CO 80280. If you have any questions regarding your master personnel record or your retirement, please call the ARPC Contact Center at toll free: 1-800-525-0102.

You have our best wishes for the future.

Sincerely,

JOHN C. FRENCH
Retirement Technician
Transition Programs Division

Attachment:
Retired Pay Order (2)

CAUTION: NOT TO BE USED FOR IDENTIFICATION PURPOSES | THIS IS AN IMPORTANT RECORD. SAFEGUARD IT. | ANY ALTERATIONS IN SHADED AREAS RENDER FORM VOID

CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY

[redacted]

2. DEPARTMENT, COMPONENT AND BRANCH
AIR FORCE – REG AF

[redacted]

3. DATE OF BIRTH (YYYYMMDD) [redacted]

6. RESERVE OBLIG. TERM. DATE
Year: N/A | Month | Day

7.a. PLACE OF ENTRY INTO ACTIVE DUTY
DuBois PA

7.b. HOME OF RECORD AT TIME OF ENTRY (City and state, or complete address if known)
Colorado Springs CO

8.a. LAST DUTY ASSIGNMENT AND MAJOR COMMAND
86 AW/HC (USAFE)

8.b. STATION WHERE SEPARATED
Peterson AFB CO

9. COMMAND TO WHICH TRANSFERRED
Not Applicable

10. SGLI COVERAGE ☐ None
Amount: $ 200,000

11. PRIMARY SPECIALTY (List number, title and years and months in specialty. List additional specialty numbers and titles involving periods of one or more years.)
052R3 - Chaplain 9 years, 9 months.

12. RECORD OF SERVICE	Year(s)	Month(s)	Day(s)
a. Date Entered AD This Period	[redacted]		
b. Separation Date This Period			
c. Net Active Service This Period			
d. Total Prior Active Service			
e. Total Prior Inactive Service			
f. Foreign Service			
g. Sea Service			
h. Effective Date of Pay Grade			

13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service)
AF Commendation Medal with 2 devices, AF Longevity Service Award with 1 device, AF Training Ribbon, Southwest Asia Service Medal, AF Overseas Long Tour Ribbon, National Defense Service Medal, AF Outstanding (SEE REMARKS)

14. MILITARY EDUCATION (Course title, number of weeks, and month and year completed)
Squadron Officer School, 7 weeks, Feb 96; Chaplain Professional Continuity Course, 1 week, Oct 93; Interm Chaplain Course, 3 weeks, Aug 92; Catholic Chaplain Professional Course, 1 week, Oct 90; (SEE REMARKS)

15.a. MEMBER CONTRIBUTED TO POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE PROGRAM	Yes	No	15.b. HIGH SCHOOL GRADUATE OR EQUIVALENT	Yes	No	16. DAYS ACCRUED LEAVE PAID
		X		X		-0-

17. MEMBER WAS PROVIDED COMPLETE DENTAL EXAMINATION AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION ☐ Yes ☒ No

[redacted]

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CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY

1. NAME (Last, First, Middle)	2. DEPARTMENT, COMPONENT AND BRANCH	3. SOCIAL SECURITY NUMBER
JESELNICK STEPHEN E (IO)	AIR FORCE--ANGUS	[redacted]

4a. GRADE, RATE OR RANK	4b. PAY GRADE	5. DATE OF BIRTH (YYYYMMDD)	6. RESERVE OBLIGATION TERMINATION DATE (YYYYMMDD)
MAJ	O4	[redacted]	N/A

7a. PLACE OF ENTRY INTO ACTIVE DUTY	7b. HOME OF RECORD AT TIME OF ENTRY (City and state, or complete address if known)
BALTIMORE MD	BALTIMORE MD

8a. LAST DUTY ASSIGNMENT AND MAJOR COMMAND	8b. STATION WHERE SEPARATED
MARYLAND ANG HQ (NGS)	BALTIMORE CTY MD

9. COMMAND TO WHICH TRANSFERRED	10. SGLI COVERAGE
ANG, State of Maryland	☐ NONE AMOUNT: $250,000

11. PRIMARY SPECIALTY (List number, title and years and months in specialty. List additional specialty numbers and titles involving periods of one or more years.)	12. RECORD OF SERVICE	YEAR(S)	MONTH(S)	DAY(S)
52R3, CHAPLAIN,	a. DATE ENTERED AD THIS PERIOD	2001	SEP	17
	b. SEPARATION DATE THIS PERIOD	2001	SEP	30
	c. NET ACTIVE SERVICE THIS PERIOD	00	00	13
	d. TOTAL PRIOR ACTIVE SERVICE	10	02	19
	e. TOTAL PRIOR INACTIVE SERVICE	04	03	02
	f. FOREIGN SERVICE	00	00	00
	g. SEA SERVICE	00	00	00
	h. EFFECTIVE DATE OF PAY GRADE	1998	JUN	24

13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service)	14. MILITARY EDUCATION (Course title, number of weeks, and month and year completed)
Meritorious Service Medal with 1 oak leaf cluster, Air Force Commendation Medal with 4 oak leaf clusters, AF Outstanding Unit Award with 4 oak leaf clusters, National Defense Service Medal with 1 service star, Armed Forces Expeditionary Medal, Southwest Asia Service Medal, Global War on Terrorism Service Medal, AF Overseas Ribbon //See Remarks//	SQUADRON OFFICER SCHOOL (BEFORE 2005), JAN 1996. AIR COMMAND - STAFF COLLEGE - JOINT (BEFORE 2005), JAN 1999.

15a. MEMBER CONTRIBUTED TO POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE PROGRAM		YES	X	NO
b. HIGH SCHOOL GRADUATE OR EQUIVALENT	X	YES		NO

16. DAYS ACCRUED LEAVE PAID	17. MEMBER WAS PROVIDED COMPLETE DENTAL EXAMINATION AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION	YES	NO
0			X

18. REMARKS
ITEM 13: Short, AF Overseas Ribbon Long, Air Force Expeditionary Service Ribbon, AF Longevity Service with 4 oak leaf clusters, Armed Forces Reserve Medal with "M" Devices with 1 hourglass device, AF Training Ribbon. Member served on AD in support of Operation Resolve IAW 10 USC 12301(D) at Arlington Virginia from 12 Sep 01 - 30 Sep 01.
NOTHING FOLLOWS

The information contained herein is subject to computer matching with the Department of Defense Annuity Roll and other selected Federal or non-Federal agency for verification purposes and to determine eligibility for entitlements and benefits in connection with the requirements of a Federal benefit program.

19a. MAILING ADDRESS AFTER SEPARATION (Include ZIP Code)	19b. NEAREST RELATIVE (Name and Address - Include ZIP Code)
[redacted]	

20. MEMBER REQUESTS COPY 6 BE SENT TO - MD - DIRECTOR OF VETERANS AFFAIRS	YES	NO
	X	

21. SIGNATURE OF MEMBER BEING SEPARATED	22a. OFFICIAL AUTHORIZED TO SIGN (Typed name, grade, title and signature)
MEMBER NOT AVAILABLE TO SIGN	ELIZABETH A. HICKS, TSGT, MDANG PERSONNEL RELOCATIONS

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CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY

1. NAME (Last, First, Middle)	2. DEPARTMENT, COMPONENT AND BRANCH	3. SOCIAL SECURITY NUMBER
JESELNICK,STEPHEN E (IO)	AIR FORCE--ANGUS	[redacted]

4a. GRADE, RATE OR RANK	b. PAY GRADE	5. DATE OF BIRTH (YYYYMMDD)	6. RESERVE OBLIGATION TERMINATION DATE (YYYYMMDD)
MAJ	O4	[redacted]	N/A

7a. PLACE OF ENTRY INTO ACTIVE DUTY	b. HOME OF RECORD AT TIME OF ENTRY (City and state, or complete address if known)
BALTIMORE MD	BALTIMORE MD

8a. LAST DUTY ASSIGNMENT AND MAJOR COMMAND	b. STATION WHERE SEPARATED
MARYLAND ANG HQ (NGS)	BALTIMORE CTY MD

9. COMMAND TO WHICH TRANSFERRED	10. SGLI COVERAGE
ANG, State of Maryland	[ ] NONE AMOUNT: $250,000

11. PRIMARY SPECIALTY (List number, title and years and months in specialty. List additional specialty numbers and titles involving periods of one or more years.)
52R3, CHAPLAIN,

12. RECORD OF SERVICE	YEAR(S)	MONTH(S)	DAY(S)
a. DATE ENTERED AD THIS PERIOD	2001	OCT	05
b. SEPARATION DATE THIS PERIOD	2001	NOV	05
c. NET ACTIVE SERVICE THIS PERIOD	00	01	01
d. TOTAL PRIOR ACTIVE SERVICE	10	03	00
e. TOTAL PRIOR INACTIVE SERVICE	04	03	06
f. FOREIGN SERVICE	00	01	01
g. SEA SERVICE	00	00	00
h. EFFECTIVE DATE OF PAY GRADE	1998	NOV	24

13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service)
Meritorious Service Medal with 1 oak leaf cluster, Air Force Commendation Medal with 4 oak leaf clusters, AF Outstanding Unit Award with 4 oak leaf clusters, National Defense Service Medal with 1 service star, Armed Forces Expeditionary Medal, Southwest Asia Service Medal, Global War on Terrorism Service Medal, AF Overseas Ribbon //See Remarks//

14. MILITARY EDUCATION (Course title, number of weeks, and month and year completed)
SQUADRON OFFICER SCHOOL (BEFORE 2005), JAN 1996, AIR COMMAND - STAFF COLLEGE - JOINT (BEFORE 2005), JAN 1999.

15a. MEMBER CONTRIBUTED TO POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE PROGRAM		YES	X	NO
b. HIGH SCHOOL GRADUATE OR EQUIVALENT	X	YES		NO

16. DAYS ACCRUED LEAVE PAID	17. MEMBER WAS PROVIDED COMPLETE DENTAL EXAMINATION AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION	YES	NO
0			X

18. REMARKS
ITEM 13: Short, AF Overseas Ribbon Long, Air Force Expeditionary Service Ribbon, AF Longevity Service with 4 oak leaf clusters, Armed Forces Reserve Medal with 7/16" M" Devices with 1 Hourglass device, AF Training Ribbon; Member served on AD in support of Operation Southern Watch/Enduring Freedom IAW 10 USC 1230(f) at Prince Sultan Air Base Saudi Arabia from 05 Oct 01 - 04 Nov 01.
NOTHING FOLLOWS.

The information contained herein is subject to computer matching with the Department of Defense or with any other authorized Federal or State agency for verification purposes and to determine eligibility for, and/or continued compliance with, the requirements of a Federal benefit program.

19a. MAILING ADDRESS AFTER SEPARATION (Include ZIP Code)
[redacted]

19b. NEAREST RELATIVE (Name and address (Include ZIP Code))

20a. MEMBER REQUESTS COPY 6 BE SENT TO VA DIRECTOR OF VETERANS AFFAIRS	YES	NO

21. SIGNATURE OF MEMBER BEING SEPARATED
(MEMBER NOT AVAILABLE TO SIGN)

22. OFFICIAL AUTHORIZED TO SIGN (Type name, title, and organization)
ELIZABETH A. HICKS, TSGT, MDANG
PERSONNEL RELOCATIONS

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CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY

1. LAST NAME-FIRST NAME-MIDDLE NAME	2. DEPARTMENT, COMPONENT AND BRANCH	3. SOCIAL SECURITY NUMBER
[redacted]	AIR FORCE – ANGUS	[redacted]
4a. GRADE, RATE OR RANK: CHAPLAIN	4b. PAY GRADE: O6	5. DATE OF BIRTH (YYYYMMDD): 19510720	6. RESERVE OBLIGATION TERMINATION DATE (YYYYMMDD): NONE

7a. PLACE OF ENTRY INTO ACTIVE DUTY	b. HOME OF RECORD AT TIME OF ENTRY (City and state, or complete address if known)
BALTIMORE MD	[redacted]

8a. LAST DUTY ASSIGNMENT AND MAJOR COMMAND	b. STATION WHERE SEPARATED
175 WING WG (ACC)	MSAP BALTIMORE MD

9. COMMAND TO WHICH TRANSFERRED	10. SGLI COVERAGE [ ] NONE AMOUNT: $250,000
N/A	

11. PRIMARY SPECIALTY (List number, title and years and months in specialty. List additional specialty numbers and titles involving periods of one or more years.)	12. RECORD OF SERVICE	YEAR(s)	MONTH(s)	DAY(s)
52R3 CHAPLAIN 00YRS 05MOS 00DYS ////////////////	a. DATE ENTERED AD THIS PERIOD	2010	MAR	10
	b. SEPARATION DATE THIS PERIOD	2015	AUG	09
	c. NET ACTIVE SERVICE THIS PERIOD	05	05	00
	d. TOTAL PRIOR ACTIVE SERVICE	00	10	25
	e. TOTAL PRIOR INACTIVE SERVICE	16	00	00
	f. FOREIGN SERVICE	01	00	00
	g. SEA SERVICE	00	00	00
	h. EFFECTIVE DATE OF PAY GRADE	2015	MAY	20

13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service)	14. MILITARY EDUCATION (Course title, number of weeks, and month and year completed)
TR, LS W/2 OLC, AM, OU W/4 OLC, MD7A W/1 OLC, MD8A, AE, ND W/1 OCL, AM, SW, OL, CF W/3 OLC, MM W/1 OLC. ////////////////////////////	NONE ////////////////////

15a. MEMBER CONTRIBUTED TO POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE PROGRAM		YES	X	NO
b. HIGH SCHOOL GRADUATE OR EQUIVALENT	X	YES		NO

16. DAYS ACCRUED LEAVE PAID 0.0	17. MEMBER WAS PROVIDED COMPLETE DENTAL EXAMINATION AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION	YES	NO
			X

18. REMARKS

MEMBER SERVED ONE AND ONE HALF YEARS ON ACTIVE DUTY ORDERS ON [redacted] PURSUANT TO 10 USC 12301(D) AND 10 USC 12304. MEMBER WAS ORDERED TO ACTIVE DUTY AT THE REQUEST OF THE MEMBER. MEMBER WAS NOT INVOLUNTARILY RETAINED ON ACTIVE DUTY BEYOND THE EXPIRATION OF TERM OF SERVICE.

[redacted]

[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]

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CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY

[redacted]	2. DEPARTMENT, COMPONENT AND BRANCH AIR FORCE – ANGUS	3. SOCIAL SECURITY NUMBER [redacted]
4a. GRADE, RATE OR RANK SPC 04	4b. PAY GRADE E-4	5. DATE OF BIRTH (YYYYMMDD) [redacted]
		6. RESERVE OBLIGATION TERMINATION DATE (YYYYMMDD) NONE

7a. PLACE OF ENTRY INTO ACTIVE DUTY BALTIMORE MD	7b. HOME OF RECORD AT TIME OF ENTRY (City and state, or complete address if known) 4001 ROUNDTOP RD BALTIMORE MD 21218-1452
8a. LAST DUTY ASSIGNMENT AND MAJOR COMMAND 175 WING WG (ACC)	8b. STATION WHERE SEPARATED MSAP BALTIMORE MD
9. COMMAND TO WHICH TRANSFERRED N/A	10. SGLI COVERAGE [ ] NONE AMOUNT: $250,000

11. PRIMARY SPECIALTY (List number, title and years and months in specialty. List additional specialty numbers and titles involving periods of one or more years)
52R3 CHAPLAN
00YRS 05MOS 00DYS
////////////////

12. RECORD OF SERVICE	YEAR(s)	MONTH(s)	DAY(s)
a. DATE ENTERED AD THIS PERIOD	[redacted]	[redacted]	[redacted]
b. SEPARATION DATE THIS PERIOD	[redacted]	[redacted]	[redacted]
c. NET ACTIVE SERVICE THIS PERIOD	[redacted]	[redacted]	[redacted]
d. TOTAL PRIOR ACTIVE SERVICE	[redacted]	[redacted]	[redacted]
e. TOTAL PRIOR INACTIVE SERVICE	[redacted]	[redacted]	[redacted]
f. FOREIGN SERVICE	[redacted]	[redacted]	[redacted]
g. SEA SERVICE	[redacted]	[redacted]	[redacted]
h. EFFECTIVE DATE OF PAY GRADE	[redacted]	[redacted]	[redacted]

13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service)
TR, LS W/2 OLC, AM, OU W/4 OLC, MD7A W/1 OLC, MD8A, AE, ND W/1 OOL, AM, SW, OL, OF W/3 OLC, MM W/1 OLC.
////////////////////////////////

14. MILITARY EDUCATION (Course title, number of weeks, and month and year completed)
NONE
////////////////////

15a. MEMBER CONTRIBUTED TO POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE PROGRAM	[ ]	YES	X	NO
b. HIGH SCHOOL GRADUATE OR EQUIVALENT	X	YES	[ ]	NO

16. DAYS ACCRUED LEAVE PAID 0.0	17. MEMBER WAS PROVIDED COMPLETE DENTAL EXAMINATION AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION	YES	NO X

18. REMARKS
[redacted]

[redacted]	[redacted]

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Exhibit B

Office of the Bishop

Diocese of Erie
P.O. Box 10397
Erie, Pennsylvania 16514-0397

July 12, 2010

Rev. Stephen E. Jeselnick

[redacted]

Dear Fr. Jeselnick, Steve

I understand that you have retired as a full Air Force Colonel. I congratulate you on that high recognition by the United States Air Force.

You are a retired priest of the Diocese of Erie with the faculties of that diocese. I pray that you will enjoy your retirement years. Best wishes.

Fraternally yours in Christ,

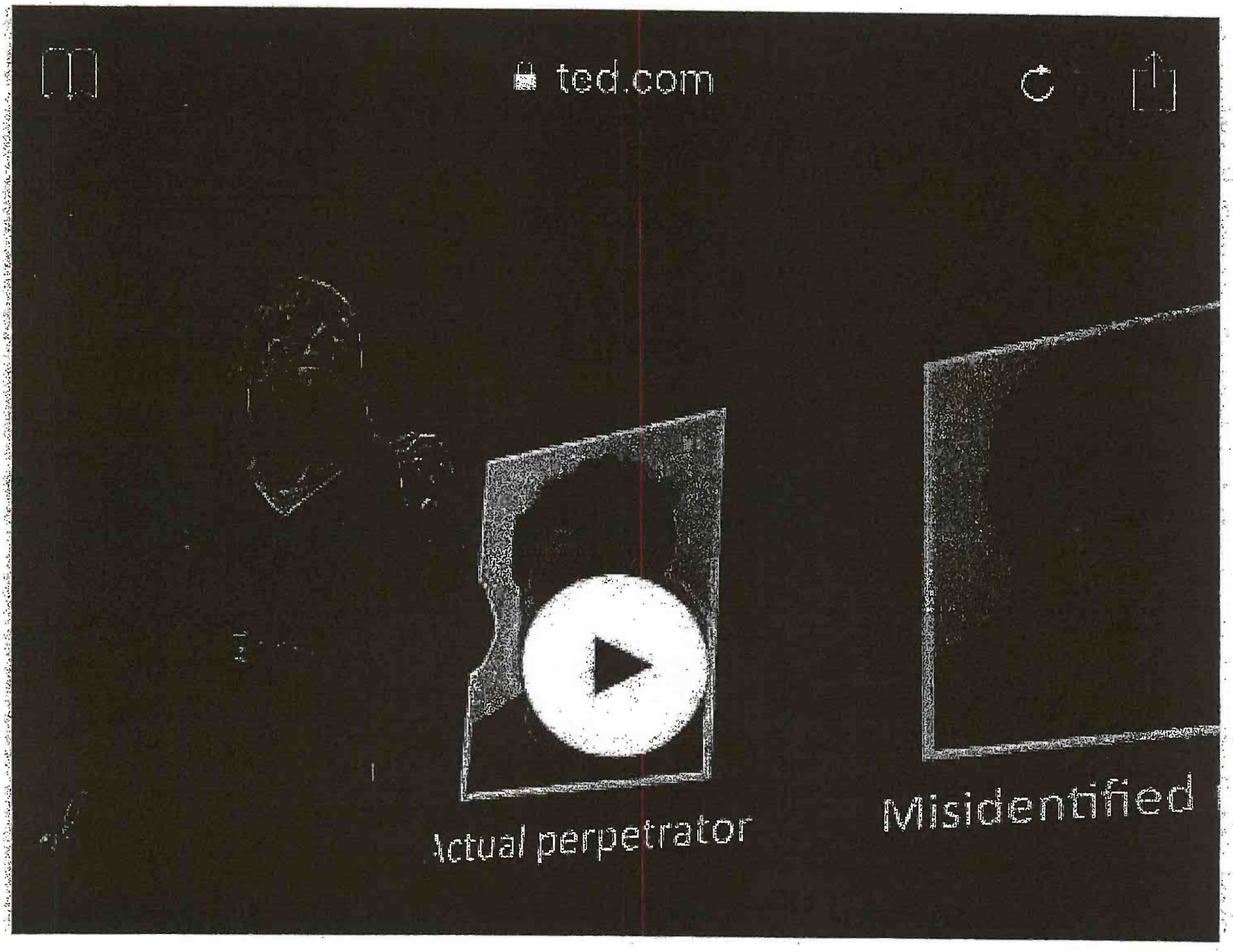
+Donald W. Trautman

Most Rev. Donald W. Trautman, STD, SSL
Bishop of Erie

DWT/rp

enclosures

Exhibit C


ted.com
Actual perpetrator
Misidentified

IN THE COURT OF COMMON PLEAS
ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	:	**SUPREME COURT OF PENNSYLVANIA**
	:	**2 W.D. MISC. DKT. 2016**
	:	
THE FORTIETH STATEWIDE	:	
	:	**ALLEGHENY COUNTY**
	:	**COMMON PLEAS**
INVESTIGATING GRAND JURY	:	
	:	**NOTICE NO. 1**

RESPONSE TO ORDER AND NOTICE DATED MAY 2, 2018

And now comes Monsignor Andrew Karg by and through his attorneys William J. Cisek, Esquire and Wilson, Thompson & Cisek, LLC and files the following response to pages 77, 149, and 150 of the Grand Jury Report.

1. Monsignor Andrew Karg believes that the references made to him on pages 77, 149, and 150 are in error and the references made to Monsignor Andrew Karg are in fact, it is believed, referencing Monsignor William Karg, who is deceased. Monsignor William Karg is a cousin of Monsignor Andrew Karg.

2. On page 77, it states "Diocesan files indicate that in 1993, Monsignor Andrew Karg received a complaint from five fellow priests expressing serious concerns about Barletta. On April 29, 1993, Karg wrote to Trautman about the priests' fears that Barletta could be "*crossing the line" into the private lives of the students at Preparatory. Karg adds that Barletta is known to take pictures inside the boys' locker room of*

the kids' crotch area and that Barletta maintains a book of "crotch shots" in his residence."

3. Monsignor Andrew Karg never received any complaints from any priests relating to Barletta. Monsignor Andrew Karg never wrote to Trautman on April 29, 1993 regarding any of these issues.
4. On page 149, it states that one of Seminarian John Tome's alleged victims testified that she was abused by John Tome during parties held by her parents. "She further testified that her mother worked for the Diocese, specifically, Monsignor Karg, during this time period." Monsignor Andrew Karg believes that is a reference to Monsignor William Karg, who is deceased.
5. On page 150, it is stated that "She added that she believes that her mother informed Monsignor Karg of the incident because Tome *"disappeared for a while and then came back."* It was this chain of events that made Victim #1 believe that her mother told Karg, who in turn sent Tome away." Monsignor Andrew Karg at no time had any knowledge of this incident. Monsignor Andrew Karg believes that these incident involved his cousin, Monsignor William Karg.
6. Another alleged victim testified as follows: "Victim #2 testified that he believes that Monsignor Karg knew full well of Tome's behavior, since he would often come over to the family home with Tome and drink with his parents. Victim #2 testified that once he would fall asleep,

Tome would find him and sexually abuse him. He expressed anger and frustration that Karg did nothing about Tome's behavior." Monsignor Andrew Karg at no time socialized with Tome and at no time had knowledge of Tome's behavior and did not even know Tome.

7. Monsignor Andrew Karg believes that the references on pages 77, 149, and 150 relate to Monsignor William Karg, who is now deceased. Monsignor William Karg died earlier this year.

8. Monsignor Andrew Karg became a priest in 1964.

a. Monsignor Andrew Karg was assigned to Kennedy Christian in 1965 and remained there until 1980.

b. In 1980, he was assigned to a parish in Walston, Jefferson County, Pennsylvania and remained there until 1985.

c. In 1985 Monsignor Andrew Karg became the Vicar for the Western Region and lived in Sharon, Pennsylvania.

d. In 1990 Monsignor Andrew Karg was appointed the Vicar of Education of the Erie Diocese until 2000.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **Response to Order of Court Dated May 2, 2018** was mailed by United States First Class Mail, postage prepaid, to the following persons:

Daniel J. Dye, Esquire
Senior Deputy Attorney General
Criminal Law Division
16th Floor
Strawberry Square
Harrisburg PA 17120

Date: May 31, 2018

William J. Cisek, Esquire
Supreme Court I.D. No.: 88482
Wilson, Thompson & Cisek, L.L.C.
1162 Elk Street, P.O. Box 310
Franklin, PA 16323
Telephone: 814-437-2121
Fax: 814-437-1410

I had a formal reconciliation with my first case. This happened a few weeks after returning from St Lukes. Bishop Trautman & Bob Smith accompanied me. Victim & wife were there represented by his religious counsel - I believe also a minister. He conducted the mtg. After going over all the grievienses. I ask victim if I could ask for forgiveness - he gave me permission to do so. It was granted & he said he would never speak about it again. We shook hands - his wife hugged me & kissed me. Bishop oked paying for on going counseling. No money was ever mentioned in this encounter { Later on after working as a cook for 3 yrs I pd compensation to diocese - which is not in this file

Regarding Camp Notre Dame

I was never assigned there - never worked
I was not involved ever with Mike Amy
I never met with him or counseled him. This was not discussed with me ever
After Amy was ordained - ~~six~~ or 2 yrs later - I became aware of situation because at that time I was on personal board of Diocese. Therefore my comments about him for laization.

Regarding 18 yr old - in hardware store
This man reported me to police + to the local dean - finally to Bishop. I went to an attorney
Daniel Hartle
78 Main St
Bradford, Pa 16701 - phone 814-362-7100
He set up a lie dector for me. He was an ex FBI man doing this kind of work for State Police in Pittsburg Area. Test was administered in Low Office conference Rm - with the Smethport police outside of door. I was told by the administrator I passed case dismissed. I did not have the test scores to Bishop - I was too upset about the whole affair

I was accused in a letter sent to Bishop by several college students - all an letter others were accused, but I could not make it out because all name but mine wer blackened out
1) accused me of giving him a cassock - we had many left behind by those who left
2) Another said I told him he was handsom
3) Another - said I hugged + kissed on returning from a school vacation.

I know of no student who committed suicide
I was never informed about this - nor do I know when this was placed in my file & why it was placed. This is the first I am hearing about this + I am shaken by it

For the last 18 or 19 years I have received no communication from diocese except one letter of condolence for the death of two brothers weeks Apart from each other - It was not from bishop Himself but from one of priest secretaries in his office.

I was also accused by Bishop for Abussing a Black student. I told him during my time at St. Marks we never had a black student

My time at St Lukes was very positive - learn much about by having up in a close knit Italian fam. + extended family. I was very lacking in setting up boundaries + learnt much about empathy

When I returned home from St Lukes - I got involved in establish a soup kitchen - called the Friendship told I was involved for 21 yrs this year. I was on Board of Trustes - I cooked for the Table for 4 yr. After that volenteering - until Diocese put out public Web Page. I resigned from the Board - + volunteering

On Oct 30 - 1916 I was diagnosed with breast cancer had a radical mastectomy on left se. Had 18 weeks of heavy chemo + 6 wks of radiation - burnt badly - had 4 wks recovery from burns. See my oncologist every three mos.

As to other juveniles - mentioned - I would be willing to take another lie detector test.

Salvatore P Luzzo
may 13th 1918

I had a formal Reconciliation mtg with my first case. I
This happened a few weeks after I returned
from St. Lukes. Bishop Trautman + Bob Smith accompanied me.
Victim + wife were there represented by His
Religious counselor. I believe he was also a minister
He conducted the whole mtg. After going over all the
grievenes, I ask the victim if I could ask for his
forgiveness - He gave me that permission to do so. I
was granted - We said a prayer + shook hands. His wife
hugged me + kissed me. The ~~pen~~ Bishop offered to pay
for any counselling - for as long as he needed it
No money was ever mentioned in this mtg. I only know
it by your report. Later on after working as coor
for 3 ½ yrs, I pd compensation to the diocese - for
this counseling - I don't see this in your report.

Regarding Camp Notre Dame
I was never assigned, nor worked there
I was not ever involved with Mike Amx
I never met with him or counseled him. This was
not discussed with me ever
After Amy was ordained - 6 or 7 yrs later
I became aware of the situation (his abuse)
because at that time I was on the Personnel
Board of the Diocese. therefore - my comments
About him on his laization application

II

Regarding 18yr old in hardware store.
This young man reported me to the police & our Local dean - who reported it to bishop - the accusation I touched his shoulder & but try to make a pass at.
I went to an attorney — Dan Hartle
78 Main St
Bradford, Pa 16701 - phone 814 362 7100
We set up a lie detector for me. The man was an ex FBI doing this kind of work for St Police - in Pittsburgh area.
The test was administered in the Law Office Conference Rm - with the Smethport Police outside of the door. I was told by the administrator that I passed with a high percentage. I did not have the attorney send results to Bishop Trautman - I was too traumatized & upset

I was accused in a letter sent to the bishop by several college student - it listed 4 other - but all names were blackened out
1) Accused me of giving him a massock - we had many left behind by those who left seminary
2) An other said told him he was handsome
3) 3rd said I hugged & kissed on returning from a school break

I know of no student who committed suicide
I was never informed of this nor do I know when this happened - nor do I know when this was placed in my file. This is the first I am hearing about this - I am troubled and shakened about it.

For the Last 18 o 19 yrs I have received no communication from the diocese - except a letter of condolene after the deaths of 2 of my brothe two wks a part. It was not from the Bishop but from one his dept head - some time afterwards

I was also accused by Bishop of abussing a black student; I told him during my time at St. Mark's we never had a black student

My time at St Lukes was very positive. I learned much about my bringing up in a closely knit fam. My parents were born in Italy. I was very lacking in setting up boundries + learnt much about empathy

When I returned home after resignation from parist + removed from ministry. I got involved in establishing a soup kitchen in Bradford called the Friendship table. I was involved for 21 yrs this yr. I was on the Board of Trustees. I cooked for them for 4 yrs. volunteering as host. After Diocese publish the recent web site - I retired from Board + volunteering

On Oct 30 1916 I was diagnoed with breast cancer

I had a radical masetecomy of left side - Had 18 wks of heavy chemo + 6 wks of radiation - Burnt badly 3 wks burn recovery

I see my oncologist every 3 mos.

As to other juvenile allegations. I will be willing to take another lie detector

Salvatore Pluzzi
May 13-1916

IN THE COURT OF COMMON PLEAS
ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	**: SUPREME COURT OF PENNSYLVANIA**
	: 2 W.D. MISC. DKT. 2016
THE FORTIETH STATEWIDE	**:**
	: ALLEGHENY COUNTY COMMON PLEAS
INVESTIGATING GRAND JURY	**: CP-02-MD-571-2016**
	:
	: NOTICE NO. 1

RESPONSE OF MONSIGNOR ROBERT SMITH, PURSUANT TO 42 PA.C.S. § 4552(E) TO THE GRAND JURY REPORT

TO THE HONORABLE NORMAN A. KRUMENACKER:

Monsignor Robert Smith, by and through his undersigned counsel, Schnader Harrison Segal & Lewis LLP, hereby submits this Response to portions of the Grand Jury Report (the "Report") received by Monsignor Smith on May 7, 2018,[1] "to be attached to the report as part of the report before the report is made part of the public record," pursuant to 42 Pa.C.S. § 4552(e). We appreciate the opportunity to provide this Response to address factual allegations and conclusions that are incomplete or ignore evidence available to the Grand Jury.

PERSONAL HISTORY AND BACKGROUND INFORMATION

Monsignor Robert J. Smith was ordained on May 7, 1970. Between 1976 and 1978, he served as Secretary to the Bishop. Between 1978 and 1984, Monsignor Smith served as Vice Chancellor for the Roman Catholic Diocese of Erie and next, as Chancellor between 1984 and 1990. In 1990, Monsignor Smith was appointed as Vicar General for the Northern Vicariate

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11 Undersigned counsel received a copy of 21 non-consecutive and redacted pages of the Report from Monsignor Smith on May 7, 2018. On May 29, 2018, the Pennsylvania Office of Attorney General provide undersigned counsel with additional excerpts from the Grand Jury Report. By Order of Court, Monsignor Smith's response to the report is due June 22, 2018.

where he served until 2017. Vicars general assist the Bishop with governance of the whole Diocese. There are certain powers reserved only to the Bishop or which require a special delegation. A vicar general is required to report to the Bishop concerning "the more important affairs" of the Diocese.

Monsignor Smith also held several concurrent positions during this time, including Director of Clergy Personnel. The Priest Personnel Office is charged with the responsibility of recruitment, education, and placement of priests. These responsibilities include the affirmation and evaluation of priests in their ministries, the determination of the needs and preferences of each priests, and the maintenance of personnel files and records relating to the office.

With respect to allegations made against clergy, Monsignor Smith would participate in the canonical process when asked by the Bishop.[2] At the request of Bishop Trautman, Monsignor Smith worked to petition Rome for the laicization of priest abusers. Generally, Monsignor Smith attended meetings and took notes when victims came to report to the Bishop. If Monsignor Smith was away or out of the office, the Bishop would interview alone and summarize in note format what transpired during the meetings. It was the practice of the Diocese to make reports of allegations to the appropriate District Attorney by telephone.

Since the inception of the Grand Jury's investigation, Monsignor Smith has remained willing to appear before the Fortieth Statewide Investigating Grand Jury to provide testimony. Monsignor Smith demonstrated his willingness by providing testimony concerning allegations made against Father David Poulson. That appearance before the Grand Jury was initiated upon Monsignor Smith's receipt of a faxed subpoena on Friday March 9, 2018. The Pennsylvania

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2 Monsignor Smith served under four Bishops of the Diocese of Erie.

Office of Attorney General indicated via facsimile that Monsignor Smith was required to appear on March 12, 2018. This was the first contact between Monsignor Smith and the Office of Attorney General since the inception of the investigation in April of 2016. Although extensions of time are routinely granted, the Office of Attorney General denied undersigned counsel's request for more than three days to prepare Monsignor Smith for his appearance before the Grand Jury. Monsignor Smith was told that his testimony would be limited to the investigation of Father Poulson.

During his testimony, Monsignor Smith was asked questions regarding the handling of sexual abuse cases by the Diocese of Erie. He was asked about his relationship to Father Tom Smith. After denying a relationship with Father Smith, Monsignor Smith was confronted with the specifics of the allegations made against Father Tom Smith about which he knew nothing about. Concluding his testimony, Monsignor Smith made several significant recommendations for the improvement of investigations on the part of the dioceses. Monsignor Smith suggested that: (1) every Roman Catholic diocese should have an independent outside investigator (with prosecutorial skills and experience) retained to conduct allegations involving clergy and other diocesan personnel; (2) every Pennsylvania diocese should adopt the same "Policy for the Protection of Children and Youth;" and (3) diocesan policy should be linked to and track the applicable criminal statutes. Given Monsignor Smith's important role in the investigation of and response to child sexual abuse in the Roman Catholic Diocese of Erie, had he been given adequate opportunity to prepare or been questioned about his role in specific cases, he would have provided the Grand Jury with significant additional insights.

Indeed, a more careful review of Monsignor Smith's tenure with the Roman Catholic Diocese of Erie reveals that he was not involved in the Diocese's most problematic cases. By

way of example, the Grand Jury Report highlights the cases of Fathers Gawronski, Presley, and Thomas Smith as "Examples of Institutional Failure." Monsignor Smith was neither involved in the investigation of allegations associated with these clergy nor responsible for diocesan response to these matters. A comprehensive review of those cases in which Monsignor Smith participated in shows that his involvement resulted in careful documentation of diocesan files and reports to law enforcement.

Had Monsignor Smith been confronted or questioned about specific cases to which his name has now been publicly attributed in the Grand Jury's report, he would have offered the following testimony:

A. Father Donald C. Bolton, C.S.S.R.

Father Bolton was a member of the Congregation of the Most Holy Redeemer, also known as Redemptorist Missionaries or Redemptorists. As a member of a religious order, he was invited into the Roman Catholic Diocese of Erie, but remained a Redemptorist priest and was not a diocesan priest. With respect to misconduct on the part of a religious order priest, the Bishop can prohibit a member of a religious institute from residing or ministering in his diocese. The Bishop does not have the authority to seek laicization or take further action against a religious order priest. Notably, Father Bolton was prosecuted and pled guilty in 1987, never to return to the Diocese of Erie, except for court appearances.

The Grand Jury Report correctly notes that Monsignor Smith met with a victim of Father Bolton in 2001. Monsignor Smith documented his interview with the victim and at Bishop Trautman's request immediately informed the Redemptorists. During his conversation with the Provincial of the Redemptorists or his Delegate, Monsignor Smith informed the Order that another victim of Father Bolton had become known to the Diocese of Erie. The Provincial

indicated that he was aware of the allegations and that they would handle the matter. Monsignor Smith was told that a member of the Redemptorist Community would accompany Bolton to Erie for a court appearance and then return him to his place of residence. Bolton remained under their charge for the duration of his ministry.

B. Father Donald Cooper

The May 26, 2005 email from the victim to Monsignor Smith referenced in the Grand Jury Report asked for instructions in order to report Father Cooper's alleged abuse. In response, Monsignor Smith provided the victim with several options for reporting the alleged abuse, including: (1) reporting the allegations directly to the Erie County District Attorney; (2) making a ChildLine report; or (3) reporting to the local Department of Children and Youth Services. Lastly, Monsignor Smith provided the victim with his phone number and requested an opportunity to speak with the victim directly about the allegations. That same day, Monsignor Smith undertook an investigation of the allegations against Father Cooper.

Based upon Monsignor Smith's findings, Father Cooper requested retirement from active ministry. Thereafter, Bishop Trautman withdrew his priestly faculties. On June 8, 2005, Monsignor Smith reported the allegations to the District Attorney of Erie County. On June 20, 2005, the victim emailed Monsignor Smith writing,

> Thank you very much for you [*sic.*] response. I can not [*sic.*] express how much this means to me. To not be dismissed on this matter has great significance.... Again, thank you very not [*sic.*] for paying attention with this matter. You have renewed my hope in others.

On August 1, 2005, the victim told Monsignor Smith that "[y]ou have been most helpful . . . the way matters have been handled have had a positive impact on my outlook." This correspondence was produced to the Grand Jury by the Diocese of Erie.

C. Reverend Gregory P. Furjanic

As set forth in the Grand Jury Report, in 2005 Lutheran Services in St. Petersburg, Florida, contacted Monsignor Smith to inquire about Rev. Furjanic. Furjanic was a member of a religious order and not a diocesan priest. Monsignor Smith undertook a review of the matter in order to provide truthful and complete information to Lutheran Services. Without a diocesan file, but based upon his own investigation, Monsignor Smith learned from the Diocese of Saint Petersburg, Florida that it denied Furjanic's request for credentials on the basis of a report of abuse from the Diocese of Mobile, Alabama. The Diocese of Chicago disclosed to Monsignor Smith that Furjanic was removed from their Diocese as a result of an allegation of abuse. Based upon the foregoing, Monsignor Smith informed Lutheran Services that there were credible allegations of the sexual abuse of minors by Furjanic dating back to 1970, that he was dismissed from the clerical state, and that he should be denied placement with their agency or any other such agency.

D. Reverend Joseph W. Jerge

Monsignor Smith recalls providing full reports of the allegations against Jerge to the District Attorneys of McKean and Erie Counties.

E. Father Salvatore P. Luzzi

The Grand Jury notes that "little to no documentation was contained in the files." What documentation was maintained and preserved included the work of Monsignor Smith. In an internal document, he documented telephone conversations with two victims. Neither victim were minors at the time of the alleged abuse. Ultimately, Monsignor Smith's involvement resulted in Luzzi's resignation in lieu of canonical process.

F. Father John Philip Schanz

Monsignor Smith's limited involvement in some of the allegations made against Schanz resulted in investigation and reports to law enforcement. The Grand Jury report incorrectly identifies the nature of some of the correspondence with Monsignor Smith.

For example, the Report refers to the author of a January 2, 2007 email to Monsignor Smith as Victim #3. The author, however, was not himself a victim of abuse. Rather, he emailed Monsignor Smith to report an act that he witnessed while working at a camp. The person sending the email said that he reported the incident to the camp's administrators at the time it occurred. Monsignor Smith responded to the email with several follow up questions in an attempt to identify the victim; the administrators who knew about the incident at the time it was reported; and the response to the report. Monsignor Smith also agreed to meet with the person who sent the email to discuss the incident further.

With respect to other allegations of abuse against Schanz, the Grand Jury Report does not mention Monsignor Smith's September 11, 2015 file note that Bishop Persico reported three additional allegations to the Erie County District Attorney.

THE MATTER OF FATHER RICHARD LYNCH

Bishop Trautman prepared a memorandum on an unknown date, summarizing his meeting with Victim #1. Monsignor Smith was present during a 2004 meeting with Victim #1 at which time Victim #1 alleged that sometime before April 1979, Fr. Lynch slammed Victim #1 into a wall. There were no allegations of sexual abuse made. Nonetheless, Victim #1 was advised of his rights to report any alleged sexual misconduct directly to the District Attorney's office.

Victim #1 did not report that he had been sexually abused by Lynch until he sent a letter to Bishop Persico on June 3, 2016, twelve years after the meeting with Trautman and Monsignor Smith. On July 25, 2016, the sexual abuse allegations against Lynch were reported to the Erie District Attorney.[3] The Diocese also reported the abuse allegations to ChildLine on August 23, 2016.

The Grand Jury Report notes that Deacon DeCecco met with Victim #1 at Albion Prison. That meeting occurred at the request of Monsignor Smith. Monsignor Smith directed DeCecco to interview the victim and report the allegation of abuse to prison authorities. Subsequent to his interview of the victim, DeCecco learned that in internal prison documents the victim denied having been sexually abused.

THE MATTER OF BROTHER EDMUNDUS MURPHY

On December 21, 2007, the Society of the Divine Word, located in Illinois, reported allegations of Brother Murphy's abuse against a minor to Monsignor Smith. Monsignor Smith memorialized the phone conversation in an email. The alleged abuse occurred in 1964, when Murphy was a religious Brother from the Society of the Divine Word assigned to the high school seminary. The Society of the Divine Word was first notified of the abuse in October 2007 in a letter from the victim's lawyer.

An email from the Director of Administrative Services & Human Resources for the Society of the Divine Word to Monsignor Smith to memorializes the December 21, 2007 phone call noted that the "Chicago Province of the Society of the Divine Word is following its Sexual Abuse Policies and Procedures in reporting this incident to the civil authorities. It is the

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[3] Father Lynch died sometime before the allegations were reported to the District Attorney's office.

Province [*sic.*] policy to report allegations of sexual abuse to the proper civil authority, even when the incident occurred many years ago and the alleged victim is now an adult." The email went on to thank Monsignor Smith for his offer "to report this incident on our behalf to the appropriate civil authorities. I am most grateful for your assistance in this matter, especially in light of your local knowledge of diocesan and state procedures, we would be most grateful for your guidance."

The Grand Jury Report misinterprets the note that Monsignor Smith made on the email. On July 18, 2009, Monsignor Smith made a handwritten note on the email that reads "Religious Brother are not ***reportable*** – priests and deacon only". Monsignor Smith's note is commenting on the fact that it is the responsibility of the religious order to make the report and not that the allegation should not be reported.

THE MATTER OF FATHER JAN OLOWIN

The Grand Jury Report appears to criticize Monsignor Robert Smith and the Roman Catholic Diocese of Erie for the delay in reporting the allegations pertaining to Father Jan Olowin. The Grand Jury Report fails to note that the allegations received involving Father Olowin concerned conduct between adults and accordingly, did not trigger Pennsylvania's mandatory reporting law or diocesan policy concerning "Sexual Abuse of Minors by Priests and Deacons." The Grand Jury Report also confuses allegations made against other priests and the identification of victims.

In diocesan records, Monsignor Smith summarized a May 27, 1993 phone conversation with a person (referred to as Victim #2 in the Grand Jury Report) who alleged that he was sexually abused by two other priests, *not Father Olowin*. Victim #2 told Monsignor Smith that Victim #3 told Victim #2 he had been had been "approached sexually by Father Olowin" while

on a trip in Mexico, but that the Victim #3 had "pushed Olowin away." The Grand Jury Report exaggerates the victim's report by stating that Victim #3 was "able to fight off" Olowin. Victim #2 did not allege that he was abused by Rev. Olowin. There are no other allegations of sexual abuse against Rev. Olowin. This secondhand report from Victim #2 is the only allegation of abuse on record against Father Olowin.

The Grand Jury Report mistakenly states that Victim #2 also informed the Diocese of his friend's (Victim #1) abuse. During the May 27, 1993 phone call, Victim #2 only report abuse against himself (by two other priests) and the person the Report refers to as Victim #3. There is no Victim #1.

Had the Grand Jury questioned Monsignor Smith about this case during his appearance before the Grand Jury, he would have explained that during a review of diocesan files he came across the file note concerning Olowin, filed with other notes. Monsignor Smith brought the note to the attention of Bishop Persico, who immediately notified the Bishop of the Diocese where Olowin retired. Bishop Persico advised the other Bishop that he was withdrawing Olowin's faculties for the exercise of ministry and informed Olowin of the same.[4] The delay in reporting was a result of the fact that the individuals involved were adults.

CONCLUSION

Throughout his lifetime as a priest, Chancellor, and Vicar General, Monsignor Robert Smith has diligently followed diocesan policy with respect to the protection of minors. Rather than hiding reports of abuse, Monsignor Smith carefully noted and maintained diocesan records; ensured that the Bishop had all information necessary to make critical decisions; and counseled

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[4] A bishop can withdraw a priest's faculties for any sexual activity, including consensual sex with an adult.

the Bishop in an effort to comply with all policies designed to protect minors. When asked to investigate, Monsignor Smith's investigations were prompt and diligent. As noted in his recommendations to the Grand Jury, Monsignor Smith acknowledges that there is significant need for improvement.

Respectfully submitted,

SCHNADER HARRISON SEGAL & LEWIS LLP

By: 

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CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of June, 2018, I served the within Response Of Monsignor Robert Smith, Pursuant To 42 PA.C.S. § 4552(E) To The Grand Jury Report on the following persons and in the following manner. Such service satisfies the requirements of Rule 114 of the Pennsylvania Rules of Criminal Procedure:

Via electronic and first-class mail addressed as follows:

The Honorable Norman A. Krumenacker, III
nakadmin@co.cambria.pa.us
Supervising Judge, 40th Statewide Investigating Grand Jury
Cambria County Court of Common Pleas
Cambria County Courthouse
200 South Center Street
Ebensburg, PA 15931

Daniel Dye
ddye@attorneygeneral.gov
Senior Deputy Attorney General
Criminal Prosecution Section
1600 Strawberry Square
Harrisburg, PA 17120

Julie L. Horst
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IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	:	SUPREME COURT OF PENNSYLVANIA 2 W.D. MISC. DKT. 2016
THE FORTIETH STATEWIDE INVESTIGATING GRAND JURY	:	ALLEGHENY COUNTY COMMON PLEAS CP-02-MD-571-2016
	:	NOTICE NO. 1

BISHOP DONALD TRAUTMAN'S RESPONSE TO REPORT NO. 1 OF THE 40TH STATEWIDE GRAND JURY

As he has done his entire career, Bishop Trautman sends his prayerful support to all victims of clergy sexual abuse. Bishop Trautman shares the Grand Jury's disgust concerning clergy sexual abuse and extends a sincere apology to all who have been harmed by clergy abuse. To be clear, the discussion below is not an effort to diminish, in any manner, the horrible abuse discussed in the Report or its terrible impact on the victims. Rather, Bishop Trautman desires only to clarify, contrary to the tenor of the Report, that he neither condoned nor enabled clergy abuse.

Bishop Trautman has always endeavored to put the need to care for victims of abuse first and his record while in office, including personally meeting with and counseling victims and often traveling to their homes to do so, proves this. Given Bishop Trautman's history and documented record, which is discussed in detail below, the statement on page 7 of the Report implying that he "did nothing" at all for victims and "hid" sexual abuse is false. Given Bishop Trautman's history and documented record, the Grand Jury's portrayal of him as having enabled sexual abuse is false. As Bishop Trautman's ***actual*** record demonstrates, the allegations levied against him in the Report lack a legitimate basis in fact.[1]

[1] The allegations on page 7 of the Report are not specifically directed to or about Bishop Trautman but are broadly, and we submit inappropriately, directed at all Church leaders, which by implication includes Bishop Trautman. Similar, we submit improper, broad-brush allegations about "Bishops" of the Diocese of

Actions Speak Louder Than Words

"Finally[,] My Dear Bishop, [I]f I can call you a friend[,] I believe God gave me the means to a cure through you. I have been with just a handful of people in my travels that you can feel they are God[']s best work and are here to teach his ways. You are one of them and I thank the Dear Lord each day knowing that you are there if I need to talk." Those are the words of a tragic victim of sexual abuse. That victim's words, words of having been treated with pastoral kindness and love, were written to Bishop Donald Trautman. That victim's words of having been treated with pastoral kindness and love are about Bishop Donald Trautman. At the time the letter was written in October 2015, Bishop Trautman had counseled the victim for over a year.

Another victim, who was abused by the same priest, wrote, in a 1996 letter to Bishop Trautman, "Your prompt attention, kindness and compassion as the Ordinary of the Diocese of Erie is appreciated. Words alone cannot describe my gratitude for your generous support[.]"

The words of these victims stand in stark contrast to how the Report, we submit wrongly, portrays Bishop Trautman. Whose words should be believed and trusted: those of these victims speaking honestly and from the heart about their personal interaction with Bishop Trautman or the conclusory and broad-brush words of the Office of Attorney General (OAG), via the grand jury Report?[2]

How do we judge if the OAG, via the Grand Jury, has treated Bishop Trautman fairly in the Report? The above statements from victims who Bishop Trautman personally dealt with are telling in answering that question. Each of these victims is discussed in the Report (pages 138-43),

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Erie in general, without specific discussion as to Bishop Trautman and his record, are made on pages 66-67 of the Report.

[2] While the Grand Jury adopted and issued the Report, under typical grand jury practices, the language of the Report was drafted by the OAG not the Grand Jury.

but no mention of the above-quoted letters is made in the Report.[3] Other letters are quoted in or attached to the Report, but not these letters. The very letters that contain the above quotes are in the same file that is discussed in great detail in the Report at pages 138-43, but the Report makes no mention or refence to each victims' compliments of and appreciation for Bishop Trautman personally having helped him though his difficult ordeal. Is that fair? Is that a balanced attempt to report complete facts?

Similarly, Bishops Persico and Trautman, at the invitation of the OAG and via counsel for the Diocese, submitted written testimony to the Grand Jury describing in a fair and balanced fashion the Diocese's historical actions and responses to abuse, including handling of abuse allegations when Bishop Trautman was in office. (Attached as Exhibit C).[4] This was not a "PR piece." The submission was in some respects critical of the Diocese, including some criticism of Bishop Trautman. It, however, also accurately described the positive aspects of the Diocese's handling of abuse allegations, including the positive steps taken and implemented by Bishop Trautman to both help victims and remove offenders from ministry. Bishop Trautman submitted a verification attesting to the accuracy (with some limited exceptions) of the written testimony submitted by the Diocese. *See*, Exhibit C. The written testimony submitted by Bishops Persico and Trautman at the invitation of the OAG is not substantively discussed in the Report, let alone included in it in full. Is that fair? Is that a balanced attempt to report full facts?

What these examples demonstrate is that the OAG, via the Grand Jury, with an agenda, has

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[3] The letters (RCDErie 0007467-70 and RCDErie 0012754) are attached hereto as Exhibits A and B with personal identifying information redacted. Herein, any document referred to that bears the legend RCDErie indicates it is a document that was provided by the Diocese to the OAG and to which the grand jury had access.

[4] By attaching Exhibit C, Bishop Trautman does not purport to speak for, or have this Response be considered a response on behalf of, the Diocese or Bishop Persico.

selectively chosen the ***words*** in the Report, what ***words*** to include in the Report, and how to portray those ***words*** in a manner – often a misleading one – that best suits their agenda. But, the well-known saying "actions speak louder than words" is a strong gauge for assessing the validity of the ***words*** in the Report and its criticism of Bishop Trautman. As opposed to the ***words*** in the Report, what are the ***documented actions*** of Bishop Trautman when it comes to addressing sexual abuse in the Diocese:

- Bishop Trautman personally met or attempted to meet with every victim of abuse, including traveling to their homes to do so. And, like he did for the first victim whose letter is quoted above, when victims would permit him, he personally provided pastoral counselling for the victims' well-being. He also helped ensure that victims had appropriate mental health treatment paid for by the Diocese. He did this both before and after the Charter for the Protection of Children and Young People (the "Charter") was passed.
- In April 2002, Bishop Trautman worked with the District Attorney's Office for Erie County to review Diocesan records related to abuse allegations. ***After this review, the District Attorney's Office announced publicly that no offenders remained in a position where they would present a danger to the children of the community***. This would have included a review of the files of Gawronski, Presley and Smith.
- Bishop Trautman established new Diocesan guidelines for clergy and lay persons concerning sexual abuse in 1993 and oversaw their execution and fulfillment. These guidelines were enhanced under his leadership, before the Charter, in early 2002, and again after passage of the Charter.

- Bishop Trautman established the Diocesan Office for the Protection of Children and Youth in 2003 and staffed it with full-time personnel. The creation of this special office aimed at ensuring a safe environment for children in the Diocese and assisting victims of abuse was not required by the Charter or Pennsylvania law. Bishop Trautman formed it of his own volition to help abuse victims and to help prevent abuse.
- Bishop Trautman, in 2003, hired former FBI agents to review Diocesan files to help ensure that child predators were put out of ministry and to review compliance with the Charter.
- Bishop Trautman routinely notified appropriate law enforcement authorities of credible allegations of abuse and made sure the Diocese cooperated with law enforcement investigations. Victims were also advised of their right to inform law enforcement.
- During Bishop Trautman's time in office, he removed, at least, 22 priests from active ministry, at least 16 of which removals related to claims of abuse or issues with children. He removed these priests via suspension or other canonical limitations and moved to have several of them laicized. In several instances, even though mental health professionals advised that a priest could be returned to ministry, Bishop Trautman kept the priest out of public ministry.[5]

[5] Suspension is one of the strongest canonical actions a bishop can take against a priest, and its goal is to remove the priest from public ministry by prohibiting the priest from running a parish, teaching at a school, dressing as a priest, celebrating Mass, or otherwise representing himself as a priest. Of course, a suspended priest—like any other person—is still entitled to privately worship, access physical and mental health care, receive disability entitlements, and otherwise benefit from the charitable services provided by the Catholic Church. While the report is critical of certain priests being provided retirement payments or insurance, until a priest is laicized, the Diocese is obligated under Church law to provide such benefits.

- The Report mentions Bishop Trautman with regard to allegations made against 25 Diocesan priests.[6] Of those 25, 13 are dead, 6 of which were dead either before Bishop Trautman took office or before any allegations were made against the deceased priest. Of the 12 living Diocesan priests, only two of them currently remain in active ministry. With knowledge of the historical allegations against these priests, current Diocesan leadership, of whom the Report is laudatory, has kept them in active ministry.
- If a credible allegation was brought to him while bishop, Bishop Trautman never reassigned a priest to parish ministry who had been removed from ministry or had his ministry limited based on allegations of sexual abuse.
- If a priest was under suspension and he moved out of the Diocese, it was Bishop Trautman's practice to notify the district attorney in the county to which the priest had moved, as well as the Bishop in the diocese to which the priest had moved.

The above actions are hardly the actions of a Bishop trying to hide or mask pedophile priests to the detriment of children or victims of abuse. All of the above facts can be derived from Diocesan records and information that was available to the Grand Jury, via the OAG. ***None are in the Report.*** Is that fair? Is that a balanced attempt to report complete facts?

Certainly, with hindsight, some isolated decisions made by Bishop Trautman concerning

[6] The report also mentions Bishop Trautman with regard to the handling of allegations against three members of religious orders who were not Diocesan priests. Bishop Trautman consistently made the appropriate member of the religious order aware of any allegation. Canonically, Bishop Trautman did not have the ability to take disciplinary action against these non-Diocesan priests. At the time allegations were made against the three members of religious orders, none of them were serving in the Diocese with one of them being deceased.

certain priests during his 22 years (1990-2012) as Bishop of the Diocese might be subject to critique. But, what is clear from his overall conduct – and complete ***actual*** record – is that he cared deeply about the victims of abuse, did his best to help the victims both pastorally and financially, did not condone the horrific conduct of priests who abused minors, and consistently took action to remove abusers from active ministry. There is no evidence that Bishop Trautman moved priests from parish to parish to "cover up" abuse allegations or that he failed to take action when an allegation was raised. There simply is no pattern or practice of putting the Church's image or a priest's reputation above the protection of children. The above record demonstrates just the opposite.[7]

As the above shows, had the Grand Jury, via the OAG, reviewed and evaluated all the available information, it would have recognized that its harsh characterization of Bishop Trautman's record of handling allegations of sexual abuse is belied by the documented evidence of his ***actions***. The documented evidence of those ***actions*** demonstrates that Bishop Trautman consistently placed a high priority on ensuring the protection of children.

Bishop Trautman's Actions as to Gawronski, Presley and Smith

The Report highlights three former priests of the Diocese of Erie on pages 69 through 112.

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[7] Bishop Trautman has been criticized in the past for not publicly releasing the names of accused priests, a decision that was mooted when the Diocese made the decision to release these names in April 2018. He chose not to publicize the names for fear that the victims would suffer more from the publicity and also in deference to family members of those priests; rightly or wrongly, it was his judgment that publicity would harm, not help victims, and that the relatives of accused priests should not face the public ridicule and scorn that would follow publication of the dismissal or suspension of an accused priest. This was often consistent with the requests of the victims, many of whom informed the Bishop that they did not want the name of the offending priest publicized for fear that they would be connected with the name and it could injure both their recovery and the life they had built. Having removed the priest from active ministry, Bishop Trautman had confidence that no more children could be harmed. ***History has borne out this confidence, as the Report does not discuss any priests that was suspended by Bishop Trautman subsequently having a new allegation of abuse of a minor raised against him that post-dated the suspension.*** No federal, state or canonical law required that the names be made public.

Each was laicized by Rome based on petitions brought while Bishop Trautman was in office. Bishop Trautman's involvement with and disciplining of each former priest is briefly discussed below. Before that individual discussion, a few common facts about all three former priests should be noted to place the discussion in context:

- Allegations against each of these priests first arose while Bishop Murphy was in office, before Bishop Trautman came to the Diocese in the summer of 1990. Each priest had been sent for a psychological evaluation under Bishop Murphy and, when Bishop Trautman took office, each was already on a monitoring/aftercare program that had been recommended by psychiatric professionals. While in hindsight he might now act differently, given the recommendations and plans made before Bishop Trautman came to the Diocese from Buffalo and out of deference to Bishop Murphy, Bishop Trautman continued the monitoring/aftercare plans and assignments recommended by the professionals and put in place by his predecessor.[8]
- To be clear, this was the exception and applied to only the few situations where Bishop Murphy had already implemented a plan. New allegations against priests made while Bishop Trautman was in office resulted in the priest being taken out of active ministry. As he wrote in a memo in the early 1992, "This refers to those 'grandfathered in' prior to my coming as Bishop of Erie. Everyone with this problem today is put out of active ministry." (RCDErie 0008658).

[8] While the Report is critical of the professional institutions to which priests were sent for evaluation, each of these institutions was properly accredited. Moreover, the institutions often recommended that a priest be kept out of ministry – a fact which demonstrates that they were not rubber-stamping recommendations aimed at protecting priests.

- Bishop Murphy did not have files related to any of these priests or any other priest against whom an allegation had been raised and he would not discuss allegations of clergy abuse with Bishop Trautman. All historical information provided to Bishop Trautman when he arrived in the Diocese had to be provided by the Diocese personnel director.
- Fortunately, while in the positions implemented by Bishop Murphy (but continued by Bishop Trautman), none of these priests is known to have reoffended. During the time period each of these priests remained in active ministry after initial allegations were made, no allegation that they offended while in such ministry was or has been made.
- When allegations of prior (usually decades old) abuse by each priest were raised while Bishop Trautman was in office, he acted to take each priest out of any ministry that would include contact with children and ultimately took each out of ministry all together.
- Bishop Trautman initiated the process to have each of these three priests laicized.

Chester Gawronski

Based on restrictions imposed by Bishop Murphy, when Bishop Trautman came into office in the summer of 1990, Gawronski was serving in an assignment in which he would not have contact with or access to children. Specifically, he was the chaplain at a nursing home. This limited ministry intended to avoid contact with minors was continued by Bishop Trautman through 2001 and, during a small portion of this time period, Gawronski also served as a substitute chaplain at a hospital and ministered to adult prisoners at several jails. In 1996 (and not mentioned in the Report),

Bishop Trautman took specific steps to clarify the restricted nature of Gawronski's ministry. Gawronski was formally advised that he was not to function in anyway as a priest outside of his chaplain assignments. *See,* RCDErie 0001733. From September 2001 until February 2002, Gawronski, again in a situation that would not provide access to children, was the chaplain of a senior living community (St. Mary's at Asbury Ridge). Bishop Trautman removed him from all active ministry in February 2002 imposing a suspension that included forbidding him from wearing priestly garb and publicly presenting himself as a priest. *See,* RCDErie 0002041. When Gawronski wrote a letter to family and friends that contained language indicating that he might be exceeding these limitations, in December 2002, Bishop Trautman threatened him with additional canonical penalties. *See,* RCDErie 0002304. Then, after Gawronski refused to become voluntarily laicized, and after substantial work to put together a comprehensive laicization petition, Bishop Trautman moved to have Gawronski laicized in November 2004. This petition was ultimately granted in June 2006.

While the Report notes in critical fashion that Bishop Trautman "reassign[ed] him multiple times," it fails to explain that all assignments were in restricted ministry with no contact with children. It also fails to note that Gawronski never re-offended while in these restricted ministries. Nor, does the Report discuss that Bishop Trautman repeatedly turned down Gawronski's requests to return to full active ministry. Why not include the full facts in the Report?

The report specifically takes issue with Bishop Trautman permitting Gawronski to hear confessions for persons with disabilities. What the Report does not include is that this was a one-time event, with multiple priests and church personnel participating, that the event would take place at the St. Mark's Center (the building where the Diocesan offices, including the Bishop's office, are located), and that Gawronski's participation was at the request of a religious sister who

served as Coordinator for the Ministry to Persons with Disabilities. *See,* RCDErie, 0001745-46. Why not disclose the full facts about the request? Does the request lose its sensational nature when put in actual context?

The Report also takes issue with a letter Bishop Trautman wrote to a victim on June 21, 2002. At this point, Gawronski had already been taken out of all ministry and was no longer permitted to function as a priest. At this point, the District Attorney of Erie County had reviewed Diocesan records and concluded that "no offenders remained in a position where they would present a danger to the children of the community." The statements in Bishop's letter that, in June 2002, (i) the Diocese had a zero-tolerance policy, (ii) no priest with a pedophilic background was in active ministry and (iii) that he had not transferred accused priests from parish to parish, are all in fact true and, indeed, they are borne out by his actual record discussed above. Tellingly, while the Report often reproduces letters and documents in full, it does not do so with regard to this June 21, 2002 letter. Why? Perhaps it is because the letter, in its entirety, shows Bishop Trautman's disdain for sexual abusers and desire to care for victims. For example, in the full letter, Bishop Trautman offers to meet with the victim in person to discuss the abuse, refers to Gawronski's actions as "sinful, tragic and reprehensible" and apologizes to the victim on behalf of the Church. *See*, RCDErie 0002026.[9]

To be clear, Gawronski's conduct was horrific and Bishop Trautman sends his deepest condolences and prayers to his victims. The above is not an effort to diminish the horrible abuse or its terrible impact on the victims in any manner. Rather, Bishop Trautman desires only to,

[9] Bishop Trautman's June 21, 2002 letter was in response to a June 2, 2002 letter written to him by the victim. In that letter, as discussed on page 78 of the Report, the victim refereed to a "libelous statement that there were no pedophiles in the Erie Diocese." In his June 21, 2012 letter, Bishop Trautman addressed this and clarified that the complained of statement was actually that "there were no pedophile priests or deacons in active ministry in the Diocese of Erie." This statement was accurate as confirmed by the District Attorney's Office review that had been completed just two months prior.

contrary to the tenor of the Report, clarify that he neither condoned or enabled Gawronski's improper conduct with minors – all of which pre-dated Bishop Trautman becoming bishop. The above timeline and facts show that is indeed the case.

William Presley

When Bishop Trautman arrived in Diocese, Presley was already serving as the Administrator of Assumption of the Blessed Virgin Mary parish in Sykesville. Bishop Murphy had placed him there following an evaluation by a reputable mental health professional in the DuBois area who was not affiliated with the Church, which evaluation followed an accusation of abuse made against him in 1987 – three years before Bishop Trautman came to the Diocese. At that time, this was the only accusation that had been made against Presley and he denied any wrongdoing.

With the advice of the clergy personnel Board, Bishop Trautman permitted Presley to stay at Assumption until his retirement from the priesthood at the age of 70 in 2000. During his twelve years at Assumption, no allegations were made against Presley. To date, we are not aware of any allegation against him that stems from his time at Assumption.

Following his retirement, in April 2002, a series of allegations were made against Presley concerning conduct occurring in the 1960s and 1970s. The Bishop immediately confronted Presley with these allegations in a phone call and Presley admitted to inappropriate conduct. Despite this admission, Presley refused to voluntarily withdraw from ministry. Accordingly, Bishop Trautman, on May 6, 2002, suspended him and withdrew all his priestly qualifications.[10] At the time, Presley was living in the Diocese of Harrisburg and Bishop Trautman promptly notified the Bishop of Harrisburg that he had suspended Presley's faculties. *See,* Report p. 90. After substantial work to

[10] The Report states, "Trautman revoked Presley's faculties later that year," implying that substantial time had passed. In reality, it was a matter of weeks.

put together a comprehensive laicization petition, Bishop Trautman moved to have Presley laicized in 2004. This petition was ultimately granted in June 2006.

Bishop Trautman personally counseled several of Presley's victims.

A few comments on some of the statements in the Report:

- The statement in the press release discussed on page 85 of the Report was in response to an inquiry about other allegations of abuse possibly committed by Presley. Albeit inartful, the Diocese's statement quoted in the Report is simply a statement of "no comment." Contrary to the allegation in the Report, this was not a false statement. In any event, Presley had already had his faculties stripped a year prior, so this was not an effort to hide an abuser. The full press statement is found at RCDErie 0011853.
- The Report discusses communications between Monsignor (now Bishop) Bartchak and Bishop Trautman about the investigation being done by Rev. Bartchak in 2005 as part of the laicization process, long after Presley's abuse had become public and long after he had been stripped of his faculties. When read in context, Bishop Trautman is simply answering an inquiry from Rev. Bartchak and, using the same words from the inquiry, telling him that, if the Diocese had enough evidence to succeed in the laicization process (which they did), he need not further investigate facts that likely would not lead to a violation of Cannon law because of the age of the victim. Again, this simply is not an effort to somehow hide Presley and his conduct.
- The Report contends that Bishop Trautman "intentionally waited out the statute of limitations." This is baseless. The allegations brought to Bishop Trautman's attention in 2002 – on which he quickly acted – concerned conduct that occurred in the 1960s and 1970s. The statute of limitations had, unfortunately, expired long ago.

Like Gawronski's conduct, Presley's conduct was awful and Bishop Trautman sends his deepest condolences and prayers to his victims. Again, the above is not an effort to diminish the horrible abuse or its terrible impact on the victims in any manner. Rather, Bishop Trautman desires only to, contrary to the tenor of the Report, clarify that he neither condoned or enabled Presley's improper conduct with minors – all of which pre-dated Bishop Trautman becoming bishop. The above timeline and facts show that is indeed the case.

Thomas Smith

When Bishop Trautman became Bishop on July 16, 1990, Smith had been assigned to St. Joseph's parish for nearly three years. Bishop Murphy had placed him their following allegations of abuse and a psychiatric evaluation. Given Smith's past, less than 10 days after taking office, Bishop Trautman personally met with Smith – this is the meeting discussed on pages 95 and 97 of the Report. At that point, Smith had been in therapy for substance abuse and sexual addiction for nearly four years and was, by all accounts, sober.

In order to allow Smith to continue his recovery program and monitoring program that had been implemented under Bishop Murphy, and following the advice of the priest personnel board, Smith was assigned to Holy Rosary parish in 1992. The assignment letter from Bishop Trautman to Smith expressly noted "the limitations placed on your ministry" – specifically, he was not to be alone with children. *See,* RCDErie 0008635. There is no allegation that Smith offended while at Holy Rosary or at his prior assignment at St. Joseph.

When allegations of abuse that occurred in the early 1970s were raised by victims in late 1993, Trautman took swift action. He restricted Smith's ministry by an order given on February 9, 1994. This included limiting Smith's ministry "to chaplaincy to nursing homes and to the nursing

unit and substance abuse unit of the Veteran's Administration Hospital." RCDErie 0008658; *see also* RCDErie 0008506 (reassignment letter dated 12/28/93). Trautman also advised Smith that, had he not been "grandfathered in" by Bishop Murphy, he would take him out of ministry all together. *Id.* Despite Bishop Murphy interceding on Smith's behalf, Trautman continued the limitations he placed on Smith, which in part were based on guidelines being used by the Diocese of Pittsburgh in 1994. Smith remained assigned to a nursing home chaplain position until 2002. He did not reoffend.[11]

In 2002, when allegations of additional abuse from the late 1960s were made, Smith withdrew from ministry and his faculties were revoked by Bishop Trautman on February 26, 2002. *See*, RCDErie 0008498.[12] He was laicized in 2006.

Again, the above is not an effort to diminish Smith's sinful and horrible acts or their terrible impact on Smith's victims. Rather, Bishop Trautman desires only to, contrary to the tenor of the Report, clarify that he neither condoned or enabled Smith's improper conduct with minors – all of which pre-dated Bishop Trautman becoming bishop. The above timeline and facts show that is indeed the case.

Conclusion

As the above facts regarding Gawronski, Presley and Smith show, contrary to the tenor of the Report, when an allegation of abuse by these priests arose while he was the bishop, Bishop Trautman promptly disciplined the priest and imposed appropriate restrictions on his ministry,

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[11] The Report discusses Smith's request in 1996 to accept a position of the board of the YMCA. The Report fails to note that Smith was forbidden from accepting this board seat. *See*, RCDErie 0008507.

[12] The Report on page 111, insinuates that Smith was still in ministry on March 15, 2002 when Bishop Trautman indicated in an interview that no priest or deacon in active ministry had a pedophilic background. The insinuation is wrong and the Bishop's statement is accurate. Smith was not a functioning priest as of that date. Additionally, the substance of Bishop Trautman's statement was confirmed by the District Attorney's audit of church files just a month later in April 2002.

ultimately having each of the three defrocked. He did this to protect children.

Despite their artful (and sometimes misleading) construction, a close reading of the summaries found in the Report's Appendix reveals the same course of action throughout Bishop Trautman's 22 years in office: Bishop Trautman consistently acted to protect children and remove priests from ministry. For example, on page 416, the Report can be read to give the misleading impression that the Diocese was aware of an allegation against Barry Hudock in 1996. This impression is false. While the conduct occurred in 1996, the allegation (the first and only ever made against Hudock) was not made until 2008. Upon receiving the allegation, Bishop Trautman immediately notified Hudock's then-employer, a school; notified the Bishop in the Diocese where Hudock was working; and notified the Erie County District Attorney's Office. That is the antithesis of a Bishop "doing nothing" and "hiding it all," as the report inaccurately portrays Bishop Trautman as having done. "Actions speak louder than words."

Bishop Trautman sends his prayerful support to all victims of abuse.

Respectfully submitted



David J. Berardinelli, Esq., Pa. ID 79204
DeForest Koscelnik Yokitis & Berardinelli
436 Seventh Avenue, 30th Floor
Pittsburgh, PA 15219
Attorney for Bishop Donald Trautman[13]

[13] By submitting this Response, which Bishop Trautman has a statutory right to do under 42 Pa.C.S.A. §4552(e), Bishop Trautman is not intending to, and does not, waive, any arguments made in his pending appeal to the Pennsylvania Supreme Court.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	:	SUPREME COURT OF PENNSYLVANIA 2 W.D. MISC. DKT. 2016
THE FORTIETH STATEWIDE INVESTIGATING GRAND JURY	:	ALLEGHENY COUNTY COMMON PLEAS CP-02-MD-571-2016
	:	NOTICE NO. 1

CERTIFICATE OF SERVICE

I, David J. Berardinelli, Esquire, hereby certify that a copy of the foregoing Response to Report No. 1 of the 40th Statewide Grand Jury was served on June 20, 2018 via overnight mail (and email) upon the following individuals:

The Honorable Norman A. Krumenacker, III
Supervising Judge, 40th Statewide Investigating Grand Jury
Cambria County Court of Common Pleas
Cambria County Courthouse
200 South Center Street
Ebensburg, PA 15931

Daniel J. Dye
Senior Deputy Attorney General
Criminal Law Division
1600 Strawberry Square
Harrisburg, PA 17120

By: _____
David J. Berardinelli, PA I.D. No. 79204

Exhibit A

Rec. Nov 1, 2015

Dear Bishop Trautman,

I hope this letter finds you well. I have taken your advice and I have an appointment to see Father John on September 27th. I wish I knew why this comes back to haunt me, like a bad dream it just appears. I hope that Father John can relieve me of this pain as I believe I have suffered more then I should have liked. I have made those around me suffer because of me and that will be gone soon I pray. I pray each day for you and I hope you are well. I also have my mother a member of the Holy Rosary Society praying for us both. We would be hard spent to have beaten her in saying rosaries as she raised five sons and goes to each funereal home when someone dies within our parish to pray. There are very few now in the Holy Rosary Society. I believe God listen more to those that are close to him.

I will list my requests and the costs I have incurred since 1973. I had never planned on any return but a wink from Saint Peter as I entered through those gates. Times are very difficult now I had a bad accident and was out of work for almost a year, and still pray that the pain will go away. My first daughter got in a bad crowd and drifted away, my wife had cancer it's gone, as I mentioned she wants a divorce. I do not know why I am being tested so hard but if I can make it through this and enjoy life again I will have made a giant step. I will list my costs then my requests, I will leave it to you and God to decide what is just.

1 Therapy with psychologist for two years once weekly with no holidays: 2012 and 2013

One hundred and thirty five dollars $135.00 x 2 years = $12,290

For the last two years my insurance paid for some and I did not include those. Also I had so many medications in this time I will average it low as I don't want be over. Its app $72.00 per month on and off over the years it would be app 12 months times $50.00 dollars times 40 years = $32,000.

I began therapy when I left Erie for Boston I can say his name know as he is no longer with us. Dr. Katz he must have been good as he was on NPR one day. I was on a sliding scale then as I was pretty poor (student) we missed a lot of sessions due to our schedules. That was 35 sessions each year for four years at $50.00 dollars per session seems small now but it was a great deal back then. = $7000.00 also medication was more than the sessions. So happy those are behind me. In between I have always gone to my GP for medication for the anxiety and helplessness. Also some psychiatrists but none that were long term.

To this day I am still uncomfortable in a room with only one other person. I wonder if this was an impact on my marriage. Too many ghosts in the closet. I can still smell him, hear him, and feel his face on my neck it happens more per day then I wish. I sleep better with a light or the TV on I don't fear the dark, more just the sleeping. A huge problem sleep deceives me it hides it brings no laughter or smiling faces, I very rarely find it peaceful. I cannot blame that all on him I still think that day when I came home and asked my brother who was at Gannon at the time about Father John Schanz; his remark was "everyone knows he likes little boys". I blamed myself for so many years the flame is not so bright anymore. I hold Gannon College responsible for most of this he would not have been in the position to hurt young boys if Gannon College would have taken action. I know that someone there knew about it, why they did not stop him is a question that I have come to grips with. I do not blame him anymore; I leave that for myself a mystery of divine faith if I could only find it. It faith that is, I thought had no cost, by closing this chapter in my life and seeing Father John I hope to find it, so difficult to replace those young years and the illusion of happiness. Each time this was brought up in the news it ruined me for months. Finally I asked my Mother, I am following her thoughts on this. I do believe in you and I wish it was not me that had to give you this news I am only one, God has so many to take care off, I guess some

RCDErie 0007468

just fall through the cracks. My hope is to be able to find and serve him again, I wish so to become part of a parish and be in that family with Christ. I hope Father John has the wisdom to look for where my faith went to.

So as we discussed once as for as for financial restitution I would be happy to get just my costs back. For my family I was hoping you as a personal favor could be at my mothers or fathers funeral with Father Sullivan he is a wonderful man and knows my parents well. I don't want someone to say the eulogy that does not know how strong in faith and how much my parents helped the church and the community of Christ. Also I hope my father can have taps played and a 21 gun salute he never talked about world war but he has Alzheimer's now and God did shine on me a few weeks ago. I came home and we talked he told me to take home his box of WWII memories now I see why he never talked. How can one explain living in hell like him and all of those poor souls? He was a quite simple man and he kept the lights on at St Andrews for fifty years as an electrician (for free). For my mother I hope your strength even as I reach sixty can help me hold my head up she is a saint and she deserved more from me. I guess all sons' feel that way.

Finally my problems have eaten away my savings for my daughters, and they have had to live with a father that was not the man of faith he wanted to teach his children to be. As I hold Gannon University at fault if they could give my girls a good catholic education with free tuition. I do not want them to think this is a gift from you and the school; both have earned it putting up with me. So if Gannon can give them both full scholarships one more person in the class room would not be too much. The youngest REDA is a straight a student and a wonderful person. She would make Gannon proud. The four years of education for her, and my daughter REDA two years of graduate school would be Gannon University's penance. I cannot withhold my anger at them so I hope this is not asking too much. This will be for how many times I just wanted to scream at Gannon University and say " how could you in the name of God let this go on" my anger long harbored comes out with them the most. Thankfully I keep that buried the farthest I can.

Finally My Dear Bishop

consume fewerf I can call you a friend I believe God gave me the means to a cure through you. I have been with just a handful of people in my travels that you can feel they are Gods best work and are here to teach his ways. You are one of them and I thank the Dear Lord each day knowing that you are there if I need to talk.

Always the best
REDACTED

RCDErie 0007470

Exhibit B

REDACTED

September 18, 1996

Most Reverend Donald W. Troutman
Catholic Diocese of Erie
429 East Grandview Blvd.
Erie, PA. 16504

Your Excellency:

I would like to thank you for your cooperation in the Fr. Schanz matter. Your prompt attention, kindness and compassion as the Ordinary of the Diocese of Erie is appreciated. Words alone cannot describe my gratitude for your generous support as a mediator between Fr. Schanz and myself. I am happy to have conclusively put this issue to rest, legally and most importantly spiritually. I have forgiven Fr. Schanz for his sins committed against me in my youth. If you would, you may tell him that. I now feel that with continued counseling and prayer, I am becoming a more productive person in society and will be able to witness to Christ as a man of God. Again I would like to thank you for your time and consideration in this matter.

I have the honor to be, Your Excellency,
REDACTED

Exhibit C

VERIFICATION OF PORTIONS OF THE REPORT SUBMITTED BY THE DIOCESE OF ERIE ON MARCH 15, 2018

Bishop Emeritus Donald W. Trautman

I, Donald Walter Trautman, state as follows:

1. I was the Bishop of the Diocese of Erie from 1990 until 2012.
2. Other than the exceptions noted in Paragraph 3 and the additional facts in paragraph 4, the factual statements regarding the events during my tenure as Bishop of the Diocese of Erie, as set forth in the Report (albeit in summary fashion), are true and correct to the best of my personal knowledge, information, and belief.
3. I am not verifying the following because the below cited portions of the Report are primarily opinions and/or contain inferences that do not require a factual verification and to which I am unable to agree:

   • The Report indicates an opinion on page 2 that, during my tenure in office, the Diocese could have "enhance[ed] monitoring of known offenders and improv[ed] detection of grooming behaviors";

   • The Report indicates an opinion on page 11 that "efforts to monitor compliance of [suspended] priests with [my suspension] orders were lacking";

   • The Report indicates an opinion on page 11 that my practice of anonymizing certain information "hindered the effectiveness of consultations [with the Diocesan Review Board or Priest Council]";

   • The entirety of the paragraph on page 11 beginning with "Indeed."

4. I also alert the grand jury to the following facts:

   • To the best of my knowledge, no priests that I placed under suspension or monitoring was accused of having offensive contact with a minor while under suspension or monitoring.

   • The Erie Diocese Office of Protection of Children and Youth, discussed on page 5 of the Report, was established during my tenure as Bishop.

   • If a priest was under suspension and moved out of the Diocese, it was my practice to notify the district attorney in the county to

which the priest had moved, as well as the Bishop in the diocese to which the priest had moved.

- During my tenure as Bishop, I publicized the name of one offending priest, namely the case of Father Samuel Slocum in 2003. There was no legal or canonical obligation to make the names of accused priests public while I was in office.

5. By submitting this Verification, I am not intending do and do not waive any and all rights that I have under 42 Pa.C.S.A. §4552(e).

The foregoing statement is made subject to the penalties of 18 Pa.C.S.A. §4904 relating to unsworn falsification to authorities.

March 19, 2018

Executed Date

+ Donald W. Trautman

Bishop Donald Walter Trautman

K&L GATES

REPORT OF THE ROMAN CATHOLIC DIOCESE OF ERIE
TO
THE HONORABLE JOSH SHAPIRO AND
THE 40TH STATEWIDE INVESTIGATING GRAND JURY

March 15, 2018

Investigation Conducted By:
K&L Gates LLP
Mark A. Rush
Joseph A. Valenti
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301509950 v5

I. Introduction

The Roman Catholic Diocese of Erie ("Erie Diocese") retained K&L Gates LLP ("K&L Gates") to independently evaluate its historic child-protection policies, procedures, and known abuse reports, as well as to assist in updating these policies, managing these procedures, and investigating new abuse reports. This document is a report of K&L Gates's investigation, which consisted of 113 interviews and the review of 109,409 documents. The Bishop of the Erie Diocese, Bishop Lawrence Persico, gave us complete access and full discretion to follow the evidence wherever it may lead and to report our findings in this document. Bishop Persico's knowledge and attestation attached hereto is limited to his tenure from October 1, 2012 to the present.

First and foremost, the Erie Diocese acknowledges and apologizes for the abuse of children caused by priests and other employees. Within the Erie Diocese, horrific abuse occurred—and was concealed—from as early as the 1940s through the 1980s. Less systemic but equally reprehensible acts occurred in later years when criminals within the Church took advantage of the trust previously given to all clergy. The Erie Diocese recognizes its responsibility and is committed to regaining the trust of not only its parishioners but of all people through full cooperation with the Grand Jury and through continuous self-improvement.

K&L Gates has found that the Erie Diocese has implemented and organically grown measures to protect children from predators within and outside of the Catholic Church, to include ill-intentioned priests, teachers, coaches, staffers, parents, relatives, neighbors, or other third parties. This submission demonstrates the (1) history of abuse within the Erie Diocese, (2) policies used to change the course of that history, (3) training provided to create safe environments for children, (4) reporting and investigative processes now used by the Erie Diocese to properly address reports of abuse, (5) victim/survivor assistance program maintained by the Erie Diocese, and (6) innovations within the Erie Diocese's parishes, schools, and communities designed to protect children in both the Erie Diocese and beyond.

As only one example, for purposes of this introduction—but an example that represents the historical failures of the Church, we present the case of now-suspended priest Michael Barletta. Barletta worked as a teacher in two Diocesan schools from 1966 to 1994. In late 1994, allegations surfaced that Barletta had sexually abused students in the 1970s and 1980s. Upon learning about the allegations from a third party, then-Bishop Donald Trautman contacted Fr. John Fischer, who served with Barletta at St. Joseph's Parish in Sharon, PA and lived in the rectory with him. Fr. Fischer explained to Bishop Trautman that he witnessed Barletta alone with an unclothed male teenager in Barletta's office at St. Joseph's Parish in the 1970s. Fr. Fischer further explained that he had previously reported this observation to then-Bishop Alfred Watson but was told by Watson to "mind [his] own business, go back to the rectory, and be a good priest." Watson proceeded to transfer Barletta to a different school, where Barletta then abused additional teenagers. While Bishop Trautman immediately recognized that this case had been completely and reprehensibly mishandled by Watson, tremendous damage already had been done. Bishop Trautman's suspension and institutionalization of Barletta in 1994 could not undo the past. Watson's failures led to additional abuse, as well as the maintenance of an

unholy wall of silence that the Erie Diocese is now fully committed to shattering. Indeed, for child-protection purposes, the Erie Diocese plans to publish and routinely update a list of known offenders and individuals unsuitable for employment in the Erie Diocese's judgment. *See* Exhibit 1 (Substantially Complete Draft of Erie Diocese Child Protection Website Update).

Our investigations revealed that, before 1990, the Erie Diocese's records as a whole are limited because past Bishops kept very few documents. Therefore, documentation related to allegations of decades-old sexual abuse of children is also limited. Nonetheless, we concluded that, before 1982, based on evidence and testimony available at the present time, abuse allegations were not properly handled within the Erie Diocese. Bishop Watson's tenure from 1969 to 1982 is marred by numerous abuse cases, along with a complete disregard for protecting children from accused priests. From 1982 to 1990, Bishop Michael Murphy led the Erie Diocese, and it does appear that he sought to address accused priests (albeit inadequately by today's standards) by moving them to specific assignments where children were not present, such as the military, a nursing home, or a convent. From 1990 to 2012, Bishop Trautman led the Erie Diocese. Although Bishop Trautman improved upon the practices involving the protection of children, he could have been better in certain areas (such as informing the public of priest disciplinary issues, enhancing the monitoring of known offenders, and improving the detection of grooming behaviors). Since 2012, Bishop Persico has led the Erie Diocese in accordance with the policies and programs noted below.

The Erie Diocese wants to thank the 40th Statewide Investigating Grand Jury and the Attorney General for shining a light on this issue and providing a forum for victims and witnesses to fully discuss the abuses they suffered and saw. This forum is not only important in the healing process but also to help ensure that the abuses of the past are not repeated. To that end, the Erie Diocese will continue to work with law enforcement to ensure that justice is done. The Erie Diocese wants to specifically acknowledge and apologize to the courageous and resilient survivors and witnesses whose voices previously were unheard or silenced. Moving forward, those survivors and witnesses will be touted as heroes.

Apologies, however, are not enough. The Erie Diocese has been developing policies, procedures, and training programs specifically designed to protect the most vulnerable people in our society from people that would do them harm. The Erie Diocese works with law enforcement, medical experts, survivor support groups, compliance auditors, and academia to ensure that its efforts are the gold standard when it comes to ensuring a safe environment for our children and other vulnerable populations.

The Erie Diocese promulgated its first child-protection policy over 30 years ago, well before the Church required such a policy and well before the devastating newsmaking events at the Boston Archdiocese, Penn State, USA Gymnastics, and other high-profile institutions. All employees (including clergy members) and volunteers in the Diocese are required to submit background checks, complete a mandatory child-abuse detection and prevention training program, and verify their understanding of the Erie Diocese's Policy for the Protection of Children and related procedures.

When an allegation of abuse is made, the Erie Diocese promptly (1) notifies secular authorities, (2) restricts the alleged abuser's access to children, and (3) fully cooperates with governmental investigations. Often, the Erie Diocese conducts its own investigation as well, particularly in the cases where the government is unable to take action because a statute of limitations has expired or evidence cannot be seized or compelled by the government. Indeed, the Erie Diocese has disciplined and terminated clergy for acts that could not be prosecuted at secular law. The Erie Diocese also has used its ability to mandate its clergy to sit for potentially self-incriminating interviews and allow searches for office- and home-based evidence without probable cause. These tactics are designed to prevent children from being endangered by people morally guilty of abuse or abusive tendencies but nonetheless able to pass all legally required background checks and evade prosecution. The Erie Diocese has assisted over 10 successful criminal prosecutions, and its website will lead the public disclosure regarding other people that could not be prosecuted but who nonetheless pose a danger to children in the community.

The Erie Diocese continues to review and update its policy and procedures to most fully safeguard the welfare of its children. *See* Exhibit 2 (Erie Diocese Policy for the Protection of Children, last revised March 2018, and including prior revision history). Likewise, the Erie Diocese continues to cooperate with government authorities that seek to identify and punish child abusers. The Erie Diocese expresses sincere gratitude to the members of the investigating Grand Jury for their time and careful attention given to these serious matters. Additionally, the Erie Diocese appreciates the efforts of the Pennsylvania Office of the Attorney General, with whom the Erie Diocese has maintained a productive working relationship,[8] for conducting a thorough investigation. Several District Attorneys and local investigators also deserve recognition for working to investigate and prosecute cases that were referred by the Erie Diocese over the past two decades. Finally, the Erie Diocese thanks the courageous survivors and witnesses who came forward with reports of abuse that allow both investigation of those instances as well as a refinement of Diocesan policy and procedures to ensure that future similar cases will not go undetected.

As incomprehensible as the sexual abuse of children is, society as a whole has spent many years attempting to understand the psychology behind it. Similarly, the Erie Diocese's understanding of the most effective ways to prevent, identify, and respond to abuse has been constantly evolving. Allegations of abuse made over 30 years ago were not handled as swiftly or in the same uniform, independent, and public manner in which they are handled today. For example, after Bishop Persico came to lead the Erie Diocese in 2012, priest dismissals for wrongdoing became a matter of public knowledge. Calling the move "necessary," and concluding that "the faithful had a right to know," Bishop Persico promulgated a new policy of the Erie Diocese: the publication of names of priests who have been permanently dismissed

[8] In an October 2017 e-mail from Senior Deputy Attorney General Daniel Dye, he wrote the following regarding the Erie Diocese: "[W]e have found the [Erie Diocese] to be cooperative. While it cannot be said of every diocese, since [K&L Gates's] involvement, [K&L Gates has] not taken any action adverse to the investigation and have provided responsive materials. Thank you for keeping the lines of communication open."

from the priesthood or removed from active clerical duty for wrongdoing.[1] "The whole thing about removing a pastor in the middle of the night – it just causes more wonderment as to what is going on," Bishop Persico said. "It is better to be upfront and stop the speculation."[2]

The Erie Diocese also devotes significant amounts of time and money to meeting with and providing assistance to victims that have come forward, whether the abuse occurred recently or decades ago. Similarly, child-protection training throughout parishes and schools in the Erie Diocese has shown measurable improvement in a variety of ways over the years. Finally, many priests and employees in the Erie Diocese are part of the solution, having personally identified, reported, prevented, or otherwise properly handled child abuse, even when it meant making tough calls or going against prevailing thought at the time. These people deserve recognition.

It would be unfair to provide the public with only half of the story. We know that you would agree that reporting on abuse from the past without also highlighting the Erie Diocese's good deeds and current child-protection programs, as well as its continuous improvements over the years, would be destructive to the process of self-compliance and improvement. We ask that you carefully consider the entire content of this submission in drafting your report.

II. The Status of the Erie Diocese's Current Child Protection Program

A. Diocesan Child Protection Policies

The Erie Diocese takes seriously the emotional accounts of child sexual abuse that have tragically occurred in this Diocese and elsewhere. As a result, the Erie Diocese—under the guidance of Bishops Trautman and Persico—has undertaken great efforts, especially in the 16 years since the Boston Archdiocese revelations, to cultivate a safe and accountable Diocesan culture. The Erie Diocese maintains comprehensive policies and practices focused on creating a safe, productive learning environment for children. As described in detail below, the Erie Diocese has worked to construct and implement monitoring and reporting procedures that prioritize the protection of children.

The core of the Erie Diocese's commitment to safeguarding children in its schools and parishes is grounded in its comprehensive, continually-evolving Policy for the Protection of Children.[3] In 1986, the Erie Diocese first introduced a written child-protection policy, applied to all Catholic entities in the Erie Diocese. The policy was designed to aid the Erie Diocese in preventing, reporting, and responding to child abuse, including sexual abuse of children. According to the Erie Diocese's Policy, after receiving concerns about an individual's behavior relating to sexual abuse of children, the Erie Diocese swiftly reports the concerns to the state child-abuse hotline and to law enforcement, ensures the accused individual does not have access to children, and conducts its own internal investigation of the accused individual and the allegation.

While the Erie Diocese has maintained, enforced, and updated child protection policies since the mid-1980s, the Erie Diocese redoubled its efforts in conjunction with the release of the Charter for the Protection of Children and Young People (the "Dallas Charter") by the United

States Conference of Catholic Bishops ("USCCB") in 2002.[4] Shortly thereafter, the Erie Diocese updated its own Policy for the Protection of Children (the "Protection Policy").

The 2002 Protection Policy was comprehensive, as it was developed with specific consideration given to the Dallas Charter and Pennsylvania's child-protection laws. The original Protection Policy encompassed all forms of child abuse—voluntarily defined even more broadly than it was at the time under state law—and established detailed parameters for how children were to be cared for and protected by school employees and volunteers in the Diocese. Further, since 2002, the Protection Policy has been updated ten times, most recently in March 2018. As such, the Protection Policy has remained current as secular child protection laws are separately improved and updated. Specifically, the current Protection Policy mandates that employees and volunteers in the Diocese "will not take advantage of any relationship with a child for their own benefit; will not physically, sexually, or emotionally abuse any person . . .; [and] will not neglect a child who is in their care."[5] Importantly, the definition of "abuse" under the Protection Policy is expansive and sensitive to more than simply physical harm, which allows the Erie Diocese to more proactively monitor indicia of even potential abuse.

The Erie Diocese invests significant time and substantial resources to implement the tenets of its Protection Policy. Perhaps the most significant step in modernizing its protection program was the establishment of the Erie Diocese's Office of Protection of Children and Youth ("OPCY" or "Office") in December 2003. Neither the Dallas Charter nor Pennsylvania law mandates that a Diocese establish an office strictly and solely committed to the critical ministry of child protection. However, the Erie Diocese has long believed that this Office was necessary to fully implement the Dallas Charter's goals and to prioritize the safety of children. The Office is staffed year-round by two full-time employees—the Director of the OPCY and the Coordinator of the OPCY. The OPCY's foremost mission is to create a safe and productive environment for children and youth, as well as to promote the healing of victim-survivors. The Office also provides age- and role-appropriate compliance training and resources to staff, educators, parents, and students across the Erie Diocese. Additionally, the OPCY collates individual school responses for an annual compliance report and reviews the responses for any missing data or inconsistencies.

In addition to the two full-time staff members employed by the OPCY, personnel from the Catholic Schools Office work to implement the OPCY's mission around the Erie Diocese. The Catholic Schools Office Administrative Assistant spends roughly 180 hours per year processing fingerprint registration materials from school principals and searching the FBI website for processed federal clearances. The Assistant Superintendent of the Erie Diocese spends time each year reviewing teacher files to ensure that the teachers' clearances and background checks are current, an effort that demonstrates that the Diocesan child-protection efforts are being closely monitored. Moreover, the Assistant Superintendent travels to each of the Erie Diocese's 33 schools in the spring of every school year to conduct an on-site review of personnel files. This review includes a check for any local issues that were not properly reported to the Diocese, as well as an employee's application, PA State Police Clearance, Child Abuse Clearance, Federal Criminal History Clearance, Arrest Conviction Report, Sexual

Misconduct Report, Mandated Reporter Training Affirmation, Mandated Reporter Compliance Document, Annual Compliance Document, and Diocesan Safe Environment Training. The Vicar for Education's Administrative Assistant also spends time each year directly assisting the Erie Diocese's Vicar for Education in matters of child protection.

The responsibilities of the OPCY also extend to leaders in each of the 33 Diocesan schools. Every school within the Erie Diocese conducts a self-audit during which time each school principal, with the assistance of the school secretary, tracks and files training and compliance documents for employees and volunteers. The number of employees and volunteers per school typically amounts to several hundred individuals. Each of these employees, coaches, and volunteers must have received training and signed a compliance certification at the beginning of the school year, which is placed into the employee's permanent file (or otherwise is kept on file for volunteers). The audit serves to confirm the Principal's understanding of Diocesan reporting requirements and ensures that school leadership is able to easily identify the physical location of all required documentation. Moreover, the Principal is also responsible for organizing the training/in-servicing of children and parents.

Numerous personnel throughout the Erie Diocese directly contribute to upholding and effectuating its Protection Policy. Both the Director and the Coordinator of the OPCY are full-time employees dedicated to ensuring Diocesan-wide compliance with the Protection Policy. The Victim Assistance Coordinator, a licensed psychologist, also works with the OPCY to provide professional assistance to victims of abuse. In addition, many individuals, including the Bishop; Director of Media Resources; Clergy Personnel Office personnel; Catholic School Office personnel; religious education leaders; parish secretaries; school principals; and school secretaries, spend significant time (estimated at over 5,000 hours per year) ensuring that the Protection Policy is implemented in full force. Such activities in furtherance of the Protection Policy include providing child-abuse detection and prevention training to employees, volunteers, children, and parents; reviewing employee and volunteer applications and files for compliance with the Protection Policy; ensuring background checks and clearances are complete and up-to-date; maintaining accurate databases of trainings; performing audits; and reporting and investigating abuse. Independent auditors, trainers, and investigators used by the Diocese over the years to assess compliance, provide enhanced training, and investigate reports of abuse also worked thousands of hours each year and cost millions of dollars.

B. Required Clearances and Trainings

The Protection Policy establishes specific standards for the hiring, training, supervision, and retention of personnel, which emphasize the Erie Diocese's foremost priority of creating a safe and productive learning environment for children. In addition to passing required background checks, each employee and volunteer must also take part in an hour-long "Creating a Safe Environment" in-service training and must pass a test at the conclusion of the training. The Erie Diocese produced this video in-house in 2015. This training must be repeated once every five years. The Erie Diocese also purchases age-appropriate videos to teach children in schools and parishes how to identify abuse and what to do in the event of abuse. Additionally, all

parents in schools and parishes are provided with educational materials each year, and each parish runs a monthly bulletin announcement on creating a safe environment.

The Erie Diocese has invested heavily in creating and upholding these standards. Within the Diocese between 2010 and June 2017, 5,961 educators, 6,453 employees, and 17,753 volunteers fulfilled these rigorous requirements. Additionally, between 2010 and 2016, over 122,000 students (and nearly 7,500 pre-school students) have completed courses on abuse recognition and reporting.

1. Implementing the Erie Diocese's Protection Policy in Schools

The expectations of clearance and training completion for teachers are outlined in the Diocesan Policy for the Protection of Children.[6] Notably, schools in the Erie Diocese maintain more rigorous reporting and compliance standards than schools run by the Commonwealth of Pennsylvania. Under state law, all school employees (whether public or private) who have direct contact with children must:

- Submit a report of their criminal history record information at hiring and every five years thereafter (Act 34);
- Submit a child abuse clearance at hiring and every five years thereafter (Act 151);
- Submit FBI clearance and fingerprints for background check at hiring and every five years thereafter (Act 114);[b]
- Complete three hours of training on child abuse recognition and reporting every five years (Act 126);
- Submit to an employment history review regarding abuse and/or sexual misconduct at hiring (Act 168); and
- Complete an arrest/conviction report and certification form (Acts 24 and 82).[7]

Consistent with its focus on creating a safe, productive educational environment for children, the Erie Diocese goes beyond Pennsylvania's requirements. Indeed, the Erie Diocese mandates that all school employees ***and volunteers*** in the Diocese having direct contact with children must—in addition to the Commonwealth's mandates described above—also:

- Complete the Erie Diocese's online in-service program on child protection and abuse prevention (titled "Creating a Safe Environment") at the time of hire and every five years thereafter;

[b] Pennsylvania law provides that school *volunteers* having direct contact with children must only complete these first three requirements.

- Complete an annual mandatory-reporter compliance certification, verifying that the employee or volunteer understands when his or her duty to report is triggered and the process by which such a report is made;[8]

- Complete an Intent for Compliance Statement, affirming that the employee or volunteer has received, read, and agrees to uphold the Diocesan Policy for the Protection of Children; and

- Assist as needed in the ***annual training of students*** in child-protection standards and creating a safe environment.

2. Implementing the Erie Diocese's Protection Policy at Parishes

At parishes, the religious-education leader typically oversees the training of all employees and volunteers and ensures that all clearances are up-to-date. Every year, all parishes must submit an annual compliance report for the Diocesan audit. The parish compliance reports verify, among other items, that all employees know when, how, and to whom to report an allegation of sexual abuse. The reports also verify that (1) the pastor knows how to obtain assistance for adult victims who were abused as children, (2) the Diocesan Code of Conduct is made available to all paid personnel and volunteers, and (3) clearances and compliance documents are maintained for each employee and volunteer who has unsupervised contact with children. The Diocesan OPCY then reviews all reports—checking to ensure that there are no gaps in clearances, trainings, or other compliance requirements—and assembles a Diocesan-wide audit report. The same procedure is followed in the Erie Diocese's schools.

3. The Erie Diocese Employs External Auditors to Monitor Compliance in Schools and Parishes

Every three years, in accordance with the USCCB's mandate, the OPCY completes an on-site audit of each of the Erie Diocese's 85 parish religious-education programs to verify compliance with the Protection Policy. On-site audits of parishes and schools involve reviewing on-site personnel files for complete and current forms and trainings discussed above. Employees and volunteers who refuse to complete background checks or trainings are not permitted to continue in their positions until they are in compliance.

Beginning in 2003, under Bishop Trautman, the Erie Diocese hired ex-FBI agents to assess how the Erie Diocese handled sexual-abuse cases and otherwise implemented the mandates of the Dallas Charter. The Gavin Group of Boston performed full audits in 2003, 2004, 2005, and 2007, and Stonebridge Business Partners performed full audits in 2009, 2012, and 2015. In the years where a full audit was not performed, the external auditors collected data, and the Erie Diocese performed its own internal audit. For example, as discussed above, the Diocesan Assistant Superintendent completes annual internal audits of the 33 schools in the Erie Diocese. The Erie Diocese passed all such audits.

C. Recent Examples of the Protection Policy in Action

While this section is not an exhaustive list, it includes recent cases that have been investigated by the Erie Diocese and law enforcement. Indeed, additional examples exist and unfortunately continue to be created. For instance, the Erie Diocese received a report in January 2018 alleging that a priest committed sexual abuse against the victim from 2003 (when he was eight years old) until 2010.[9] The Erie Diocese immediately informed the Pennsylvania Attorney General and the District Attorney of Crawford County, where the abuse reportedly occurred and where the priest currently resided. In a cooperative effort, the Erie Diocese had K&L Gates independently and promptly investigate the priest by both collecting evidence and interviewing him while law enforcement spoke directly to the victim. This division of labor resulted in a completed investigation within two weeks of the first report. Numerous inculpatory images and texts from iPhones, iPads, and computers were collected by K&L Gates and provided to law enforcement—without any need for search warrants. Additionally, the names of several other potential victims were identified and provided to law enforcement. The priest resigned after the interview and vacated the rectory. These developments were publicized by the Erie Diocese to the media, with the hope that additional information would be brought forward to law enforcement. Crawford County District Attorney Francis Schultz publicly said, "The Diocese has been cooperative and the Bishop provided me with the initial information about the complaint."[10]

The Erie Diocese recently had cause to exercise its Protection Policy to handle a priest who failed to comply with Diocesan clearance and training requirements and who later was the subject of an allegation of sexual child abuse. After failing to submit documentation necessary to complete child-abuse clearances and failing to complete the Diocesan child protection in-service training, the Erie Diocese suspended the priest's faculties in September 2016.[11] Six months later in March 2017, an allegation was made that the priest had abused a fifth-grade boy in the late 1980s or early 1990s.[12] The allegation came from a third-party source who remembered the boy telling her about the abuse during religious-education classes.[13] The priest was already suspended for non-compliance with the Diocesan Protection Policy, so he did not have access to children at the time of the allegation. However, the Erie Diocese immediately notified the District Attorney for the county in which the abuse was alleged to have taken place and where the priest also currently resided, as well as the Pennsylvania Attorney General. The Erie Diocese also extensively reviewed all of the priest's personnel files, created a chronological summary of all relevant documents, and sent this summary—along with the source documents—directly to the District Attorney and the Attorney General.[14]

After providing the District Attorney and the Attorney General with all relevant information in its possession, the Erie Diocese forged ahead with its own internal investigation of the allegation. It attempted to interview the third-party source of the allegation and the priest, but it was met with refusals. The Erie Diocese was successful in contacting the alleged victim, who adamantly denied ever being sexually abused, ever telling anyone that he had been sexually abused, or even knowing the accused priest beyond a brief meeting once or twice in the presence of others.[15] The priest remains suspended until the conclusion of related investigations by the Erie Diocese and the government.

In another example, the Erie Diocese swiftly suspended and isolated a retired priest who had apparently accessed a child-pornography website. The retired priest had been residing in a Diocesan nursing home near a Diocesan school, and the nursing-home staff alerted the Erie Diocese that what appeared to be child pornography was visible on the priest's computer.[16] Per the Protection Policy, the Erie Diocese immediately notified the local police, who seized the computer.[17] The priest's faculties were also quickly suspended.[18] Although the police ultimately returned the priest's computer and did not file any charges, the priest was moved to a more remote retirement facility to ensure that he did not have access to children.[19] The priest is deceased as of 2017.

In 1999, a priest was arrested after a computer technician reported to police that the priest's computer contained child pornography.[20] Following that priest's arrest on three felony counts related to child pornography, the Erie Diocese removed that priest from his position, placing him into an intensive counseling program.[21] The Erie Diocese also conducted its own investigation, interviewing the priest about the charges against him, for which he claimed he was innocent.[22] Ultimately, the charges against the priest were dropped two years later when the district attorney determined that the state police contaminated the evidence by logging onto the priest's computer before making a secure copy of his hard drive.[23] Nonetheless, the priest never returned to active ministry.

D. Victim Assistance

The Erie Diocese is committed to ensuring that each victim who comes forward is met with compassion and the Erie Diocese's sincere effort to help in the healing process. The Erie Diocese—including its Bishops, Vicars General, and Chancellors—does not hesitate to meet with victims to listen to their reports, apologize for pain they endured, offer spiritual guidance, provide reimbursement, and make the Erie Diocese available to help in any way that it can.

Some victims want only to be heard (particularly when the accused has long since passed), while other victims seek counseling or other assistance from the Erie Diocese. As a matter of policy—regardless of whether any viable legal claim or time-bar exists—, the Erie Diocese offers to pay for counseling, whether within the Erie Diocese or otherwise, as well as reimbursement for the costs associated with the counseling, such as medication, hospital stays, missed-work/business costs, and parking expenses. From 1987 to 2016, the Erie Diocese contributed approximately $750,000 to victims through monetary payments, reimbursements, and victim-assistance services.

III. The Erie Diocese Began Its Child Protection Efforts in the 1990s

In 1990, Bishop Trautman undertook efforts to discipline in sexual-abuse cases, focusing on restricting or dismissing known abusers from the priesthood, rather than just focusing on mental-health treatment for abusers. During his tenure, priestly faculties were suspended for sixteen priests, and six additional priests were entirely dismissed or laicized (returned to the lay state). Laicization can take several years to finalize through the Vatican, so Bishop Trautman

used the suspension powers he had in an effort to protect the children of the Erie Diocese from known threats of abuse.

Suspension is one of the strongest canonical actions a bishop can take against a priest, and its goal is to remove the priest from public ministry by prohibiting the priest from running a parish, teaching at a school, dressing as a priest, celebrating Mass, or otherwise representing himself as a priest. Of course, a suspended priest—like any other person—is still entitled to privately worship, access physical and mental health care, receive disability entitlements, and otherwise benefit from the charitable services provided by the Catholic Church. While Bishop Trautman suspended accused priests and prohibited them from contact with minors, efforts to monitor the compliance of those priests with those orders were lacking.

Indeed, some priests that had been assigned to committees tasked with monitoring accused priests raised concerns regarding the ineffectiveness of that monitoring. During the first part of Bishop Trautman's tenure, accused priests often lived in rectories and continued to have access to Catholic facilities—and possibly children—within the Diocese. Bishop Trautman's decision to not publicize the names of priests suspended for misconduct compounded the risk because the community-at-large was not in a position to recognize when an offending priest was in violation of an order to stay away from children, Church activities, or other events.

During his tenure, Bishop Trautman personally handled all accusations of sexual abuse brought against Erie Diocese personnel. He attempted to meet with and interview every alleged victim and abuser to assess the allegations. When he determined that a victim's allegations were founded or other reason to suspect abuse existed, Bishop Trautman notified the proper state and county authorities, guaranteeing the Erie Diocese's full cooperation with attendant secular investigations. Bishop Trautman also independently levied punishment against the abuser—usually in the form of suspension or dismissal from ministry. Additionally, Bishop Trautman provided Diocesan funds to pay for victims' psychological or medical treatment. Notably, though Bishop Trautman conducted interviews of all alleged victims and abusers himself (along with a top aide), he sought and relied on the advice of advisory bodies composed of both priests and lay experts to determine what final action he should take. Over the course of his tenure, Bishop Trautman began to recognize the benefit of having trained, independent investigators guide or conduct the process, and these investigators and advisory boards developed a much stronger and more appropriate influence after the reforms made under the Dallas Charter in 2002.

Despite taking similar positions on disciplining credibly accused personnel, Bishop Trautman was less transparent than his successor, Bishop Persico. Bishop Trautman believed that publishing details to the media would only re-victimize individuals harmed by wrongdoers and would emotionally traumatize the families of the accused. Thus, when seeking advice on a matter from the Diocesan Review Board—established after the Dallas Charter in 2002—or his advisory Priest Council, Bishop Trautman would typically anonymize names and other identifying details to protect the identities of people involved, which may have hindered the effectiveness of those consultations. Similarly, he typically refused media interviews and requests for information regarding specific abuse cases, instead working directly with law enforcement.

Even though Bishop Trautman did not promote total public transparency for the reasons stated above, he believed in accountability. Accordingly, Bishop Trautman passed along every allegation he deemed credible—without redaction—to the Erie County District Attorney (then Brad Foulk, who is now deceased). Thereafter, Bishop Trautman cooperated fully with the District Attorney's investigations. Indeed, in 2002, the Erie Diocese, in conjunction with the District Attorney's office, reviewed every allegation of abuse reported to the Diocese in the preceding 40 years. The District Attorney's office publicly concluded that any offenders were no longer in ministry and—due to the statute of limitations—even the credible allegations were not prosecutable.[24]

IV. Under Bishop Persico, the Erie Diocese proactively and transparently addresses abuse allegations throughout the Diocese

Under the leadership of Bishop Persico—who was installed in 2012—the Erie Diocese has emphasized transparency and accountability in dealing with abuse allegations. Despite the seriousness with which the Erie Diocese has approached the protection of children for many years, the Erie Diocese and its Bishops fully recognize that abuse has occurred under their watch. While there may be no way for the Erie Diocese to fully repair the resulting emotional, mental, and physical damage to past victims, the Erie Diocese is completely committed to ensuring that victims/survivors are cared for through Diocesan-funded counseling. Moreover, the Erie Diocese is devoted to ensuring that perpetrators of child abuse are addressed swiftly and justly by reporting the abuse to the proper authorities at the earliest possible opportunity. Additionally, as discussed above, Bishop Persico has undertaken concerted efforts to maintain transparency and inform the community in dealing with allegations of child abuse. He has maintained an open discourse by offering numerous reporting mechanisms and authorizing the publication of the names of accused individuals who are prohibited from employment or volunteering within the Diocese because of misconduct—including where the misconduct was not hands-on abuse but rather consisted of failures to report or non-cooperation with Diocesan child-protection procedures.

In addition to implementing transparency measures that take effect after an individual has been found to have engaged in misconduct, Bishop Persico and the Erie Diocese take proactive steps to separate an alleged abuser from Diocesan youth at the earliest stages of investigation. For example, a teacher in a Diocesan school was recently accused of sexual abuse. Pursuant to protocol, the teacher was immediately placed on paid administrative leave until an investigation could take place to determine the truth of the allegations. The Commonwealth was unable to collect sufficient evidence to prosecute a case, and ChildLine investigators deemed the allegations unfounded in accordance with its standards. Likewise, the OPCY—after conducting a thorough investigation—similarly concluded that the allegations lacked sufficient support. Nevertheless, out of an abundance of caution, the Erie Diocese declined to renew the teacher's contract for the next school year. The Erie Diocese's approach demonstrates its commitment to protecting the children in its schools. Faced with a difficult choice between

possibly letting a predator into a school or possibly harming an innocent person's reputation, the Diocese chooses to err in favor of protecting children every time.

The Erie Diocese is aware that, in addition to the survivors of the publicly-known accused, other survivors experience continued suffering as a result of abusive acts committed by priests and other personnel once employed by the Erie Diocese. Often, the Erie Diocese does not become aware of these allegations until years or even decades after the fact. The Erie Diocese—under the leadership of Bishops Trautman and Persico—has done and will continue to do all that it can to assist survivors in their spiritual healing and recovery and to punish the guilty, where possible. Nonetheless, the Erie Diocese recognizes that it can never fully repair the damage that has been done. For this reason, the Erie Diocese is committed to using the sins of the past to improve the future by continually building on its child-protection policies and maintaining appropriate transparency in the process of addressing allegations of child abuse.

V. Conclusion

The Erie Diocese is fully committed to the protection of children. As outlined above, the Erie Diocese strives to create and implement the gold standard for compliance and investigative policies. The Erie Diocese devotes substantial time and resources to training its employees and volunteers on its policies, and it retains independent professional assistance to audit its overall compliance with them—as well as to investigate actual reports of misconduct. The Erie Diocese strives to provide a safe and productive environment for children to be educated in the classroom and in their faith. While the actions of reprehensible ill-intentioned individuals jeopardized these goals in the past, the Erie Diocese remains steadfast in its commitment to protecting its children and to appropriately punishing anyone who harms its children. The Erie Diocese recognizes that it cannot erase the harm caused by its priests and employees in the past, but it offers a sincere apology and a promise that it will continue to fully cooperate with law enforcement, medical experts, and the general public to lead child-protection advances in the future.

VERIFICATION OF THE REPORT

Bishop Lawrence T. Persico

I, Lawrence Thomas Persico, state as follows:

1. I am the Bishop of the Diocese of Erie and have been since 2012.
2. On behalf of the Diocese, I retained K&L Gates LLP to conduct an investigation into allegations of child sexual abuse perpetrated by persons affiliated with the Diocese of Erie from January 1, 1947 until the present day.
3. K&L Gates LLP was given unrestricted access to Erie Diocese documents, premises, and personnel and was instructed to follow the evidence wherever it may lead and reach independent conclusions free from control or interference from the Diocese of Erie.
4. K&L Gates LLP independently prepared this Report relying on documents, interviews, and facts obtained during the course of its independent investigation.
5. The statements regarding the events during my tenure as Bishop of the Diocese of Erie, as set forth in this Report, are true and correct to my personal knowledge, information, and belief.

The foregoing statement is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

March 15, 2018
Executed Date

+Lawrence T. Persico
Bishop Lawrence Thomas Persico

Bishop Emeritus Donald W. Trautman

I, Donald Walter Trautman, state as follows:

1. I was the Bishop of the Diocese of Erie from 1990 until 2012.
2. The statements regarding the events during my tenure as Bishop of the Diocese of Erie, as set forth in the Report, are true and correct to my personal knowledge, information, and belief.

The foregoing statement is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

_____
Executed Date

_____
Bishop Donald Walter Trautman

[1] Ed Palattella, "Erie Bishop publicizes priest dismissals," GoErie.com (Mar. 18, 2017), *available at* http://www.goerie.com/news/20170318/erie-bishop-publicizes-priest-dismissals#.

[2] *Id.*

[3] *See* Policy for the Protection of Children, The Roman Catholic Diocese of Erie (June 2016), http://www.erlercd.org/pdf/protectionpolicy.pdf.

[4] *See* Charter for the Protection of Children and Young People, The Roman Catholic Diocese of Erie (June 2011), http://www.usccb.org/issues-and-action/child-and-youth-protection/upload/Charter-for-the-Protection-of-Children-and-Young-People-revised-2011.pdf.

[5] *Id.*

[6] *See* Exh. 2.

[7] Pennsylvania Department of Education, "Background Checks," 2016, *available at* http://www.education.pa.gov/Teachers%20-%20Administrators/Background%20checks/Pages/default.aspx#tab-1.

[8] *See* Mandated Reporter Compliance Document, The Roman Catholic Diocese of Erie (October 1, 2017), http://www.erlercd.org/pdf/mandatedreporters.pdf.

[9] *See* January 26, 2018 memorandum from Fr. Christopher Singer to Bishop Lawrence Persico.

[10] Keith Gushard, http://www.meadvilletribune.com/news/full-story-two-priests-removed-by-diocese-of-erie/article_16693df6-1124-11e8-83dc-677fa8a2af0f.html

[11] *See* RCDErie0032445 - September 16, 2016 letter from Bishop Persico to Fr. Robert Humenay

[12] *See* March 31, 2017 summary written by Msgr. Edward Lohse.

[13] *See id.*

[14] *See* April 17, 2017 letter from K&L Gates LLP to Clearfield County District Attorney William Shaw.

[15] August 1, 2017 interview of Curtis Wilkinson

[16] March 1, 2017 interview of Msgr. Charles Kaza

[17] *See id.*

[18] *See id.*

[19] *See id.*

[20] *See* RCDErie0058786 - April 17, 2002 news article ("Priest's Case Raises Questions" by Ed Palattella), posted to BishopAccountability.org

[21] *See id.*

[22] *See id.*

[23] *See id.*

[24] *See, e.g.*, http://www2.sharonherald.com/localnews/recentnews/0204/ln042302a.html.

EXHIBIT 1

EXHIBIT 1: ***Draft*** **of Erie Diocese's Forthcoming Child-Protection Website Update**

First and foremost, the Diocese of Erie apologizes for the abuse of children caused by priests or other employees. Such conduct is reprehensible. Any efforts to conceal such conduct are also reprehensible when done by anyone, but—when facilitated by leaders of our Church, a place of worship and sanctuary—the harm is twofold. The Diocese of Erie acknowledges that Bishop Alfred M. Watson is credibly alleged to have received a report about the suspected sexual abuse of a minor and failed to act on that report. The Diocese of Erie recognizes its responsibility and is committed to regaining the trust of not only its parishioners but of all people.

We will shine light on the abuses of the past and be transparent in our decisions today. We will continue to work with law enforcement to ensure that justice is done. We want to specifically acknowledge and apologize to the courageous and resilient survivors and witnesses whose voices previously were unheard or silenced. We recognize the Pennsylvania State Attorney General, who—working with a statewide grand jury—gave these people a voice. Moving forward, those survivors and witnesses will be touted as heroes to ensure that the sins of the past are not repeated.

Apologies, however, are not enough. The Diocese of Erie has been developing policies, procedures, and training programs since the 1980s specifically designed to protect the most vulnerable people in our society from people that would do them harm. This web page is part of a larger program to ensure such protection. The Diocese of Erie is working with law enforcement, medical experts, survivor support groups, compliance experts, and academia to ensure that its efforts are the gold standard when it comes to maintaining a safe environment for our children and other vulnerable populations. The most recent version of our Child Protection Policy may be found here [hyperlink]. Our recent updates include:

- An expansion of the scope of the abuse sought to be prevented to include sexual, physical, emotional, and neglectful abuse;
- Inclusion of numerous detailed examples and red flags in both our policy and training materials to educate people on how to recognize abuse or unsafe situations;
- An independent investigative process that may be triggered confidentially and that results in communication back to the reporter while also preserving evidence and respecting the rights of all concerned parties during the course of the investigation, which is guided by clear but case-specific standards and mandatory expectations of cooperation; and
- The creation of a transparent and centralized system to encourage abuse reporting, screen personnel, document investigative findings, and inform the community about abuse-related employment decisions.

On this last point, we created this website to publicize the names of individuals who were previously employed by (or volunteered for) the Diocese of Erie or any related agency, but are now are prohibited from such employment (or volunteerism). Any employer, whether public or private—as well as anyone supervising volunteers—, may contact the Diocesan Office for the

EXHIBIT 1: ***Draft*** **of Erie Diocese's Forthcoming Child-Protection Website Update**

Protection of Children and Youth (OPCY) to request a "clearance" from the OPCY for a job applicant or volunteer in terms of child protection. The granting of such a clearance would indicate that the OPCY knows of no record that gives reason to exercise caution regarding that individual around children.

The Diocese of Erie itself—as well as any school, parish, or agency within the Diocese—MUST receive such a clearance before hiring an employee or accepting any volunteer for a position that brings that individual into contact with children (or secondary-school students or vulnerable adults).

Some of the names below may be recognizable as a result of a criminal conviction or other public report. Other names are being disclosed today for the first time. Some people on this list cannot be convicted of a crime because of the passage of time, legal technicalities, their present whereabouts or mental state, or other factors; nonetheless, these people will not be accepted as employees or volunteers by the Diocese of Erie. **Every person named on this list was credibly accused of actions that, in the Diocese's judgment, disqualify that person from working with children. Such actions could include the use of child pornography, furnishing pornography to minors, corruption of minors, failure to prevent abuse that they knew to be happening, and—in some cases—direct physical sexual abuse or sexual assault of minors.** Allegations were corroborated by secular legal proceedings, canon law proceedings, self-admission by the individual, or overwhelming evidence. None of the priests listed are permitted to engage in any form of public ministry or to present themselves publicly as priests. The individuals on this list are believed to be alive and living in the locations noted:

- Ex-Fr. Michael J. Amy — Niceville, Florida
- (Fr.) Michael G. Barletta — Erie, Pennsylvania
- (Fr.) Robert F. Bower — Edinboro, Pennsylvania
- Andre C. Butler — Rosedale, New York
- Dennis C. Chludzinski — Erie, Pennsylvania
- Megan E. Fecko — Cleveland, Ohio
- Kevin J. Feyas — Erie, Pennsylvania
- Ex-Fr. Chester J. Gawronski — Sahuarita, Arizona
- Timothy G. Hanson, Sr. — North East, Pennsylvania
- (Fr.) Stephen E. Jeselnick — Colorado Springs, Colorado
- Ex-Fr. Gary L. Ketcham — Erie, Pennsylvania
- (Fr.) Thaddeus T. Kondzielski — Waterford, Pennsylvania
- Kevin S. Kulhanek — Erie, Pennsylvania
- Ex-Fr. Salvatore P. Luzzi — Bradford, Pennsylvania
- Eve Minter (née Spangler) — Henrico, Virginia
- David Montgomery — Otisville, New York (*in federal prison until 2041*)
- (Fr.) Leon T. Muroski — Erie, Pennsylvania
- Denise J. (née Geitner) Myers (Meyer) — Greensburg, Pennsylvania
- Hattie B. Nichols — Erie, Pennsylvania
- Philip J. Pochatko — Subiaco, Arkansas

- Brian J. Radachy — Elkton, Ohio (*in federal prison until 2024*)
- Ex-Fr. Samuel B. Slocum — Bradford, Pennsylvania
- Ex-Fr. Thomas E. Smith — Erie, Pennsylvania
- (Fr.) Daniel J. Taylor — Tucson, Arizona
- Ron Thomsen — Erie, Pennsylvania
- Dennis E. Vickery – Erie, Pennsylvania
- Joseph M. Votino — Masury, Ohio
- Craig T. Ward — Erie, Pennsylvania

Should anyone have a need for further information about the facts underlying the inclusion of any person on this list, please contact [name] at [e-mail]. This list will be updated as necessary. To report abuse, please contact law enforcement. To report abuse directly to the Diocese, please contact Dr. Robert Nelsen at 814-451-1531 or nelsen001@gannon.edu. To report abuse to the independent investigators retained by the Diocese, please e-mail ErieRCD@klgates.com.

Additionally, we recognize that some of the individuals that failed our children and other vulnerable populations are now deceased. The list below names those individuals that—but for their death—would be on the above list of people prohibited from employment. In furnishing the names of these deceased individuals, the Diocese wishes to acknowledge those victims/survivors who were harmed by their actions, to encourage any other victims/survivors to come forward who have not already done so, and to reaffirm the commitment of the Diocese to offer support and assistance to victims of abuse.

- Fr. Donald C. Bolton, CSsR
- (Fr.) Edmund S. Borycz, OFM
- Msgr. Bonaventure M. Ciufoli
- (Fr.) Donald J. Cooper
- William (Bill) Couse
- Fr. David V. Dobrowolski
- William P. Garvey
- Fr. Herbert G. Gloekler
- (Fr.) Robert E. Hannon
- (Fr.) Joseph W. Jerge
- (Fr.) Edward W. Jungquist
- (Fr.) Thomas C. Kelley
- (Fr.) Gerard (Gerald, Gary) H. Krebs
- (Fr.) Jerry Kucan, OFM
- Msgr. Joseph F. Meisinger
- (Fr.) John L. Murray
- Fr. Giles L. Nealen, OSB
- Fr. John A. Piatkowski
- Ex-Fr. William F. Presley

- (Msgr.) John P. Schanz
- (Fr.) Charles A. Sheets, Jr.

We also find it important to recognize the survivors that have reported abuse, even when the report cannot be investigated fully. Allegations of abuse from decades ago often can be neither proved nor disproved due to a lack of living witnesses or corroborating evidence. The Diocese of Erie is profoundly grateful for the courage demonstrated by the individuals that have come forward to make these allegations known but regrets that—with no way to corroborate these allegations—they cannot be listed here. Nonetheless, the Diocese of Erie always welcomes any additional information that can shed light on past cases of abuse.

Three individuals are currently under investigation by law enforcement (and each is presumed innocent unless proved otherwise):

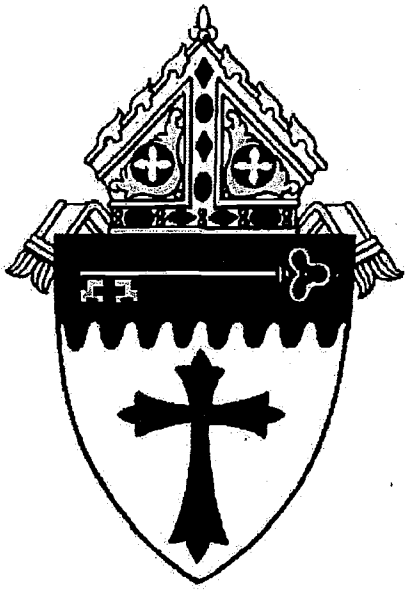
- (Fr.) Sean P. Kerins — Naples, Florida
- (Fr.) David L. Poulson – Oil City, Pennsylvania
- John (Jack) E. Tome — Columbia, Pennsylvania

Finally, in some cases, reports were made out of an abundance of caution rather than because of specific abuse that was perpetrated. In these cases, referrals are made to appropriate law-enforcement agencies, as well as analyzed by the Diocese of Erie's investigators. Where both secular law enforcement and Diocesan investigators concluded that a report is unfounded, the names of the reported individuals involved will not be publicized here to protect the innocent.

While this website specifically addresses employees of the Diocese of Erie, numerous reports also are made in accordance with the law regarding situations where reason to suspect abuse exists but the perpetrator is not connected to the Diocese. For instance, if a parent abuses a child, a Catholic school teacher is required to report that abuse. Those cases are investigated and prosecuted as appropriate. The federal sex-offender registry may be searched here, and the Pennsylvania sex-offender registry may be searched here.

EXHIBIT 2

Policy for the Protection of Children



The Roman Catholic Diocese of Erie

Revised March 2018

Policy for the Protection of Children

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POLICY FOR THE PROTECTION OF CHILDREN

INTRODUCTION

In the *Charter for the Protection of Children and Young People*, the United States Conference of Catholic Bishops reminds us that Jesus extended his care in a tender and urgent way to children. He rebuked his disciples for keeping them away from him: "Let the children come to me" (Mt 19:14). Jesus also uttered a grave warning about anyone who would lead the little ones astray (Mt 18:6). Mindful of these words of the Lord, it is with compassion and care that the Diocese of Erie addresses the issue of child abuse—or any abuse.

Parents and guardians desire that their children experience healthy relationships with their peers and with adults. The responsibility of parents to nurture and protect their children is underscored in official Church teaching (for an excellent summary, see the 1994 *Catechism of the Catholic Church*, n. 2221-2228). Parents and guardians have good reason to expect that others who care for their children do so in a professional and healthy manner. The Diocese of Erie shares these concerns and wants to ensure that all of its programs and activities for children are conducted in a safe environment.

Whether as employees or volunteers, adults who teach, direct, counsel, or coach children must hold themselves to the standards referred to in this Policy. These standards will help insure that trusting relationships work toward growth and maturity of the child in the Catholic faith community. These standards apply to every clergy and lay employee or volunteer who is responsible for nurturing and protecting the children entrusted to their care.

The Policy for the Protection of Children of the Diocese of Erie as set forth in these pages is revised yearly to better provide for the welfare of children who are served by the various parishes, schools, institutions, agencies, departments, and programs of the Diocese. Required procedures are established to prevent child abuse and to respond in those instances when child abuse is discovered or reasonably suspected.

The main safeguards required by this Policy are the screening of personnel; the training of personnel with regard to safe-environment practices and awareness of signs of child abuse; and the reporting of child abuse in compliance with the Child Protective Services Law of the Commonwealth of Pennsylvania. All of these safeguards are intended to assist Personnel in their responsibility to provide children with the greatest care. The Diocese of Erie is committed to the application of these safeguards, including full compliance with state regulations.

Everyone in the Diocese of Erie who is involved in the care of children must become familiar with this Policy. For further information, please contact the Office for Protection of Children and Youth of the Diocese of Erie (814-824-1195) or visit its website (http://www.eriercd.org/protectyouth.htm).

I. DEFINITIONS

A. PERSONNEL

- ***EMPLOYEES:*** All clergy and lay individuals employed by or serving in the Diocese, its parishes, schools, related agencies, and institutions who are paid on a full-time, part-time, or stipend basis and have direct contact with children.

- ***REGULAR VOLUNTEERS:*** Adults who perform a service for the Diocese or its parishes, schools, or related agencies and institutions, who have direct volunteer contact with children on an unpaid full- or part-time basis (scheduled at least once a month).

- ***OCCASIONAL VOLUNTEERS:*** Adults who perform a child-related service for the Diocese or its parishes, schools, or related agencies and institutions on an irregular basis (scheduled or occurring less than once a month).

B. DIRECT CONTACT is defined in the PA Child Protective Services Law as "the care, supervision, guidance or control of children or routine interaction with children."

C. DIRECT VOLUNTEER CONTACT is defined in the PA Child Protective Services Law as "the care, supervision, guidance or control of children and routine interaction with children."

D. ROUTINE INTERACTION is regular and repeated contact with children that is integral to a person's employment or volunteer responsibilities.

E. IMMEDIATE VICINITY is defined to mean an area in which an individual is physically present with a child and can see, hear, direct, and assess the activities of the child.

F. CHILD or MINOR is defined as (1) a person under the age of eighteen, (2) any current student of any secondary school, *or* (3) an adult who is physically or cognitively impaired and unable to protect him/her self.

G. ADULT is any person eighteen years of age or older.

H. CHILD ABUSE shall mean intentionally, knowingly, or recklessly doing (or attempting to do) any of the following:

1. Causing, contributing to, or threatening to cause a non-accidental physical or mental injury by any act or failure to act, including without limitation:

- Kicking, biting, throwing, burning, stabbing, or cutting a child in a manner that endangers the child;

- Unreasonably restraining or confining a child, based on consideration of the method, location, or the duration of the restraint or confinement;

- Forcefully shaking, slapping, or striking a child under one year of age;

- Interfering with the breathing of a child;
- Causing severe pain to a child;
- Significantly impairing a child's physical functioning, either temporarily or permanently; or
- Causing a child to suffer a psychological condition as diagnosed by a physician or licensed psychologist that (1) seriously interferes with the child's ability to accomplish age-appropriate developmental and social tasks or (2) renders the child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic, or in reasonable fear that the child's life or safety is threatened;

2. **Causing Sexual Abuse (*separately defined*) of a child through any act or failure to act;**
3. **Creating an imminent risk of serious physical injury, sexual abuse, or sexual exploitation of a child through any act or failure to act, which includes without limitation:**
   - Causing a child to be present at a location while illegal drug manufacturing is occurring; or
   - Leaving a child unsupervised with an individual—other than the child's parent—who the actor knows or reasonably should have known is required to register as a sexual offender because of a prior crime against a child;
4. **Causing the death of the child through any act or failure to act;**
5. **Ignoring or encouraging suicidal tendencies of a child;**
6. **Neglecting or refusing to provide adequate food, clothing, shelter, mental or physical health care, or adequate supervision in relation to a child's age and level of development;**
7. **Abandoning the child; or**
8. **Engaging a child in human or sex trafficking.**

I. **CHILDLINE**is the Pennsylvania hotline for reporting suspected Child Abuse. Call **1-800-932-0313** 24 hours a day to report. A report may also be made over the Internet at https://www.compass.state.pa.us/cwis/public/home. ***If a child is in immediate danger, call 911!***

J. **SEXUAL ABUSE**shall mean any of the following:

1. **The use, persuasion, or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes without limitation:**

   - Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.
   - Participating in sexually explicit conversation either in person, by telephone, by computer, or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.
   - Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.
   - Actual or simulated sexual activity for the purpose of producing a visual depiction in any form, including photographing, videotaping, computer depicting, or filming.
   - Producing, acquiring, possessing, or distributing pornographic images of minors for the purpose of sexual gratification by whatever means or using whatever technology.
   - *This paragraph does not include consensual activities between a child who is 14 years of age or older and another person who is 14 years of age or older and whose age is within four years of the child's age, except in cases involving sexually explicit visual depictions of a minor.*

2. **Any of the following offenses committed against a child:**

   - Rape, which includes forced sex or sex with someone drugged, drunk, or mentally unable to consent. Sex is defined throughout this policy to include vaginal, oral, or anal sex.
   - Sexual assault, which includes any sex without the other person's consent.
   - Statutory sexual assault, which includes any sex with a minor under the age of 16, unless the other person is less than four years older than the minor.

- Institutional sexual assault, which includes any sex or touching of genitals for the purpose of sexual gratification committed by an employee or volunteer of a school, child care center, or child residential facility against a student of the school, a participant in the child care program, or a resident of the facility.

- Aggravated indecent assault, which includes penetrating the genitals or anus with any part of a person's body or any object by force (1) without consent OR (2) if the victim is less than the age of 13 OR (3) if the victim is over age 12 but under the age of 16 and the perpetrator is four or more years older than the victim.

- Indecent assault, which includes touching someone's sexual parts, causing someone to touch your sexual parts, or causing someone to come into contact with seminal fluid, urine, or feces, if those acts were for the purpose of arousing sexual desire and (1) it was without consent OR (2) the victim is less than the age of 13 OR (3) the victim is over 12 but under 16 and the perpetrator is four or more years older than the victim.

- Indecent exposure, which includes exposing one's genitals in a public place or in a place where the person knows or should know his or her exposure would cause offense. Context, place, and duration matter. For example, brief nudity may be appropriate in a locker room, but posing, thrusting, squeezing, or other sexual gestures would cause offense.

- Incest, which includes sex with an ancestor, descendant, brother, sister, uncle, aunt, nephew, or niece.

- Prostitution, which includes hiring a minor prostitute; encouraging or forcing a minor to become a prostitute; soliciting a minor to patronize a prostitute; or transporting a minor with the intent to engage in prostitution.

- Sexual abuse of children, which includes causing or allowing a minor to engage in a real or simulated sexual act for purposes of photographing, videotaping, or obtaining other visual depiction or possessing such visual depictions.

- Sexual exploitation, which includes procuring a child for another to perform actual or simulated sexual activity, including nudity, for the purpose of sexual gratification.

- Unlawful contact with a minor, which includes contacting a minor in an attempt to engage in any of the above conduct.

K. **RELATED AGENCIES**are non-parish, non-school agencies that exercise a Catholic apostolate within the Diocese of Erie with at least some measure of independent control.

L. **SUBSTANTIATED CASE OF CHILD ABUSE**is a case where allegations of Child Abuse are substantiated by any of the following:

1. **The perpetrator admits committing Child Abuse.**

2. **A judicial finding exists confirming that child abuse occurred (*e.g.*, criminal conviction, guilty plea, etc.).**

3. **The perpetrator is listed as the perpetrator of a "founded report" or "indicated report" of child abuse in the Pennsylvania Department of Human Services statewide database.**

4. **The Diocese determines through an investigation that Threshold Evidence of the Child Abuse exists.**

M. **THRESHOLD EVIDENCE**is credible evidence indicating the perpetrator committed Child Abuse that is sufficient to outweigh any contrary credible evidence (*i.e.*, the likelihood of Child Abuse occurring is more than 50%). Evidence should be weighted with consideration given to the source, accuracy, and consistency of the evidence. Evidence that may be considered in determining whether Threshold Evidence exists includes—but is not limited to—the following:

1. Medical examinations and records

2. Expert consultations and opinions

3. Statements made during interviews with the victim, the alleged perpetrator, the victim's parents, the reporter, eyewitnesses, or any other person with knowledge of the abuse where appropriate and feasible

4. Past history of complaints of suspicious behavior and violations of the Diocesan Policy for the Protection of Children

5. Audio/visual evidence

6. Documentary evidence, including correspondence between the victim and the alleged perpetrator in any form

7. Circumstantial evidence and adverse inferences arising from non-cooperation or destroyed evidence

II. CODE OF CONDUCT

To share in the ministry of Christ is a great privilege as well as a tremendous responsibility. The privilege is the joy of sharing in the mission of Jesus Himself. The responsibility is acting in a way that conforms to the attitude and actions of Christ. As is evident in the Gospels, Jesus had a deep, abiding respect for each human being and never did anything that harmed or misled people in their personal or spiritual life.

The public needs to know that the Church is committed to protecting the children who are entrusted to its care and to ensuring that people offering services are in proper relationships with the children receiving services.

There is a challenge in the Scriptures to "live in a manner worthy of the call you have received, with all humility and gentleness, with patience, bearing with one another through love, striving to preserve the unity of the Spirit through the bond of peace." (Ephesians 4:1-3).

In this Spirit, Personnel:

- are expected to represent the Church in a faithful, authentic, and loving way, supporting the teachings of the Catholic Church;
- will exhibit the highest Catholic ethical standards and personal integrity in their day-to-day work and personal lives;
- will conduct themselves in a professional manner in both Church and work environments, avoiding any flagrant or public misconduct;
- will hold one another accountable to conduct and standards appropriate to their respective roles;
- will foster the dignity of each person and be committed to the best interests of others;
- will respect the integrity of all individuals and protect the confidentiality of all information to which they have access;
- will not take advantage of any relationship with a child for their own benefit;
- will not physically, sexually, or emotionally abuse or exploit any person; and
- will not neglect a child who is in their care.

III. PREVENTION OF CHILD ABUSE

A. Screening of Personnel

In accord with Article 13 of the USCCB's Promise to Protect, Pledge to Heal, the following are required as indicated in the Diocese of Erie for all clergy, non-school personnel (paid or unpaid), school personnel (paid or unpaid), and all volunteers whose duties include ongoing, unsupervised contact with minors. These requirements include any individual age 14-17 that is paid or unpaid and that has ongoing, unsupervised contact with other minors.

1. Clergy Personnel

All Priests (including retired), Deacons (including retired) seminary students and Diaconate candidates living in the Diocese of Erie are required to have the following documentation:

- a signed Statement of Intent for Compliance (see Article X)
- indicating the person has received, read and agrees to conform to the Diocesan Policy for the Protection of Children.
- the PA State Police Criminal Record Check (every five years)
- the PA Department of Human Services Child Abuse History Certification (every five years)
- the Federal Criminal Record Check - includes fingerprinting (every five years)
- a completed diocesan Application for Adults Working with Children and Youth
- Signed diocesan Mandated Reporter Compliance Document (every year)

2. Non-School Personnel

a. **Employees:**<u>before working</u> with children in any program, all parish or other non-school employees must have (or demonstrate that they have initiated the process for obtaining) the following documents and clearances:

- a signed *Statement of Intent for Compliance* (see Article X) indicating the person has received, read, and agreed to conform to the Diocesan *Policy for the Protection of Children.*
- the PA State Police Criminal Record Check (every five years)
- the PA Department of Human Services Child Abuse History Certification (every five years)

- the Federal Criminal Record Check - includes fingerprinting (every five years)
- a completed Diocesan Application for Adults Working with Children and Youth
- Signed Diocesan Mandated Reporter Compliance Document (every year)

Any person who obtains clearances may provide services during the length of time that the person's clearances are current.

The process for required clearances must be underway before beginning work with children. Employees have 30 days from the beginning of their work with children to obtain the required clearances. During this 30-day period, the employee must work in the immediate vicinity of a cleared and in-serviced adult when with children. Any employee not completing all of the above requirements within 30 days of beginning work with children will be prohibited from continuing to work with children until all requirements are complete.

b. **Volunteers:**

- Any person who obtained his or her clearances within the previous 60 months may serve in a volunteer capacity for any program, activity, or service.
- Volunteers who reside in Pennsylvania **MUST** obtain the clearances described below <u>before</u> working with children.
- Individuals who reside in another state may serve as a volunteer for no more than 30 days as long as they provide clearances from their state of residence. Within the 30 days, they must obtain clearances from Pennsylvania as described below.

1. **Regular Volunteers:** <u>Before working</u> with children in any program, all regular volunteers must have the following documents and clearances:

- a signed *Statement of Intent for Compliance* (see Article X) indicating the person has received, read, and agreed to conform to the Diocesan *Policy for the Protection of Children*
- the PA State Police Criminal Record Check (every five years)
- the PA Department of Human Services Child Abuse History Certification (every five years)
- <u>one</u> of the following:

- the Federal Criminal Record Check, which includes fingerprinting (required for any volunteer who has not been a continuous resident of Pennsylvania for ten years) OR
- affidavit as required by PA law (for all other volunteers)
- a completed Diocesan Application for Adults Working with Children and Youth
- a signed Diocesan Mandated Reporter Compliance Document (every year)

2. **Occasional Volunteers:** before working with children in any program, occasional volunteers must have the following documents and clearances:
   - the PA State Police Criminal Record Check (every five years)
   - the PA Department of Human Services Child Abuse History Certification (every five years)
   - a signed Diocesan Mandated Reporter Compliance Document form (once a year)
   - a signed Diocesan Occasional Volunteer Conduct Form (once a year)
   - their names listed on either the Diocesan Occasional Volunteer List or a Sign-In/Sign-Out sheet whenever they work with children.

3. **School Personnel**

   a. **Employees:** before working with children in any program, all school employees must have (or demonstrate that they have initiated the process for obtaining) the following documents and clearances:
      - a signed Statement of Intent for Compliance (see Article X)
      - the PA State Police Criminal Record Check (every five years)
      - the PA Department of Human Services Child Abuse History Certification (every five years
      - the Federal Criminal Record Check - includes fingerprinting (every five years)
      - state Mandated Reporter Training (every five years)
      - signed Diocesan Mandated Reporter Compliance Document (every year)
      - completed Arrest/Conviction Form

- Sexual Misconduct/Abuse Disclosure Release Form(s) [Act 168]

- for teachers, a complete personnel file (including the Diocesan *School Educator Employment Application* and references)

- for employees other than teachers (*i.e.*, secretaries, janitors, cafeteria workers, coaches, etc.), a completed Diocesan *Application for Adults Working with Children and Youth*

Any person who obtains clearances may provide services during the length of time the person's clearances are current.

The process for required clearances must be underway before beginning work with children. Employees have 30 days from the beginning of their work with children to obtain the required clearances. During this 30-day period, the employee must work in the immediate vicinity of a cleared and in-serviced adult when with children. Any employee not completing all of the above requirements within 30 days of beginning work with children will be prohibited from continuing to work with children until all requirements are complete.

If an employee is or was arrested for or convicted of any of the disqualifying offenses listed in §111(e) of the Public School Code after September 28, 2011 (*see* § III.A.4.i. of this Policy), that employee is obligated to disclose that arrest or conviction in writing to her or his employer within 72 hours of the change of status.

If an employer has reasonable cause to believe that a current employee has been arrested for or convicted of one of the disqualifying offenses, but the employee has not disclosed that information, the employer may—at the employer's expense—require the employee to obtain and present updated versions of all required background-check clearances as a condition of continued employment.

b. Volunteers

- Any person who obtained their clearances within the previous 60 months may serve in a volunteer capacity for any program, activity, or service.

- Volunteers who reside in Pennsylvania **MUST** obtain the clearances described below before working with children.

- Individuals who reside in another state may serve as a volunteer for no more than 30 days as long as they provide clearances from their state of residence. Within the 30 days, they must obtain clearances from Pennsylvania as described below.

1. **Regular Volunteers:** Before working with children in any school, all volunteers must have the following documents and clearances:

   - a signed Statement of Intent for Compliance (see Article X)
   - a completed Diocesan Application for Adults Working with Children and Youth
   - the PA State Police Criminal Record Check (every five years)
   - the PA Department of Human Services Child Abuse History Certification (every five years)
   - state Mandated Reporter Training (every five years)
   - signed Diocesan Mandated Reporter Compliance Document (every year)
   - one of the following:
   - the Federal Criminal Record Check, which includes fingerprinting (required for any volunteer who has not been a continuous resident of Pennsylvania for ten years) OR
   - affidavit as required by PA law (for all other volunteers)

2. **Occasional Volunteers:** before working with children in any school, occasional volunteers must have the following documents and clearances:

   - the PA State Police Criminal Record Check (every five years)
   - the PA Department of Human Services Child Abuse History Certification (every five years)
   - signed Diocesan Mandated Reporter Compliance Document form (once a year)
   - their names listed on either the Diocesan Occasional Volunteer List or a Sign-In/Sign-Out sheet whenever they work with children.

4. **Supervisory Procedures**

   a. Before an applicant is hired, the hiring or volunteer-placement supervisor shall send an inquiry to the Diocese Office for Protection of Children and Youth to request a clearance for the applicant for child-protection purposes. The supervisor will allow the applicant to begin employment or volunteering only if the OPCY determines that the applicant does not pose a substantial risk of committing child abuse. This step is

to be completed for new employment and volunteer applicants, as well as transfers from elsewhere in the Diocese.

b. In addition to the above detailed clearance procedures, supervising personnel should know their volunteers and use appropriate judgment in allowing them to work with children. For instance, a supervisor should take efforts to learn why the volunteer is interested in working with children (*e.g.*, parent of child at school, studying in relevant field, seeking eventual employment, etc.) and carefully consider any volunteer with no known or reasonable nexus or motivation. In another example, where a supervisor has local community knowledge from reputable sources (including historical and current media) of a person's prior misconduct (*e.g.*, admitted abuse that could not be prosecuted because of the passage of time), they may reject the volunteer's service even if all clearances are obtained. Volunteers must be known to the community for at least six months before entrusting them with the care of children.

c. Documentation for all compliance issues related to *screening* will be maintained by supervising personnel in a secure, locked file in the parish, school, agency, or institution. Each person will have his or her own personnel file, and files should be kept alphabetically so all documentation on a particular individual can be located in an efficient manner if necessary. These records must be kept indefinitely.

d. Written verification of completed clearances for contracted employees who perform a regular service (*e.g.*, bus service, cafeteria service) is the responsibility of the contractor. This written verification will be maintained in a secure locked file in the parish, school, agency, or institution.

e. Results of Federal Criminal Record checks for employees are not permitted to be kept on-site in the schools. All Federal Criminal Record reports for school employees are maintained in the office of the Director of Catholic Schools and School Personnel. In the parish, the Pastor is responsible to ensure the security of the Federal Criminal Record reports. The leader of any other agency or institution within the Diocese is responsible to ensure the security of the Federal Criminal Record reports relevant to that agency or institution.

f. An employer, administrator, supervisor, or other person responsible for selection of employees/volunteers shall require the individual to produce the original documents within 30 days of employment or before acceptance to volunteer in any position that requires clearances and shall maintain copies of the required clearances (*except for the results of Federal Criminal Record checks for school employees, which must be kept as described in 3(e)*).

g. An employer, administrator, supervisor, or other person responsible for selection of employees/volunteers who intentionally fails to require an applicant to submit the

required clearance before the applicant's hiring/service may commit a misdemeanor of the third degree and may be subject to discipline under this Policy.

h. Child Abuse clearance information is confidential and may not be released to other individuals without approval from a Diocesan lawyer.

i. It is prohibited to hire a person or place a volunteer in a position working with children who is a perpetrator of (1) a Substantiated Case of Child Abuse, (2) a founded or indicated report of child abuse listed in the Pennsylvania central register, or (3) an offense under 24 P.S. §§1-111(e) or 1-111(f.1), which consist of the following:

(1) An offense under one or more of the following provisions of Title 18 of the Pennsylvania Consolidated Statutes:

- Chapter 25 (relating to criminal homicide)
- Section 2702 (relating to aggravated assault)
- Section 2709.1 (relating to stalking)
- Section 2901 (relating to kidnapping)
- Section 2902 (relating to unlawful restraint)
- Section 2910 (relating to luring a child into a motor vehicle or structure)
- Section 3121 (relating to rape)
- Section 3122.1 (relating to statutory sexual assault)
- Section 3123 (relating to involuntary deviate sexual intercourse)
- Section 3124.1 (relating to sexual assault)
- Section 3124.2 (relating to institutional sexual assault)
- Section 3125 (relating to aggravated indecent assault)
- Section 3126 (relating to indecent assault)
- Section 3127 (relating to indecent exposure)
- Section 3129 (relating to sexual intercourse with animal)
- Section 4302 (relating to incest)

- Section 4303 (relating to concealing death of child)
- Section 4304 (relating to endangering welfare of children)
- Section 4305 (relating to dealing in infant children)
- A felony offense under section 5902(b) (relating to prostitution and related offenses)
- Section 5903(c) or (d) (relating to obscene and other sexual materials and performances)
- Section 6301(a)(1) (relating to corruption of minors)
- Section 6312 (relating to sexual abuse of children)
- Section 6318 (relating to unlawful contact with minor)
- Section 6319 (relating to solicitation of minors to traffic drugs)
- Section 6320 (relating to sexual exploitation of children)

(2) An offense designated as a felony under the "The Controlled Substance, Drug, Device and Cosmetic Act" of April 14, 1972 (P.L. 233, No. 64).

(3) An offense SIMILAR IN NATURE to those crimes listed above in clauses (1) and (2) under the laws or former laws of:

- the United States; or
- one of its territories or possessions; or
- a state (including Pennsylvania); or
- the District of Columbia; or
- the Commonwealth of Puerto Rico; or
- a foreign nation.

(4) An offense graded as a felony offense of the first, second, or third degree, other than one of the offenses enumerated in (1)-(3), if less than (10) ten years has passed since the end of the sentence for the offense.

(5) An offense graded as a misdemeanor of the first degree, other than one of the offenses enumerated in (1)-(3), if less than (5) five years has passed since the end of the sentence for the offense.

(6) An offense under 75 Pa. C.S. § 3802(a), (b), (c), or (d) (relating to driving under influence of alcohol or controlled substance) graded as a misdemeanor of the first degree under 75 Pa. C.S. § 3803 (relating to grading)), if the person has been previously convicted of such an offense and less than (3) three years has passed since the end of the sentence for the most recent offense.

B. Training of Personnel, Children, & Parents

1. Personnel

a. All employees and regular volunteers, including clergy, seminarians, and diaconate candidates are required to complete the online Diocesan in-service program, *Creating a Safe Environment.* This in-service shall be completed every five years.

b. A certificate of completion for the Diocesan in-service program will be maintained by supervising personnel in a secure, locked file in the parish, school, agency, or institution. Each person will have his/her own personnel file, and records should be kept alphabetically so all documentation on a particular individual can be located in an efficient manner, if necessary. These records must be kept indefinitely.

c. It is not necessary for independently contracted employees (*e.g.*, cafeteria or bus service) to complete the Diocesan in-service.

2. Children & Youth

a. Training programs for children will be conducted annually and include age-appropriate materials pertaining to personal safety and healthy relationships, a safe environment, and the prevention of abuse.

b. Training programs must be completed using one of the following methods:

- Diocesan-approved videos
- Diocesan-approved County Agency presentation
- Through public-schools training with documentation sent to the parish

c. Documentation that in-service programs have been completed will be maintained by supervising personnel in a secure file in the parish, school, agency, or institution. These records must be kept indefinitely. It is not necessary to maintain separate files for each student for child-protection documentation purposes.

3. Parents

a. Parishes and schools will make available to parents and guardians the information regarding child abuse and safe environments provided by the Office for the

Protection of Children and Youth. Verification of this will be recorded on the parish/school annual report for compliance filed with the Office for the Protection of Children and Youth.

b. Documentation that information was provided will be maintained by the supervising personnel in a secure file in the parish, school, agency or institution. These records must be kept indefinitely.

C. Guidelines for Working with Children

1. Consent must be obtained from the parent or guardian for children to participate in any extra-curricular activities sponsored by the Diocese, parish, school, agency, or institution. Such permission must include instructions for emergency care.

2. At least two adults must be present for any extra-curricular activity or program sponsored by the Diocese, parish, school, agency, or institution. These adults must have all required documentation on file before the event. This requirement applies to both on-site and off- site events. It is preferable that one or more of the adults be parents or guardians of at least one of the participants. Care should always be taken to ensure an appropriate ratio of adults to children.

3. There must be at least two adults accompanying children on any overnight trips. These adults must be cleared, in-serviced, and have all required documentation on file before the trip. Care should always be taken to ensure an appropriate ratio of adults to children. If both male and female children are present, male and female adult supervision is required. Care needs to be taken that there is a safe environment provided for sleeping, showering, bathing, dressing, and all other aspects of being away for a period of time. Adults must always respect the privacy of children. Adults must likewise maintain standards of personal privacy when using the restroom, showering, dressing, and otherwise engaging in typically private daily activities while traveling.

4. When staying in a hotel-style room or camping, it is never appropriate for an adult—other than a parent or legal guardian—to share a bed or room alone with a child.

5. Persons transporting children to or from events must be known to the leader of the event. The driver must:

   - be at least 21 years old;
   - complete the PA State Police Criminal Record Check and the Child Abuse History Certification; and
   - complete the Diocesan Volunteer Driving Information Sheet, documenting:
     - no record of convictions for the past five years for DUI, driving with a suspended or revoked license, or reckless endangerment;

- proof of insurance; and
- a valid state driver's license qualified for the vehicle being operated.

6. Adults—other than a parent or legal guardian transporting his/her own child—should never transport one child alone. An exception may be made when the safety of the child would be compromised; for example, leaving the child with no ride home after attempts had been made to reach the parents / legal guardian.

7. During the time adults are responsible for the chaperoning of children during day activities or overnight trips, they are never permitted to provide for children—or use themselves—illegal drugs, alcohol, tobacco, or media in any form that is unsuitable for children (*e.g.*, pornography)..

8. A "buddy system" of a child with another child on trips is recommended as a good safety strategy.

9. Employees or volunteers are never to give gifts to individual children without the prior knowledge and consent of the child's parents. Since gift-giving can be a form of buying loyalty or silence, it should be done on a group basis or for special occasions only.

10. Adults must show discretion before touching another person, for often physical touch can be misinterpreted. Age, gender, race, ethnic background, emotional condition, prior experience, and present life situations all affect how touching is received and interpreted. Physical contact with children should occur only when incidental to public activity or when necessary to protect the immediate safety of a child. For example, a baseball coach may adjust a child's hands to help him learn to properly hold a bat. Physical contact should never occur in private.

11. When sacramental preparation programs or other youth gatherings are regularly held in private homes, the adult screening and training standards as stipulated in Section III.A and Section III.B will apply to all adults in residence at the home.

12. If children visiting from out of town (such as youth choirs and sports teams) need to be housed in private homes, all adult residents of the home must obtain the clearances required of volunteers before the children are housed.

13. An employee or volunteer is not to intentionally engage in regular one-on-one telephonic or other form of electronic communication or personally meet alone with a child who attends a Diocese school or parish, or who is a participant in a Diocese program, activity, or service, without the prior knowledge and consent of the parent or guardian and the knowledge and consent of the immediate supervisor of the employee or volunteer.

IV. COUNSELING AND SPIRITUAL DIRECTION OF CHILDREN/YOUTH

A. Counselors who are licensed professionals and spiritual directors and hold recognized credentials bear full responsibility for establishing and maintaining clear and appropriate boundaries in accord with their professional standards.

B. With the exception of those mentioned in statement A. above, all others providing counseling or spiritual direction and meeting alone with children must use the following precautions:

- the door to the meeting room must be left open or allow for visibility from the outside
- barring emergencies, another adult must be informed of the meeting and be nearby
- barring emergencies, meet with the child during standard business, worship, or school hours

C. Counseling and spiritual direction of children should be done in an appropriate setting and at an appropriate time, including without limitation the precautions listed in Section B. *Private* living quarters are never a suitable place for counseling or spiritual direction.

V. RESPONSE TO CHILD ABUSE

A. Reporting

1. Persons Who Must Report Abuse

According to state law, the mandate to report child abuse is imposed on any individual who comes into contact with children in the course of his/her work or professional practice. Volunteers who perform services for the parish/school are also considered mandated reporters if they come into contact with children during the course of their volunteer parish/school work. Legal immunity is granted to any individual who, in good faith, makes a report of suspected child abuse, even if he/she was not under a legal obligation to do so.

The privilege governing communications between a professional person and his/her patient/client typically does not require confidentiality in situations involving child abuse and does not constitute a legitimate reason for failure to report, particularly where *future* harm may be prevented. Nonetheless, clergy are not permitted by Church law to report information received privately during sacramental confession. In addition, according to Pennsylvania state law:

> No clergyman, priest, rabbi or minister of the gospel of any regularly established church or religious organization, except clergymen or ministers, who are self-ordained or who are members of religious organizations in which members other than the leader thereof are deemed clergymen or ministers, who while in the

course of his duties has acquired information from any person secretly and in confidence shall be compelled, or allowed without consent of such person, to disclose that information in any legal proceeding, trial or investigation before any government unit. 42 Pa. C.S. § 5943

2. Incidents to be Reported

Alleged past or present physical abuse, sexual abuse, or neglect of a child must be reported, regardless of where or when the incident occurred. Child abuse disclosed directly to a mandated reporter must be reported to the proper authorities. In addition, any "reasonable suspicion" of child abuse by a mandated reporter must also be reported. In other words, a child need not personally report the abuse to the mandated reporter to trigger the mandate to report. The reporter merely needs a reasonable cause to suspect that the child may be a victim of Child Abuse. Under Pennsylvania law, the abused child must be under the care, supervision, guidance, or training of the agency, institution, organization, or other entity with which that person is affiliated for them to be considered a mandated reporter. Nonetheless, it is the policy of the Erie Diocese that appropriate reports be made to ChildLine (*for current children*) or secular law enforcement (*for adults previously abused as children*) whenever an employee or volunteer learns of child abuse, regardless of whether a mandatory-reporting obligation is triggered by law.

The mandate to report applies to all child abuse, not just abuse that has been perpetrated by Church personnel. Possible abusers could include, for example, parents, relatives, older siblings, neighbors, youth group or sports leaders, family friends, and other children.

When an incident of abuse occurred in the past and the victim is an adult when the information is received, the reporting procedures of this policy still apply (*see* section V.A.4, below). If possible, the adult/victim should be encouraged to contact the Victim Assistance Coordinator of the Diocese.

As a matter of Erie Diocese policy, any doubt concerning the application or interpretation of these provisions should be resolved in favor of reporting. The secular authorities will determine the particulars and take appropriate action. A MANDATED REPORTER SHALL NOT CONDUCT AN INVESTIGATION ON HIS OR HER OWN. AS APPROPRIATE, THE DIOCESE WILL FOLLOW ITS INTERNAL INVESTIGATION PROTOCOLS AND COORDINATE WITH LAW ENFORCEMENT.

Any suspicious or inappropriate behavior involving children that does not give rise to a reasonable suspicion of child abuse, including any violation of the "Guidelines for Working with Children and Youth" or the "Code of Conduct," should be reported directly to the employee's or volunteer's supervisor, who must then immediately notify the Office for Protection of Children and Youth of the complaint and all known details. If the

complaint involves the supervisor, the employee or volunteer must notify the Office for the Protection of Children and Youth him/her self.

3. Other Persons Who Can Report Abuse

Any person may make a report of child abuse. The report is made when abuse is actually disclosed by the child or when a person has reasonable cause to suspect that a child is being or was abused. Reasonable suspicion—not proof—is the standard. Even an erroneous report—made in good faith—is permissible and legally protected.

4. Procedure for Reporting Abuse

a. IN EVERY INSTANCE:

In the event of likely imminent danger to the child, local police (911) should be contacted immediately.

A mandated reporter is legally required to make a direct, immediate report of the suspected abuse to the PA Department of Human Services ChildLine. The toll-free number is **1-800-932-0313.**

An electronic report is to be made within 48 hours of the call to ChildLine and sent to the Children and Youth Agency in the county in which the abuse occurred. A copy of the Department of Human Services form for making a written report can be obtained at http://www/erlercd.org/pdf/cy47.pdf.

The mandated reporter is also to notify the person in charge (Principal/Administrator for a school, Pastor for a parish, Agency Director for an agency), who must thereafter assume the responsibility to assure the cooperation of the institution in any resulting investigation. The person in charge must provide a written report to the Office for the Protection of Children and Youth within 24 hours of having received the allegation.

b. ADDITIONAL REQUIREMENT IF THE ALLEGED PERPETRATOR IS A FELLOW SCHOOL EMPLOYEE/ADMINISTRATOR:

For school employees: If the suspected perpetrator of abuse is a fellow employee in a Catholic school, follow the reporting procedures listed in 4a above, and also:

Immediately and directly notify:

1. local law enforcement officials
2. District Attorney
3. ChildLine
4. County Protective Services agency
5. Principal/Administrator (*If the alleged perpetrator is the Principal/Administrator, notify the Superintendent instead.*)

Be sure to give the following information to the persons or agencies listed above:

- The name, age, address, and school of the student.
- The name and address of the student's parents or guardian.
- The name and address of the school administrator.
- The name, work, and home address of the perpetrator.
- The nature of the alleged offense.
- Any specific comments or observations that are directly related to the alleged incident and the individuals involved.

A copy of the Department of Human Services form for making a written report can be obtained at http://www.eriercd.org/pdf/cy47d.pdf.

The Principal/Administrator will immediately notify the Superintendent of Schools, as well as the Pastor, if applicable. The Superintendent will confirm that all necessary parties have been notified and will file a report with the PA Department of Education within 15 days.

B. Internal Records

The Office for the Protection of Children and Youth shall maintain a centralized depository of reports of suspected child abuse, violations of the Policy for the Protection Children, and other inappropriate behavior. The records shall be kept by the Office for Protection of Children and Youth in digitized files to ensure ease of access and transfer. In addition to the files, the Office for the Protection of Children and Youth should maintain a name-based digital index of the records to allow for a simple name search to quickly determine whether an individual has a record of allegations, complaints, or reports.

The Office for Protection of Children and Youth shall receive new reports and complaints of suspected child abuse, inappropriate behavior relating to a child, and violations of the Policy for the Protection of Children and add them to the digitized record bearing the accused's name. The Office for Protection of Children and Youth will update each record with information from follow-up investigations and any dispositions of a case.

The Office for the Protection of Children and Youth shall maintain a public website listing the names of individuals it has deemed to present a risk of child abuse (regardless of whether these individuals were successfully prosecuted) and are thus prohibited from employment or volunteering in the Diocese, its parishes, schools, related agencies, institutions, or any entity funded by the Diocese. The website shall also contain links to Federal and Pennsylvania sex-offender registries.

C. Response Procedure

Upon learning of an allegation of child abuse, the Office for the Protection of Children and Youth shall be responsible for employing the following procedures:

1. Reporting

   - Immediately verify that all reports to secular and Diocesan authorities required by this policy have been made.

   - If reports required by this policy have not been made and there is a reasonable suspicion that child abuse has occurred or there is an imminent danger that child abuse will occur, the Office for the Protection of Children and Youth shall immediately make such reports.

   - If there is a complaint about behavior, but there is no reasonable suspicion that child abuse has occurred or imminent danger that child abuse will occur, then the Office for the Protection of Children and Youth shall initiate an investigation of the complaint, including a review of the accused's record on file with the Office for the Protection of Children and Youth. If at any time there is a reasonable suspicion that child abuse has occurred or that there is an imminent danger of child abuse, the Office for the Protection of Children and Youth shall immediately make all reports to secular and Diocesan authorities required by this policy.

2. Investigation

   - During the course of the investigation, the alleged perpetrator will be placed on paid leave of absence until the investigation is concluded unless law enforcement or Diocesan counsel instruct otherwise in writing.

   - Upon receipt of an allegation, the Office for Protection of Children and Youth shall inform the alleged perpetrator of the immediate leave and instruct the alleged perpetrator to refrain from any retaliation, contact, or communication involving the alleged victim or witnesses. Additionally, the alleged perpetrator must be instructed that (1) by virtue of this Policy, full cooperation with all investigations is a condition of continued employment and (2) all reasonable steps must be taken to preserve any evidence, including electronically stored information, pending the conclusion of the investigation.

   - Within 48 hours, review the accused's record on file at the Office for the Protection of Children and Youth.

   - Within 7 days, meet separately with the accuser, the accused, the alleged victim, witnesses, and other individuals suspecting abuse or possessing information about the abuse. Identify and follow up with additional witnesses as necessary.

- A written record summarizing all meetings, interviews, evidence, admissions, adjudications, and penalties shall be added to the accused's record in the Office for the Protection of Children and Youth.

- Upon receipt of an allegation, the Office for Protection of Children and Youth should communicate receipt of the allegation to the original reporter. Upon the conclusion of the investigation, the Office for Protection of Children and Youth should communicate the result of the investigation and any follow-up procedures to the original reporter—and anyone else involved in the report or investigation—to ensure that everyone understands the outcome and further action (e.g., dismissal, counseling, individualized monitoring plan), if any.

3. Cooperation

- The Diocese, its Office for Protection of Children and Youth, its schools, agencies, parishes, and all employees and volunteers will cooperate fully in any investigation into child abuse by secular or Diocesan authorities. Cooperation includes making one's self available for interviews, answering all questions truthfully and completely, and providing any requested documents, files, or electronically stored information, in whatever format and stored in whatever fashion.

- By virtue of this Policy, the commitment to fully cooperate in child abuse investigations is a condition of employment or volunteering with the Diocese in any of its schools, parishes, agencies, institutions, programs, or services. To the extent that any Fourth Amendment search/seizure rights, Fifth Amendment self-incrimination rights, privacy rights, or other arguments are asserted to avoid or minimize interaction with Diocesan investigators, it will be deemed non-cooperation both because (1) these rights do not apply in a non-government investigation and (2) all employees expressly consent in their contract and/or compliance certifications when accepting this Policy to waive such rights.

4. Victim Response

- In instances of allegations of child sexual abuse, the Diocese will refer the alleged victim to the Victim Assistance Coordinator, who will coordinate whatever range of care is necessary, including counseling, spiritual assistance, and other social-service assistance.

- If an alleged victim of child sexual abuse is in need of physical medical care or psychological counseling due to the abuse that child has suffered, the Diocese will pay the costs of that care and counseling within reason.

- If a civil settlement agreement is reached with the victim, such agreement shall not contain a confidentiality provision except for grave and substantial reasons brought forward by the victim/survivor and noted in the text of the agreement.

5. Penalties

- If a single abuse allegation is confirmed as a Substantiated Case of Child Abuse, the offending employee or volunteer will be immediately dismissed from his/her position and permanently prohibited from working or volunteering with children anywhere in the Diocese.

6. Diocese Website

- The Office for the Protection of Children and Youth shall place on a public website the names of all former or suspended Diocese personnel who present a serious risk Child Abuse and who are prohibited from employment or volunteering in the Diocese, its parishes, schools, related agencies, institutions, or any entity funded by the Diocese. Such individuals include:
  - Individuals whom the Office for the Protection of Children and Youth deem to be perpetrators of a Substantiated Case of Child Abuse.
  - Individuals who failed to report Child Abuse when having knowledge of or reasonable cause to suspect Child Abuse.
  - Individuals who intentionally failed to update child-abuse clearances as required by this Policy.
  - Individuals who have failed to cooperate with—or who have obstructed—a government (e.g., criminal or child protective services) or Diocese child abuse investigation.
  - Individuals who have been accused of Child Abuse involving Sexual Abuse, but where the allegations cannot be fully investigated, such as where a key witness is dead or located outside of the country.

VI. CONFIDENTIALITY

Any communication regarding a Child Abuse case must be limited to the proper reporting authorities unless good cause exists (*e.g.*, seeking public help to identify unknown perpetrators, victims, or witnesses) or until such time as a clear determination of the allegation's veracity has been made.

VII. PASTORAL CARE

The Erie Diocese takes seriously its responsibility for pastoral care for the victim, the accused, and the parish/Diocesan community. The Victim Assistance Coordinator—a professional lay person—is available to victims and their families to provide immediate assistance and to coordinate whatever range of pastoral care is deemed necessary. The name

and contact information of the current Victim Assistance Coordinator can be found at http://www.eriercd.org/protectyouth.htm

VIII. ADDITIONAL RESOURCES AND FORMS

Additional information, resources, and all Diocesan forms required for compliance with this Policy can be found at http://www.eriercd.org/protectyouth.htm or go to www.eriercd.org and from the list on the left side of the page, click on "For the Protection of Children."

IX. CONCLUSION

The purpose of this policy is to ensure a safe environment for all children who are served by the Erie Diocese itself or by any Catholic school, parish, or related agency within the Diocese. By articulating a code of behavior through training and education, guidelines for prevention, recognition of child abuse and through a clear procedural response, the Erie Diocese fortifies that safe environment.

The Most Reverend Lawrence T. Persico, JCL
Bishop of Erie

Promulgated following the approval of the Diocesan Review Board on June 16, 2003
+ Donald W. Trautman, Bishop of Erie

Revised (Introduction; Section IA; Section II; Section IIIA, 1a & 1b, 2a, 2b, & 2c; Section V A, B, D, E, F, G; Section VII; added Section VIII) and promulgated following the approval of the Diocesan Review Board on June 14, 2007
+ Donald W. Trautman, Bishop of Erie

Revised (Section IIIA, 1a & b, 2a, b & c; Section X, Title) and promulgated following the approval of the Diocesan Review Board on July 23, 2009
+ Donald W. Trautman, Bishop of Erie

Revised (Section IIIA, 1a, 2a, 2b; Section VB, VD; Section X) and promulgated following the approval of the Diocesan Review Board on July 1, 2010.
+ Donald W. Trautman, Bishop of Erie

Revised (Section IIIA, 1a, 2a, 2b; Section IIIB, 1a, 1b) and promulgated following the approval of the Diocesan Review Board on July 27, 2011.
+ Donald W. Trautman, Bishop of Erie

Revised (Section IIIC, 2, 11-12) and promulgated following the approval of the Diocesan Review Board on July 16, 2012.
+ Donald W. Trautman, Bishop of Erie

Revised (Section IC; IIIA, 1a,2a,2b, 5; IIIB,1b, 2c; IIIC, 1, 3, 7; VB and VH) and promulgated following the approval of the Diocesan Review Board on July 11, 2013.
+ Lawrence T. Persico, Bishop of Erie

Revised (Section IIIA, 1a,1b, 2a, 2b,2c; Section IIIC, 2; Section V A, B, C, D, E) as required by Pennsylvania state law and promulgated January 23, 2015.
+ Lawrence T. Persico, Bishop of Erie

Extensive revision as required by Pennsylvania state law and promulgated September 11, 2015, following the approval of the Diocesan Review Board on June 10, 2015.
+ Lawrence T. Persico, Bishop of Erie

Amended definition of a Child (IF) and the Code of Conduct (II) to include the issue of pornography, and promulgated June 14, 2016 following the approval of the Diocesan Review Board on June 8, 2016.
+ Lawrence T. Persico, Bishop of Erie

Extensive revision as required by Pennsylvania state law and as suggested by independent investigators to incorporate additional best practices; promulgated on _____, following the approval of the Diocesan Review Board on _____.
+ Lawrence T. Persico, Bishop of Erie

PLEASE NOTE
To be completed and signed by Employees and Regular Volunteers **AFTER** policy is read

X. STATEMENT OF INTENT FOR COMPLIANCE

I have read and understand the policy of the Erie Diocese entitled *For the Protection of Children*. I will comply fully with all the requirements specified in this Policy, including the procurement of background checks and completion of the online Diocesan training session, *Creating a Safe Environment*. My questions (if any) pertaining to this Policy have been satisfactorily answered. I am not aware of (or I have fully disclosed to the OPCY) any violation of this Policy, whether committed by myself or another person.

I also understand that if I do not complete the requirements of this Policy, I will be prohibited from working with children until the requirements are complete.

I testify that I have never been convicted of child abuse or a crime involving actual or attempted sexual molestation. No formal or informal unresolved charge, claim, or complaint has ever been made against me that would call into question the advisability of entrusting me with the supervision, guidance, and care of children. I affirm that I am not disqualified from service based upon a conviction under any federal, state, or foreign law that prohibits or relates to:

- Criminal homicide
- Aggravated assault
- Stalking
- Kidnapping
- Unlawful restraint
- Luring a child into motor vehicle or structure
- Rape
- Statutory sexual assault
- Involuntary deviate sexual intercourse
- Sexual assault
- Institutional sexual assault
- Aggravated indecent assault
- Indecent assault
- Indecent exposure
- Sexual intercourse with animal
- Incest
- Concealing death of child
- Endangering welfare of children
- Dealing in infant children
- Felony prostitution
- Obscene sexual materials and performances
- Corruption of minors
- Sexual abuse of children
- Unlawful contact with minor
- Solicitation of minors to traffic drugs
- Sexual exploitation of children
- Felony drug possession/distribution
- Any felony sentence less than 10 years ago
- Any misdemeanor sentence less than 5 years ago
- Any second-time/repeat DUI

As testimony of the statements above, I affix my signature below.

Name (printed) _____

Signature _____

Date: _____

This record is to be kept on file in the Diocesan office, school, agency, or institution where the individual ministers. The record for priests will be kept in the Office of Priest Personnel Office. The record for permanent deacons will be kept in the Permanent Diaconate Office.

DIOCESE OF GREENSBURG

THE DIOCESE OF GREENSBURG

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June 20, 2018

VIA FEDERAL EXPRESS

The Honorable Norman A. Krumenacker, III
Supervising Judge
Fortieth Statewide Investigating Grand Jury
200 South Center Street
Ebensburg, PA 15931

RE: RESPONSE OF DIOCESE OF GREENSBURG TO REPORT NO. 1 OF THE FORTIETH STATEWIDE INVESTIGATING GRAND JURY

Dear Judge Krumenacker:

In accordance with your May 22, 2018 Order, and on behalf of the Diocese of Greensburg ("the Diocese"), I am attaching the Statement that I previously submitted to the Fortieth Statewide Investigating Grand Jury as the Diocese's response to Report No. 1. In doing so, I respectfully request that this letter and my Statement be attached and appended to Report No. 1 before it is made part of the public record.

My Statement and the Diocese's Response to Report No. 1 can be summarized in five words: *This is not today's Church.* As Report No. 1 sets forth in heartbreaking detail, there have been occasions where the Church and the Diocese have faltered in their protection of children, young people and vulnerable adults, and for those the Diocese apologizes to the survivors and their families and continually offers assistance to help them heal. But, while Report No. 1 undertakes an extensive historical analysis of the Diocese's past failures, what Report No. 1 does not do in the same exhaustive detail is highlight, as my Statement does, how the Church and the Diocese have progressed, evolved and dramatically reformed over the last thirty years to the point that today's Church now does more than any other organization to protect children and help survivors of child abuse. Indeed, the vast and expansive child protection policies, procedures and practices currently in place in the Diocese, as set forth in my Statement, ensure that what may have happened in the past is not happening now, and will not be repeated, in today's Church.

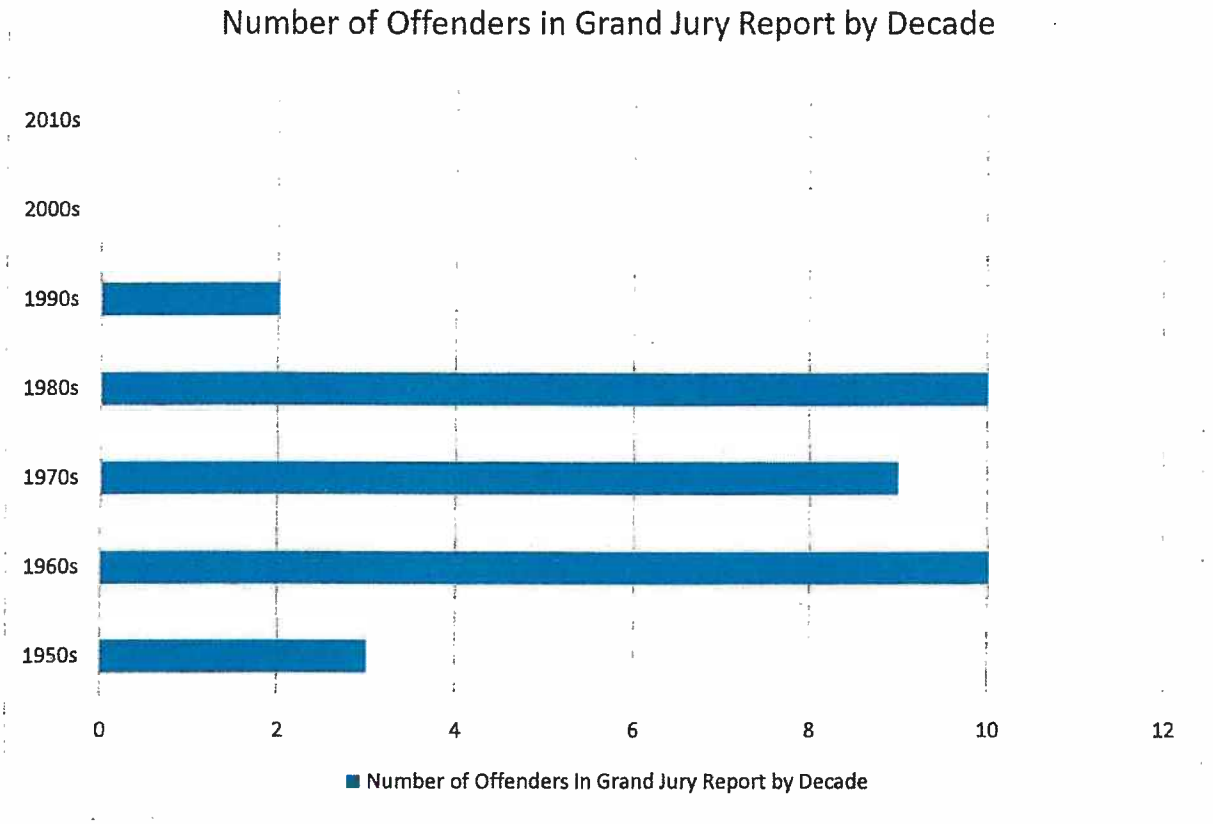
Respectfully,

+Edward C. Malesic

The Most Reverend Edward C. Malesic, JCL
Bishop of Greensburg

Enclosure
cc: Daniel J. Dye, Esquire
{01425257;v2 }

Diocese of Greensburg • 723 East Pittsburgh Street • Greensburg, Pennsylvania 15601-2697
Telephone: 724-837-0901 • Facsimile: 724-552-2658



METHODOLOGY: The Grand Jury Report identifies 20 "offenders" from the Diocese of Greensburg (pages 115-116). The above chart tracks the number of "offenders" by decade. An "offender" was listed in a decade based on when the alleged offense occurred, and not when the report of the offense was made. A single "offender" may appear in multiple decades based on offenses occurring in different decades; e.g., if Priest A offended in the 1980s and the 1990s, he is listed in each decade. Thus, the totals by decade added together exceeds 20 "offenders."

For purposes of this chart only, the Diocese charted all "offenders" listed in the Report who were associated with the Diocese of Greensburg.

Statement of Bishop Edward C. Malesic of the Diocese of Greensburg, Pa.

Introduction

I am grateful for the opportunity to present this information to the Office of the Attorney General for use by the 40th Statewide Investigating Grand Jury, and to show how the Diocese of Greensburg constantly rededicates itself to the care and protection of the children, youth and vulnerable adults in our care. This commitment by the Diocese is one of continued progress and improvement as society has learned more about the causes of abuse and the impact it has on survivors. Yes, there have been occasions where we have faltered, and for those the Diocese apologizes to the survivors and their families and continually offers assistance to help them heal.

From the beginning of my priestly ministry in 1987, and through my episcopal ordination and installation as the fifth Bishop of the Diocese of Greensburg on July 13, 2015, the protection of ***all*** children, young adults and vulnerable adults has been of the utmost importance to me, whether those individuals are under the supervision of the Diocese or some other organization.

When I was ordained a priest more than 30 years ago, like all people of good will, I was already committed to the protection of all children and youth. As I have said in homilies and other public addresses, the Church must be held to higher standards because of what we believe, what we teach and who we are.

We pray for all the survivors of abuse — no matter when it occurred, where it occurred or to whom it occurred. I applaud and support all the survivors of abuse who have come forward to report what happened to them. It doesn't matter what the circumstances were or who the abuser was; the survivors' scars run deep, and their pain never goes away. But we do more than pray. They need our help, and we stand ready to assist them with counseling, love and our sincere apologies for any failures on the part of the Diocese.

While I am not proud of the Diocese's past failures in this regard, I am proud of our ongoing and continually evolving response, our efforts to protect and our efforts to help survivors heal. I am proud to be a Catholic priest; I am proud to be the Bishop of Greensburg; and I am proud of the many faithful, generous and hardworking Catholics who make up our Diocese. Our parishioners can be proud of the processes and procedures we have in place today to protect children and report any abuses of which we are aware. We are a strong community of Christian believers who have accepted responsibility and apologized for the long-ago actions of a few clergy and laypeople in this Diocese.

The John Jay study presented to the United States Conference of Catholic Bishops in 2011, "The Causes and Context of Sexual Abuse of Minors by Catholic Priests in the United States, 1950-2010," showed that the incidents of sexual abuse by Catholic priests rose from the mid-1960s through the late 1970s, then declined in the 1980s. The John Jay report also noted that, at that time, there was a substantial increase in knowledge and understanding in American society about victimization and the harm of child sexual abuse. The understanding of the causes of sexual offending have advanced, and the research related to the treatment of sexual abusers has expanded. All of society has learned much from the research referenced in the John Jay report.

The most recent national annual audit on diocesan compliance with the U.S. Conference of Catholic Bishops' "Charter for the Protection of Children and Young People" — conducted in every Catholic diocese in the U.S. by independent investigators, compiled in 2017, and covering the audit year from July 1, 2015, to June 30, 2016 — shows significant progress in the Church's work to help survivors of clergy sexual abuse find healing and the Church's efforts to ensure that abuse does not happen in the future.

As a Church, we know that sexual predators will never go away so we must focus daily on our vigilance to protect our children and eradicate this horrendous crime. To be clear, this vigilance must be extended to all aspects of society, as no organization is immune from this evil.

We all recognize that our children must be protected both within and outside of the Church. We must continue to educate ourselves and our children to know the signs of abuse and how to report it. I think we in the Diocese of Greensburg are doing an outstanding job of protecting our children – in fact, I think we are second to none.

The Diocese works diligently to make sure that our children are safe with all of our priests, seminarians, deacons, employees and volunteers. We continue to do our best to form healthy and holy men who will serve us as good and faithful priests and deacons in the future. We fully vet everyone who ministers, works or volunteers within the Diocese to the best of our ability with no less than three Pennsylvania-mandated background checks: (1) Pennsylvania Act 33 (child abuse clearances); (2) Act 34 (criminal background checks); and (3) FBI fingerprinting, or a signed affidavit affirming that the person has not committed any crime that would prevent them from working with children or youth (if the person has lived in Pennsylvania for at least 10 years). And we require that all clergy, staff and volunteers have mandated reporter and child abuse awareness training. That includes me, the Diocesan Bishop.

Everyone serving or working for the Diocese in any capacity must be proactive in reporting any suspicion of child abuse, which is why we routinely explain how to do this in our Diocesan newspaper, on the Diocesan website and in our parishes and schools.

Of course, we are human. We recognize that there are people who will want to take advantage of our goodness and innocence. We also recognize that, despite checks and rechecks, no organization is infallible. This is why we need to ensure that our parishes and schools are the safest places possible for our young children and teenagers to pray, play and grow in the practice of their faith in God.

We regret that other organizations have not benefitted by following the strong example that our Diocese and other dioceses have set in combatting abuse. We recently have learned of widespread abuses in sports and entertainment and are reminded how organizational behaviors can allow this to begin in the first place and to continue happening for years. People are learning now what we came to understand years ago — no institution is immune from this crime and every single member of society must constantly be vigilant to protect our children and the most vulnerable members of our communities.

Our Commitment to Child Protection

The Diocese of Greensburg requires that every report of suspected abuse of a child, young person or vulnerable adult — sexual, physical or emotional — that is made to the Diocese be immediately reported to PA ChildLine and law enforcement.

We ask that if anyone suspects that a child, young person or vulnerable adult has been abused by any person at any time, the person should call PA ChildLine at 1-800-932-0313, no matter when or where the suspected incident might have occurred. We do this in our parish communications. Notices to this effect are regularly published in parish bulletins and the Diocesan newspaper, *The Catholic Accent.*

The diocese treats its employees as mandated reporters and these same employees are therefore required to contact PA ChildLine if they have any suspicions whatsoever of abuse of a minor, whether by Diocesan clergy, an employee or a volunteer. And the Diocese continues to educate and train the children and adults in the Diocese on how to spot and report abuse.

As Bishop of Greensburg, I openly invite survivors to meet with me to pursue healing and reconciliation as part of the Diocese's commitment to work closely with victims and their families for wholeness and healing. The Diocese also oversees the provision of free counseling, including the offer of independent outside counseling services and contact with support groups and other social service assistance, regardless of when the alleged abuse occurred and whether or not the alleged abuse occurred within the Diocese of Greensburg.

In the relatively short time that I have served the Diocese of Greensburg, I have directed that there be two separate reviews of the Diocesan clergy personnel files to ensure that no one who is or was the subject of a credible or substantiated allegation of improper conduct with a child or young adult is currently serving in any ministerial capacity in the Diocese. One of these independent reviews was conducted by retired Westmoreland County Judge John Driscoll. Neither of the independent file reviews revealed credible or substantiated allegations of prior sexual misconduct by a priest currently serving in the Diocese of Greensburg. The reviews were not undertaken because of an order from an outside agency.

The USCCB and the Charter

The "Charter for the Protection of Children and Young People" and the "Essential Norms" are two documents that were approved by the United States Conference of Catholic Bishops (USCCB) at its national meeting in 2002 in the wake of the national sexual abuse scandal that came to light earlier that year. The Charter created a national policy that put in place structures at the Conference level and required more comprehensive Diocesan structures to be established to create safe environments for children and young people, to reach out to victims and assist them, to end secrecy, to immediately report abusers to law enforcement and cooperate in all law enforcement investigations, and to permanently remove abusers from all ministries.

The USCCB policies established "zero tolerance," which requires that any cleric credibly accused of abusing a child is to be immediately removed from ministry pending a complete and independent investigation. In the event that the allegation is substantiated, the priest is never to be reassigned to ministry. The Norms require all Bishops to adhere to this national policy. The Charter and Norms also require annual independent audits to ensure that each Diocese is in compliance.

The Diocese's Charter Compliance

The Diocese of Greensburg has been determined to be in compliance with the Charter and Norms in every one of its external audits conducted from 2003 to the present. The audits

from 2003 until 2011 were conducted by the Gavin Group and from 2012 until the present by StoneBridge Business Partners. Both audit firms are independent from the Diocese and hired by the USCCB to monitor the compliance of the Diocese with the Charter. The Diocese of Greensburg is firmly committed to continuing all of the measures mandated by the Charter to prevent the sexual abuse of children and young people.

The Diocese's Policy Growth and Development

The Diocese of Greensburg has had policies on clergy sexual misconduct in place since at least 1985, two years before I was ordained a priest. The policies have evolved and been updated as evidenced-based best practices dealing with the mental health issues of abusers and their victims and the short-term and long-term trauma of the survivors of the abuse have evolved. Current policies also emphasize the absolute necessity of letting law enforcement use their professional expertise to complete their investigation of allegations before the Diocese begins its internal canonical review. At all times, the Diocese defers to law enforcement's investigation and directives.

In April 1985, Bishop William G. Connare, the second Bishop of Greensburg, established the Diocese of Greensburg's first written policy on Clergy Sexual Misconduct.

In September 1994, a more detailed policy on Clergy Sexual Misconduct was promulgated by Bishop Anthony G. Bosco. In that policy, Bishop Bosco established a Clergy Sexual Misconduct Review Board consisting of one priest and five independent laypeople from the legal, counseling and child psychology professions who serve for five-year terms.

In 2002, in line with the charter, the Diocesan Review Board was created to replace the Clergy Sexual Misconduct Review Board. The Diocesan Review Board is an advisory group to the Diocesan Bishop and serves as a confidential review body. This group is convened by the Bishop's Delegate. The Bishop's Delegate, appointed by the Diocesan Bishop, is the person in charge of overseeing investigations of clergy sexual misconduct and recommending subsequent interventions, related to the cleric in question, to the Vicar General and the Diocesan Bishop. The Review Board develops those reports and recommendations for the Bishop's Delegate and provides the Delegate advice and recommendations regarding a pastoral response to victims and a comprehensive response plan for an affected parish or institution. The Diocesan Review Board's work is completely independent from the investigation that is conducted by law enforcement. On the part of the Diocese, nothing is ever done to compromise or obstruct any law enforcement investigation.

The Diocese's Clergy Sexual Misconduct Policy was further revised as a result of the Charter with the addition of a Victims Assistance Coordinator who is appointed by the Diocesan Bishop to provide appropriate spiritual and psychological help to families, parishes and church institutions impacted by an abuse allegation.

In 2002, the Diocese of Greensburg also thoroughly reviewed the personnel files of every Diocesan priest who had served in the Diocese since its formation in 1951. This review found indications of possible improper conduct on the part of some priests dating from 1962-1982. Information on all of these cases was forwarded to the Westmoreland County District Attorney. The Diocesan Review Board reviewed all the cases, and the Diocesan Bishop accepted the recommendations of the Board. As a result, some of the priests were banned from public ministry. The District Attorney never filed charges in any of the cases referred to him.

Also beginning in 2002, all Diocesan priests and Religious Order priests with a diocesan assignment were required to comply with Pennsylvania Act 33 (child abuse clearances) and Act 34 (criminal background checks). Before a cleric from outside the Diocese receives permission to minister in the Diocese of Greensburg, he must have the above mentioned state clearances and is required to submit to an FBI fingerprint clearance search, as well as present a current letter of suitability for ministry from his Diocesan Bishop or religious superior that documents the cleric's good standing.

In April 2003, the Diocese promulgated its Policy to Protect Minors, which was a consolidation of all of its existing personnel policy requirements governing Diocesan employees and volunteers who have significant contact with minors. These requirements include the Acts 33 and 34 background checks and clearances. This policy was further refined in September 2003 with the additional mandate that all lay employees and volunteers, in addition to clergy, who have significant contact with minors, receive child protection training.

In September 2012, Bishop Lawrence E. Brandt, my immediate predecessor, promulgated the "Code of Pastoral Conduct," which brought all earlier Diocesan policies into one document and clearly set forth standards and expectations for all people who act in the name of the Diocese. It applies to all bishops, priests, deacons, religious and lay members of the faithful — including all employees and volunteers — who assist in providing pastoral care in the Diocese of Greensburg, including its parishes, schools, programs and other Diocesan entities. The "Code of Pastoral Conduct" provides a new level of protection by including in Diocesan Policy the protection of vulnerable adults and by defining boundary issues.

I reaffirmed this same "Code of Pastoral Conduct" on July 14, 2015, the day following my episcopal ordination and installation as the fifth Bishop of the Diocese of Greensburg. The "Code of Pastoral Conduct" is posted on the Diocesan website.

Diocesan Outreach to Protect Children

The Diocesan website, www.dioceseofgreensburg.org, has a link on its homepage that provides people an accessible way to report any concern about clergy, employee or volunteer sexual misconduct. Here, anyone can readily access the Diocesan "Code of Pastoral Conduct," and the USCCB Charter and Norms.

The Diocesan newspaper, *The Catholic Accent,* regularly publishes the contact information for PA ChildLine and for reaching the Bishop's Delegate regarding matters of sexual misconduct. Every parish receives contact information for PA ChildLine and the Bishop's Delegate in a regularly-scheduled reminder published in their weekly bulletins, as well as informational posters that are required to be displayed prominently in every Diocesan parish, school or other Diocesan entity. Mandatory and regular publication of this information in the Catholic newspaper, the parish bulletins and on the Diocese website is the Diocese's way of reaching out to victims and encouraging them to come forward.

In 2003, the Diocese established a victim's abuse reporting line. This telephone number allows anyone to report suspected child abuse to the Diocese after they have contacted PA's ChildLine. To our knowledge, no other private or public institution undertakes this extensive outreach to protect children, which is an indication of just how seriously the Diocese takes this issue.

Child Protection Training

As of the end of the 2016-17 fiscal year, the Diocese of Greensburg has provided VIRTUS, Protecting God's Children, training to more than 12,000 adults — employees and volunteers — since instituting the program in 2003. VIRTUS is the brand name of a best practices program designed to help recognize and prevent misconduct within religious organizations, primarily in the areas of child sexual abuse and other inappropriate sexual behavior. This type of training, or its equivalent, was mandated by the USCCB Charter and Norms. As of June 30, 2017, the Diocese has invested more than $150,000 in training and educating people through the VIRTUS child protection program. VIRTUS training, or its equivalent, is now required of everyone who volunteers or works in the Diocese. That includes me, all clergy, school employees, parish-based employees and all volunteers.

The Diocese also requires mandated reporting training for all clergy and employees, educating them about the legal requirements for reporting suspected child abuse under the Pennsylvania Child Protective Services Law that went into effect in May 2007 and was updated in December 2014. Moreover, in this past year alone, nearly 10,000 children in our Catholic schools and parish-based religious education programs in the Diocese have received age-appropriate abuse prevention education.

The Commonwealth of Pennsylvania enacted new legislation, which went into effect in December of 2014, that updated, among other items, the Child Protective Services Law related to the reporting of suspected child abuse and background checks. The Diocese of Greensburg, taking the broadest interpretation of those requirements, requires all of its employees and all of its volunteers, whether or not they work directly with children and teens, to go through the state-mandated background checks and to adhere to the new reporting laws. That includes ***every*** member of the clergy, including me, and ***every*** employee and ***every*** volunteer working in any Diocesan entity, including in the parishes and Catholic schools, whether they work directly with children or not.

The Diocese's Policies in Practice

The recent case of Father John T. Sweeney is an example of how effective and efficient the Diocese's current child protection policies and procedures are in practice and how they should serve as a model to be replicated by others.

The Diocese of Greensburg was informed by the Westmoreland County District Attorney's Office on Sept. 20, 2016 that a report of alleged sexual abuse of a child involving Father Sweeney dating back to the early 1990s was made to PA ChildLine. This news was surprising to the Diocese, because the Diocese had uncovered no information raising concerns about Father Sweeney's conduct with children during the multiple independent reviews of his clergy personnel file. Indeed, Father Sweeney's file did not contain a single prior allegation of sexual misconduct, whether credible or not. Nevertheless, the Diocese moved immediately to respond to the PA ChildLine report.

In accordance with Diocesan policy, as soon as the Diocese was made aware of the allegation, Father Sweeney was removed from Holy Family Parish, West Newton, where he had been serving as pastor since Oct. 30, 2008. His priestly faculties were immediately suspended and he was placed on administrative leave effective Sept. 21, 2016, pending an investigation by law enforcement. At that time he was prohibited from presenting himself as a priest in public,

and his residence was transferred to the retired priest facilities at the Bishop Connare Center. He was required to avoid any unsupervised contact with minors.

A few days later, all of the information related to the allegation against Father Sweeney, along with his entire personnel file, was provided to the Office of Attorney General.

At the request of law enforcement officials, the Diocese of Greensburg did not publicize the allegation, even though the canonical precept entered against Father Sweeney on Sept. 21, 2016 made clear to him that he was being removed from ministry for allegedly offending a minor. The Diocese fully cooperated with law enforcement's investigation of the allegation and, at the same time, continued to cooperate with the Grand Jury's ongoing investigation of sexual abuse of minors.

More than ten months after removing Father Sweeney from ministry, on July 24, 2017, Father Sweeney was arrested and charged with one felony count of sexual abuse of a minor.

In response to Father Sweeney's arrest, I sent a letter to every parish in the Diocese to be disseminated to parishioners at the weekend Masses of July 28-29, 2017. Each parish where he had served received a letter specific to them. The letter included the list of his assignments, and a request for anyone who had information pertaining to Father Sweeney to call the Pennsylvania Office of Attorney General's hotline number, which was included in the letter.

The letter also included the fact that the Diocese offers free counseling through Catholic Charities to anyone who has been impacted by sexual abuse by church personnel, even if the abuse occurred in another Diocese.

Parishioners were reminded in the letter that every report made to the Diocese involving the suspected abuse of a child, young person or vulnerable adult — whether the abuse is sexual, physical or emotional — is immediately reported to PA ChildLine ***and*** the appropriate District Attorney.

I attended the three weekend Masses at the parish where Father Sweeney's alleged abuse took place. I delivered the homily, reminded parishioners of the Diocesan commitment to protect children and assured them that the Diocese took immediate action to remove Father Sweeney from his assignment as soon as it learned of the report. I invited anyone who had a question or concern to talk with me or a diocesan counselor, who was also present at all three Masses, immediately after Mass.

Despite the Diocese's full cooperation with the Office of the Attorney General's investigation into the allegations made against Father Sweeney, the Presentment recommending charges be filed against Father Sweeney omitted any notation of such cooperation. Moreover, when Father Sweeney's arrest was unexpectedly announced at a press conference outside of the parish where he had served, many of the parishioners mistakenly believed that one of the current priests at the parish had been implicated. And, even more concerning, the graphic nature of the charging document filed against Father Sweeney directly implicated a long-time and well-respected employee of the parish who is deceased, suggesting, without any evidence whatsoever, that she may have been complicit in the alleged misconduct attributed to Father Sweeney. This was not only traumatic for the woman's family and parishioners, but it also was unfair to the deceased woman who was unable to defend herself against such scandalous accusations.

The Diocese's Other Good Works

Unfortunately, all too often lost in talk of the Catholic Church and child sexual abuse is all of the good work that the Diocese of Greensburg does for parishioners and the community in the realm of education and social services. The Diocese is the second smallest Catholic Diocese in Pennsylvania, consisting of four counties —Armstrong, Fayette, Indiana and Westmoreland — that are primarily rural with areas of high poverty rates. Three of the four counties are among the poorest 10 in the Commonwealth of Pennsylvania. There are approximately 137,000 registered Catholics in a geographic territory of 3,334 square miles. Although we are small, we have big hearts.

But despite its small size and limited resources, the Diocese provides a wide range of ministries, including Catholic schools, faith formation, and social services and charitable support, primarily through Catholic Charities of the Diocese of Greensburg. Catholic Charities was established in 1954 as the primary social service arm of the Catholic Church in the Diocese. Rooted in the Gospel and social teaching of the Church, its mission is to serve the human needs of individuals and families, regardless of their religious affiliation, and to provide leadership in building collaborative efforts with parishes and communities in addressing these needs.

Catholic Charities provides adoption and foster care services; counseling services; emergency assistance such as food and utilities; natural family planning and the Diocesan Poverty Relief Fund Grant program. Recently, Catholic Charities began coordinating the Diocese's outreach to help communities suffering from the ravages of the opioid epidemic.

Due to the support of the people of the Diocese, Catholic Charities has raised $1.2 million through its annual Communities of Salt and Light Award Dinner, which started in 1999. All of those funds have been used to help people in need within the four counties of the Diocese in the form of temporary emergency financial assistance with food, utilities and other essentials. And, with the support of the people of the Diocese, Catholic Charities has administered the awarding of nearly $364,000 in grants through the Diocesan Poverty Relief Fund program since it was established by Bishop Lawrence E. Brandt in 2009 to help support the organizations around the Diocese that also serve people in need.

Through a combination of special collections and Diocesan funds, the Diocese of Greensburg provided $185,000 to help with relief after flash floods hit the city of Connellsville and surrounding communities in 2016. An agency staff member helped coordinate the effort that assisted 61 families with new furnaces, water heaters and oils tanks and repairs to furnaces and air conditioning systems. That same staff person is now helping the city of Uniontown recover from a tornado that hit the community in February 2018, destroying 47 homes and damaging another 200.

The parishioners of the Diocese repeatedly respond with generosity to calls for assistance to people around the country and throughout the world who are suffering from disasters. In September, parishioners contributed $351,710 to a special collection to help victims of last summer's major hurricanes. The most remarkable example of generosity on the part of the parishioners of the Diocese occurred in 2005 when they donated more than $1 million to aid victims of the December 2004 tsunami in southeastern Asia and Hurricane Katrina, which devastated New Orleans and much of the Mississippi Gulf Coast in August 2005.

Conclusion

In closing, I again extend my appreciation for this opportunity to explain the history of our Diocesan efforts to protect the young and vulnerable people in our care. I am saddened by our past failures — grievous failures and conduct I would have never condoned committed by men who, in many cases, I have never known — but I am proud of this Diocese's history in combatting this evil and I am proud of my predecessors' work to establish a safe environment for children and youth in the Diocese of Greensburg. And I am thankful for our faithful, who remain devoted through trying times.

We must all learn from our past mistakes — and we have. We must continue to move forward to help our brothers and sisters who are survivors of abuse heal and move forward with their lives. My heart goes out to all survivors, and I have come to appreciate the depth of their pain because of listening to them. We will remain ever vigilant, transparent in our actions and committed to our 'zero tolerance' policy.

Current Diocesan policies, procedures and processes should serve as a model for child protection programs to be replicated and emulated elsewhere — in schools, nursing homes, foster care programs, special education programs, youth sports and youth service organizations. All children in every situation must be protected.

We will work with every valued institution in our society to address this evil, prevent this crime, and help those survivors heal and move forward, too.

+ Edward C. Malesic

The Most Reverend Edward C. Malesic, JCL
Bishop of Greensburg

IN THE COURT OF COMMON PLEAS
ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	**: SUPREME COURT OF PENNSYLVANIA**
	: 2 W.D. MISC. DKT. 2016
THE FORTIETH STATEWIDE	**:**
	: ALLEGHENY COUNTY COMMON PLEAS
INVESTIGATING GRAND JURY	**: CP-02-MD-571-2016**
	:
	: NOTICE NO. 1

RESPONSE OF MONSIGNOR THOMAS KLINZING, PURSUANT TO 42 PA.C.S. § 4552(E) TO THE GRAND JURY REPORT

TO THE HONORABLE NORMAN A. KRUMENACKER:

Monsignor Thomas Klinzing, by and through its undersigned counsel, Schnader Harrison Segal & Lewis LLP, hereby submits this Response to portions of the Grand Jury Report (the "Report") received by Monsignor Klinzing on Monday, May 7, 2018 and Tuesday, May 29, 2018,[1] to be attached to and made part of the report before the report becomes public record, pursuant to 42 Pa.C.S. § 4552(e). We appreciate the opportunity to provide this Response to address factual allegations and conclusions that are incomplete or ignore evidence available to the Grand Jury.

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[1] Undersigned counsel received a copy of 9 non-consecutive and redacted pages of the Report from Monsignor Klinzing on May 10, 2018. The Court provided thirty days to provide a response to be appended to the report pursuant to 42 Pa.C.S. § 4552(e). Next, on May 29, 2018, Monsignor Klinzing received additional excerpts from the Report and an Order of Court granting him until June 22, 2018 to respond.

PERSONAL HISTORY AND BACKGROUND INFORMATION

Monsignor Thomas J. Klinzing, J.C.L. was ordained on May 8, 1971. He holds a Bachelor of Science in Chemistry from the University of Pittsburgh, a Bachelor of Arts in Philosophy from St. Mary's Seminary and University in Baltimore, a Master's degree in Divinity from St. Vincent Seminary, and a Licentiate in Canon Law from The Catholic University of America. In February 1986, Pope John Paul II named Monsignor Klinzing Domestic Prelate.

Monsignor Klinzing served as pastor or administrator in several parishes within the Roman Catholic Diocese of Greensburg. In 1978, Monsignor Klinzing was appointed Diocesan Secretary and Assistant Chancellor. As Diocesan Secretary between 1978 and 1983, Monsignor Klinzing did not have access to Diocesan files or confidential information. Between 1984 and 1988, Monsignor Klinzing served the Diocese as Chancellor and Vicar General. As Chancellor and Vicar General, Monsignor Klinzing had limited access to files or confidential information and no decision-making authority. The Bishops had the sole authority to restrict the ministry of priests and routinely ignored Monsignor Klinzing's counsel.

Presently, Monsignor Klinzing is a priest of the Diocese of Palm Beach Florida, serving as a pastor and as an ex officio member of various boards and committees within the Diocese.

The Grand Jury Report notes that Monsignor Thomas Klinzing "played an important role in the Diocese of Greensburg's handling of allegations of priest sexual abuse" and yet the Grand Jury was deprived of his testimony. Since the inception of the Grand Jury's investigation, Monsignor Klinzing has remained willing and available to appear before the Fortieth Statewide Investigating Grand Jury to provide testimony. Undersigned counsel contacted the Pennsylvania Office of Attorney General, identified the important role Monsignor Klinzing played in the

investigation of and response to child sexual abuse in the Roman Catholic Diocese of Greensburg, and expressed Monsignor Klinzing's willingness to travel from Florida to provide testimony.

Despite these efforts, Monsignor Klinzing was never asked to provide testimony and as a result, the excerpts of the Report provide are incomplete and in some instances, inaccurate. Had he been given the opportunity to testify, Monsignor Klinzing would have corroborated many of the Grand Jury's findings, provided significant additional details regarding the handling of child abuse cases within the Diocese of Greensburg, and discussed his documentation of significant events, several of which have been attached to this Response.

THE MATTER OF FATHER EDWARD PARRAKOW

In February of 1985, the Archdiocese of New York requested that Father Edward Parrakow ("Parrakow") be accepted in to the Diocese of Greensburg for 3-4 months. During the initial request, the Archdiocese of New York disclosed that Parrakow was undergoing counseling and failed to disclose the existence of sexual abuse allegations involving minors. Monsignor Klinzing's testimony before the Grand Jury would have disclosed that the Archdiocese of New York covered up and actively hid the abuse allegations pending against Parrakow.

Further, Monsignor Klinzing would have recounted a telephone conversation between the Archdiocese of New York and Bishop Connare, during which the Archdiocese explained that Parrakow was in counseling because "he was worn out from teaching at a girl's school." Monsignor Klinzing was not informed that during this telephone conversation it was disclosed to Bishop Connare that "the reason Parrakow was dispatched to New Mexico was a complaint of sexual abuse committed by Parrakow on a teenage boy fifteen years prior." Had the Archdiocese or Bishop Connare disclosed the allegations concerning the sexual abuse of minors, Monsignor

Klinzing would not recommend that he be accepted into the Diocese of Greensburg and would have counseled Bishop William Connare accordingly.

Parrakow received treatment at the Foundation House, at least through early 1986. Despite significant disclosures concerning the abuse of children during his treatment, the treatment and report of the doctor regarding Parrakow's time at the Foundation House was never shared with Monsignor Klinzing. Disclosure of the sexual abuse of children, Parrakow's acknowledgement of the abuse, and the decision to accept Parrakow into the Diocese rested with Bishop Connare. A letter dated December 11, 1985 to Parrakow from the Bishop of Greensburg, and provided to the grand jury, supports this notion. The Bishop notes that he returned the copy of the confidential report that the Foundation House shared with the Archdiocese of New York. The Bishop went on to report that "I have reviewed it carefully and feel that I am well aware of the information contained. I note a desire that this copy be destroyed. I agree with this and I felt that you would feel more comfortable having the copy so that you could destroy it yourself." (Attached as Ex. A).

Monsignor Klinzing did not become aware of the sexual abuse of minors while Parrakow was a priest of the Archdiocese of New York until 1989, after he was replaced as Vicar General. The Diocese of Greensburg inquired of Parrakow about his intentions to be incardinated in the Diocese. During that process, Parrakow signed a release form for the release of personnel records from the Archdiocese of New York. On January 30, 1989, information was requested from the Vice Chancellor for Priest Personnel of the Archdiocese of New York.

Had Monsignor Klinzing been called to testify before the Grand Jury, he would have provided testimony that he authored additional memoranda recommending to Bishop Bosco that he inquire further of Parrakow's past history and that if there are concerns, Parrakow should be

relieved of his duties and placed on administrative leave. Monsignor Klinzing also recalls advising Bishop Bosco to write a letter to the Archdiocese of New York informing them that Parrakow will be withdrawn from his assignment and that he is under their jurisdiction. Klinzing further recommended that Parrakow be told clearly not to have any contact with Victim Two or anyone in the parish. Monsignor Klinzing never received a response to his counsel of Bishop Bosco.

The excerpts of the Report provided to Monsignor Klinzing are inaccurate and incomplete in that they: (1) largely ignore the active cover up on the part of the Archdiocese of New York; (2) suggest that Monsignor Klinzing was privy to information closely held and ultimately destroyed by Bishop Connare; and (3) disregard Monsignor Klinzing's repeated efforts to have Parrakow placed on administrative leave and ejected from the Diocese of Greensburg.

THE MATTER OF FATHER ROBERT MOSLENER

The Report excerpts provided to Monsignor Klinzing summarize only a small portion of Monsignor Klinzing's involvement in the Moslener matter. Monsignor Klinzing's testimony before the Grand Jury would have revealed a concerted effort on the part of Bishop Connare to hide or destroy evidence of abuse and protect priests.

Monsignor Klinzing began alerting Bishop Connare to his concerns about Moslener in April of 1986, if not before. Had Monsignor been called to testify before the Grand Jury he would have described advice given to Bishop Connare regarding police reports received from the North Huntingdon Police Department. As a result of information provided by law enforcement, Klinzing counseled that the Bishop should speak to Moslener as soon as possible and remove him from his pastoral assignment immediately. Monsignor Klinzing did not receive a response

to his clear counsel. Instead, Bishop Connare instructed Monsignor Klinzing to destroy the police record. When Monsignor Klinzing informed the Bishop that he could not destroy a police report, Bishop Connare said that he "would take care" of the matter. Thereafter, Klinzing's advice went unanswered and ignored.

On April 28, 1986, Monsignor Klinzing issued a confidential memorandum to Bishop Connare regarding Moslener's use of inappropriate discussion of sexual matters in a school setting. Klinzing reported that he "told her [the religious principal of the parish school] not to allow Father Moslener in the classrooms until we can resolve this matter and advised the Bishop that "it is absolutely necessary to remove Father Moslener immediately and send him for psychological evaluation, or let him sit at St. Joseph Hall until some determination can be made." (Attached as Exhibit B). A confidential memorandum dated April 29, 1986, confirms that Monsignor Klinzing ordered that Moslener be kept out of the school until the Bishop took further action.

On April 30, 1986, Monsignor Klinzing met with Moslener and told him to leave the parish and take up residence elsewhere. Moslener refused and said he would appeal to the Bishop. Klinzing, however, remained insistent and documented his efforts to get the Bishop's attention. By way of example, in a memorandum dated September 18, 1986, Monsignor Klinzing reminds Bishop Connare that he "believe[s] it is absolutely necessary, pending this report, that we again reiterate to Father to stay out of any schools. This includes Natrona." (Attached as Exhibit C).

Despite Monsignor Klinzing's well documented and dogged efforts to get the attention and cooperation of Bishop Connare, the Report references one memorandum and ignores Klinzing's repeated counsel to remove Moslener from ministry.

THE MATTER OF FATHER ROGER SINCLAIR

In August of 1981, Monsignor Klinzing served the Diocese of Greensburg as the Bishop's secretary. While in this role, Monsignor Klinzing would have explained to the grand jury that the Bishops shared very little information with him. The meeting referenced and roughly summarized in the report was Monsignor Klinzing's only involvement in the matter. Monsignor Klinzing would have testified that on August 4, 1981, the first victim and his mother came to the Chancery office in Greensburg to see either Bishop Connare or Bishop Gaughan. Both Bishops were unavailable, so Monsignor Klinzing met with the mother and her child.

Monsignor Klinzing noted in his August 5, 1981 memorandum to Bishop Gaughan regarding the meeting that the child was physically upset and crying during the meeting. The child expressed a fear of Sinclair and a belief that Sinclair tells his Father things that get him in trouble. The memorandum notes that Sinclair drank to excess with the child's Father. During the meeting, the child also explained that his father yelled at him for "making up stories about Father Sinclair."

Following his meeting with the complainant, Monsignor Klinzing spoke with Bishop Gaughan by telephone. Bishop Gaughan directed Monsignor Klinzing to inform Father Bertolina of the situation and the mother of the victim that he would speak with her on Friday, August 7, 1981. Monsignor Klinzing complied with these directives. Based upon the documented conversation between Bertolina and Klinzing, it appears that both priests were focused on calming the parents down so that the child would be safe. The memorandum also noted that Sinclair left the Diocese to stay with his mother for a short period of time. Monsignor Klinzing also encouraged the mother of the victim to speak further with Father Bertolina.

This more complete and accurate summary of the matter of Father Roger Sinclair demonstrates that despite Monsignor Klinzing's relatively minor role he took steps to document the reports made to him, took efforts to see that the child's father would not retaliate against him, informed those with authority within the Diocese of the matter, and went out of his way to see that a child was not unnecessarily caught in the middle of a brewing custody dispute.

CONCLUSION

Throughout his lifetime as a priest, Monsignor Klinzing has remained steadfast in his desire to protect children and see that Diocesan policies for the protection of children are strictly followed. He has done so in the face of criticism and ostracization by the Bishops of the past. The Grand Jury's Report unfairly treats Monsignor Klinzing as a yet another individual who failed the children of the Church and more significantly, the Grand Jury lost the privilege of considering the testimony of an honest and direct advocate for the protection of children.

Respectfully submitted,

SCHNADER HARRISON SEGAL & LEWIS LLP

By: 

Laurel Brandstetter
PA I.D. No. 87115

120 Fifth Avenue, Suite 2700
Pittsburgh, PA 15219
(412) 577-5115
lbrandstetter@schnader.com

December 11, 1985

Reverend Edmond Parrakow
315 Maryland Avenue
Greensburg, Pennsylvania 15601

Dear Father Ed:

I am returning to you the copy of the confidential report which Father Perri shared with Father Mansell. I have reviewed it carefully and feel that I am well aware of the information contained. I note a desire that this copy be destroyed. I agree with this and I felt that you would feel more comfortable having the copy so you could destroy it yourself.

I was delighted with our interview the other day. Father Klinzing is following through on the arrangement with Father Ott for the holidays and Father Macklewicz for the beginning of the new year. I assure you we are delighted to be able to help in any way we can. I am sure your presence among us will be a real blessing.

With all prayerful good wishes for you and your mother in these blessed days of Christmas, I am

Devotedly in the Lord,

Bishop of Greensburg

Enclosure

EXHIBIT
A

DG0004410

CONFIDENTIAL MEMORANDUM

TO: Bishop Connare

FROM: Monsignor Klinzing

DATE: April 28, 1986

RE: THE ATTACHED

I met with Father Marcinek and Sister Joan Francis on separate occasions, on Sunday, April 27, 1986. Father Marcinek was upset about the letters and Father Moslener's actions in the classroom. He informed me that Father teaches one day a week in the 5th through 8th grades. After receiving this information he said he doesn't know how Father can stay in the parish.

Father Marcinek also told me that Father Moslener stated that the reason he came to see you last week was because of a past incident in his life which he has to live with, and as a result he cannot teach in the high school or grade school. (Bishop, Father Marcinek is not stupid and he already has figured out Father Moslener's problem. He discussed the matter with Monsignor Charnoki and he also discussed the problem with Father Joyce that day.)

By accident, I saw Sister Joan Francis, the principal of the school, who was able to give me much more detailed information. She stated that the problem started about three months ago and the teachers brought it to her attention within the last month. She stated that she tried to keep it in perspective and not create

DG0001897



MEMORANDUM

TO: Bishop Connare

FROM: Monsignor Klinzing

DATE: September 18, 1986

RE: FATHER ROBERT MOSLENER

On August 4, we received a note from Father Moslener stating that he is now in therapy with a Russell H. Scott, Ph.D. Even though he's only been seeing the man for a month and a half, I think we should ask for a report from Dr. Scott in light of Father's request for a transfer..

Secondly, I believe it is absolutely necessary, pending this report, that we again reiterate to Father to stay out of any schools. This includes Natrona.

Chancellor



DG0001865

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of June, 2018, I served the within Response Of Monsignor Thomas Klinzing, Pursuant To 42 PA.C.S. § 4552(E) To The Grand Jury Report on the following persons and in the following manner. Such service satisfies the requirements of Rule 114 of the Pennsylvania Rules of Criminal Procedure:

Via electronic and first-class mail addressed as follows:

The Honorable Norman A. Krumenacker, III
nakadmin@co.cambria.pa.us
Supervising Judge, 40th Statewide Investigating Grand Jury
Cambria County Court of Common Pleas
Cambria County Courthouse
200 South Center Street
Ebensburg, PA 15931

Daniel Dye
ddye@attorneygeneral.gov
Senior Deputy Attorney General
Criminal Prosecution Section
1600 Strawberry Square
Harrisburg, PA 17120

Julie L. Horst
jhorst@attorneygeneral.gov
Grand Jury Executive Secretary
Criminal Law Division
1600 Strawberry Square
Harrisburg, PA 17120

Laurel Brandstetter
Pa. I.D. No. 87155

Schnader Harrison Segal & Lewis LLP
120 Fifth Avenue, Suite 2700
Pittsburgh, PA 15222
(412) 577-5115
lbrandstetter@schnader.com

IN THE COURT OF COMMON PLEAS OF

ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	:	SUPREME COURT OF PENNSYLVANIA 2 W.D. MISC. DKT. 2016
THE FORTIETH STATEWIDE INVESTIGATING GRAND JURY	:	ALLEGHENY COUNTY COMMON PLEAS CP-02-MD-571-2016
	:	NOTICE NO. 1

MONSIGNOR ROGER STATNICK'S RESPONSE TO REPORT NO. 1 OF THE 40TH STATEWIDE GRAND JURY

Monsignor Statnick served in the Chancery of the Diocese of Greensburg for sixteen years (1989 to 2005) and in that capacity had a role in addressing allegations of sexual abuse. He helped handle dozens of allegations of abuse during his time in the Chancery. In his role, he consistently endeavored to put the need for pastoral care of victims of abuse and their rights first. He believes he did so with the best of intentions and his abilities and that his work in the Chancery reflects that fact.

The Grand Jury Report appears to concur with this assessment. Despite his long tenure in the Chancery, his having been involved in handling dozens of allegations, and the Report indicating that "he played an important role in the Diocese of Greensburg's handling of allegations of priest sexual abuse," the Report mentions Monsignor Statnick by name only in four places based on the materials disclosed to him. Most of these concern Monsignor Statnick simply being involved in the processing of an allegation of abuse or trying to pastorally provide for a victim (*see* pages 482, 493, and 504). A plain reading of the Report reveals that no allegations of misconduct

or efforts to hide allegations of abuse are directly levied against him.[1] Monsignor Statnick files this Response for the limited purpose of clarifying one point.

On page 482 of the Report, Monsignor Statnick's name is mentioned in a broader discussion of Father Charles B. Guth, who died in 1986. When an email from a victim of abuse was received by the Chancery on July 31, 2005, Monsignor Statnick forwarded the email to then Monsignor (now Bishop) Lawrence Persico. This was not a disregard for his role in the Chancery, nor should it be viewed as showing any lack of respect or compassion for this victim. Rather, at the time this email arrived, Monsignor Statnick was in the process of transitioning out of his position in the Chancery to a new role as pastor of a local parish, which position he assumed in August 2015. Because he was no longer going to be working in the Chancery and involved in addressing allegations of abuse, Monsignor Statnick forwarded this email to Rev. Persico, who was stepping into that role in the Chancery.

Monsignor Statnick sends his prayerful support to all victims of abuse.

Respectfully submitted

David J. Berardinelli, Esq., Pa. ID 79204
DeForest Koscelnik Yokitis & Berardinelli
436 Seventh Avenue, 30th Floor
Pittsburgh, PA 15219
Attorney for Monsignor Roger Statnick

[1] Monsignor Statnick was not in the Chancery, and therefore had no involvement, at the time the Report's factual rendition of events concerning Edmond Parrakow and Raymond Lukac occurred. The Report does not reflect the involvement of Monsignor Statnick with any decision related to Robert Moslener.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	:	SUPREME COURT OF PENNSYLVANIA 2 W.D. MISC. DKT. 2016
THE FORTIETH STATEWIDE INVESTIGATING GRAND JURY	:	ALLEGHENY COUNTY COMMON PLEAS CP-02-MD-571-2016
	:	NOTICE NO. 1

CERTIFICATE OF SERVICE

I, David J. Berardinelli, Esquire, hereby certify that a copy of the foregoing RESPONSE TO REPORT NO. 1 OF THE 40TH STATEWIDE GRAND JURY was served on June 11, 2018 *via* overnight mail upon the following individuals:

The Honorable Norman A. Krumenacker, III
Supervising Judge, 40th Statewide Investigating Grand Jury
Cambria County Court of Common Pleas
Cambria County Courthouse
200 South Center Street
Ebensburg, PA 15931

Daniel J. Dye
Senior Deputy Attorney General
Criminal Law Division
1600 Strawberry Square
Harrisburg, PA 17120

By: _____
David J. Berardinelli, PA I.D. No. 79204
DEFOREST KOSCELNIK YOKITIS & BERARDINELLI
436 Seventh Ave., 30th Fl.
Pittsburgh, PA 15219
Phone: 412-227-3135
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Counsel for Monsignor Roger Statnick

DIOCESE OF HARRISBURG

THE DIOCESE OF HARRISBURG

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Response of Auxiliary Bishop William Waltersheid 217

DIOCESE OF HARRISBURG
OFFICE OF THE BISHOP

(717) 657-4804
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4800 Union Deposit Road
Harrisburg, Pennsylvania 17111-3710
Bishop'sOffice@hbgdiocese.org
www.hbgdiocese.org

June 20, 2018

Dear Reader:

On behalf of the Diocese of Harrisburg, this letter and my March 8, 2018 Statement to the Grand Jury, which is enclosed, is the response of the Diocese to the 40th Statewide Investigating Grand Jury's Report.

With this letter, I wish to make just a few points. To begin, the Diocese apologizes for any abuse committed by clergy, staff, volunteers, or otherwise who were associated with the Diocese. Such abuse is a scourge on Society, and as Bishop of the Diocese of Harrisburg, I take seriously both mine and the Diocese's obligation to prevent such abuse from occurring, to foster healing, and to be transparent.

Next, I must emphasize that the Diocese has substantially overhauled its child protection programs over the years, and I can confidently say today we take every reasonable effort to prevent abuse and take every step necessary to report abuse when such allegations are received. Indeed, when reports of abuse are made, they are promptly acted upon without question, including both the immediate reporting of the abuse to law enforcement and suspending the accused person from contact with children. No exceptions. The Diocese can say without reservation that *every* person with an allegation of child sexual abuse has been turned over to law enforcement.

Finally, this investigation has caused the Diocese to take a frank look at its past as well as its present. Part of that assessment is an evaluation by the Diocese of whether any lingering symbols of the sad history revealed in the Report remain. Specifically, the Diocese is evaluating whether the names carried on certain buildings, rooms, and halls in the Diocese should continue. Accordingly, I have directed my Staff to establish a "committee on names" to advise me whether any of the persons discussed in the Report, who are also named in or on our facilities, should have their names removed. I have directed this committee to report to me in all due haste and I will act promptly on their recommendations.

In closing, on behalf of the Diocese, I again recommit to preventing and eradicating abuse in our midst and to preventing any of this history from repeating. I hope this is an opportunity to not only reflect, yet also a time to heal.

Respectfully,

+Ronald W Gainer

Most Rev. Ronald W. Gainer
Bishop of the Diocese of Harrisburg

Enclosure

DIOCESE OF HARRISBURG
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Statement of Bishop Ronald W. Gainer to the 40th Statewide Investigating Grand Jury

My name is Bishop Ronald W. Gainer. I was appointed Bishop of the Roman Catholic Diocese of Harrisburg by his Holiness Pope Francis on January 24, 2014. I was installed on March 19, 2014. This is my first assignment within the Diocese of Harrisburg.

Thank you for this opportunity to offer a written statement to the Grand Jury concerning actions taken by the Diocese to prevent child sexual abuse. It is understood that this statement is submitted in lieu of live testimony before the Grand Jury.

I assure you that, with the guidance of experts in child protection and law enforcement, the Diocese some time ago adopted safeguards for the well-being and protection of children entrusted to our care. This includes a comprehensive program developed, and regularly audited by, the United States Conference of Catholic Bishops, which features, among other things, a Victims Assistance Coordinator (VAC) on staff at the Diocese. The VAC's sole mission is to serve survivors and facilitate their healing. The Diocese also has a comprehensive youth protection program that educates clergy, employees, and volunteers on appropriate and safe interactions with children and ensures that certain basic precautions are implemented whenever children interact with Diocesan personnel. Our commitment to a safe environment for children includes two full-time employees whose charge and chief job responsibilities are the safety of children; these employees are in addition to the VAC.

The Diocese has also implemented the following safeguards to protect children:

- The Diocese has a zero tolerance policy when it comes to individuals who abused minors. No such persons are allowed to work in the Diocese or participate in volunteer activities that may place them in contact with children.

- As part of the employment/volunteer application process, all Diocesan personnel and all Diocesan volunteers who may come in contact with children are required to pass detailed background checks, to disclose information relating to any prior allegations or instances of abuse, and to complete state-mandated reporter training for recognizing and reporting child abuse.

- The Diocese developed a comprehensive educational program to teach children and their parents to recognize, avoid, and report suspicious conduct. Specific instruction is provided to students in Diocesan schools in the first and fifth grades and at the high school level.

- The Diocese regularly trains clergy, employees, and volunteers to recognize and report abuse using a state-approved online training program.

- The Diocese provides easily identifiable ID Badges for all individuals who have completed the required background certification and training for the Diocesan Youth Protection Program.

Additionally, I will continue to aggressively remove abusers from ministry, employment, or volunteer positions. One proven allegation of abuse automatically bars the person in question from association with the Diocese. While new abuse allegations are examined by law enforcement or the Diocese, I place appropriate restrictions on the accused to prevent any contact with children pending the outcome of the investigation.

Further, in addition to reporting every new allegation to law enforcement, the Diocese now submits all investigations of complaints to professional, outside investigators, who are neither clergy nor personnel of the Diocese. These same outside investigators were asked to review a number of historical, unresolved complaints to determine whether additional information was available that might assist in assessing the credibility of the allegations. As a result of these inquiries, we acquired additional information, which was provided to the Office of Attorney General and District Attorneys. The reexamination of those historic allegations led me to replace certain Diocesan personnel.

It is noteworthy that, in connection with the Grand Jury investigation, the Diocese produced over 200,000 pages of records to the Grand Jury, including the records of allegations of child sexual abuse made against personnel of the Diocese. Importantly, the Diocese of Harrisburg has turned over to law enforcement *every* file concerning allegations of child sexual abuse made against the Diocese. These include allegations appearing to be credible and those appearing to be not credible; all have been turned over. Because we have and will continue to provide to law enforcement the identity of **every** accused clergy, employee or volunteer, and because we have implemented a rigorous safe environment program and will continue to examine the program for possible improvements, I believe that our churches and schools are safe for the people of this Diocese.

The Diocese is committed to taking all appropriate measures to protect young people. For instance, soon the Diocese of Harrisburg will launch a website that will include specific instructions on how to report child sex abuse and other information pertinent to our efforts to ensure the safety of our children. The site will include:

- Information on victims' assistance and how survivors can receive the support and counseling that they need.

- A comprehensive overview of the systems we have put in place to prevent abuse, including background checks, clearances, training, and audits of our systems.

- The signs for identifying abuse.

- Information about employee training and screening.

- Phone numbers for reporting allegations of abuse.
- Other Diocesan policies and our code of conduct.

Additionally, graphics from, and links to, the website will be provided to each parish to post on their own website.

I have also directed the Diocese to retain a third-party vendor to host a telephone number for persons to call with allegations of abuse against clergy, employees, and volunteers. The number will be posted prominently on the updated website and will be staffed by persons not associated with the Diocese. The vendor will be responsible for reporting any allegations received directly to ChildLine, to law enforcement, and then to administrative staff at the Diocese. This third-party service will be *in addition* to the phone number the Diocese already maintains for reporting allegations of abuse. Further, every accusation of child sexual abuse against any Diocesan personnel is reported immediately to law enforcement and examined thoroughly. Indeed, when information concerning a reportable allegation is made known to the Diocese, we report it to ChildLine immediately, and follow the report with a letter to the relevant county district attorney. We are, and have been committed, to honesty, transparency, and diligence in ensuring the safety of our children in all matters.

Finally, I have decided to overhaul the current Review Board for the Diocese, which is the body that assists me, as Bishop, in the discharge of my Canonical responsibilities for reviewing allegations of abuse. In the near future, the Board will be reconstituted to include a wider range of perspectives and voices, including persons not associated with the Diocese who have relevant experience in the area of protecting children from abuse.

I believe it is important to also recognize the positive work the Church does by acting as a spiritual center for our community, and to recognize the work we do to help those in need.

In addition to being a place of worship for the Catholic community in our area, Catholic Charities of the Diocese of Harrisburg offers a variety of services for the entire community. In fact, last year Catholic Charities spent $8.4 million dollars funding a variety of programs including:

- Assisting with adoption services, providing housing, assistance, transportation, employment, diapers, clothing, furniture and childbirth and parenting classes to expecting mothers in need.
- Locating foster homes for children in need of stable families.
- Helping families in need of the Intensive Family Services Program, which helps provide family therapy to those in need of parenting skills as well as connecting families to community resources.
- Providing a wide range of social and educational services to immigrants, refugees, visitors, and non-English speakers, including helping them find employment, learn

English, find housing, find financial assistance for housing and utility bills, and obtain immigration legal services.

- Assisting with the interfaith shelter for homeless families, where staff works to help sort out issues that may have caused homelessness, unemployment, education, childcare, healthcare, transportation and other related issues. Upon completion of the program, as many as 98% of the families achieve a stable level of housing and a better quality of life.

- Operating the Paradise School Program, which provides emotional and behavioral support to school age children. Staff members include an Instructional Advisor as well as a School Psychologist, Speech Therapist, and Occupational Therapist. Paradise Staff provide crisis intervention, supervision during lunch and break periods, social skills education, and school district coordination, all to help students return to their home school districts and continue their education.

- Providing the Intensive Day Treatment Program, an alternative to residential treatment services, which serves at-risk youth from age nine to fifteen who possesses significant emotional and behavioral needs.

As you can see, the Diocese fills a variety of critical support functions in mid-state communities, helping those of all backgrounds, faiths, and economic standing, and in particular our youth.

This entire situation causes me great sadness, for once again we come face-to-face with the horror that innocent children were the victims of terrible crimes committed against them. I encourage survivors to come forward so that the Church can aid in their healing.

Our efforts in finding and attempting to aid survivors in their path to healing is ongoing. The Diocese of Harrisburg has worked to help survivors of child sex abuse who have bravely come forward and has made substantial resources available for survivors. In addition to financial support, survivors receive counseling from qualified professionals and other assistance as appropriate. Without any question, counseling is provided to survivors who come forward. Regardless of when the abuse occurred, we respond to the survivors' needs.

In conclusion, I pray that the love of our God, whose tenderness and compassion endures in every age, will continue to restore those who are survivors of all abuse, physical, mental, emotional, and sexual. Thank you again for the opportunity to submit these remarks.

Dated: March 6, 2018

+ Ronald W. Gainer

Bishop Ronald W. Gainer

RESPONSE OF FATHER JAMES McLUCAS TO THE REPORT OF THE INVESTIGATING GRAND JURY PURSUANT TO 42 PA. C.S.§4552(e)

THE LAW FIRM OF WILLIAM G. SAYEGH, P.C.
65 Gleneida Avenue
Carmel, New York 10512
(845) 228-4200

Attorneys for Father James McLucas

Father James McLucas respectfully requests that interested persons read and consider this response before forming any final conclusions about the shocking and horrible accusations that have been leveled against him in the report issued by the 40th Statewide Investigating Grand Jury. These allegations must have been based upon half-truths, false assumptions, and/or innuendo and are categorically false. Any individual that provided information that could have led to such conclusions by the Grand Jury was misinformed, sought to mislead the Grand Jury, or was mistaken. It is unknown what evidence was presented to the Grand Jury; what is known, however, is that Father McLucas was never asked to testify or given an opportunity to present evidence on his own behalf.

While Father McLucas was not charged with any crime, the shocking and horrible accusations in the report – without published evidence, without trial, and without due process of law – will nevertheless blacken his reputation and destroy him in his profession. In this regard, the report so offends traditional notions of fairness that Father McLucas is compelled to publicly make this response denying each and every allegation in the strongest possible terms.

IN THE COURT OF COMMON PLEAS
ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	:	SUPREME COURT OF PENNSYLVANIA
	:	2 W.D. MISC. DKT. 2016
THE FORTIETH STATEWIDE	:	
	:	ALLEGHENY COUNTY COMMON PLEAS
INVESTIGATING GRAND JURY	:	CP-02-MD-571-2016

BISHOP KEVIN C. RHOADES' RESPONSE TO EXCERPTS OF THE FORTIETH STATEWIDE INVESTIGATING GRAND JURY REPORT NUMBER 1

Kevin C. Rhoades ("Bishop Rhoades"), through his counsel, Eckert Seamans Cherin & Mellott, LLC, pursuant to the Court's Amended Order of May 22, 2018, hereby submits his Response to Excerpts of the Fortieth Statewide Investigating Grand Jury Report Number 1 ("Report").

Initially, Bishop Rhoades offers his heartfelt sympathy and support to all of those victimized by abusive priests. Like so many of his fellow priests, he has worked hard throughout his ministry to expose and punish those who would abuse and to aid and support those harmed by abuse. Sadly, as the Report makes abundantly clear, those collective efforts have fallen short. Bishop Rhoades pledges his ongoing and undying efforts to ensure that abuse does not occur in the future, that abusers are removed immediately from ministry, that victims are provided all necessary care and support and that civil authorities are made fully aware of all allegations of abuse.

Bishop Rhoades is mentioned in the Report in connection with two cases of abuse that occurred long before he was installed as Bishop of the Diocese of Harrisburg. In both cases, after Bishop Rhoades was made aware of allegations of abuse, he reported them to civil authorities and saw to it that the abusers were punished. Given his limited role, it is not surprising that the Report contains scant context about Bishop Rhoades or his involvement in these two cases. With this response, Bishop Rhoades provides that context, in the hope that his actions and intentions are accurately and completely portrayed and understood.

First, Bishop Rhoades was appointed as the Bishop of Harrisburg in December 2004. For the ten years' prior, he had been out of the Diocese, serving as a professor and then the rector of Mount Saint Mary's Seminary in Maryland. Bishop Rhoades began his tenure as Bishop of Harrisburg, therefore, more than two years after the United States Conference of Catholic Bishops adopted the Charter for the Protection of Children and Young People. Thus, prior to his arrival, the Diocese had already developed and implemented a comprehensive set of procedures for addressing allegations of sexual abuse of minors and adopted programs for reconciliation, healing, accountability, and the prevention of future acts of abuse. The Diocese had also already combed through its files and identified all prior allegations of child sexual abuse and ensured that any credibly accused priest had been removed from ministry.

Second, during his five-year tenure in Harrisburg (Bishop Rhoades served until December 2009, after which he was installed as Bishop for the Diocese of Fort Wayne-South Bend, Indiana), Bishop Rhoades ensured that the Diocese scrupulously followed its policies and procedures designed to address allegations of child sexual abuse; that it took all such allegations seriously; treated victims with care and compassion; investigated all allegations and removed all credibly accused priests from ministry; notified civil authorities of the allegations; and, cooperated fully with law enforcement. The Report does not state or suggest otherwise.

Third, in both cases in which he is mentioned in the Report, Bishop Rhoades moved to discipline the abusers (both of whom had previously been removed from ministry) and notified both church and civil authorities of the allegations.

For example, in the first case, William Presley was a priest from the Diocese of Erie who apparently retired to Lancaster in 2000. Bishop Rhoades did not know Presley, was unaware of his presence in the Diocese of Harrisburg, was unaware of what, if any, priestly duties he may have been practicing in Lancaster and had no idea that he had previously been accused of child sexual abuse. To the best of his recollection, Bishop Rhoades first learned of Presley and abuse allegations against him in early 2006, when the Bishop of Erie asked Bishop Rhoades to draft a "votum" - a written statement – that would be used as part of the disciplinary proceeding against Presley that had been initiated by Erie. Unfamiliar with Presley and/or his activities in the Diocese of Harrisburg, Bishop Rhoades asked his Chancery Staff to research Presley's situation and to prepare the votum. Bishop Rhoades relied on his Chancery Staff and believed that the facts asserted in the votum (all of which occurred before Bishop Rhoades arrived in Harrisburg) were true.

Bishop Rhoades was firm in his belief that Presley had to be removed from the priesthood, which was the most severe form of punishment available. Bishop Rhoades' votum is clear and unequivocal on this point:

> [Presley's] lengthy history of sexual misconduct in violation of his promise of clerical celibacy and perpetual continence, his deliberate misrepresentation of the truth to the bishop to whom he promised respect and obedience, and the grisly nature of his many sexual acts even beyond the one known *gravius delictus* committed with a minor, all combine to suggest to me as the ordinary of the place where he now resides, that Bishop Trautman's request is reasonable and necessary. Dismissal from the clerical state may be the only means of removing a sexual predator from the ranks of the priesthood. His age is not necessarily an obstacle to his sexual misconduct, given his history.
>
> As long as Father William F. Presley remains in the clerical state, I harbor fear for the People of God within the Diocese of Harrisburg. I fear that his possession of the clerical state will allow him a means of continuing his pattern of carefully insinuating himself into the lives of others as a prelude to violence and sexual misconduct. Further, I believe that his own contumacy, and his denial of the seriousness of his behavior, may be intransigent until an action as serious as dismissal from the clerical state awakens within him a semblance of repentance.

The Vatican agreed, and on June 6, 2006, Pope Benedict XVI removed Presley from the clerical state. But, having Presley defrocked was not enough. Instead, Bishop Rhoades also made sure that law enforcement was informed of Presley's abuse and his current whereabouts, which was accomplished *via* a letter dated June 23, 2006 to the District Attorney for Lancaster County.

The Report quotes the following portion of a single sentence from the two-page votum: "were this information [about Presley's abuse] to become known, especially in light of his offers of public assistance at Mass in several parishes, great public scandal would arise within this diocese." While this selective quotation is accurate, taken out of context, it could easily be misunderstood. Bishop Rhoades' votum was to be included in a package of information that the Diocese of Erie would to submit to a Vatican judicial entity known as the Congregation for the Doctrine of the Faith ("CDF"). According to canon law, one of the key purposes of imposing ecclesiastical penalties is the "repair of scandal." In the votum, Bishop Rhoades supported his recommendation that the most severe penalty be imposed against Presley by noting that his wrongdoing would cause "great public scandal" if and when it became public. While this language, on its face, could be misinterpreted to indicate that Bishop Rhoades wished to protect Presley or to bury the allegations, *Bishop Rhoades' conduct proves otherwise.* He notified the District Attorney of the allegations against Presley, that Presley had been suspended from ministry, and of Presley's current whereabouts. And he stridently advocated for his removal from the clerical state.

The second case, involving Francis Bach, similarly features a situation where Bishop Rhoades, after learning of a new allegation of abuse against Bach, acted immediately to punish the priest and to notify law enforcement. Bach had been removed from ministry by way of penal precept more than ten years before Bishop Rhoades arrived in Harrisburg. While Bishop Rhoades was aware of the reasons for Bach's removal from ministry, his first direct involvement with allegations of abuse against Bach occurred in April 2007, when another Bach victim advised the Diocese that he had been abused on three occasions between 1966 and 1971. Bishop Rhoades immediately opened a formal investigation and directed his staff to meet with the victim, which meeting took place within 72 hours of the allegation. Bishop Rhoades also instructed counsel for the Diocese to notify the Dauphin County District Attorney's Office of the new allegation and of Bach's whereabouts. That notification letter was also sent within 72 hours of the diocese's receipt of the new allegation. Bishop Rhoades subsequently issued a second, more severe, penal precept precluding Bach from acting as a priest, and reported the case to the CDF.

As the Report notes, in his submission to the CDF, Bishop Rhoades did not recommend the initiation of a formal judicial proceeding. Bishop Rhoades' recommendation was based on many factors, including that Bach had been out of ministry for 13 years, he had been living in another state without incident for many years, his abuse occurred decades earlier (the latest reported abuse appears to have been in the mid-1970's), he was over 70 years old, and he was in ill health and had been recently hospitalized with blood clots in his lungs and legs. In addition, by removing Bach from ministry and forcing him to live a life of prayer and penance, the Diocese followed the precepts of the Dallas Charter, which states: "If the penalty of dismissal from the clerical state has not been applied (*e.g.*, for reasons of advanced age or infirmity), the

offender ought to lead a life of prayer and penance. He will not be permitted to celebrate Mass publicly or to administer the sacraments. He is to be instructed not to wear clerical garb, or to present himself publicly as a priest.)"

In addition to bringing the allegations of abuse to the CDF, Bishop Rhoades was careful to make sure that the local District Attorney and the diocese in which Bach lived were informed of the allegations, which notification was accomplished by sending letters to the Dauphin County District Attorney's Office and to the Bishop of Wilmington, where Bach had moved after being removed from ministry in 1994.

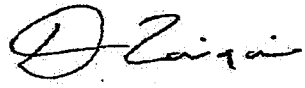
As with the Presley votum, Bishop Rhoades again addressed whether and how the public disclosure of Bach's misconduct would impact the community, noting that such disclosure would "cause scandal to many, as he is still a priest who is beloved by many in our diocese." This is the portion of the votum that the Report quotes. Again, as with Presley, the context for Bishop Rhoades' observation is important. First, there can be no suggestion that Bishop Rhoades intended to keep the allegations secret. In fact, he did the opposite. He disclosed the allegations to the CDF, to the District Attorney and to the Bishop of Wilmington. He also knew that the diocese had notified Bach's home town's Chief of Police of prior allegations of abuse. Similarly, it cannot be suggested that Bishop Rhoades intended to "go light" on Bach. To the contrary, Bishop Rhoades issued a Decree of Penal Precept that precluded Bach from acting like a priest, dressing like a priest, referring to himself as a priest, or celebrating any public sacrament. Short of excommunication, this is the most serious penalty a Bishop can impose. The penalty was redundant, moreover, given that Bach was already subject to a similar, if less onerous, penal precept from 1994 and there was no indication that Bach had ever violated that earlier precept.

Finally, the votum itself comprehensively explains the rationale for Bishop Rhoades' recommendation: that Bach had been living a life of prayer and penance for nearly 13 years, that he had little possibility of contact with children and youth, that the penal precept required that he avoid all contact with children and youth, that he was celibate, that his abuse had occurred more than thirty years earlier, that he was in ill health, that he was living in solitude, and that he was making daily visits to a former neighbor who was confined to a nursing home.

In conclusion, the Report details shocking and heart-wrenching reports of sexual abuse of children and equally appalling indifference to victims. Since his elevation to Bishop in 2004, Bishop Rhoades has committed himself to safeguarding children, to removing abusers and to working to restore the faithful's confidence in the church and its leadership. He will not stop until no child is abused and no abuser is protected.

Respectfully submitted,

ECKERT SEAMANS CHERIN & MELLOTT, LLC



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Counsel for Bishop Kevin C. Rhoades

IN THE COURT OF COMMON PLEAS OF

ALLEGHENY COUNTY, PENNSYLVANIA

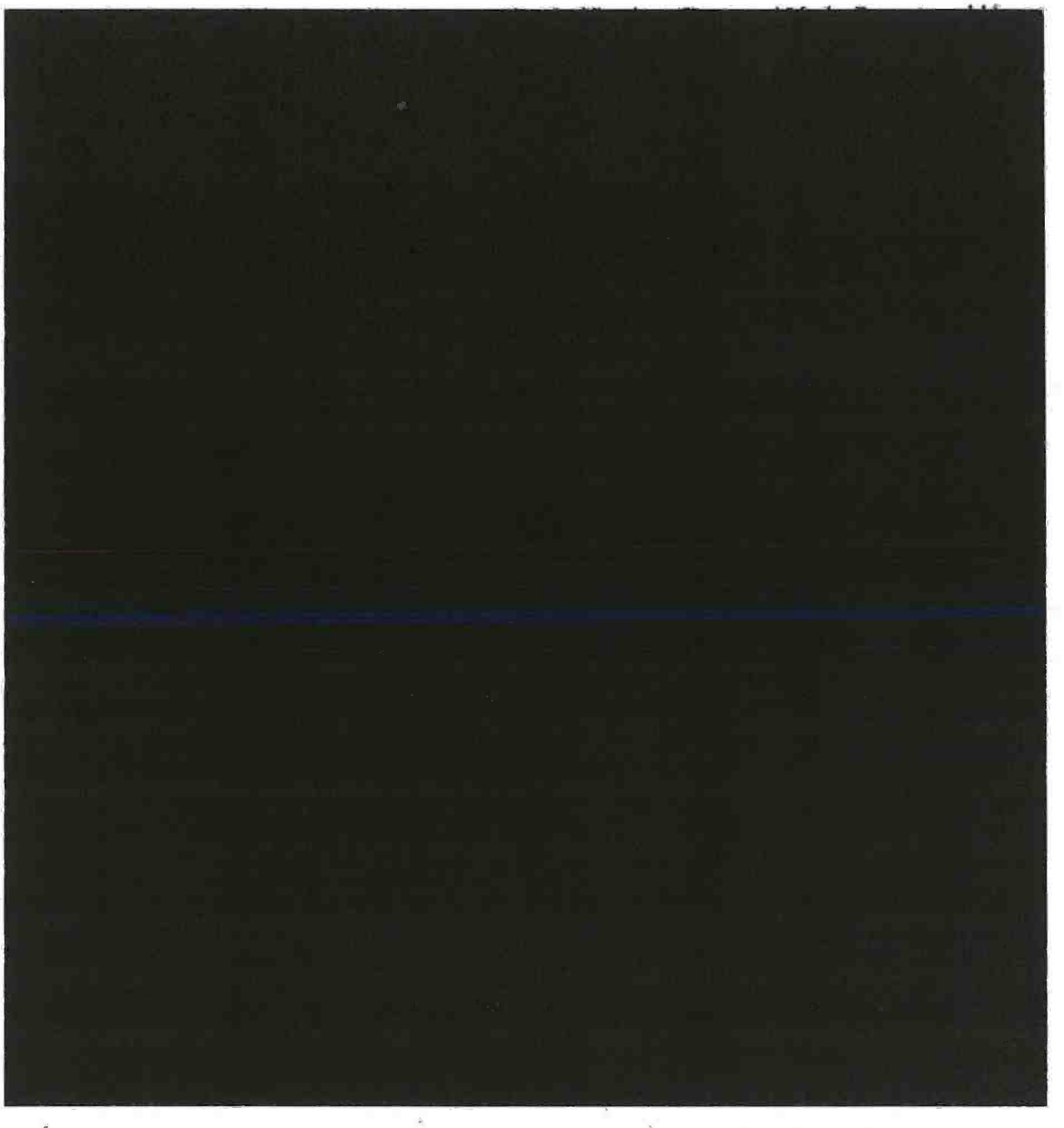
IN RE:	:	SUPREME COURT OF PENNSYLVANIA 2 W.D. MISC. DKT. 2016
THE FORTIETH STATEWIDE INVESTIGATING GRAND JURY	:	ALLEGHENY COUNTY COMMON PLEAS CP-02-MD-571-2016
	:	NOTICE NO. 1

AUXILIARY BISHOP WILLIAM WALTERSHEID'S RESPONSE TO REPORT NO. 1 OF THE 40TH STATEWIDE GRAND JURY

Auxiliary Bishop William Waltersheid served in the Chancery of the Roman Catholic Diocese of Harrisburg from 2006 to 2011 and held the position of Secretary for Clergy and Consecrated Life, and in that capacity had a role in addressing allegations of sexual abuse or improper conduct by priests and deacons. From 2011 to present, Rev. Waltersheid has served in the Chancery of the Roman Catholic Diocese of Pittsburgh, including holding the positions of Auxiliary Bishop, Vicar for Clergy and Consecrated Life and Vicar of Region I, and in that capacity has had a role in addressing allegations of sexual abuse or improper conduct by priests and deacons. He helped handle dozens of allegations of abuse during his time in the respective positions in both Dioceses. In his role in both Dioceses, Rev. Waltersheid consistently endeavored to put the need for pastoral care of victims of abuse and their rights first. He believes he did so and that his work in each respective Chancery reflects this fact.

The Grand Jury Report appears to concur with this assessment. Despite his long tenure in his respective positions in both Dioceses and his having been involved in handling dozens of allegations, while his name is mentioned in various places in the Report, references to him almost universally deal with Rev. Waltersheid simply being involved in the processing of an allegation of

abuse or trying to pastorally provide for a victim. A plain reading of the Report reveals that no allegations of misconduct or efforts to hide allegations of abuse are levied against Rev. Waltersheid.



Auxiliary Bishop Waltersheid sends his prayerful support to all victims of abuse.

Respectfully submitted



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IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	:	SUPREME COURT OF PENNSYLVANIA 2 W.D. MISC. DKT. 2016
THE FORTIETH STATEWIDE INVESTIGATING GRAND JURY	:	ALLEGHENY COUNTY COMMON PLEAS CP-02-MD-571-2016
	:	NOTICE NO. 1

CERTIFICATE OF SERVICE

I, David J. Berardinelli, Esquire, hereby certify that a copy of the foregoing RESPONSE TO REPORT NO. 1 OF THE 40TH STATEWIDE GRAND JURY was served on June 11, 2018 *via* overnight mail upon the following individuals:

The Honorable Norman A. Krumenacker, III
Supervising Judge, 40th Statewide Investigating Grand Jury
Cambria County Court of Common Pleas
Cambria County Courthouse
200 South Center Street
Ebensburg, PA 15931

Daniel J. Dye
Senior Deputy Attorney General
Criminal Law Division
1600 Strawberry Square
Harrisburg, PA 17120

By: _____
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DIOCESE OF PITTSBURGH

THE DIOCESE OF PITTSBURGH

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COMMONWEALTH OF PENNSYLVANIA
40TH STATEWIDE INVESTIGATING GRAND JURY

IN RE SUBPOENA 801

SUPREME COURT OF
PENNSYLVANIA
2 W.D. MISC. DKT. 2016

COURT OF COMMON PLEAS
OF ALLEGHENY COUNTY
CP-02-MD-571-2016

NOTICE: 1

RESPONSE OF THE CATHOLIC DIOCESE OF PITTSBURGH TO REPORT OF THE 40TH STATEWIDE INVESTIGATING GRAND JURY

COMMONWEALTH OF PENNSYLVANIA
40TH STATEWIDE INVESTIGATING GRAND JURY

IN RE SUBPOENA 801

SUPREME COURT OF PENNSYLVANIA
2 W.D. MISC. DKT. 2016

COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY
CP-02-MD-571-2016

NOTICE: 1

RESPONSE OF THE CATHOLIC DIOCESE OF PITTSBURGH TO REPORT OF THE 40TH STATEWIDE INVESTIGATING GRAND JURY

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A	RESPONSE OF THE CATHOLIC DIOCESE OF PITTSBURGH TO SUBPOENA OF THE 40TH STATEWIDE INVESTIGATING GRAND JURY (March 5, 2018)
B	CORRESPONDENCE FROM JOSEPH D. KARABIN DATED JUNE 21, 1993 (PGH_CF_0009332)
C	MEMORANDUM FROM FATHER DAVID ZUBIK DATED AUGUST 5, 1994 (PGH_CF_0012144-47)
D	CORRESPONDENCE FROM BISHOP DONALD WUERL DATED AUGUST 26, 1994 (PGH_CF_0012141)
E	CORRESPONDENCE FROM FATHER ROBERT GUAY DATED JANUARY 30, 1996 (PGH_CF_0012127)

COMMONWEALTH OF PENNSYLVANIA
40TH STATEWIDE INVESTIGATING GRAND JURY

IN RE SUBPOENA 801

SUPREME COURT OF PENNSYLVANIA
2 W.D. MISC. DKT. 2016

COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY
CP-02-MD-571-2016

NOTICE: 1

RESPONSE OF THE CATHOLIC DIOCESE OF PITTSBURGH TO REPORT OF THE 40TH STATEWIDE INVESTIGATING GRAND JURY

I. OPENING

The Catholic Diocese of Pittsburgh recognizes and appreciates the efforts of the 40th Statewide Investigating Grand Jury. The Grand Jury Report ("Report") describes the tragic reality of child sexual abuse by members of the clergy. The Diocese of Pittsburgh grieves for the victims of abuse, and offers its sincerest apology to the victims and their families.

The Diocese of Pittsburgh recognizes the pain suffered by the victims and their families. While we pray for their recovery, we are also open to them. We are open to meet with them, to hear their voices, to share their concerns, and to provide assistance, pastoral or otherwise, in helping them heal. We invite victims and their families to set aside any hesitancy they may have, and ask them to come to us so that we may walk with them in their journey.

It is never easy to admit failures. It is clear that historically there have been failures with regard to clergy sexual abuse. Church leaders should have always been victim focused, treating victims with compassion and care in every instance. Swift and firm responses to allegations should have started long before they did. Protections and safeguards for God's children should have been implemented long before they were. Because of this, victims and their families suffered. And for that, we again deeply apologize. And to our faithful, we apologize that you

must once again endure the pain of revisiting the details of these abusive acts. To the people of the Commonwealth, you should know that the serious efforts to prevent and combat child sexual abuse, which the Diocese of Pittsburgh initiated decades ago, will continue without compromise. And finally, the Diocese of Pittsburgh is hopeful that anyone who reads the Report also gives a considered review to this Response, as well as to the statement attached hereto.

II. PROTECTION OF CHILDREN AND YOUNG PEOPLE

The Report is correct when it recognizes that "much has changed over the last fifteen years." The Diocese of Pittsburgh has not been idle in facing the problem of clergy sexual abuse. In fact, for 30 years, the Diocese has engaged in ongoing and relentless pursuits to prevent and combat clergy sexual abuse. These pursuits include:

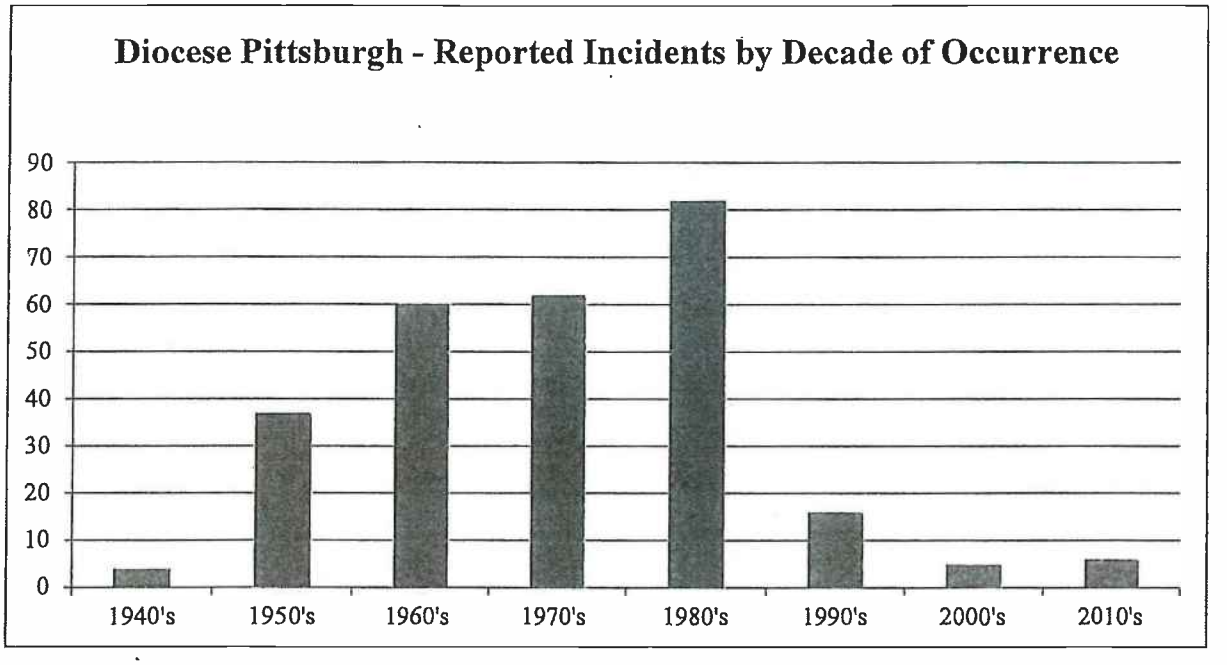
- Requiring background checks by the Pennsylvania State Police, the Pennsylvania Department of Human Services, and the Federal Bureau of Investigation for anyone seeking to work or volunteer in a Catholic parish, school, or institution. Since 2003, 72,657 people, including clergy and laity, have undergone child protection training and background checks, as required by the Diocese of Pittsburgh's "Policy: Safe Environments for Children;"
- Strengthening and improving psychological screening measures for those who wish to be ordained;
- Establishing a policy for responding to allegations of child sexual abuse (1986);
- Creating an Independent Review Board (1989) consisting of experts on child sexual abuse which advises the Bishop;

- Hiring a full time Diocesan Assistance Coordinator (1993) who oversees the pastoral response to victims who bring allegations of sexual misconduct to the Diocese of Pittsburgh, which includes facilitating access to therapy for victims;
- Revising and publishing policies related to clergy sexual misconduct (starting in 1993);
- Establishing a toll-free abuse hotline that directly connects to the Diocesan Assistance Coordinator's office (2004). The hotline is widely publicized by the Diocese in the *Pittsburgh Catholic* newspaper and in parishes by at least bi-weekly publication in bulletins. It is also required to be clearly posted in the entryways and offices of every parish and school in the Diocese of Pittsburgh;
- Consolidating its safe environment efforts in a new Office for the Protection of Children and Young People in 2007. The full-time Director of this Office trains a Safe Environment Coordinator in every parish and school, whose responsibility is to confirm that all background checks are performed so that known abusers are kept out of ministry, and that allegations of abuse are reported to child protective services and Diocesan officials;
- Opting to undergo an annual, independent onsite audit of its adherence to the *Charter for the Protection of Children and Young People* every year since audits began in 2003. However, in 2008, the U.S. Conference of Catholic Bishops established that each diocese would only have an onsite

audit every three years. Therefore, in each of the intervening years, two-person teams from the Diocesan staff visit approximately 50 parishes and schools to test their adherence to child protection procedures and to coach them on how to improve where necessary. In the findings of each of the independent, onsite audits, the Diocese of Pittsburgh was commended for its policies and practices established to help prevent the sexual abuse of minors;

- Expanding "The Catholic Vision of Love" program to include a kindergarten through 12th grade curriculum on how to identify, avoid, and report predators (2011). These units are required to be taught annually to the more than 50,000 students in Diocesan schools and religious education programs; and
- Requiring mandated reporter training of all clergy, staff members, and volunteers who have regular contact with children. This includes all religious education teachers, school janitors, and cafeteria workers, among others.

The policies, procedures, and efforts of the Diocese of Pittsburgh have been substantial and effective. The following graph highlights the effectiveness of these measures by showing the sharp decline in incidents of abuse, beginning the in 1990s, the same time these policies took effect:



The offenses set forth in the Report are primarily from the 1960s through the 1980s. It is heartbreaking for the faithful to revisit these tragic events. Today, the Diocese of Pittsburgh handles allegations of child sexual abuse very differently than it did 40 years ago.

The Diocese of Pittsburgh has made the protection of God's children of utmost concern, and the Diocese allows no clergy member to serve in public ministry if he has admitted an allegation of abuse, or if a credible allegation has been made and substantiated.

The Diocese of Pittsburgh cooperated with the Grand Jury Investigation by producing over 85,000 pages of hard copy documents, as well as 26 gigabytes of electronically-stored information. In February 2018, the Office of the Attorney General ("OAG") served upon Bishop David A. Zubik a subpoena that requested a description of the actions taken by the Diocese to

address child sexual abuse. The OAG outlined three (3) acceptable responses to the subpoena: (1) providing live testimony; (2) asserting Fifth Amendment rights; or (3) providing a statement to be read in its entirety to the Grand Jury.

Due to the breadth of the subpoena's request and the necessary response, the Diocese of Pittsburgh chose to submit a statement to be read in its entirety to the Grand Jury. The Diocese of Pittsburgh's statement, dated March 5, 2018, is attached hereto as "Exhibit A." The statement describes, in detail, the actions taken by the Diocese of Pittsburgh to address and combat child sexual abuse. The Diocese of Pittsburgh is hopeful that anyone who reads the Report also gives a considered review to this Response, as well as to the statement attached hereto.

III. CLARIFICATIONS

The Diocese of Pittsburgh wishes to clarify or correct certain assertions within the Report. These clarifications and corrections are set forth below. The Diocese of Pittsburgh provides this information for the purpose of reassuring its faithful, not for the purpose of criticizing the Grand Jury.

A. The Inaccurate Attribution of the 'Circle of Secrecy' to Cardinal Wuerl

The Report alleges a "circle of secrecy" and attributes it to Pittsburgh's then-Bishop Donald Wuerl. This is not accurate.

The Report identifies seven (7) factors that the Federal Bureau of Investigation feels arose repeatedly in relation to Diocesan responses to child abuse complaints. (Rep. 297-99.) The Grand Jury described this "constellation of factors" as the "circle of secrecy." The Report then incorrectly attributes the "circle of secrecy" phrase to Bishop Wuerl.

The relevant records are related to Reverend Joseph D. Karabin. (Rep. 674-77.) On June 21, 1993, Karabin wrote to Bishop Wuerl seeking to have his restricted ministry reversed and to

be placed in active ministry in a parish. *See* correspondence from Joseph D. Karabin dated June 21, 1993 attached hereto as "Exhibit B" (labeled for the Grand Jury as "PGH_CF_0009332"). Handwritten notations jotted in the margin of the letter reflect the Diocese of Pittsburgh's response to Karabin's request. Specifically, Karabin, who had been in a 12-step recovery program for the prior eight (8) years, was informed that he would have to disclose to the prospective parish the reasons his ministry was restricted and the fact that he was in a recovery program. Twelve-step recovery programs require participants to honor the principle of anonymity. As the notations indicate, absent full disclosure concerning his past—which would require Karabin to disclose his treatment—he would not be permitted to return to parish ministry.

The Report's interpretation of the handwritten notations is incorrect for a few reasons. First, the phrase "circle of secrecy," which relates to Karabin's recovery, is misused to allege a broad conspiracy in the Church. The notes bear no connection to the seven (7) factors identified by the FBI. Second, the misuse of the phrase "circle of secrecy" obscures the fact that the writer of the notation was confirming that the issue of Karabin's recovery from alcoholism and sexual misconduct would have to be disclosed before he could be returned to ministry. Despite Karabin's willingness to make a disclosure, he was not returned to parish ministry. Finally, the Report provides no evidence that the phrase "circle of secrecy" describes the way the Diocese of Pittsburgh addressed allegations of child sexual abuse.

There is also no indication that the Grand Jury was ever provided with any evidence as to whose handwriting is on the letter. The Diocese of Pittsburgh unequivocally states that it is not the handwriting of Bishop Wuerl. In fact, we have confirmed that the notation was written by the Secretary for Clergy at the time. The attribution of the "circle of secrecy" phrase to Bishop

Wuerl is simply unfounded. The Diocese of Pittsburgh appreciates the opportunity to offer this clarification.

B. Use of Euphemisms

The Report makes the sweeping allegation that euphemisms were used to describe sexual abuse as a strategy to hide child sexual abuse. A fair reading of the Diocese of Pittsburgh's files, which were submitted to the Grand Jury, demonstrates detailed and graphic descriptions of abuse, as provided by the victims. In fact, the Report borrows from these detailed descriptions to make its points elsewhere. We acknowledge that we did not describe the incidents in most graphic terms every time we referred an allegation to the District Attorney or discussed the matter in internal correspondence.

The terms and phrases that describe the removal of a priest from ministry have changed over the last three (3) decades. What we did not always say until 2004 was that the priest was removed from ministry because of a finding of a credible allegation of sexual abuse. We do so today and have done so consistently since 2004.

C. Diocesan Investigations

The Report indicates that abuse investigations are not conducted with properly trained personnel. The Diocese of Pittsburgh cannot and has never performed criminal investigations; rather, since 2002, it has turned credible allegations over to the appropriate district attorney. Since 2007, it has turned over all allegations to the appropriate district attorney. Our internal assessments only address suitability for ministry.

However, for over 25 years, the Diocese of Pittsburgh has employed the professional expertise of a masters-level, licensed social worker who presently has 42 years of experience. She is compassionate and caring, as reflected in the case files quoted in the Grand Jury Report. She has spoken with every victim who has come forward since 1993.

The depth and breadth of the assessments performed by the Diocese of Pittsburgh is extensive and actually demonstrated within the Grand Jury Report. Specifically, the case summaries included in the Report outlining allegations regarding individual clergy members are based largely on the Diocese's reports of its inquiries. Although we take issue with many of the conclusions recited in these summaries, the selected facts upon which they are based came directly from the documented results of assessments performed and provided by the Diocese of Pittsburgh.

Finally, since 1989, the Diocese of Pittsburgh has engaged an Independent Review Board, whose membership has included a former United States Attorney, several lawyers, a clinical psychologist, and several parents of victims. The Independent Review Board provides the Bishop with advice on issues related to clergy sexual abuse, among which is the suitability of a priest for active ministry. The Independent Review Board conducts a comprehensive factual review and analysis outside the influence of the Bishop.

D. Treatment Providers

The Diocese of Pittsburgh utilizes the expertise of accredited, licensed psychiatric facilities. In connection with a facility's evaluation of an alleged abuser, a "self-report" is typically a part of the initial intake, much as would occur when any person visits with their physician. However, the "self-report" is not the singular basis for the diagnosis. The Diocese of Pittsburgh provides extensive collateral information to the treating facility. As a matter of protocol, a treating facility utilizes a professional team to conduct extensive interviews and standardized testing recognized by the American Psychiatric Association.

In short, it is erroneous to assert that such a complex matter as making a psychiatric diagnosis would rely solely on a "self-report," which would be akin to a physician making a diagnosis and prescribing treatment based only on a patient's self-completed intake form.

E. Public Disclosure

The policy of informing parishioners of an allegation against their priest has evolved over time, an evolution that is not unique to the Diocese of Pittsburgh or to the Catholic Church. Consistently since 2004, if an allegation is levied against a clergy member who is assigned to a parish, the parishioners are informed that the priest has been removed pending further investigation of the allegation. Our regular practice has included letters read from the pulpit and placed in the bulletins of affected parishes, pastoral visits, press releases, articles in the *Pittsburgh Catholic* newspaper, notification to all clergy by fax or e-mail, and notification to the appropriate District Attorney and child protective services.

F. Financial Support

The Diocese of Pittsburgh is required by canon law to provide some level of support to all clergy whether disabled, retired, removed from ministry, or even convicted of crimes. The Diocese of Pittsburgh must comply with canon law. This requirement reflects the Catholic understanding that, by ordination, the priest and the Church to which he is ordained have a mutual obligation to each other. Even if the priest fails in his responsibility to the Church and its faithful, the Church must still maintain some limited support for his essential needs.

G. Reports to Law Enforcement

Generally, allegations of abuse fall into two categories. First, there are allegations made by or on behalf of a current minor. The Diocese of Pittsburgh has complied with Pennsylvania law by reporting all allegations of sexual abuse where the victim is currently a minor.

Second, there are allegations made by adults who claim to have been abused by clerics when they were minors. Since at least 1993, we encouraged all victims to report their allegations to law enforcement. Beginning in 2002, we reported all credible allegations to law enforcement

no matter how long ago the abuse occurred. Beginning in 2007, all allegations, credible or not, are reported to law enforcement.

H. The 'Secret Archive'

The Diocese of Pittsburgh does not keep records related to clergy sexual abuse within a "secret archive." The secret archive is a secure file drawer containing only two documents: (1) the last will and testament of the Diocesan Bishop; and (2) the succession plan if the Diocesan Bishop were to become incapacitated.

Records pertaining to clergy misconduct, as well as any other sensitive medical or psychiatric issues requiring privacy, are contained in confidential files. Confidential files are restricted files, not "secret files." The restriction is on who may have access to the files. They are housed in the Clergy Office. The treatment of these files is consistent with the best practices, personnel policies, and confidentiality requirements of the human resource departments of most organizations.

IV. CLERGY CASES

As previously noted, the Diocese of Pittsburgh recognizes and appreciates the efforts of the Grand Jury. However, the Diocese feels that a fair analysis of the problem of clergy sexual abuse requires the following clarifications to certain aspects of the Report.

A. Ernest Paone (deceased 2012)

Ernest Paone was ordained in 1957. As noted in the Report, there were allegations of Paone abusing children in the 1960s. In 1966, Paone was placed on an indefinite leave of absence, and he relocated to Southern California to live with his brother. No one still involved with the Diocese of Pittsburgh is able to speak to the thinking or decision-making of the Diocesan leadership 50 years ago.

In 1991, in response to a request from Paone, Bishop Wuerl informed then-Bishop Daniel Walsh of the Diocese of Reno-Las Vegas that he had no objection to Paone exercising priestly ministry in the Diocese of Reno-Las Vegas. At that time, neither Bishop Wuerl nor anyone in the Clergy Office was aware of Paone's file and the allegations lodged against him in the 1960s. Our research indicates that because he had been outside of the Diocese for nearly 30 years, Paone's files were not located in the usual clergy personnel file cabinet. This earlier handling of Paone's records was a failure of the Diocese of Pittsburgh, and the Paone case would certainly not be handled in the same manner today.

Upon being hired in 1993, the Diocese of Pittsburgh's Diocesan Assistance Coordinator began systematically organizing all of the clergy files. This included the creation of "confidential files," which were designed to identify and catalog allegations of misconduct.

When in 1994, the Diocese of Pittsburgh received a complaint about abuse committed by Paone in the 1960s, the Diocese drew on the newly reorganized files and found the previous allegations from the 1960s. *See* memorandum from then-Father Zubik to Bishop Wuerl dated August 5, 1994 attached hereto as "Exhibit C" (labeled for the Grand Jury as "PGH_CF_0012144-47"). Paone was then sent to St. Luke Institute for an evaluation, and Bishop Wuerl sent letters notifying the relevant Dioceses in California and Nevada of the 1994 complaint. Specifically, on August 26, 1994, Bishop Wuerl wrote to the Diocese of Reno-Las Vegas saying that had he known in 1991 of the allegations, he would not have supported Paone's request for a priestly assignment. *See* correspondence from Bishop Wuerl to Bishop Walsh dated August 26, 1994 attached hereto as "Exhibit D" (labeled for the Grand Jury as "PGH_CF_0012141").

Thereafter, on January 30, 1996, Father Robert Guay, then-Secretary for Clergy, informed the Diocese of San Diego that Paone did not possess the faculties of the Diocese of Pittsburgh. *See* correspondence from Father Guay dated January 30, 1996 attached hereto as "Exhibit E" (labeled for the Grand Jury as "PGH_CF_0012127").

In summary, immediately upon learning of the 1994 complaint, the Diocese of Pittsburgh informed the relevant Dioceses about the allegation. Thereafter, the Diocese acted repeatedly to keep Paone from active ministry wherever he was located.

B. George Zirwas (deceased 2001)

We would like to address the victim named "George," who courageously appeared before the Grand Jury. As we understand it, George has never approached the Diocese of Pittsburgh about the abuse he suffered. We sincerely apologize to George and extend an offer to him to meet with us. We invite anyone who has yet to come forward to contact us and tell us their story.

Today, we would have handled the Zirwas case much differently. We would have immediately removed Zirwas from ministry and reported the allegation to the appropriate District Attorney. The case would then have ultimately been presented to the Independent Review Board for a recommendation to the Bishop on Zirwas' suitability for ministry.

C. Richard Zula (deceased 2017)

Richard Zula was ordained in 1966. The Diocese of Pittsburgh first received an allegation against Zula on September 25, 1987. Zula admitted the abuse. He was immediately removed from ministry, never to be returned. Accordingly, his faculties were removed and he could not identify himself as a priest, either by title or attire.

Once Zula returned from a psychiatric treatment center on January 13, 1988, he made several requests to be assigned or transferred outside of the Diocese of Pittsburgh. The Diocese of Pittsburgh summarily denied all of Zula's requests for assignment or transfer.

The Report takes issue with the fact that the Diocese of Pittsburgh paid for professional medical help for Zula and continued to provide him with sustenance. Canon law required the Diocese of Pittsburgh to support Zula. Contrary to the Grand Jury Report's inference, Bishop Wuerl never offered Zula any amount approaching $180,000. The approximately $11,000 he was paid reflected the $500/month in sustenance payments that accumulated while Zula was incarcerated.

Finally, at no time did the Diocese of Pittsburgh advocate for a lighter sentence for Zula, nor did it request that a psychiatric report be prepared or submitted on Zula's behalf for sentencing purposes.

V. LISTING OF CLERGY

As of this writing, the Report includes an appendix with a list of priests who are identified as offenders. Several are in active ministry. Given that there is an appeal before the Supreme Court of Pennsylvania, we are not now able to offer clarifications. However, we can say that those in active ministry are there because the allegations against them were determined to be unsubstantiated.

VI. CONCLUSION

The Diocese of Pittsburgh acknowledges the sad history recounted in the Grand Jury Report, both of the abuse that occurred at the hands of priests and the failure, at times, of leaders in the Church to respond with the compassion and care that is the standard today. For the harm inflicted by these actions we again apologize to the victims who suffered the abuse, to their families and loved ones who have shared in their burdens and have supported them with love and

encouragement, and to anyone whose faith and trust in God or in the Church has been shaken. We pledge to remain firmly committed to the protection of children and promise to enhance our programs and efforts to prevent child sexual abuse in our Church and across our society. Finally, we continue our prayers for victims and all who are affected by this tragedy.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing RESPONSE OF THE CATHOLIC DIOCESE OF PITTSBURGH TO REPORT OF THE 40TH STATEWIDE INVESTIGATING GRAND JURY has been served via FedEx upon the following:

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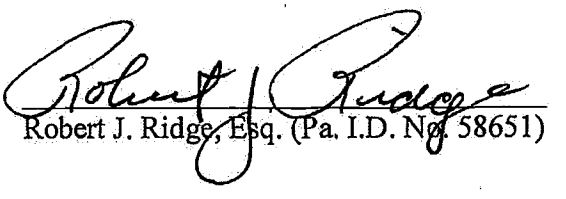

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EXHIBIT A

COMMONWEALTH OF PENNSYLVANIA
40TH STATEWIDE INVESTIGATING GRAND JURY

IN RE SUBPOENA 801

SUPREME COURT OF
PENNSYLVANIA
2 W.D. MISC. DKT. 2016

COURT OF COMMON PLEAS
OF ALLEGHENY COUNTY
CP-02-MD-571-2016

NOTICE: 1

RESPONSE OF THE CATHOLIC DIOCESE OF PITTSBURGH TO SUBPOENA OF THE 40TH STATEWIDE INVESTIGATING GRAND JURY

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EXHIBIT
A

COMMONWEALTH OF PENNSYLVANIA
40TH STATEWIDE INVESTIGATING GRAND JURY

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SUPREME COURT OF PENNSYLVANIA
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RESPONSE OF THE CATHOLIC DIOCESE OF PITTSBURGH TO SUBPOENA OF THE 40TH STATEWIDE INVESTIGATING GRAND JURY

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D	POLICY FOR ALLEGATIONS OF SEXUAL ABUSE OF MINORS BY CHURCH PERSONNEL OTHER THAN CLERICS
E	NEWS ARTICLES IN ORDER OF REFERENCE

The Catholic Diocese of Pittsburgh recognizes and appreciates the efforts of the 40th Statewide Investigating Grand Jury and the Office of the Attorney General ("OAG"). The Diocese of Pittsburgh and the Most Reverend David A. Zubik particularly appreciate the Grand Jury's invitation to submit a written response to the Grand Jury Subpoena dated February 9, 2018. In accordance with the OAG's direction, this statement describes the actions taken by the Diocese of Pittsburgh to address child sexual abuse.

I. OPENING

The abuse of children by anyone, including clergy and other representatives of the Catholic Church, is a devastating tragedy. As society and the Diocese of Pittsburgh have come to better understand root causes of abuse and the harm that victims suffer, the Diocese has and will continue to take swift and definitive action to reach out to victims and to make further strides in preventing abuse.

Over thirty years ago, the Diocese of Pittsburgh was among the first to adopt a policy concerning child sexual abuse by clergy. Since then, the Diocese has strived to exceed what is required under state law and the *Charter for the Protection of Children and Young People*.[1] It has been and is the goal of the Diocese of Pittsburgh that there be no cleric in active ministry against whom a credible allegation of child sexual abuse has been made.

The Diocese of Pittsburgh has and will continue to provide conscientious care and to implement best practices to ensure that its parishes and schools are safe environments for children and young people. As Bishop Zubik has previously stated, and reiterates here, the Diocese of Pittsburgh and all dioceses must realize that we can never go too far in acting to prevent the abuse of children. (*See* Jason Cato, *Dioceses more responsive to Catholic Church sex abuse scandals*, TribLive.com, March 5, 2016.)

[1] *See* http://www.usccb.org/issues-and-action/child-and-youth-protection/charter.cfm.

This statement details the Diocese of Pittsburgh's actions to address child sexual abuse within the Diocese, and provides information relevant to its historical response to child sexual abuse. In addition, it is appropriate to mention the Diocese of Pittsburgh's response to individual victims. As such, added to this statement is a component dealing with the Diocese's concern and care for victims (Section V), which is at the apex of the efforts of the Diocese of Pittsburgh. The Diocese begs the indulgence of the Grand Jury for this addition to the requested information.

II. PROTECTION OF CHILDREN AND YOUNG PEOPLE

A. Safe Environment Programs/Policies

The safe environment programs implemented by the Diocese of Pittsburgh include training and background checks for all Diocesan-related personnel—clergy, staff, and volunteers—and annual age-appropriate training for all children in Diocesan schools and religious education programs. The age-appropriate training for children focuses on how to identify, avoid, and report possible predators.

The Diocese of Pittsburgh's safe environment policies are designed to meet or exceed the requirements of Pennsylvania law and the U.S. Conference of Catholic Bishops' June 2002 *Charter for the Protection of Children and Young People*, and to keep Diocesan parishes and schools safe for children and young people. In particular, we present the following examples of our policies and practices:

- Since 2007, 72,657 people, including clergy, and laity who have sought to work or volunteer in Diocesan parishes and schools, have undergone child protection training and background checks, as required by the Diocese of Pittsburgh's

"Policy: Safe Environments for Children."[2] Of these 72,657 people, 45 were rejected and denied the opportunity to work or volunteer due to a past history of child abuse or sex crimes. Furthermore, 376 were restricted in their roles due to some other past violation of law unrelated to child abuse or sex crimes.

- In 2007, the Diocese of Pittsburgh centralized its online child protection database of all clergy, employees, and volunteers who serve in our parishes and schools. The purpose of the database is to track which personnel have up-to-date clearances and training. This database is continually updated by Safe Environment Coordinators in our parishes and schools, and is monitored by the staff of our Office for the Protection of Children and Young People (discussed in greater detail below).
- Since 1993, the Diocese of Pittsburgh has encouraged adults who were abused as minors to report the abuse to the civil authorities,[3] and prior to this date, the Diocese reported allegations of sexual abuse of current minors to the civil authorities. In 2002, the Diocese began reporting all credible allegations of abuse made by adults who were abused as minors to the civil authorities. In 2007, the Diocese committed to reporting all allegations of sexual abuse made by adults who were abused as minors, whether credible or not.
- In compliance with Pennsylvania law, the Diocese of Pittsburgh requires background checks on staff members and volunteers who have direct contact with children.

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[2] A copy of the Diocese's current "Policy: Safe Environments for Children" is attached hereto as "Exhibit A." It became effective on July 1, 2004, and was revised on April 4, 2008, and October 1, 2015, effective November 1, 2015.

[3] "Civil authorities" refers to civil law authorities, including those responsible for criminal prosecutions.

- In 2015, Pennsylvania changed its law to mandate that FBI background checks that include fingerprinting are required of any employee who has direct contact with children. The Diocese of Pittsburgh has complied with this amendment to Pennsylvania law.[4] To make fingerprinting more convenient, the Diocese of Pittsburgh purchased a mobile fingerprinting unit, which was taken to parishes and schools. However, recent vendor changes by the Commonwealth caused the Diocese to discontinue this service. Nonetheless, all required fingerprinting continues at various Commonwealth-approved sites.
- Pennsylvania law requires only specific certified professionals—such as teachers and social workers—to take mandated reporter training. The Diocese of Pittsburgh, however, requires it of all clergy, staff members, and volunteers who have regular contact with children. This includes all religious education teachers, school janitors, and cafeteria workers, among others. The Pennsylvania Family Support Alliance, a secular non-profit that provides mandated reporter training throughout Pennsylvania, has applauded "the Diocese of Pittsburgh for taking a strong stand in protecting children by ensuring that all their employees and volunteers who have contact with children receive 3 hours of in-person training on how to recognize and report child abuse." The statement goes on: "Everyone has a role to play in protecting children from abuse - the Diocese of Pittsburgh is stepping up to the plate and taking that role seriously." (Haven Evans, Director of Training, Pennsylvania Family Support Alliance, Feb. 27, 2018.)

[4] The Diocese of Pittsburgh's policy tracks Pennsylvania law in permitting an exemption from fingerprinting for volunteers who have been Commonwealth residents for at least 10 years.

- Anyone who wishes to serve as either an employee or volunteer in one of the Diocese of Pittsburgh's parishes, schools, or institutions must participate in "Protecting God's Children" training,[5] either online or at a workshop. Since 2003, more than 70,000 people have participated in this training.
- In 1995, the Diocese of Pittsburgh established "The Catholic Vision of Love" program, whose purpose was to present a Catholic understanding of sexuality for students in grades 6 through 12. This included units on the prevention of child sexual abuse. In 2011, the Diocese of Pittsburgh expanded "The Catholic Vision of Love" program to include a kindergarten through 12th grade curriculum on how to identify, avoid, and report predators. These units are required to be taught annually to more than 50,000 students in Diocesan schools and religious education programs. Parents must also participate in the training to enable them to discuss the program with their children, and students are not permitted to opt out of this program.

B. Diocese of Pittsburgh and the *Charter*

As previously noted, the child protection policies of the Diocese of Pittsburgh meet or exceed the requirements of the *Charter for the Protection of Children and Young People*. The *Charter* is a comprehensive set of procedures established by the U.S. Conference of Catholic Bishops in June 2002 for addressing allegations of sexual abuse of minors by Catholic clergy.

After the June 2002 meeting of the U.S. Conference of Catholic Bishops, the bishops presented to the Vatican a set of norms that required any cleric who was known to have committed sexual abuse of minors to be removed from ministry. The Vatican declared that these

[5] The Protecting God's Children program is designed to teach priests, deacons, staff, volunteers, and parents to recognize the warning signs of child sexual abuse and to respond appropriately. The program and training service was created by The National Catholic Risk Retention Group, Inc. under the name "VIRTUS."

norms would be Church law for the United States. The Diocese of Pittsburgh, through then-Bishop Donald Wuerl, led the fight to establish this mandate nationwide. (*See* Ann Rodgers-Melnick, *U.S. Bishops get tough on sex abusers*, Pittsburgh Post-Gazette, June 15, 2002.)

The *Charter* also includes guidelines for reconciliation, healing, accountability, and prevention of future acts of abuse. Some distinctions between the *Charter's* requirements and the Diocese of Pittsburgh's policies are:

- The *Charter* requires clergy, employees, and some volunteers to undergo a single background check. The Diocese of Pittsburgh requires three background checks by the following: the Pennsylvania State Police, the Pennsylvania Department of Human Services, and the Federal Bureau of Investigation.
- The Diocese of Pittsburgh requires background checks and training of not only its clergy, but of far more employees and volunteers than required by the *Charter*, including anyone who could be perceived as a representative of the Church—such as a lector or choir member.
- The *Charter* requires only that dioceses report abuse allegations in which the victim is still a minor. Once again, in cases of a current minor, the Diocese of Pittsburgh reports all allegations to the civil authorities. In addition, since 2007, the Diocese of Pittsburgh has required that all allegations made by adults who were abused as minors, whether credible or not, be reported to the proper civil authorities.
- In 1989, the Diocese of Pittsburgh created what is now known as the Independent Review Board,[6] which is a panel of volunteers with experience and

[6] This was originally called the "Assessment Board" and has also been known as the "Diocesan Review Board."

expertise in a range of disciplines relevant to the problem of child sexual abuse. The Board was established to provide the Bishop with advice on issues related to clergy sexual abuse, among which is the suitability of a priest for active ministry. The Board was created 13 years before it was mandated by the *Charter*.

C. Diocese of Pittsburgh's Code of Pastoral Conduct

In August 2003, the Diocese of Pittsburgh published the "Code of Pastoral Conduct."[7] It set in writing and codified the standards and expectations for all those who act in the name of the Diocese of Pittsburgh. It has been refined and expanded twice—in 2008 and 2017. It applies to bishops, priests, deacons, and religious and lay members of the Christian faithful who assist in providing pastoral care.

The Code of Pastoral Conduct addresses a broad array of personal conduct issues for clergy, employees, and volunteers of the Diocese of Pittsburgh and its parishes. Specific provisions of the Code offer guidance on interaction with children, young people, and vulnerable adults. Among other safeguards, the Code identifies examples of appropriate and inappropriate forms of physical contact with minors, stipulates that personnel in the presence of minors should be within eyesight of another responsible adult, prohibits private communications with minors through social media and other electronic means, and provides that personnel are expected to know mandatory reporting requirements and the sexual misconduct policies of the Diocese of Pittsburgh.

[7] A copy of the Diocese's current Code of Pastoral Conduct is attached hereto as "Exhibit B."

D. Audits of Compliance with the *Charter for the Protection of Children and Young People*

The *Charter for the Protection of Children and Young People* requires that each diocese undergo an onsite audit by an independent auditing firm every three years. The purpose of this requirement is to ensure that each diocese within the United States is compliant with the *Charter*. The audits begin with volumes of information submitted to the auditors before their visit. The onsite portion of the audit begins and ends with interviews of the Bishop, and includes interviews with key Diocesan officials and the Chairperson of the Independent Review Board.

The audits entail visits to Diocesan parishes and schools chosen by the auditors, without advance notice. Visits to parishes and schools are not mandatory under the *Charter*, but the Diocese of Pittsburgh has consistently requested such visits.

In the past, a diocese could opt to undergo an onsite audit every year under the *Charter*. From 2003 to 2008, the Diocese of Pittsburgh opted to undergo an onsite audit each year. As of 2008, the U.S. Conference of Catholic Bishops established that each diocese would only have an onsite audit every three years. In each of the intervening years, all dioceses are required to submit documentation to the independent auditors verifying their compliance with the *Charter*. The Diocese has been fully compliant in these matters.

The most recent independent audit of the Diocese of Pittsburgh's compliance with the *Charter* conducted by Stonebridge Partners in October 2017 found that for the audit period, 38,993 active clergy, employees, and volunteers have valid background checks and certification in appropriate child protection training. This number includes 100% of active clergy. Furthermore, as indicated in the 2017 audit, 50,453 children received safe environment training, with the goal of teaching them how to identify, avoid, and report possible predators. In the

findings of each of the independent, onsite audits, the Diocese of Pittsburgh was commended for its policies and practices established to help prevent the sexual abuse of minors.

In addition to the external, independent audits, the Diocese of Pittsburgh has historically done much to oversee and enforce its safe environment programs and compliance with the mandates of the *Charter*. While the safe environment programs had existed for years, the Diocese of Pittsburgh consolidated its safe environment efforts in a new Office for the Protection of Children and Young People in 2007. The full-time Director of this Office trains a Safe Environment Coordinator in every parish and school, whose responsibility is to confirm that all background checks are performed so that known abusers are kept out of ministry, and that allegations of abuse are reported to Diocesan officials.

The Office for the Protection of Children and Young People also organizes internal audits of the parishes and schools of the Diocese of Pittsburgh in the two years between the *Charter's* mandated triennial independent audits. Two-person teams from the Diocesan staff visit approximately 50 parishes and schools in each of these years to test their adherence to child protection procedures, as outlined in Diocesan policies, and to coach them on how to improve where necessary. The Diocese of Pittsburgh was one of the first dioceses in the country to establish this procedure.

III. HISTORICAL RESPONSE TO ALLEGATIONS OF CLERGY SEXUAL ABUSE

A. Initial Policy

Fifteen years before the establishment of the *Charter* of the U.S. Conference of Catholic Bishops, the Diocese of Pittsburgh adopted a policy for responding to allegations of child sexual abuse. The initial Diocesan "Policy: For Clergy Sexual Misconduct," as it is formally known, was created in 1986 and formally adopted in February 1987. (*See* Eleanor Bergholz, *A greater openness*, Pittsburgh Post-Gazette, Aug. 25, 1987.)

The Diocese of Pittsburgh's Policy for Clergy Sexual Misconduct has been under continual review since 1988. (*See* Ann Rodgers-Melnick, *Diocese revises policy for priest misconduct cases*, Pittsburgh Post-Gazette, March 11, 1993.) It has been amended six times—in March 1993, October 2002, August 2003, August 2006, March 2008, and April 2014. Each of the specified revisions was done to strengthen the policies and procedures necessary to improve the Diocese of Pittsburgh's response to victims. Moreover, these revisions have been performed as the Diocese, together with society as a whole, has over the years come to better understand root causes of sexual abuse and the harm that victims suffer. All revisions to the policy have been made publicly available.[8]

B. Putting Children First

In 1988, then-Bishop of the Diocese of Pittsburgh, Donald W. Wuerl, now Cardinal Wuerl, against the advice of legal counsel, and accompanied by his Administrative Secretary, Reverend David A. Zubik, now Bishop Zubik, visited two brothers who reported that they were abused by Diocesan priests.[9] Their family was present, as well. The visit with the two brothers and their family permanently changed the Diocese of Pittsburgh's approach to allegations of clergy sexual abuse of minors. It was a watershed moment. From that point onward, under the direction of Bishop Wuerl, the Diocese moved aggressively in response to allegations of child abuse, making the protection of children a top priority. The Diocese of Pittsburgh has made every effort to uphold and strengthen this policy.

[8] A copy of the Diocese's current Policy for Clergy Sexual Misconduct is attached hereto as "Exhibit C." A copy of the Diocese's Policy for Allegations of Sexual Abuse of Minors by Church Personnel Other Than Clerics is attached hereto as "Exhibit D."

[9] The priests were removed from public ministry in response to the allegations, and none of the priests ever returned to public ministry. Two of these priests were convicted and imprisoned.

Shortly after Bishop Wuerl and Father Zubik's visit with the family of the abused brothers, Bishop Wuerl called a mandatory meeting with the entire clergy of the Diocese of Pittsburgh in the fall of 1988. At the meeting, Bishop Wuerl outlined the Diocesan policy for responding to allegations of clergy misconduct, declaring that sexual contact with a minor was not simply a moral offense, but a crime under Church law and civil law that would result in permanent removal from ministry and possible imprisonment. Any accused priest could expect to be removed from ministry if an allegation appeared credible. Bishop Wuerl also revealed his intention to meet or speak with victims of clergy sexual abuse who wished to speak with him, a practice that Bishop Zubik carries on to this day.

C. **Independent Review Board**

In 1988, the Diocese of Pittsburgh announced that it would convene a group of laypersons and pastors to provide advice on the prevention of sexual abuse, and to offer healing and assistance where abuse occurred. (*See Bishop to form committee 'to heal' harm of allegations,* Pittsburgh Catholic, Oct. 28, 1988.) This resulted in the creation of the Independent Review Board in 1989.

The Independent Review Board is a panel of volunteers with experience and expertise in a range of disciplines relevant to the problem of child sexual abuse. It was established to assess individual allegations and to advise the Bishop on issues related to clergy sexual abuse, among which are the credibility of the allegation and the suitability of the priest for active ministry. Lay members of the Board were not required to be Catholic, but were chosen based on their expertise and experience. Shortly after its creation, parents of abuse victims were appointed to the Board. Since its inception, the chair of many Board meetings has been Frederick W. Thieman, a former chief prosecutor and United States Attorney for the Western District of Pennsylvania. The Board

was created 13 years before it was mandated for all dioceses in the United States by the *Charter for the Protection of Children and Young People* in June 2002.

Since 1993, the Diocese of Pittsburgh has maintained a roster of individuals who have been appointed to serve on the Board for five-year renewable terms. For each case in which there is an allegation against a cleric, five individuals are chosen from the roster to review the case. Four of the individuals are lay people, and one is a priest. Of the four laypersons, one must have professional expertise relating to the sexual abuse of minors. The priest must be a pastor.

As explained, the Independent Review Board reviews allegations of abuse and makes recommendations to the Bishop. Mr. Thieman, the chair of many Board meetings, has noted that the Board has "extreme independence" from Diocesan influence, and the "freedom to reach whatever decisions we wanted to reach, based on the best evidence." (Ann Rodgers and Mike Aquilina, *Something More Pastoral – The Mission of Bishop, Archbishop and Cardinal Donald Wuerl*, The Lambing Press, 2015, p. 101.)

IV. EVOLUTION OF THE POLICY FOR THE PROTECTION OF CHILDREN

A. The Pastoral Process

i. Publication of Clergy Sexual Misconduct Policy

On March 8, 1993, the Diocese of Pittsburgh officially published its revised Clergy Sexual Misconduct Policy, holding a press conference to announce its contents and to distribute copies to the media.[10] Specifically, the policy provided that no cleric against whom there was an admitted or credibly established allegation of sexual misconduct with a minor may serve in any public ministry. The Bishop also has the authority to remove an offending priest from ministry,

[10] The Clergy Sexual Misconduct Policy was also printed in the Pittsburgh Catholic on March 12, 1993.

regardless of whether there has been a conviction or finding of liability in the criminal or civil courts. These Diocesan principles remain unchanged to this day.[11]

ii. Employment of Diocesan Assistance Coordinator

In 1993, the Diocese of Pittsburgh hired Rita E. Flaherty, MSW, LSW, as the "Diocesan Assistance Coordinator," a position which Ms. Flaherty still holds to this day.[12] The Diocesan Assistance Coordinator oversees the pastoral response to victims who bring allegations of sexual misconduct to the Diocese of Pittsburgh.

In addition to facilitating access to therapy for victims, the Diocesan Assistance Coordinator's responsibilities include, in pertinent part:

- Receiving allegations of sexual misconduct;
- Assisting with and reviewing actions taken in response to allegations of sexual misconduct;
- Updating accused clergy's personnel files, specifically noting steps taken in response to allegations;
- Preparing reports for the Clergy Task Force;[13] and,
- Serving as staff to the Independent Review Board.

Since 2004, the Diocese of Pittsburgh has maintained a toll-free abuse hotline that directly connects to the Diocesan Assistance Coordinator's office. The hotline is widely publicized by the Diocese in the Pittsburgh Catholic newspaper and in parishes by at least bi-

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[11] The policy did not address sexual activity between consenting adults. Rather, it focused on minors, non-consenting adults, and adults over whom a cleric had spiritual or administrative authority. In 2014, the policy was amended to include specific protections for "vulnerable adults." *See* Ex. C.

[12] Ms. Flaherty's position has also been referred to as the "Process Manager" and the "Ministerial Assistance Coordinator."

[13] The Clergy Task Force is a team of Diocesan staff members, both priests and laity, who assist the Bishop in determining an appropriate response to any allegation of serious wrongdoing by clergy, and in determining whether changes should be made to policies regarding clergy misconduct. Clergy Task Force members include the Vicar General (a cleric with canonical authority to act in the Bishop's absence), two clerics in charge of the offices that deal with clergy-related matters, the canon lawyer in charge of the Diocese's Canon Law Department, the civil attorney who represents Diocesan parishes and schools, and the Diocesan spokesperson, among others.

weekly publication in bulletins. It is also required to be clearly posted in the entryways and offices of every parish and school in the Diocese of Pittsburgh.

B. Responding to Allegations of Child Sexual Abuse

i. Initial Response to an Allegation

Since 1988, the Diocese of Pittsburgh has mandated a prompt response to all allegations of sexual abuse. Any priest, deacon, or Diocesan or parish/school employee who receives a complaint that a cleric has sexually abused a current minor must immediately notify the proper civil authorities and the Diocese.

Beginning in 1993, when an adult alleges that he/she was abused as a minor, the Diocese of Pittsburgh mandates that two priests from the Clergy Office, as well as the Diocesan Assistance Coordinator, are required to first interview the person bringing the allegation, and then, to conduct a separate interview of the accused cleric. The objective of the initial interviews is to assess the credibility of an allegation. Credible allegations lead to the removal of clerics from public ministry.

If an allegation is deemed not credible after a review of all available information, including the results of any civil investigation, the matter is not pursued further, and the parties are informed of the decision.

ii. Reporting to Civil Authorities

Since at least 1993, the Diocese of Pittsburgh has encouraged and supported all individuals bringing allegations of sexual abuse to report the abuse to the proper civil authorities.[14] This policy was adopted before the U.S. Conference of Catholic Bishops adopted the *Charter for the Protection of Children and Young People* in June 2002, and was implemented

[14] In some instances, where necessary, the Diocese of Pittsburgh has reported allegations to the civil authorities over the objection of the person bringing the allegation. The Diocese reserves this right when it receives allegations. The Diocese also complies with Pennsylvania law by reporting all allegations of abuse of a current minor.

after a meeting with the District Attorney of Allegheny County and other counties to ensure that victims would be treated with sensitivity during any investigation or prosecution. (*See* Ann Rodgers-Melnick, *Zappala, Wuerl define policies, roles in abuse cases*, Pittsburgh Post-Gazette, April 17, 2002; Steve Levin, *Diocese expands meetings with district attorneys*, Pittsburgh Post-Gazette, April 26, 2002.)

Generally, allegations of abuse fall into two categories. First, there are allegations made by or on behalf of a current minor. The Diocese of Pittsburgh has complied with Pennsylvania law by reporting all allegations of sexual abuse where the victim is currently a minor.

Second, there are allegations made by adults who claim to have been abused by clerics when they were minors. Beginning in 2002, all credible allegations were reported to the civil authorities. Beginning in 2007, all allegations, credible or not, are reported to the civil authorities.

iii. Evaluating Allegations

The Diocese of Pittsburgh's evaluation of and response to the issue of clergy sexual abuse has progressively evolved since the mid-1980s. Beginning in 1988, the focus of the Diocese of Pittsburgh has been on putting the safety of children first. Where clergy admit to committing abuse, or once allegations of abuse by clergy have been judged credible, the priest is removed from public ministry.

If an allegation involves a current minor, the cleric is immediately removed from ministry and the allegation is immediately referred to civil authorities. During the civil process, the priest remains barred from ministry. Only after the civil process is complete does any canonical process begin. If the cleric is convicted, the canonical process begins to remove him from the priesthood. If the cleric is acquitted, then a canonical process begins to determine whether he is suitable for ministry.

While all allegations of child sexual abuse are taken seriously and receive appropriate attention, the standard for determining whether an allegation is deemed credible has become increasingly deferential toward adult victims of childhood sexual abuse.[15] Initially, the Diocese of Pittsburgh sought to determine whether an allegation might or might not be true, and if the answer was affirmative or inconclusive, the cleric was removed from ministry. By the early 2000s, the Diocese of Pittsburgh began a practice of determining whether there was any semblance of truth to an allegation. If the answer was affirmative or inconclusive, the cleric was removed from ministry and the case was referred to the civil authorities. Beginning in 2007, upon the reassignment of Bishop Zubik to Pittsburgh, the Diocese began forwarding all allegations of abuse of current adults who were abused as minors to the civil authorities, whether the allegation was considered credible or not.

Internally, once an allegation is received by the Diocese of Pittsburgh, the Clergy Task Force is convened to offer a recommendation on placing the cleric on administrative leave that removes his ability to function as a priest or deacon. The Clergy Task Force directs the Clergy Office to arrange for a meeting with the cleric, offers logistical assistance on informing parishioners, and arranges for a psychological evaluation. Accused clerics are expected to undergo a formal psychological evaluation by medical and psychiatric experts at a facility selected by the Diocese. The accused cleric is required to grant the treatment facility permission to share the results of the evaluation with appropriate Diocesan personnel. Once the psychological evaluation is complete, the matter is referred to the Independent Review Board.[16]

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[15] The Diocese of Pittsburgh has complied with Pennsylvania law by reporting all allegations of abuse of a current minor.

[16] If the accused cleric refuses to undergo a psychological evaluation, the Independent Review Board will proceed without this evaluation and the priest remains on administrative leave.

The Independent Review Board reviews relevant documentation and hears from the victim, the accused priest, and any other pertinent witnesses that either party may present. At the end of its deliberations, the Independent Review Board will offer findings relative to the credibility of the allegation, as well as a recommendation on the suitability of an assignment for the cleric.

During the entire evaluation process, Diocesan officials are required to continually update the person who brought the allegation regarding the process of the investigation and the Bishop's decisions concerning the accused cleric.

C. Bishop Wuerl and the Diocese of Pittsburgh Intervene at the Holy See

In November 1988, a 19 year-old male filed a civil lawsuit claiming that a priest had molested him from the age of 12. Bishop Wuerl sent the priest for an evaluation, and he was never returned to ministry.

Following an appeal by the priest, in March 1993, the Vatican's highest court, the Supreme Tribunal of the Apostolic Signatura, ordered Bishop Wuerl to return the priest to ministry. He was instructed to accept the priest in good standing, give him an assignment, allow him to say Mass publicly, and allow him to wear clerical garb. Instead, Bishop Wuerl took the extraordinary step of personally traveling to Rome to petition the Vatican court to rehear the case. This action demonstrated Bishop Wuerl's commitment to protect children from the harm of sexual abuse.

In October 1995, because of Bishop Wuerl's determination to combat the sexual abuse of minors, the Vatican court reversed itself after reviewing the case again, and ruled that Bishop Wuerl had been correct in removing the priest from ministry. It was the first time in history that the Signatura reversed its decision. Some believe that this ruling made it easier for bishops to remove priests from ministry.

V. CARE AND ASSISTANCE FOR VICTIMS

For the past three (3) decades, the Diocese of Pittsburgh's policy and practice has been to respond with compassion and respect whenever someone comes forward with an allegation of sexual abuse. Pastoral concerns take priority over legal concerns. The Diocese of Pittsburgh has upheld the practice of responding to victims "where they are" in terms of their needs, always acknowledging how difficult and painful it is for them to come forward and speak about the abuse they suffered. We can only hope to bring healing when we are able to listen with an open mind and open heart. With that in mind, Bishop Zubik continues the practice initiated by Bishop Wuerl of meeting or speaking with any victim who wishes to speak with him.

Since 1993, with the full time employment of the Diocesan Assistance Coordinator, the Diocese of Pittsburgh has offered continual care and support to victims and their families. By its own policy, the Diocese of Pittsburgh strives to offer immediate assistance to a person, and their family, who brings an allegation of sexual misconduct.

The Assistance Coordinator is typically the first Diocesan official to speak with victims. Sometimes the first contact from a victim or family member happens through a phone call, email, or letter. A personal meeting is always attempted at a location most convenient for the victim, always at a time when they feel ready to talk in person.

In many of these situations, the Assistance Coordinator has maintained personal contact with the victim for decades. Sometimes this contact relates to their personal struggles about their past abuse while often, the contact is more in line with celebrating their accomplishments or those of their children, or acknowledging their day-to-day challenges and responsibilities. Caring for victims must not be viewed as an obligation or burden, but rather seen as a ministry of healing, wherein we are given the opportunity to walk with those who have been harmed so they

can feel heard, respected, and believed. In instances too numerous to mention, the Diocese has reached out in unconventional ways to assist victims and their families.

While the Diocese of Pittsburgh most frequently responds to victims with an offer of pastoral support and/or psychological counseling, many times the victim does not feel the need for this type of help. There are others, however, who require significant assistance with psychological care, which the Diocese of Pittsburgh offers to provide.

In 2007, the Diocese of Pittsburgh established an Outreach Fund to resolve the abuse claims of numerous plaintiffs presented in the Court of Common Pleas of Allegheny County. These claims included allegations from as far back as the 1950s, with the most recent claim of abuse having allegedly occurred in 1994.

The Diocese of Pittsburgh established an Outreach Fund, notwithstanding viable defenses, and without significant investigation into the merits of the claims. The Diocese also declined to utilize any type of loss matrix or calculator in resolving the claims. Instead, the funds were distributed by an independent, retired judge, after giving the plaintiffs the opportunity to tell their story.

VI. PUBLIC APOLOGY

As part of a continual outreach to victims of sexual abuse and other mistreatment, Bishop Zubik has twice held a "Service of Apology." "For whatever way any member of the church has hurt, offended, dismissed or ignored any one of you, I beg you – the church begs you – for forgiveness," Bishop Zubik told several hundred people inside St. Paul Cathedral in Oakland at the first such service in 2009. (Amy McConnell Schaarsmith, *Bishop Zubik leads service of apology*, Pittsburgh Post-Gazette, April 8, 2009.)

Bishop Zubik held a similar service during Lent 2016, as part of Pope Francis's "Year of Mercy." (David Highfield, *Nearly 100 Parishioners Gather For Bishop Zubik's "Service of Apology"*, CBS Pittsburgh, March 21, 2016.)

VII. CLOSING

Since at least 1988, the Diocese of Pittsburgh has attempted to do its utmost to place the interests of children and victims above all other concerns, and to advocate for protecting children and young people. For the past three decades, the Diocese of Pittsburgh has been willing to work with or sought input about its responses to the problem of clergy sexual abuse from its faithful, including parents of victims, outside experts, and public officials. None of our efforts, great or small, can take away the harm that has been done to those who have suffered sexual abuse. In the Diocese of Pittsburgh, we continue, through all of our efforts, to offer healing and hope to those who have been abused and to attempt to restore trust in the Church.

Because of the Diocese of Pittsburgh's dedication to the protection of children and young people, the Diocese welcomes every opportunity to improve. To quote Bishop Zubik from his Service of Apology in 2009 to all hurt by anyone in the Church at any time and in any way:

> ...
>
> To those of you who are here tonight who have in any way been the victims of any abuse, sexual or otherwise, whether as a child or as an adult, or as a parent, or sibling, or friend who shared in the pain of that someone you love -- I ask you, the Church asks you, for forgiveness, ...
>
> For whatever ways any representative of the Church has hurt, offended, dismissed, ignored, any one of you -- I ask you, the Church asks you, for forgiveness. ...

With all the love in my heart and with all the sincerity in my soul, you can be assured that I will do all that I am able to do to restore your trust in the Church and to work together with you to reflect the very love, compassion, mercy of Jesus Himself in and through the Church. ...

This Statement is Respectfully and Humbly Submitted,

+ David A. Zubik

Most Reverend David A. Zubik
Bishop of Diocese of Pittsburgh



Policy: Safe Environments for Children

Effective Date:	July 1, 2004
Revised:	April 4, 2008
Revised:	October 1, 2015
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CATHOLIC DIOCESE OF PITTSBURGH

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Policy: Safe Environments for Children
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PURPOSE

To take reasonable measures to assure that Church Personnel, as defined below, comply with all required certifications and background checks to permit the necessary assessment of suitability for contact with children with the purpose of providing a safe environment for children.

APPLICABILITY

All Church Personnel are required to obtain certain certifications and background checks as set forth below. Upon obtaining the results of any background check that contains reports of any convictions for any Disqualifying Offense, as listed on pages 8 and 9, that person is not eligible for hire or for retention.

The Diocese has determined that, minimally, this policy applies to those Church Personnel or their equivalent as named in ***Appendix A***. In keeping with the purpose and spirit of this policy, and in light of the definitions provided below, a pastor or administrator may determine that the policy also applies to positions not listed in ***Appendix A.*** When in doubt, the pastor or administrator is urged to apply this policy to the fullest extent possible in the interest of protecting children.

DEFINITIONS

Church Personnel:

- All bishops and priests (active and retired), religious men and women on assignment in the Diocese, deacons and seminarians;
- All diocesan, school and parish employees. This would include any individual 14 years of age or older applying for or in a paid position as an employee responsible for the welfare of a child or having contact with children.
- All school volunteers; and
- All diocesan and parish volunteers who perform a service where they have direct access to children.

Child, Children or Minor:

- All persons under the age of eighteen.

Diocese:

- The Pittsburgh Catholic Diocese, including parishes, schools, and institutions that are directly accountable to the Diocese.

Safe Environment Coordinator:

- The person appointed by the pastor, principal or administrator to oversee compliance with the United States Conference of Catholic Bishops (USCCB) Charter for the Protection of Children and Young People and the Diocese's Safe Environments Policy.

POLICY AND PROCEDURE

Required Background Checks and Certifications

The following criminal background checks ("Background Checks") must be completed by all Church Personnel prior to commencing service:

1. **Pennsylvania State Police Criminal Report**
2. **Pennsylvania Department of Human Services Report (Child Abuse)**
3. **FBI Criminal History Report (Fingerprinting)**

Exception to FBI Criminal History Report for Eligible Volunteers

A volunteer may be excused from the FBI Criminal History Report requirement if he or she has been a Pennsylvania resident continuously for the previous 10 years, has not been convicted of a "Disqualifying Offense" as listed on pages 8 and 9 and signs a Volunteer Disclosure Statement Application to this effect (see ***Appendix B***). Volunteers who are current residents of Pennsylvania (but have not been residents for the entire 10 years prior) need only obtain an FBI Criminal History Report once at any time since establishing residency in Pennsylvania and, thereafter, must complete a Volunteer Disclosure Statement Application Form.

Exception to FBI Criminal History Report for Minor Employees

Employees ages 14-17 do not need an FBI clearance if:

- Minor has been a Pennsylvania resident continuously for the past 10 years, and
- Minor and his/her parent or legal guardian signs a Disclosure Statement Application for Minor Employees (see ***Appendix C***) that the minor has not committed child abuse or been convicted of "Disqualifying Offense" as listed on pages 8 and 9.

Exception to Background Check Requirements for Adult Students

18+ year old high school students do not need to obtain Background Checks to be in contact with children during their school-related volunteer activities if:

- The student is currently enrolled as a student in the school;
- The student is not responsible for the child's welfare (i.e. care/supervision in lieu of a parent);
- The student is volunteering for an event occurring on school grounds;
- The event is sponsored by the school in which the student is enrolled; and
- The event is not for children who are in the care of a child-care service.

The diocesan policy requires that the following also be completed:

4. **Database Application**

   A database application must be completed by all Church Personnel. Database applications can be obtained online through the diocesan website at www.diopitt.org under the Office for the Protection of Children and Young People.

5. **Diocesan Code of Pastoral Conduct Acknowledgement**

   All Church Personnel are to receive, be oriented in, and electronically sign the "Acknowledgement of Receipt" page from the diocesan *Code of Pastoral Conduct*.

6. **Reporting of Child Abuse and the Child Protective Services Law of Pennsylvania Acknowledgement**

   All Church Personnel are to receive, be oriented in, and electronically sign the "Acknowledgement of Receipt" page from the diocesan *Reporting of Child Abuse and the Child Protective Services Law of Pennsylvania* brochure.

7. **Protecting God's Children (Virtus®) Training**

   All Church Personnel are to complete the Virtus® training program, *Protecting God's Children*, at either a diocesan-sponsored class or through the Virtus® online training course within 90 days of commencement of service. Information about live classes offered throughout the Diocese and online training can be accessed through the diocesan website at: www.diopitt.org and clicking on the Safe Environment link.

8. **Online Mandated Reporter Training For Mandated Reporters**

   The following individuals designated under Pennsylvania law as mandated reporters must complete the online Mandated and Permissive Training Course offered by the University of Pittsburgh within 90 days of commencement of service:

   All clergy, all school employees, all school volunteers and all other employees and volunteers who are responsible for the welfare of a child or have regular contact with children (including, at a minimum to those individuals or their equivalent as named in ***Appendix D***).

   Information about the online training can be accessed through the diocesan website at: www.diopitt.org and clicking on the Safe Environment link.

Catholic School Employees

In addition to the above mentioned Background Checks and certifications, employees of the Catholic Grade Schools and Catholic High Schools of the Diocese of Pittsburgh will be required to have Act 24 clearances and to follow the requirements of PA Act 168 and Act 126. Currently, the online Mandated Reporter Training Course offered by the University of Pittsburgh meets Act 126 requirements and could satisfy one five (5) year training cycle requirement. Please consult with the Office for Catholic Schools for the Diocese of Pittsburgh for further clarification and assistance by calling (412) 456-3090.

Responsibility for Assuring Compliance with Background Check and Certification Requirements

The General Secretary of the Diocese or the pastor/parish life collaborator/ deacon administrator/school principal/administrator, in his/her respective role, is responsible for ensuring compliance with these policies. To assist in discharging this responsibility, every diocesan parish, school and institution is to name a safe environment coordinator who will ensure that all Church Personnel have completed all required training and obtained necessary Background Checks and certifications. All records of compliance with these policies, including the signed "Acknowledgement of Receipt" from the Code of Pastoral Conduct and Mandated Reporter and Child Protective Services Law brochure, records of attendance at the Virtus® Protecting God's Children Training Course and the Mandated and Permissive Training Course, and Background Check reports, are to be provided to the safe environment coordinator. The safe environment coordinator is then responsible for tracking records of compliance in the diocesan-wide database established for this purpose.

- ***Annual Verification***

  The pastor/parish life collaborator/deacon administrator/ school principal/administrator will be required annually to complete and sign a verification letter affirming that the parish, school or institution has implemented all aspects of the diocesan safe environment policy.

- ***Limited Database Access***

  Write access to the diocesan-wide database developed for tracking compliance with this policy is restricted to the safe environment coordinator, school principal (or principal's delegate) and/or catechetical administrator. Write access to the database cannot be delegated to other staff both for reasons of confidentiality and for reasons of quality control of the data. Write access to the database is part of an administrative oversight responsibility and should be treated as such. Giving access to the database to anyone other than those specified in this policy is to be considered a grave matter that is subject to appropriate disciplinary action.

Prospective Church Personnel

Prospective Church Personnel (paid or volunteer) must have all required Background Checks and certifications in place *prior to* being offered a position or commencing service in the Diocese except for Protecting God's Children training and Mandated and Permissive Training, which must be completed within ninety (90) days of commencement of employment or service.

All prospective and current Church Personnel are to be informed that functioning as Church Personnel is contingent on the results of any background investigation and successful adherence to these policies.

Certification Renewals

The Pennsylvania State Police Criminal History Report, the Pennsylvania Department of Human Services Certification, and the FBI Criminal History Report must be renewed every five (5) years. A Volunteer Disclosure Statement Application Form must be signed by applicable Church Personnel every five (5) years. Volunteers who are current residents of PA (but have not been residents for the entire 10 years prior) need only obtain an FBI report once at any time since establishing residency in PA and, thereafter, complete a Volunteer Request for Waiver Form every five (5) years.

Continuing Compliance Obligations

All Church Personnel must notify their employer or administrator in writing within 72 hours after an arrest or conviction for a Disqualifying Offense (as listed on pages 8 and 9) or notification of listing as a perpetrator of child abuse in the Pennsylvania statewide database.

The employer or administrator who is responsible for hiring or the approval of volunteers must demand that an employee or volunteer produce new Background Checks if the employer or administrator has a reasonable belief that the employee or volunteer has been arrested for or convicted of a crime that would require disqualification from employment or approval as a volunteer or that the employee or volunteer has been named as the subject of an indicated or founded report of child abuse.

Responsibility for Criminal Background Check Costs

All prospective paid Church Personnel (employees) are responsible for the cost of obtaining required Background Checks. Background Check renewal costs for paid Church Personnel shall be the responsibility of the parish or diocesan office. Schools may, as a part of its personnel policies, stipulate that employees are responsible for such renewal costs. The parish, school, or applicable diocesan office shall pay the cost for obtaining required Background Checks for all volunteers.

Transfer of Background Checks

For all Church Personnel other than volunteers: Background Checks may be transferred to another entity of the Diocese during the length of time such Background Checks are current. Background Checks from a non-diocesan entity cannot be transferred.

For all volunteers: Any volunteer who obtained their Background Checks within the previous 5 years (60 months) may transfer the Background Checks from non-diocesan entities.

Grounds for Denying Employment

- **Disqualifying Offenses**

  Current and/or Prospective Church Personnel shall not be hired, approved for service as a volunteer, or continue employment or volunteer service where the criminal Background Checks disclose a conviction of a "Disqualifying Offense" as listed below:

  - An offense under one or more of the following provisions of Title 18 of the Pennsylvania Consolidated Statutes or equivalent crime in another state, territory, commonwealth or foreign nation:
    - Chapter 25 (relating to criminal homicide).
    - Section 2702 (relating to aggravated assault).
    - Section 2709 (relating to stalking).
    - Section 2901 (relating to kidnapping).
    - Section 2902 (relating to unlawful restraint).
    - Section 3121 (relating to rape).
    - Section 3122.1 (relating to statutory sexual assault).
    - Section 3123 (relating to involuntary deviate sexual intercourse).
    - Section 3124.1 (relating to sexual assault).
    - Section 3125 (relating to aggravated indecent assault).
    - Section 3126 (relating to indecent assault).
    - Section 3127 (relating to indecent exposure).
    - Section 4302 (relating to incest).
    - Section 4303 (relating to concealing death of child).
    - Section 4304 (relating to endangering welfare of children).
    - Section 4305 (relating to dealing in infant children).
    - Section 5902(b) (relating to prostitution and related offenses).
    - Section 5903(c) or (d) (relating to obscene and other sexual materials and performances).
    - Section 6301 (relating to corruption of minors).
    - Section 6312 (relating to sexual abuse of children), or an equivalent crime under Federal law or the law of another state.
  - An offense designated as a felony under the Act of April 14, 1972 (P.L. 233, No. 64) known as "The Controlled Substance, Drug Device and Cosmetic Act." committed within the past five (5) years.
  - Being named in a statewide database as a perpetrator of a founded report of child abuse.

- **Procedure When Volunteer Approval is Questionable**

  When there are any questions or concerns regarding whether or not the results of a criminal Background Check poses a threat to children, the procedures set forth in ***Appendix E*** will be followed. In light of the USCCB *Charter for the Protection of Children and Young People* as well as the accompanying Essential Norms, any question or concern regarding whether a conviction poses a threat to children will be resolved in favor of protecting children.

  - When there are questions regarding whether or not a criminal conviction poses a threat to children, the individual concerned must not begin his/her ministry until the matter can be resolved.
  - Under no circumstances should anyone on the staff of the parish provide legal counsel on any matter relating to the implementation of this policy. All questions should be referred to the diocesan Director of the Office for the Protection of Children and Youth.

- **Failure to Comply With Policy Grounds for Dismissal**

  Failure to comply with these policies by Church Personnel shall be grounds for dismissal of any employee and shall preclude a volunteer from engaging in Church activity of any kind that involves possible contact with children.

  Only the diocesan bishop can determine suitability to hold ecclesiastical office. Accordingly, if a person who holds ecclesiastical office fails to comply with these policies, the general secretary or his designee will handle the matter in accord with universal Church law and the policies of the Diocese.

Independent Contractors

Independent contractors, such as a janitorial service or food service company, who have direct access to children on parish, school or diocesan property or through parish, school or diocesan-related programs, are to verify that their employees have obtained all necessary Background Checks and are required to submit an *Affidavit of Compliance With Required State and Federal Criminal Background Checks* as set forth on ***Appendix G.***

APPENDIX A
Background Checks by Ministry
(includes the equivalent of these positions)

1	Altar Server - Adult	33	Fund Raising Worker/Volunteer (e.g. bingo, festival, fish fry, etc.
2	Athletic Coach/Volunteer - School/CYO	34	Housekeeper/Cook
3	Athletic Trainer	35	Janitor/Maintenance Worker
4	Bereavement Team Coordinator/Volunteer	36	Lector/Reader
5	Bus Driver	37	Liturgical Art and Environment Coordinator/ Volunteer
6	Business Manager/Bookkeeper	38	Organist/Instrumentalist
7	Cafeteria Worker	39	Outreach Coordinator/Volunteer
8	Campus Minister	40	Parish Advocate - Persons with Disabilities
9	Cantor	41	Parish Advocate - Tribunal
10	Catechetical Administrator	42	Parish Employee
11	Catechist	43	Parish Finance Council Member
12	Catechist Aide	44	Parish Nurse
13	Catechumenate Director	45	Parish Safe Environment Coordinator
14	Catholic Committee on Scouting Leader/Volunteer	46	Parish Pastoral Council Member
15	Chaperone	47	Parish Social Minister
16	Child Care Giver (e.g. cry room, pre/after school program, babysitter, etc.)	48	Parish Wedding Coordinator
17	Choir Director - Vocal/Bell	49	Pastoral Associate/Minister
18	Choir Member - Vocal/Bell	50	Pastoral Health Care Minister
19	Coordinator of Evangelization	51	Playground Monitor
20	Coordinator of Liturgy	52	Preschool Employee
21	Deacon - Permanent/Transitional	53	Preschool Volunteer
22	Diocesan Bishop	54	Refugee Sponsorship Coordinator/Volunteer
23	Diocesan Priest Incardinated in the Diocese and On Assignment or Retired in the Diocese	55	Religious Men and Women On Assignment in the Diocese
24	Diocesan Priest Not Incardinated in the Diocese and On Assignment or in Residence in the Diocese	56	Respect Life Coordinator/Legislative Advocate
25	Diocesan Employee	57	Sacristan
26	Director of Music Ministry	58	Secretary - Parish/Religious Education/School/ Youth Ministry
27	Elderly Outreach Coordinator/Volunteer	59	Seminarian
28	Elementary/Secondary School Board Member	60	Trainer - Youth Altar Server and/or Lector
29	Elementary/Secondary School Employee	61	Usher/Greeter/Minister of Hospitality
30	Elementary/Secondary School Volunteer	62	Youth Minister
31	Extraordinary Minister of Holy Communion	63	Youth Ministry Volunteer
32	Family Life Minister/Volunteer		

APPENDIX B

Volunteer Disclosure Statement Application Form

DIOCESE OF PITTSBURGH
DISCLOSURE STATEMENT APPLICATION
FOR VOLUNTEERS

Required by the Child Protective Service Law
23 Pa. C.S. Section 6344.2
(relating to volunteers having contact with children)

I swear/affirm that I am seeking a volunteer position and **AM NOT** required to obtain a background check through the Federal Bureau of Investigation, as:

- the position I am applying for is unpaid; **and**
- I have been a resident of Pennsylvania during the entirety of the previous ten-year period.

I swear/affirm that I have **NEVER** been named as a perpetrator of a founded report of child abuse within the past five (5) years as defined by the Child Protective Services Law.

I swear/affirm that I have **NEVER** been convicted of any of the following crimes under Title 18 of the Pennsylvania consolidated statues or of offenses similar in nature to those crimes under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth:

- Chapter 25 (relating to criminal homicide)
- Section 2702 (relating to aggravated assault)
- Section 2709 (relating to stalking)
- Section 2901 (relating to kidnapping)
- Section 2902 (relating to unlawful restraint)
- Section 3121 (relating to rape)
- Section 3122.1 (relating to statutory sexual assault)
- Section 3123 (relating to involuntary deviate sexual intercourse)
- Section 3124.1 (relating to sexual assault)
- Section 3125 (relating to aggravated indecent assault)
- Section 3126 (relating to indecent assault)
- Section 3127 (relating to indecent exposure)
- Section 4302 (relating to incest)
- Section 4303 (relating to concealing death of child)
- Section 4304 (relating to endangering welfare of children)
- Section 4305 (relating to dealing in infant children)
- Section 5902(b) (relating to prostitution and related offenses)
- Section 5903(c) or (d) (relating to obscene and other sexual material and performances)
- Section 6301 (relating to corruption of minors)
- Section 6312 (relating to sexual abuse of children), or an equivalent crime under Federal law or the law of another state.

I have not been convicted of a felony offense under Act 64-1972 (relating to the controlled substance, drug device and cosmetic act) committed within the past five years.

I understand that I shall not be approved for service if I am named as a perpetrator of a founded report of child abuse or have been convicted of any of the crimes listed above or of offenses similar in nature to those crimes under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth.

I understand that if I am arrested for or convicted of an offense that would constitute grounds for denying participation in a program, activity or service under the Child Protective Services Law as listed above, or am named as perpetrator in a founded or indicated report, I must provide the administrator or designee with written notice no later than 72 hours after the arrest, conviction or notification that I have been listed as a perpetrator in the Statewide database.

I understand that if the person responsible for employment decisions or the administrator of a program, activity or service has a reasonable belief that I was arrested or convicted for an offense that would constitute grounds for denying employment or participation in a program, activity or service under the Child Protective Services Law, or was named as perpetrator in a founded or indicated report, or I have provided notice as required under this section, the person responsible for employment decisions or administrator of a program, activity or service shall immediately require me to submit current background checks obtained through the Department of Human Services, the Pennsylvania State Police, and the Federal Bureau of Investigation. The cost of background checks shall be borne by the employing entity or program, activity or service.

I understand that if I willfully fail to disclose information required above, I commit a misdemeanor of the third degree and shall be subject to discipline up to and including denial of a volunteer position.

I understand that the person responsible for employment decisions or the administrator of a program, activity or service is required to maintain a copy of my background checks.

I hereby swear/affirm that the information as set forth above is true and correct. I understand that false swearing is a misdemeanor pursuant to Section 4903 of the Crimes Code.

Printed Name _____ Signature _____

Witness Printed Name _____ Witness Signature _____

Date _____

APPENDIX C

Disclosure Statement Application for Minor Employees Form

DIOCESE OF PITTSBURGH
DISCLOSURE STATEMENT APPLICATION
FOR MINOR EMPLOYEES

Required by the Child Protective Service Law
23 Pa. C.S. Section 6344.2
(relating to minor employees having contact with children)

I swear/affirm that I am seeking a paid position and **AM NOT** required to obtain a certification through the Federal Bureau of Investigation, as:

- I am between 14 and 17 years of age; **and**
- I have been a resident of Pennsylvania during the entirety of the previous ten-year period or, if not a resident of Pennsylvania during the entirety of the previous ten-year period, have received a FBI Fingerprint Check at any time since establishing residency in Pennsylvania and have attached a copy of the certification to the employer.

I swear/affirm that I have **NEVER** been named as a perpetrator of a founded report of child abuse within the past five (5) years as defined by the Child Protective Services Law.

I swear/affirm that I have **NEVER** been convicted of any of the following crimes under Title 18 of the Pennsylvania consolidated statues or of offenses similar in nature to those crimes under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth:

- Chapter 25 (relating to criminal homicide)
- Section 2702 (relating to aggravated assault)
- Section 2709 (relating to stalking)
- Section 2901 (relating to kidnapping)
- Section 2902 (relating to unlawful restraint)
- Section 3121 (relating to rape)
- Section 3122.1 (relating to statutory sexual assault)
- Section 3123 (relating to involuntary deviate sexual intercourse)
- Section 3124.1 (relating to sexual assault)
- Section 3125 (relating to aggravated indecent assault)
- Section 3126 (relating to indecent assault)
- Section 3127 (relating to indecent exposure)
- Section 4302 (relating to incest)
- Section 4303 (relating to concealing death of child)
- Section 4304 (relating to endangering welfare of children)
- Section 4305 (relating to dealing in infant children)

- Section 5902(b) (relating to prostitution and related offenses)
- Section 5903(c) or (d) (relating to obscene and other sexual material and performances)
- Section 6301 (relating to corruption of minors)
- Section 6312 (relating to sexual abuse of children), or an equivalent crime under Federal law or the law of another state.

I have not been convicted of a felony offense under Act 64-1972 (relating to the controlled substance, drug device and cosmetic act) committed within the past five years.

I understand that I shall not be approved for service if I am named as a perpetrator of a founded report of child abuse or have been convicted of any of the crimes listed above or of offenses similar in nature to those crimes under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth.

I understand that if I am arrested for or convicted of an offense that would constitute grounds for denying participation in a program, activity or service under the Child Protective Services Law as listed above, or am named as perpetrator in a founded or indicated report, I must provide the administrator or designee with written notice no later than 72 hours after the arrest, conviction or notification that I have been listed as a perpetrator in the Statewide database.

I understand that if the person responsible for employment decisions or the administrator of a program, activity or service has a reasonable belief that I was arrested or convicted for an offense that would constitute grounds for denying employment or participation in a program, activity or service under the Child Protective Services Law, or was named as perpetrator in a founded or indicated report, or I have provided notice as required under this section, the person responsible for employment decisions or administrator of a program, activity or service shall immediately require me to submit current background checks obtained through the Department of Human Services, the Pennsylvania State Police, and the Federal Bureau of Investigation. The cost of background checks shall be borne by the employing entity or program, activity or service.

I understand that if I willfully fail to disclose information required above, I commit a misdemeanor of the third degree and shall be subject to discipline up to and including denial of a volunteer position.

I understand that the person responsible for employment decisions or the administrator of a program, activity or service is required to maintain a copy of my background checks.

I hereby swear/affirm that the information as set forth above is true and correct. I understand that false swearing is a misdemeanor pursuant to Section 4903 of the Crimes Code.

Check one that applies:

- ☐ I have been a resident of Pennsylvania during the entirety of the previous ten-year period.
- ☐ I have NOT been a resident of Pennsylvania during the entirety of the previous ten-year period but I have received a FBI Fingerprint Check since establishing residency in Pennsylvania and have attached a copy of the certification.

Printed Name _____ Signature _____

Parent/Guardian Printed Name _____ Parent/Guardian Signature _____

Witness Printed Name _____ Witness Signature _____

Date _____

APPENDIX D

Individuals Required to Obtain Online Mandatory Reporter Training by Ministry (includes the equivalent of these positions)

- Altar Server – Adult
- Athletic Coach/Volunteer
- Bus Driver
- Cafeteria Worker
- Catechetical Administrator
- Catechist
- Catechist Aide
- Catholic Committee on Scouting Leader/Volunteer
- Chaperone
- All Clergy and Religious
  - Deacon-Permanent/Transitional
  - Diocesan Bishops
  - Diocesan Priest Incardinated in the Diocese and on Assignment or Retired in the Diocese
  - Diocesan Priest not Incardinated in the Diocese, on Assignment or in Residence in the Diocese
  - Seminarians
  - Religious Men and Women on Assignment in the Diocese
- Childcare Giver (e.g. cry room, pre-/afterschool program, babysitter, etc.)
- Music Ministry Staff, Paid and Volunteer
- Parish Nurse
- Parish Safe Environment Coordinator
- Parish Social Minister
- Pastoral Associate/Minister
- Pastoral Healthcare Minister
- Playground Monitor
- Preschool Administrator/Aide
- Sacristan Trainer – Youth Altar Servers and/or Lectors
- School Employees
- School Volunteers
- Youth Ministry Volunteers

APPENDIX E
Process for Evaluating Records

- The Director of the diocesan office for the Protection of Children and Young People will review all records found and dates of occurrence as a result of Background Checks.
- If any information is incomplete or unclear, the Director will contact the firm that conducted the Background Check for clarification or rechecking of original sources.
- If the applicant's duties and extent of contact with children cannot be determined from reviewing the database application, the safe environment coordinator will be contacted.
- Any applicant whose background search reveals a conviction for any abuse of children (physical, sexual or mental) shall automatically receive a "rejected" status and be prohibited from employment or volunteering within the parishes or institutions that are part of or related to the Diocese of Pittsburgh.
- If the records found are of a more serious nature (i.e., driving under the influence, illegal use of a controlled substance, etc.) and the violation(s) are recent (within 5 years) or the individual has had more than one violation (regardless of time period), the matter will be presented to an Examination Board consisting of the Vicar for Canonical Services or his designee, a representative from the Legal Department, the Director of the Office for the Protection of Children and Young People, the Vicar for Clergy Personnel or his designee, a representative from the Secretariat for Evangelization and Catholic Education, the Secretary for Parish Life or his designee, and the Diocesan Assistance Coordinator. The Examination Board will determine whether the applicant should be given an "approved," "rejected" or "restricted" status. The pastor and safe environment coordinator will be notified of the board's decision. If the decision recommends/directs a "restricted" status, the employee or volunteer would have to agree in writing to the restriction and a copy shall be kept on file by the safe environment coordinator. (See **Appendix F** for the template for giving notice of a restriction.)
- If the records found are minor in nature (i.e., traffic violations) and unrelated to duties of the applicant, the applicant shall be given an "approved" status. In all instances, the safe environment coordinator should be informed of all records found and be responsible for informing the pastor.
- The pastor or program director may be more restrictive than the diocesan-assigned status (e.g., rejecting someone whom the diocese has restricted) but he/she cannot assign a status that is less restrictive than the diocesan-assigned status (e.g., restricting someone whom the diocese has rejected).
- In the event that a pastor or an applicant disagrees with the report of the records found or how the process for evaluating records was handled, he/she shall have the right to file a written appeal to the diocesan Office for Administrative Procedures within 30 days of being informed of the decision for resolution. The decision of the Office for Administrative Procedures is always final.

APPENDIX F
Letter Acknowledging Restriction in Ministry with Children

PARISH LETTERHEAD

Date

Mr. /Ms. _____
Address

Dear Name:

As you are aware from our previous discussion, a record was found in the background check completed as part of your application. The information found requires that your ministry in our parish as a _____ be restricted. This restriction does not prohibit you from all ministries in our parish; it only restricts you specifically from _____.

This decision has been made with careful thought and only after consultation with the Diocesan Office for the Protection of Children and Young People. Among the many responsibilities of my pastoral ministry is the safeguarding of children in our parish. I believe that I have no other option in this situation but to be extraordinarily cautious.

This restriction shall remain in force until further notice. You may be assured that this matter shall be kept in strict confidence by me. By your signature at the bottom of this letter you verify that you have been informed of this restriction and you agree to abide by it. Should you choose not to abide by the restriction, further ministry in the parish will be prohibited. I am grateful for your cooperation in this matter as we work for the benefit of all members of our parish family.

Sincerely yours in Christ,

Name

I, _____(Print Name)_____, acknowledge to have received a copy of this correspondence.

_____

Signature Date

APPENDIX G

Affidavit of Compliance with Required State and Federal Criminal Background Checks

_____

Type or Print Name of Parish/School/Pre-School

_____

Type or Print Street Address of Parish/School/Pre-School

_____

Type or Print City, State, Zip Code of Parish/School/Pre-School

****

COMMONWEALTH OF PENNSYLVANIA)
) SS:
COUNTY OF _____)

AFFIDAVIT OF COMPLIANCE WITH REQUIRED
STATE AND FEDERAL CRIMINAL BACKGROUND CHECKS

The undersigned, being duly sworn according to law, does depose and state that the following is true and correct:

- I am a management level employee and duly authorized representative of the below named vendor of goods and/or services, or independent contractor, to the parish/school/pre-school named above.
- I have been duly authorized by my employer to execute this Affidavit on behalf of my employer and to bind my employer to the terms, conditions and requirements of this Affidavit.
- I acknowledge that my employer and I have been informed that as a condition of doing business, and continuing to do business, with the above named parish/school/pre-school, that I must complete background evaluations for all employees and other duly authorized representatives of my employer, who will in any way come into contact with children and young people of the parish/school/pre-school.

- The background evaluations to be completed, paid for, filed with the authorities, written responses obtained from the authorities and the originals or copies of such written responses to be retained in our files concerning the subject employees before any employee and other authorized representative of my employer are permitted to come into contact with children and young people of the parish/school/pre-school, shall consist of the following:
    - Pennsylvania State Police Criminal Report
    - Pennsylvania Department of Human Services Report (Child Abuse)
    - FBI Criminal History Report (Fingerprinting)
- I acknowledge and agree to immediately notify the above named parish/school/pre-school if the criminal report discloses a criminal record and/or the child abuse report discloses that an employee is listed in a report of child abuse. I also acknowledge and agree that we will not send the subject employee to the parish/school/pre-school.
- I acknowledge and agree that if the parish/school/pre-school requests copies of the criminal report and child abuse report on any or all of our employees, that we will provide copies upon receipt of such request.
- I acknowledge and agree that all criminal report and child abuse report checks on our employees will be not more than five (5) years old, if the same pre-date this Affidavit.
- I acknowledge that my employer and I have been informed that this is an ongoing responsibility, and that any new or additional personnel or other authorized representatives of my employer shall be subject to the same above referenced background evaluations.
- I acknowledge that my employer and I have been informed that failure to comply with these requirements may lead to a termination of my employer's business relationship withthe parish/school/pre-school.
- In order to induce the parish/school/pre-school to continue our business relationship, I warrant and represent to the parish/ school/pre-school that we intend to undertake all actions necessary to achieve immediate compliance with the above requirements, and that the parish/school/pre-school may rely upon this Affidavit and the warranties and representations set forth herein.

I have read the above and it is true and correct.

_____
Signature of Management Level Employee of Vendor or Independent Contractor

_____
Print Name of Person Signing

_____
Name of Vendor of Goods and/or Services or Independent Contractor

_____
Address of Vendor or Independent Contractor

_____
Telephone Number of Vendor or Independent Contractor

Brief Description of Goods and/or Services Furnished by Vendor or Independent Contractor: _____

_____

_____

SWORN TO and subscribed before me

this _____ day of _____, 20_____.

_____ (*SEAL*) NOTARY PUBLIC

My Commission Expires: _____



CATHOLIC DIOCESE OF PITTSBURGH
111 Boulevard of the Allies
Pittsburgh, PA 15222
©2017



Code of Pastoral Conduct

Issued: August 2003
Revised: June 2008 &
August 2017

CATHOLIC DIOCESE OF
PITTSBURGH

ALL-STATE LEGAL®
EXHIBIT
B

This Code of Pastoral Conduct is based on a model dated March 17, 2003 and provided by the National Catholic Risk Retention Group, Inc. The Diocese of Pittsburgh expresses its sincere gratitude to the National Catholic Risk Retention Group, Inc. for its work in providing a model and its willingness to allow that model to be used as a basis for this Code.



To Clergy, Religious and Laity of the Diocese of Pittsburgh:

In one of Jesus' most important parables for those engaged in ministry within the Church, He spoke of himself as the Good Shepherd who would lay down his life for his flock. As we follow Him, we are all called to be good shepherds, who protect the lambs from predators. In order to do so we sometimes have to change our procedures and our assumptions.

This is the second revision and a significant expansion of the first Code of Pastoral Conduct that the Diocese of Pittsburgh promulgated in 2003 and updated in 2008. It set in writing and codified the standards and expectation for all those who act in the name of the Diocese of Pittsburgh.

It was first drafted as a direct response to the mandate given by the bishops of the United States in our Charter for the Protection of Children and Young People to publish clear standards of ministerial behavior for clergy and all other Church personnel. However, its scope is significantly broader than child sexual abuse. The Code of Pastoral Conduct sets boundaries for conduct with both adults and children, addresses issues such as workplace harassment and violations of confidentiality.

This is because, in the 14 years since it was first published, we have learned more about how to protect everyone – children, vulnerable adults and Church personnel – from situations that can lead to harm. This new edition addresses behavior that may be neither illegal nor sinful, but which is inappropriate for anyone working in the service of the Church. While it does not exhaust what is expected from those who care for others in the name of the Church, it is a succinct yet thorough statement of expected behavioral standards for all Church personnel.

This document applies to bishops, priests, deacons, religious and lay members of the Christian faithful who assist in providing pastoral care.

As Bishop of the Diocese of Pittsburgh, I am grateful for your service to the Church and for your willingness to protect all who are entrusted to the care of the Church. Your written acceptance of this document is testimony of your commitment to this effort. You are answering the call of Jesus to tend His lambs and protect them against any who would harm them.

I ask you to see this Code of Pastoral Conduct as a helpful instrument that will aid you in that duty, protecting both you and those you serve as you go about our shared mission of bringing the love of God to all in our care.

Grateful for our belief that "Nothing is Impossible with God," I am

Your brother in Christ,

Most Reverend David A. Zubik

Bishop of Pittsburgh

Code of Pastoral Conduct
For Church Personnel
Within the Diocese of Pittsburgh

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Acknowledgement of Receipt of the Code of Pastoral Conduct

* For purposes of this *Code of Pastoral Conduct*, the term "Church personnel" includes any person who performs tasks for the Church under the auspices of the Diocese of Pittsburgh or one of its parishes. This includes bishops, priests, deacons, seminarians, those in consecrated life, lay employees, and contract employees who are employed by the Diocese of Pittsburgh or any of its parishes or schools, together with those persons who provide volunteer services to/for the Diocese of Pittsburgh or any parish or school within the Diocese.

I. Preamble

All Church personnel are to conduct themselves in a manner that upholds Christian values and conduct. Church personnel, as referred to herein, are any persons who perform tasks for the Church under the auspices of the Diocese of Pittsburgh or one of its parishes or schools. This Code of Pastoral Conduct provides a set of standards for conduct either in providing or in supporting the pastoral care of the Christian faithful and all others. The code does not present an exhaustive list of expectations, standards, or requirements. Rather, this code accompanies the universal law of the Church, civil law, and diocesan policies. Church personnel are to be aware of and committed to all of these norms that govern pastoral conduct.

II. Responsibility

Responsibility for adherence to the Code of Pastoral Conduct rests with the individual. Church personnel who disregard this Code of Pastoral Conduct will be subject to remedial action up to and possibly including dismissal. Corrective action may take various forms - from a verbal reproach to removal from the ministry - depending on the specific nature and circumstances of the offense and the extent of the harm. (See Appendix for Procedures)

III. Pastoral Standards

The public and private conduct of Church personnel can inspire and motivate people, but it can also scandalize and undermine people's faith. Church personnel are, at all times, to be aware of the responsibilities that accompany their work. They are to know also that God's goodness and grace support them in their ministry.

Church personnel must first recognize that they are disciples of Jesus Christ and members of His Church. Therefore, in order to effectively serve others, Church personnel must first have an intimate relationship with Our Lord and they also need to ensure the stability of their own spiritual, physical, mental and emotional health.

1. Conduct for Pastoral Counseling and Spiritual Direction

Church personnel must respect boundaries in ministerial behavior, in particular with regard to pastoral counseling and spiritual direction.

1.1 Church personnel are not to step beyond their competence in counseling situations and are to refer clients to other professionals when appropriate.

1.2 Church personnel are to consider carefully the possible consequences before entering into a counseling relationship with someone with whom they have a pre-existing relationship (i.e., employee, professional colleague, friend, or other pre-existing

relationship). [See Section 7.2.2]

1.3 Church personnel are not to record these sessions in any audio or video format.

1.4 Church personnel are never to engage in sexual intimacies with the persons they counsel. This includes consensual and nonconsensual contact, forced physical contact, and inappropriate sexual comments.

1.5 Church personnel assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.

1.6 Physical contact of any kind (i.e., touching, hugging, holding) between Church personnel and the persons they counsel can be misconstrued and is to be avoided.

1.7 Sessions are to be conducted at appropriate times and in professionally appropriate settings where the counselor is visible to other people, such as an office that has an uncovered window.

1.7.1 No sessions are to be conducted in private living quarters.

1.7.2 Sessions are not to be held at places or times that would tend to cause confusion about the nature of the relationship for the person being counseled.

1.8 Church personnel providing pastoral counseling or spiritual direction are to maintain a log of the times and places of sessions with each person being counseled.

1.9 All counseling sessions are to have a fixed duration, with a parting of the ways immediately upon conclusion of the counseling session.

2. Confidentiality

Information disclosed to Church personnel during the course of pastoral counseling, advising, or spiritual direction is to be held in the strictest confidence possible.

2.1 Information obtained in the course of individual or group sessions is to be confidential, except for compelling professional reasons or as required by law.

2.1.1 If there is clear and imminent danger to the client or to others, Church personnel may disclose only the information necessary to protect the parties affected and to prevent harm.

2.1.2 Before disclosure is made, if feasible, Church personnel are to inform the person being counseled about the disclosure and the potential consequences.

2.2 Church personnel are to discuss the nature of confidentiality and its limitations with each person in counseling.

2.3 Church personnel are to keep minimal records of the content of sessions.

2.4 Knowledge that arises from professional contact may be used in teaching, writing, homilies, or other public presentations only when effective measures are taken to absolutely safeguard both the individual's identity and the confidentiality of the disclosures.

2.5 While counseling a minor (i.e., anyone under the age of 18) in a formal setting, if Church personnel discover that there is a serious threat to the welfare of the minor and that communication of confidential information to a parent or legal guardian is essential to the child's health and well-being, Church personnel are to:

- Attempt to secure consent from the minor for the specific disclosure;
- Disclose only the information necessary to protect the health and well-being of the minor if consent is not given; and
- Consult with the appropriate Church authority, such as one's immediate supervisor, before disclosure.

These obligations are independent of the confidentiality of the confessional. ***A priest can never disclose anything revealed in the Sacrament of Confession, not even with the penitent's permission.*** *Further, all others who in any way (e.g., inadvertent overhearing) have information received through the confessional are obliged to secrecy. (Canon 983)*

3. Conduct With Children, Young People and Vulnerable Adults

Church personnel working with children, young people and vulnerable adults are to maintain an open and trustworthy relationship between youth or vulnerable adults and adult supervisors.

3.1 Church personnel are to be aware of their own and others' vulnerability when working alone with youth. Church personnel are to use a team approach to managing youth activities.

3.2 Physical contact with youth can be misconstrued and is to occur (a) only when completely nonsexual, (b) otherwise appropriate, and (c) in public. Some examples of **APPROPRIATE FORMS** of physical contact include, but are not limited to, the following:

- Shoulder to shoulder hugs
- Pats on the shoulder or back
- Handshakes
- "High-fives" and hand slapping
- Verbal praise

- Holding hands while walking with small children
- Sitting beside small children
- Holding hands during prayer
- Pats on the head when culturally appropriate

Examples of **INAPPROPRIATE FORMS** of physical contact not to be used, include but are not limited to the following:

- Kisses on the mouth and inappropriate or lengthy hugs or embraces
- Holding minors, above the approximate age of 5, on one's lap
- Touching buttocks, genital areas, or breasts and touching knees, thighs or legs as a sign of affection.
- Showing physical displays of affection in isolated areas of the premises such as bedrooms, closets, employee only areas, or other private-rooms.
- Sleeping in bed with a minor, youth or vulnerable adult.
- Wrestling with minors, youth or vulnerable adults except for legitimate sports coaching, in which case another adult should be present.
- Tickling and piggyback rides.
- Any type of massage given by an adult to a minor, youth or vulnerable adult.
- Any display of unwanted affection towards a minor, youth or vulnerable adult.
- Actions that include compliments relating to sexual attractiveness or sexual development.
- Students or vulnerable adults should only receive assistance with their attire (e.g. buttons, ties, shirts) if they are physically unable to adjust it themselves and when another adult is present as a witness.

3.3 There must be clear social boundaries between adults who serve the Church and minors or vulnerable adults for whom they have professional or volunteer responsibility.

3.4 **The Rule of Two**: Personnel must be aware of their own vulnerability to accusation when working alone with minors and vulnerable adults. The "Rule of Two" protects both Church personnel and those they care for: Any time that an employee or volunteer is acting as an agent of the Church in the presence of minors or vulnerable adults, there must always be another responsible adult within eyesight of their interactions. At least two adults must be present for any activity that a parish, school or diocesan institution sponsors for minors, and the number of adults must rise with the number of minors. The only exceptions to this rule are (1) when a priest hears the Sacrament of Confession and (2) during regular diocesan school classes conducted on the grounds of a parish, Catholic school or other diocesan institution.

3.4.1 Meetings with youth should take place in appropriate areas of church or school property, such as an office, social hall or youth meeting room, that is visible to other people.

3.4.2 Meetings between Church personnel members and youths off-site must be for an organized group activity, held in a public area, with at least one other adult present and for which parents have given written permission.

3.4.3 When meeting one-on-one with youth, Church personnel are to do so in a place that is visible to others, and must keep a desk, table or at least three feet of space between themselves and the young person.

3.4.4 Access to school sports locker rooms, theater dressing rooms or other places where minors may be in a state of undress is limited to coaches, athletic directors, trainers, medical personnel, theater directors, designated costume supervisors and cleaning crew. A list must be kept of those authorized persons. Other school staff members and parents are barred from those areas while they are in active use. **Under no circumstances** is anyone allowed to take a photo or video in areas where minors or adults may be changing clothes.

3.5 Meetings with unchaperoned youth or vulnerable adults in private living quarters is prohibited.

3.6 Church personnel should limit their contact with minors to content on a group social media page/account that (1) has been approved by his/her supervisor and (2) has multiple Church personnel as administrators and monitors. No private communication should occur through social media.

3.6.1 Correspondence should be directed to a youth's parents/guardian. It is not appropriate to engage youth via phone, text or social media.

3.6.2 Any group e-mails to minors should be (1) exclusively work-related and (2) sent via "blind copy", so that e-mail addresses are not distributed among the group without permission.

3.7 Church personnel are to abstain from (a) the use of alcohol when working with youth or vulnerable adults, and (b) the possession or use of illegal drugs at all times.

3.8 The possession or use of firearms when working with minors or vulnerable adults is prohibited except in the case of a federal, state or local law enforcement officer in good standing who is legally carrying a weapon related to his/her job.

3.9 Church personnel are not to share private, overnight accommodations with individual young people. This includes, but is not limited to, accommodations in any Church owned facility, private residence, hotel room, or any other place where there is no other adult supervision present.

3.10 In rare, emergency situations, when accommodation is necessary for the health and wellbeing of the youth, Church personnel are to take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm. A team approach to managing emergency situations is to be used.

4. Sexual Conduct

Church personnel are not to exploit the trust placed in them by the faith community for sexual gain or intimacy.

4.1 Church personnel who are committed to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times.

4.2 Church personnel who provide pastoral counseling or spiritual direction services are to avoid developing inappropriately intimate relationships with minors, other Church personnel, or parishioners. Church personnel are to behave in a professional manner at all times.

4.3 Church personnel should not seek emotional support from parishioners, subordinate employees, or persons to whom they give spiritual guidance; instead, they should turn to other networks within the diocese.

4.4 No Church personnel may exploit another person for sexual purposes. This also includes the viewing of pornography.

4.5 Viewing or possessing child pornography is a crime under federal law; allegations regarding this type of behavior will be reported immediately to the proper civil authorities and to the appropriate person in charge (i.e., pastor, principal or supervisor).

4.6 Allegations of sexual abuse involving a minor are to be taken seriously and reported first to the proper civil authorities (ChildLine: 1-800-932-0313 or www.compass.stat.pa.us/cwis) and then to the appropriate person in charge (i.e., pastor, principal or supervisor).

4.7 Allegations of sexual misconduct (i.e., sexual abuse, sexual exploitation or sexual harassment) involving adults are to be taken seriously and are to be reported to the appropriate person in charge (i.e., pastor, principal or supervisor), who may also report the allegation to the proper civil authority.

4.8 Church personnel are expected to know the obligations of the Child Protective Services Law and the reporting requirements that are mandated by it. Additionally, the policies of the Diocese regarding sexual misconduct and sexual abuse are to be obeyed, to protect the rights of all involved.

4.9 Church personnel are to review and know the contents of the child abuse regulations and reporting requirements for the state of Pennsylvania and are to follow those mandates. *(Reference reporting of Child Protective Services Law of Pennsylvania)*

5. Harassment

Church personnel are not to engage in physical, psychological, written, or verbal harassment of staff, volunteers, or parishioners and are not to tolerate such harassment by other Church staff or volunteers.

5.1 Church personnel are to maintain a professional work environment that is free from physical, psychological, written, electronic, or verbal intimidation or harassment.

5.2 Harassment encompasses a broad range of physical, written, or verbal behavior, including, without limitation, the following:

- Physical or mental abuse;
- Racial insults;
- Derogatory ethnic slurs;
- Unwelcome sexual advances or touching;
- Sexual comments or sexual jokes;
- Requests for sexual favors used as a condition of employment, or to affect other personnel decisions, such as promotion or compensation;
- Display of offensive materials.
- Defamatory gossip or otherwise maligning an individual to other employees, except for formally reporting a serious concern to a supervisor or to civil authorities.
- Inappropriate social media postings.

5.3 Harassment can be a single severe incident or a persistent pattern of behavior where the purpose or the effect is to create a hostile, offensive, or intimidating work environment.

5.4 Allegations of harassment are to be taken seriously and reported immediately to the appropriate Church authority such as the pastor, principal, catechetical administrator, or the Vicar for Clergy, Vicar for Canonical Services, or the Superintendent of Catholic Schools.

Diocesan policies are to be followed to protect the rights of all involved.

6. Records and Information

Confidentiality is to be maintained in creating, storing, accessing, transferring, and disposing of Church records.

6.1 Sacramental records are to be regarded as confidential. When compiling and publishing statistical information from these records, great care is to be taken to preserve the anonymity of individuals.

6.2 Access to sacramental records is restricted for 100 years from the date of the creation of the record. After 100 years, access to the information in the sacramental record (but not the record itself) can only be provided in accord with diocesan policy.

6.2.1 Information regarding adoption and legitimacy remains confidential, regardless of age.

6.2.2 Only Church personnel who are authorized to access the records and supervise their use are to handle requests for more recent records.

6.3 Parish financial records are confidential. The financial information is made available to the Parish Finance Council and, in summary form, to the Parish on a yearly basis. The Diocesan Financial Policies are to be observed. Contact the Diocesan Office for Civil Legal Services upon receipt of any request for release of financial records.

6.4 Individual contribution records are to be regarded as private and to be maintained in strictest confidence.

7. Conflicts of Interest

Church personnel are to avoid situations that might present a conflict of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question.

7.1 Church personnel are to disclose to the appropriate Church authority (such as one's immediate supervisor) all relevant factors that potentially could create a conflict of interest.

7.2 Church personnel are to inform all parties when a real or potential conflict of interest arises. Resolution of the issues is to protect the person receiving ministry services.

7.2.1 No Church personnel is to take advantage of anyone to whom they are providing services in order to further their personal, political, or business interests.

7.2.2 Church personnel are not to provide counseling services to anyone with whom they have a business, professional, or social relationship. When this is unavoidable, the client is to be protected. The counselor is to establish and maintain clear, appropriate boundaries.

7.2.3 When providing pastoral counseling or spiritual direction to two or more people who have a pre-existing personal or business relationship, Church personnel are to:

- Clarify with all parties the nature of each relationship,
- Anticipate any conflict of interest,
- Take appropriate actions to eliminate the conflict, and
- Obtain from all parties written consent to continue services.

7.3 Conflicts of interest may also arise when Church personnel's independent judgment is impaired by:

- Prior dealings,
- Becoming personally involved, or
- Becoming an advocate for one (person) against another.

In these circumstances, Church personnel are to advise the parties that he or she can no longer provide services and refer them to another competent individual qualified to provide assistance.

8. Reporting Misconduct

Church personnel have a duty to report their own ethical or professional misconduct and the misconduct of others.

8.1 Church personnel are to hold each other accountable for maintaining the highest ethical and professional standards. When there is an indication of illegal actions by Church personnel, Church personnel are to notify the proper civil authorities immediately and the Diocesan Office for Civil Legal Services.

8.2 When an uncertainty exists about whether a situation or course of conduct violates this Code of Pastoral Conduct or other religious, moral, or ethical principles, Church personnel are to consult with the appropriate Church authority (such as one's immediate supervisor).

8.3 When it appears that the conduct of Church personnel is in violation of this Code of Pastoral Conduct or other religious, moral, or ethical principles, such conduct shall be reported to the appropriate Church authority, such as one's immediate supervisor. If the immediate supervisor has no direct superior at that location, it shall be reported to the Diocesan Legal Office.

8.4 Allegations of sexual abuse involving a minor, even if uncertain, are to be taken seriously and reported first to the proper civil authorities (Childline: 1-800-932-0313 or www.compass.stat.pa.us/cwis) and then to the appropriate person in charge (i.e., pastor, principal or supervisor).

8.5 The obligation of Church personnel to report client misconduct is subject to the duty of confidentiality. However, any agreement or duty to maintain confidentiality is to yield to the need to report misconduct that threatens the safety, health, or well-being of any of the persons involved except as provided for in Section 2.5.

9. Administration

In the recognition of the dignity of the human person, employers and supervisors are to treat Church personnel with justice, dignity and respect in the day-to-day administrative operations of their ministries.

9.1 Personnel and other administrative decisions made by Church personnel are to meet civil and canon law obligations and also reflect Catholic social teachings and this Code of Pastoral Conduct.

9.2 Church personnel are not to use their position to exercise unreasonable or inappropriate power and authority.

10. Church Personnel Well-Being

Church personnel have a duty to be responsible for their own spiritual, physical, mental and emotional health.

10.1 Church personnel are to be aware of warning signs that indicate potential problems with their own spiritual, physical, mental, and/or emotional health.

10.2 Church personnel are to seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.

10.3 Catholic Church personnel are to address their own spiritual needs by regular participation in the sacramental life of the Church through frequent reception of the Eucharist and the sacrament of Confession or Reconciliation. They also should participate in activities of spiritual development such as times of recollection and retreat, spiritual direction, and the like.

APPENDIX

Procedural Guidelines for Violation of the Code of Pastoral Conduct

A. When the immediate supervisor of a Church personnel employee or volunteer receives information that an employee or volunteer's conduct constitutes an alleged violation of the Code of Pastoral Conduct, the immediate supervisor must immediately inform the proper ecclesiastical authority (for example, in a parish this would be the pastor). Any alleged or suspected child abuse must be immediately reported to ChildLine (1-800-932-0313 or www.compass.state.pa.us/cwis) and then to the Office of the Diocesan Assistance Coordinator.

B. If the pastor commits an alleged violation of the Code of Pastoral Conduct, is complicit in it, or is involved in any way, the matter will be handled by the Vicar for Clergy in accord with the universal law of the Church and the policies of the Diocese of Pittsburgh.

C. Upon receipt of information regarding a violation of the Code of Pastoral Conduct, the proper ecclesiastical authority will consult with the Diocesan Legal Office, which will then coordinate the appropriate response and investigation.

D. If the person harmed by the alleged violation or the person accused believes that the procedures followed or the facts gathered in the investigation, which resulted in a determination, were faulty or incomplete, he or she may appeal the determination by utilizing the due process procedures of the Diocese of Pittsburgh, which are administered by the Office for Administrative Procedures.

CATHOLIC DIOCESE OF PITTSBURGH

Acknowledgement of Receipt of the Code of Pastoral Conduct

In accord with my role as Church personnel, and in witness to the Gospel of Jesus Christ, I will conduct myself with integrity, acting in a manner that is consistent with the discipline and teachings of the Catholic Church. I will guide my behavior by civil and canon law, by the policies of the Diocese of Pittsburgh and by the Code of Pastoral Conduct *by...*

1. Respecting the rights of each person and advancing his or her welfare during the course of counseling, advising or spiritual direction.
2. Holding in the strictest confidence information disclosed during the course of counseling, advising or spiritual direction.
3. Maintaining an open and trustworthy relationship when working with youth, free from inappropriate behavior that would put them at risk.
4. Honoring the trust placed in Church personnel by not exploiting others for sexual gain or intimacy.
5. Providing a professional work environment that is free from physical, psychological, written or verbal intimidation or harassment.
6. Maintaining confidentiality in creating, storing, accessing, transferring and disposing of Church records.
7. Avoiding situations that might present a conflict of interest.
8. Reporting to proper authorities my own ethical or professional misconduct and the misconduct of others.
9. Treating Church personnel justly in the day-to-day operations of work and ministry.
10. Being responsible for my own spiritual, physical, mental, and emotional health.

I HAVE CAREFULLY READ, UNDERSTAND, AND HEREBY COMMIT TO CONDUCTING MYSELF AS A PRIEST, PARISH ADMINISTRATOR, DEACON, SEMINARIAN, CHURCH EMPLOYEE OR VOLUNTEER IN ACCORD WITH THE DIOCESAN CODE OF PASTORAL CONDUCT.

_____

(Name) (Parish, School, Office or Program)

_____

(Position) (Date)

RETURN ONE SIGNED ORIGINAL TO THE PARISH OR DIOCESE AND KEEP THE OTHER COPY.

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CATHOLIC DIOCESE OF PITTSBURGH
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Policy: For Clergy Sexual Misconduct

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Clergy Sexual Misconduct

The teaching of the Church, particularly her moral teachings rooted in Scripture and Tradition, serve as the basis for this policy. This teaching recognizes the dignity of every human person.

Because of our desire to protect the rights and dignity of every person in the Diocese of Pittsburgh entrusted to the care of a priest, **most especially the safety and wellbeing of children**, the following procedure will be followed whenever an allegation of clergy sexual misconduct is reported to the Diocese.

This policy is intended to complement and at the same time be in compliance with both the *Code of Canon Law*, the *Motu Proprio Normae de Gravioribus Delictis Congregationi Pro Doctrina Fidei Reservatis* and *Sacramentorum sanctitatis tutela* from the Congregation for the Doctrine of the Faith. It is also in conformity with the *Charter for the Protection of Children and Young People* and the *Essential Norms for Diocesan/ Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests, Deacons or Other Church Personnel* established by the United States Conference of Catholic Bishops.

The following principles guide the policy and its application:

- ***Children come first.*** The safety of anyone entrusted to the care of a priest, especially children, is the first priority in any pastoral assignment.
- ***Concern for the victims.*** We are always concerned about victims who have suffered abuse and their families. The Diocese offers pastoral and spiritual support to victims and their families as well as psychological counseling.
- ***All allegations reported.*** All allegations of sexual abuse of minors are turned over to the proper civil authorities.
- ***Suitability for parochial ministry.*** No cleric against whom there is an admitted or established allegation of sexual misconduct with a minor may serve in any ministry. It is the role of the Church alone to determine the suitability of a cleric for ministry.

This policy will be reviewed every two years to ensure its effectiveness.

In an attempt to review the serious matter of clergy sexual misconduct and how the Church addresses it, this diocesan policy is presented under two aspects: 1) The Pastoral Response and 2) The Administrative Process.

I. The Pastoral Response

The *Policy on Clergy Sexual Misconduct of the Diocese of Pittsburgh* is concerned with allegations that a cleric (a priest or a deacon) has engaged in either sexual misconduct with a minor[1] , a vulnerable adult[2] , or nonconsensual sexual misconduct with an adult[3].

Allegations of consensual sexual misconduct by clergy will be addressed by the Vicar for Clergy. Recommendations for appropriate spiritual and/or psychological assistance will be made as needed.

The goal of the Diocese in this policy is to respond to allegations in a way that is pastorally and canonically effective in application. The prompt response of the Diocese to complaints of sexual misconduct by clergy will include among other steps:

A. An examination by the Vicar for Clergy and the Diocesan Assistance Coordinator of the content of the allegation in order to begin the determination of its credibility as regarding the suitability of the cleric for any ministry (cf. Administrative Process);

B. All allegations of sexual misconduct against minors will be turned over to proper civil authorities; in addition, the diocese encourages and supports the complainants to report the matter in question to the proper civil authorities;

C. Designated diocesan officials – usually the Vicar for Clergy and the Diocesan Assistance Coordinator – will interview the person who made the allegation, and/or the alleged victim and where appropriate, that person's parents, as well as the cleric against whom the allegation was made;

D. In addition to turning the allegation over to proper civil authorities, actions which may also be taken as a result of these interviews may include: (l) immediate removal of the cleric from his diocesan assignment; (2) a complete medical and psychological assessment; and/ or (3) ongoing treatment; (4) and an assessment of the allegation and fitness for ministry by the Clergy Task Force and the Independent Review Board;

E. Allegations cannot be received in confidence given the obligation and/or need to report this information to proper civil authorities;

F. Assistance to the complainant and his or her family by offering pastoral and spiritual support and psychological counseling as needed;

G. Recognition of the civil and canonical rights of all involved;

H. Assistance to parishes or communities affected by the allegations through the help of a Pastoral Support Team, which will provide appropriate spiritual and psychological help;

I. Availability of the Diocesan Assistance Coordinator to assure that appropriate assistance continues to be made available by the Diocese.

Footnotes

[1]Sexual misconduct with a minor (an individual under the age of 18) includes sexual molestation or sexual exploitation of a minor, viewing of child pornography, and other behavior by which an adult uses a minor as an object of sexual gratification.

In Church law, the transgressions in question relate to obligations arising from divine commands regarding human sexual interaction as conveyed to us by the sixth commandment of the Decalogue. Thus, the norm to be considered in assessing an allegation of sexual abuse of a minor is whether conduct or interaction with a minor qualifies as an external, objectively grave violation of the sixth commandment (USCCB, *Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, p.6). A canonical offense against the sixth commandment of the Decalogue (CIC, c. 1395 §2; CCEO §1) need not be a complete act of intercourse. Nor, to be objectively grave, does an act need to involve force, physical contact, or a discernible harmful outcome. Moreover, "imputability [moral responsibility] for a canonical offense is presumed upon external violations...unless it is otherwise apparent" (CIC, c. 1321 §3; CCEO, c. 1414 §2); cf. CIC, canons 1322-27, and CCEO, canons 1413, 1415, and 1416.

[2]A person 18 years or older whose ability to perform the normal activities of daily living or to provide for his or her own care or protection is impaired due to mental, emotional, physical, development disability, brain damage or the infirmities of aging.

[3]In addition to rape, "non-consensual sexual misconduct" also includes any breach of professional trust which has as its intent sexual contact. This would include sexual activity with a parish employee or an individual with whom the cleric is providing spiritual direction, counseling or ministry.

II. The Administrative Process

Phase One

If an allegation is lodged against a cleric regarding sexual misconduct with a minor or non-consensual sexual misconduct with an adult, the Vicar for Clergy and the Diocesan Assistance Coordinator must be notified immediately, an investigation is initiated, and the following steps will be taken. It should be noted that the steps presented in this policy should not be construed as a presumption of guilt of the accused cleric.

A. Those making the allegation will be interviewed by the designated diocesan officials, normally the Vicar for Clergy and the Diocesan Assistance Coordinator. Both the substance and the source of the allegation must be shared with the cleric against whom the complaint is lodged.

No allegation can be received in confidence given the obligation and/or need to report this information to the proper civil authorities. If the allegation appears to have merit, the canonical administrative process begins when the allegation is confirmed in writing.

B. The cleric must be apprised of the allegation during a separate interview conducted by the appropriate diocesan officials, normally the Vicar for Clergy and the Diocesan Assistance Coordinator. The cleric must be informed before he responds to the allegation that he has a right to canonical counsel, if he chooses. He will be assisted in identifying such counsel, if necessary.

C. If the cleric against whom an allegation is made is a member of a religious community on assignment or in residence within the Diocese, the Vicar for Clergy and the Diocesan Assistance Coordinator will review the allegations made and the diocesan process with his religious superior. Cases of this nature are within the jurisdiction of the religious community of which the accused is a member.

D. As a matter of policy, all allegations of clergy sexual misconduct with a minor, no matter how long ago the alleged misconduct occurred, are reported to the proper civil authorities.

Phase Two

After interviewing both the complainant and the accused cleric, the designated diocesan officials, normally the Vicar for Clergy and the Diocesan Assistance Coordinator, must determine action to be taken based on the credibility of the allegation.

A. First Scenario

If, after careful review of all available information, including the results of the civil investigation, the allegation is judged to be without merit, the matter will not be pursued further and the parties will be informed of this decision. Appropriate steps will be taken to affirm the cleric in his ministry and to repair any damage to his reputation.

B. Second Scenario

When the preliminary investigation of an allegation against a cleric is doubtful or there is a semblance of truth, the cleric is immediately removed from his diocesan assignment and placed on an administrative leave of absence.

1. The allegation is referred to the Clergy Task Force and the Independent Review Board to assess the allegation and the cleric's fitness for ministry.
2. Limitations are placed on the ministry of the cleric such as, but not limited to, the following: prohibition from performing any public celebration of sacraments or sacramentals; prohibition from wearing clerical attire; prohibition concerning living in a certain place or territory; and revocation of diocesan faculties.
3. The cleric is urged to undergo, as soon as possible, a complete medical and psychological assessment at a facility selected by the Diocese. Likewise, the cleric is to grant permission that the results of this assessment be shared by the treatment facility with the appropriate diocesan authorities.
4. Those making the allegation will be provided an appropriate update on the process.
5. If either the Clergy Task Force or the Independent Review Board reviews the allegation and recommends to the Diocesan Bishop that the cleric should not be returned to ministry and the bishop accepts the recommendation, one of the following will occur: 1) The cleric may be offered the opportunity to withdraw from priestly ministry; 2) The cleric may seek a dispensation from the obligations arising from the priesthood; or 3) The diocese will initiate a canonical process.
6. When the accusation has proved to be unfounded, every step possible will be taken to restore the good name of the cleric, and he will be returned to ministry.

C. Third Scenario

Where sexual abuse by a cleric is admitted or is established after an appropriate investigation in accord with canon law, the following will pertain:

1. The offending cleric will be permanently removed from ministry and the appropriate canonical process will be applied.
2. An offending cleric will be offered professional assistance for his own healing and well-being, as well as for the purpose of prevention.
3. In every case, the processes provided for in canon law must be observed, and the various provisions of canon law must be considered (cf. *Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995; cf. Letter from the Congregation for the Doctrine

of the Faith, May 18, 2001). These provisions may include a request by the cleric for dispensation from the obligation of holy orders and the loss of the clerical state, or a request by the bishop for dismissal from the clerical state even without the consent of the cleric.

4. For the sake of due process, the accused is to be encouraged to retain the assistance of civil and canonical counsel. When necessary, the diocese will supply canonical counsel to a cleric.
5. The cleric will be offered assistance for career retraining.
6. If the penalty of dismissal from the clerical state has not been applied (e.g., for reasons of advanced age or infirmity), the offender is to lead a life of prayer and penance. He will not be permitted to celebrate Mass publicly, to wear clerical garb, or to present himself publicly as a priest.

III. The Independent Review Board Norms/ Procedures

Article I — Statement of Jurisdiction

1. **Coverage** – These procedures are established solely for the purpose of presenting to the Diocesan Bishop a recommendation as to a particular course of action to be taken when a doubt remains regarding credibility of an allegation involving sexual misconduct or when the suitability to hold ecclesiastical office or any other ministerial assignment has been questioned due to circumstances beyond those defined in the universal law of the Church. In addition this Board will assist the Diocesan Bishop in a regular review of diocesan policies and procedures for dealing with sexual abuse of minors.
2. **Limitation of Action** – An assessment under these procedures shall be convened only by the Diocesan Bishop or by one specifically delegated by him to act on his behalf.
3. **Exclusion** – These procedures are not applicable to doctrinal matters of faith and morals, the validity of sacred orders or canonical imposition of penalties by judicial or administrative procedures.

Article II — Powers and Duties

1. The Vicar for Canonical Services shall be responsible for the implementation and application of these procedures.
2. It shall be the duty of the Vicar for Canonical Services to:

a. Effect the proper operation of these procedures;

b. Process the request through the established procedures;

c. Maintain accurate records;

d. Transmit said records together with the recommendation of the Independent Review Board to the Vicar for Clergy following conclusion of the action.

3. A roster of people qualified to serve on the Independent Review Board shall consist of laity not employed by the Diocese, as well as pastors and religious, appointed by the Diocesan Bishop. The list shall include persons who are learned in civil law or the human sciences and who meet any other qualifications which the Diocesan Bishop may establish. They shall be appointed for a five (5) year term that is renewable.

4. Five (5) members of the Independent Review Board, including at least one pastor, and at least one person who has expertise in the treatment of sexual abuse of minors shall be selected for each case by the Vicar for Canonical Services of these procedures.

Article III – Process of Assessment

1. The designated Independent Review Board shall hold hearings upon any case referred to it by the Vicar for Canonical Services, with the initial hearing being scheduled not more than fifteen (15) calendar days after such referral unless extended by the Vicar for Canonical Services. The Board is convened by the Vicar for Canonical Services with the approval of the Diocesan Bishop.

2. The Vicar for Canonical Services shall set a time, date and place for each hearing and notify the parties, in writing, not less than ten (10) calendar days prior to such hearings.

3. Prior to establishing a time, date and place for the initial hearing by the Vicar for Canonical Services, the Vicar for Clergy or his delegate shall submit to the Vicar for Canonical Services all documentation and information which has been previously gathered concerning the allegation and shall determine the willingness of the person making it to participate in these procedures.

4. All testimony shall be taken under oath or affirmation. The Board may take testimony of the parties and witnesses by deposition, affidavits or otherwise when it is deemed necessary.

5. The Independent Review Board shall make its

recommendation on the evidence presented. All testimony shall be taken in the presence of the entire Board. The parties may offer any evidence as they desire, subject to a decision by the Board as to its relevancy and materiality.

6. Upon completion of the process, the Independent Review Board shall submit, in writing, its findings and recommendations to the Vicar for Clergy through the Vicar for Canonical Services of these procedures. The recommendations are then shared in full with the Diocesan Bishop.
7. The recommendation of the Independent Review Board shall be handed down no later than ten calendar days from the date of the closing of the process.

IV. Canonical Penal Procedures

Introduction

The canonical penal process establishes the fundamental procedures by which truth and justice is served within the ecclesial community. The penal process is divided into two phases:

1. The Prior Investigation; (c. 1717-1719)
2. The Development of the Process. (c.1720-1728)

These two phases form the administrative and judicial process by which the *Code of Canon Law* safeguards the rights of the complainant and the cleric, repairs scandal and restores justice. In addition, the penal process is governed by the *Normae de Gravioribus Delictis Congregationi Pro Doctrina Fidei Reservatis,* and *Sacramentorum sanctitatis tutela.*

Prior Investigation

The prior investigation phase has two distinct components. The first component is the investigation by the Diocesan Bishop or his delegate to determine:

- The specific offense *alleged to have been* committed;
- The precise canonical violation;
- The evidence available; and
- The canonical statute of limitation (prescription).

As in civil law, during the investigation, the accused enjoys the presumption of innocence, and all appropriate steps shall be taken to protect his reputation.

Development of the Process

When this first component is completed the Diocesan Bishop proceeds to the second component and determines:

1. Whether the specific offense is a delict of the type reserved to the Congregation for the Doctrine of the Faith, in conformity with the *Motu Proprio, Normae de Gravioribus Delictis Congregationi Pro Doctrina Fidei Reservatis*, and *Sacramentorum sanctitatis tutela.*
2. If the Diocesan Bishop has reasonable belief that a reserved delict probably has been committed after the appropriate canonical investigation, he transmits this to the Congregation for the Doctrine of the Faith which, unless the Congregation claims jurisdiction of the case itself, will order the Ordinary to proceed to a conclusion, with due regard, nevertheless, for the right of appealing against a sentence of the first grade to the Supreme Tribunal of the Congregation for the Doctrine of the Faith.
3. If the process is directed to be handled by the Diocesan Bishop, on a local level, the Congregation for the Doctrine of the Faith will forward appropriate norms governing the handling of the case.
4. . If a case is not reserved to the Congregation for the Doctrine of the Faith, a determination must be made by the Diocesan Bishop if the process is to be administrative or judicial.
5. If the Diocesan Bishop decides to proceed by an administrative process, he must inform the cleric of the evidence and offer the cleric the opportunity of self - defense before a decision is rendered.
6. If the Diocesan Bishop decides to proceed by a judicial process in a case that is not reserved to the Congregation for the Doctrine of the Faith, he must do so by transmitting the evidence collected to the Promoter of Justice who is to present a formal petition to the Diocesan Tribunal. The Diocesan Tribunal must act on the petition in accord with the procedural norms established by the Code of Canon Law and the *Motu Proprio, Normae de Gravioribus Delictis Congregationi Pro Doctrina Fidei Reservatis* and *Sacramentorum sanctitatis tutela* from the Congregation for the Doctrine of the Faith.



CATHOLIC DIOCESE OF PITTSBURGH
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Pittsburgh, PA 15222
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Subject:	Secretariat:	Number: ML-I
ALLEGATIONS OF SEXUAL ABUSE OF MINORS BY CHURCH PERSONNEL OTHER THAN CLERICS	Ministerial Leadership	Page: 1 of 3

Purpose: To establish a protocol for dealing with allegations of the sexual abuse of minors by Church personnel other than clerics.

Applicability: All non-clergy Church personnel.

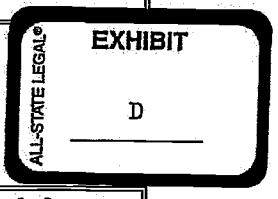
Definitions:

***Church Personnel*:**

- All persons directly employed by the Diocese of Pittsburgh or any parish within the Diocese; and,
- All persons who provide any volunteer services to/for the Diocese of Pittsburgh and to/for any parish within the Diocese.

***Minor*:** Any person under eighteen (18) years of age.

***Sexual abuse of a minor*:** Sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification. Sexual abuse has been defined by different civil authorities in various ways, and these norms do not adopt any particular definition provided in civil law. Rather, the transgressions in question relate to obligations arising from divine commands regarding human sexual interaction as conveyed to us by the sixth commandment of the Decalogue. Thus, the norm to be considered in assessing an allegation of sexual abuse of a minor is whether conduct or interaction with a minor qualifies as an external, objectively grave violation of the sixth commandment (USCCB, *Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, p.6). A canonical offense against the sixth commandment of the Decalogue (CIC, c. 1395 §2; CCEO, c. 1453 §1) need not be a complete act of intercourse. Nor, to be objectively grave, does an act need to involve force, physical contact, or a discernable harmful outcome. Moreover, "imputability [moral responsibility] for a canonical offense is presumed upon external violation ... unless it is otherwise apparent" (CIC, c. 1321 §3; CCEO, c. 1414 §2). Cf. CIC, canons 1322–27, and CCEO, canons 1413, 1415, and 1416. This definition is contained in the *Essential Norms* that were adopted by the bishops of the United States. The norms received the *recognitio* of the Apostolic See on December 8, 2002, and became effective as particular law binding all dioceses and eparchies of the United States on March 1, 2003.



Effective Date:	Revision Date:	Number of Revisions:
June 1, 2003		

Approved May 21, 2003

Subject:	Secretariat:	Number: ML-I
ALLEGATIONS OF SEXUAL ABUSE OF MINORS BY CHURCH PERSONNEL OTHER THAN CLERICS	Ministerial Leadership	Page: 2 of 3

Policy and *Procedure*:

I.A. When an allegation of sexual abuse of a minor is made, the Church will respond both pastorally and administratively.

I.A.1. *The Church shall provide assistance to the minor and his/her family with the offer of spiritual support and psychological counseling as needed.*

I.A.2. *The civil and canonical rights of all involved will be respected while the Church seeks to offer assistance.*

I.A.3. *A pastoral support team will be put in place to provide assistance to parishes or communities affected by the allegations.*

I.A.4. *Any allegation of sexual abuse involving a minor may be brought by the minor, his or her parent(s) or guardian(s), or anyone else with knowledge or a reasonable suspicion that sexual abuse has occurred.*

I.A.5. *The Office of the Secretary for Ministerial Leadership will work with the Office of Civil Legal Services to report promptly all allegations of the sexual abuse of minors to the appropriate civil authorities as well as to comply with all civil law obligations. Any mandatory reporter who receives an allegation from a minor will comply with the requirements of the Child Protective Services Law. Even though the diocese will have informed civil authorities, all persons communicating an allegation of the sexual abuse of a minor will also be encouraged to turn the allegation over to the civil authorities.*

I.A.6. *The alleged victim of sexual abuse or another individual bringing the allegation will be interviewed by the Office of the Secretary for Ministerial Leadership. If the Church employee or volunteer does not work in Central Administration, then the pastor or other supervisor of the employee or volunteer will participate in the interview. When possible, the allegation should be in writing and signed by the party making the allegation.*

I.A.7. *The Church employee or volunteer will also be interviewed by the same persons set forth in the preceding paragraph. At the beginning of the interview it should be determined that the employee or volunteer is aware of their civil and canonical rights. If the allegation is deemed to be credible, the employee or volunteer will be suspended immediately. In the case of an employee, the temporary suspension will be with pay.*

Effective Date:	Revision Date:	Number of Revisions:
June 1, 2003		

Approved May 21, 2003

I.A.8. *After the preliminary review has been conducted, a decision will be made by those conducting the interviews whether the employee or volunteer is to continue on suspension, be reinstated, or dealt with in another manner including termination of employment.*

I.A.9. *Further action may be taken later. The circumstances in which further action might be taken include, but are not limited to: (a) a retraction of the allegation; (b) an admission by the employee or volunteer; (c) the institution of or the resolution of either criminal charges or a civil action, (d) or the receipt of any other relevant information at any time*

I.A.10. *If at any time it is determined that the allegation is unfounded, then appropriate steps will be taken to affirm the employee or volunteer in their work and to repair any damage to their reputation.*

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Dioceses more responsive to Catholic Church sex abuse scandals



JASON CATO (https://twitter.com/Jac412Cato) | Saturday, March 5, 2016, 9:00 p.m.

Decades of silence by the Roman Catholic Church regarding child sexual abuse by priests has given way to an era of atonement, as public apologies and condemnation come from local dioceses up to the Vatican.

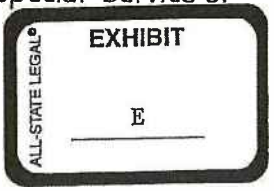
But that isn't enough for some. The church needs to name priests suspected of abuse, like those outed last week in a 147-page grand jury report about the Altoona-Johnstown diocese, so more go to prison, said David Clohessy, national director of SNAP, the Survivors Network of those Abused by Priests.

"More words, clearer words, sadder words — it's all words, and words protect no one. Decisive actions protect kids," said Clohessy, expressing a desire for local dioceses to post online the names of priests accused of sexually abusing children. "They often are fixated on PR, policies, panels and protocols that look terrific on paper but essentially are worthless.

"Sincerity must be judged by actions, not words."

Leaders of the Catholic Church in Pittsburgh and Greensburg said they are committed to stopping sexual abuse and righting decades of wrongs.

"I would hope in every diocese we realize we can never do enough to keep this horror from occurring," said Pittsburgh Bishop David Zubik, who will host a special "Service of Apology" March 21 in St. Paul Cathedral in Oakland.



He said the Mass is not related to the allegations of abuse in Altoona-Johnstown, which Attorney General Kathleen Kane made public in the same week that "Spotlight," a movie about The Boston Globe's investigative reporting into decades of abuse there, won the Academy Award for best film. A Somerset County priest was sentenced last week to nearly 17 years in prison for molesting orphans during mission trips to Central America.

All U.S. dioceses in 2002 adopted zero-tolerance policies for dealing with suspected sexual abuse, though the Greensburg Diocese's policy dates to 1985 and Pittsburgh's to 1988.

Edward Malesic, who last year became bishop in Greensburg, said the church has to remain watchful for cases of abuse and clerical perpetrators.

"This has been a terrible issue for the church for many years," Malesic said. "It's extremely important that the church be vigilant and make sure children are safe."

That includes conducting background checks on everyone who works for or volunteers with the diocese and reporting every case of suspected child abuse to authorities, he said.

"I can't change the past, and I can't change what happened in Altoona-Johnstown," Malesic said. "But I can be strong here in Greensburg."

Messages left with the Altoona-Johnstown Catholic Diocese were not returned. In a statement, Bishop Mark Bartchak noted the diocese cooperated with authorities and is reviewing the grand jury's report, which ended an investigation that lasted nearly two years.

"I deeply regret any harm that has come to children, and I urge the faithful to join me in praying for all victims of abuse," said Bartchak, who committed to posting on the diocese's website the names and current status of every priest in the diocese accused of abuse.

Philadelphia is the only other diocese in Pennsylvania to have posted such a list, according to bishop-accountability.org (http://bishop-accountability.org). The website lists 42 cases of abuse involving priests from the Pittsburgh diocese and six from Greensburg.

The National Catholic Reporter revealed last year that U.S. Catholic churches had paid nearly $4 billion to settle decades of lawsuits. In 2014, the Vatican reported that during the previous decade it defrocked about 850 priests who raped or molested children and sanctioned 2,500 worldwide.

Officials with the Vatican and U.S. Conference of Catholic Bishops in Washington, D.C., could not be reached.

Kane announced Tuesday that the grand jury found that at least 50 priests in Altoona-Johnstown abused hundreds of children at orphanages, foster homes, campsites, confessionals and the cathedral in Altoona from the 1940s to 1980s.

No criminal charges will be filed because the statute of limitations on such crimes has expired, suspected priests have died, and some victims are reluctant to testify, Kane said.

On Wednesday, U.S. District Judge Kim R. Gibson of Johnstown sentenced the Rev. Joseph D. Maurizio Jr., 70, of Central City to prison for engaging or attempting to engage in illicit sexual conduct in foreign places; possession of child pornography; and money laundering.

Prosecutors, who sought 27 years' imprisonment, said the priest traveled to an orphanage in Honduras between 1999 and 2009 and promised cash and candy to boys who allowed him to watch them shower or have sexual contact with them.

Maurizio plans to appeal, his attorney said.

Zubik said he scheduled his apology Mass before the grand jury report and sentencing of Maurizio. It will be the second such Mass he has hosted in Pittsburgh, the other being in 2009. He first hosted a "Service of Apology" in 2006 while bishop in Green Bay, Wis.

The services address several ways people could have been victimized by the church, including sexual abuse. An apology from the church is healing for some but pulls off a scab for others, Zubik said.

"But forgiveness is that way. Saying you're sorry does that," he said. "It highlights that even though the church is divine, we are all certainly human."

Pope Francis apologized to five victims of sexual abuse — both those abused by clergy and by others, such as family members — during his visit to Philadelphia in September.

His predecessor, Pope Benedict XVI, publicly apologized for clergy sex abuse in 2008 and 2010. Pope John Paul II in 2000 said a special Mass in Rome to ask God's forgiveness for the sins of Catholics — though he did not specifically mention sexual abuse by priests.

Zubik said John Paul's public atonement inspired him to conduct similar services later. The one this month is in response to the church's Jubilee Year of Mercy, he said.

"It's a moment of grace," Zubik said.

Clohessy called apologies discouraging rather than hopeful signs of real change.

"This is just more shrewd PR," he said. "You apologize after a threatening harm is over. Church officials know full well this crisis is a continuing crisis."

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Pittsburgh Post-Gazette (Pittsburgh, Pennsylvania) · Sat, Jun 15, 2002 · Page 1
Printed on Mar 1, 2018

"From this day forward no one known to have sexually abused a child will work in the Catholic Church in the United States."

— Bishop Wilton Gregory, conference president

U.S. bishops get tough on sex abusers

Policy removes priests for molesting minors

By Ann Rodgers-Melnick
Post-Gazette Staff Writer

DALLAS — Reeling from the worst scandal to rock the Catholic Church in memory, the nation's bishops voted overwhelmingly to remove from ministry any priest who has ever sexually abused a minor.

"From this day forward no one known to have sexually abused a child will work in the Catholic church in the United States," said Bishop Wilton Gregory, the conference president. He also apologized for "our tragically slow response in recognizing the horror" of sexual abuse.

Archbishop Harry Flynn, chairman of the bishops committee on sexual abuse, called it an effort "to root out a cancer in our church."

The prelates stood and applauded after they approved the policy on a 239-13 vote by secret ballot. It was the climactic moment of an extraordinary meeting that has been filled with wrenching accounts of abuse from victims and solemn expressions of remorse from church leaders.

Bishop Donald Wuerl of Pittsburgh played a key role in the debate, calling for a broader definition of sexual abuse and insisting that all allegations of sexual abuse against those who are now minors be immediately given to the civil authorities.

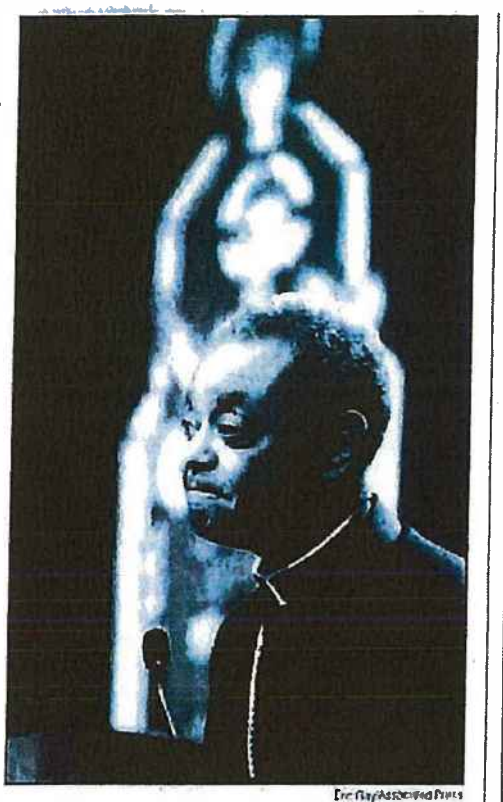
"This document allows us to assure our people that we are not, to the best of our ability, placing any of our children at risk. It basically restores the basis of trust and begins the healing," Wuerl said.

The policy says that no priest who has abused a minor in the past, present or future will remain in ministry. Some victims groups were critical of a clause indicating that such priests who are aged, infirm, or who for some other reason cannot be effectively removed from the priesthood by the Vatican, must live a life of supervised penance and be forbidden to wear clerical garb, celebrate Mass publicly or call himself a priest.

The bishops also passed a policy allowing their own Committee on the Life and Ministry of Bishops to take action against bishops who fail to implement the policies, although those disciplinary measures were not spelled out. Bishops' compliance would be determined by a newly established Office for Child and Youth Protection and a blue ribbon national lay review board to be chaired by Oklahoma Gov. Frank Keating.

The Charter for the Protection of Children and Young People takes effect immediately but will be monitored for two years for possible revisions. Because of that, the bishops asked the Vatican to approve for only an initial two-year period a set of norms that give the standards the force of canon law with the idea that they may be revised later.

SEE BISHOPS, PAGE A-3



Eric Gay/Associated Press

Bishop Wilton Gregory of Belleville, Ill., president of the United States Conference of Catholic Bishops, addresses the group after passage of its clerical sex abuse policy at the U.S. Conference of Catholic Bishops' meeting yesterday in Dallas.

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Pittsburgh Post-Gazette (Pittsburgh, Pennsylvania) · Sat, Jun 15, 2002 · Page 3
Printed on Mar 1, 2018

U.S. bishops vote to remove priests who molest minors

BISHOPS FROM PAGE A-1

Unless and until Rome approves the norms it may be difficult or impossible to laicize — effectively remove from the priesthood — some offending priests.

A day of prayer that the bishops had proposed to devote to this issue on Sept. 11 was changed to Aug. 14 because of potential conflict with national mourning over the first anniversary of Sept. 11.

Wuerl was wearing his anguish on his sleeve by the end of a day in which he had successfully fought to take far stronger measures than some of his fellow bishops wanted.

"This has been the most emotionally exhausting, psychologically draining meeting I have ever been involved in," he said.

The comment was telling because many bishops have long said that their most trying meeting was in 1997 and dealt with Wuerl's controversial appointment as an auxiliary bishop with unheard of powers to overrule the then archbishop of Seattle on certain issues of concern to the Vatican. But that was just an institutional power struggle, Wuerl said.

"This involves the lives of human beings we know and faces that appear before us — victims who have been abused and priests who will never serve in ministry again. It is very hard to have to make decisions that so dramatically and unilaterally change people's lives," he said.

Yet he had argued for the necessity of those decisions against bishops who opposed the idea of "zero tolerance" and "one strike."

He led a successful fight to define sexual abuse as, "Contacts or interactions between a child and an adult when the child is being used as an object of sexual gratification for the adult. A child is abused whether or not this activity involves explicit force, whether or not it involves genital or physical contact, whether or not it is initiated by the child and whether or not there is discernible harmful outcome."

Some bishops believed that was far too vague. "Is this going to be a glance? Is this going to be a wave?" Archbishop Justin Rigali of St. Louis asked of interactions that young parishioners might complain about. "Remember we are asking the priests out of ministry for this."

Bishop Joseph Galante of Dallas, however argued that one of the most common scenarios is for offending priests to show pornographic movies to minors. Broad language is necessary to deal with such conduct, he said.

Wuerl's language, drawn from a statement by the Canadian bishops, passed overwhelmingly. The church must set a higher standard than civil law, he said later.

"Whatever the sexual abuse is has to be included in our definition of sexual abuse, whether or not it is covered by civil law. What we have been talking about all along is something that is immoral — and may also be a crime."

He was also a key player in a fight he considered even more important — to require bishops to immediately report all allegations involving victims who are still minors to the civil authorities. Some bishops only wanted to report allegations that they had first investigated and found credible.

Bishop Thomas Doran of Rockford, Ill., objected that unless the bishop first established the truth of the allegation "to a moral certainty" he would be violating the standards of canon law.

"If this means that any person who doesn't like a priest can be reported to civil authorities, and we do that, then we are fools," he said. "Further, when we do this, we rat out our priests. And I'm not in favor of it."

Wuerl framed that debate for many of the bishops by arguing that the bishop's investigation is only to determine whether the priest is suitable to continue in ministry. Only the civil authorities can determine if the allegation of a crime is credible, he said.

"I believe where we have erred in the past is appropriating to ourselves the decision of whether or not to report the allegation because we have decided it is not credible," he said.

Bishop Anthony Bosco of Greensburg said that in most cases the bishops are mandatory reporters under civil law. Catholic schools already do this with teachers accused of abuse, and there should not be a separate standard for priests, he said.

"My feeling is that we might be in danger of going to jail if we do not comply," he said.

But Cardinal Roger Mahony of Los Angeles may have carried the most weight when he spoke of twice being falsely accused and then cleared of suspicion of sexual abuse.

"I welcomed the police investigation early because they got right onto it and dealt with it. I think it's very helpful to have the police deal with these things, especially the unfounded ones, and get it over with," he said.

There is a difference between caring for a priest and imposing consequences for misconduct, Wuerl said later of bishops who balked at reporting.

"Of course we forgive — but we all have to live with the consequences," he said.

> "To come today and hear that they are going to leave known molesters in the priesthood is devastating, just devastating."
>
> — Barbara Blaine, founder of the Survivors Network of those Abused by Priests

According to the bishops' staff attorney, Mark Chopko, allegations involving victims who are no longer minors would be handled according to agreements that each diocese would negotiate with the local district attorney. Different district attorneys have different standards for whether they want to hear about cases that might be decades old, Chopko said.

Some bishops objected strenuously to the one-strike policy. They said cases in which a priest who had committed one offense long ago undergoes therapy and had an exemplary ministry ever since should be handled on a case by case basis.

Bishop Howard Hubbard of Albany, N.Y., compared it to the one-strike drug laws, which he said had failed to rehabilitate minor drug runners or to stop drug dealing and which the bishops had opposed as a matter of policy on criminal justice.

Cardinal Avery Dulles, a Jesuit theologian who is the only member of the conference never ordained as a bishop, objected to the broad definition of sexual abuse that Wuerl had inserted.

"It puts a very adversarial relationship between bishop and priest," he said. Instead of confiding his difficulties to his bishop a priest now "has to be very, very careful what he says to the bishop because the bishop can throw him out of ministry for life."

But Cardinal Anthony Bevilacqua of Philadelphia insisted that the bishops must pass the charter.

While bishops "must show Christ-like compassion" to their priests, "at the same time in our present crisis we must place the good of the church first," Bevilacqua said.

"We need strong support of this document to begin to restore the credibility of the church and its moral authority," he said. "We need strong support of this document so our faithful can once again lift up their heads and say, 'I'm proud to be Catholic.'"

When the document had passed overwhelmingly, auxiliary Bishop David Zubik of Pittsburgh said it was the testimony of four sexual abuse survivors on Thursday that had galvanized the bishops to reach a near consensus during a long closed-door meeting Thursday night.

"After you heard them talk yesterday morning, you couldn't do anything else," he said of the decision to permanently remove all offenders from ministry.

But some victims gave it mixed reviews, especially clauses that allowed offenders to resign voluntarily from ministry but remain on the diocesan payroll, without the right to call themselves a priest, celebrate public Mass or dress as a priest. Possible reasons for this that the bishops gave was if the offender was too old or ill to start over in life.

"To come today and hear that they are going to leave known molesters in the priesthood is devastating, just devastating," said Barbara Blaine, a founder of the Survivors Network of those Abused by Priests.

But Paula Gonzalez Fohrbacher of Juneau, Alaska, a survivor who addressed the bishops Thursday, was satisfied that the bishops were serious about removing all offenders from ministry, no matter how long ago their offense.

"It shows that what they heard yesterday morning had an impact," she said.

Jason Berry, the New Orleans journalist who first began to report on systematic sexual abuse by priests in 1985 and made it a national cause, said he believed that bishops had made a good faith effort to address a problem that was not entirely in their control.

"I think they are trying to walk a fine line between the passionate intensity of the survivors and the reactionary sentiments of the Vatican," he said, reflecting concerns that Rome may not approve their actions.

"The pope is very ill. Other Vatican voices on this are intemperate in the extreme. The bishops are caught in an historical bind."

Some bishops expressed similar concerns about whether Rome would give the bishops norms the force of canon law. The recent scandal occurred because some bishops ignored similar polices that they adopted in 1992.

But some Vatican officials have recently made statements that call into question Roman support for zero tolerance and mandatory reporting.

The Rev. Ciro Benedettini, a Vatican spokesman, had no comment on the policy but said officials there would review it — likely a lengthy process.

Asked in the language of basketball, whether the Vatican would quickly approve the policies, Bishop Gregory replied, "I would never presume, when going to the Holy See, that I had a slam dunk."

The Associated Press contributed to this report.



L.M. Otero/Associated Press

Cardinal Anthony Bevilacqua of Philadelphia reads a statement yesterday at the U.S. Conference of Catholic Bishops' meeting in Dallas. Bevilacqua insisted that the bishops had to pass the charter.

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Pittsburgh Post-Gazette (Pittsburgh, Pennsylvania) · Tue, Aug 25, 1987 · Final Edition · Page 6

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PRIESTS AND PEDOPHELIA

A greater

By Eleanor Bergholz
Post-Gazette Staff Writer

The February conviction of the Rev. Roger Trott of the Greensburg Diocese for child sexual abuse contrasts sharply with the way the diocese and local law enforcement officials handled a similar case several years earlier.

Trott, former pastor of St. John the Baptist de la Salle parish in Delmont, admitted molesting 12 boys.

When parents reported Trott's fondling of their children to the Westmoreland County Children's Bureau, it investigated and referred the case to the district attorney for prosecution. Church officials relieved Trott of his pastoral duties.

Under a plea bargain discussed with the parents, Trott was charged with one count of corruption of minors involving a 13-year-old altar boy and sentenced to five years' probation.

The deal also required Trott, 42, to be treated for pedophilia, a sexual disorder in which the love object is a child, at St. Luke's Institute in Suitland, Md.

Trott's case was handled swiftly, openly and decisively. But that of the Rev. Dennis Dellamalva a few years earlier did not result in prosecution. Instead, there was a civil case that has remained secret for five years.

In May 1986, the Greensburg Diocese paid two families $375,000 to settle a civil lawsuit brought in 1983 on behalf of three teen-age boys molested by Dellamalva, a former associate pastor at Mother of Sorrows parish in Murrysville.

District Attorney John Driscoll said he would do it differently if Dellamalva's case came to him now. He said police, investigators, the Children's Bureau and the diocese all learned a great deal from the inaction that characterized the Dellamalva case.

"If that case happened today, it would have been reported much sooner and it would have been more fully investigated," he said. "The Children's Bureau was not involved. There was no investigation.

"We prepared a criminal complaint, but the families decided they wished not to pursue it. [Today] we would have been able to convince the victims that [criminal] prosecution would not have hurt their interests."

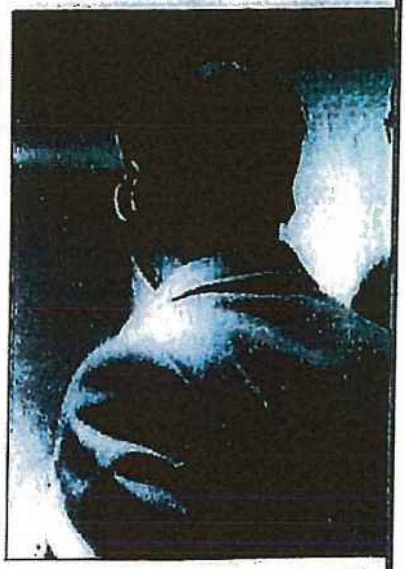
Driscoll praised the way the Greensburg Diocese handled the Trott case. "The diocese has made a complete turnabout in the way they view this type of a case. One could not ask for a better response. They were very prompt, very decisive, no equivocation. They acted in a clear-cut manner from the outset."

Today's greater openness in handling such cases, in Greensburg and elsewhere, is the result of several factors: new laws that require more reporting of child sexual abuse; greater public awareness; cancellation of diocesan liability insurance for sexual misconduct; and a developing understanding by diocesan officials about the addictive nature of pedophilia.

As a result of these factors, the four Catholic dioceses in Western Pennsylvania are beginning to develop policies to deal with such cases.

Several parishioners describe the Rev. Dennis Dellamalva as charismatic — a priest who brought new life to the parish when he arrived in 1977.

He enjoyed music and dancing and earned the nickname, "Disco Denny." The kids liked him and he was often invited to parishioners' homes. He ran the youth group at the parish and spent time hanging out with kids at Franklin Regional High School. He even traveled to the school but with the team to high school football games.



The Rev. Roger Trott with his lawyer, Ross Nash, after a hearing in Febru

The Rev. Roger Trott's case was han
But that of the Rev. Dennis Dellamalva a fe
There was instead a civil case that

In the spring of 1982, without explanation to parishioners, Dellamalva was transferred to Holy Family in Latrobe.

A year later, two sets of parents from Mother of Sorrows told the district attorney that Dellamalva had molested their sons.

Driscoll said he learned about Dellamalva as the statute of limitations on his offenses was running out.

"We prepared a criminal complaint but we did not officially file charges," he said, adding that his office was guided by the feelings of the families and their attorney who wanted to protect the boys' privacy.

Parishioners say Dellamalva molested as many as a dozen boys.

In the civil suit filed in April 1983, parents retained Melvin Belli of San Francisco to represent them.



A second Erie priest, the Rev. John Murray, 64, of St. Matthew Parish, was accused of fondling a 12-year-old altar boy.

The complaint states that Dellamalva "misused his position of special trust and confidence," and that numerous instances of molestation occurred in 1980 and 1981 while Dellamalva was "acting within the scope of his employment as a priest."

It says Dellamalva had "improper and illegal sexual contact by touching their genitals and fondling them" while a guest in one family's home, once on Christmas Day, in the sacristy, and in the confessional.

Dellamalva failed to stop his deviant behavior after being confronted by one family, the complaint states, and the now-retired Bishop William Connare "failed to discharge Dellamalva from his duties after having been confronted by the plaintiffs and others."

In February 1984, diocesan attorneys argued successfully to seal records in the civil suit despite parental opposition.

In March 1987, the Post-Gazette asked that the seal be lifted. After a series of hearings and legal maneuvers, Common Pleas Judge Dominic Amborn opened the record but kept the depositions of Connare and Dellamalva secret, even though they had been filed in court. As a result, many details of what what happened and how long the diocese knew about Dellamalva's behavior remain secret today.

Dellamalva was sent to a psychiatric hospital in Hartford, Conn., called the Institute of Living, sources say. Diocesan officials won't say where Dellamalva, who opposed the unsealing of the court record, is now, and a family member refused comment. He is listed on leave in the 1986 Catholic Kennedy Directory, and a diocesan official has suggested that he is in the

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Pittsburgh Post-Gazette (Pittsburgh, Pennsylvania) · Tue, Aug 25, 1987 · Final Edition · Page 6

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openness



Tony Tye/Post-Gazette

handled swiftly, openly and decisively.
few years earlier did not result in prosecution.
t has remained secret for five years.

rivacy.

process of being indicted, or removed from the priesthood.

Besides Trott, a brother has been prosecuted in Allegheny County and two priests in Erie County for sexual acts involving children.

In Cambria County, the Altoona-Johnstown Diocese and a Common Pleas judge have muzzled four sets of parents who sued the diocese in May 1986. They seek damages on behalf of five children they say were molested by Msgr. Francis McCan.

McCan, 62, was pastor of Holy Name parish in Ebensburg and was once chancellor of the diocese.

In 1985, parents told the district attorney about the molestations after concluding that no action would be forthcoming from now-retired Bishop James J. Hogan.

Within a week of the meeting with the DA and after a television report about the charges, McCan resigned. Altoona station WTAJ-TV reported that McCan had fondled the boys.

District Attorney Gerald Long did not file criminal charges. He has since been elected to Cambria County Common Pleas Court and has become the judge in the civil suit filed by the parents. Long also is a member of Holy Name parish. He did not answer repeated phone calls, nor would he be questioned in person about the case.

Long sealed the record as Ambrose had done, again, even though parents of the boys opposed the secrecy. The seal is so broad, the parents and their attorney say, that they are not permitted to discuss anything about the case.

The suit is still pending. McCan now works as a chaplain in a hospital in another state, a diocesan official said. He is listed in the 1986 Catholic Directory as absent on sick leave.

In Erie County, Assistant District Attorney Tim Lucas said parents from St. Gregory parish in North East told him their 7-year-old daughter had been molested by the pastor, the Rev. Donald Bolton.

Lucas said the parents came to him because they felt Bolton's order, the Redemptorists, had agreed on a promise that he would not work with children again. The parents had discovered that Bolton was teaching at a school in New York.

An Erie diocesan official said the diocese was not responsible for Bolton because he was a member of a religious order.

Bolton, 60, was charged in November 1986 with one count each of indecent assault and corruption of minors. He pleaded guilty and received three years' probation in February 1987.

He was accused of fondling the girl many times during the previous two years. The police officer who arrested Bolton said there were other victims but that the statute of limitations had run out and Bolton could not be prosecuted. Bolton agreed to enter a program that treats sexual disorders.

A second Erie priest, the Rev. John Murray, 61, of St. Matthew parish, Erie County, was charged in May 1985 with one count each of indecent assault and corruption of minors. He was accused of fondling a 12-year-old altar boy on April 1, 1985, at the church. The boy's parents reported it to the police.

Murray pleaded no contest in August 1985. In the fall of 1985, he was sentenced to one year's probation. In the interim he went to two treatment facilities.

Gary Loschi, director of information for the Erie Diocese, said Murray has been removed from active ministry.

In September 1985, Brother Ralph Mravintz, 40, pleaded no contest to a disorderly conduct charge after the original charge that he had molested a student at North Catholic High School in Pittsburgh was reduced.

Allegheny County Assistant District Attorney Joseph Ruddy said the plea bargain was arranged at the request of the victim and his family because the boy did not want to testify.

Mravintz taught mathematics at Memphis, Tenn., Catholic High School during the past school year.

The Rev. Bert Ruby, provincial of the Marianist Brothers in Dayton, Ohio, the order to which Mravintz belongs, said he is "absolutely certain" Brother Ralph is not a pedophile and feels he was falsely accused. He said the order plans to try to have the conviction expunged from Mravintz's record.

Ruddy said Mravintz accepted a plea of no contest, calling that a tacit admission that he did something wrong. He said he would oppose any effort to expunge Mravintz's record.

Ruddy said a friend of the student reported a similar incident but recanted it to the principal the next day. Mravintz did give policemen necktie with a naked torso of a woman on the back, which the boy said the teacher wore.

Memphis Catholic High School principal Edward Locke said Mravintz presents no danger to students.

"We and the order are behind him 100 percent. They [the order] said there was no incident. Eventually, it will be expunged from his record. He is doing a fine job at Memphis Catholic."

Mravintz could not be reached for comment. His attorney, John Doherty, refused to discuss his case.

A Pittsburgh Diocesan spokesman, the Rev. Ronald Lengwin, said the diocese had no responsibility for Mravintz because the brother is a member of a religious order.

The four Western Pennsylvania dioceses are in varying stages of developing policies to deal with priests accused of child sexual abuse.

The policy of the Greensburg Diocese, adopted in January 1985, states that the diocese will investigate any reports of abuse. If the allegations are true, the priest is relieved of his duties and sent for a medical evaluation. The diocese will cooperate fully with civil authorities and will assure victims that they are of "primary concern."

The policy of the Pittsburgh Diocese, adopted in February, states that if bona fide reports are made regarding the misconduct of a priest, the secretary for clergy and pastoral life will "make whatever intervention seems appropriate."

The Erie Diocese is in the process of drafting a policy covering any diocesan employee involved in child sexual abuse. The policy will deal with the victims, the victims' families and the perpetrator.

In Altoona-Johnstown, the policy is to remove the priest from his position as soon a problem emerges.

"You would try to find an assignment where the priest would not come into contact with children in the course of his duties," said Msgr. Philip Saylor.

He said diocesan officials went to a regional meeting last year at which civil and canon lawyers and a psychiatrist advised that such situations should be dealt with immediately.

But as it stands now, he said, a bishop has "infinite discretionary power in dealing with a situation."

"As far as I am concerned, the whole thing infuriates me," Saylor said. "When you get a bad priest, it reflects on the whole church. It reflects on all priests. But I am not surprised. We are all human beings."

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THE PEDOPHILES *A kind of Pied Piper*

Pedophiles come from all groups and professions in society: doctors, lawyers, policemen.

They often seek positions where they have access to children. And they are figures traditionally trusted by parents, such as teachers, scoutmasters, band leaders, choir directors and clergymen.

Catholic priests are no more prone to pedophilia than anyone else and the percentage of priests with the problem is very small, says Stephen Montana, a clinical psychologist at St. Luke Institute in Suitland, Md., a treatment center for priests and nuns with alcohol, drug or sexual disorders.

"Pedophiles are sexually attracted to children," Montana says. "Those who are priests do very good work and have excellent reputations. But they have a sexual disorder they cannot control. Almost all of them feel really awful about it."

"Pedophiles go into professions where they can do what they are best at and they can be darn good at working with children. Children are their love object," says Maggie Ryder, administrative coordinator of the Sexual Disorders Clinic at Johns Hopkins University.

Thomas J. Conklin, director of the Retreat at the Institute of Living in Hartford, Conn., a psychiatric center for people in church ministry, described pedophiles as "Lind of Pied Pipers" who find ways to keep themselves in contact with children and are usually socially inept with adults.

In addition, the experts say:

- Between 85 and 88 percent of pedophiles have been victims of child sexual abuse themselves and have never told anyone about it.
- Many show higher levels of biological abnormalities that bear on sexuality, such as higher blood hormone levels.
- The vast majority are men.
- Heterosexual pedophiles outnumber those who are homosexual by 3 to 1, but most priests who are known pedophiles are homosexual.
- Neither celibacy nor homosexuality causes pedophilia.

A pedophile, if highly motivated, can learn to control his sexuality, but experts agree that his sexual orientation cannot be changed.

"Celibacy is the only cure," Ryder says. "There is no cure in the sense of changing one's sexual orientation."

Treatment facilities use a three-pronged program to help pedophiles: psychotherapy, attendance at a support group styled on the Alcoholics Anonymous model and use of Depo-Provera, a drug that reduces the sex drive by lowering production of testosterone, a male sex hormone.

But the patient must take the drug and be part of the support group for the rest of his life.

Ryder says Depo-Provera will not work for someone who does not want to stop. "A man who says there is nothing wrong with doing this — you'd better put him behind bars. He will not remain celibate."

At Johns Hopkins, 750 men have been treated and fewer than 20 percent have had relapses, she says.

Conklin says he tells pedophiles that they are never again to be around children on a regular basis. Montana says he would not recommend that a pedophile priest go back into a parish or to a job involving children — "just as it would not be advisable for an alcoholic to tend bar."

Montana says the church is now doing an outstanding job in trying to come to grips with pedophilia among priests.

"Ten years ago, it was not so," he says. "People did not know what they were dealing with. While they were doing their best, they thought it might be a spiritual problem or something temporary."

THE VICTIMS *Dispelling the little girl myth*

The stereotype is that strangers molest little girls wearing white dresses and patent leather shoes.

Molly Knox, executive director of Pittsburgh Action Against Rape, calls that image a myth.

Boys are molested as well as girls, she says. And in 85 percent of the cases, the offender is someone who knows, trusts and very possibly loves the child.

Knox, whose agency sees about 450 sexually abused children a year, says prosecuting an offender can be particularly difficult when the victim is a boy. "The conditioning in society is that boys are never supposed to be victims. If they are victimized, they are never to acknowledge it because it admits weakness," she says.

Family Resources, a social service agency, runs a program called Brother Storm which treats young male victims of sexual abuse and incest. It began last October and provides individual counseling and group therapy.

Program coordinator Bill Sorrels says one in five girls and one in seven boys are molested before the age of 18 and that a third of sexual abuse victims are male.

Sorrels outlined some of the other myths about sexual abuse:

- That it occurs only in lower socio-economic groups. On the contrary, he says, victims are not concentrated in any racial, ethnic or socio-economic group.
- That the victim is female and usually young, small and weak. A victim can be anyone, Sorrels counters. Some are outstanding athletes. The perpetrator usually does not coerce a child to perform an act. Often the victim cooperates because he is petted or given special attention or gifts. Telling a child that he is your favorite is a powerful tool, he says.
- All a child has to do is tell someone. Sorrels says strong emotions prevent a child from telling. The perpetrator may tell the child that his life will be ruined, that he will go to jail or that he will kill himself if the child tells. The child feels responsible that the man will get in trouble. The man also tell the child that he is just a kid and that no one will believe him.

The male child also may fear that his friends, teachers or girlfriends will think he is homosexual and that he will be ostracized. He wonders if he is homosexual and if that is why he was victimized.

Some boys, Sorrels says, minimize the effect that being molested has had on them. They rationalize that it happened only once, that it is not a big deal and that they will get over it. But Sorrels believes it is important for a victim to get help to work through feelings of shame, confusion, fear and guilt.

Molestation, like rape, is seen as an acting out of power rather than a sexual act, he says. Yet it can have sexual implications for the young male.

"It is an added confusion at a time that is already confusing," Sorrels says. "It disrupts the normal pattern of sexual development. It can exhibit fear of rejection and can cause confusion for one's own sexual orientation."

Victims fear they will become homosexual, but, Sorrels says, there is no evidence the victim will accept the sexual preference of the perpetrator. Most victims, Sorrels says, are clearly heterosexual.

Treatment can last from three months to two years. Sorrels says molestation can include a wide range of behavior from touching and fondling to oral or anal intercourse. "Regardless of how violent," Sorrels says, "all are emotionally traumatic."

"It is a very painful issue for the entire family to go through," Sorrels says. "We don't believe it is a good idea to keep it quiet. Talking about it helps the victim feel empowered to decide what to do."

Brother Storm's hotline number is 562-9410.

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Diocese revises policy for priest misconduct cases

By Ann Rodgers-Melnick
Post-Gazette Staff Writer

The Catholic Diocese of Pittsburgh will soon hire someone — not a priest — to track complaints of sexual abuse and other misconduct by clergy and help victims through the church's bureaucratic process.

It has also established a pastoral team to help parishes devastated by charges of criminal sexual misconduct against priests.

These changes are revealed in a 10-page policy for responding to allegations of criminal sexual misconduct by clergy. Bishop Donald W. Wuerl gave copies to about 100 priests at a voluntary meeting Monday and sent copies to the remaining 400 active diocesan priests.

"We want it to be known that we are as concerned about the families [of victims] as we are about the priests," the Rev. Ronald Lengwin, spokesman for the diocese, said of the decision to make the newly revised policy public.

The church established a policy in 1988 but never made it public, though parts of it were revealed in 1988 when three priests were arrested and charged with molesting two former altar boys. The policy has been under review since 1988, Lengwin said.

The policy drew mixed reactions from experts outside the church. A local advocate for rape victims praised it for increased sensitivity, but the Allegheny County district attorney criticized it for allowing the church to investigate itself.

"The church has a real conflict of interest," said District Attorney Bob Colville.

Pittsburgh's distribution of its policy is not isolated.

"Many, if not the majority, of Catholic dioceses are moving now to try to get plans on paper," said Jason Berry, a New Orleans journalist who has written a book about diocesan cover-ups of pedophilia scandals nationwide. "That is an important shift, given all of the scandals and the scandalous way those matters have been handled in the past."

Good priests "suffer when the priesthood is tarnished," Wuerl wrote in an opening letter to the diocese. "We too anguish for the child and the family injured. We are

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Diocese revises its policy on misconduct by priests

POLICY FROM PAGE A-1

deeply pained by the media coverage that creates the impression that this problem is somehow more prevalent among priests than it is among other clergy, professional groups or the general population. This is simply not true."

Under the policy, when an allegation is made, three diocesan officials will immediately interview both the accuser and the priest. One of those officials will be the newly created "process manager" who is charged with guiding complainants through the process and making sure the diocese follows its own rules. This full-time employee will not be a priest, Lengwin said.

Molly Knox, executive director of Pittsburgh Action Against Rape, called the new position "wonderful."

"They are taking some leadership, and I feel they should be applauded," she said.

Although Knox said it should be up to adult victims whether to report a crime to the police, both she and Colville criticized the diocese for not automatically reporting charges of crimes against children.

The policy states that it "encourages and supports the complainants to report the matter" to police, and it says the diocese may decide to inform the police of credible allegations even if the victim has not done so.

Churches, like schools, are not included in the state's mandatory reporting law for child abuse, but Colville said they should be. The diocesan policy resembles school policies "with which I also disagree totally," he said.

"I don't think you can leave [investigation] to the people that will be liable or embarrassed by the situation," Colville said.

Lengwin responded, "I don't think there is a conflict of interest because we are taking a public position that we support and encourage families to go to the proper civil authorities.

"As a church, we always have to allow people to come to us and speak confidentially," he said.

If the mandatory reporting law is amended to include churches, the diocese will obey it, Lengwin said.

For now, "We recognize that we are not an investigative body and we believe that others who are trained to do that should follow up on information that may indicate we are dealing with a very serious problem that involved the common good of society and the church."

Under the policy, if diocesan officials decide the allegation is not credible after interviewing both priest and accuser, they drop the matter.

If they can't decide whether the accusation is credible, they send the priest for psychological evaluation and refer the matter to two special committees that make recommendations to the bishop. One of those committees includes lay people with expertise in such matters, and it will be expanded to include the parent of an abused child, Lengwin said.

If the complaint is judged credible, the priest will be placed on leave of absence, forbidden to dress or function as a priest and be sent to a psychiatric institution for assessment. The victims will be updated on the process.

If the complaint is proven true, the diocese may take many steps, including permanently removing the priest from ministry and offering him career retraining, ordering him into psychiatric treatment and helping him apply to the Vatican for laicization — commonly known as defrocking.

"Ordinarily a cleric against whom a serious accusation of sexual misconduct has been substantiated will not be permitted to return to ministry," the policy said.

Because canon law leaves open the possibility that a convicted priest could win an appeal to the Vatican for reinstatement, Lengwin said, the policy says at least seven criteria must be met for such a priest to return to duty.

Among them is the requirement that, after extensive psychiatric treatment and approval from his psychiatrist, the repentant priest participate in continuing therapy and work in a place where everyone knows about his problem and where he can be monitored at all times.

A new facet of the diocesan plan is a Pastoral Support Team made up of diocesan representatives and mental health professionals that will "offer guidance and support to parishes or communities affected by the allegations," the policy said.

The diocese felt this was a weakness in response to the scandal in 1988, when priests from three parishes were arrested, Lengwin said.

An attorney for a man who has made abuse charges against a Pittsburgh priest whose civil trial is slated this month said a written policy was only half the story.

"It's certainly calculated to give the impression that there is a change in attitude. The proof in the pudding will be whether the enforcement of the policy is carried out," said Douglas Yauger. Yauger represents a man who accused the Rev. Anthony Cipolla of molesting him when he was a teen-ager.

3 cases in 1988 revealed policy on priest abuses

The Catholic Diocese of Pittsburgh policies for handling accusations of criminal sexual misconduct by priests were first made public in 1988 when three priests were charged with molesting the same two former altar boys:

- The Rev. Robert Wolk, 52, former pastor of St. Thomas More Church in Bethel Park, is in prison. He is serving concurrent five-to-10-year sentences for involuntary deviate sexual intercourse after pleading guilty in both Allegheny and Washington counties.
- The Rev. Richard Zula, 52, former pastor of SS. Mary & Ann Church in Marianna, Washington County, is out of prison and living with his mother, according to the Rev. Ronald Lengwin, diocese spokesman. In 1990, he received a 2½-to-five-year sentence in Washington County for assaulting two boys and a concurrent one-to-two-year sentence in Somerset County for molesting one of the boys at Seven Springs Resort in 1984. In a plea bargain, Washington County dropped 138 counts.
- The Rev. Francis Pucci, 62, former pastor of Our Lady of Lourdes Church in Burgettstown, went free after a Washington County judge ruled in 1991 that the statute of limitations had expired. Although 75 is the normal retirement age for priests, Pucci was allowed to retire for health reasons and lives in the diocese.

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Family

Barbara Stover of Hays says there is a family feeling at Holy Angels parish and gives credit to its pastor, Father David Crowley.

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Memories

Retired Bishop William O. Connare, native of Pittsburgh, shares early memories of Mother Katharine Drexel and calls her an "apostle for social justice." She will be beatified on Nov. 20 by Pope John Paul II.

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Volunteer

Julie Wojtowicz of New Castle is in the habit of volunteering and belongs to numerous church and civic organizations. She also is thinking about going back to school to become a nurse.

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No cure for abusers

Medical director explains pedophilia and treatment

By STEPHEN KARLINCHAK

SUITLAND, MD.— Recent allegations of sexual offenses committed by a priest against two boys have resulted in words like "pedophile", "pedophilia" and "ephebophilia" being used in many published news stories, often without an explanation of their meaning.

"Pedophilia is a bona fide psychiatric diagnosis," said Dr. Frank Valcour, M.D., medical director of the St. Luke Institute, an accredited and licensed psychiatric hospital. While not formally associated with any segment of the Catholic Church, the hospital accepts clergy and Religious of all denominations as clients.

"Pedophilia is a 'para-philia,'" Dr. Valcour explained. A paraphilia is when a person has a sexual interest or an attraction to someone who is not of the opposite sex or of an appropriate age. In the case of a pedophile, it is a sexual interest or an attraction to children.

"Pedophilia also implies an interest in the pre-pubertal child, the doctor said. In legal terms, pedophilia can include minors beyond puberty but under the age of consent."

"Ephebophilia," Dr. Valcour said, "is sexual attraction or interest in adolescents." While not technically recognized by psychiatrists, the doctor said it was a convenient term to be used in specific cases.

Hearing scheduled

A preliminary hearing for Father Robert Wolk, former pastor of St. Thomas More Parish, concerning alleged sexual offenses has been tentatively scheduled for 1:30 p.m. on Thursday, Nov. 3, before District Justice Russell L. Kimberland II of Bethel Park.

Nationally, Dr. Valcour said that heterosexual abuse of children is more common than homosexual abuse of children, especially in cases of incest. Most abusers are men. He said statistics showing sexual abuse of children caused by women are hard to get. However, Dr. Valcour added that he worked with some clients who had been sexually abused by women.

"In my opinion, priestly celibacy doesn't lead to it (pedophilia). The actual establishment of sexual preference is unknown, although biological and physical factors are believed to be involved." One's sexual preference, the doctor noted, is established long before any priestly ordination."

Marriage, he added, isn't a precluder against pedophilia, noting a number of cases involving married individuals.

When asked, Dr. Valcour said that he hasn't seen any scientific data to indicate that Catholic clergy and Religious are more likely to be abusers. "It's my hunch that pedophilia is no more common in the clergy than in any of the other helping professions," he said, "such as social work or teaching."

Pedophilia isn't a concern just of Catholic church personnel, Dr. Valcour said. He said that the St. Luke Institute has done consultations with the Episcopal Church, which has indicated that sexual abuse by clergy is of concern to Protestant denominations.

Concerning statistics on cases of sexual abuse of children, Dr. Valcour said that the nature of the problem make such figures dif-

(Continued on page 2)



All Saints in Munhall

Dressed as their namesake or favorite saint are students of St. Therese School in Munhall. Front, from left, are Nichole Cage, guardian angel; Ryan Urban, St. Anthony; Edward Kelly, St. Edward; and Stephen Playo, St. Stephen. Back row, Mrs. Marie Milligan, teacher, St. Elizabeth Ann Seton; Bridget Kudla, St. Bridget; and Margie Sazolakis, St. Margaret. All Saints Day is Nov. 1 and is a Holy Day of Obligation.

— Photo by Eric Hofmann

Bishop to form committee 'to heal' harm of allegations

PITTSBURGH — Bishop Donald W. Wuerl has announced that he will bring together a group of lay people and pastors to discuss with him what concrete steps the diocese could take as it continues to work to heal whatever harm has been caused by the recent allegations of sexual offenses by priests.

"As a Church, we must be sensitive to the hurt that we know exists among the clergy, religious and laity of the diocese at this time," Bishop Wuerl said. "I feel that this committee can help us with the kind of insight we need as a Church to direct, in specific ways, our pastoral care to all who need it.

"When we speak of the Church's pastoral care, we mean a way of thinking and acting as Christ did. As individuals and as a Church, we attempt to be Christ for our world and bring God's healing love to people, even though we are limited to our own human abilities."

Pastoral care has always been the response of the Church, the bishop said, and this latest consultative effort is an attempt to determine "how we can best apply what we know to the pain people are experiencing."

The bishop also commended the efforts of diocesan priests in recent weeks in addressing, in their local parishes, the deep emotional feelings brought about by the allegations.

Although the membership of the body has not yet been selected, the bishop said it would include both laity and clergy, both professional and non-professional.

"I see part of the advisory committee's role as bringing a broader perspective, through its members' talent and experience, to many of the concerns we have in this area," he added.

4 schools reorganize in diocese

PITTSBURGH — The Pittsburgh Catholic Schools Office has announced that it will reorganize four elementary schools in the southern area of Pittsburgh and Mount Oliver for the 1989-90 school year.

The four schools — St. Canice, St. George, St. Henry and St. Joseph — will join together in an educational institution with a new identity "committed to our traditional standards of excellence," according to Dr. Rosemarie Cibik, superintendent of Catholic schools. The new school will be in the complex now housing St. Joseph, Mount Oliver.

"Pastors and members of the respective parishes have cooperated in the process of planning for the future of Catholic education in this area," Dr. Cibik said.

The pastors recommended the plan for reorganization to Bishop Donald W. Wuerl following a year of study. The plan was approved last week.

Dr. Cibik added that pastors and study committee members from the parishes deserve credit for emphasizing the need to retain quality, cost-effective Catholic education for their parishioners.

The focus now will be on reorganizing faculties, curricula and other necessary elements crucial to a successful educational program, in preparation for the new school, Dr. Cibik said.



Centennial

Bishop Donald W. Wuerl presided at a special liturgy marking the centennial of St. Joseph the Worker parish in New Castle. Greeting the bishop are, from left, Ray Russick, president of church council; Mary O'Laughlin and Father Norbert J. Campbell, pastor. The celebration was held Oct. 16.

— Photo by John C. Kernan

CHD grants announced in diocese

PITTSBURGH — Three Pittsburgh area groups have received funds from the national Campaign for Human Development (CHD), Bishop Donald W. Wuerl announced.

The Tri-State Conference on Steel and the Rainbow Kitchen each received $30,000 grants. The Hill District Federal Credit Union received a $50,000, three-year deposit from the CHD.

"As bishop of the Diocese of Pittsburgh, I am acutely aware of the needs of the unemployed in our area," Bishop Wuerl said. "I am happy that this bishops' program, which enables people of all races and creeds, religions and backgrounds to work together to solve problems of community distress, funded the work of the Tri-State Conference on Steel and the Rainbow Kitchen.

"Equally compelling," the bishop continued, "is the difficult

(Continued on page 2)

Blaming celibacy 'unfair,' says child abuse counselor

By WILLIAM PODIAK

PITTSBURGH — Blaming celibacy of priests for sexual abuse of youngsters is "unfair," said a counselor who deals with the victims of abuse.

"This is not a religious issue," said Janice Hepburn, coordinator of Brotherstorm, a counseling program operated by Family Resources for sexually abused boys. Such abuse occurs in all sectors of society and abusers include both men and women from all lifestyles, races and socio-economic classes.

He said there is no such thing as a typical abuser and added there are "so many young men abused in homes."

The issue of celibacy had been raised by critics after charges were filed against a diocesan priest for alleged sexual offenses involving two boys.

Hepburn said that abuse victims who do not get counseling often face difficulties with intimacy and trust. "They want to be in control," he said, "because their trust has been violated.

The counselor said abuse victims, especially males, are reluctant to disclose such incidents because of shame and guilt.

"Victims fear they might be blamed," he said. "There is a lot of risk involved. They would have to tell the story to a lot of strangers and that's embarrassing."

Hepburn counsels approximately 80 victims each year in the Brotherstorm program. Services are provided free.

"They learn to deal with the emotions and trauma," he said. In cases of small children, treatment would include play therapy. Older boys and young men are involved in both individual and group therapy — which includes talking with others having the same experiences.

Abuse victims often will block out particular details and experiences, Hepburn said. Group therapy sessions allows them to recall those moments when they hear others talking about similar occurrences.

He noted that victims not receiving professional help often suffer difficulties with intimacy and trust.

He advised parents "to start at a very young age" in teaching a child the difference between "good touch and bad touch. They (children) need to learn that it's okay to say 'no' and 'I don't like that.'" He also recommended that parents tell the child to immediately inform them whenever someone is touching (abusing) them.

"Parents need to know who is taking care of their child," he added. "Too many are not vigilant. Responsible caretakers get upset by parents who show no interest" in their child's development. He advised parents to regularly stop in and visit day care centers, preschools and similar programs where their child is staying.

He cautioned parents to be aware of sudden changes in mood, anti-social and destructive behavior, or increased sexual awareness that's beyond the child's age. Hepburn said these could be signals that the youngster is being sexually abused.

Parents also need to be aware

(Continued on page 2)

Sexual abuse of boys

[illegible]

Wednesday, April 17, 2002
ZAPPALA, WUERL DEFINE POLICIES, ROLES IN ABUSE CASES
Section: LOCAL
Edition: SOONER
Page: A-5
Source: BY ANN RODGERS-MELNICK, POST-GAZETTE STAFF WRITER

Allegheny County District Attorney Stephen A. Zappala Jr. met yesterday with Bishop Donald Wuerl of the Catholic Diocese of Pittsburgh to discuss how each of them handles allegations of child molestation.

According to Zappala's office, they did not discuss allegations against any specific priest.

"It was the district attorney and the bishop discussing what their roles are in a situation such as this," said Mike Manko, Zappala's spokesman.

Zappala called the hour-long meeting "positive and productive" and Wuerl called it "open and candid."

Wuerl announced last month that he had removed from ministry "several" priests against whom there had been allegations that sounded credible but could not be substantiated.

Wuerl said at the time that he was raising the bar of protection to err in favor of children. Previously, if an allegation came down to the word of one accuser against a priest with a clean history, the priest could remain in ministry.

Wuerl would not release the priests' names or say how many there were because he said they might be innocent. Those cases were not discussed yesterday, Manko said.

"The Diocese of Pittsburgh has always collaborated with my office when necessary and part of today's conversation focused on the mechanisms that my office has in place" to handle allegations, including molestation of minors, Zappala said after the meeting.

"I am confident that if a situation arises that would require involvement on the part of my office, the diocese will communicate that information to me. I assured the bishop that, depending upon the nature of the referral, a person being presented as a victim will be treated with sensitivity and their information will be handled in complete confidence."

They discussed the fears of some victims who are now adults, and of some parents of young victims, that they will be harshly interrogated or exposed to media scrutiny if they go to the authorities. Zappala stopped short of urging Wuerl to go to the police over the objections of adult accusers, Manko said.

Diocesan policy is to automatically report all complaints brought by a minor, said the Rev. Ronald Lengwin, spokesman for the diocese. Adult accusers are encouraged to go to the authorities, and the diocese reserves the right to go to the authorities over the objections of the accuser, but the diocese may choose to honor an adult accuser's request for privacy, he said.

Zappala "wanted to make sure the bishop knew how the office functions with respect to these types of circumstances. I think there is mutual concern about how victims in these circumstances are treated. That is a good deal of what the exchange was about today," Manko said.

Wuerl said that both men agreed that "there is a mechanism in place which enables the Diocese of Pittsburgh to bring an allegation of clergy sexual misconduct to the district attorney's office with full confidence that anyone making such an allegation will be treated with sensitivity."

Under Pennsylvania law, clergy must notify authorities if they have reasonable cause to suspect that a minor who they encounter in their professional capacity is being abused. There is an exception for "confidential communications made to an ordained member of the clergy," but Lengwin said he understood that to apply primarily to sacramental confession.

Complaints of victims who are now adults, or reports of adults that a minor may be being abused, are not required to be reported.

Friday, April 26, 2002

DIOCESE EXPANDS MEETINGS WITH DISTRICT ATTORNEYS

Source: BY STEVE LEVIN, POST-GAZETTE STAFF WRITER

Attorneys for the Pittsburgh Catholic Diocese have met with district attorneys in half of the six southwestern Pennsylvania counties that make up the diocese to discuss how allegations of child sexual abuse by priests should be handled in the future.

Diocesan representatives met yesterday with Butler and Law-rence counties' DAs.

Bishop Donald Wuerl met earlier this month with Allegheny County District Attorney Stephen A. Zappala Jr.

"It is our intention to meet with other district attorneys because we found meeting with District Attorney Stephen Zappala to be beneficial," said the Rev. Ron Lengwin, spokesman for the diocese.

Among the issues discussed by Wuerl and Zappala at their April 16 meeting were the sensitive treatment of victims, and the policies of the diocese and the district attorney's office in cases involving sexual abuse.

The two met after Wuerl's announcement in March that he had removed from ministry "several" priests against whom there had been credible, but unsubstantiated, allegations of abuse. Wuerl has not named the priests or said how many there were.

U.S. Attorney Mary Beth Buch-anan said yesterday she would be willing to host a meeting of the district attorneys and the diocese.

Lengwin said the diocese still plans to meet with district attorneys in Beaver, Greene and Washington counties.

Under Pennsylvania law, clergy must notify authorities if they have reasonable cause to suspect that a

minor who they encounter in their professional capacity is being abused. Complaints of victims who are now adults, or reports from adults that a minor may be being abused, are not required to be reported.

The church's role in mandatory reporting of child abuse will be discussed this weekend at the meeting of the executive board of the Pennsylvania District Attorneys Association.

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Pittsburgh Post-Gazette (Pittsburgh, Pennsylvania) · Wed, Apr 8, 2009 · Page 13
Printed on Mar 1, 2018

"For whatever way any member of the church has hurt, offended, dismissed or ignored any one of you, I beg you – the church begs you – for forgiveness."

— Bishop David A. Zubik

Bishop Zubik leads service of apology

Sins by clergy, others in church addressed

By Amy McConnell Schaarsmith
Pittsburgh Post-Gazette

In an emotional "service of apology," Bishop David A. Zubik apologized last night for sins including sexual abuse by clergy and other representatives of the Catholic Church in Pittsburgh, and begged for his parishioners' forgiveness.

Many of them had come to the service with "hurts that you hold and perhaps painfully so," he said.

"For whatever way any member of the church has hurt, offended, dismissed or ignored any one of you, I beg you — the church begs you — for forgiveness," Bishop Zubik told several hundred people inside St. Paul Cathedral in Oakland.

Out in the pews, former Catholic and onetime seminarian Tim Bendig took comfort from those words and from the rest of Bishop Zubik's service. Sexually abused by former priest Anthony Cipolla as a teenager in the 1980s, Mr. Bendig — now 40 — hadn't entered a Catholic church for 20 years.

He restrained himself from making the sign of the cross, reciting prayers and singing hymns. But he was looking for a chance to forgive the wrongs against him and to renew his life as a Catholic. Last night, he found it.

SEE **APOLOGY,** PAGE B-3

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Pittsburgh Post-Gazette (Pittsburgh, Pennsylvania) · Wed, Apr 8, 2009 · Page 15
Printed on Mar 1, 2018

Bishop Zubik leads service of apology

APOLOGY, FROM PAGE B-1

"I feel uplifted," Mr. Bendig, who settled a lawsuit against the diocese in 1993, said as he nervously prepared to shake Bishop Zubik's hand after the service. "I feel real light on my feet. I feel refreshed. What I hoped I would accomplish today, I accomplished."

The service began on a somber note. In place of the usual organ music and hymns of welcome, Bishop Zubik and his alter servers entered in silence, the only noises the sound of their footsteps and the rustling and muffled coughing of those in attendance.

Reaching the altar, Bishop Zubik prostrated himself before it, lying flat and motionless on the cool marble floor for a full two minutes. He stood up, and soon offered the opening prayer in a ringing voice that filled the huge, vaulted cathedral.

"Where sin has divided and scattered, may your love make one again," he said, addressing God. "Where sin has brought weakness and hurt, may your power heal and strengthen. Where sin has brought death, may your spirit raise to life."

But even as he celebrated God's mercy, he acknowledged that the church is made up of men and women who are very human and at times, very sinful.

It was clear from the hundreds of people attending the service that their sins had caused harm, he said.

"Simply by being here, you call me, you charge me, to not only not forget the sins of the church in Pittsburgh, but you charge me to ensure, with our brothers and sisters in the church, that these hurts don't happen again," Bishop Zubik said.

He would do whatever he could, he told his listeners — many of whom were middle-aged men and elderly women — to restore their trust in the church "so that as a church, we can live our best, love our best, do our best, give our best."

Bishop Zubik then lit six candles of remembrance and apology to the victims — children, teenagers and adults — of abuse by representatives of the church.

"We acknowledge their deep wounds," said a priest, after Bishop Zubik lit the third candle. "We acknowledge the betrayal of a most sacred trust. We acknowledge their courage in speaking the truth. We affirm their dignity as people who are seeking truth and accountability, compassion and redress for the wrong that has been done to them. We support their healing. We offer our prayer for their journey toward wholeness."

Amy McConnell Schaarsmith can be reached at 412-263-1122 or aschaarsmith@post-gazette.com.

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Nearly 100 Parishioners Gather For Bishop Zubik's "Service Of Apology"

By David Highfield March 21, 2016 at 11:08 pm

Filed Under: Bishop David Zubik, David Highfield, Mass, Pittsburgh Catholic Diocese, Saint Paul Cathedral, Service Of Apology



PITTSBURGH (KDKA) — A "Service of Apology" was held Monday evening by Pittsburgh Catholic Diocese Bishop David Zubik.

It was for people hurt by the church in any way, including those sexually abused by clergy.

Cameras were not allowed inside the service at Saint Paul Cathedral in Oakland, but nearly 100 people gathered to hear what Bishop Zubik had to say.

"Some of the people said they're coming because they're angry that I closed a church building," said Bishop Zubik. "Other people are angry because a priest didn't treat them kindly in the sacrament of confession. Some people are coming because they've been abused by someone in the church."

In fact, it was three weeks ago that a grand jury report alleged two bishops from the Altoona-Johnstown Diocese helped cover up the sexual abuse of children by more than 50 priests over decades.

It did not involve the Pittsburgh Diocese, and the "Service of Apology" was planned well before the announcement.

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Bishop Zubik held his first "Service of Apology" when he was in Green Bay, after he was inspired by Pope John Paul II. Then, he held one in here in Pittsburgh in 2009.

"My staff in Green Bay, and when I came back to Pittsburgh for the first time, my staff said, 'I don't think that's such a good idea for you to do it,' but I felt it was," said Bishop Zubik. "It was an important risk to take."

He says both times his staff feared it could make the hurt worse, but he wants people to know his words are sincere.

"Just by my saying I'm sorry for the church, I'm not expecting that's going to make it easier for people," said Bishop Zubik. "But I hope at least it's going to the help there to be a new beginning for folks."

The bishop leaves for Washington D.C. Tuesday.

He's the lead petitioner in a case going before the U.S. Supreme Court this week that challenges part of the Affordable Care Act. Specifically, whether church-related organizations have to pay for contraception as part of healthcare.



— David Highfield

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David got his start at KDKA as a writer in 1991 before being promoted to a newscast producer. VITALS Joined KDKA:...

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Dignity

Good Shepherd

CATHOLIC CHURCH

416 VERONA STREET
BRADDOCK, PENNSYLVANIA 15104
(412) 271-1515

JUN. 21 1993

policy
this is what he has to do

6-21-93

Dear Bishop

I am interested in being given consideration for appointment to the Elizabeth - Versailles cluster. I know this area and the healing and growth it needs to experience. It is also somewhat close in distance to my mother who lives alone.

I am in recovery now over eight years. I celebrated my 8th anniversary in recovery on Apr 12th 1993. I've kept in contact with both Fathers Zubic and Guay.

Sincerely

Joseph D. Karabin

- Circle of secrecy has to be broken if you want more assignment
- if not work in our confines

Can't make responsible for his viewpoint

Recognition - know himself or others

PGH_CF_0009332

EXHIBIT

B

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DEPARTMENT OF CLERGY PERSONNEL

DIOCESE OF PITTSBURGH

111 BOULEVARD OF ALLIES
PITTSBURGH, PENNSYLVANIA 15222
(412) 456-3060

PERSONAL AND CONFIDENTIAL
MEMORANDUM

TO: Bishop Wuerl

FROM: Father Zubik DAZ

DATE: August 5, 1994

RE: Reverend Ernest C. Paone

On July 25, 1994, Father Lengwin, Mrs. Flaherty and Dr. William Kraft, as a Pastoral Support Team, visited with approximately 18 individuals at Saint Anthony Parish, Bessemer, to listen to their concerns regarding the recent publication of the arraignment of Edward G. Huff. I should like to update you on several facets of that meeting as I understand them to have taken place through Father Lengwin and Mrs. Flaherty.

Apparently, during the course of the evening, the parents of the young men who had some contacts with Ed Huff, indicated some anger with Bob Guay and myself. They felt that we should have substantiated the guilt of Ed Huff. During the course of the last several months, Father Guay, Father Lengwin, Mrs. Rita Flaherty, Bill Steidle and myself met several times with Father John Fitzgerald about arranging for a pastoral support team meeting with the people of Bessemer. Each time that this suggestion was brought up to Father Fitzgerald, he indicated that the timing was not good.

In addition, you should be aware that Mrs. Flaherty has been engaged in a number of conversations over the course of the last several months with Mrs. Ellen Bekoski, a spokesperson for the parents in Bessemer. Rita has attempted to respond each time to the concerns of Mrs. Bekoski. Those concerns were actually focused on the slow process of the CYS and District Attorney's Office in Lawrence County. These are areas which of course are not our responsibility. Rita attempted to help Mrs. Bekoski understand this fact. Rita also attempted to address the importance of such a Pastoral Support Team meeting in her conversations with Mrs. Bekoski who also indicated bad timing because of an auto accident which involved her son and a fatality for which her son is being charged.

It is my understanding that at the end of the pastoral support team meeting on July 25, the parents had calmed down and appreciated the time and energy expended by the team.

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C
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As Father Lengwin has apprised you, one other issue which was raised at the meeting, without any advance notice, was a claim by [redacted] that more than 30 years ago her brother was abused by Father Ernest Paone. Her accusation caught everyone off guard.

Since that meeting, Father Paone's file was reviewed with great care. There is a great deal of correspondence in his file during his seminary days in the early '50s which raised questions about his physical and emotional health. Each time reports were given to Bishop Dearden by the psychologists examining Father Paone, he was advanced to the next stage toward ordination. Father Paone was ordained a priest for the Diocese of Pittsburgh by Bishop Dearden on May 25, 1957.

Following ordination, Ernie was assigned to a number of different parishes. Those assignments are as follows:

Parochial Vicar, Saint Titus, Aliquippa (June 13, 1957-December 7, 1960)
Parochial Vicar, Epiphany, Uptown (December 8, 1960-May 30, 1961)
Parochial Vicar, Mother of Sorrows, McKees Rocks (May 31, 1961-October 24, 1961)
Parochial Vicar, Saint Monica, Wampum/Saint Theresa, Koppel (October 25, 1961-May 29, 1962)
Parochial Vicar, Madonna of Jerusalem, Sharpsburg (May 29, 1962-May 24, 1966)

During the course of his 9-years service within the diocese, the file shows that the requests were either made by his respective pastors asking for a transfer or Ernest himself requesting a transfer. The file also holds that in 1964, Bishop Wright presented a petition in Rome that Ernie be reduced to the lay state.

— On May 20, 1966, Bishop Wright granted Father Paone an indefinite leave of absence "for reasons bound up with your psychological and physical health as well as spiritual well-being." The file shows that following the beginning of his leave of absence, Father Paone did weekend work in the Archdiocese of Los Angeles. In 1967 he moved to the Diocese of San Diego. While in San Diego Ernie began a course of studies at the Catholic University of San Diego. During that time he lived in a private residence.

— In 1977, following some dispute with Bishop Leonard, medical coverage was stopped for Father Paone during which time he began personal coverage in California. It was in September 1977 that Bishop Leonard asked Father Paone to "either return and take an assignment or be incardinated in the diocese where you are living. I am writing to release you." There is no further correspondence on that particular issue.

— The next correspondence which the file contains follows your October 6, 1989 letter to Father Paone in which you asked him to provide you a brief description of his present ministry. This was a letter which you sent to all diocesan priests serving outside the diocese. In response to your letter you received a letter from

his physician and a letter from the pastor of Saint Denis Catholic Church, Diamond Bar, California, who indicated that Father Paone was supplying assistance on Sundays and Holy Days in that parish for 21 years. During this time, he continued to live in Oceanside, California.

— In September, 1991, Father Paone requested permission to exercise priestly ministry in the Diocese of Reno, Nevada. Father Paone was granted permission to pursue that possibility with Bishop Daniel Walsh of the Diocese of Reno-Las Vegas, Nevada who appointed him as Parochial Vicar (Pro-Tem) at Saint Ann Parish, Las Vegas, in January 1992. On March 12, 1992, Father Paone wrote to share with you that he was moving from Las Vegas back to his residence in California. There is a letter from his physician supporting the need for him to return to California for reasons of health.

In addition to this chronology, three documents were discovered in his file as follows:

1. A letter dated May 1, 1962 to Bishop Wright from Father Edmund J. Sheety, Pastor of Saint Monica Parish, Wampum. In the letter, Father Sheety wrote, "twice since his appointment I have found it necessary to report him to the Chancery for conduct degrading to the priesthood, scandalous to the parishioners and disobedient to me."

   "I have interceded to prevent his being arrested; once for molesting young boys of the parish; again for the illegal use of guns with even younger parishioners." There is no response to Father Sheety from Bishop Wright.

2. A letter dated August 20, 1964 from Dr. Patrick J. McDonough, a psychiatrist, to Bishop Leonard. The report is of a psychological nature and makes reference to "homosexual acting out." There is no reference in the letter to any such behavior with young individuals.

3. An August 20, 1964 letter to Mr. Robert J. Masters, District Attorney of Beaver County from Bishop Leonard. The letter indicates that Father Paone was confined to Saint Francis Hospital but references for the reason for hospitalization are vague. Attached to Bishop Leonard's letter was an August 4, 1964 letter from District Attorney Masters with a transcript of interviews which were conducted in the Beaver County Courthouse with a woman and her son who testified regarding Father Paone's inappropriate behavior with her 16 year old son. The transcript shows that Father Paone offered alcohol to the young man and also tried to engage him in sexual activity. The young man did drink the alcohol but did not oblige in sexual activity. The mother and son did not wish to prosecute Father Paone.

You should know that these last three pieces of correspondence were placed in the confidential files.

PGH_CF_0012146

Now that I have offered you this synopsis of Father Paone's file, I can also share with you that Mrs. Flaherty has been in contact with [redacted] with the invitation that her brother come to meet with us to discuss what happened between himself and Father Paone more than 30 years ago. [redacted] promised to discuss this with her brother but felt quite sure that he would not wish to pursue the matter any further. [redacted] was very pleased that the diocese was following up so quickly on her reference to Father Paone.

EXHIBIT D

DIOCESE OF PITTSBURGH

OFFICE OF THE BISHOP
111 BOULEVARD OF ALLIES
PITTSBURGH, PENNSYLVANIA 15222-1698
(412) 456-3010
FAX: (412) 456-3185

August 26, 1994

Dear Bishop Walsh:

On August 16, 1991, the Reverend Ernest C. Paone, a priest of the Diocese of Pittsburgh who has been on an indefinite leave of absence since 1966 requested permission to accept a priestly assignment in the Diocese of Reno-Las Vegas. On November 4, 1991, I granted Father Paone's request and you assigned him as parochial vicar at Saint Anne Parish, Las Vegas.

Very recently, an allegation was made by a woman who claims that more than 30 years ago her brother was molested by Father Paone. Thus far, this allegation has not been substantiated. Since I have only become aware of this matter, I want to share it with you even though, I understand, he has returned to his private residence in Oceanside, California. I am not aware of any information which would suggest that Father Paone was involved in any improper behavior during his brief visit in the Diocese of Reno-Las Vegas, Nevada.

Had I been aware of this allegation in Father Paone's past I would not have supported his request for a priestly assignment in your diocese. Nor would I have written to you indicating that he was a priest in good standing. To address this situation, the Reverend David A. Zubik, Director of the Department of Clergy Personnel of the Diocese of Pittsburgh, has been in touch with Father Paone to invite him to meet and examine the entire situation.

With every personal good wish and prayer, I am

Fraternally in Christ,

+Donald W. Wuerl

Most Reverend Donald W. Wuerl
Bishop of Pittsburgh

Most Reverend Daniel F. Walsh, D.D.
Diocese of Reno-Las Vegas
Office of the Bishop
PO Box 18316
Las Vegas, Nevada 89114

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SECRETARIAT FOR CLERGY AND RELIGIOUS

DIOCESE OF PITTSBURGH

111 BOULEVARD OF ALLIES
PITTSBURGH, PENNSYLVANIA 15222
(412) 456-3060

Confidential

January 30, 1996

Msgr. Dan Dillabough
Pastoral Center
P. O. Box 85728
San Diego, CA 92186

Dear Msgr. Dillabough,

As a follow up to your phone conversation of January 25 with Mrs. Rita Flaherty, a staff member in the Clergy Personnel Office, I would wish to inform you that Father Ernest Paone does possess the faculties of the Diocese of Pittsburgh.

I would also like to inform you that we met with Father Paone in September 1994 to discuss the allegation made during a public meeting by a woman who claimed that her brother had been molested by Father Paone over 30 years ago. Despite the vague nature of the allegation and the lack of first hand information by the alleged victim, Father Paone was cooperative in complying with our recommendation that he undergo a comprehensive evaluation at St. Luke Institute. I should also add that Father Paone denied the truthfulness of this allegation during our meeting with him.

The result of the evaluation conducted in October 1994 was that no diagnosis of ephebophilia or pedophilia was given. Since there has not been any other information that might give cause for concern over the past 30 years, St. Luke Institute did not believe inpatient treatment was warranted.

If I can provide any additional information, do not hesitate to contact me or Mrs. Flaherty.

Wishing you my very best, I am

Sincerely in the Lord,

Reverend Robert F. Guay
Secretary for Clergy and Religious

RFG:m

PGH_CF_001212

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E

IN THE COURT OF COMMON PLEAS
ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	**: SUPREME COURT OF PENNSYLVANIA**
	: 2 W.D. MISC. DKT. 2016
THE FORTIETH STATEWIDE	**:**
	: ALLEGHENY COUNTY COMMON PLEAS
INVESTIGATING GRAND JURY	**: CP-02-MD-571-2016**
	:
	: NOTICE NO. 1

RESPONSE OF MYLES ERIC DISKIN, PURSUANT TO 42 PA.C.S. § 4552(E) TO THE GRAND JURY REPORT

TO THE HONORABLE NORMAN A. KRUMENACKER:

Mr. Myles Eric Diskin, by and through its undersigned counsel, hereby submits this Response to portions of the Grand Jury Report (the "Report") received by him on Monday, May 7, 2018 and Tuesday, May 29, 2018, to be attached to and made part of the report before the report becomes public record, pursuant to 42 Pa.C.S. § 4552(e). We appreciate the opportunity to provide this Response to address factual allegations and conclusions that are incomplete or ignore evidence available to the Grand Jury.

Mr. Diskin has reviewed the materials received by him on May 7, 2018 and or May 29, 2018 and based on this review wishes to make the following response to be attached to the report:

> "Most of these allegations come from unnamed sources and the items in the list are duplicated, completely unfounded or substantively inaccurate. Yet, I want to acknowledge that the Grand Jury Report is something of a cry of the heart. It reminds us there is a lot of hurt out there concerning this difficult history. The report will offer affirmation and comfort to many aggrieved people, just as it may open old wounds and stir new suspicion. Still, in the spirit of the Report, I express my deep regret that anyone has found or believe their interaction with me – in any matter – to have been in any way harmful. Recognition of this possibility weighs heavily on me day after day."

Respectfully submitted,

Dated: June 20, 2018

SCHNADER HARRISON SEGAL & LEWIS, LLP

By: 

Paul H. Titus
Attorney I.D. No. 01399

Fifth Avenue Place, Suite 2700
120 Fifth Avenue
Pittsburgh, PA 15222-3001
Telephone: (412) 577-5200
E-mail: ptitus@schnader.com

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of June, 2018, I served the within **Response of Myles Eric Diskin, Pursuant To 42 PA.C.S. § 4552(E) to the Grand Jury Report** on the following persons and in the following manner. Such service satisfies the requirements of Rule 114 of the Pennsylvania Rules of Criminal Procedure:

Via Electronic and U.S. First-Class Mail addressed as follows:

The Honorable Norman A. Krumenacker, III
Supervising Judge, 40th Statewide Investigating Grand Jury
Cambria County Court of Common Pleas
Cambria County Courthouse
200 South Center Street
Ebensburg, PA 15931
E-mail: nakadmin@co.cambria.pa.us

Daniel Dye
Senior Deputy Attorney General
Criminal Prosecutions Section
1600 Strawberry Square
Harrisburg, PA 17120
E-mail: ddye@attorneygeneral.gov

Julie L. Horst
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Criminal Law Division
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SCHNADER HARRISON SEGAL & LEWIS, LLP

Paul H. Titus

Paul H. Titus
Attorney I.D. No. 01399

Fifth Avenue Place, Suite 2700
120 Fifth Avenue
Pittsburgh, PA 15222-3001
Telephone: (412) 577-5200
E-mail: ptitus@schnader.com

18 June 2018

Dear Attorney General et alii,

I am DAVID F. DZERMEJKO. I have been named in an Investigating Grand Jury.

RE: the 40th Statewide Investigating Grand Jury
Report No. 1

May I first make mention that I was shocked and in disbelief when this Grand Jury explained their purpose and intention! They state they want to shame and punish the individuals that they found in the Diocese of Pittsburgh Clergy Records. I am not a lawyer but I was always taught that a Grand Jury was to decide whether or not the District Attorney should file charges. They have certainly overstepped their bounds! This is the United States of America and the accused (or named individuals) have a Constitutional Right to be presumed innocent and also a Constitutional Right to be juged by a JURY of one's peers to decide their guilt or innocence.

The ACLU and Supreme Court would have a "field day" with this out-of-control Grand Jury.

I was ordained a Catholic Priest in 1974 and have served faithfully throughout my ministry in the Diocese of Pittsburgh. In every parish which I served, I had NEVER had any allegation of sexual misconduct raised against me! In my last pastoral Assignment, I had served 27 years there in Charleroi when I recieved an unexpected visit from two Diocesan Officials who accused me of sexual misconduct. I just about collapsed literally and my world and life were crushed immeasurably and permanently. Without even having a chance to ask what should I do, they gave me one hour to pack my things and they would escort me to a facility that they said was expecting me. Unbeknownst to me the Diocese had already Released a Press Release that I had been accused of ~~an~~ a sexual abuse that had occurred some 35 years ago.

After some, I was informed of the supposed victim's name and circumstances. I had never heard of his name before and I later found out that this alleged victim was dead!

How could I ever defend myself when I could not confront the accuser? I also discovered the fact that the "victim" and his wife were personal friends of Bishop Zubic who married the couple, baptized all their children and visited and partied with them frequently. Never did the "victim" ever tell Zubic about the alleged abuse.

Bishop Zubic always had an extreme hatred of me because I oftentimes disagreed with him or challenged him at public "priest gatherings". I personally heard him telling someone on his priest personnel board that he had to find a way to get me out of Charleroi. And boy oh boy, he sure did!

After some months, Zubic held a "Kangaroo Court" for me. My canon lawyer who defended me was only given discovery of the evidence 24 hours before the trial! The "Court" consisted of the Bishops' personal lay advisors and his priest advisors who were his dearest friends.

they Rubberstamped anything that Zabic wanted. To noones suprise, the Kangaroo Kourt decided that the charges were probable. I claim my innocence

If this Grand Jury is allowed to "embarass, punish and make public" my good ~~me~~ name, then I would want and demand that my Response should also be included!

Sincerely Yours,

David F Dzermejko

DAVID F DZERMEJKO

18 June 2018

RESPONSE OF REV. JOHN P. FITZGERALD
TO THE REPORT OF THE INVESTIGATING GRAND JURY
PURSUANT TO 42 PA. C.S. § 4552(e)

Counsel of Record for Rev. John P. Fitzgerald:

Thomas E. Fitzgerald, ESQ
1040 Fifth Ave.
Pittsburgh PA 15219

412 338 9988

PA ID 43580

RESPONSE OF REV. JOHN P. FITZGERALD
TO THE REPORT OF THE INVESTIGATING GRAND JURY
PURSUANT TO 42 PA. C.S. § 4552(e)

This is the Response of Rev. John P. Fitzgerald pursuant to Order and Notice of Court in accordance with 42 Pa. C.S.A.4552(e) which ordered a response to the Report of the 40th Statewide Investigating Grand Jury.

Initially, it is the position of Father Fitzgerald that the Order of Court and the Grand Jury Statute is unconstitutional.

Title 42 Pa C.S. Section 4552 of the grand jury statute which permits a grand jury to issue a report critical of the conduct of an individual, accusing him or her of incompetence or wrongdoing without recommending criminal charges, is a violation of Article I, Section 1 of the Pennsylvania Constitution, as it permits the issuance of a final judicial order damaging a person's reputation without the due process of law required by Article I, Section 11, of the Pennsylvania Constitution.

Article I, Section 1, of the Pennsylvania Constitutions provides, "All men are created equally free and independent, and have certain inherent and indefensible rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing and protecting property and reputation, and of pursuing their own happiness."
Article 1, Section 11 of the Pennsylvania Constitution provides, "All courts shall be open and every man for an injury done him in his land, good, person or reputation shall have

remedy by due course of law, and right and justice administered without sale, denial or delay. ..."

This procedure is totally lacking in the due process of law required for the protection of a person's reputation as required by the Pennsylvania Constitution. There is no opportunity to present evidence, no opportunity to cross examine a witness, no required notice. The proceedings of the grand jury are secret, and are not available to the party so named, even if the person is given the chance to reply. This report becomes a formal court document for full public examination.

The allegations of misconduct against Rev. John P. Fitzgerald contained in the 40th Statewide Investigating Grand Jury Report No. 1 are false. The allegations contained in the Summary referring To. Rev. Fitzgerald are the product of a fabrication made by a convicted thief, a convicted violator of the Controlled Substances Act, a person who "punched his father in the head and body, kicked his mother in the midsection and choked his sister" when they tried to stop him from driving after snorting heroin" according to a police report filed based on the statements of his father, mother and sister.

It is clear from reading the Summary that the alleged accuser did not appear before the Grand Jury. If he had appeared making these allegations contained in the Grand Jury Summary he would have perjured himself.

For example, the Grand Jury Summary states that the events occurred in 1996 including allegations of misconduct at the Pittsburgh International Airport Chapel. The airport chapel did not open until 1998. The walls of the chapel are transparent glass completely visible to office spaces which are adjacent and the food court from above.

The allegations made against Rev. Fitzgerald contained in the Grand Jury Summary were solely compiled from subpoenaed notes of William Waltershied, a bishop of the Pittsburgh Diocese. Waltershied met the alleged accuser on July 30, 2014. At the time Waltershied met the accuser there was an outstanding Allegheny County Bench warrant for the accuser.

Waltershied had met the alleged accuser at the request and instigation of Rev. Patrick Geinzer. Geinzer represents himself as an expert on child abuse by Catholic priests.

Prior to the request the accuser had "borrowed", "stolen" or extorted thousands of dollars from the brother of Patrick Geinzer, John Geinzer, who is also named as an offender in the Grand Jury Report.

Waltershied heard the allegations which included that the accused was sexually assaulted in an airplane, in a car, and at the Pittsburgh International Airport chapel. He claimed that he performed oral sex on Rev. Fitzgerald "maybe a half dozen times".

Waltershied then interviewed Father Fitzgerald on July 31, 2014. Father Fitzgerald

categorically denied all of the allegations telling Waltershied that it was physically impossible to do what the accuser claimed.

Waltershied and Zubik then removed Father Fitzgerald from his position as Pastor at Our Lady of Peace in Conway, PA. He was forbidden to return to Our Lady of Peace and his possessions, computers and personal belongings were seized by the Diocese. They conducted no further investigation to either confirm or deny the allegations. They asked for no physical evidence, sought any corroborating witnesses nor visited the scenes where the allegations of abuse were said to have occurred. They did not interview the pastor of the Church were the some of the allegations were said to occur.

Father Fitzgerald was given an admonition to not speak of the matter to anyone or defend himself in any civil proceeding or to respond in any way to the allegations made again him. It further prevented him from pursuing legal actions against the accuser and others.

In August, 2014, Waltershied and Zubik then referred the matter to the Allegheny County District Attorney and the Lawrence County District Attorney. After four years neither office has filed any charges.

On August 3, 2014, Waltershied appeared at Our Lady Queen of Peace parish and at Sunday Mass defamed Rev. Fitzgerald from the pulpit leaving all parishioners with the

inescapable conclusion that he was a child abuser.

Then Bishop Zubik ,Waltershied and Rev.Lawrence DiNardo, through the Diocese of Pittsburgh, authorized payments to the accuser and his family in amount of at least $40,000.00. Rev. Fitzgerald did not know, consent, or in anyway approve such a payment. He had absolutely no knowledge of the payments until he read it in the Grand Jury Summary that such a payment was made. Any such payment, in his view, was tantamount to legal extortion. Since the $40,000 payment was made to the accuser he has been arrested at least four times for drug related offenses.

On December 12, 2014, the Diocese of Pittsburgh held a Diocesan Review Board under the direction of Lawrence DiNardo, the vicar general of the Diocese of Pittsburgh, and was prosecuted by Thomas Kunz, a lawyer priest. The review board consisted of lawyers from the law firm of Zimmer Kunz (the father of Thomas Kunz is the former managing partner) and a lawyers who sit on managing Boards of property owned by the Diocese of Pittsburgh. At no time prior to the hearing did DiNardo or Kunz provide a written statement of the exact allegations against Father Fitzgerald including the dates and places where the allegations of abuse were said to have occurred.

The Diocesan Review Board heard testimony from the mother and sister of the accuser. The accuser, who was then well over thirty years old at this time, did not

attend or testify. The Review Board never saw or heard from the accuser directly. Thomas Kunz, advised the Board of the allegations made by the accuser based on his understanding of the allegations made to William Waltershied. (It should be noted that Kunz testified in an another proceeding that he never personally spoke with the accuser at any time. It also should be noted that Watershed never testified before the Review board.) The Diocesan Review Board was not advised by Kunz that the accuser had been asked when he was in a drug rehabilitation center whether he had ever been sexually abused as a minor. The accuser had denied he had ever been. At the time he was asked that question he was thirty years old.

At the Diocesan Review Board hearing Rev. Fitzgerald denied all of the allegations in emphatic terms.

It is admitted that the findings of review board as summarized by the Grand Jury Report were the findings made. It is denied that the Diocese Pittsburgh does not know the status of the proceedings against Fitzgerald. At all times material to the Grand Jury proceedings the Diocese of Pittsburgh, Kunz, DiNardo, Waltershied, and Zubik have been aware that further proceedings were held. and that the allegations were found to be not proven.

Rev. Fitzgerald immediately appealed the findings of the Diocese of Pittsburgh to the Congregation for the Doctrine of Faith who conducted further proceedings. The

Congregation heard sworn testimony from the mother and father of the accused, Patrick Geinzer, Thomas Kunz and others recommended by Kunz on behalf of the accuser. The accuser, himself, refused to be sworn but was interviewed. In his interview he dramatically changed his allegations made in his July 30, 2014, interview with William Watershed but did maintain he was assaulted in Rev. Fitzgerald's airplane and at the Pittsburgh International Airport chapel.

Father Fitzgerald again testified unequivocally that on no occasion did he have any inappropriate conduct with the accuser. He presented expert testimony from aviation experts familiar with the aircraft that the accuser said that it occurred. They testified that it would have been physically impossible to do what the accuser alleged without crashing the aircraft.

On March 2, 2017, the Judges of the Tribunal for the Congregation for the Doctrine of Faith informed both the Diocese of Pittsburgh and Rev. Fitzgerald that the accusations made by the accuser and the Diocese of Pittsburgh had not been proven.

The Diocese of Pittsburgh has known since March of 2017 that the allegations against Rev. Fitzgerald had not been proven yet did not include those findings to the Statewide Grand Jury although they were under subpoena to do so.

In summary it the position of Rev. Fitzgerald that this procedure is totally lacking in the

due process of law required for the protection of a person's reputation as required by the Pennsylvania Constitution. There is no opportunity to present evidence, no opportunity to cross examine a witness, no required notice. The proceedings of the grand jury are secret, and are not available to the party so named, even if the person is given the chance to reply. This report becomes a formal court document for full public examination.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	:	SUPREME COURT OF PENNSYLVANIA 2 W.D. MISC. DKT. 2016
THE FORTIETH STATEWIDE INVESTIGATING GRAND JURY	:	ALLEGHENY COUNTY COMMON PLEAS CP-02-MD-571-2016
	:	NOTICE NO. 1

RESPONSE TO THE 40TH STATEWIDE INVESTIGATING GRAND JURY REPORT NO. 1

AND NOW COMES Rita Flaherty, by and through her counsel, Michael A. Comber and the law firm of Farrell & Reisinger LLC, and respectfully submits the following Response to the 40th Statewide Investigating Grand Jury Report No. 1:

The allegations set forth within the 40th Statewide Investigating Grand Jury Report No. 1 (the "Report") sadden Ms. Flaherty on several levels, as it must anyone who has worked with victims and their families. While Ms. Flaherty has sat across from dozens and dozens of victims to hear their tragic stories of abuse and the long-lasting implications these incidents had in their lives, seeing these stories collected in this Report brings much sadness for the pain and injury people have experienced.

However, this Report also saddens Ms. Flaherty because it does not tell the full story and, at times, it tells a distorted one.

The full story includes compassionate responses by many individuals, including diocesan staff, who listened with care and sought to assist victims of abuse with all of the resources at their disposal. Such aid to healing was not a "one size fits all" response, but one tailored to the needs and preferences of each individual victim.

The full story also, sadly, includes false allegations. While Ms. Flaherty has always approached each person who came forward with a full recognition of the enormity of pain and courage required to do so, nevertheless, there have been allegations which were not supported by facts and, in some instances, were provably false. Ms. Flaherty remains saddened that the Report, given the very nature of the Grand Jury's process, includes accusations that cannot be substantiated at any modest level of proof or scrutiny. Inclusion of these patently false accusations risks causing great harm to honorable people and their families.

In 1993 when Cardinal Donald Wuerl asked Ms. Flaherty to serve the Roman Catholic Diocese of Pittsburgh as a Licensed Social Worker, no title yet existed such as Victim Assistance Coordinator. That would come later. In the moment, Cardinal Wuerl recognized the need, before many of his brother bishops, to have a lay, professionally trained and licensed person serve the needs of the victims and seek evaluation of and treatment for those priests whose behavior was morally abhorrent and criminally reprehensible. That Ms. Flaherty was a mother of small children was also important to the decision to offer her this new position, as a mother's instinct for the protection of the most vulnerable among us was key to fulfilling this role effectively. Since then, this has been her life's work, her mission.

Ms. Flaherty has served in the administrations of Cardinal Wuerl, Bishop Bradley and Bishop Zubik. Each empowered her to receive and respond to victims and their families with every possible resource at the disposal of the Diocese for their healing, spiritually and psycho-socially. Many of the implications throughout the Report about termination of resources mischaracterize the information before the Grand Jury and the reality of the situation. Ms. Flaherty does not wish to respond to nit at each of the instances of literary license that the drafters of the Report take with the selective, incomplete snippets of her notes that misconstrue

reality. The focus must remain on the victims. The priorities must never stray from healing, protection and prevention. This begins with awareness of the nature and extent of sexual abuse in our society, from which, sadly, the Roman Catholic Church has not been exempt. To the extent that the Grand Jury Report creates this awareness, it permits all of us—church, civic and community leaders—to focus on what each of us can do better as human beings and a collective society to ensure that victims are never silenced, that their wounds are healed and that others are protected by appropriate preventative measures.

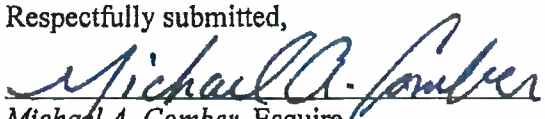
The healing of victims, the protection of minors and vulnerable adults, and the prevention of future abuse must be the focus as we move forward. However, there is another group of individuals for whom we must also recognize the enormity of their suffering – the factually innocent priests and their families. This Grand Jury report process has failed them.

Ms. Flaherty mourns the lives marred by any child predator, lay or ordained. She grieves with and for all of the victims with whom she has worked for over 25 years. She prays for peace for all whose lives have been forever tinged by the tragedies of abuse. But she also prays for those unfairly portrayed in a legal process that, at times, appears to take accusations at face value because it favors a story that some want to tell regardless of the facts or the consequences.

In conclusion, we recall the distinction sometimes made between "doing the right thing" and "doing things right." Ms. Flaherty has always strived to do both in service to the people with whom she has interacted, be it the primary victim of abuse or a secondary victim, such as a family member, or be it the priest rightly accused or the one wrongly identified. It is a standard Ms. Flaherty has brought to her work for 25 years and that she continues to bring each and every day. Ms. Flaherty's sincerest hope is that all of us, in whatever capacity of public service in

which we find ourselves, will seek no less. We owe it to each other as we strive to foster a world where the dignity and worth of every human being is protected and promoted.

Respectfully submitted,



Michael A. Comber, Esquire
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FARRELL & REISINGER, LLC
300 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
412-894-1380
412-894-1381 (fax)
mcomber@farrellreisinger.com

Dated: June 21, 2018

****FILED UNDER SEAL****

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	:	SUPREME COURT OF PENNSYLVANIA 2 W.D. MISC. DKT. 2016
THE FORTIETH STATEWIDE INVESTIGATING GRAND JURY	:	ALLEGHENY COUNTY COMMON PLEAS CP-02-MD-571-2016
	:	NOTICE NO. 1

CERTIFICATE OF SERVICE

I, Michael A. Comber, Esquire, hereby certify that a copy of the foregoing Response to the 40th Statewide Investigating Grand Jury Report No. 1 was served on June 21, 2018 *via* electronic mail and overnight mail upon the following individuals:

The Honorable Norman A. Krumenacker, III
Supervising Judge, 40th Statewide Investigating Grand Jury
Cambria County Court of Common Pleas
Cambria County Courthouse
200 South Center Street
Ebensburg, PA 15931
nakadmin@co.cambria.pa.us
nakbench@co.cambria.pa.us

Daniel J. Dye
Senior Deputy Attorney General
Commonwealth of Pennsylvania Office of Attorney General
16th Floor, Strawberry Square
Harrisburg, PA 17120
ddye@attorneygeneral.gov

Julie Horst
Executive Secretary for the Grand Jury
Commonwealth of Pennsylvania Office of Attorney General
16th Floor, Strawberry Square
Harrisburg, PA 17120
jhorst@attorneygeneral.gov

By: _____
Michael A. Comber, Esquire
Attorney for Rita Flaherty

Reverend John A. Geinzer' s Response to Grand Jury Report No. 1

In regard to the Grand Jury charge of child abuse---which I abhor---I cannot recall any action that could be considered or construed as such. This charge can only refer to conduct which has been misinterpreted and thus misunderstood. Secondly, in regard to my heartfelt greeting of children viewed as inappropriate, I have been counselled by a diocesan official in a "teachable moment," which became for me a good lesson about social boundaries. Since then, there have been no complaints.

Response of Father Robert F. Guay

First and foremost, I feel that reading the details in Report No. 1 of the 40th Statewide Investigating Grand Jury ("the Grand Jury Report") regarding sexual abuse by a priest, or by any adult for that matter, toward a child affirms how horrific and devastating these events were and how they have greatly impacted the overall well-being of the victims and their families. For that reason, counseling at the Diocese's expense was offered to victims of such abuse who came forward, and this offer of counseling was often accepted by the victims. While the Grand Jury Report was difficult for me to read, I hope that it can help the Church in general and the Diocese of Pittsburgh in particular in improving their responses in the future to matters of sexual abuse by clergy, should they arise.

I served as Clergy Personnel Director of the Diocese of Pittsburgh from June 16, 1986 through the end of January 1991. I was then Secretary for Clergy and Pastoral Life in the Diocese from the end of January 1991 through May 31, 1996, when I returned to serving as the pastor of a parish. As Clergy Personnel Director, I knew of some of these types of issues, but most such issues of abuse by clergy were handled by my predecessors without my involvement. Once I took over in 1991 as Secretary for Clergy and Pastoral Life, Father (now Bishop) Zubik, who succeeded me as Clergy Personnel Director for the Diocese, and I met with victims of sexual abuse and priests who were accused of such acts, and, later, Rita Flaherty, a trained and licensed social worker, was hired by the Diocese and joined us in these meetings in an effort to better respond to the needs of the victims in a more timely fashion.

In this day and age, we now know much more about child sexual abuse and how to best respond to it than we did in the 1980s and 1990s. Continuing education about child sexual abuse and the need for clearances for those working with children, including priests and deacons, has been helpful today in terms of raising a greater awareness about this issue and preventing such conduct. The Church itself has learned and grown from this process since the 2002 Charter for the Protection of Children and Young People ("the Dallas Charter") was issued by the United States Conference of Catholic Bishops. With the Bishop's acceptance of the Dallas Charter in 2002, there were more clear guiding principles put in place for handling these situations than had been in place in the past.

The Grand Jury Report is presented in such a way that it seems that nothing was ever done right by the Diocese of Pittsburgh in response to allegations of sexual abuse by members of the clergy, and that is just not true. The Report only focuses on the negative, not on any situations that were handled well or on any improvements that have been made. I feel that the Report portrays me in an unfair and disingenuous light. The Report lists me as a "Church leader" who "played an important role in the Diocese of Pittsburgh's handling of child sexual abuse complaints." Such a characterization implies that I had decision making power within the Diocese's handling of these complaints that I just did not have. Although I was part of the decision-making process, with the consultation of others, I was an administrator, following Diocesan policies. At the time, the Church believed that the treatment facilities the Church was using would and could be successful in treating and rehabilitating those accused of sexual abuse. These treatment facilities would make recommendations, which the Diocese usually followed. However, for the most part, now it

seems clear, in retrospect, that such treatment and rehabilitation was not successful and that such recommendations should not have been followed.

Once again, I feel that it is important to note that the Diocese of Pittsburgh tried to respond to the victims and their families in a compassionate way by offering counseling assistance. At all times, I, along with others at the Diocese, sought to help both victims of abuse and those struggling with addiction. I never discouraged anyone from making a report to law enforcement authorities, and I never engaged in any misconduct myself. Furthermore, at all times, I did my best to abide by the laws of the Commonwealth of Pennsylvania as well as church law. Then and now, I seek to fulfill my duties as a priest in accordance with the teachings of Jesus Christ.

The Church is not perfect and those who run the Church are not perfect, but I believe that the leaders of the Church should try their best every day to help victims of past sexual abuse and to prevent sexual abuse from occurring in the future. Since the time that much of the conduct in the Grand Jury Report occurred, I feel that the Church in general, and the Diocese of Pittsburgh in particular, have made great strides and significant improvements in the way that they handle these situations, and I hope that the Grand Jury Report will be an impetus for the Church and the Diocese to continue to improve until there are no more sexual abuse victims and until it can be ensured that this will never happen again.

Reading the Grand Jury Report caused me to think long and hard about what the Church could have done better. As a result, I have some recommendations for additional improvements that I believe the Church should make to prevent and address sexual abuse in the future. I intend to share these recommendations with the Diocese of Pittsburgh and hope that the Diocese will consider and implement my recommendations in the future. I pray for all those locally and throughout the world who are victims of abuse as well as their families, and I pray that our Lord will grant them healing and comfort.

Respectfully submitted this 20th day of June 2018.

s/ Fr. Robert F. Guay

RECEIVED
JUN 29 2018
Office of Attorney General
Prosecutions Section

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	: SUPREME COURT OF PENNSYLVANIA : 2 W.D. MISC. DKT.2016
THE FORTIETH STATEWIDE	:
	: ALLLEGHENY COUNTY COMMON PLEAS
INVESTIGATING GRAND JURY	: CP-02-MD-571-2016
	:
	: SEALED RESPONSE

SEALED RESPONSE OF REVEREND BERNARD J. KACZMARCZYK

AND NOW comes Reverend Bernard J. Kaczmarczyk, with the assistance of undersigned counsel, and files the following sealed response with the Court regarding a report critical of him containing findings that he may be characterized to have engaged in child sexual abuses, or being an enabler thereof, or otherwise violated a duty to safeguard the welfare of children, and by way of said response, avers as follows:

1. I, Bernard J. Kaczmarczyk, have no recollection of committing any of the conduct outlined in the summary provided with the Order and Notice dated May 22, 2018.

2. I, Bernard J. Kaczmarczyk, specifically deny committing any of the conduct outlined in the summary provided with the Order and Notice dated May 22, 2018.

3. I, Bernard J. Kaczmarczyk, aver that I would never commit any of the conduct outlined in the summary provided with the Order and Notice dated May 22, 2018, and that such conduct is outside my character and reputation in the Community.

Respectfully Submitted,

Bernard J. Kaczmarczyk

Date: 6/21/18

Witness: _____
T. Brent McCune, Esq.

PA ID #47794

IN THE COURT OF COMMON PLEAS
ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	:	**SUPREME COURT OF PENNSYLVANIA**
	:	**2 W.D. MISC. DKT. 2016**
THE FORTIETH STATEWIDE	:	
	:	**ALLEGHENY COUNTY COMMON**
INVESTIGATING GRAND JURY	:	**CP-02-MD-571-2016**
	:	
	:	**NOTICE NO. 1**

RESPONSE

I, Edward L. Kryston, deny any wrongdoing regarding the circumstances set out in the summary of the Grand Jury notes provided to me at pages 362, 363, 364 and 365.

By: Edward L. Kryston
Edward L. Kryston

IN THE COURT OF COMMON PLEAS
ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	**: SUPREME COURT OF PENNSYLVANIA**
	: 2 W.D. MISC. DKT. 2016
THE FORTIETH STATEWIDE	**:**
	: ALLEGHENY COUNTY COMMON PLEAS
INVESTIGATING GRAND JURY	**: CP-02-MD-571-2016**
	:
	: NOTICE NO. 1

RESPONSE OF NANCY DELGENIO, EXECUTRIX OF THE ESTATE OF FATHER DONALD MCILVANE PURSUANT TO 42 PA.C.S. § 4552(E) TO THE GRAND JURY REPORT

TO THE HONORABLE NORMAN A. KRUMENACKER:

Ms. Nancy Delgenio, Executrix of the Estate of Father Donald McIlvane by and through its undersigned counsel, hereby submits this Response to portions of the Grand Jury Report (the "Report") which she has learned of from the undersigned counsel, to be attached to and made part of the report before the report becomes public record, pursuant to 42 Pa.C.S. § 4552(e). We appreciate the opportunity to provide this Response to address factual allegations and conclusions that are incorrect.

The undersigned counsel in reviewing materials received by clients whose names were contained in the Grand Jury Report noted that Father Donald McIlvane was listed as No. 47 on the list of "Offenders" from the Diocese of Pittsburgh and learned in confidence that the listing was based on a report of allegations made in 2008 against Father McIlvane. The undersigned represented Father McIlvane in the Diocesan proceedings against him. The charges were so bizarre that the Independent Review Board unanimously dismissed them and he was immediately restored to ministry. Counsel did reach out to Ms. Delgenio who was the Executrix of Father McIlvane's Estate who has asked that if no hearings are held as to the validity of allegations against certain people named in the Report, this statement should appear as an attachment to the

Report in an effort to avoid having his name tarnished. Father McIlvane was a leader in the Civil Rights Movement who marched with Dr. King in Selma, Alabama. He was a community leader in the City of Pittsburgh who worked with interfaith organizations in numerous activities designed to combat racism and to alleviate poverty.

He did not engage in any improper sexual activity and his legacy should not be harmed by false allegations that he was an "Offender".

Respectfully submitted,

Dated: June 20, 2018

SCHNADER HARRISON SEGAL & LEWIS, LLP

By: Paul H Titus

Paul H. Titus
Attorney I.D. No. 01399

Fifth Avenue Place, Suite 2700
120 Fifth Avenue
Pittsburgh, PA 15222-3001
Telephone: (412) 577-5200
E-mail: ptitus@schnader.com

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of June, 2018, I served the within **Response of Nancy Delgenio, Executrix of the Estate of Father Donald McIlvane, Pursuant To 42 PA.C.S. § 4552(E) to the Grand Jury Report** on the following persons and in the following manner. Such service satisfies the requirements of Rule 114 of the Pennsylvania Rules of Criminal Procedure:

Via Electronic and U.S. First-Class Mail addressed as follows:

The Honorable Norman A. Krumenacker, III
Supervising Judge, 40th Statewide Investigating Grand Jury
Cambria County Court of Common Pleas
Cambria County Courthouse
200 South Center Street
Ebensburg, PA 15931
E-mail: nakadmin@co.cambria.pa.us

Daniel Dye
Senior Deputy Attorney General
Criminal Prosecutions Section
1600 Strawberry Square
Harrisburg, PA 17120
E-mail: ddye@attorneygeneral.gov

Julie L. Horst
Grand Jury Executive Secretary
Criminal Law Division
1600 Strawberry Square
Harrisburg, PA 17120
E-mail: jhorst@attorneygeneral.gov

SCHNADER HARRISON SEGAL & LEWIS, LLP

Paul H. Titus
Attorney I.D. No. 01399

Fifth Avenue Place, Suite 2700
120 Fifth Avenue
Pittsburgh, PA 15222-3001
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E-mail: ptitus@schnader.com

RECEIVED
JUN 11 2018
Office of Attorney General
Prosecutions Section

Arthur R. Merrell
728 E. Warrington Ave, Apt 'B'
Pittsburgh PA 15210
412-463-2845

4/20/18 // 6/07/18

Dear Attorney Dye,

Thank you very much for your helpful responses to my phone call last week. I would presume that the Attorney Generals office would have access to all information about this case, but since only the earliest parts are referred to, I want to give you information about the entire case.

1) The name of the young man referred to in this case is [redacted] (not [redacted]). [redacted] has been diagnosed with several mental health issues and was regularly interviewed. Early in 2011 he was asked if he had any sexual contact with anyone – he replied 'yes' and that led to the 'Child Advocacy Center in Washington County (where he lives). They notified Allegheny County Authorities in March of 2011. And, shortly after that, I received a notice from Allegheny County authorities that these charges were being filed.

2) As soon as I understood how serious this could be, I contacted a lawyer I knew of, Attorney John Knorr

in Pittsburgh. He agreed to meet with me and agreed to begin the initial steps needed to successfully address my problem. He did not agree to follow up on the whole trial (I was unable to afford his charges for the whole trial (as I remember "7,000) but he would "get things started".

In early May of 2011, Attorney Knorr called me and advised me to go to the Pittsburgh Police Headquarters on Pittsburgh's "North Side" where someone would interview me. A couple days later (5/06/11: I believe) I went to the station where I surrendered to Detective April Campbell who, I found out later, was a specialist in the Sex Assault Family Crisis unit. Detective Campbell got my identification information. She then interviewed me for about an hour, then released me to go home. She also assured me that, as long as I kept the promises I had made and showed up for any meeting at the court, I would not have to worry about police showing up at my door.

Unfortunately, someone at the Police Headquarters forgot to take my name off of the "wanted" list and two constables (J. Dytko and D. Brytes) showed up at my home and, at gunpoint, arrested me; put handcuffs on me, put me in their car and drove me to the Allegheny County Jail. After going through

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the "screening procedures", I was taken to a cell (with a cellmate who, as I remember, was facing a homicide charge - but we got along pretty well). The next day I had use of a phone and called Attorney Knorr. He said he'd make some calls for me, and "especially" to respond to the regular visit of the Public Defenders Office to the unit. The Public Defenders office was there a few days later. I gave them my information and requested the services of a Public Defender. A short time after that I was assigned a Public Defender, Attorney David Obara, and I met him a week or two later. He interviewed me, looking for all the details. I wrote to him (the "letter to the Public Defender") just wanting to include the details about my times with [redacted]. He used details of the letter to clarify some of the stories that Matt was telling. I was never present at the trial sessions that the judge and [redacted] were present, but my attorney said that any statements seemed to make sense to the judge more than some of the statements that [redacted] was making. That seemed to allow the judge to make the decision to lower my charges from felony to misdemeanor. After the last session, my attorney pointed out that accepting misdemeanor charges rather than felonys = Court costs rather than fines; and probation rather than time in prison was a better

deal for me---- How could I disagree? Anyway, after that I appeared before a Judge in a room with multiple defendants. Each of us was called before the Judge, our charges were read and we were refered to a Court group who would explain the details. Basically, the sentence was Court costs and two years of probation. I arranged a payment plan for the Court costs and was referred to the Probation Office on Arlington Ave. In my first week or two I was interviewed by probation officers at the center. Within a few weeks a probation officer came to my home once a month for the rest of the two year period. The probation officers were very civil and I have no complaints at all about their service.

The end of my probation was the end of my sentence. I was able to get two jobs because my security checks only asked if I was convicted of a felony. That probably was also the reason I was able to get a very reasonable deal on my apartment rental.

I would just ask if it would be possible that my name would not be printed in the public newspapers. I have already served my sentence and that public revelation would probably cost me my jobs and my home. And now that I'm 75 years old, that would be a disaster.

Well, Attorney Dye, thank you for giving me the opportunity to present my case. With this I am

including a copy of the letter I provided my attorney (the Public Defender). If there is any other information I can supply, please let me know.

Sincerely

Arthur R. Merrell
728 E. Warrington Ave
Apt B'
Pittsburgh, PA 15210-1565
412-463-2845

Attorney Page,

Unfortunately, there seems to be some confusion about the dates + the issues. In the mid 1990's I was the chaplain in the Allegheny County Jail. A guard reported that I had an inappropriate discussion with an inmate. That claim was investigated by a board at the jail and I was found to be "not guilty" of the charge, and was restored to my chaplain position.

At the beginning, the 'charge' was reported to the Diocese of Pittsburgh and they sent me to the St. Luke's mental health facility in Maryland for an "evaluation". After I returned to Pittsburgh, I was told that the Diocese wanted me to return to St Luke's for a "treatment" program that could last many months. Since I really didn't like St Luke's, I told the Diocese that I didn't want to go there, but offered to go to Western Psych or another local program. That was not accepted by the Diocese and I was suspended from the ministry. That was in

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1997. Since that time, I have never identified myself as a priest to anyone.

That includes the teenage boy who, in 2008 asked me to become his "Big Brother". The story of my relationship with him is included here in the letter I wrote to Attorney Obara (my public defender at the 2011 trial). I just want to clarify that these two events (1997 + 2011) were totally unconnected, and the later events (regarding the teenager) were never, in any way, connected, and neither the teen, his parents, or anyone else involved in this case had any knowledge that I was a priest or had any official connection to the Catholic Church.

Again, thank you

Art

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Public Defender's letter - page 1

To: Public Defender
July 19, 2011

After reading Detective Campbell's report, I find that she has merged several incidents into one and omitted several things I told her. I just want you to know what happened. I, of course, will provide you with any needed details.
I met Matt at a gathering of teens with Asperger's Syndrome which their parents had arraigned. This was early in 2008. I had worked with two of the boys and their parents had invited me. I have never had any professional relationship with Matt. He apparently heard from the other teens about activities I had arraigned for them and asked me if I could become his 'big brother'. I was a little taken by surprise, since that seemed to be a rather unusual request for a teen from an intact family to be making, so I talked to his parents and they said it would be a good thing. The parents are both very nice people, but dad has some very serious health problems.

- After visiting their home several times and getting to know each other, I agreed to give the relationship with Matt a try. I asked Matt what he would like to do and he said "Lets go camping". Since their home is only a short drive away from Raccoon Creek State Park, we gave it a try for a weekend. Things went well at first, pitching the tent, cooking a meal over the fire and taking a short hike around the park. Then we got ready to bed and things got complicated. We both had an air mattress and sleeping bag and were laying there in almost total darkness. I then heard (and dimly saw) Matt get out of his sleeping bag and move over till he was kneeling over me. He then reached down, pulled back the top of my sleeping bag and laid down (face down) on top of me. Now, Matt is over six feet tall and weighs nearly 300 pounds and this was uncomfortable to say the least, but given some of his psychiatric diagnoses I thought he was just acting a little immature and wanted to 'wrestle'. Then I felt something pushing into my abdomen and realized it was his erection. I reached up and rolled him over onto the ground and grabbed my flashlight. He was laying there, clutching his penis and masturbating by 'punching' it. He asked me to join him. I refused, but couldn't help watching because of the pain he must have been inflicting on himself. It was over in a few minutes and I just told him to go to sleep and he did. The next morning I decided to pack up and go home after just one night. He got very angry about not staying the second night . On the drive home, he punched me as I was driving and then opened the car door and made as though he was going to jump out of the moving car. I pulled over, got him calmed down then returned him home with no further problem
- For the next couple weeks, I saw Matt at his home and talked to him about the incident at the park. I thought we had it worked out. He did ask to visit my home and I agreed. A week or so later (I believe it was on a Saturday) I took him to my place - 606 South Main - and showed him around. As soon as we got to the bedroom he pulled down his pants and began masturbating . I just told him he was on his own and that I was going downstairs and that he should call me when he was done. I walked down to the kitchen and had a cup of coffee. Eventually, I heard something from upstairs and walked up. Matt was standing at the top of the stairs - masturbating - but this time his hand and penis were covered with blood. I was more concerned about his injuring himself than about the sexual matter. I showed him (using my pointed finger -not his penis as the police report has it - to illustrate how most other boys do it). I did also tell him about using a lubricant because I could imagine that he was doing this frequently and could really hurt himself. I was also beginning to worry that I should get him to a doctor to take care of the torn skin. However, after a few minutes I began to understand that this had been all for show, He had been using stage blood!!! Matt is smart, and his 'encompassing preoccupation' (a la Asperger's) is anything to do with movies and TV. He is constantly writing and 'shooting' movies with his cameras and recording equipment. I had already taken him to a store in Robinson that specializes in costumes and stage equipment ... and yes, he had been looking at stage blood.
- The date that my attorney and the District Attorney had agreed to focus on - April 1st 2008 - was apparently chosen because Matt had told them that that was the first time he stayed over at my place. (I was told that I could get a detailed account of what he told them but although both I and my attorney have written and asked for it, I have never received it.) Matt had been acting fairly well and he constantly asked to stay with me over a weekend, I had set up my bedroom for two of us. He was to use my bed and I had set up an air mattress and sleeping bag on the other side of the room for myself. As I remember, we had picked up a movie to watch and gone out for something to eat. It was getting late

and we were getting ready for bed. I was sitting on the side of the bed taking my shoes off when Matt sat down right next to me. I don't remember if I realized he was naked but I would in a few seconds. He reached over, took my right hand and pulled it over to him. By the time I looked over, he had placed my hand over his erection and was holding it there with both of his hands. I just remember asking him "What are you doing?", and telling him to "let go!". Of course, at this time we get into the problem of defining what I was doing. In Matt's' mind, I was masturbating him--- in my mind, I was trying to jerk my hand free from his organ. Of course, it was all over in just a minute or two and I can assure you that the only 'seminal fluid' that was produced here belonged to **Matt,** not me. By my response to Detective Campbell's question that I felt like "a somewhat willing participant", I meant that I realized after this incident started that I could have ended it by getting very physical (by hitting or otherwise harming him) but I decided not to because I still really wanted to try a more positive approach to helping Matt.

- During the first couple of months I knew Matt, he wanted to spend all of his weekends at my place. In fact, he said several times that he wanted to move in with me. He was constantly arguing with his parents and in trouble at school. He did come back to my place overnight several times and, yes, he tried the masturbation thing again. I told him strongly that I was getting sick and tired of it but if being 'close' to me -as he put it- was so important, I asked him to thing of another way to do it. He asked if I could give him a back-rub. That seemed to be offer an improvement in the situation, so I agreed to try it. Unfortunately, the first time we tried it, he reached behind himself, grabbed my hand and pulled it down over his buttocks. When I told him I didn't want to do this either, he became angry again. He really seemed to think that rejecting these sexual advances were rejecting him! I believe that on the drive home, he tried another 'acting out' for the first time - while we were driving down a road near his home, at about 45 mph, he lunged over from the passenger side, grabbed the top of the steering wheel, and tried to make a hard right turn - which would have had us crash into a bridge abutment. Fortunately, I saw it coming and was able to slow down and keep control of the steering wheel.
- After several instances like this, I was getting very concerned about where this was going and felt that I should let his parents in on what was going on. I finally called his dad (dad apparently didn't remember the call when the detective asked him about it). That's probably because I wasn't too explicit when I talked to him, I just told him about the incident at the park as "Matt had laid down on top of me ", and that "Matt was masturbating and wanted me to help him".
- Finally, after several talks and frequent admonitions didn't change things, I began to see that this couldn't continue. After Matt had acted out sexually three or four more times, trying to involve me, I had to address this - or get out of it! On one of the Saturdays I saw Matt at his home, we went out to lunch in McDonald and, on the way back to his place, we drove past the Ft. Cherry High School. Matt wouldn't talk about any of these things at home because he felt he would be overheard, so I pulled into the school parking lot. It was a sunny and warm day, so I guess it was the end of May or beginning of June. I told him that we really had to do more than just talk. I had to say something that he would have to agree to or our relationship, which he said meant so much to him, was headed nowhere. As well as I can remember, what I said was " Matt, I really like you and care about you. I want to be your big brother and I appreciate how smart and talented you are...but this sex thing has to end! It can get me into a lot of trouble.. and it's going to finish off the first real friendship you've had in your life. If you don't end this stuff right here and now, I'm just going home and staying there. I'm going and never coming back. You will never see me again! Do you understand?" He seemed to be tearing up, but he nodded a 'yes'. The amazing thing was that it worked! From that day, he never tried to involve me in any sexual act or situation. For the next two and a half years, I saw Matt on most weekends and he did stay at my place a few more times, mostly on a few weekends when we had arraigned for him to have an 'extra' part in a motion picture being filmed here in Pittsburgh. But from the time of our 'talk' in the high school lot, he never again tried or even suggested that we have any improper contact.
- The last time I saw Matt was at Christmastime last year (2010) when I dropped of his present, a book about how to become a movie producer. When I didn't hear from him after Christmas, I called him a couple times but he didn't return the calls. My guess is that the conversation with the social worker had taken place and he was afraid to follow up on it. During those two and a half years, Matt asked me to teach him how to drive (we tried that out for a few times on a neighbors private road, but he gave up on it). For most of the time, he was constantly getting me to have a 'part' in one of the movies he was constantly producing. The scripts were usually rather strange - featuring strange relationships between seriously disturbed people, but he would come up with a new project at least once a month, and ask me

to appear in it. I think he's worn out several camcorders. Things changed a little during 2010. As I have already pointed out, for all of his emotional problems and diagnoses, he is bright and talented. One of the local cable companies actually gave Matt his own television news show! (You can see several of his 'newscasts' at: mcdonaldareanews.com). For the last months I was with Matt, I was constantly helping him to finish his studio. You can still watch several of his shows on-line. There are none done in the last few months, so he may have lost his connection with the cable channel. On the negative side, he is still having sexual problems. I didn't know it at the time. But he was apparently downloading 'kiddy-porn' from the internet. A speaker from the FBI had apparently appeared at his school and told the students about the government crackdown on the problem. He stopped the downloads, but has become obsessed with the idea that the government might be spying on him. The last time I really spent time with Matt, he was totally absorbed in his television show and wanted me to help him get enough money to upgrade his studio. I don't know whether my inability to do so had anything to do with his recent statements.

- Finally, even as I sit here typing this out, I ask myself why I didn't try to get out of this situation a lot sooner. I guess it's as follows: When this kid came up to me over four years ago, I could feel the loneliness and frustration in his story. He had no friends and had already been diagnosed with several psychiatric problems (Asperger's, Bi-Polar and several others). He's been under treatment and taking a rather heavy load of medications for most of his life, this includes several hospitalizations. When he came and just about begged me to be his 'big brother', I knew that I had some unused free time on my weekends and just couldn't refuse him. I guess that my reaction to his bizarre behaviors at the beginning was that I thought of them as symptoms of his mental health problems that I could help him overcome. Several schools and programs have thrown him out because of his behaviors (not necessarily his sexual ones), I didn't want to be another rejection, and after a few months I succeeded in what I was trying to do.. But now I have to ask if those schools and programs were right...like them, maybe I should have just walked away.
-

My contact information: Arthur Merrell, 606 South Main Street, Pittsburgh, PA 15220
Phone: 412-922-3844, e-mail: arthurmerrell@gmail.com

13251 Apaloosa Lane Apt. 317

Ft. Myers, Florida, 33912

RECEIVED

MAY 09 2018

Office of Attorney General
Prosecutions Section

May 8, 2018

Mr. Daniel J. Dye
Senior Deputy Attorney General
16th Floor
Strawberry Square
Harrisburg, Pa. 17120

Dear Mr. Dye,

I am writing in response to the document which you sent me which was dated May 4, 2018. I do not know the full legal implications of this document, but I will try to answer some of the questions which it contains.

At the present time, I am eighty-four years old. I cannot walk very well and must use a mobility scooter to get around. I have not been involved in any basketball programs for thirty years since 1988 when the Diocese of Pittsburgh asked me to withdraw from the basketball program. I did comply with this order.

The main complaint in this document is that I was present in the locker room when the boys were taking showers. This is accurate. However, at no time was I ever in the locker room by myself; the coaching staff was always there. As far as the boys being required to take showers, this was not my request but that of the head coach. The coach thought that this was a way to prepare the boys for the practice of showering when they would be playing basketball in high school.

At no time did I ever touch a boy or any child. There has been no child who has made an accusation against me that I touched him. In the summary of the document it states: "The Diocese could attest to the following statements: 'No accusation of misconduct have ever been made against him, nor has he ever been involved in any incident, to my knowledge, which has led to potential or public scandal and to the best of my knowledge he has never engaged in sexual behavior inconsistent with priestly celibacy, nor has he ever acted in an inappropriate manner with minors." Father Mark Eckman, the Vicar for Clergy, signed this statement and attested to its veracity. I have also included a copy of the Certificate of completion for Recognizing and Reporting Child Abuse.

Sincerely,

Thomas M. O'Donnell

(Rev.) Thomas M. O'Donnell

Certificate of Completion

Recognizing and Reporting Child Abuse: Mandated and Permissive Reporting in Pennsylvania

Meets ACT 31 of 2014 training requirements

Meets the Recognizing Child Abuse and Mandated Reporting components of ACT 126 of 2013 training requirements

3 continuing education hours

Presenter:

University of Pittsburgh School of Social Work,
PA Child Welfare Resource Center

403 East Winding Hill Road, Mechanicsburg, PA 17055

Presented to:

O'Donnell, Thomas

on the date:

October 30, 2016

Provider Number:
CACE000004

CE Course Number:
PCW000001

Tracy Soska, Director of Continuing Education
School of Social Work

Michael Byers, Director PA Child WelfareResource Center

Paul G. Spisak

2600 Morange Road

Pittsburgh, PA 15205

May 24, 2018

Daniel J. Dye

Senior Deputy Attorney General

16th Floor

Strawberry Square

Harrisburg, PA 17120

Dear Sir:

I received your 40th Statewide Investigating Grand Jury Report dated May 4, 2018. I have read it thoroughly and found some discrepancies and false assumptions in the report. All I can say at this time is that I have followed all of the recommendations of the Diocese of Pittsburgh.

Respectfully,

Paul G. Spisak

Paul G Spisak

Cc: The Honorable Normal A. Krumenacker, III

DIOCESE OF SCRANTON

THE DIOCESE OF SCRANTON

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IN THE COURT OF COMMON PLEAS
ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	:	SUPREME COURT OF PENNSYLVANIA
	:	2 W.D. MISC. DKT. 2016
THE FORTIETH STATEWIDE	:	
	:	ALLEGHENY COUNTY COMMON PLEAS
INVESTIGATING GRAND JURY	:	CP-02-MD-571-2016

THE DIOCESE OF SCRANTON'S RESPONSE TO EXCERPTS OF THE FORTIETH STATEWIDE INVESTIGATING GRAND JURY REPORT NUMBER 1

The Diocese of Scranton (the "Diocese"), through counsel, Eckert Seamans Cherin & Mellott, LLC, pursuant to the Court's Amended Order of May 22, 2018, hereby submits this Response to Excerpts of the Fortieth Statewide Investigating Grand Jury Report Number 1 ("Report").

Introduction

The Diocese of Scranton is deeply saddened by the horrific abuse and indifference detailed in the Grand Jury's Report and fully understands the anger that will most assuredly be directed at it and the Catholic Church as a whole following the Report's publication. The purpose of this response is not to make excuses for the past, but to provide assurances that the Diocese is currently doing everything in its power to protect its children.

The sexual abuse of children is a scourge that must be eradicated and cannot be tolerated. The Catholic Church – be it in Boston, Europe, or Scranton – has frankly at times fallen short. Uncovering and analyzing those shortcomings is painful, but necessary. The Diocese of Scranton respects the work of the Fortieth Statewide Grand Jury and has cooperated fully with that work.

As the Grand Jury acknowledges in the Report, "much has changed over the past fifteen years." That is certainly true within the Diocese of Scranton. The Diocese has learned from past mistakes, continuously improved its response to allegations of child sexual abuse, committed itself

to transparency with civil authorities and congregants, and treated victims of abuse with respect and empathy. The Diocese's work will continue in earnest until that day when no child is abused and no abuser is protected.

Background on the Diocese

The Roman Catholic Diocese of Scranton was established on March 3, 1868. It is currently celebrating its 150th anniversary. The seat of the Diocese is St. Peter's Cathedral in Scranton, Pennsylvania. Some of the larger cities in the Diocese include Scranton, Wilkes-Barre, Williamsport, Hazleton, Carbondale, and Pittston. The Diocese sprawls over nearly 8,500 square miles throughout Lackawanna, Luzerne, Bradford, Susquehanna, Wayne, Tioga, Sullivan, Wyoming, Lycoming, Pike, and Monroe counties. Its nearly 250 priests (active and retired) serve approximately 250,000 Catholics in approximately 120 Parishes, 170 Churches and 19 schools.

Responding to Allegations of Abuse: Vigilance, Transparency and Healing

The Diocese of Scranton strictly adheres to a zero tolerance policy in relation to allegations of childhood sexual abuse. The Diocese has developed a comprehensive policy of best practices for dealing with allegations of abuse that mandates an immediate, vigilant and transparent response that both ensures the safety and healing of its most vulnerable and restores trust from parishioners. The policy -- called the "Policy for Response to Allegations of Sexual Abuse of Minors" -- evolved from predecessor policies dating back more than twenty-five years and has been revised twice in recent years (in 2013 and 2015). As part of its commitment to transparency, the Diocese shared both the 2013 and 2015 revisions with every State Representative, State Senator, and District Attorney representing the eleven counties in which the Diocese operates.

As mandated by the policy, within 24 hours of receiving an allegation of abuse, the Diocese vigilantly and transparently responds. First, the Diocese immediately calls law enforcement to report the allegation. That initial verbal report is followed-up by letter to the District Attorney. The Diocese also immediately reports the allegation to the appropriate child protective services agency. Where the allegation appears credible on its face, the Diocese also immediately removes the accused priest from ministry pending further investigation. The Diocese provides support and assistance to the victim, including arranging and paying for counseling from mental health professionals with no affiliation to the Diocese. Finally, when a priest is removed from ministry after investigation, the Diocese notifies the community of the allegation and the resulting removal in the following ways: (1) in person at the parish(s) or school(s) where the accused was posted; (2) in writing to the local media; and (3) by publication on the Diocese's website and in the Diocese's newspaper, the *Catholic Light*. Such broad notification serves at least two purposes. First, it effectuates the Diocese's goal of transparency. Second, it maximizes the chance that other potential victims of abuse will come forward and receive assistance.

The Diocese fully cooperates with law enforcement in the investigation once an allegation of abuse is reported. So as not to interfere in any way, the Diocese does not conduct any Church-based judicial proceedings, called "canonical proceedings," until after law enforcement has concluded its investigation. If and when canonical proceedings occur, the utmost care is taken by the Diocese to ensure the confidentiality of the victim, the victim's family, and the individual reporting the allegation (if different from the victim).

All victims that come forward are referred to the Diocese's Victim Assistance Coordinator who provides victims with support and coordinates counseling with a mental health provider of their choosing. Understanding that victims may require a lengthy period of treatment, counseling

is provided for as long as it is needed. Our Victim Assistance Coordinator, Mary Beth Pacuska, is an experienced nurse with a Master's Degree in Adult Mental Health. She has, for many years, served as a sexual assault counselor at the Victim's Resource Center in Wilkes-Barre and as a trainer with the Luzerne County Domestic Violence Task Force. She is also the Director of a Wilkes-Barre area nursing program. She tirelessly assists all victims.

Preventing Abuse: Screening, Training and Education

Properly handling allegations of abuse is one critical goal; preventing abuse altogether is another. Thus, the Diocese has taken considerable steps to make sure that its children are protected. Criminal background and child abuse clearances are required for every member of the clergy, employee, and volunteer. VIRTUS training -- designed by experts to build awareness of the signs and methods of child abuse, prevention measures, reporting policies, and victim advocacy -- has been provided to more than 28,000 adults in the Diocese since 2003. Additionally, employees and volunteers within the Diocese are trained on their obligations as mandatory reporters of allegations of abuse.

In addition, "Safe Environment" training is regularly provided to all students within the Diocese's schools and parish religious education programs with the goal to teach students to recognize and avoid situations that could lead to abuse and to encourage communication between children and parents if an incident were to occur. The Diocese has also created a Safe Environment Advisory Committee, consisting of forty committed volunteers from across the Diocese. The Advisory Committee provides feedback, support and recommendations on safe environment policies and practices. The Diocese's Safe Environment Coordinator, Kathy Bolinski, is committed full-time to the development and implementation of the Diocese's safe environment

program. This comprehensive program of screening, training and education is bringing about the Diocese's ultimate goal: that no child be abused.

Learning From Past Mistakes

As described above, the Diocese's current response to allegations of abuse is transparent and vigilant. While fully aware that further improvement is always possible, the Diocese is proud of the way that it now handles allegations of abuse and how it trains and educates in order to prevent abuse. Those current practices were forged through years of constant improvement. Yet, as the Report demonstrates, there were times when the Diocese's reaction to an allegation of abuse was inadequate. In such cases, however, the Diocese learned its lessons and improved. Thus, while not perfect, the Diocese has grown and evolved.

The Robert Caparelli case, discussed in detail in the Grand Jury's Report, exemplifies how the Diocese should have done more to safeguard children in the past. As a result of the Caparelli case, the Diocese enacted several important improvements in how it responded to allegations of sexual abuse. Specifically, after Caparelli's arrest, under the leadership of Bishop James Clifford Timlin (Bishop of Scranton, 1984-2003), the Diocese took two major steps forward. First, the Diocese adopted a policy setting forth a uniform procedure for responding to allegations of abuse (the "1993 Policy"). While not measuring up to the standards that we adhere to today, the 1993 Policy did provide a systematic method of addressing allegations of child sexual abuse. For example, the 1993 Policy required that in every credible instance of alleged child sexual abuse, an investigation into the allegation, temporary removal of the accused from ministry, and reporting to the appropriate child protection agency. The Policy ensured that needed pastoral, medical and psychological care was provided to victims. A cleric credibly accused of sexual abuse, moreover, could be returned only to a limited ministry and only under three conditions: he had to successfully

complete an appropriate treatment program; the healthcare provider had to recommend a return to ministry; and, the priest had to participate in a closely-monitored, four-year supervised aftercare program. The 1993 Policy allowed for return to full ministry in a pastoral assignment only after completion of such an aftercare program.

The Diocese also publicized its efforts to address allegations of sexual abuse. For example, the adoption of the 1993 Policy was featured in a story in the Diocese's newspaper, the *Catholic Light*. While the 1993 Policy is less robust in comparison to today's standards (*e.g.*, it did not require notification of civil authorities or the public), the fact of the matter is that the adoption and publication of the 1993 Policy demonstrated that the Diocese learned from the Caparelli situation and placed the Diocese in the vanguard of dioceses attempting to tackle the problem of child sexual abuse.

The second significant step taken in 1993 was to establish an Internal Review Board (later referred to as the Diocesan Review Board). Coming nearly ten years before the Dallas Charter, we understand that Scranton's Review Board was one of the first in the nation. The Review Board reviews all allegations of abuse received by the Diocese and provides the Bishop with recommendations as to how to proceed. From inception, the Review Board has included an impressive assortment of respected lay professionals including college professors, psychiatrists, psychologists, other mental health professionals, attorneys, a former sexual assault prosecutor, teachers, the Executive Director of the Lackawanna County Children and Youth Services agency, and numerous other social service professionals. And, from its inception, the Review Board has been far from "a rubber stamp." Notably, since its inception in 1993, no Bishop has ignored or failed to accept a consensus recommendation from the Review Board, even in instances where the Bishop may have preferred a different approach. The Diocese has similarly fostered openness from

its senior clerics, the members of the Chancery Staff, who have been given latitude to speak their minds, even if it means disagreeing with the Bishop.

Implementing the Dallas Charter

While the Diocese made great strides with the enactment of 1993 Policy and the creation of the Review Board, there certainly remained room for improvement. In January 2002, the Boston Globe published a series of articles documenting widespread abuse at the hands of Catholic priests and the fact that Church leadership knew of the abuse yet failed to act. In response to the Globe's reporting, the consensus of the American Bishops was that something needed to be done and in 2002 the United States Conference of Catholic Bishops convened in Dallas and adopted The *Charter for the Protection of Children and Young People*, known today as the Dallas Charter. The Dallas Charter is a comprehensive set of uniform procedures put in place nationwide, mandating how dioceses must address allegations of sexual abuse by clergy. The Charter requires dioceses *inter alia* to make a prompt and effective response to allegations, cooperate with civil authorities, and discipline offenders.

Bishop Timlin was an active and integral part of the USCCB debate leading to adoption of the Charter. The USCCB adopted "zero tolerance," meaning that any priest against whom a credible allegation of sexual abuse of a child is levelled must be permanently removed from ministry. In response to the adoption of the Dallas Charter, Bishop Timlin vigorously implemented the "zero tolerance" provisions and made sure that those provisions were fully applied within our Diocese.

First, Bishop Timlin revised the Diocese's 1993 Policy to conform with the Dallas Charter. Second, he established an "Ad Hoc Committee" -- consisting of the Chancellor, the Vicar for Clergy, two former Vicars for Clergy, and a future Vicar General -- to perform a historical review

of all abuse allegations ever received by the Diocese. The committee drafted a Report which recommended that ten men be removed from ministry based on the "zero tolerance" policy outlined in the Dallas Charter. The Ad Hoc Committee's review was exacting and unvarnished. Its Report openly criticized how certain past allegations of abuse had been handled, demonstrating that members of the Committee had little fear in "speaking truth to power." Bishop Timlin followed each of the Ad Hoc Committee's recommendations and ensured that the Diocese properly implemented the Charter's "zero tolerance" requirement.

Post-Charter: Continuous Improvement

In 2003, Bishop Joseph Martino (Bishop of Scranton, 2003-2009) enlisted the help of Father James Conn, a Jesuit canon and civil lawyer, to again review all past allegations of abuse within the Diocese to make sure that the Dallas Charter and canonical processes were followed. That review resulted in the initiation of canonical proceedings against several priests who had already been removed from ministry. Bishop Martino also had the then-Chancellor redo the work of the Ad Hoc Committee by reviewing all priest personnel files to make sure that there were no priests in ministry against whom credible allegations of child sexual abuse had been levied. Bishop Martino wanted to ensure that, as he took over leadership of the Diocese, there were no hidden allegations or men remaining in ministry contrary to the Dallas Charter.

The Diocese has consistently improved its handling of allegations of abuse. For example, the Diocese has moved away from investigating allegations internally, instead leaving such investigations to the civil authorities. Prior to 2010, investigations into abuse allegations were conducted by the Chancellor and a former FBI agent retained by the Diocese. This was not optimal, given that the Diocese is not an investigative agency. For example, in 2006, allegations of abuse

were leveled against Father Thomas Shoback.[1] The Diocese immediately reported the allegations to civil law enforcement and it also investigated the allegations internally. After a long series of interviews (including an interview where an alleged victim flatly denied any abuse), the Diocese's investigator concluded that Shoback's accuser was not credible. Based on that determination, the Diocese allowed Shoback to return to ministry. Five years later, in 2011, the alleged victim who had previously denied abuse recanted his original statement and admitted that Shoback had in fact sexually abused him. Shoback was immediately removed from ministry, criminally charged, and sentenced to prison. That situation highlighted the fact that investigations into allegations of abuse were better left to civil authorities, which is precisely what the Diocese began doing and still does.

In 2011, at the direction of Bishop Joseph Bambera (Bishop of Scranton, 2010-today) the Diocese conducted another comprehensive review to ensure that all allegations of abuse were properly handled and that all priests against whom such allegations were made were removed from ministry and civil authorities notified. This review was carried out over a number of months and culminated with the creation of a detailed Report. The review included all priest files. As with the 2002 Ad Hoc Committee review and the reviews conducted after Bishop Martino took office, the purpose of the review was to guarantee that all priests who were credibly alleged to have sexually abused a minor were removed from ministry.

The 2011 review served another critical purpose. It identified priests living in the Diocese against whom such credible allegations had been made. Even though these men were removed from ministry they remained the Diocese's responsibility to monitor. In 2012, Bishop Bambera and Vicar General, Monsignor Thomas M. Muldowney, established the Clergy Case Management Program to monitor accused priests by conducting regularly scheduled compliance visits as well

[1] A discussion of the Shoback case is included in the Appendix to the Grand Jury's Report.

as unannounced spot checks. This program is headed by a Clergy Case Manager, Ronald McCann, who is a retired Pennsylvania State Trooper with more than twenty-five years of law enforcement experience. The Case Management Program has served as a model for other Dioceses around the country and Msgr. Muldowney regularly gives presentations on the efficacy of the program and what is required to establish similar programs in other dioceses.

Recognizing the need for transparency, in 2016, Bishop Bambera directed the Diocese to provide the District Attorneys for each of the eleven counties in which the Diocese operates a comprehensive list of all cases involving allegations of child sexual abuse against any cleric or lay employee of the Diocese. The Grand Jury commented favorably concerning the Diocese's provision of this comprehensive list to civil authorities, citing it as an example of progress in the handling of allegations of child sexual abuse. The comprehensive list (which spans the Diocese's entire recorded history) disclosed substantial relevant information about the allegations, the status of the accused and the resolution of the matter. The Diocese sent this to the District Attorneys in order to be transparent and also so that the District Attorneys could ask any questions about or follow up on any situations that involved their offices. To be clear, the list was provided by the Diocese of Scranton before it was aware of the existence of the Fortieth Statewide Investigating Grand Jury and before it had any inkling that it was to be subjected to such an inquiry. Thus, the Diocese of Scranton voluntarily and completely reported to law enforcement all but one of the offenders identified in the Grand Jury's Report (as noted in the Report, there was no mention of allegations of abuse by Joseph Hammond contained in the Diocese's file; as a result, the Diocese's repeated file reviews did not uncover any allegations, and Hammond was not included on the list of accused personnel).

Present Efforts

The Grand Jury's Report is staggering. It highlights decades of abuse and decades of indifference and/or negligence by church leaders. While the Diocese does not necessarily agree with everything in the Report, it will not and cannot refute the Report's clear message, that the Church generally, and the Diocese specifically, should have done better and must continue to improve.

At the same time, the Report also contains reason for hope. The vast majority of the abusive conduct detailed in the Report occurred prior to 2000. The Grand Jury noted as such, "the bulk of the discussion in this Report concerns events that occurred before the early 2000's."[2] This is because the improvements detailed above have taken hold: abuse allegations are now handled appropriately, victims are treated with compassion and care, abusers are removed from ministry, and both law enforcement and the public are informed. As the Grand Jury noted, "the church is now advising law enforcement of abuse reports more promptly. Internal review processes have been established. Victims are no longer quite so invisible." The Report demonstrates that the Diocese's efforts to identify, address, and prevent instances of childhood sexual abuse have been working. Since 2010, when Bishop Bambera assumed leadership, the Diocese has:

- Reported all allegations of abuse to the civil authorities;
- Notified the public and parishioners of all instances where priests were removed from ministry based on allegations of abuse; and
- Provided a comprehensive list of all abuse allegations (substantiated and unsubstantiated) to law enforcement throughout the Diocese.

[2] The Grand Jury posited that the focus on older activity was due to the fact that "the bulk of the material we received from the dioceses concerned those events," suggesting that perhaps information about additional or more recent events was not provided to the Grand Jury. That is not the case. The Diocese of Scranton provided every document in its possession concerning every allegation of abuse, both substantiated and unsubstantiated, for more than 70 years.

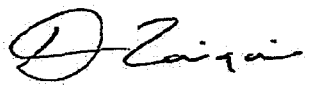
The Diocese will continue its aggressive efforts to continuously improve its handling of allegations of abuse and its treatment of victims.

Conclusion

The Diocese of Scranton grieves for the pain (both physical and mental) endured by victims of abuse and prays for their healing. The Diocese currently deals with allegations of sexual abuse with vigilance and transparency and it provides all necessary assistance to victims. The Diocese, through screening, education and training, also commits itself to eradicating abuse. While the Diocese has not been perfect in the past, it has learned from its past mistakes and constantly strives to improve.

Respectfully submitted,

ECKERT SEAMANS CHERIN & MELLOTT, LLC



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Counsel for The Diocese of Scranton

DIOCESE OF SCRANTON
300 WYOMING AVENUE
SCRANTON, PENNSYLVANIA 18503-1279

OFFICE OF THE BISHOP

June 20, 2018

VIA FEDEX

President Judge Norman A. Krumenacker, III
Court of Common Pleas, Cambria County
200 South Center Street
Ebensburg, PA 15931

Re: Response to Excerpts of the Fortieth Statewide Investigating Grand Jury Report Number 1

Dear Judge Krumenacker:

Thank you for the opportunity to respond to the 40th Statewide Investigating Grand Jury Report Number 1. The Diocese of Scranton has responded separately to the Report. I will refrain from reiterating what is included in the Diocese's response, but instead will focus on the instances in the Report where I am mentioned personally. I respectfully request that the Court attach my Response to the Report before it is issued to the public.

First, I want to provide some background on me. I am the tenth Bishop of the Diocese of Scranton, having been appointed to the post in April 2010. I was born in Carbondale, Pennsylvania on March 21, 1956. I attended Saint Rose of Lima Elementary School and graduated from Saint Rose of Lima High School in 1974. Following graduation, I enrolled in the University of Pittsburgh and was awarded a Bachelor of Arts degree in 1978. I then entered the seminary, was awarded a Master of Divinity degree in 1982, and was ordained to the Priesthood on November 5, 1983. I have held a variety of jobs during my 35 years of service to the Diocese, most notably as Assistant Pastor or Pastor of numerous parishes throughout the Diocese, including Church of Saint Mary of the Assumption, Scranton, the Cathedral of Saint Peter, Scranton, the Church of the Holy Name of Jesus, Scranton, the Church of Saint John Bosco, Conyngham, the Church of the Visitation of the Blessed Virgin Mary in Dickson City, the Church of Saint Thomas Aquinas, Archbald, and the Church of Saint Mary of Czestochowa, Eynon. I have also served the Diocese in a variety of roles, such as Diocesan Director of Ecumenism and Interfaith Affairs, Vicar for Priests, Director of Continuing Education for Priests, Director of Formation at Saint Pius X Seminary, moderator of The Diocesan Annual Appeal, as well as many other administrative and consultative roles.

Second, I want to provide some background on my and the Diocese's view of the work being done by the 40th Statewide Investigating Grand Jury. The sexual abuse of children is a scourge that must be eradicated and cannot be tolerated. The Catholic Church – be it in Boston, Europe, or Scranton – has frankly at times fallen short. Uncovering and analyzing those shortcomings is painful, but necessary. My Diocese and I respect the work of the 40th Statewide Investigating Grand Jury and we have cooperated fully with that work. We have also learned from past mistakes, continuously improving our response to allegations of childhood sexual abuse, committing ourselves to transparency with civil authorities and congregants, and treating victims of abuse with respect and empathy. We look forward to the day when no child is abused and no abuser is protected.

The Report addresses dark and difficult times in the Diocese of Scranton's 150 year history. The abuse cases included in the Report are disturbing to say the least. Equally disturbing are instances where church leaders made decisions that placed children in harm's way. Clearly, the general public and the faithful have every right to be angry. I'm angry, too. While such behavior is unacceptable in any element of society, it is particularly abhorrent in the Church, which calls us all to something better.

The Diocese of Scranton has made changes to be better. For example, since I became Bishop in 2010, the Diocese continued to implement many changes to improve how we handle allegations of abuse.

- We strictly adhere to a zero tolerance policy on abuse.
- We immediately notify law enforcement of all allegations of abuse.
- We notify Pennsylvania Child Line.
- We remove abusers from ministry and immediately notify the parish and the public.
- And we provide all necessary support to victims, knowing that the healing process can be difficult and lengthy.

In addition, to demonstrate our commitment to transparency, long before we were made aware of the Grand Jury investigation, we provided a comprehensive list of all accused members of the clergy and their current status to every District Attorney in each of the eleven counties in which the Diocese operates.

Of course, while properly handling such allegations is critical, our utmost goal is stopping abuse altogether and protecting the children in our Diocese. All volunteers, employees, and members of the clergy must have criminal background and child abuse clearances. Every person is trained extensively on sexual abuse prevention, reporting, victim advocacy and more. Since 2003, we have trained more than 28,000 adults in child protection awareness. We also teach our children in grades K-12 how to recognize and report inappropriate behavior.

As the Bishop of Scranton, I am deeply sorry for the hurt that this scandal has brought to our church and am heartbroken for the victims who have suffered so much. I promise that I have worked every day – and will continue to work every day – to make sure that the children and youth of the Scranton Diocese are safe and that abusers are removed, reported and punished.

Finally, those few cases in which I am mentioned in the Report demonstrate that the changes discussed in this letter have taken hold and have resulted in better handling of allegations, more compassionate treatment of victims, and proper notification concerning and punishment of abusers.[1] For example, in the Altavilla matter, which first came to light when the priest was arrested in April 2014, the Diocese responded immediately by both removing the priest from ministry and by placing notices in the bulletins in all parishes in which Altavilla served inquiring into whether anyone had been sexually abused and encouraging them to immediately report such abuse to law enforcement. The fact that charges against Altavilla were subsequently dropped did not impact the fact that he has been permanently removed from ministry.

In the Boylan matter, again, the priest was removed immediately upon the Diocese's receipt of an allegation of child sexual abuse (and despite the priest's vehement denial of the allegation). The Diocese also immediately notified the Wayne County District Attorney's Office of the allegation. Finally, as with Altavilla, Boylan will permanently remain out of ministry even though civil authorities have declined to file charges against him.

In 1996, when I served as Vicar for Priests, I learned that the Director of Formation at the Diocesan Seminary, Albert Liberatore, was exhibiting problematic behavior, such as missing mass and engaging in an inappropriate relationship with an adult male seminary employee (at that time, neither I nor the Diocese were aware of any allegations of sexual abuse of minors). I put my concerns in writing in a memo addressed to Bishop Timlin. Years later, allegations of child sexual abuse were raised against Liberatore which resulted in Liberatore's criminal conviction and the payment of a large civil settlement by the Diocese. The memo that I wrote to Bishop Timlin (which again did not involve child sexual abuse) turned out to be an important piece of evidence at the civil trial against the Diocese. I have no doubt that Bishop Timlin would have acted differently (and I would have acted more decisively) if when I wrote that memo we even suspected that Liberatore was sexually abusing minors. Nonetheless, the incident shows that the Chancery Staff generally, and me specifically as Vicar for Priests, felt free to challenge Bishop Timlin. That openness to input and, at times, challenge, helped the Diocese evolve and improve its handling of child sexual abuse allegations in the more than 20 years since I wrote that memo.

---

[1] Several of the instances where I am mentioned in the Report merely note that I sent the comprehensive list of abuse allegations to each of the District Attorneys for the eleven counties in which the Diocese operates. That list is discussed elsewhere in the letter, so I will not re-address it here. In other instances, my name is mentioned in relation to purely administrative actions (*e.g.* that I issued a decree, received an email, or sent a letter, *etc.*).

Finally, in the McAuliffe case, the Diocese responded immediately and decisively when an unknown person in 2010 placed an advertisement in the newspaper inquiring into whether anyone who served as an altar boy with McAuliffe had been abused. The Diocese placed announcements in the bulletins circulated in all parishes in which McAuliffe had been assigned requesting that any victims of sexual abuse come forward for treatment and assistance. The Diocese also notified law enforcement of the advertisement and of allegations of abuse as victims came forward. I met personally with a victim who had been abused in 1963 and explained how McAuliffe had been returned to ministry after a former Bishop who had refused to place him back into ministry (even though the mental health professionals recommended that he be reinstated) died unexpectedly, and offered a sincere apology.

I do not mean to argue or to imply that the Diocese handled these matters flawlessly. Clearly, it did not. These specific cases, however, support my overall point: that the Diocese has striven to do better and that it currently responds to allegations of abuse with vigilance, transparency and healing. I promise that, for as long as I am its Bishop, the Diocese of Scranton will continue to provide empathy and healing to the victims of child sexual abuse, to notify civil authorities of allegations of abuse, to remove abusers from ministry and to notify the public and parishioners of such removal.

Sincerely yours,

Joseph C. Bambera
Bishop, Diocese of Scranton

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RECEIVED
MAY 25 2018
Office of Attorney General
Prosecutions Section

May 23, 2018

Daniel J. Dye
Senior Deputy Attorney General
Criminal Law Division

Re: The 40th Statewide Investigating Grand Jury

Dear Attorney Dye:

Please be advised that I represent Father Martin Boylan. I am in receipt of your Order and Notice together with a portion of the above-captioned report, specifically, pages 486 and 487. Grand Jury proceedings are secret for the express purpose of protecting people against whom accusations have been made that cannot be substantiated. Why should Father Boylan be named when no charges have ever been presented.

It should first be noted the Order and Notice, reference that the Grand Jury is critical of certain individuals. It should be further noted that the "Court finds that these individuals may be characterized as: having engaged in child sexual abuse."

The first paragraph of the summary of this report references an allegation of something that was alleged to have occurred in April 1993 with a graduate student at Marywood University. Obviously, a graduate student could not be labelled as a "child" who was subjected to abuse and this gratuitous statement could not be characterized as anything other

than character assassination. While admitting no wrong-doing , Father Boylan did apologize to the accuser for any misperceived contact, as well as to the Bishop and President of the college. These allegations have no place in a report on allegations of child sex abuse.

The directive from the diocese was that Father Boylan undergo cautionary therapy while in care of ministry and that directive was fulfilled.

The second paragraph of your summary suggested that additional evaluations were necessary in 1994, 1997 and 2004. Nothing could be further from the truth. These evaluations were periodic follow-up and consistent with new appointments and to satisfy any lingering concerns. None of these evaluations raised any concerns and quite frankly don't belong in a public report.

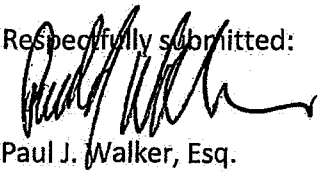
In your summary, you reference a report of March 31/April 1, 2016 wherein 18-year-old male reported abuse when he was 8 years old, at St. Vincent's Camp in Honesdale. While the details of this allegation were sparse, Father Boylan was able to point out many factual inaccuracies about this allegation. The first of which was that there was not a St Vincent's Camp in Honesdale. Further, Father Boylans investigation revealed that no person who would have had information even recall Father Boylan being at any such event, including the sixteen Chaperones who were regularly present. Father Boylan has consistently and emphatically denied these allegations and was fully prepared to defend against them, when they were withdrawn.

Your report also references subjective statements from a member of an Independent Review Board. Father Boylan has always dutifully obeyed the directives of the church and fulfilled his obligations. Whatever objections an anonymous member of the Board had, Father Boylan was appointed pastor, and did make public appearances as is consistent with his position within the Diocese.

The remainder of the report is a regurgitation of the previously discussed incident.

While representing Father Boylan, no less than 75 letters of reference were provided to me attesting to his good character. This allegation has cost him dearly and has caused him to contemplate retirement from the Ministry.

Respectfully submitted:



Paul J. Walker, Esq.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY, PENNSYLVANIA

IN RE:	:	**CP-67-MD-571-2016**
THE FORTIETH STATEWIDE	:	
INVESTIGATING GRAND JURY	:	**Norman A. Krumenacker, III, Judge**

RESPONSE TO GRAND JURY REPORT #1

To the Honorable, the Judges of the said Court:

AND NOW, this 4th day of June, 2018, comes Virgil Bradley Tetherow, by and through his attorney, Marc J. Semke, Esquire, who respectfully represents:

1. On or about May 6, 2018, Respondent received a from the Office of Attorney General, dated May 4, 2018, notifying him that he was named in Grand Jury Report No. 1 and informing that he had 30 days from the date of the letter to respond. *See Copy of the Letter from the Office of Attorney General dated May 4, 2018, attached hereto and made hereof as Exhibit "A."*
2. The third paragraph of the report indicates that he "admitted to downloading the child pornography. Tetherow was arrested and removed from ministry on March 24, 2005. He pled guilty to criminal charges and received a probationary sentence.
3. Respondent respectfully submits the following correction and clarification to the report.
   a. The report gives the impression that the Respondent pled guilty to Possessing Child Pornography.
   b. However, on or about October 18, 2005, Respondent pled guilty to only one count of Criminal Use of Communication graded as a Felony of the 3rd degree.

See Copy of the Criminal Docket, CP-45-0404-2005, attached hereto and made hereof as Exhibit "B."

c. All other charges including all ten (10) counts of Possession of Child Pornographywere nolle prossed by the Commonwealth. *See Copy of the Courts Order dated November 25, 2005, attached hereto and made hereof as Exhibit "C."*

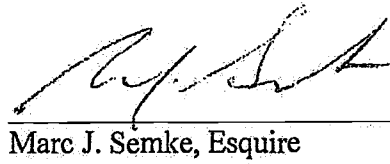
d. Further, Respondent respectfully requests the final paragraph be amended as follows:

e. The report states "Tetherow was thereafter dismissed from the clerical state by the Holy Father on January 23, 2015."

f. Respondent submits that on January 23, 2015, he was dismissed from the clerical state by Francis I.

WHEREFORE, Respondent respectfully requests this Honorable Court to allow the above response to be attached to the report as part of the report pursuant to 42 Pa.C.S. 4552(e).

Respectfully submitted,



Marc J. Semke, Esquire
Attorney I.D. # 93166
11 E. Market Street, Suite 202
York, PA 17401

Exhibit A

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

JOSH SHAPIRO
ATTORNEY GENERAL

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HARRISBURG, PA 17120
(717) 783-6273 (desk)
(717) 705-7246 (fax)
ddye@attorneygeneral.gov

May 4, 2018

RE: The 40th Statewide Investigating Grand Jury
REPORT No. 1

Dear Sir:

You have been named in a grand jury report. Please find enclosed the portion of the report which I have been authorized to release to you by the Supervising Judge of the 40th Statewide Investigating Grand Jury pursuant to 42 Pa. C.S. § 4552(e). You will also find the Court's order providing thirty (30) days to respond from today's date. Please be advised any response may be made public.

This matter may be discussed with your attorney. However, any additional disclosure may be subject to criminal penalties enumerated within the Grand Jury Act or applicable Pennsylvania law.

Regards,

DANIEL J. DYE
Senior Deputy Attorney General
Criminal Law Division
Criminal Prosecutions Section

CC: File; OAG CPS; OAG BCI
The Honorable Norman A. Krumenacker, III

c.Copy

Exhibit B

COURT OF COMMON PLEAS OF MONROE COUNTY

DOCKET

Docket Number: CP-45-CR-0000404-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Virgil Bradley Tetherow

CASE INFORMATION

Cross Court Docket Nos: CP-58-MD-0000125-2006
Judge Assigned: Vican, Ronald E.
OTN: K 005382-6 LOTN:
Initial Issuing Authority:
Arresting Agency: Pocono Mt Regl Police Dept
Complaint/Incident #: Unknown
Case Local Number Type(s)
Legacy Docket Number

Date Filed: 03/18/2005 Initiation Date: 03/18/2005
Originating Docket No:
Final Issuing Authority: C. W. Dennis
Arresting Officer: Lenning, Kenneth E. III

Case Local Number(s)
2005-404

STATUS INFORMATION

Case Status: Closed

Status Date	Processing Status
11/07/2006	Completed
10/21/2005	Sentenced/Penalty Imposed
10/20/2005	Awaiting PSI
10/20/2005	Awaiting Sentencing
08/17/2005	Awaiting Sentencing
05/09/2005	Awaiting Formal Arraignment
04/25/2005	Awaiting Pre-Trial Conference
03/18/2005	Migrated Case

Arrest Date: 03/17/2005

Complaint Date: 03/17/2005

CALENDAR EVENTS

Case Calendar Event Type	Schedule Start Date	Start Time	Room	Judge Name	Schedule Status
Formal Arraignment	05/09/2005	1:30 pm	Courtroom 1	Senior Judge Ronald E. Vican	Scheduled
Call/Guilty Plea/ARD	06/15/2005	9:00 am	Courtroom 1	Senior Judge Ronald E. Vican	Scheduled
Call of the List	07/06/2005	9:00 am	Courtroom 3	Senior Judge Jerome P. Cheslock	Scheduled
Call of the List	08/16/2005	9:00 am	Courtroom 1	Senior Judge Ronald E. Vican	Scheduled
Sentencing	10/18/2005	9:00 am	Courtroom 3	Senior Judge Ronald E. Vican	Scheduled

DEFENDANT INFORMATION

Date Of Birth: 08/25/1964 City/State/Zip: Scranton, PA 18505

Alias Name
Tetherow, Bradley

CASE PARTICIPANTS

Participant Type	Name
Defendant	Tetherow, Virgil Bradley

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

COURT OF COMMON PLEAS OF MONROE COUNTY

DOCKET

Docket Number: CP-45-CR-0000404-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Virgil Bradley Tetherow

BAIL INFORMATION

Tetherow, Virgil Bradley

Nebbia Status: None

Bail Action	Date	Bail Type	Percentage	Amount	Bail Posting Status	Posting Date
Set	03/17/2005	ROR		$0.00	Posted	03/17/2005

CHARGES

Seq.	Orig Seq.	Grade	Statute	Statute Description	Offense Dt.	OTN
1	1	F3	18 § 6312 §§D1	Possession Of Child Pornography	01/01/2005	K 005382-6
2	2	F3	18 § 6312 §§D1	Possession Of Child Pornography	01/01/2005	K 005382-6
3	3	F3	18 § 6312 §§D1	Possession Of Child Pornography	01/01/2005	K 005382-6
4	4	F3	18 § 6312 §§D1	Possession Of Child Pornography	01/01/2005	K 005382-6
5	5	F3	18 § 6312 §§D1	Possession Of Child Pornography	01/01/2005	K 005382-6
6	6	F3	18 § 6312 §§D1	Possession Of Child Pornography	01/01/2005	K 005382-6
7	7	F3	18 § 6312 §§D1	Possession Of Child Pornography	01/01/2005	K 005382-6
8	8	F3	18 § 6312 §§D1	Possession Of Child Pornography	01/01/2005	K 005382-6
9	9	F3	18 § 6312 §§D1	Possession Of Child Pornography	01/01/2005	K 005382-6
10	10	F3	18 § 6312 §§D1	Possession Of Child Pornography	01/01/2005	K 005382-6
11	11	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	01/01/2005	K 005382-6
12	12	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	01/01/2005	K 005382-6
13	13	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	01/01/2005	K 005382-6
14	14	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	01/01/2005	K 005382-6
15	15	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	01/01/2005	K 005382-6
16	16	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	01/01/2005	K 005382-6
17	17	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	01/01/2005	K 005382-6
18	18	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	01/01/2005	K 005382-6
19	19	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	01/01/2005	K 005382-6
20	20	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	01/01/2005	K 005382-6
21	21	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	01/01/2005	K 005382-6
22	22	F3	18 § 7512 §§A	Criminal Use Of Communication Facility	01/01/2005	K 005382-6

DISPOSITION SENTENCING/PENALTIES

Disposition
Case Event
Sequence/Description
Sentencing Judge
Sentence/Diversion Program Type
Sentence Conditions

Disposition Date
Offense Disposition
Sentence Date
Incarceration/Diversionary Period

Final Disposition
Grade Section
Credit For Time Served
Start Date

Guilty Plea

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COURT OF COMMON PLEAS OF MONROE COUNTY

DOCKET

Docket Number: CP-45-CR-0000404-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Virgil Bradley Tetherow

DISPOSITION SENTENCING/PENALTIES

Disposition / Case Event / Sequence/Description / Sentencing Judge / Sentence/Diversion Program Type / Sentence Conditions	Disposition Date / Offense Disposition / Sentence Date / Incarceration/Diversionary Period	Final Disposition / Grade	Section / Credit For Time Served / Start Date
Sentencing	10/18/2005	Final Disposition	
1 / Possession Of Child Pornography Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 6312 §§ D1
2 / Possession Of Child Pornography Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 6312 §§ D1
3 / Possession Of Child Pornography Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 6312 §§ D1
4 / Possession Of Child Pornography Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 6312 §§ D1
5 / Possession Of Child Pornography Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 6312 §§ D1
6 / Possession Of Child Pornography Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 6312 §§ D1
7 / Possession Of Child Pornography Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 6312 §§ D1
8 / Possession Of Child Pornography Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 6312 §§ D1
9 / Possession Of Child Pornography Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 6312 §§ D1
10 / Possession Of Child Pornography Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 6312 §§ D1
11 / Criminal Use Of Communication Facility Vican, Ronald E. Probation	Guilty Plea 10/18/2005 Min of 2.00 Years Max of 2.00 Years 2 Years	F3	18 § 7512 §§ A

Sexual Offender Evaluation - Defendant shall undergo a sexual offender's evaluation and cpmply with all treatmenet recommendations, and pay the costs assoicated with those requirements.
Pay Costs of these proceedings.
Upon parole defendant shall make a payment of thirty-five dollar ($35.00) per month supervisory fee.

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COURT OF COMMON PLEAS OF MONROE COUNTY

DOCKET

Docket Number: CP-45-CR-0000404-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Virgil Bradley Tetherow

DISPOSITION SENTENCING/PENALTIES

Disposition / Case Event / Sequence/Description / Sentencing Judge / Sentence/Diversion Program Type / Sentence Conditions	Disposition Date / Offense Disposition / Sentence Date / Incarceration/Diversionary Period	Final Disposition Grade	Section / Credit For Time Served / Start Date
Act 185 of 2004. Monroe County Probation Department shall obtain a DNA blood sample and fingerprints from the Defendant.			
12 / Criminal Use Of Communication Facility Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 7512 §§ A
13 / Criminal Use Of Communication Facility Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 7512 §§ A
14 / Criminal Use Of Communication Facility Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 7512 §§ A
15 / Criminal Use Of Communication Facility Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 7512 §§ A
16 / Criminal Use Of Communication Facility Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 7512 §§ A
17 / Criminal Use Of Communication Facility Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 7512 §§ A
18 / Criminal Use Of Communication Facility Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 7512 §§ A
19 / Criminal Use Of Communication Facility Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 7512 §§ A
20 / Criminal Use Of Communication Facility Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 7512 §§ A
21 / Criminal Use Of Communication Facility Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 7512 §§ A
22 / Criminal Use Of Communication Facility Vican, Ronald E.	Nolle Prossed 10/18/2005	F3	18 § 7512 §§ A

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COURT OF COMMON PLEAS OF MONROE COUNTY

DOCKET



Docket Number: CP-45-CR-0000404-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Virgil Bradley Tetherow

COMMONWEALTH INFORMATION

Name:

Supreme Court No:

ATTORNEY INFORMATION

Name: Mark Steven Love
Private

Supreme Court No: 024844

Rep. Status: Active

Phone Number(s):

570-629-6322 (Phone)
062-963-22 (Phone)
570-629-6322 (Other)

Address:

Route 611
PO Box 349
Tannersville, PA 18372

Representing: Tetherow, Virgil Bradley

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
1	03/18/2005		Unknown Filer
Original Papers Received from Lower Court			
2	03/18/2005		Migrated, Filer
MOTION & ORDER TO SET BAIL FILED			
MOTION & ORDER TO SET BAIL FILED			
3	03/18/2005		Migrated, Filer
OTN FROM MAGISTRATE, FILED.			
OTN FROM MAGISTRATE, FILED.			
1	04/25/2005		Love, Mark Steven
Waiver of Appearance at Arraignment			

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COURT OF COMMON PLEAS OF MONROE COUNTY

DOCKET

Docket Number: CP-45-CR-0000404-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Virgil Bradley Tetherow

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
2	05/09/2005		Monroe County District Attorney's Office

Criminal Information Filed

Count 1: Possession of Child Pornography. (18 Pa.C.S. 6312D) F3
Count 2: Possession of Child Pornography. (18 Pa.C.S. 6312D) F3
Count 3: Possession of Child Pornography. (18 Pa.C.S. 6312D) F3
Count 4: Possession of Child Pornography. (18 Pa.C.S. 6312D) F3
Count 5: Possession of Child Pornography. (18 Pa.C.S. 6312D) F3
Count 6: Possession of Child Pornography. (18 Pa.C.S. 6312D) F3
Count 7: Possession of Child Pornography. (18 Pa.C.S. 6312D) F3
Count 8: Possession of Child Pornography. (18 Pa.C.S. 6312D) F3
Count 9: Possession of Child Pornography. (18 Pa.C.S. 6312D) F3
Count 10: Possession of Child Pornography. (18 Pa.C.S. 6312D) F3
Count 11: Criminal Use of Communication Facility. (18 Pa.C.S. 7512A) F3
Count 12: Criminal Use of Communication Facility. (18 Pa.C.S. 7512A) F3
Count 13: Criminal Use of Communication Facility. (18 Pa.C.S. 7512A) F3
Count 14: Criminal Use of Communication Facility. (18 Pa.C.S. 7512A) F3
Count 15: Criminal Use of Communication Facility. (18 Pa.C.S. 7512A) F3
Count 16: Criminal Use of Communication Facility. (18 Pa.C.S. 7512A) F3
Count 17: Criminal Use of Communication Facility. (18 Pa.C.S. 7512A) F3
Count 18: Criminal Use of Communication Facility. (18 Pa.C.S. 7512A) F3
Count 19: Criminal Use of Communication Facility. (18 Pa.C.S. 7512A) F3
Count 20: Criminal Use of Communication Facility. (18 Pa.C.S. 7512A) F3

1	05/19/2005		Love, Mark Steven

Motion for Discovery

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COURT OF COMMON PLEAS OF MONROE COUNTY

DOCKET

Docket Number: CP-45-CR-0000404-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Virgil Bradley Tetherow

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
1	05/23/2005		Miller, Linda Wallach

Order Granting Motion

AND NOW, this 23rd day of May, 2005, upon consideration of the attached Motion, a Rule is issued upon the Commonwealth of Pennsylvania to show cause why the Defendant's Motion to Compel Discovery and to Extend Time for Filing of the Omnibus Pretrial Motion should not be granted.

RULE RETURNABLE for Answer in the Office of the Clerk of Courts of Monroe County on or before the 13th day of June, 2005 at 9:30 a.m.

If an Answer to the Rule is filed, either party may file a Motion for aheearing or praecipe the case for Argument, as appropriate. If no Answer is filed on or before the return date, the moving party may file a Motion to Make the Rule Absolute. A Motion to Make the Rule Absolute shall evidence compliance with the service requirements of 43 J.D.R.C.P. 206 (4,5). It is further Ordered that the Counsel for Defendant is hereby granted an extension of thirty (30) days from the date the District Attorney provides discovery in which to file an Omnibus Pretiral Motion pursuant to Pa.R.Crim.P. No. 306.

By The Court:
Linda Wallach Miller, Judge

CC: District Attorney; Mark S. Love, Esq.

2	07/06/2005		Cheslock, Jerome P.

Order Call of the List

AND NOW, to wit this 6th day of July, 2005 upon motion of Mark S. Love, Esquire, Attorney for Defendant this matter is continued from the July 20055 Criminal Trial Term until the September 2005 Criminal Trial Term. Defendanta is directed to attend the Call of the September Criminal Trial List scheduled for Tuesday, August 16, 2005 at 9:00 a.m. Courtroom No. 1, Monroe County Courthouse, Stroudsburg, Pennsylvania.

BY THE COURT:
JEROME P. CHESLOCK, JUDGE

cc: Mark S. Love, Eaq; District Attorney; Probation; Court Administrator

1	08/16/2005		Tetherow, Virgil Bradley

Written Guilty Plea Colloquy Filed

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COURT OF COMMON PLEAS OF MONROE COUNTY

DOCKET

Docket Number: CP-45-CR-0000404-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Virgil Bradley Tetherow

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
1	08/17/2005	08/16/2005	Vican, Ronald E.

Order/Guilty Plea/Sentence Deferred

AND NOW, this 16th day of August, 2005, the Defendant having entered a plea of guilty to Count XI, Criminal Use of Communications Facility, a felony of the third degree, imposition of sentence is deferred pending a presentence investigation report. The Defendant is continued at liberty on bail.

BY THE COURT;
RONALD E. VICAN, PRESIDENT JUDGE

cc: District Attorney;M Ventrella, Esq;; Probation; Court Administrator; Sheriff; MCCF; S. Kern, RPR

1	10/18/2005		O'Brien, Peter J.

Guilty Plea

2	10/18/2005		O'Brien, Peter J.

Disposition Filed

1	10/21/2005	10/18/2005	Vican, Ronald E.

Order - Sentence/Penalty Imposed

AND NOW, this 18th day of October 2005, the Defendant having entered a plea of guilty on Count XI, Criminal Use of Communication Facility, a felony of the third degree, it is the sentence of this court that the Defendant, Virgil Bradley Tetherow, be placed on probation for a period of two (2) years, which shall included the payment of a thirty-five dollar ($35.00) per month supervisory fee pursuant to Act 35 of 1991, undergo a sexual offender's evaluation and comply with all treatment recommendations, plus pay the costs associated with those requirements, pluse pay the costs of these proceedings. The Monroe County Probation Department shall obtain a DNA blood sample and fingerprints from the Defendant pursuant to Act 185 of 2004.

BY THE COURT: RONALD E. VICAN, PJ

cc: D.A.
M. Ventrella, Esquire
Probation
Sheriff
MCCF
Court Administrator
S. Kern, RPR

1	11/04/2005		Vican, Ronald E.

Guideline Sentence Form

1	11/28/2005		Unknown Filer

Motion for Nolle Prosequi

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COURT OF COMMON PLEAS OF MONROE COUNTY

DOCKET

Docket Number: CP-45-CR-0000404-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Virgil Bradley Tetherow

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
1	11/30/2005	11/29/2005	Vican, Ronald E.

Order Granting Motion for Nolle Prosequi

AND NOW this 29th day of November, 2005 the Commonwealth is granted leave to enter a nolle prosequi in the above captioned case to:

Count 1, Possession of Child Pornography; Count 2, Possession of child Pornography; Count 3, Possession of Child Pornography; Count 4, Possession of Child Pornography; Count 5, Possession of Child Pornography; Count 6, Possession of Child Pornography; Count 7, Possession of Child Pornography; Count 8, Possession of Child Pornography;
Count 9, Possession of Child Pornography; Count 10, Possession of Child Pornography; Count 12, Criminal Use of Communication Facility; Count 13, Criminal Use of Comunication Facility; Count 14, Criminal Use of Communication Facility; Count 15, Criminal Use of Communication Facility; Count 16, Criminal Use of Communication Facility; Count 17 Criminal Use of Communication Facility; Count 18, Criminal Use of Communication Facility; Count 19, Criminal Use of Communication Facility; Count 20, Criminal Use of Communication Facility

BY THE COURT;
RONALD E. VICAN, PRESIDENT JUDGE
cc: District Attorney; Mark S. Love, Esq; MCCF

1	02/21/2006		Court of Common Pleas - Monroe County

Penalty Assessed

1	03/15/2006		Court of Common Pleas - Monroe County

Delinquency Notice Filed - 105 Days Overdue

1	05/05/2006		Tetherow, Virgil Bradley

Penalty Satisfied

1	11/07/2006		Unknown Filer

Transferred to Another Jurisdiction

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COURT OF COMMON PLEAS OF MONROE COUNTY

DOCKET

Docket Number: CP-45-CR-0000404-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Virgil Bradley Tetherow

CASE FINANCIAL INFORMATION

Last Payment Date: 09/22/2015

Total of Last Payment: -$1.00

Tetherow, Virgil Bradley
Defendant

Costs/Fees	Assessment	Payments	Adjustments	Non Monetary Payments	Total
Automation Fee (Monroe)	$5.00	-$5.00	$0.00	$0.00	$0.00
State Court Costs (Act 204 of 1976)	$10.77	-$10.77	$0.00	$0.00	$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	$16.16	-$16.16	$0.00	$0.00	$0.00
County Court Cost (Act 204 of 1976)	$23.57	-$23.57	$0.00	$0.00	$0.00
Crime Victims Compensation (Act 96 of 1984)	$35.00	-$35.00	$0.00	$0.00	$0.00
Domestic Violence Compensation (Act 44 of 1988)	$10.00	-$10.00	$0.00	$0.00	$0.00
Victim Witness Service (Act 111 of 1998)	$25.00	-$25.00	$0.00	$0.00	$0.00
Firearm Education and Training Fund	$5.00	-$5.00	$0.00	$0.00	$0.00
Judicial Computer Project	$8.50	-$8.50	$0.00	$0.00	$0.00
ATJ	$1.50	-$1.50	$0.00	$0.00	$0.00
DNA Detection Fund (Act 185-2004)	$250.00	-$250.00	$0.00	$0.00	$0.00
Court Costs (Monroe)	$75.00	-$75.00	$0.00	$0.00	$0.00
OSP (Monroe/State) (Act 35 of 1991)	$420.00	$0.00	-$420.00	$0.00	$0.00
OSP (Monroe/State) (Act 35 of 1991)	$420.00	$0.00	-$420.00	$0.00	$0.00
Judgment Fee (Monroe)	$29.50	-$29.50	$0.00	$0.00	$0.00
Copy Costs (Monroe)	$1.00	-$1.00	$0.00	$0.00	$0.00
Costs/Fees Totals:	$1,336.00	-$496.00	-$840.00	$0.00	$0.00
Grand Totals:	$1,336.00	-$496.00	-$840.00	$0.00	$0.00

** - Indicates assessment is subrogated

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Exhibit C

COURT OF COMMON PLEAS OF MONROE COUNTY
FORTY-THIRD JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA : No. 404-2005 CRIMINAL

vs.

VIRGIL BRADLEY TETHEROW

MONROE COUNTY, PA
2005 NOV 28 P 3:25
CLERK OF COURTS

PETITION TO NOLLE PROSEQUI

TO THE HONORABLE RONALD E. VICAN, PRESIDENT JUDGE OF THE SAID COURT:

COMES NOW The Commonwealth of Pennsylvania, by and through Robert A. Saurman, Assistant District Attorney and respectfully requests that a nolle prosequi be allowed in this case as follows:

1. Charges for nolle prosequi:

   Count 1, Possession Of Child Pornography; Count 2, Possession Of Child Pornography; Count 3, Possession Of Child Pornography; Count 4, Possession Of Child Pornography; Count 5, Possession Of Child Pornography; Count 6, Possession Of Child Pornography; Count 7, Possession Of Child Pornography; Count 8, Possession Of Child Pornography; Count 9, Possession Of Child Pornography; Count 10, Possession Of Child Pornography; Count 12, Criminal Use Of Communication Facility; Count 13, Criminal Use Of Communication Facility; Count 14, Criminal Use Of Communication Facility; Count 15, Criminal Use Of Communication Facility; Count 16, Criminal Use Of Communication Facility; Count 17, Criminal Use Of Communication

Facility; Count 18, Criminal Use Of Communication Facility; Count 19, Criminal Use Of Communication Facility; Count 20, Criminal Use Of Communication Facility

2. Reason for nolle prosequi: Defendant pled guilty on August 16, 2005 to the related charge(s) of:

Count 11, Criminal Use Of Communication Facility

3. Defendant was sentenced before the Honorable Ronald E. Vican, President Judge in the above-captioned case on October 18, 2005.

WHEREFORE, your Petitioner respectfully requests that this Honorable Court grant permission to enter a nolle prosequi to the above-stated charges.

Respectfuly submitted,

Robert A. Saurman
Assistant District Attorney
Monroe County Courthouse
Stroudsburg, PA 18360

AND NOW, this 19th day of November, 2005, the Commonwealth is granted leave to enter a nolle prosequi in the above-captioned case to:

Count 1, Possession Of Child Pornography; Count 2, Possession Of Child Pornography; Count 3, Possession Of Child Pornography; Count 4, Possession Of Child Pornography; Count 5, Possession Of Child

Pornography; Count 6, Possession Of Child Pornography; Count 7, Possession Of Child Pornography; Count 8, Possession Of Child Pornography; Count 9, Possession Of Child Pornography; Count 10, Possession Of Child Pornography; Count 12, Criminal Use Of Communication Facility; Count 13, Criminal Use Of Communication Facility; Count 14, Criminal Use Of Communication Facility; Count 15, Criminal Use Of Communication Facility; Count 16, Criminal Use Of Communication Facility; Count 17, Criminal Use Of Communication Facility; Count 18, Criminal Use Of Communication Facility; Count 19, Criminal Use Of Communication Facility; Count 20, Criminal Use Of Communication Facility

BY THE COURT:

Ronald E. Vican, President Judge

I hereby enter a nolle prosequi on the charge(s) designated above.

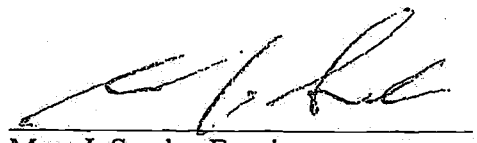
Robert A. Saurman
Assistant District Attorney
Monroe County Courthouse
Stroudsburg, PA 18360

2005 NOV 30 A 9:28
MONROE COUNTY, PA.
CLERK OF COURTS

cc: District Attorney, RAS/amb
Mark S. Love, Esq.
MCCF

VERIFICATION

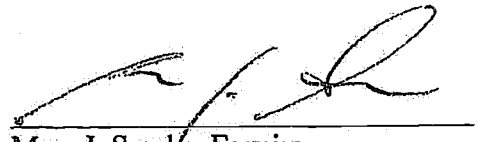
I verify that the statements made in this motion are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.



Marc J. Semke, Esquire
Attorney I.D. # 93166
11 E. Market Street, Suite 202
York, PA 17401

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.



Marc J. Semke, Esquire
Attorney I.D. # 93166
11 E. Market Street, Suite 202
York, PA 17401

IN THE COURT OF COMMON PLEAS
ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	:	SUPREME COURT OF PENNSYLVANIA
	:	2 W.D. MISC. DKT. 2016
THE FORTIETH STATEWIDE	:	
	:	ALLEGHENY COUNTY COMMON PLEAS
INVESTIGATING GRAND JURY	:	CP-02-MD-571-2016

RESPONSE TO THOSE EXCERPTS OF THE FORTIETH STATEWIDE GRAND JURY REPORT NUMBER 1 PROVIDED TO BISHOP EMERITUS JAMES CLIFFORD TIMLIN

James Clifford Timlin ("Bishop Emeritus Timlin"), through his counsel, Pietragallo Gordon Alfano Bosick & Raspanti, LLP, pursuant to the Court's Amended Order of May 22, 2018, hereby submits his Response to Excerpts of the Report of the Fortieth Statewide Investigating Grand Jury Report Number 1 Related to Bishop Timlin ("Report").[1]

Preliminary Statement

While Bishop Emeritus Timlin does not agree with all of the conclusions and opinions expressed by the Grand Jury in these excerpts, he finds it disheartening to review the sins of the clergy over such an extended period of time. Bishop Emeritus Timlin is grateful that so much has been done to prevent these evils in the future and to better respond to, and care for, the victims of such abuse.

In August of this year, Bishop Emeritus Timlin will be 91. He has served the majority of his adult life in the community of the Diocese of Scranton. During his tenure as Bishop, the Diocese of Scranton engaged in serious and evolving efforts to address child sexual abuse by its priests. Bishop Emeritus Timlin has reviewed the excerpts of the Grand Jury Report provided to him – including references to Caparelli and Skotek - and the summary information about other

[1] Bishop Timlin received a large excerpt of the Report dealing with the Diocese of Scranton, but did not receive the full Report Number 1.

Diocesan priests who were accused of child sexual abuse before, during and after he served as Bishop.

Respectfully, the Diocese of Scranton was, in many ways, in the forefront of the Church's response to these concerns. As early as 1993, Bishop Emeritus Timlin established an Independent Review Board, composed of lay people, to advise him in responding to allegations of sexual misconduct by priests. In addition, in 1993 he created a uniform procedure for addressing allegations of child sexual abuse. As the Diocese reviewed allegations pursuant to the 1993 Policy (and subsequent versions), and as it gained greater experience in doing so, the Bishop's and the Diocese's processes evolved and improved.

Bishop Emeritus Timlin sadly acknowledges that his and the Diocese's efforts were imperfect. Bishop Emeritus Timlin acted with his best judgment, informed by his then-existing understanding of medical science's ability to identify and treat offenders, and based (at times) on legal advice he received from Diocesan counsel. Over the course of his tenure, as he personally gained greater experience in handling allegations of child sexual abuse by priests, and as his personal understanding of, and the understanding of medical science about, child sexual offenders evolved, Bishop Emeritus Timlin's handling of these allegations also evolved and continued to improve. Bishop Emeritus Timlin recognizes that some of his past decisions regarding offenders were imperfect, and in hindsight regrets that his past judgments at the time caused a single day of pain to any victims.

Indeed, subsequent events demonstrated that while the Bishop's and Diocese's earnest efforts during Bishop Emeritus Timlin's tenure aided greatly, those efforts sadly did not stop altogether the sexual abuse of children by clergy. Bishop Emeritus Timlin offers his sincere apology to all victims of sexual abuse by priests of the Diocese of Scranton. He regrets the pain

suffered by those victims and prays that they will find peace, healing and some measure of closure.

After Bishop Emeritus Timlin stepped down in 2003, the Diocese continued to evolve and improve under the guidance of succeeding Bishops. The Diocese of Scranton remains firmly committed to immediately and transparently addressing child sexual abuse by any clergy member.

Background Concerning Bishop Emeritus James Timlin

Bishop Emeritus Timlin served as a priest in the Diocese of Scranton ("Diocese") for the past sixty-six years, nineteen of which he served as the Eighth Bishop of the Diocese. At the age of 90, Bishop Emeritus Timlin continues to do his best to minister to congregants, even if only on a limited basis. Bishop Emeritus Timlin was born in Scranton, grew up in Scranton, and has ministered to members of the Scranton Diocese most of his adult life. He served as a priest in several locations in the Scranton Diocese both before and after his tenure as Bishop. Bishop Emeritus Timlin has always enjoyed direct ministry with members of the Church and the community at large.

When Bishop O'Connor was elevated to Cardinal and transferred to the Archdiocese of New York in March of 1984, Bishop Emeritus Timlin was elected Diocesan Administrator by the Diocesan Board of Consultors. The Diocesan Administrator serves as interim leader of the Diocese until a new Bishop is appointed by Our Holy Father, the Pope. On April 24, 1984, Bishop Emeritus Timlin was appointed Eighth Bishop of Scranton by His Holiness, Pope John Paul II and was installed on June 7, 1984.

Bishop Emeritus Timlin served as the Bishop of the Diocese of Scranton for almost twenty years. Due to his advancing years, he stepped down on July 25, 2003, at 75. Bishop Emeritus Timlin returned to ministry approximately six months later. On February 4, 2004, he was appointed Administrator of Saint Joseph's Church, in Wilkes-Barre. On July 6, 2004, he assumed new duties as rector of Villa St. Joseph in Dunmore, Pennsylvania. Bishop Emeritus Timlin continues to provide temporary coverage for priests within the Diocese as he is needed.

How The Diocese Of Scranton Responded To Allegations Of Abuse Under Bishop Emeritus Timlin's Tenure

During Bishop Emeritus Timlin's tenure, the Diocese of Scranton addressed allegations of child sexual abuse guided by a number of principals: 1) compassion for the victim; 2) an open dialogue with the victim, whom Bishop Emeritus Timlin would often directly contact and with whom he would meet whenever requested; 3) a frank and direct discussion with the accused; 4) an "open door" policy for anyone who wished to discuss their concerns; 5) fair treatment of all parties; and 6) a commitment that those individuals who reported that they were victims of child sexual abuse received all necessary medical, psychological and pastoral care.

As a result of the Caparelli incident, Bishop Emeritus Timlin recognized that the Diocese's then-existing system of addressing allegations of abuse by clergy needed substantial review, modification, and improvement. The Diocese of Scranton, at Bishop Emeritus Timlin's direction, established a policy setting forth a uniform procedure for responding to allegations of abuse ("1993 Policy"). The 1993 Policy provided a systematic method of addressing allegations of child sexual abuse. For example, the 1993 Policy required, in every credible instance of

alleged child sexual abuse, an investigation into the allegation, temporary removal of the accused from ministry, and reporting of the incident to the appropriate child protective agencies.

The 1993 Policy required that all available resources be provided to victims, including pastoral, medical, and psychological care. The Policy also detailed how a priest who was credibly accused of sexual abuse would be handled by the Diocese. To Bishop Emeritus Timlin's knowledge, this was one of the earliest policies in effect in the country concerning a diocesan response to allegations of child sexual abuse. Bishop Emeritus Timlin ensured that the 1993 Policy was openly communicated to all members of the Diocese, as it was a feature story in the Diocesan newspaper, *The Catholic Light*. The 1993 Policy evolved constructively over the course of his tenure as Bishop, and was revised further by the Diocese in the years following the Dallas Charter.

Further, during Bishop Emeritus Timlin's tenure, and at his specific direction, in 1993 the Diocese of Scranton established an Internal Review Board (now known as the "Diocesan Review Board"). Bishop Emeritus Timlin notes that he took these actions nine (9) years before the adoption of the Dallas Charter. While not perfect, the Diocese of Scranton was in the vanguard of many religious organizations addressing the serious concerns related to child sexual abuse by members of the clergy. Bishop Emeritus Timlin appointed to the Internal Review Board ("IRB") a cross section of lay people, including leaders of the Scranton community and esteemed professionals with a wide range of expertise.

The IRB included: former members of law enforcement; a former prosecutor; psychiatrists, psychologists and other mental health professionals; social service professionals; as well as other respected community members. The purpose of the IRB was to gather a diverse group of individuals with a wide range of expertise who could assist in the independent review of

cases involving allegations of child sexual abuse by priests and who would recommend an appropriate course of action based on the IRB's determination about the credibility of the allegations.

Bishop Emeritus Timlin believed such an independent body of experienced lay people was an important step in improving the Diocese's process for responding to allegations of child sexual abuse in the Diocese. Similarly, Bishop Emeritus Timlin encouraged open communication from other members of Diocesan leadership, and welcomed input from others within and outside the laity on the best way to proceed concerning allegations against clergy.

Both the Policy and the IRB were part of Bishop Emeritus Timlin's and the Diocese of Scranton's constructive and continuing efforts to address credible allegations of child sexual abuse against clergy. Like the 1993 Policy, the Diocese of Scranton's IRB process and the IRB's recommendations evolved over the years, informed by experience and a growing awareness that individuals who sexually abused children could not be successfully cured through medical science.

Implementing The 2002 Dallas Charter in the Diocese of Scranton

In 2002, the United States Conference of Catholic Bishops convened in Dallas, Texas and adopted the Charter for the Protection of Children and Young People, which became known as the "Dallas Charter." The Dallas Charter is a comprehensive set of uniform procedures put in place nationwide, mandating how dioceses must address allegation of sexual abuse by clergy. The Charter requires prompt and effective responses to allegations, cooperation with civil authorities, and the immediate discipline of offending clergy. Bishop Emeritus Timlin participated in the United States Conference of Catholic Bishops in Dallas and played an active

role in the debate which led to the adoption of the Dallas Charter. In sum, the Dallas Charter required zero tolerance, meaning that all priests credibly accused of child sexual abuse must be permanently removed from ministry.

Upon Bishop Emeritus Timlin's return to Scranton from this significant Dallas meeting, he did all he could to ensure that the Diocese of Scranton's policies, practices, and procedures were in full accord with those set forth in the Dallas Charter. He also ensured, that going forward, the Diocese of Scranton fulfilled the zero tolerance policy endorsed by the Dallas Charter. Further, Bishop Emeritus Timlin established an "Ad Hoc Committee," consisting of the Diocesan Director of Ecumenism and Interfaith Affairs, the Chancellor, the Vicar of Clergy, and a future Vicar General, in order to perform a historical review of all of the allegations received by the Diocese. The Ad Hoc Committee's review was comprehensive. This Committee drafted a report which recommended that ten (10) men be removed from ministry based on the zero tolerance policy outlined in the Dallas Charter. Bishop Emeritus Timlin followed each of the Ad Hoc Committee's recommendations and insured that the Diocese enforced the Dallas Charter's zero tolerance requirements.

After Bishop Emeritus Timlin's retirement, the Diocese of Scranton continued to vigorously implement the policies of the Dallas Charter and enforce its zero tolerance mandate.

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IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	:	SUPREME COURT OF PENNSYLVANIA 2 W.D. MISC. DKT. 2016
THE FORTIETH STATEWIDE INVESTIGATING GRAND JURY	:	ALLEGHENY COUNTY COMMON PLEAS CP-02-MD-571-2016
	:	NOTICE NO. 1

CERTIFICATE OF SERVICE

I, Kevin E. Raphael, Esquire, hereby certify that a copy of the foregoing Response to Excerpts of Fortieth Statewide Grand Jury Report No. 1 Provided to Bishop Emeritus James Clifford Timlin was served on June 18, 2018 *via* overnight mail upon:

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