Honorable Lynne Abraham

District Attorney

IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
CRIMINAL TRIAL DIVISION

IN RE:	**:**	**MISC. NO. 03-00-239**
COUNTY INVESTIGATING GRAND JURY	**:**	
Of September 17, 2003	**:**	**C-1**

REPORT OF THE GRAND JURY

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REPORT

TO THE HONORABLE GWENDOLYN N. BRIGHT, SUPERVISING JUDGE:

We, the County Investigating Grand Jury of September 17, 2003, were impaneled pursuant to the Investigating Grand Jury Act, 42 Pa.C.S.A. §4541 et seq., and were charged to investigate the sexual abuse of minors by clergy. Having obtained knowledge of such matters from physical evidence presented and witnesses sworn by the Court and testifying before us, upon our respective oaths, not fewer than twelve concurring, do hereby submit this Report to the Court.

Rosalind Arrington 9/15/05
Foreperson

IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
CRIMINAL TRIAL DIVISION

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Section I

Introduction to the Grand Jury Report

This report contains the findings of the Grand Jury: how dozens of priests sexually abused hundreds of children; how Philadelphia Archdiocese officials – including Cardinal Bevilacqua and Cardinal Krol – excused and enabled the abuse; and how the law must be changed so that it doesn't happen again. Some may be tempted to describe these events as tragic. Tragedies such as tidal waves, however, are outside human control. What we found were not acts of God, but of men who acted in His name and

defiled it.

But the biggest crime of all is this: it worked. The abuser priests, by choosing children as targets and trafficking on their trust, were able to prevent or delay reports of their sexual assaults, to the point where applicable statutes of limitations expired. And Archdiocese officials, by burying those reports they did receive and covering up the conduct, similarly managed to outlast any statutes of limitation. As a result, these priests

and officials will necessarily escape criminal prosecution. We surely would have charged them if we could have done so.

But the consequences are even worse than the avoidance of criminal penalties. Sexually abusive priests were either left quietly in place or "recycled" to unsuspecting new parishes – vastly expanding the number of children who were abused. It didn't have to be this way. Prompt action and a climate of compassion for the child victims could have significantly limited the damage done. But the Archdiocese chose a different path.

Those choices went all the way up to the top – to Cardinal Bevilacqua and Cardinal Krol personally.

Despite the dimensions and depth of the sex abuse scandal, this Grand Jury was not conducting an investigation of the Catholic religion or the Catholic Church. Many of us are Catholic. We have the greatest respect for the faith, and for the good works of the Church. But the moral principles on which it is based, as well as the rules of civil law under which we operate, demanded that the truth be told.

Here is a short description of each of the sections that follow this introduction.

Section II – Overview of the Sexual Abuse by Archdiocese Priests

The Grand Jury was able to document child sexual abuse by at least ***63 different priests*** in the Archdiocese of Philadelphia. We have no doubt that there were many more. The evidence also revealed ***hundreds of child victims*** of these sexual offenders. Again, we have no doubt that there were many more. Because much of the abuse goes back several decades, however, and because many victims were unnamed, unavailable or unable to come forward, we could not present a comprehensive history of all sexual abuse that may have occurred in the Philadelphia Archdiocese. What we did learn was enough to convey the nature of the abuse that took place and was tolerated here. We should begin by making one thing clear. When we say abuse, we don't just mean "inappropriate touching" (as the Archdiocese often chose to refer to it). We mean rape. Boys who were raped orally, boys who were raped anally, girls who were raped vaginally. But even those victims whose physical abuse did not include actual rape –

those who were subjected to fondling, to masturbation, to pornography – suffered psychological abuse that scarred their lives and sapped the faith in which they had been raised.

These are the kinds of things that Archdiocese priests did to children:

- A girl, **11 years old**, was **raped** by her priest and became **pregnant**. The Father took her in for an **abortion**.
- A 5th-grader was molested by her priest **inside the confessional booth**.
- A teenage girl was groped by her priest while she lay **immobilized in traction in a hospital bed**. The priest stopped only when the girl was able to ring for a nurse.
- A boy was repeatedly molested in his own **school auditorium**, where his priest/teacher **bent the boy over and rubbed** his genitals against the boy until the priest **ejaculated**.
- A priest, no longer satisfied with mere pederasty, regularly began forcing sex on **two boys at once** in his bed.
- A boy woke up intoxicated in a priest's bed to find the Father sucking on his penis **while three other priests watched** and masturbated themselves.
- A priest offered money to boys in exchange for **sadomasochism** – directing them to place him in **bondage**, to "break" him, to make him their "**slave**," and to defecate so that he could lick excrement from them.
- A 12-year-old, who was raped and sodomized by his priest, **tried to commit suicide**, and remains **institutionalized in a mental hospital** as an adult.
- A priest told a 12-year-old boy that his **mother** knew of and **had agreed to** the priest's **repeated rape** of her son.
- A boy who told his father about the abuse his younger brother was suffering was **beaten** to the point of unconsciousness. "**Priests don't do that**," said the father as he punished his son for what he thought was a vicious lie against the clergy.

Section III – Overview of the Cover-up by Archdiocese Officials

The behavior of Archdiocese officials was perhaps not so lurid as that of the individual priest sex abusers. But in its callous, calculating manner, the Archdiocese's "handling" of the abuse scandal was at least as immoral as the abuse itself. The evidence before us established that Archdiocese officials at the highest levels received reports of abuse; that they chose not to conduct any meaningful investigation of those reports; that they left dangerous priests in place or transferred them to different parishes as a means of concealment; that they never alerted parents of the dangers posed by these offenders (who typically went out of their way to be friendly and helpful, especially with children); that they intimidated and retaliated against victims and witnesses who came forward about abuse; that they manipulated "treatment" efforts in order to create a false impression of action; and that they did many of these things in a conscious effort simply to avoid civil liability.

In short, as abuse reports grew, the Archdiocese chose to call in the lawyers rather than confront the abusers. Indeed Cardinal Bevilacqua himself was a lawyer, with degrees from both a canon law school and an American law school. Documents and testimony left us with no doubt that he and Cardinal Krol were personally informed of almost all of the allegations of sexual abuse by priests, and personally decided or approved of how to handle those allegations.

Here are some incidents that exemplify the manner in which the Archdiocese responded to the sexual abuse of its most vulnerable parishioners:

► The Archdiocese official in charge of abuse investigations described one abusive priest as **"one of the sickest people I ever knew."** Yet Cardinal Bevilacqua

allowed him to continue in ministry, with full access to children – until the priest scandal broke in 2002.

- ► One abusive priest was **transferred so many times** that, according to the Archdiocese's own records, they were **running out of places to send him** where he would not already be known.

- ► On at least one occasion Cardinal Bevilacqua agreed to harbor a known abuser from another diocese, giving him a cover story and a neighborhood parish here because the priest's arrest for child abuse had aroused too much controversy there. Officials referred to this sort of practice as **"bishops helping bishops."**

- ► A **nun who complained** about a priest who was still ministering to children – even after he was convicted of receiving child pornography – **was fired** from her position as director of religious education.

- ► A **seminarian** studying for the priesthood **who revealed that he himself had been abused** as an altar boy was accused of homosexuality – and **was dismissed from the diocese**. He was able to become a priest only by relocating to another area.

- ► When the Archdiocese did purport to seek psychological evaluation of a priest, the **primary tool for diagnosis was "self reporting"** – in other words, whether the abuser was willing to admit that he was a pedophile. Absent such a "diagnosis," the Archdiocese declined to treat any priest as a pedophile, no matter how compelling the evidence.

- ► Even when admitted, the abuse was excused: an Archdiocese official comforted one sexually abusive priest by **suggesting that the priest had been "seduced" by his 11-year-old victim**.

- ► An Archdiocese official explained that the church could not discipline one especially egregious abuser because, as the official put it, he was **not a "pure pedophile"** – that is, he not only abused little boys; he also slept with women.

- ► When one priest showed signs of seeking penance from his victims, the churchrun "treatment" facility urged Archdiocese officials to move him to another assignment away from the victims – in other words, transfer him before he apologizes again.

Such cynicism toward priest sexual abuse may not have started in Philadelphia;

indeed media reports have revealed strikingly similar tactics throughout the country. Bishops in other dioceses also shuttled abusive priests from parish to parish, until there was no place left to go, ignored repeated reports of abuse, absent a direct confession or "diagnosis" of pedophilia, and looked to legalisms, at the expense of decency. But these parallels, far from excusing Philadelphia church officials, serve only to underscore that their actions were no accident. They knew what they were doing.

Section IV – Legal Analysis and Recommendations

The notion of prosecuting a priest – let alone a high Church official or even the Archdiocese itself – may seem shocking to some. But our oath required us to explore any criminal statute whose terms might fit the conduct we discovered. By the same token, we were obligated not to recommend criminal charges against priests or church leaders merely because of our moral outrage at what they did, over and over again. What we found was that many offenses applied to the evidence before us, but were barred by statutes of limitation, while many others narrowly failed to apply because of what we believe are unintended or unwise limitations in the law.

With regard to the priest offenders, any number of sexual offenses were readily made out by the evidence: rape, involuntary deviate sexual intercourse, statutory sexual assault, indecent assault, endangering welfare of children, corruption of minors. In every case, however, our information was simply too old. As we learned from experts in the field, it takes many years – often decades – before most victims of child sexual abuse are able to come forward. By then it is simply too late to prosecute, at least under current Pennsylvania law. We are convinced that more recent victims exist, and perhaps in the

future they will be able to give testimony. For now we were able to document many assaults, but none still prosecutable.

With regard to the leaders of the Archdiocese, we explored a variety of possible charges. These included endangering the welfare of children, corruption of minors, victim/witness intimidation, hindering apprehension, and obstruction of justice. All, however, are currently defined in ways that would allow church supervisors to escape criminal sanction, or have relatively short statutes of limitation that would bar prosecution in any event.

With regard to the Archdiocese itself, Pennsylvania law does establish the possibility of corporate criminal liability for the kind of ongoing, institutional misconduct that we discovered here. The Archdiocese, however, has chosen not to organize itself as a legal corporation, thus immunizing itself from such liability. Current Pennsylvania law concerning criminal conduct by unincorporated associations like the Archdiocese is much more limited, and cannot form the basis of a prosecution against the Archdiocese as an entity.

We are left, then, with what we consider a travesty of justice: a multitude of crimes for which no one can be held criminally accountable. We cannot issue the presentments we would otherwise have returned. If nothing else, however, it is our hope that this report can help ensure that nothing like this happens in the future. We therefore make the following recommendations concerning Pennsylvania law:

- ► **abolish the statute of limitations for sexual offenses against children**, as several other states have already done.
- ► **expand the offense of endangering welfare of children**, to ensure that it covers reckless conduct and the conduct of those who directly employ or supervise caretakers of children.
- ► **increase the penalty for indecent assault** where there is a pattern of abuse against a child.

- ► **tighten** the Pennsylvania Child Protective Services Law, to make clear that the **obligation to report child abuse to authorities** applies to those who learn of abuse even if not directly from the child, and even if the child is no longer in the abuser's control. Other children may be.
- ► amend the Child Protective Services Law to **require background checks** not just on school employees, but for employees of any organization that supervises children.
- ► **hold unincorporated associations to the same standards** as corporations for crimes concerning the sexual assault of children.
- ► **enlarge or eliminate statutes of limitation on civil suits** involving child sexual assault, in order to ensure not just a criminal penalty but a continuing financial disincentive to engage in abuse.

Section V – Selected Case Studies

Although we have attempted to give a general overview of the nature of the abuse and cover-up in Sections II and III of this report, we were not satisfied that these summaries convey the full sense of what happened in the Archdiocese of Philadelphia. Accordingly Section V examines the histories of 28 priests in complete detail, presenting the conduct of the sexually abusive priests together with the response of the Archdiocese as it occurred at each step. We understand that these case studies are lengthy, and that ultimately none of our words are adequate to communicate the true gravity of these offenses. But this is our best effort to express the relentless refusal of the Archdiocese to admit what its priests, and its leaders, were doing to children.

Section VI – Appendix

The appendix includes the following materials:

A) a chart listing the names of the 63 priests whose acts of sexual abuse we were able to document, with a list of the complaints against them;

B) a chart listing each of the parishes and schools in which those 63 priests were assigned during their careers (whether or not complaints were recorded from a particular parish);

C) biographical profiles of most of the 63 sexually abusive priests, as prepared and published by the Archdiocese;

D) selected documents concerning the abuse – from the victims, from priests, from Archdiocese officials – reproduced in their original form;

E) a glossary of terms;

F) newspaper articles documenting identical treatment of abused and abusers in dioceses around the United States.

Section II

Overview of the Sexual Abuse by Archdiocese Priests

It is hard to think of a crime more heinous, or more deserving of strict penalties and an unlimited statute of limitations, than the sexual abuse of children. This is especially so when the perpetrators are priests – men who exploit the clergy's authority and access to minors, as well as the trust of faithful families, to prey on children in order to gratify perverted urges. After reviewing thousands of documents from Archdiocese files and hearing statements and testimony from over a hundred witnesses – including Archdiocese managers, priests, abuse victims, and experts on the Church and child abuse – we, the Grand Jurors, were taken aback by the extent of sexual exploitation within the Philadelphia Archdiocese. We were saddened to discover the magnitude of the calamity in terms of the abuse itself, the suffering it has caused, and the numbers of victims and priests involved.

The Jurors heard testimony that will stay with us for a very long time, probably forever. We heard of Philadelphia-area priests committing countless acts of sexual depravity against children entrusted to their care through the Archdiocese's parishes and

schools. The abuses ranged from glancing touches of genitals under the guise of innocent wrestling to sadomasochistic rituals and relentless anal, oral, and vaginal rapes. We found that no matter what physical form the abuse took, or how often it was repeated, the damage to these children's psyches was devastating. Not only were the victims betrayed by a loved and revered father figure, but they also faced lifelong guilt and shame, isolation from family and peers, and torments that typically included alcoholism, addictions, marital difficulties, and sometimes thoughts of suicide. In many cases, we discovered, the victims believed God had abandoned them.

For any who might want to believe that the abuse problem in the Philadelphia area was limited in scope, this Report will disabuse them of that impression. The Jurors heard from some victims who were sexually abused once or twice, and from many more who were abused week after week for years. Many of the priests whose cases we examined had more than 10 victims; some abused multiple victims simultaneously. Indeed, the evidence arising from the Philadelphia Archdiocese reveals criminality against minors on a widespread scale – sparing no geographic sector, no income level, no ethnic group. We heard testimony about priests molesting and raping children in rectory bedrooms, in church sacristies, in parked cars, in swimming pools, at Saint Charles Borromeo Seminary, at the priests' vacation houses in the Poconos and the Jersey Shore, in the children's schools and even in their own homes.

From all the documents and testimony put before us, we have received a tragic education – about the nature of child abuse, for example: how predators manipulate their prey, why the abuse so often goes unreported, how its impact on victims and their families remains lifelong. Even so, we find it hard to comprehend or absorb the full

extent of the malevolence and suffering visited on this community, under cover of the clerical collar, by powerful, respected, and rapacious priests.

A. The evidence reveals that child sexual abuse follows regular patterns.

When we gathered, many of the Jurors did not understand the dynamics of clergy members' sexual abuse of minors. We could not understand how children who were so awfully abused could fail to tell anyone or, worse, would return to their abuser again and again. We learned from one of the leading American experts in the field, Kenneth Lanning, formerly of the Federal Bureau of Investigation, that the answer lies in the twisted relationship that acquaintance molesters initiate with their victims.

Those who prey on children first are careful in selecting their victims. They seek out vulnerable children who are needy for attention, often because of difficulties at home, because vulnerable children are easiest to mold to the abuser's desires. They then achieve power over their victims in a process that the experts call "grooming." Child molesters have enormous patience, identifying and pursuing victims sometimes for months before initiating the abuse. One might take a child to the beach, the cinema, or the local ice cream parlor, showering his prey with toys and treats. He will give his victim what the child believes is benign attention and "love." Abusers also often befriend the families of their victims, visiting their homes, becoming dinner guests, exploiting parishioners' reverence for the priesthood. The parents are pleased and flattered by a priest's attentions to their children.

What surprised the Jurors most in Lanning's lengthy testimony was that so many of these men come across as "nice guys," that they can be so outwardly likeable. Mothers and fathers like them. The children who are their targets often love them. These are not "Stranger Danger" predators who look shady or menacing; they are the pillars of the Catholic community, respected and admired by all. Meanwhile, many of the targeted children do not understand sex in the first instance, so that when the priest reaches the point where he begins to act out sexually, the victims are utterly defenseless. As the abuse continues, their initial confusion turns to guilt and shame over what they believe they have allowed to happen. Many victims continue to think that priests can do no wrong or feel responsible for making a "good" priest go bad.

For the vulnerable child who craves love and security, and the devout child raised never to question the clergy's authority, it becomes nearly impossible to break free from the abusive priest, even after the sexual abuse begins. Experts refer to this phenomenon as the "trauma bond." Even though the abusive relationship is terribly damaging to the victim, he finds it difficult to remove himself from it because of the priest's power over him and the psychological and emotional bond that has resulted.

1. Sexually abused children rarely report their abuse.

Related to the question of why victims seem unable to break free of their abusers is the question of why it takes some victims decades to report priest sexual abuse. We learned there are many reasons for delayed reporting. Most of the victims are devout and/or come from devout families. Therefore, many of them regard priests as God's representatives on Earth. The well-educated priests, for their part, know very well the esteem in which trusting children and their parents hold them, and they manipulate that

trust to ensure the victims' silence. Some of the priests whose cases we examined told their victims that God had sanctioned the sexual relationship and would punish them if they revealed it. Others told children that they loved them, and that the sexual abuse should be their little secret. Still others told their prey that they, the victims, were responsible for the abuse, and that no one would believe them if they told.

Psychological denial is not an unusual response to trauma, confusion, shame, and despair. And there are other, powerful disincentives to report a priest's abuse. Some victims fear damaging the Church's reputation. Others fear their parents' disbelief or anger – not toward the priest, but toward them. Some worry that such a horrific revelation could destroy their parents' sustaining faith in the Church. Many adolescent boys fear that revealing sexual contact with a man would call into question whether they are heterosexual.

2. The lifelong impact extends from isolation to "soul murder."

The priests' manipulation of their victims, we found, can be as cunning as it is cruel. Often the offenders isolate their victims from others, dominating their time, criticizing their parents and friends, and discouraging activities outside of the church and the priests' presence. The victims come to believe that the abusive relationship is the only one they have. This strategy of isolating victims not only deprives them of someone in whom they might confide; it also serves the priest's purpose – to continue the abusive relationship. Subsequently, the isolation often becomes one of the cruelest consequences of abuse, destroying families and lasting decades.

We saw victims who had been told by their abuser that their parents had sanctioned the priest's actions. In two cases, the victims discovered only recently, as they prepared to testify before the Grand Jury, that what the priest had told them was not true.

For 20 years they had been estranged from their parents, sometimes hating them, because they believed that their parents had knowingly allowed their abuse. If a priest and God could betray them, how could they know that their parents had not as well? Parents, for their part, cannot understand their abused children, who for no apparent reason have turned their backs on school, church, friends, and family. Who suddenly are not funloving and happy, but sullen and withdrawn. Who are abusing alcohol and drugs and acting out in other ways. The parents blame their children.

Meanwhile, if other children suspect a boy is being abused, they often ridicule the victim, suggesting he is homosexual. And not just children do this. We heard testimony about a nun, the teacher of one victim, who – after the boy reported his abuse to police – began calling him by a girl's name in class, eliciting giggles from his fellow students.

Most devastating of all, we saw firsthand what Father Thomas Doyle calls "soul murder." As Father Doyle, a conscientious Dominican priest who has assisted clergyabuse victims around the world, points out, these children suffer from the abuse not just physically and psychologically, but spiritually. The faith they need to cope with the tragedies of life is for them forever defiled. In order for a priest to satisfy his sexual impulses, these children lose their innocence, their virginity, their security, and their faith. It is hard to think of a crime more heinous.

3. Priests who abuse minors usually have many victims.

Another thing we learned about sexual abuse of minors is that the offenders typically have numerous victims. We heard from experts that the compulsion that drives some priests to molest or rape children is not curable, that treatment and supervision need to be intense and lifelong, and that the recidivism rate is extremely high. In the files of Philadelphia Archdiocese priests that we obtained by subpoena, we saw what must have been crystal-clear as well to Cardinals Krol and Bevilacqua and their aides: that many, many priests each have had many, many victims, often spanning decades.

The experts told us that, given the nature of the crime, victims who report their abuse represent merely the tip of the iceberg, and that abusive priests likely have preyed on many more victims who have not come forward. We heard reports, most of which the Archdiocese had also received, about 16 victims of Fr. Nicholas Cudemo, 14 victims of Fr. Raymond Leneweaver, 17 victims of Fr. James Brzyski, and 18 victims of Fr. Albert Kostelnick. We believe there were many more.

B. The evidence provides many examples that help illustrate the patterns of abuse.

There are many more Philadelphia-area priests who have molested and sodomized parishioners' children than are named here. We cannot in this Report describe the cases of every priest against whom allegations have been raised. But we have tried to include histories that reflect the depraved patterns, if not the full magnitude, of sexual abuse perpetrated by Philadelphia Archdiocese priests. Consider, for example, the cases of Frs. Brzyski, Cudemo, Chambers, Gana, Kostelnick, Leneweaver, Martins, and Sicoli.

Father James Brzyski

It was Fr. Brzyski who told his victims that their parents knew and approved of his sexual abuse of their sons. The 6'5", 220-pound priest told this to a devout 12-yearold boy, "Sean," (the names of victims have been changed in this Report) whom he began anally raping in 1984. Sean, now a grown man, told the Jurors:

> I've harbored this feeling towards my mom for going on twenty years and to come to find out the other night that it's not – you know, it was – it wasn't true. She had no idea. She had absolutely no idea.
>
> So you know, I've been dealing with this. I've been hating her for twenty years for no reason whatsoever, and that's not right. That's my mom.

Father Bryzski had started the abuse when Sean was 10 or 11 years old – fondling the boy's genitals and rubbing his own against the child in the corner of the sacristy where the altar boys dressed. Sean estimated that Fr. Brzyski molested him "a couple of hundred times." The abuse progressed from fondling to oral sex to anal rape.

Sean testified that he was scared, but he was devout. He believed that to say anything bad about a priest was a mortal sin, and that he would go to Hell if he told. So he said nothing, and continued to suffer the abuse even as its severity increased. His parents expressed pleasure that he was spending time with the priest. The abuse continued for seven or eight years.

Another of Fr. Brzyski's victims, "Billy," told the Grand Jury that his deepest wish was to return to who he had been before the priest first thrust his hands down the 11-year-old's pants. He wanted God back, and his parents, and the joy of celebrating Easter and Christmas. He wanted to believe in Heaven and morality. He described how Fr. Brzyski's abuse had "turned this good kid into this monster." He began to think of himself as two different people. He told the Jurors:

> I had no God to turn to, no family, and it just went from having one person in me to having two people inside me.
>
> This nice Billy . . . that used to live, and then this evil, this darkness Billy . . . that had to have no morals and no conscience in order to get by day by day and, you know, not to care about anything or have no feelings and to bury them feelings so that you could live every day and not be laying on the couch with a depression problem so bad that, you know, four days later you'd be in the same spot.

The Archdiocese files had the names of 11 boys who had been reported as victims of Fr. Brzyski. Three of his victims who testified before the Grand Jury provided names of still others they knew of. Sean told Jurors that he saw as many as a hundred photographs of boys, ages 13 to 16, many of them nude, which Fr. Brzyski kept in a box in his bedroom. One of the pictures was of Sean.

Father Nicholas Cudemo

A top aide to Cardinal Bevilacqua described Father Nicholas Cudemo to the Grand Jury as "one of sickest people I ever knew." This priest raped an 11-year-old girl. He molested a 5th grader in the confessional. He invoked God to seduce and shame his victims. He maintained sexually abusive relationships simultaneously with several girls from the Catholic school where he was a teacher. His own family accused him of molesting his younger cousins.

Complaints of Fr. Cudemo's sexual abuse of adolescent girls began in 1966, with a letter to Cardinal Krol describing a three-year "affair" between the priest, then in his first assignment, and a junior at Lansdale Catholic High School. More allegations followed in 1968 and 1977, the latter alerting the Archdiocese to another long-term sexual relationship with a schoolgirl, and her possible pregnancy.

Father Cudemo began abusing another girl, “Ruth,” in the late 1960s when she was 9 or 10 years old. When she was 11, he began to rape her. He would then hear her confession. He convinced the child that she could not survive without him, and that only through her confession was she worthy of God’s love. When Ruth became pregnant at age 11 or 12, he took her for an abortion. He abused her until she was 17. She has suffered severely ever since.

Father Cudemo taught at three high schools – Bishop Neumann, Archbishop Kennedy, and Cardinal Dougherty – being transferred each time because of what were recorded in Archdiocese files as “particular friendships” with girls. He was then recycled through five parishes, and twice promoted by Cardinal Bevilacqua to serve as a parish pastor. The Grand Jury heard of at least 16 victims.

Father Gerard Chambers

Father Gerard Chambers was accused of molesting numerous altar boys, and of anally and orally raping at least one, during 40 years as a priest in the Archdiocese. Beginning in 1994, four of his victims came forward to the Archdiocese to talk about their abuse. (The victims were from his 14th and 15th assignments – Saint Gregory, in West Philadelphia; and Seven Dolors, in Wyndmoor.) One victim, “Benjamin,” told the Archdiocese that Fr. Chambers plied him with alcohol and cigarettes and then abused him, “hugging, kissing, masturbating” him and engaging in “mutual fondling of the genitals.” This happened in the church sacristy, at Fr. Chambers’ sister’s house, and in the priest’s car.

Another victim, “Owen,” has tried to commit suicide and has been institutionalized at a state mental hospital. Father Chambers anally and orally raped him when he was 12

years old. Owen was, and continues to be, especially devout. He suffers delusions because he cannot reconcile his faith in the Church with what happened to him. Two of his brothers, "George" and "Francis," were also victims of Fr. Chambers and are still haunted by their abuse more than 40 years later. They described to the Grand Jury how the abuse ruined their family – each boy withdrawing and suffering in silence, even though they knew, they said, on some level, that Fr. Chambers was abusing them all. They could not tell their parents, who taught them to be in "awe" of priests. Rather than confide in anyone, George said they just "stuffed it down." But he began drinking at age 13, and still suffers from serious depression.

The victims named several other boys from Saint Gregory whom the priest had abused. One of the brothers testified that he believed Chambers "sexually abused every altar boy and quite frequently those who weren't altar boys."

Father Stanley Gana

Father Stanley Gana also sexually abused countless boys in a succession of parishes. One victim, "John," who testified before the Grand Jury, had gone to Fr. Gana in 1977 because the then-14-year-old had been sexually abused by a family friend. Father Gana used his position as a counselor and the ruse of therapy to persuade the boy to have physical contact with him. This "therapy" slowly progressed to full-fledged sexual abuse, involving genital touching, masturbation, and oral and anal sodomy. It continued for more than five years. Father Gana abused John in the rectory, at a house at the New Jersey Shore, on trips, and at the priest's weekend house in the Poconos. Often there were several boys involved in a weekend or on a trip, and Fr. Gana would have them take turns

coming into his bed. Sometimes he would have sex with John and another boy, “Timmy,” at the same time.

Father Gana abused Timmy for nearly six years, beginning in 1980, when the boy was 13. The priest ingratiated himself with Timmy’s parents. He was a frequent dinner guest and he often brought gifts to the family. He hired Timmy to work in the rectory, took him on trips with John and other boys to Niagara Falls and Disney World, and for weekends to the Poconos. Timmy’s parents pressured their son to spend time with Fr. Gana and constantly told Timmy that he should be grateful for all the priest did for him. Timmy found it impossible to avoid or report his abuse. He knew that his parents’ view of priests could not be reconciled with his reality – the obese priest pushing the boy’s scrawny, undeveloped body across a rectory bed so that his face was pressed against the carpet, ignoring the boy’s cries of pain, and forcibly penetrating him anally. Timmy was sure his parents would not believe him.

In 1992, training to become a priest himself and in his final year of seminary, Timmy told Cardinal Bevilacqua’s Secretary for Clergy, William Lynn, and another aide about his years of abuse by Fr. Gana. But, after hearing from the seminary dean that he thought Timmy “might sue the diocese for pedophilia,” Cardinal Bevilacqua ordered an investigation – of the seminarian. The probe failed to prove any wrongdoing on Timmy’s part, but the Cardinal refused to allow the victim to complete his studies and forced him to seek ordination outside the diocese. Father Gana remained an active priest in the Archdiocese until 2002.

Father Albert Kostelnick

The Secret Archives file (where the Archdiocese, in accordance with Canon law, recorded complaints of sexual abuse by priests) for Father Kostelnick contained numerous reports that he sexually fondled young girls. The reported incidents spanned 32 years, beginning in 1968, when he fondled the genitals and breasts of three sisters, ages 6 to 13 years old, as he showed slides to their parents in the family's darkened living room. The three sisters also reported, in 2002, that Fr. Kostelnick had fondled their other sister as she lay in traction in a hospital following an automobile accident in 1971. They said the injured girl had to ring for the nurse to stop her molestation.

In 1987, Fr. Kostelnick was reported to the police for fondling an 8-year-old girl in an offensive manner. Cardinal Bevilacqua learned of additional complaints in 1988 and 1992, yet he allowed the priest to continue as pastor of Saint Mark parish in Bristol. The priest admitted in 2004 to the Archdiocese Review Board that his "longstanding habit" of "fondling the breasts of young girls" continued after these victims' complaints were ignored in 1992. In 1997, Cardinal Bevilacqua honored the serial molester at a luncheon at the Cardinal's house and set him loose as a senior priest in a new parish, Assumption B.V.M. in Feasterville. By the time Fr. Kostelnick was finally removed from ministry in 2004 (after Cardinal Bevilacqua's tenure had ended), the Archdiocese had heard reports about at least 18 victims.

Father Raymond Leneweaver

At Saint Monica parish in South Philadelphia, Fr. Leneweaver named a group of altar boys whom he abused the "Philadelphia Rovers" and had T-shirts made up for them. He took the 11- and 12-year-olds on outings and, when he was alone with them, he

molested them. He anally raped at least one boy. He repeatedly pulled another out of class at the parish grade school, took him to the school auditorium, forced the boy to bend over a table, and rubbed against him until the priest ejaculated. Another time in his rectory bedroom, Fr. Leneweaver pulled the boy's pants down, smeared lubricant on his buttocks, and thrust his penis against the boy's backside. Each time the priest's crimes were reported to the Archdiocese, he admitted his offenses. By 1975, he had confessed to homosexual activity with at least seven named children with whom he was "seriously involved." He told Archdiocese officials of others he was involved with "in an incidental fashion."

Cardinal Krol transferred this chronic abuser four times after learning of his admitted abuses. Predictably, Fr. Leneweaver continued to abuse boys in his new parishes. When he finally requested a leave from ministry in 1980, Cardinal Krol wrote a notation on a memo to his Chancellor:

> His problem is not occupational or geographical & will follow him wherever he goes. He should be convinced that his orientation is an acquired preference for a particular method of satisfying a normal human appetite. – An appetite which is totally incompatible with vow of chastity + commitment to celibacy.

While this note shows that the Cardinal understood the compulsive nature of pedophilia and knew the likelihood that Fr. Leneweaver would abuse boys wherever he was assigned, the parents of his victims could not imagine such abhorrent behavior from a priest. They could not have conceived of the truth – that Fr. Leneweaver had been transferred to Saint Monica after admitting to the abuse of another boy at a previous assignment. The father of one victim beat his son until he was unconscious when the boy

tried to report Fr. Leneweaver's actions. The devout father, trusting priests and the Church more than his son, repeated as he beat the boy, "priests don't do that."

Father Nilo Martins

Father Martins was a Brazilian pediatrician and religious-order priest who came to the Archdiocese in 1978. In May 1984, he was assigned as an assistant pastor at Incarnation of Our Lord in North Philadelphia. On a Saturday afternoon in early February 1985, he invited a 12-year-old altar boy, "Daniel," up to his rectory bedroom to watch television, ordered the boy to undress, and anally raped him.

Daniel, now a Philadelphia police officer, testified that as he cried out in pain, the priest kept insisting: "Tell me that you like it." Daniel told the Grand Jury that he saw blood and was terrified. When the priest was done, he gave Daniel a puzzle as a present and told the boy to get dressed and leave.

Daniel, who had an unhappy home life and an abusive stepfather, went down to the church and cried. A young priest he considered a friend, Fr. Peter Welsh, saw him and asked what happened. After Daniel finished telling him, Fr. Martins entered and approached the two. Father Welsh then left the boy, took Fr. Martins' confession, and never returned to talk to the boy.

A few days later, Daniel confided in his lay math teacher at the parish grade school. The teacher was horrified and immediately informed the pastor, Fr. John Shelley. The teacher also encouraged Daniel to tell his parents. Frightened that he might be beaten if he told his mother and stepfather, Daniel asked Fr. Welsh to go with him to tell them. Father Welsh said he was busy. The pastor, who should have reported the boy's rape to police, or

at least to his parents, also refused to accompany the boy to his house. Daniel finally got up the nerve to tell his mother. At her urging, he called the police.

The next day, when Daniel went to the church – as he did everyday to be with his friends – Fr. Shelley told him that he was not welcome anymore. The 12-year-old victim of a brutal anal rape by a priest was no longer allowed to be an altar boy. As word circulated, children at school called him a "faggot" and laughed as they said, "Ah, you got fucked in the ass." Even a teacher, Sister Maria Loyola, he said, started referring to him in class as "Daniella," prompting the class to laugh. When he asked her to stop calling him that, she gave him a demerit.

Daniel said he just wanted to disappear. Unable to change schools, he dropped out emotionally – withdrawing socially and failing academically. Father Martins pleaded guilty to involuntary deviate sexual intercourse and corruption of the morals of a minor. Deported back to Brazil, he did not serve his prison sentence.

Father David Sicoli

Father Sicoli paid for tuition, computers, and trips to Africa and Disney World for parish boys he took a particular liking to. He invited several to live in his rectories with him, and he gave them high-paying jobs and leadership positions in the Church's youth group, the CYO. Some of them in interviews insisted that nothing sexual took place with the priest. But others, now grown, told the Grand Jury that Fr. Sicoli sexually abused them and treated them as if they were his girlfriends. From the start of his priesthood, and continuing through 2001, priests who lived with Fr. Sicoli warned the Archdiocese about his unhealthy relationships with boys.

Four victims from Immaculate Conception in Levittown, where Fr. Sicoli was assigned from 1978 to 1983, testified that he had sexually abused them when they were 12 to 16 years old. All of them said that Fr. Sicoli had plied them with alcohol and then abused them. Three told of being taken to a bar, the Red Garter, in North Wildwood, New Jersey. After Fr. Sicoli got the boys drunk, he asked them to drive him home – even though they were only 14 years old. On separate occasions, with all three, the priest feigned sickness in the car and asked them to rub his stomach. He then requested that they go "lower" and rub his crotch. The abuse these victims reported included mutual masturbation and oral sex. They said that Fr. Sicoli acted jealous and immature and threatened to fire them from their rectory jobs if they did not do what he wanted. Despite reports in Fr. Sicoli's Secret Archives file of inappropriate relationships with these four victims and five other boys, Cardinal Bevilacqua appointed the priest to four pastorates between 1990 and 1999. At each one he seized on a favorite boy, or a succession of favorites, on whom he showered attention, money, and trips. Three of these boys lived with Fr. Sicoli in the rectories with the knowledge of Msgr. Lynn.

In October 2004, the Archdiocese finally removed Fr. Sicoli from ministry following an investigation by the Archdiocesan Review Board, which was created in 2002 to help assess allegations of abuse. The Review Board found "multiple substantiated allegations involving a total of 11 minors over an extensive period of time beginning in 1977 and proceeding to 2002."

Section III

Overview of the Cover-Up by Archdiocese Officials

For a more complete picture of the actions taken by the Archdiocese to hide priest sexual abuse – from parents, potential victims, and the public at large – it is necessary to read the Case Studies in Section V of this Report. This Section, however, will provide an outline of the careful methods by which the Archdiocese accomplished its concealment of these crimes, and thereby facilitated the abuse of even more Archdiocese children.

A. Archdiocese leaders were aware that priests were sexually abusing hundreds of children, and that their continued ministry presented great danger.

Grand Jurors heard evidence proving that Cardinals Bevilacqua and Krol, and their aides, were aware that priests in the diocese were perpetrating massive amounts of child molestations and sexual assaults. The Archdiocese's own files reveal a steady stream of reports and allegations from the 1960s through the 1980s, accelerating in the 1990s (with nearly 100 allegations in that decade), and exploding after 2001. In many cases, the same priests were reported again and again.

Notes in Archdiocese files prove that the Church leaders not only saw, but understood, that sexually offending priests typically have multiple victims, and are unlikely

to stop abusing children unless the opportunity is removed. Cardinal Krol displayed his understanding of sexual compulsion when he wrote, in the case of Fr. Leneweaver, that the priest's problem would "follow him wherever he goes." Cardinal Bevilacqua noted in the file of Fr. Connor, an admitted child molester, that the priest could present a "serious risk" if allowed to continue in ministry (which he was). Notes in the file of Fr. Peter Dunne show that Cardinal Bevilacqua also was aware that therapists recommend lifelong supervision and restricted access to children for pedophiles. (Fr. Dunne, a diagnosed pedophile, did not receive such supervision and was permitted to continue in parish ministry.)

Secretary for Clergy William Lynn displayed his understanding of child molestation when he told Fr. Thomas Shea that "the evidence of the medical profession" makes it "very unusual for such instances [of sexual abuse] to be with only one youngster." Cardinal Bevilacqua and his staff also knew from experience that most victims do not report their abuse until many years later, if at all.

B. Archdiocese leaders employed deliberate strategies to conceal known abuse.

In the face of crimes they knew were being committed by their priests, Church leaders could have reported them to police. They could have removed the child molesters from ministry, and stopped the sexual abuse of minors by Archdiocesan clerics. Instead, they consistently chose to conceal the abuse rather than to end it. They chose to protect themselves from scandal and liability rather than protect children from the priests' crimes.

For most of Cardinal Krol's tenure, concealment mainly entailed persuading victims' parents not to report the priests' crimes to police, and transferring priests to other parishes if parents demanded it or if "general scandal" seemed imminent. When Cardinal Bevilacqua took over as Archbishop in February 1988, concern over legal liability had joined fears of scandal. Dioceses across the country were grappling with the implications of a 1984 case in which a Louisiana diocese paid $4.2 million to nine victims of a pedophile priest.

Cardinal Bevilacqua was trained as an attorney. (He holds degrees in Canon law from Pontifical Gregorian University in Rome, Italy, and in American law from St. Johns' University Law School in Queens, New York.) The Grand Jurors find that, in his handling of priests' sexual abuse, Cardinal Bevilacqua was motivated by an intent to keep the record clear of evidence that would implicate him or the Archdiocese. To this end, he continued many of the practices of his predecessor, Cardinal Krol, aimed at avoiding scandal, while also introducing policies that reflected a growing awareness that dioceses and bishops might be held legally responsible for their negligent and knowing actions that abetted known abusers.

To protect themselves from negative publicity or expensive lawsuits – while keeping abusive priests active – the Cardinals and their aides hid the priests' crimes from parishioners, police, and the general public. They employed a variety of tactics to accomplish this end.

1. Archdiocese leaders conducted non-investigations designed to avoid establishing priests' guilt.

At first, Grand Jurors wondered whether Archdiocese officials, including Cardinal Bevilacqua and his aides, were tragically incompetent at rooting out sexually abusive priests and removing them from ministry. Secretary for Clergy William Lynn suggested, for example, that accusations made against Fr. Stanley Gana in 1992 – of anal rape, oral sodomy, and years of molestation of adolescent boys – "must have fallen through the cracks," since Fr. Gana remained a pastor three more years until another allegation surfaced. Soon the Jurors came to realize that sexual abuse cases in the Philadelphia Archdiocese did not fall "through the cracks" by accident or mistake.

The Secretary for Clergy, whom Cardinal Bevilacqua assigned to investigate allegations of sexual abuse by priests, routinely failed to interview even named victims, not to mention rectory staff and colleagues in a position to observe the accused priests. The only "investigation" conducted after a victim reported being abused was to ask the priest if he did what was alleged. If the accused priest, whose very crime is characterized by deceit and secretiveness, denied the allegation, Archdiocese officials considered the allegation unproven. Monsignor Lynn professed to the Grand Jury that he could not determine the credibility of accusations – no matter how detailed the victims' descriptions, or how many corroborating witnesses there might be, or how many similar accusations had been made against a priest by victims who did not know each other, or how incriminating a priest's own explanation of the events.

The reason for Msgr. Lynn's apparent lack of judgment, curiosity, or common sense in refusing to acknowledge the truth of abuse allegations became evident when Cardinal Bevilacqua testified. The Cardinal said that, when assigning and promoting priests, he disregarded anonymous or third-party reports of sexual crimes against children that were

contained in many priests' files. The Cardinal, like his Secretary for Clergy, claimed to be unable to determine whether the reports were true. He told the Grand Jury that he could not know without an investigation. And yet the staff, with his approval, never truly investigated these reports – no matter how serious, how believable, or how easily verified. This was the case even when victims were named and other priests had witnessed and reported incidents. The Cardinal conceded under questioning that allegations against a priest were generally not labeled "credible" unless the priest happened to confess.

The Grand Jury is convinced that the Archdiocese could have identified scores of child molesters in the priesthood simply by encouraging other clergy to report what they witnessed – for example, incidents in which they saw fellow priests routinely take young boys, alone, into their bedrooms. We heard from many victims that their abuse had been witnessed by other priests. Fellow priests observed Frs. Nicholas Cudemo, Craig Brugger, Richard McLoughlin, Albert Kostelnick, Francis Rogers, James Brzyski, and John Schmeer as they were abusing young victims. None of these witnesses helped the children or reported what they saw. Father Donald Walker confirmed what we came to believe – that the Archdiocese had an unwritten rule discouraging "ratting on fellow priests."

We were initially incredulous when Cardinal Bevilacqua insisted that Msgr. Lynn was very intelligent and competent. After all, the Secretary for Clergy's "investigations" did not bother with witnesses, nor did they seek the truth or falsity of allegations, unless the priest happened to confess. But after reviewing files that all contained the same "incompetent" investigation techniques, it became apparent to the Grand Jurors that Msgr. Lynn was handling the cases precisely as his boss wished.

2. The Cardinals transferred known abusers to other parishes where their reputations were not known and parents could not, therefore, protect their children.

a. The decision whether to transfer a known abuser was determined by the threat of scandal or lawsuit, not by the priest's guilt or the danger he posed.

Father Donald Walker was one of three priests in Cardinal Krol's Chancery Office charged with investigating and handling sexual abuse allegations against priests. He explained to the Grand Jury how, during his tenure, the Archdiocese's primary goal in dealing with these cases was to reduce the risk of "scandal" to the Church. The Grand Jurors saw this pattern for ourselves as we reviewed the files of priests accused of molesting minors. Whether an accused molester stayed in his position, was transferred to another parish, or was removed from ministry, the Archdiocese response bore no consistent relationship to the seriousness of his offense or the risk he posed to the children of his parish. Rather, the decision was based entirely on an assessment of the risk of scandal or, under Cardinal Bevilacqua, legal liability.

We saw this vividly illustrated in the case of Fr. John Mulholland. In 1970, Archdiocese managers had reason to believe that Fr. Mulholland was taking parish boys at Saint Anastasia in Newtown Square on vacations and engaging in sadomasochistic behaviors with them. An adviser to the church's youth group, the CYO, had warned the managers and given the names of many of the boys involved. Believing at first that Fr. Mulholland's reputation for "play[ing] around with boys" was widespread, Archdiocese officials decided he would have to be reassigned because of "scandal." Many of the parents of these boys, however, never imagined what was going on and opposed Fr.

Mulholland's transfer. When the Archdiocese officials realized that there was no hue and cry, they decided to let Fr. Mulholland stay in the parish where they had been told he was committing his abuse. The reason for the change of heart was recorded in Church documents: "the amount of scandal given seemed to lie only with a very small minority."

While Archdiocese memos recording abuse allegations often omitted the names of victims or the nature of the priests' offenses, they almost never failed to note the degree of scandal or whether the victim had told anyone else. When scandal threatened, the Archdiocese would take action. During Cardinal Krol's administration, this almost always meant a transfer to another parish and the managers' memos unabashedly recorded the motive. In Fr. Joseph Gausch's file, for example, one of his many transfers was explained this way: "because of the scandal which already has taken place and because of the possible future scandal, we will transfer him in the near future."

Cardinal Bevilacqua's decisions, like his predecessor's, were similarly dictated by an assessment of risk to the Archdiocese. In the case of Fr. Cudemo, multiple victims came forward in 1991, reporting to the Archdiocese that the priest had abused them when they were minors. One he had raped when she was 11 years old, another he had had a sexual relationship with for 14 years, beginning when she was 15. The priest's Secret Archives file contained at least three allegations previously made against the priest. As more and more victims came forward, Cardinal Bevilacqua steadfastly refused to remove Fr. Cudemo as pastor of Saint Callistus parish. Only when some of the victims threatened to sue the Archdiocese and Cardinal Bevilacqua did he finally ask the priest to leave his parish. After the lawsuit was dismissed because the statute of limitations had run, the Cardinal permitted Fr. Cudemo to resume ministering.

b. Parishioners were not told, or were misled about, the reason for the abuser's transfer.

The Archdiocese's purpose in transferring its sexually abusive priests was clear – to remove them from parishes where parents knew of their behavior and to place them among unsuspecting families. The obvious premise of this pattern was the Church officials' understanding that parents would never knowingly allow their children to serve as altar boys, or work in rectories, or be taken to the New Jersey Shore by men they knew had molested other boys. The result of the Archdiocese's purposeful action was to multiply the number of children exposed to these priests while reducing the possibility that their parents could protect them.

Cardinal Bevilacqua had a strict policy, according to his aides, that forbid informing parishioners – either those whose children had recently been exposed to a sexual offender in his old parish or the parents of potential victims in a newly assigned parish – about any problems in a priest's background. The Cardinal, in fact, encouraged that parishioners be misinformed. When Fr. Brennan was removed from an assignment in 1992 because of allegations of improper behavior with several parish boys, one parishioner remembers being told to pray for the Father because he was "being treated for Lyme Disease." Even the pastors of the new parishes, who might have supervised the abusers if aware of their history, were usually told nothing.

c. Sexual Offenders were transferred to distant parishes where their reputations would not be known.

If a priest was particularly notorious or a former victim was vigilant and vocal, the Archdiocese would transfer the priest to an especially distant parish, in hopes of escaping notice. Thus, after Fr. Leneweaver had abused boys in parishes in Philadelphia,

Delaware, and Chester Counties, Chancellor Francis Statkus lamented that "the latest incident eliminates his usefulness in his ministry in the area of Chester County," and explained that he was to be transferred next to Bucks County "because it is one of the few remaining areas where his scandalous action may not be known." A notation in Fr. Leneweaver's file stated that his reassignment would not be announced, making it unlikely that anyone could forewarn the parents in his new parish.

Cardinal Bevilacqua used a similar strategy in 1992, when considering a reassignment for Fr. Michael McCarthy. The Cardinal just months earlier had received allegations that the priest had regularly taken students from Cardinal O'Hara High School to his beach house, plied them with liquor, slept nude in the same bed with them, and masturbated the boys and himself. The Cardinal had an aide tell the accused priest that, despite the allegations against him, he could be "appointed pastor at another parish after an interval of time has passed." That new parish, according to the Cardinal's instructions, "would be distant from St. Kevin Parish so that the profile can be as low as possible and not attract the attention of the complainant."

If a priest was arrested or convicted and his crimes publicized in the news, more extreme measures were needed to return the abuser to ministry among uninformed parishioners. Thus, when Archbishop Bevilacqua was deciding where to assign Fr. Edward DePaoli after his conviction for possessing child pornography, he wrote: "for the present time it might be more advisable for [Fr. DePaoli] to return to the active ministry in another diocese." The Archbishop explained that this move would "put a sufficient period between the publicity and reinstatement in the active ministry of the Archdiocese

of Philadelphia." He arranged for Fr. DePaoli to be assigned to a parish in New Jersey for three years.

d. The Archdiocese harbored abusers transferred from other dioceses.

Cardinal Bevilacqua also reciprocated with other dioceses, as part of what an aide referred to as the "tradition of bishops helping bishops." For five years, beginning in 1988, Cardinal Bevilacqua secretly harbored a New Jersey priest, Fr. John Connor, at Saint Matthew parish in Conshohocken so that the bishop in Camden could avoid scandal there. Cardinal Bevilacqua, despite an earlier acknowledgement that Fr. Connor could present a "serious risk," did not inform Saint Matthew's pastor of the danger. In fact, he told the pastor that Fr. Connor had come to the parish from another diocese because his mother was sick and he wanted to be near her. The pastor never knew, until he read it years later in a newspaper, that Fr. Connor had been arrested in his home diocese of Camden for sexually abusing a 14-year-old. As a result of his ignorance, the pastor did not worry, as he should have, when Fr. Connor showered attention and gifts on a boy in the parish grade school.

3. Archdiocese leaders made concerted efforts to prevent reports of priest abuse to law enforcement.

The hundreds of allegations of sexual abuse by priests that the Archdiocese has received since 1967 have included serious crimes – among them, the genital fondling and anal, oral, and vaginal rape of children. Sometimes the abuse was ongoing at the time it was reported. The obvious response would have been to report such crimes to law enforcement, to allow police to investigate and to stop the perpetrators. The Archdiocese managers,

however, never reported a single instance of sexual abuse – *even when admitted by the priests* – and did everything in their power to prevent others from reporting it.

Cardinal Bevilacqua was asked repeatedly when he testified before the Grand Jury why he and his aides never reported these crimes to law enforcement. His answer was simply that Pennsylvania law did not require them to. That answer is unacceptable (as well as the result of a strained and narrow interpretation of a law specifically intended to require reporting sexual abuse of children). It reflects a willingness to allow such crimes to continue, as well as an utter indifference to the suffering of the victims. Such thinking is the reason, for example, that Fr. Leneweaver, an admitted abuser of 11- and 12-year-old boys, was able to receive a clean criminal record check and teach Latin at Radnor Middle School last year.

Not only did Church officials not report the crimes; they went even further, by persuading parents not to involve law enforcement — promising that the Archdiocese would take appropriate action itself. When the father of a 14-year-old boy reported to Cardinal Krol's Chancellor in 1982 that Fr. Trauger had molested his son and that he had told someone in the Morals Division of the Police Department (the father was himself a detective), the Chancellor succeeded in fending off prosecution. Chancellor Statkus informed the Cardinal: "Convinced of our sincere resolve to take the necessary action regarding Fr. T., [the victim's father] does not plan to press any charges, police or otherwise." (What Cardinal Krol did upon receiving this information was what he had done a year before, when Fr. Trauger had attempted to anally rape a 12-year-old boy from his previous parish: the Cardinal merely transferred the priest to another parish, where his crimes would not be known.)

Once in a while priests engaged so publicly in abusive acts that their crimes could not be concealed – such as when police in Rockville, Maryland stopped Fr. Thomas Durkin – a Philadelphia priest who was visiting the area – in the middle of the night. At the time of the police encounter, the priest was chasing a half-dressed 16-year-old boy through the streets. The teenager had run from their shared bedroom to escape Fr. Durkin's sexual advances. In that case, the Archdiocese had to rely on the local diocese to intervene to keep the police from taking action. Having successfully hidden its priest's crime and prevented the prosecution of it, the Archdiocese then permitted Fr. Durkin to continue in ministry despite his admission that he had abused other boys as well.

4. Church leaders carefully avoided actions that would incriminate themselves or the priests.

Some of the Archdiocese leaders' actions or inactions, which initially might have seemed merely callous or reckless, we soon came to realize were part of a deliberate and all-encompassing strategy to avoid revealing their knowledge of crimes. Church officials understood that knowing about the abuse, while taking steps that helped perpetuate it, made them responsible for endangering children.

Many victims, for example, told the Grand Jurors that they were treated badly by the Secretary for Clergy when they reported their abuse. After recounting their nightmarish experiences to the Archdiocese managers, the victims were surprised at the lack of outrage toward the priest or compassion toward the victim. They had wanted desperately to be believed and hoped for an apology. They expected that the Archdiocese, once informed, would make sure the offenders would never again hurt the children of their parishes. Instead, the Church official charged with assisting the victims often questioned

their credibility and motives. When victims needing reassurance that the abuse had not been their fault asked Msgr. Lynn whether their abuser had other victims, the Secretary for Clergy refused to tell them – or lied and said they were the only one. Cardinal Bevilacqua's highest aide, Vicar for Administration Edward Cullen, instructed his assistant, James Molloy (who at times displayed glimpses of compassion for victims), never to tell victims that he believed them. Doing so would have made evident the Church officials' knowledge of other criminal acts and made later denials difficult.

Archdiocese leaders even left children in dangerous situations with known abusers rather than reveal their culpable knowledge by intervening to protect a child. Thus, when Archdiocese managers learned, on two separate occasions, that parish boys were on camping trips with Frs. Francis Trauger and John Mulholland – priests they had just been told were abusers – they did nothing to interrupt the camping trips. Nor did they do anything afterwards to keep the priests away from the boys or to warn their parents.

Cardinal Krol's Assistant Chancellor, Vincent Walsh, sat silently while parents from Saint Anastasia in Newtown Square voiced support for Fr. Mulholland, asking that the Archdiocese reconsider its decision to transfer the priest to another parish. These parents vouched for Fr. Mulholland's interest in their sons: one was grateful that the priest had taken his child on vacation without asking for money from the parents, another that the priest had helped his son gain entry to a sought-after school. At the time of the meeting, Fr. Walsh knew what the parents did not: that these teens had been reported as possible victims of Fr. Mulholland's sadomasochistic behavior. The Assistant Chancellor said nothing to warn the unsuspecting parents, and Cardinal Krol left Fr. Mulholland in their parish.

In another case, when a school psychologist learned from a third party that Fr. Brzyski had sexually abused a student, he informed the Archdiocese that it was important to the boy's mental health to talk to him about the abuse. Archdiocese officials, at that time, had already received numerous reports of Fr. Brzyski's assaults on altar boys, and the priest had admitted having sexual relations with this particular victim. Still, the Archdiocese managers refused to allow the psychologist to help the boy. Rather than acknowledge the abuse they were pretending not to know about, they chose to let the boy suffer.

When Msgr. Lynn learned that a priest and a teacher at Saint Matthew's parish were concerned in 1994 because Fr. Connor was still visiting a young boy in the parish after the priest was mysteriously transferred back to Camden, the Secretary for Clergy informed the Archdiocese's lawyer, but not the boy's mother. Similarly in 2002, Msgr. Lynn, knowing Fr. Sicoli's long history of inappropriate relations with adolescent boys, left two teenage brothers living with the child molester in his rectory rather taking action that might have alerted the boys' mother to the danger.

5. Archdiocese officials tried to keep their files devoid of incriminating evidence.

Even in their internal files, Archdiocese officials tried to limit evidence of priests' crimes and their own guilty knowledge of them. Under Canon law, the Archdiocese was required to maintain special files – in "Secret Archives," kept in a locked room accessible only to the Archbishop, the Secretary for Clergy, and their aides — that recorded complaints against priests such as those involving sexual abuse of minors. Church officials could not, therefore, simply conceal priests' crimes by never recording them.

The managers did, however, record information in ways that often masked the nature of the reported abuse and the actions taken in response. Written records of allegations often left out the names of potential victims, while euphemisms obscured the actual nature of offenses. An attempted anal rape of a 12-year-old boy, for example, was recorded in Archdiocese files as "touches." The Grand Jury often could not tell from memos reporting "boundary violations" and "unnatural involvements" exactly what the Church officials had been told.

In addition, many of the communications discussing priest sexual abuse were oral. Under Cardinal Bevilacqua's policy, aides would inform him immediately when abuse allegations came into the Archdiocese, but not in writing. His initial response and instructions were not recorded.

6. Church leaders manipulated abusive priests' psychological evaluations to keep them in ministry.

a. Officials used therapy and evaluation to give false reassurances.

When confronted with allegations that they could not easily ignore, Church officials sometimes sent priests for psychological evaluations. A true determination of a priest's fitness to minister was not, however, their main purpose. Cardinal Krol's use of these evaluations for public-relations purposes was blatant. He often transferred child molesters to new parishes *before* evaluations finding them mentally fit – usually with no convincing evidence – were completed or received by the Archdiocese. We saw this in the cases of Frs. Trauger and Leneweaver.

Father Leneweaver was transferred to his last assignment even when the evaluation did not declare him fit. Cardinal Krol found the evaluation useful nonetheless, as his

Chancellor explained in a memo, so that "the faithful of West Chester," the priest's old parish, would be reassured "that the case of Father Leneweaver is being carefully studied and that he was not being reassigned routinely." On another occasion, when the mother of one of Fr. Leneweaver's victims complained that her son's molester had merely been recycled to a new parish, Chancellor Statkus wrote that he "assured her that truly Father Leneweaver was appointed in accord with medical advice, and that he [had] undergone therapy and medical attention."

b. Cardinal Bevilacqua instituted a test that falsely purported to exclude pedophiles.

By the time Cardinal Bevilacqua became Archbishop in Philadelphia, it was no longer possible to tell victims' parents that an abusive priest had been treated and was now fit for a parish assignment. The Cardinal was aware of the nature of pedophilia – that it cannot be cured, that sexual abusers of children often have hundreds of victims, that the abusers need lifelong treatment and supervision, and that they need to be kept away from children. In 1985, he had been given a copy of a report, the Doyle-Mouton-Peterson "Manual," and had discussed it with one of the authors, Fr. Thomas Doyle, who testified before the Grand Jury. The report contained several medical articles on sexual disorders, as well as legal and pastoral analyses. The authors were hoping to alert the U.S. bishops to the problems presented by pedophilia among priests and to help bishops know how to handle cases as they arose.

Cardinal Bevilacqua, however, used this knowledge about pedophilia not to protect children, but to shield the Archdiocese from liability. Central to his scheme was a policy designed to sound tough: Based on what was known about sexual abusers, he would not give an assignment to any priest who was diagnosed as a pedophile (someone with an

enduring sexual attraction to prepubescent children) or an ephebophile (someone with an enduring sexual attraction to adolescents). But then he and his aides made a mockery of evaluation and therapy to avoid reaching these diagnoses. In the absence of a formal designation of pedophilia or ephobophilia, Archdiocese officials perverted logic to reach the converse of the Cardinal's "rule" – if a priest was not diagnosed a pedophile, he *would* be given an assignment. Never mind the Church leaders' full knowledge that the priest had abused children.

In fact, a failure to diagnose a priest as a pedophile is not the same thing as determining that he is *not* a pedophile. We repeatedly saw situations where treatment facilities found evidence to suggest pedophilia, but did not have sufficient information to make a conclusive diagnosis. This was especially problematic when the "treatment facility" did not use up-to-date tests and technology in making its diagnoses, and instead relied primarily on self-reports of the priests. The Archdiocese-owned Saint John Vianney Hospital was such a facility. In other words, to determine if a priest was a pedophile, the "treatment" facility often simply asked the priest. Not surprisingly, the priest often said no.

In addition, Church-affiliated centers would often fail to diagnose priests as pedophiles if they claimed to be acting under the influence of drugs or alcohol, or had sex with adults. According to one of Fr. Gana's victims, who had been forced to have oral and anal sex with the priest beginning when he was 13 years old, Secretary for Clergy Lynn asked him to understand that the Archdiocese would have taken steps to remove Fr. Gana from the priesthood had he been diagnosed as a pedophile. But Fr. Gana was not only having sex with children and teenage minors, Msgr. Lynn explained; he had also slept with women, abused alcohol, and stolen money from parish churches. That is why he remained,

with Cardinal Bevilacqua's blessing, a priest in active ministry. "You see . . ." said Msgr. Lynn, "he's not a pure pedophile."

As a result of these policies, as the Cardinal himself acknowledged, "it was very rare that a priest would diagnose as such [a pedophile]." And yet, the Philadelphia-area priesthood harbored numerous serial child molesters. The Cardinal's litmus test was, on its face, grossly inadequate to protect children. It did, however, serve the Cardinal's purpose. He was able to say that he had a policy of not assigning pedophiles to the ministry.

c. Church officials interfered with evaluations.

Cardinal Bevilacqua's policy afforded easy opportunities for Archdiocese managers to manipulate treatment and diagnoses to keep abusive priests in the ministry. Secretary for Clergy Lynn often failed to provide incriminating information to therapists about priests he sent for evaluation. No Church-affiliated therapists spoke to victims or witnesses. The Cardinal allowed priests to shop for diagnoses, granting requests for second opinions when the priest was dissatisfied with the first.

The Grand Jurors find it significant that, according to the records we reviewed, the Archdiocese stopped using Saint Luke Institute in Suitland, Maryland, a facility it had used often in the past that does use up-to-date evaluation tools. The relationship with Saint Luke ended in 1993 after it diagnosed Fr. McCarthy as an ephebophile. (The priest had admitted to therapists that he was sexually attracted to adolescent males.) Thereafter, Church officials began referring sexual offenders almost exclusively to the Archdiocese's own Saint John Vianney Hospital for evaluation – a facility under Cardinal Bevilacqua's purview and supervision and more attuned to his priorities.

d. The Cardinal attempted to evade personal liability for retaining abusers by claiming to rely on therapists' recommendations.

When asked by the Grand Jury why he placed obviously dangerous men in positions where they could abuse children, Cardinal Bevilacqua repeatedly testified that he relied on the advice of therapists. Those therapists, however, more often than not worked for him. That they understood their role as protecting the Archdiocese from legal liability was evident in many of the files we reviewed.

The therapists at Saint John Vianney, for example, warned in their "psychological evaluation" that returning Fr. John Gillespie to his parish, where he had abused two current parishioners, could present a risk. The risk, however, was not that the priest might further harm the victims – it was that he might apologize to them. Archdiocesan therapists warned: "If he pursues making amends with others, he could bring forth . . . legal jeopardy." In a similar vein, Msgr. Lynn asked the therapists "evaluating" Fr. Brennan at Saint John Vianney: "Should Father remain in his present assignment since there seems to be much gossip throughout the parish about his behavior?"

Even when therapists did recommend meaningful action, moreover, the Cardinal did not always follow their advice – especially when it conflicted with that of the Archdiocese's lawyers. We saw this in the case of Fr. Dunne (one of the few diagnosed pedophiles), who remained in ministry for seven and a half years after the Archdiocese learned he had abused several boys. Cardinal Bevilacqua first had Chancellor Samuel Shoemaker pressure a Saint John Vianney therapist to make an "accommodation" in the hospital's initial recommendations that Fr. Dunne be removed from parish ministry and that

he be supervised 24 hours a day. The therapist "accommodated" by reversing himself on both recommendations.

The Cardinal also had the priest sent for a second opinion when the first therapist diagnosed him as a pedophile. When the threat of a lawsuit finally forced Cardinal Bevilacqua to remove Fr. Dunne from ministry, therapists once again advised the Cardinal that the priest should be carefully supervised. Instead, Cardinal Bevilacqua chose to follow the advice of the Archdiocese lawyer who counseled that "for civil law liability" reasons, the Archdiocese should not try to supervise the abuser, but should "take every step we can to distance self."

7. Church leaders invented "Limited Ministry," which they documented in Archdiocese files but did not enforce.

Another feature of the Bevilacqua administration's handling of priest sexual abuse was a practice known as "limited ministry." Like the "no pedophile" policy, limited ministry was designed to make it look as though the Archdiocese was trying to protect children. Once again, we find that the true purpose was to protect the Archdiocese – from criticism that it was simply transferring abusive priests from parish to parish as Cardinal Krol had done and, more importantly, from legal liability. We also find that the practical effect of knowingly creating a false safeguard was to endanger more Philadelphia-area children.

Limited ministry was designed to allow priests who had sexually abused children, but were "not diagnosed as pedophiles," to continue in ministry. Most often such priests were officially assigned to nursing homes, hospitals, or convents. In practice, however,

their official assignments were rarely full-time, and the priests had freedom to help out in parishes all over the Archdiocese. The supposed limitations on their ministry – in many cases not enforced – were never publicized, so unwitting pastors eager for help welcomed the priests and let them have unrestricted access to parish children.

In Fr. Gana's case, for example, the Archdiocese made a point of documenting in its files that he was only permitted to minister at his official assignment – as chaplain of a monastery. In practice, Msgr. Lynn granted him permission to fill in and celebrate Mass anywhere in the Archdiocese. The only restriction was that he should not minister in his old parishes in Northeast Philadelphia where he had abused boys – and where his former victims might see him. Even this slight limit on his ministry was not enforced. Father Gana was soon seen celebrating Mass in his old parish.

Cardinal Bevilacqua took other actions that were designed to give the appearance of imposing limits on priests and acting responsibly to protect parishioners, but which he knew would leave children in danger. Thus, when his Vicar for Catholic Education, Msgr. David Walls, was accused of and admitted to sexually abusing minors in 1988, Cardinal Bevilacqua asked him to resign his high-profile job. The Cardinal explained his decision this way:

> Among the more immediate reasons was the fear that the parents of recent victims were not likely to take action of a legal nature as long as the Archdiocese has acted strongly. Since he would not be away on an inpatient basis and if he is restored to his previous position as Vicar, it would appear that the Archdiocese had not considered this a serious matter and had taken no reasonable action. This perception of inaction could very well trigger the parents to resort to some kind of further procedure through court action.

After making this show of concern in order to fend off legal action, Cardinal

Bevilacqua allowed Msgr. Walls to remain unmonitored in a parish residence in Bryn Mawr – with no formal assignment, few obligations, and limitless unsupervised time in which to procure new victims. For 14 years after learning of the priest's admitted sexual offenses against minors, Cardinal Bevilacqua permitted him to live in the parish rectory, to celebrate Mass with altar boys, to hear confessions, and to counsel parishioners and others through Catholic Human Services.

8. Archdiocese officials used investigation and intimidation to fend off lawsuits and silence victims and witnesses.

The treatment of victims who reported abuse to the Archdiocese offered yet more evidence of the Cardinals' preoccupations and priorities. Secretary for Clergy Lynn, often taking direction from the Archdiocese's attorneys, treated victims as potential plaintiffs. Not only did they not receive apologies acknowledging their abuse, but many were bullied, intimidated, lied to, even investigated themselves.

The victim of Fr. Gana's, who was barred from Saint Charles Borromeo Seminary and forced to seek ordination outside the diocese after accusing his abuser, is one example of a victim subjected to investigation and intimidation. Proving that their "investigations" of accused priests were purposefully incompetent, Archdiocese leaders conducted an extremely thorough probe of Fr. Gana's victim. They aggressively scrutinized second- and third-hand reports (the kind Cardinal Bevilacqua found unworthy of further investigation when leveled against priests accused of serious sexual abuse of children) of homosexual contact (possibly hugging and kissing) between the victim and a fellow seminarian. Monsignors Lynn and Molloy spent several weeks interviewing students,

teachers, and administrators at the seminary. Despite this investigation, they could not substantiate the rumors. They succeeded, however, in humiliating and silencing the victim. Cardinal Bevilacqua, who had complete power over the seminarian's future in the priesthood, punished the victim by refusing to allow him to become a priest in the Archdiocese.

In another case, an investigator hired by the Archdiocese's law firm accused a victim of Fr. Furmanski's of being motivated by money. He suggested to the victim's wife that if her husband persisted with his allegation, the wife's employer would find out about a criminal conviction in the victim's past. The investigator told her it could affect her employment.

Monsignor Lynn's questioning of victims often seemed more like crossexamination than a compassionate, or even dispassionate, interview. With coaching from the Archdiocese's legal counsel (recorded in a memo of a conversation between Msgr. Lynn and the attorney), the Secretary for Clergy questioned and re-questioned one of Fr. Schmeer's victims in accordance with the lawyer's instructions to "get details – even unimportant." (The investigator hired by the Archdiocese's law firm also investigated this victim, collecting records of taxes, relatives, and two divorces.) Monsignor Lynn asked a victim of Fr. Gausch's whether it was possible he had "misinterpreted" the priest's actions of putting his hands on the then-12-year-old boy's penis. The Secretary for Clergy asked this, knowing that Fr. Gausch had a thick Secret Archives file of prior allegations of abuse dating back to 1948, which included letters he had written about boys whom he was sexually abusing or desired.

When Msgr. Lynn met with Fr. Gausch in 1994, he assured the priest that "the

Archdiocese supported him and that he would investigate a little more the background of [the victim]." Probing victims and their families was a common practice. Records show Msgr. Lynn, as late as the summer of 2004, suggesting that some of Fr. Schmeer's victims be investigated.

The Secretary for Clergy also suggested possible defenses – even to admitted child molesters – that might embarrass or discourage a victim from pressing an allegation. Interviewing Fr. Thomas Shea, who had previously confessed to sexually abusing at least two boys, Msgr. Lynn suggested that perhaps the priest "was seduced into it" by his 5th- or 6th-grade altar boy victim.

Victims were not the only ones bullied by Archdiocese leaders intent on suppressing the truth. Witnesses were, too. A nun in Saint Gabriel, Sister Joan Scary, expressed concerns about the safety of children in her parish who were exposed to a priest convicted of possessing child pornography. After she tried to pressure the Archdiocese officials to act and began talking to parents, she was fired as director of religious education.

9. The Cardinals shielded themselves from direct contact with victims.

We are aware of no case in which Cardinal Krol met with an abuse victim or his or her family. Cardinal Bevilacqua also shielded himself from contact with victims. He was the head of the Philadelphia Archdiocese 14 years before he would meet with a victim, and even then it was a non-Archdiocesan victim (who could not, therefore, sue him), whom he met during a meeting of the United States Conference of Catholic Bishops in 2002.

One of Fr. Gana's victims asked to meet with Cardinal Bevilacqua in 1995. He requested the meeting because he found it inconceivable that the man who anally and orally sodomized him when he was 14 years old would still be a priest if the Cardinal had been informed. Monsignor Lynn's suggestion that such a meeting might be possible was flatly rejected by the Cardinal, who had another aide inform the Secretary for Clergy that it "would be setting a precedent, i.e. for the Cardinal to meet with such individuals. His Eminence [the Cardinal] cautioned about such a recommendation and noted that there must be other means of letting [the victim] know that his Eminence was informed, other than for his Eminence to meet with him personally."

10. Even in 2002, Cardinal Bevilacqua continued to mislead the public and give false assurances.

Cardinal Bevilacqua continued to try to hide all he knew about sexual abuse committed by his priests even in 2002, after the scandal in Boston drew attention to the problem nationally. He had his spokeswoman tell the Philadelphia media in February 2002 that there have been only 35 priests in the Archdiocese credibly accused of abuse over the last 50 years – when in fact the Archdiocese knew there were many more. (We were able to substantiate allegations against at least **63** abusers, and reviewed many more reports that on their face seemed credible, but could not be fully verified after so many years). The Cardinal misled the public when he announced in April 2002 that no Philadelphia priest with accusations against him was still active in ministry – when in fact several still were. He certainly was not credible when he claimed before this Grand Jury that

protecting children was his highest priority – when in fact his only priority was to cover up sexual abuse against children.

Before the Grand Jury, Cardinal Bevilacqua continued to mislead about his knowledge of and participation in the cover-up.

In his testimony before the Grand Jury, Cardinal Bevilacqua was still attempting to evade responsibility for placing known sexual offenders in parishes where they had easy access to hundreds of children brought up to honor, trust, and obey priests. He often suggested that he might not have known all the facts and that he delegated the handling of these matters to his Secretary for Clergy. He repeatedly claimed to have no memory of incidents and priests that we will never forget.

He repeatedly was not forthright with the Grand Jury. For example, in the cases of Fr. Connor and Msgr. Walls, documents clearly established that Cardinal Bevilacqua knew that the priests had admitted abusing minors. They also established that he alone was responsible for subsequently placing or leaving the priests in parishes where they would present a severe danger to children. In both cases, when there was no plausible deniability, Cardinal Bevilacqua took the unsatisfying position that he did not know that the victims of the priests were minors. He declined to reconsider this claim even when confronted with a memo he had written about his concern that the *parents* of Msgr. Walls' victims might sue the Archdiocese – thus obviously indicating knowledge that the victims themselves were not adults.

C. The Archdiocese's strategies for handling abuse cases multiplied the number of victims and increased the harm done to them.

In concealing the crimes of sexually abusive priests while keeping them in ministry, the Cardinal and his aides did not merely fail to protect children from terrible danger. They greatly increased the danger and the harm to Archdiocese children. When Cardinals Krol and Bevilacqua promoted and celebrated known abusers – rapists and molesters of children – and left them in positions as pastors, parish priests, and teachers, they in effect vouched for their holiness and trustworthiness and encouraged parents to entrust their children to them. When Church leaders hid allegations against priest child molesters and deliberately placed them in parishes where unsuspecting families were kept in the dark, they minimized parents' ability to protect their children. When they transferred the priests to new parishes to avoid scandal, they greatly increased the numbers of potential victims.

When they withheld from parents knowledge of their child's abuse, they sentenced that child to years of lonely suffering. By not reporting the crimes to law enforcement, they frustrated safeguards designed to protect children in society at large.

What makes these actions all the worse, the Grand Jurors believe, is that the abuses that Cardinal Bevilacqua and his aides allowed children to suffer – the molestations, the rapes, the lifelong shame and despair – did not result from failures or lapses, except of the moral variety. They were made possible by purposeful decisions, carefully implemented policies, and calculated indifference.

D. Dioceses throughout the United States employed the same strategies to conceal their priests' crimes and keep abusers in ministry.

As further evidence that Church leaders' practices reflected deliberate policies, the Grand Jury learned that the methods used to keep known child molesters in parishes, schools, and other assignments were not unique to the Archdiocese of Philadelphia. We reviewed newspaper articles from dioceses around the country describing procedures so identical to those employed in Philadelphia that the similarities could not be coincidental. The actions that endangered and harmed innumerable children in the Philadelphia Archdiocese were not solely the result of morally bankrupt local Church officials. They were part of a national phenomenon. Church leaders in many different dioceses somehow reached the same conclusion – that it was in their interest to leave priests in positions where they could continue to sexually assault the Church's young rather than take steps necessary to stop the abuses.

News articles from across the nation reproduced in Appendix F describe the same non-investigations of abuse reports coupled with claims that the allegations were not substantiated, the same refusal to report to police even admitted rapes and other molestations, the same misuse of Church-related treatment facilities to launder sexual offenders and place them back in parishes, the same practice of transferring abusive priests to new parishes where parents would be unaware of the danger, the same policy of not informing families about known child molesters in their parishes, the same false claims that the ministries of admitted abusers were "restricted," and the same lack of effort to enforce those supposed restrictions.

We read about Church leaders who transferred accused child molesters out of state, or even allowed them to leave the country, after victims reported their crimes to police and arrests were imminent. We read about retaliation by the Church hierarchy against

employees who reported priests' sexual crimes. We learned that it was common for dioceses to ignore treatment facilities' warnings and recommendations, even as bishops used psychological evaluations to justify returning abusers to parishes. We learned of other bishops who falsely assured their dioceses that priests were not ministering – when in fact they were. A 2002 survey by *The Dallas Morning News* found that 111 American bishops, including all eight cardinals who led U.S. dioceses, had kept "priests on the job after admissions of wrongdoing, diagnoses of sexual disorders, legal settlements, even criminal convictions."

It surely was not a coincidence either that, in the first four months of 2002, when these common strategies were first exposed in Boston, more than 170 priests – implicated in sexual abuse and knowingly retained in active ministries – were finally removed from their assignments around the country.

Among the news reports included in Appendix F:

- In California, a bishop reprimanded a priest for writing a letter of apology to an 11-year-old girl he had molested. After a transfer to a rural parish and a promotion to pastor, the priest was accused of abusing three victims at his new assignment, including a 3-year-old girl. The diocese's lawyer sought to deflect responsibility from Church leaders, stating that a psychiatric evaluation of the priest, who admitted abusing 25 children, did not "render any diagnosis of pedophilia."

- In Connecticut, Church officials and other priests ignored obvious signs of sexual involvement with children – such as a priest's habit of having boys spend the weekend with him in his bed in the rectory. A bishop testified that "allegations are allegations," yet made no effort to substantiate them. Abuse reports were typically considered credible only if the priest confessed.

- In Massachusetts, the Boston Archdiocese accused a priest's young victims of being negligent for allowing their own abuse.

- A psychiatric hospital with a long history of treating sexually abusive priests from around the country accused the Church of deceiving therapists into providing reports that were then used to keep abusive priests in ministry. The hospital's chief of psychiatry charged that pertinent information relating to a priest's prior sexual misconduct was sometimes withheld and that therapists' warnings were disregarded.
- In New Hampshire, Church officials insisted that a priest continue ministering and working with children, even after he admitted sexual misconduct and asked for help. A teenage boy described a road trip with the priest and three other boys as a "rape fest." A grand jury found that decisions to reassign offending priests "were always made at the top," by the bishop.
- In a California diocese, Church officials shuffled abusers from parish to parish and diocese to diocese. They welcomed a convicted child abuser from out of state, knowing that he faced another allegation. When he was accused again, they sent him to a New Mexico rehabilitation center with a notation: "No one else will take you." The diocese dumped one of its own serial molesters in Tijuana.

The news articles sampled in Appendix F show that Church leaders have employed well-orchestrated strategies for decades and in all parts of the country to keep sexual offenders in ministry while minimizing the risk of scandal or legal liability. The laws of our states apparently have fostered a climate in which the Church has found it more advantageous to allow the perpetuation of priests' crimes than to end them. Only because some states have now permitted lawsuits to proceed in cases where crimes had been successfully concealed for years has the Church begun removing sexual abusers it had known about for years.

Section IV

Legal Analysis and Recommendations

A. Legal Analysis

1. *Prosecution of Individual Priests*

But for the windfall provided by Pennsylvania's statutes of limitation for serious sexual offenses, the priests who sexually and psychologically abused Archdiocesan children could be prosecuted for the following serious crimes: **rape, statutory sexual assault, involuntary deviate sexual intercourse, indecent assault, endangering welfare of children, corruption of minors**.

Unfortunately, the law currently stands in the way of justice for the victims of childhood sexual abuse. Although we have a wealth of evidence against many of the abusers – including their own admissions (and, in many cases, the Archdiocesan Review Board's own determination that the charges against the priest are "credible") – we cannot indict any priest who abused a child for any of the crimes of which we are currently aware, because the relevant statutes of limitation have expired for every single act of abuse known to us.[1] Offending priests are, therefore, immune from prosecution for all

[1] The sole exception is Fr. James Behan, who, by leaving Philadelphia shortly after molesting his victim and residing elsewhere ever since, triggered a tolling provision of the statute of limitations that permitted his prosecution.

the crimes detailed in this report – all the anal, oral and vaginal rapes, all the fondlings, all the caressings, and all the unwanted and inappropriate touchings and undressings they perpetrated upon Archdiocesan children. Nothing changes this result – not the severity of the sexual assault, the degree of force or psychological coercion, or the age of the victim at the time of the abuse. Under present Pennsylvania law, the single, dispositive fact is the date of the final act of abuse, and we do not know of any act of priest child sexual abuse recent enough to permit prosecution in the Commonwealth under the current statutes of limitation.

Pennsylvania's statutes of limitation for sexual crimes have been revised numerous times since 1982. The most recent amendment, as of 2002, requires child sexual abuse cases to be initiated by the date of the child victim's 30th birthday. The experts have told us that this statute is still too short. We ourselves have seen that many victims do not come forward until deep into their thirties, forties and even later. Moreover, even the 2002 amendment cannot be applied to the cases we have seen, because changes that lengthen a limitations period cannot be used to revive criminal prosecutions that were already barred under the original deadline – as the United States Supreme Court has recently made clear. *See Stogner v. California*, 539 U.S. 607 (2003).

Thus, in order to determine whether prosecutable cases existed, it was necessary to begin by examining the law as it stood when particular incidents of abuse were occurring. This turned out to be a complicated process. Our review showed that, until July 11, 1982, the statute of limitations barred any prosecution not commenced within two years of the

date of the crime for all sexual crimes other than involuntary deviate sexual intercourse, which had a five-year statute of limitations. Beginning on July 12, 1982, rape and incest became five-year statute of limitations crimes. Then, from September 8, 1985, through February 17, 1991, an amendment to the statute provided the statute was tolled (did not run) prior to the child's eighteenth birthday for crimes involving injury to the child caused by a "person responsible for the child's welfare." From February 18, 1991, through May 29, 1995, the statute of limitations barred any prosecution not commenced within five years of the child victim's eighteenth birthday for involuntary deviate sexual intercourse, incest, and rape, and within two years for statutory rape, aggravated indecent assault, indecent assault, indecent exposure, endangering welfare of children, corruption of minors, and sexual abuse of children. From May 30, 1995, through August 26, 2002, the statute of limitations became five years for the crimes of statutory rape, sexual assault, and aggravated indecent assault. From August 27, 2002, through the present, the statute of limitations bars any prosecution not commenced within twelve years after the child victim's eighteenth birthday for involuntary deviate sexual intercourse, rape, statutory sexual assault, sexual assault, aggravated indecent assault, incest, and sexual abuse of children. For all other sexual crimes, the limitations period is two years after the child victim's eighteenth birthday. As mentioned, none of these numerous extensions of the statute of limitations can be applied retroactively to crimes that were already immunized from prosecution; we are stuck with the statutes of limitations that were in effect at the time of the abuse. As a result:

1) No priest can be prosecuted for sexually abusing a child prior to July 12, 1982. Assuming a July 11, 1982 act of involuntary deviate sexual intercourse (the offense with

the longest statute of limitation at the time), prosecution would have had to commence by July 10, 1987. Because no reports had been made to law enforcement by that date, the statute of limitation operates as an absolute bar to prosecution for any such offense.

2) No priest can be prosecuted for sexually abusing a child prior to September 7, 1985. As reflected elsewhere in this Report, we have heard evidence of numerous instances of abuse before that date. Assuming a September 6, 1985 crime with a fiveyear statute of limitations, prosecution would have had to be commenced by September 5, 1990. Because the abuse was still successfully hidden at that point, the statute of limitation operates as an absolute bar to prosecution.

3) No priest can currently be prosecuted for sexually abusing a child prior to February 17, 1991, based on the evidence now before us, although such a prosecution is not impossible. The amended version of the statute of limitations that became effective on September 8, 1985 tolls (stops the running of) the statute at all times prior to the child victim's eighteenth birthday where the abuse involves injury to the child and is inflicted by "a person responsible for the child's welfare." Therefore, if, for example, a sevenyear-old had been the victim of rape by a priest before February 17, 1991, the statute of limitations would not bar that prosecution, provided that the court found that the priest was a "person responsible for the child's welfare" under the statute and that the crime "involved injury to the person of the child." The seven-year-old would not have turned 18 until 2002 and so the five-year statute of limitations would allow the commencement of prosecution until 2007.

By contrast, if a priest had subjected a thirteen-year-old victim to the same crime in 1991, prosecution would be barred by the statute of limitations. Even assuming the priest

were found to be responsible for child's welfare and the crime were found to have caused injury to the person of the child, the statute of limitations would have begun to run in 1996 when the child turned 18 and the five-year statute would have run fully in 2001.

4) Similarly, no priest can currently be prosecuted for sexually abusing a child prior to May 29, 1995, based on the evidence now before us, although such a prosecution is not impossible. The amended version of the statute of limitations that became effective on February 18, 1991 tolls the statute at all times prior to the child victim's eighteenth birthday regardless of the abuser. It is quite likely, in our view, that children were sexually abused during that time period. The tolling provision in effect at that point would have prevented the statute of limitations from running at any time prior to the child victim's eighteenth birthday, and could therefore permit a timely prosecution. For example, if someone who is twenty-three years old today was abused in May 1995, the perpetrator could be prosecuted. However, we currently know of no victim who fits those criteria. Ironically, the more recent the abuse, the less likely it is that the child victim would be ready to report the crime.

5) The same rules apply to the prosecution of priests who sexually abused children prior to August 26, 2002.

6) Finally, prosecution of a priest who abused a child after August 27, 2002 could also go forward. But we have no evidence from any such recent victim at this time.

Undoubtedly, this analysis must seem capricious and hypertechnical to the average citizen; that is exactly how it seemed to us. And that is why we have concluded that the prosecution of clergy sexual abuse is being stymied by arbitrary and mechanical

procedural rules, not by any overriding principle of justice or fairness. Recent efforts by our legislature to extend the statute of limitations are commendable. But in the end, as we formally recommend later in this section, there should be no statute of limitations for childhood sexual abuse. The law must be changed.

2. *Prosecution of Archdiocesan Officials*

Existing law in Pennsylvania is equally inadequate to permit us to charge the leaders of the Archdiocese. We have already reviewed the extensive evidence that Archdiocese officials behaved disgracefully in response to the crisis of priest sexual abuse of children. Cardinal Bevilacqua, Cardinal Krol, and their top aides all abdicated their duty to protect children. They concealed priests' sexual abuses instead of exposing them. We considered three categories of possible crimes arising from these actions. Unfortunately, none provide prosecutable offenses against the Archdiocese officials.

Conspiracy/Accomplice Liability for Sexual Abuse of Children

There is no doubt that the Cardinals and their top aides knew that Philadelphia priests were sexually abusing children. There is no doubt that these officials engaged in a continuous, concerted campaign of cover-up over the priests' sexual offenses. To establish conspiracy or accomplice liability for those crimes, however, the law requires more than knowledge or concealment. A conspirator or accomplice must have the specific intent required for the underlying offense. That is, a conspirator or accomplice to a crime like rape, for example, must share the goal that a rape occur, even if he does not participate in the physical act.

While the actions of the Archdiocese leaders clearly facilitated rapes and other sexual offenses, and ensured that more would occur, the evidence before us did not demonstrate that the leaders acted with the specific goal of causing additional sexual violations. Instead their goal was to protect against "scandal" at any cost, without the slightest concern for the consequences to children. Let us caution: we do not mean to imply here that the motives of the Archdiocese officials were less blameworthy than those of abusive priests. Indeed, judged on a moral scale, the opposite conclusion might be reached; and we trust that someday there will be such judgment. Under Pennsylvania law, however, the actions of the Cardinals and their aides do not expose them to conspiracy or accomplice liability for the sexual assaults committed by individual priests.

Direct Liability for Endangering Welfare of Children

Even if the Archdiocese leaders did not display a specific intent to cause sexual assaults, they clearly knew that their actions were endangering children. That conduct in itself potentially gave rise to criminal liability for a number of offenses. Ultimately, however, we concluded that weaknesses in the law – especially the statute of limitations – preclude prosecution on this basis.

> In the common sense of the term, the actions of the church hierarchy clearly constituted endangerment of the welfare of children. The Archdiocese officials permitted abusive priests to maintain their special access to young victims, and even arranged new venues for the abusers when the heat became too much in their old parishes. As defined under the law, however, the offense of endangering welfare of children is too narrow to support a successful prosecution of the decision-makers who were running the Archdiocese. The statute confines its coverage to parents, guardians, or other persons "supervising the welfare of a child." High-level Archdiocese officials, however, were far removed from any direct contact with children. Perhaps that remove made it easier for the officials to remain so apathetic about the sexual assaults that resulted from their actions. But it should not insulate them from criminal liability. We make appropriate recommendations to close this legal ambiguity in Part B. of this section.

> We also looked at related charges. Recklessly endangering another person makes it a crime to engage in reckless conduct that places the victim in danger of death or "serious bodily injury." Plainly, the Archdiocese officials recklessly placed children in danger of sexual abuse. As defined by statute, however, the "serious bodily injury" required for this offense is legally distinct from sexual abuse.

The crime of corruption of minors punishes those who by any act corrupt or tend to corrupt the morals of a minor. This offense, however, presents the same attenuation problem arising with endangering welfare of children. The Cardinals and high aides in their quiet corridors of power were quite distant from the boys and girls affected by the cover-up. The offense of corruption of minors does not readily reach such indirect conduct, however foreseeable its impact.

In any case, there is a more immediate impediment to charges based on crimes in this category: the statute of limitations. The available statute for these offenses is even shorter than that for the sex crimes addressed earlier. Because of the success of the cover-up, and because of the reluctance of more recent victims to come forward yet, the conduct we know about is too old to support a prosecution for endangering/corrupting offenses.

Crimes Against the Administration of Justice

The handling of priest sexual abuse by Archdiocese officials was designed to do more than hide the abuse from parishioners: the hope was to hide it from police as well. The sexual assaults clearly constituted crimes; at least one priest employed by the diocese had been prosecuted; and surely the Church did not want law enforcement officers carting dozens more away. Accordingly, we considered the class of offenses involving obstruction of justice. Unfortunately, we again found that legal definitions and statute of limitations problems would prevent prosecution.

The crime of obstructing administration of law requires that the obstruction constitute force, violence, physical interference, breach of official duty, or other unlawful act. Here we did not have evidence of actual force or violence or similar unlawful acts, and the "breach of official duty" provision applies only to public officials, not private parties such as the church leaders.

We also considered the crime of hindering apprehension or prosecution. This offense, however, primarily applies to harboring or concealing a fugitive for whom the police are looking. Because sexual assaults by priests almost never came to the attention of law enforcement, there was no occasion for such hindering.

The story is similar for the crime of tampering with or fabricating physical evidence. Tampering requires the belief that an official proceeding or investigation is pending or about to be instituted. Archdiocese officials knew, however, that reports of priest sexual abuse had been contained, and that there were no official proceedings to tamper with.

Another related offense is intimidation of witnesses or victims. Certainly Archdiocese leaders did not want witnesses or victims to complain to law enforcement authorities. Generally, however, church officials were able to employ more indirect means of achieving this goal. Even without actual intimidation, abusive priests were almost never reported to police – because they were spirited away when suspicions arose, because they enjoyed a special status as emissaries of God, and because their victims in any case were young and scared.

Thus Archdiocese officials typically did not have to commit obstruction offenses in order to effect a cover-up – but even if they had, they would have been protected, as with

other possible crimes, by the passage of time. The statute of limitations for these offenses during the 1990's and before was only two years. By the time the true scope of the scandal came to light, the church leaders were already immune.

There is one final offense in this category that calls for special comment – the failure to make a mandatory child abuse report under the Child Protective Services Law. The law requires reporting from anyone who, in the course of employment, comes into contact with children who have been abused. Archdiocese officials took the position that they were not bound by this requirement, even when they heard about abuse, because they themselves were not "in contact" with the children. The law should not allow such a troubling evasion of the reporting requirement. Nor is the current statute of limitations adequate for this important provision. We propose fixes below.

3. *Prosecution of the Archdiocese – an "Unincorporated Association"*

Even though individual officials escape prosecution, we also considered whether the Archdiocese itself could be prosecuted. After all, the policy of protecting abusive priests over abused children transcended the tenure of any particular official. While a committed leader could certainly have changed that culture, we felt that the Archdiocese as a whole should be held responsible for the decades of sexual abuse.

Unfortunately, that too proved impossible under the law. The Philadelphia Archdiocese has organized itself as a legal entity in a way that leaves Pennsylvania law incapable of holding the Archdiocese criminally accountable. Although the Archdiocese of Philadelphia functions in a corporate fashion, it is technically an "unincorporated

association," and therefore is treated more favorably under Pennsylvania criminal law than a corporation.

Corporations can be prosecuted if a crime was authorized, requested, commanded, performed or recklessly tolerated by the board of directors or by a high manager. Unincorporated associations, on the other hand, can be prosecuted only in very limited circumstances not applicable here – for instance, where a specific criminal offense expressly provides for the association's liability. The Archdiocese would be subject to prosecution under the corporate standard, because it clearly tolerated sexual assaults and consciously disregarded a substantial, unjustifiable and unreasonable risk that additional abuse would occur. But it avoids prosecution under the unincorporated standard, because none of the relevant offenses expressly addresses liability for mere associations.

Under the vagaries of current Pennsylvania law, therefore, this final theory of prosecution is also unavailable.

B. Recommendations of the Grand Jury

1. *Abolish the Statute of Limitations for Sexual Offenses Against Children.*

We recommend that the statute of limitations be eliminated for the following crimes committed against children: 1) Rape, 18 Pa. C.S.A. § 3121; 2) Statutory Sexual Assault, 18 Pa. C.S.A. § 3122; 3) Involuntary Deviate Sexual Intercourse, 18 Pa. C.S.A. § 3123; 4) Sexual Assault, 18 Pa. C.S.A. § 3124.1; 5) Aggravated Indecent Assault, 18 Pa.

C.S.A. § 3125; 6) Indecent Assault, 18 Pa. C.S.A. § 3126 (where the offense constitutes a course of conduct); 7) Sexual Exploitation of Children, 18 Pa. C.S.A. § 6320; 8) Endangering Welfare of Children, 18 Pa. C.S.A. § 4304; and 9) Corruption of Minors, 18 Pa. C.S.A. § 6301. Endangering Welfare of Children and Corruption of Minors also punish non-sexual conduct. We would eliminate the statute of limitations for these crimes only as they relate to the sexual abuse of children or exposure of children to potential sexual abuse.

Powerful psychological forces often prevent child sexual abuse victims from reporting the abuse until well into adulthood, if at all. Many victims feel that their abuse is their fault; many feel that they should not get their abusers into trouble; many are ashamed of their abuse; and many simply repress for decades any memories of the abuse. The harm that sexual abusers inflict on their child victims distinguishes crimes of sexual abuse of children from other crimes for which it is fair to impose a statute of limitations.

To maintain a statute of limitations for crimes involving the sexual abuse of children would be to reward abusers who choose children, the most defenseless victims. Because the harm inflicted by child sexual abuse is so deep and child victims are so vulnerable, the existence of any statute of limitations, however long, virtually ensures that some crimes will not be timely reported and too many abusers will never have to pay for their crimes. It is time to stop giving a pass to child abusers who count on the statute of limitations and the fears and immaturity of their victims to avoid criminal liability. No constitutional provision or other law would prevent Pennsylvania from eliminating the statute of limitations for sexual crimes committed against children. Pennsylvania has no statute of limitations for other serious crimes: murder, voluntary manslaughter, conspiracy to commit murder or solicitation to commit murder if a murder

results from the conspiracy or solicitation, any felony perpetrated in connection with a murder of the first or second degree, and fatal vehicular accidents where the accused is the driver. There is no reason the Legislature could not determine that any or all crimes of child sexual abuse are serious enough to merit the elimination of the statute of limitations.

Moreover, several other states have statutes of limitations that allow child sexual abuse prosecutions regardless of when the abuse occurred. Some states, such as South Carolina and Wyoming, do not have criminal statutes of limitations at all. Some states, such as Kentucky and West Virginia, have no statute of limitations for felony offenses. Some states have specifically enacted legislation abolishing statutes of limitations for some or all sexual crimes committed against children. Thus, Alabama has no statute of limitation for any sex offense involving a victim younger than sixteen; Maine has no statute of limitations for incest, unlawful sexual contact, sexual abuse of a minor, rape or gross sexual assault committed against children younger than sixteen; Alaska has no statute of limitations for felony sexual abuse of a minor; and Rhode Island has no statute of limitations for rape, first degree sexual assault, or first or second degree child molestation sexual assault.

Even a former official of the Archdiocese has recognized the need for this proposal. Edward Cullen, who was Cardinal Bevilacqua's Vicar of Administration, and who has since himself been elevated to bishop, was asked about the issue during his grand jury testimony. "I think it would be good for society if they had no statute of limitations," acknowledged Bishop Cullen. "I really do. Yes, I do."

It is distressing that a technical, procedural, and somewhat arbitrary rule, a statute of limitations, is the primary barrier precluding the prosecution of priests who sexually abused minors and those who covered up the crimes and allowed them to occur.
Whatever justifications exist for statutes of limitation, those justifications are clearly outweighed where the sexual abuse of children is concerned. Society's interest and responsibility in protecting its children is paramount.

2. ***Expand the offense of endangering welfare of children***.

In 1996, the Legislature amended the crime of endangering welfare of children to provide that those who commit endangering as a course of conduct are guilty of a felony of the third degree. We recommend, if the statute is unclear, that a clause be added providing that a person commits endangering as a course of conduct where he endangers at least two children once or one child twice. We further recommend that a person "supervising the welfare of a child" be defined to include: 1) a person who has direct contact with a child or children, *and* 2) a person who employs or otherwise supervises a person who has direct contact with a child or children.

The proposed amendments are designed to address two potential problems with the existing statute. First, we believe that, where a supervisor places a child in continuing contact with a person known to represent a risk to children, that placement constitutes multiple acts and, therefore, endangerment as a course of conduct. Second, we believe it will be helpful to clarify that even a person who does not directly come into contact with a child may nevertheless be supervising the welfare of the child in a very real sense. An

Archdiocesan leader, daycare supervisor or Boy Scout official can endanger the welfare of a child without having direct day-to-day contact with children.

We also recommend one further expansion of the offense of endangering welfare of children. Currently, the statute limits liability to those who "knowingly" place a child in danger. As our investigation demonstrates, however, it isn't hard for the people at the top – the people with real power, who should have real responsibility – to close their eyes to danger, enabling them to claim that they lacked "knowledge." We believe that, given the vulnerability of children, reckless disregard should be sufficient to create exposure to criminal liability.

3. ***Increase the penalty for indecent assault***.

We recommend amendment of the indecent assault statute, 18 Pa. C.S.A. § 3126, to provide that, if the indecent contact with the victim is a course of conduct, it will be graded as a felony of the second degree where the victim is less than 13 years of age, and a felony of the third degree where the victim is older than 13. A spur-of-the-moment grab is obviously a very different crime than a long-term effort to exploit a relationship for unwelcome physical contact. The grading of the offense should reflect this significant difference.

4. ***Tighten the Child Protective Services Law reporting requirement***.

We found that Archdiocesan officials used loopholes in the law to avoid reporting abuse to law enforcement authorities, and we want those loopholes closed.

> The Pennsylvania Child Protective Services Law currently requires professionals, including clergy, to report abuse when, in the course of their employment,

> occupation or practice of their profession, they come into contact with children whom they have reasonable cause to suspect are abused. The law arguably applies, however, only where the child personally comes before the reporter. The statute should be amended to clarify that a mandatory reporter must report an allegation of abuse to authorities regardless of whether the source of the report is the child himself or herself or anyone else.

As we have learned from this investigation, although the Archdiocese and its employees have been mandatory reporters since at least 1996, Archdiocese officials read the law as narrowly as they could, so that if they did not have personal contact with an abused child, they felt no obligation to report the abuse – no matter how accurate the source of the information. Our proposed revision would answer this effort to enfeeble the statute: the employer must report the abuse whether he learns about it from the child or someone else having knowledge.

We also recommend another change affecting the reporting requirement: extend the applicable statute of limitation. Currently, only a two-year window applies, whether the failure to report is a one-time oversight or, as it was here, an ongoing policy. The reporting statute already appropriately raises the grading of the offense where there is a pattern of failing to report. We believe that, where such a pattern exists, the statute of limitations should be increased from two years to five years. An institution that steadfastly fails to report child abuse should not be immune from prosecution if it successfully manages to hide its conduct for 24 months.

5. ***Amend the Child Protective Services Law to require background checks in nonschool organizations***.

A separate provision of the Child Protective Services law currently requires background checks for applicants for employment in schools. 23 Pa. C.S.A. § 6355. Non-

school employers are not obligated to perform such checks, even if their employees and volunteers have extensive contact with children. We would amend the statute to require all employers and organizations to perform background checks on all of their employees or volunteers who have regular contact with children.

This proposed amendment derives from our discovery that no law requires the Archdiocese to conduct background checks of church employees who have contact with children outside of an official school setting. Clergy are entrusted with children in many roles – for example, as supervisors of altar servers, as employers of children in rectory jobs, as confessors, as CYO supervisors, and as children's coaches. We believe that an employer who places a person in substantial contact with children, whether as a teacher or in any other activity, should have to perform a background check of that employee or volunteer.

6. *Hold Unincorporated Associations to the Same Standard as Corporations for Crimes Concerning the Sexual Abuse of Children*.

Currently, legal corporations can be criminally culpable if a statute so provides or if "the commission of the offense was authorized, requested, commanded, performed or recklessly tolerated by the board of directors or by a high managerial agent acting in behalf of the corporation within the scope of his office or employment." 18 Pa. C.S.A. § 307. Certainly the decades-long cover-up of priest sexual abuse was authorized and performed by high managerial agents acting on behalf of the Philadelphia Archdiocese within the scope of their employment. But the Archdiocese is not technically a corporation; it is instead considered to be an "unincorporated association." Unincorporated associations like the Archdiocese can be held criminally culpable only if a statute expressly provides for the association's culpability.

We do not believe that an entity's decision to select one corporate form instead of another should determine whether it can be criminally prosecuted for its actions or inactions resulting in the sexual abuse of children. Other jurisdictions do not maintain such a distinction based on corporate status. We would amend 18 Pa. C.S.A. § 307 to provide that, where a corporation would be guilty of an offense relating to the sexual abuse of children, an unincorporated association committing the same act would also be criminally culpable.

7. ***Enlarge or eliminate statutes of limitation on civil suits.***

As a grand jury, our function is of course limited to examination and application of criminal offenses. We recognize the reality, however, that civil liability may also provide a disincentive to the kind of systemic sexual abuse that occurred here. Indeed, Archdiocese officials never seemed to believe that clergymen could ever go to jail for abusing, or allowing the abuse of, children; but they did display an obvious fear that they would be sued for such conduct. For many victims of sexual abuse by priests, civil liability may be the only available means to seek recognition of their injuries and a measure of repose. Moreover, unlike statutes of limitation for criminal offenses, the time for bringing a civil suit can be lawfully extended or revived even after the original limitations period has expired. Accordingly, we ask the legislature to consider lengthening or suspending civil statutes of limitation in cases of child sex abuse.

Section V

Selected Case Studies

The Grand Jury reviewed hundreds of allegations of sexual abuse committed by priests in the Philadelphia Archdiocese. The Jurors examined "Secret Archives" files for 169 priests (121 Archdiocesan and 48 religious-order priests working in the Archdiocese) and 2 permanent deacons. These files were supplied by the Archdiocese in response to a subpoena asking for all records relating to allegations of sexual abuse of minors by priests that had come to the attention of Church officials since 1967. In addition to these Secret Archives files, the Grand Jury also subpoenaed and reviewed the personnel files of many of these priests.

We have not, in this Report, attempted to summarize all of the evidence we received or to describe the allegations against all 171 clerics. We have chosen instead to focus and report in depth on a representative sampling of these priests. These are not necessarily the worst offenders with the most victims. They were chosen because the evidence from their files and the witnesses who testified about their cases provide the most complete picture of clergy sexual abuse of children in the Archdiocese, the impact on

the victims and their families, and the Church leaders' strategies to conceal the priests' crimes.

The nature of sexual abuse of minors, including the reluctance of victims to come forward, is such that the official record typically represents only the tip of the iceberg. In this case, we also do not have the full story because of the Archdiocese's longstanding efforts to suppress the truth about its priests. There are many victims whose names were never recorded. Church records obscured crimes with euphemisms – an attempted rape, for example, was recorded as "touches." The Archdiocese's success in keeping these crimes hidden for so many years has made a full investigation of them at this time nearly impossible. Still, the evidence summarized in this report makes clear the patterns of sexual abuse and the cover-up by Church officials that have haunted and outraged the members of this Grand Jury.

The following case studies of selected priests reflect our findings based on documents from the priests' Secret Archives and personnel files, and on the testimony of victims, witnesses, and Archdiocesan priests and managers. We found these cases to be representative of the priests whose files we reviewed. We also found that the Archdiocese's response to the allegations against these priests accurately illustrates how, unfortunately, such cases were routinely handled.

The names of the victims, their families, and parishioners who reported priests' offenses have been changed.

Father Stanley Gana

Father Stanley Gana, ordained in 1970, sexually abused countless boys in a succession of Philadelphia Archdiocese parishes. He was known to kiss, fondle, anally

sodomize, and impose oral sex on his victims. He took advantage of altar boys, their trusting families, and vulnerable teenagers with emotional problems. He brought groups of adolescent male parishioners on overnights and would rotate them through his bed. He collected nude pornographic photos of his victims. He molested boys on a farm, in vacation houses, in the church rectory. Some minors he abused for years.

Archdiocese officials were aware of the priest's criminality. At least two victims came forward in the 1990s to describe specifics of their abuse and provided names of other victims. They begged the Archdiocese to take away Fr. Gana's cover as a priest in good standing, to stop facilitating his exploitation of minors. Instead, the Archdiocese managers tried to silence the victims and conceal the crimes.

When Cardinal Bevilacqua and his aides heard that one of Fr. Gana's victims, "Tim," was telling fellow seminarians about his sexual abuse and might sue the Archdiocese, the Cardinal initiated a top-level investigation – against Tim. Based on unsubstantiated charges, he was expelled from seminary and forced to seek ordination outside the diocese. Meanwhile, Church officials limited their probe of Fr. Gana to a single interview with the priest himself. They never sought to contact named victims brought to their attention.

With no further inquiry, and the seminarian out of the way, Cardinal Bevilacqua permitted Fr. Gana to remain a pastor at Our Lady of Sorrows in Bridgeport for three more years – until another victim, who refused to be silent, came forward. When the threat of scandal forced them to act, Archdiocese managers pursued "treatment" for the priest, but this seemed clearly designed to protect the church from liability rather than victims from his assaults. Church officials purported, on paper, to limit Fr. Gana's ministry while doing little in practice. Instead of reporting his crimes to police, they advised the priest to keep a "low profile."

In 1998, the former seminarian who had been forced out of the Archdiocese spoke with Cardinal Bevilacqua's aide, Secretary for Clergy William J. Lynn. Msgr. Lynn asked the victim, who had been forced to have oral and anal sex beginning when he was 13 years old, to understand that the Archdiocese would have taken steps to remove Fr. Gana from the priesthood had he been diagnosed as a pedophile. But Fr. Gana was not only having sex with children and teenage minors, Msgr. Lynn explained; he had also slept with women, abused alcohol, and stolen money from parish churches. That is why he remained, with Cardinal Bevilacqua's blessing, a priest in active ministry. "You see, [Tim]," said Msgr. Lynn, "he's not a pure pedophile."

The Cardinal removed Fr. Gana from ministry in 2002, only after the national scandal arising from sexual abuses by Boston's clergy had made it more difficult for the Archdiocese to continue to protect Fr. Gana and other sexually abusive priests.

Father Gana abuses a 13-year-old boy at Our Lady of Calvary.

In 1980, 13-year-old "Timmy" lived with his parents and four siblings in Northeast

Philadelphia. His family was deeply religious and invested in activities at Our Lady of Calvary, their parish church. Both of Timmy's parents and his sister volunteered at the church. From an early age, Timmy knew that his mother's greatest hope was that one of her children would become a nun or a priest.

Timmy's family kept a strict home: meals were eaten together, television and telephone use were restricted, and Timmy and his brother and sisters were shielded from anything sexual. The boys did not even undress in front of each other. A quiet and wellbehaved child, Timmy was chosen to read at his 8th-grade graduation Mass. Although pleased at his selection, he was insecure. A speech impediment made him fear public speaking. So when Fr. Stanley Gana, the new assistant pastor at Our Lady of Calvary, praised his reading in the sacristy, Timmy was grateful.

That summer, 40-year-old Fr. Gana began injecting himself into the Timmy's home life, visiting regularly, often bringing gifts, and staying as an honored guest at family meals. Father Gana began to ask young Timmy to do things with him or to help at the rectory. He also invited Timmy to visit his Poconos farm for the weekend. Timmy's parents welcomed the priest's interest in their son. Neither they nor Timmy knew that the Archdiocese had been warned about Fr. Gana's relationships with young boys during a previous assignment.

Flattered by the priest's friendship and his parents' resulting pride, city-raised Timmy found Fr. Gana's farm a new and exciting world. Timmy received more adult attention from Fr. Gana than he did in his own large family. At first, he was not overly worried about the priest's physical "roughhousing" despite the enormous disparity in their sizes: Fr. Gana, Timmy thought, weighed about 375 pounds, while he was a scrawny 13year-old. For a sheltered boy from a strict family, there was no reason to suspect the priest's intentions.

After Timmy's first trip to the farm, Fr. Gana began calling often for his help with various projects. The priest also found Timmy a job as parish sacristan, a duty that involved locking the church after Saturday evening Mass and opening it on Sunday morning. Soon

Fr. Gana was inviting Timmy to stay for pizza. Then he was asking Timmy's parents if the boy could spend the night, since Timmy had to open the church early on Sundays.

On Saturday night stay-overs, Fr. Gana and Timmy played a favorite card game of Timmy's family – five hundred rummy – on a coffee table in Fr. Gana's living room. One night, complaining that the table was too small, Fr. Gana moved the game to his bedroom. There, he ordered the boy to take his shirt off. The priest then took off his own shirt and Timmy's pants, assuring the boy that what he was doing to him was natural and would feel good. The priest told Timmy how beautiful his undeveloped body was. Then he fondled his penis until the boy ejaculated. Later that night, Fr. Gana had Timmy masturbate him. Timmy, who had never so much as undressed in front of family or friends, thought that Fr. Gana's behavior had to be proper because he was a priest.

After that night, Fr. Gana's sexual abuse of Timmy became unrelenting. Father Gana frequently invited the boy out – for movies, dinner, even visits to the priest's sister's house. Then Fr. Gana called and asked Timmy's parents' permission to keep Timmy out late or overnight. That summer the priest forced the child to perform oral sex and, later, began anally raping him. The obese priest pushed Timmy over the bed so that his face was on the carpet. Sometimes Timmy cried and Fr. Gana stopped, briefly. But then, ignoring the boy's pain, he pushed ahead until he penetrated Timmy's anus. Timmy remembered going to the bathroom afterwards and passing blood and what must have been semen, although at the time he did not know what it was.

The first time Fr. Gana anally sodomized him, Timmy went home and curled up on the floor of the family basement, stunned and terrified by what had happened. Later that summer, Timmy's mother became convinced he was lactose intolerant because of the milky fluid that sometimes emerged when he sat on the toilet. Father Gana told Timmy that anal sodomy was a part of loving someone. He expected the boy to reciprocate.

The priest told Timmy that the sexual activity between them was their secret which could not be shared. There was little risk of that: the frightened boy knew his parents would never believe him even had he dared to tell them. In Timmy's household, priests were like

teachers. They were never wrong; it was always the child who was wrong. The boy felt powerless.

In the fall of 1980, Timmy entered Archbishop Ryan High School in Philadelphia. Father Gana saw him on average three times a week and sexually abused him each time. He also continued to shower the family with gifts. In the summer of 1981, despite the availability of better paying jobs, Timmy's parents insisted that he work at the church.

When Timmy sought to socialize with friends on weekends, his parents discouraged him, saying he should help Fr. Gana instead because "he's so good to you." Even when Timmy took a weeknight job to earn money for college, Fr. Gana called his parents and offered to drive him home. The priest picked up Timmy, took him to the rectory and sexually abused him before dropping him off.

In addition to co-opting the boy's parents and monopolizing his time, Fr. Gana sought to control and isolate Timmy in crueler ways. He played on the boy's insecurities, robbing him of the confidence necessary to connect with other people. Father Gana convinced Timmy that a girl named "Susie" had invited him to her prom only because she felt sorry for him. When Timmy was asked to join the National Honor Society, Fr. Gana told him he was not smart enough and would only embarrass his parents when the Society would likely expel him in a year.

Father Gana showed Timmy nude photos, which he kept in a safe in his bedroom, of other boys whom he had sexually abused. Father Gana singled out one boy, named "Barry," who, he said, "performed" better than Timmy. The priest even ruined the teenager's high school senior week at the shore, when he showed up and demanded that Timmy spend the day with him.

It was not until Timmy left for seminary that he was able to begin breaking away from Fr. Gana. In the fall of 1984, the 17-year-old enrolled in Saint Charles Borromeo Seminary in Overbrook to begin training for the priesthood. The school's rules limited Fr. Gana's access to the teenager, who was allowed out only on Saturdays. Father Gana persisted, arranging with the boy's parents to pick him up and bring him home on weekends, or showing up unannounced at the seminary.

But, away from the priest's overbearing presence, Timmy – now Tim – tried to cope with his internal turmoil and shame. He lay on his bed in his seminary room, feeling overwhelmed and trapped, not knowing how to save himself. He determined either to get help or to kill himself.

Eventually, Tim asked the dean of the college, Msgr. William J. Lynn, for a referral to a therapist. Monsignor Lynn commented: "Yes, fine, but that therapist is going to think we're all crazy over here because you're the third person I'm sending to him in a month's time."

Monsignor Lynn did not ask Tim his reasons for needing therapy, but he was not entirely ignorant of the student's relationship with Fr. Gana. Monsignor Lynn had noticed Fr. Gana's frequent visits to Tim's dorm room, and had instructed the seminarian to tell Fr. Gana that he needed to check in with the dean before going upstairs. It was an unusual request: priests generally had free access throughout the seminary.

Tim began therapy during his sophomore year. He found it helpful. He came to understand that he was not to blame for what had happened to him. This realization allowed him to begin opening up with others. He discussed Fr. Gana's abuse with two priests who were his mentors. Neither advised him to report these crimes to police or to the Archdiocese. Tim subsequently confided in a few friends.

One day during his second year at the seminary, Tim told Fr. Gana that he realized what the priest had done to him was wrong, and that he was getting counseling. Father Gana became enraged. He screamed at the teenager. He accused him of ingratitude. In a wild state, Fr. Gana dumped Tim's belongings from the rectory onto his family's lawn, then drove away.

The Archdiocese responds to a report of abuse by investigating the victim.

Cardinal Anthony Bevilacqua and other top Archdiocese managers first learned of Fr. Gana's abuse of Tim in November 1991, when the victim was in his eighth and final year of seminary. Tim had not reported Fr. Gana's criminal acts because his spiritual

director at the seminary, Fr. Thomas Mullin, had urged him to wait until after his ordination so that he would not jeopardize his chances of being made a priest.

The seminary rector, Msgr. Daniel A. Murray, however, learned of Tim's victimization and notified Archdiocese managers. He informed them, too, that Tim had told other seminarians about Fr. Gana's abuses, and that gossip about Fr. Gana was spreading among the parishes. Archdiocese managers acted quickly – but not against Fr. Gana.

In December 1991, the Archdiocese made Tim the target of a full-scale "investigation" into second- and third-hand rumors of homosexual contacts with another seminarian. The probe, Archdiocese managers said, would decide whether Tim would be allowed to continue at seminary and on to ordination.

Cardinal Bevilacqua himself initiated the inquiry, choosing to ignore the childmolestation charges against one of his priests. Archdiocese managers did not even speak to Fr. Gana for another six months. The investigation of Tim, meanwhile, was conducted by the third-highest official of the Archdiocese, Assistant Vicar for Administration James Molloy, and his new aide, Msgr. William Lynn — the same Lynn who had served as Tim's seminary dean.

The true purpose of this investigation, the Grand Jury finds, was not to get at the truth about Tim, but to suppress the truth about Fr. Gana by controlling and silencing the seminarian. Archdiocese managers barred Tim from the seminary and his deaconate assignment. Monsignor Murray, the rector, threatened his friends with dismissal if they associated with him. Those who came to his defense were themselves punished.

According to Archdiocese records, Msgr. Murray told Msgrs. Molloy and Lynn that Tim was "damaged goods," that he was "fragile and sensitive." Monsignor Murray warned Archdiocese managers that the seminarian "might sue the diocese for pedophilia."

During the investigation, Msgr. Molloy conveyed to Tim that the Cardinal's decision on the ordination of a sexual-abuse victim might depend on whether the victim "tried to address the matter responsibly through a therapeutic process" – a process that (perhaps coincidentally, perhaps not) might have the effect of keeping the victim's

disclosures confidential. In the meantime, Archdiocese managers hung over Tim's head the fate of his future as a priest. For eight months, in isolation, shame, and fear, he awaited the Cardinal's decision.

Tim's training for the priesthood had been, for both Tim and his family, a dream come true. His mother had cried with happiness and pride when he told her he would embark on the eight-year course of study to become a priest. Now, after seven and a half years, already an ordained deacon, with a record unmarred by any type of disciplinary problems, and in excellent academic standing, Tim found himself cast out of seminary and the subject of an Archdiocese investigation. His good reputation was ruined. Rumors of homosexuality had disgraced his family and shamed him to the core. In spite of all this, he continued to cling to his lifelong hope of becoming a priest.

On July 28, 1992, Cardinal Bevilacqua received the Archdiocese report summarizing the investigation of Tim. The report's conclusion: "no finding could be made except to state that evidence to substantiate the allegations was inconclusive." Despite this finding, and despite numerous previous assurances to Tim that he would be afforded due process, Cardinal Bevilacqua chose to "resolve the doubt in favor of the church." The Cardinal announced that Tim would not be permitted either to complete seminary or to be ordained in the Archdiocese of Philadelphia.

Even though Msgr. Molloy's recommendation to the Cardinal envisioned that Tim might be an acceptable candidate for priesthood after undergoing therapy, Cardinal Bevilacqua ordered that laicization proceedings be initiated against the seminarian – stripping him of his clerical status – unless he applied for excardination to go to another diocese.

Cardinal Bevilacqua ended Tim's dream of becoming a Philadelphia priest and ejected him from the Archdiocese. Tim later was ordained as a priest in Connecticut. He told the Grand Jury that a Trappist monk later summed up accurately what had happened to him, when he said: "As a child, that priest murdered your soul, and as a priest, the Church has broken your heart."

Archdiocese officials pretend to investigate Father Gana.

Father Gana, meanwhile, remained a priest in good standing. In April 1992, when Msgrs. Lynn and Molloy interviewed Tim as part of their investigation of the seminarian, he described in detail how Fr. Gana had sexually abused him for more than five years, beginning when he was 13 years old. Tim told them about going to Fr. Gana's house in the country, and of anal rape in the rectory. He told them how Fr. Gana's abuse had hurt him. He provided the names of two other boys, John and Barry, whom Fr. Gana had also molested.

Monsignor Lynn testified before the first grand jury, swearing on a Bible, that he suspected Tim might have made up the whole story about Fr. Gana to extricate himself from his troubles at the seminary. The Grand Jury, however, finds that Msgr. Lynn's claim that he distrusted Tim's reports was not credible. First, Tim had begun confiding in others about Fr. Gana's abuse as early as 1985, six years before the investigation of his alleged misconduct. Second, and most importantly, Msgr. Molloy told the Grand Jury that both he and Msgr. Lynn in 1992 had found Tim credible.

Third, Church officials also knew of other corroborating evidence, which did not originate with Tim. The Archdiocese had been hearing allegations about Fr. Gana's sexual misconduct since the early 1970s. A seminarian had described Fr. Gana to Msgrs. Lynn and Molloy as "like a sugar daddy, always supplying money and vacations and use of a beach house." A parish priest in Media had expressed concern to the Archdiocese about Fr. Gana's inviting other seminarians to his rectory at Our Mother of Sorrows in Bridgeport, where he had become pastor in 1986.

Fourth, Msgr. Lynn's own behavior, while a dean at the seminary, not only added corroborating evidence of Fr. Gana's guilt, but also convinced the Grand Jury that Msgr. Lynn himself had believed that Fr. Gana was guilty. In the mid-1980s, it was Msgr. Lynn who noticed Fr. Gana's frequent visits to Tim's bedroom, disapproved of them, and tried to restrict them. Indeed, in December 1991, Msgr. Murray had informed Archdiocese managers that he was "convinced it is a fact that [Tim] was abused by Stanley Gana."

And yet, in stark contrast with the aggressive, top-level investigation of the troubled seminarian – in which several witnesses were interviewed over a number of months while Tim was barred from completing his seminary studies – Archdiocese managers saw fit to limit their probe of Fr. Gana's abuses to just one conversation: *with Fr. Gana himself.*

On May 26, 1992, Msgrs. Lynn (soon to be named Secretary for Clergy) and Molloy asked Fr. Gana about the allegations against him. Unlike the interviews with seminarians in the Tim probe, all of which had been neatly typed, signed, and witnessed, Msgr. Lynn's nearly illegible notes of the Fr. Gana interview were never typed or signed. Monsignor Lynn later insisted that Fr. Gana denied the accusations of sexual misconduct, but any objective reader of his notes would find the priest's evasions every bit as incriminating as an admission. The record gave further evidence, too, that Fr. Gana had abused not only Tim but also many other young boys.

According to Msgr. Lynn's scrawled notes, when Fr. Gana was asked about the allegations, he said there were "a lot of close calls. Could have went either way. Can't deny that." Father Gana claimed that Tim "[c]ould have misconstrued things of affection." He described Barry, whose name Tim had provided, as "Friendly. Sometimes get affectionate. Don't know why gave his name. Pure jealousy." Father Gana claimed that John (another name supplied by Tim) had been involved in a "sex ring. Very involved in perverse sexual activity. Incest." He stated that two years earlier, John had threatened him. Fr. Gana also admitted he had paid John a monetary settlement, which he described as "outright blackmail." At the conclusion of the interview, Msgr. Molloy warned Fr. Gana to stay away from Tim because "what he's describing is a criminal offense."

Monsignor Molloy noted at the time that "a major cause for concern right now is any current or future victims." He told the Grand Jury that it was a "prudent assumption" that Fr. Gana was abusing boys at Our Mother of Sorrows in Bridgeport, where he continued to minister for three years after Tim's allegations surfaced and were ignored. Monsignor Lynn acknowledged to the Grand Jury that Msgr. Molloy's concerns were valid.

In the face of all the evidence that had been conveyed to them, in light of Msgr. Murray's conclusion that Fr. Gana had in fact abused Tim, and in light of Msgr. Molloy's

recollection that both he and Msgr. Lynn had found Tim credible, what the officials did next was disgraceful. They did nothing.

The surest route to the truth would have been to report the allegations to the police and let those trained to investigate criminal acts do their job. But Archdiocese managers did not do that. The list of things they did *not* do demonstrates that their intent was not to establish the truth of the accusations, help the victims, or prevent further abuses:

- They did not attempt to speak to Barry or John to confirm or deny Tim's assertions, or to offer therapy or other assistance.
- They did not try to talk to any seminarians regarding their visits with Fr. Gana, about which a parish priest had raised concerns.
- They did not question priests who had lived with Fr. Gana.
- They did not attempt to determine whether Fr. Gana had sexually abused boys in the 1970s while he served as a chaplain for both the Boy Scouts of America and Archbishop Wood High School.
- They did not warn Fr. Gana's current parishioners about the allegations.
- They did not begin to supervise Fr. Gana's behavior or limit in any way his freedoms, duties, or access to minors.
- They did not even send Fr. Gana for a psychological evaluation – a procedure that Msgr. Lynn claimed was standard whenever an allegation of sexual abuse arose against a priest.

This "investigation" of Fr. Gana ended with the single interview with the priest. In February 1993, after a disgraced Tim had left the state, Cardinal Bevilacqua reviewed his case and decided "no additional action is required at this time." Father Gana remained pastor of Our Mother of Sorrows, even as Archdiocese managers professed concern for potential victims. It took another three years and another threat of scandal, this one a threat less manageable than Tim's, to provoke even minimal action against Fr. Gana.

Father Gana abuses John and many other boys.

When John showed up at Archdiocese headquarters on September 6, 1995, he was still struggling with the impact of Fr. Gana's prolonged abuse. John, then 32, wanted Cardinal Bevilacqua to know about the suffering he had endured nearly 20 years before. He met with Msgr. Lynn, the Secretary for Clergy, and the official responsible for investigating priests' sexual misconduct.

John told Msgr. Lynn that he was 14 years old when, in 1977, he had summoned the courage to tell his mother that a family friend had orally sodomized him for three years. John's mother sought a counselor to help John deal with his resulting depression. She turned to the assistant pastor at Ascension Church in Kensington.

Father Gana recommended that he meet regularly with the boy, in private, to help him recover from the effects of the sexual abuse. Their first meeting took place in a rectory office. Father Gana closed the door and asked John to describe the molestation he had experienced. Then, telling the boy that it would help him overcome his fear of men, Fr. Gana hugged him. After Fr. Gana accustomed John to hugging during a number of counseling sessions, the priest told him, "It's OK to kiss another man." He instructed John to kiss him on the cheek.

When Fr. Gana began to invite John to stay overnight at the rectory, the boy became extremely upset. His mother asked him why he was so nervous. He answered that he was afraid she would think that Fr. Gana was doing the same thing to him that his previous abuser had. His mother dismissed his fear, assuring her son that the priest would never harm him.

Father Gana took his time grooming John. The first few times he made the boy share his bed he did not molest him. After several months, Fr. Gana told the boy that it was okay to show affection to a man while lying in bed. Thereafter, the priest progressed from fondling and kissing to "humping up against" the boy, masturbating him and, eventually, anally raping him. Father Gana also required John to masturbate and sodomize the priest.

At the end of John's freshman year, in 1978, Fr. Gana asked the boy's mother whether John could spend the summer at Fr. Gana's farm in the Poconos. It would be good for him, the priest told her. It would help keep John out of trouble. In all, Fr. Gana invited

five boys to the farm: John, his two brothers, Barry, and a teenager named "Dean." That summer, Fr. Gana rotated John, Barry, and Dean through his bed on consecutive nights. He boasted about being in his late thirties yet "bedding three young boys at the same time." He told them that "each friendship needs personal time."

When John returned from the summer at the farm, Fr. Gana arranged for him to transfer to North Catholic High School. Father Gana paid the tuition. The priest continued to sexually abuse John throughout the boy's high school years, including at weekly "therapy" sessions and summers on the farm. During those years, Fr. Gana abused numerous boys, as older victims left to be replaced by younger boys.

Barry confirmed in a statement given to a detective and read to the Grand Jury that Fr. Gana had made him engage in mutual masturbation with the priest from 1976, when Barry was 15 years old, until 1979. Father Gana, he said, also orally sodomized him.

Father Gana confided in John that he was upset when Barry stopped coming to the farm. But Barry was replaced by another teen, "Sandy," who came to live year-round at the farm during John's junior year. In 1980, when Fr. Gana was transferred to Our Lady of Calvary in Northeast Philadelphia, Fr. Gana started bringing Timmy to the Poconos. Timmy was 13. The priest began taking John and Timmy to bed at the same time.

Father Gana told John about other boys he had sexually abused during the 1970s. He boasted that someone had reported him to the Archdiocese as a possible child molester when he was an assistant pastor, but Fr. Gana had blocked the inquiry. According to John, Fr. Gana said that he had told Church officials that the pastor himself was having an affair with the rectory's housekeeper, showing them women's clothes in the pastor's quarters. Archdiocese managers had called off the investigation.

Father Gana successfully deflected allegations on at least one other occasion. In October 1980, he called Fr. Donald Walker of the Chancery office (then in charge of allegations of clergy sexual misconduct) to report that his brother and nephew-in-law had spread word that he was, among other things, a homosexual and a "deviate." Father Gana blamed these accusations on family disharmony and the alleged physical and emotional problems of his accusers. Archdiocesan managers instructed Fr. Gana to "keep a very low

profile for the next few weeks in the area of his farm by not taking his days off spending any time there." They also advised him to hire a lawyer.

Over the years, Fr. Gana showed John pornography and nude photos of boys whom the priest had abused. One picture was of a boy named "Bob," from Fr. Gana's first assignment (from 1970 to 1974) in Feasterville. The boy was lying on a bearskin rug with his buttocks in the air. Father Gana made John pose for pornographic photos as well. Barry told the detective that Fr. Gana also took a nude photograph of him.

Father Gana took several boys at a time with him on trips. During John's freshman or sophomore year, the priest brought John, Barry, Dean and another boy to a conference at Notre Dame University. Father Gana rented one bedroom for all five to share. He had sex with one boy at a time while making the others wait outside. On a trip to Disney World during John's sophomore year, seven guests shared one room while Fr. Gana had the other to himself, rotating the boys into his bedroom for sex. The next year, Fr. Gana took John, Larry, and Timmy to Niagara Falls.

Much as he did with Timmy, Fr. Gana controlled and manipulated John psychologically. He bullied the boy into not socializing with friends or going to dances. When John attended a Christmas party, Fr. Gana made him check in every hour. Terrified of the priest, John did everything Fr. Gana wanted, including giving up his senior week at the shore.

To further isolate the teenager, Fr. Gana turned him against his parents. He encouraged John to disobey them, telling him: "You're a man now. You don't have to deal with this shit from them." At the same time Fr. Gana counseled John's parents: "He's really a messed up kid, and I need more time with him." The priest's tactics convinced John that his parents were the enemy, thus preventing him from confiding in them.

More than three years into his abuse of John, Fr. Gana began forcing the boy to perform oral sex, which was particularly foul for John because his first abuser had also forced it on him. Father Gana demanded and received fellatio at the rectory and at a beach house belonging to a friend of Fr. Gana's, Fr. Mike Bransfield.

Only as a 19-year-old was John finally able to break Fr. Gana's hold on him, and it was not until he was 32 that he reported Fr. Gana's abuse to the Archdiocese. It took him that long to come forward, he said, because he had spent most of the intervening years abusing alcohol and drugs to escape facing his feelings. John attended nursing school. He married. However, as he struggled to gain sobriety, the emotions that he tried to bury constantly overwhelmed him. He finally found a therapist who helped him quit drugs. The therapist suggested it might help to report the abuse, have his hurt acknowledged, and help prevent harm to others.

John reports his abuse but is frustrated by Church officials' response.

When John met with Msgr. Lynn at Archdiocese headquarters on September 6, 1995, he told Msgr. Lynn he wanted Fr. Gana removed from the priesthood, a newspaper ad seeking other victims, and a letter of apology from the Cardinal, or at least a meeting with him. He gave Msgr. Lynn detailed information about his own abuse, and named people who could corroborate his story. He also identified other victims, including Tim, and offered to produce them.

John said that Msgr. Lynn told him not to contact the other victims. He said that if Archdiocesan managers determined that the abuse had occurred, they would help pay for John's therapy. Monsignor Lynn promised to do "whatever he could" to arrange a meeting with Cardinal Bevilacqua. The meeting never occurred.

By November 1997, more than two years after he had gone to Msgr. Lynn to report his allegations, John still had not received from the Archdiocese an acknowledgment of Fr. Gana's abuses, or an apology, or a meeting with the Cardinal. Monsignor Lynn had told John in July 1996 that Fr. Gana "continues to deny the allegations," even though Msgr. Lynn knew by then that the priest had admitted the abuse to therapists. Meanwhile, John's marriage had broken up and he had lost his nursing job. Frustrated and angry, he returned to Archdiocese headquarters on November 18, 1997, demanding again to meet with the Cardinal and asking for financial assistance. Monsignor Lynn agreed only to give John a referral to Catholic Social Services.

Cardinal Bevilacqua's Assistant Vicar for Administration, Msgr. Joseph Cistone, wrote in a subsequent memo that the Cardinal was not inclined to meet with John, lest it set "a precedent, i.e. for the Cardinal to meet with such individuals." The memo recorded the Cardinal cautioning that "there must be other means of letting [John] know that His Eminence was informed, other than for His Eminence to meet with him personally." (Appendix D-1)

John's meeting with Sister Pat Kelly, the site supervisor for Catholic Social Services, did not have happy results. He had hoped she might assist him with job training and placement and, in the meantime, help him pay his bills. Instead, according to John, Kelly grilled him with questions, lectured him, and asked why he blamed the Archdiocese rather than himself. She expressed disbelief that he had been in therapy for two and a half years, sarcastically exclaiming, "Really that long?" She criticized John for his focus on material compensation, assuring him it would not make him happy. She asked John whether he had received sexual satisfaction from Fr. Gana's abuse. (Appendix D-2)

Yet, because John threatened to make his allegations public if it failed to respond, doing nothing was no longer an option for the Archdiocese. On September 6, 1995, the same day that John first appeared at headquarters, Msgr. Lynn and his assistant, Msgr. Michael McCulken, met with Fr. Gana.

As he had done when he was questioned in 1992 about abusing Tim, Fr. Gana "denied" John's allegations but incriminated himself in doing so. Father Gana admitted making a substantial financial settlement with John. He admitted sleeping in the same bed with John when he was a young boy, while denying that he touched him sexually. He not only admitted to the Disney World trip but conceded that other guests would corroborate the "sleeping" rotation of boys in his bed. He discounted the likelihood that Tim and John were colluding against him.

Father Gana assured Msgr. Lynn that if anyone went to court or the media with allegations against him, he would resign his priesthood. But Msgr. Lynn, as he wrote later, did not know "what action [John] might take if it appears to him that the Church is not doing anything about his allegations."

Father Gana is evaluated and treated, but he and Archdiocese officials manipulate the process to obtain the diagnosis they desire.

John's September 1995 complaint against Fr. Gana triggered what had come to be the Archdiocese's routine procedure for dealing with priests accused of sexual abuse of minors. Monsignor Lynn scheduled an evaluation for Fr. Gana at the Anodos Center of St. John Vianney Hospital, in Downingtown, a church-affiliated facility with which the Archdiocese and its law firm, Stradley Ronon, had a longstanding relationship. Father Gana obtained a two-month delay to hire a canonical lawyer, during which he continued as pastor of Our Mother of Sorrows.

Monsignor Lynn provided the Anodos Center with background information on Fr. Gana and a summary of Tim's and John's allegations. Monsignor Lynn asked center officials to determine whether Fr. Gana had, in fact, engaged in sexual activity with teenage males, and whether he should be engaged in priestly ministry that involved adolescents. The treatment center, however, was ill suited for this task: it could not check evidence or question witnesses or victims.

Monsignor Lynn noted under "Living Situation" on the center's form: "Father is stationed alone. He mentioned he does have students from Slovakia living with him." Monsignor Lynn did not think it important to investigate the situation of these foreign students living at the rectory with Fr. Gana.

Monsignor Lynn also wrote that other named victims would be questioned – implying that if there were anything to their claims, Msgr. Lynn would provide the information to the evaluation center. Hearing nothing back, center staff might assume that there were no other victims, or that other allegations had been explored and found not credible. In fact, the Archdiocese did not question other named victims.

Even with the incomplete and inaccurate information that Msgr. Lynn provided, the Anodos Center concluded that returning Fr. Gana to ministry presented a risk. Its report found that Fr. Gana "demonstrates significantly impaired professional conduct such that he

is at risk for further inappropriate and dangerous behavior." It recommended treatment at a residential facility.

Cardinal Bevilacqua received a copy of the hospital's summary statement. He also received a memo from Joseph Cistone, the assistant to the Vicar for Administration, Edward P. Cullen, which reflected the priorities governing Archdiocese deliberations. "Bishop Cullen and I both feel," the memo warned, "that this has the potential of becoming a PR concern." At the Cardinal's urging, Fr. Gana resigned as pastor of Our Mother of Sorrows, effective December 15, 1995.

Yet Fr. Gana's career as a priest did not end. Pursuant to Archdiocesan procedure, he was permitted to select his own residential treatment program. And so long as he could emerge from such a facility without being diagnosed a "pedophile" or "ephebophile," he could hope to return to active ministry.

Father Gana chose to begin treatment, on February 4, 1996, at another churchaffiliated facility, Southdown, near Toronto, Canada. Before Fr. Gana checked in, Msgr. Lynn spelled out for him exactly what diagnosis he had to avoid in order to remain an active priest. At least twice, Msgr. Lynn warned Fr. Gana that a diagnosis of pedophilia or ephebophilia would mean the end of his career. This was also a finding that the Archdiocese would want to avoid if it sought to keep a priest in ministry while avoiding liability for the criminal abuse of church members.

On February 23, 1996, two weeks after Fr. Gana arrived at Southdown, Msgr. Lynn received a call from the Executive Director and psychologist Sister Donna Markham. She stated that Fr. Gana had been "very open and honest with her."

During this call, Sister Markham described Fr. Gana as "heavily addicted to drugs and alcohol and very involved in substance abuse, and that causes sexual acting out." Monsignor Lynn's notes offer no evidence that he questioned this explanation of pedophiliac acts, much less the report that Fr. Gana was a substance abuser. Yet in all the years he had dealt with Fr. Gana, Msgr. Lynn admitted he had never heard of any substance abuse problems. John, whose father was an alcoholic, stated that Fr. Gana had not consumed alcohol before or during sex. In fact, while Fr. Gana was abusing Tim, he sought

a papal dispensation not to drink wine during Mass. The doctor's note accompanying Fr. Gana's 1983 petition explicitly stated that the request was made because of a medical condition and not any problem with alcohol abuse. Less than three weeks into Fr. Gana's scheduled four-to-six-month treatment program, Sister Markham reassured Msgr. Lynn that Fr. Gana "would not be diagnosed a pedophile or an ephebophile, but rather a person who acted under the influence of drugs and alcohol."

Father Gana, however, apparently felt less confident about his prospects. On March 4, 1996, Fr. Gana abruptly cut short his treatment. He took a taxi to the airport and within a week was in Florida.

New concerns about the priest quickly surfaced. On March 13, 1996, Sister Lucy Vazquez of the Diocese of Orlando called Msgr. McCulken in Philadelphia. She told him that parishioners from her diocese had reported that a number of young males from Slovakia were living with Fr. Gana in a house he owned in Orlando. The parishioners, said Vazquez, expressed "concerns about what might be happening at the house," with these males, some of whom looked to be in their teens. (Appendix D-3)

Rather than contact Sister Vazquez, Msgr. Lynn called Fr. Gana. According to Msgr. Lynn's notes of the March 19, 1996, telephone call, Fr. Gana talked about his confusion and disillusionment, his fears, his love of the priesthood, and his self-healing. There is no indication that Msgr. Lynn told Fr. Gana to remove the young males from his house or to return to Southdown or Pennsylvania. Monsignor Lynn never investigated the situation in Orlando. Meanwhile, the Philadelphia Archdiocese continued to pay Fr. Gana his regular monthly stipend.

It was four months before Msgr. Lynn contacted Fr. Gana again. On July 19, 1996, he sent a letter urging the priest to contact him and to return to Southdown. This was two weeks after Msgr. Lynn had told John, falsely, that Fr. Gana was in treatment, neglecting to mention that Fr. Gana had fled the treatment center and was now living in Florida. Father Gana responded by letter on August 18 – from Slovakia.

Over the next several months the two priests exchanged a series of letters and telephone calls in which Fr. Gana sought, and Msgr. Lynn gave, assurances that the priest would likely be allowed to return to active ministry. Monsignor Lynn gave him such

assurances in the absence of an official diagnosis by the treatment center and despite the fact that, since Fr. Gana had taken unauthorized leave from his treatment, he had lived with teenage youths in his Orlando house. Father Gana finally returned to Southdown on February 10, 1997.

For the next four months Fr. Gana was treated at the Church-affiliated facility by a psychologist, Samuel Mikail. As Msgr. Lynn predicted, Mikail concluded that Fr. Gana was neither a pedophile nor an ephebophile, and that his risk of future sexual misconduct was minimal. This conclusion was based on an understanding that Fr. Gana had only three victims who were minors – the three mentioned in the summary of the accusations provided by Msgr. Lynn to the treatment facility.

Monsignor Lynn in fact knew about other minors. John had told Msgr. Lynn that he knew of four other boys and one adult having sex with Fr. Gana during John's junior year alone. Monsignor Lynn knew about a Slovak student who had complained about Fr. Gana sometime after 1992. Monsignor Lynn also knew about the reports of suspected involvement with seminarians. Monsignor Lynn did nothing to correct Mikail's mistaken belief that, in 1997, Fr. Gana had been chaste for 10 years, nor did he contradict Mikail's impression that Fr. Gana had spent the past year "soul-searching," when in fact the priest had spent the year in Orlando in a house full of teenagers. Monsignor Lynn let Mikail's report pass, knowing it would have a significant impact on Fr. Gana's return to ministry and the access this afforded to new victims.

Monsignor Lynn's April 17, 1997, memo to Cardinal Bevilacqua about the Fr. Gana case warned that John and Tim might go public with their allegations. It suggested that having Fr. Gana active as a priest in Philadelphia might exacerbate the situation. It recommended that, if Fr. Gana sought ministry outside Philadelphia, the Archdiocese should not stand in his way.

On June 23, 1997, Cardinal Bevilacqua received Mikail's final report, which declared Fr. Gana "not a pedophile" but confirmed his sexual abuse of at least three diocese children. The accompanying memo recommended that "[b]ecause of the possibility of the

matter becoming public, [Fr. Gana's] service should be limited" to serving as a chaplain for a religious community.

The Cardinal authorized Fr. Gana's return to ministry.

The Archdiocese nominally restricts Father Gana's ministry but allows him to continue to act as a priest – except where it might provoke scandal.

In August 1997 Cardinal Bevilacqua approved Fr. Gana's becoming chaplain for a Carmelite Monastery, in order, as an Archdiocese memo put it, to "minimize the possibility of unwanted publicity." Father Gana was sent to live at Immaculate Conception Rectory, along with other priests who were recovering from alcoholism and other problems. He became Chaplain of the Monastery of the Discalced Carmelite Nuns on September 16, 1997.

Three weeks later, on October 6, Msgr. Lynn and Fr. William Dombrow, the pastor of Immaculate Conception, met with Fr. Gana to discuss the limitations on his ministry. In memos for official Archdiocese records, Msgr. Lynn reported instructing Fr. Gana that he had "permission to exercise his ministry only at Immaculate Conception Parish and as Chaplain to Carmelite Monastery." Any other assignments required Msgr. Lynn's permission. To Fr. Gana, Msgr. Lynn emphasized the need to act "low key" in the diocese.

Although he was now ostensibly responsible for the priest, Fr. Dombrow said he was never told that Fr. Gana had sexually abused minors. Fr. Dombrow admitted to the Grand Jury that he did not feel qualified to supervise a sexual offender, and would have refused to take Fr. Gana in had he known his condition. He was certain he would not have been so lax in his supervision.

Not knowing the danger that Fr. Gana posed to children, Fr. Dombrow asked Msgr.

Lynn whether Fr. Gana could fill in when parishes called in need of a priest to celebrate Mass. Monsignor Lynn said that he could, while advising him to avoid Fr. Gana's old parishes in Northeast Philadelphia.

Yet, by November 3, 1997, less than a month later, Fr. Gana was seen celebrating Mass, assisted by altar boys, at Ascension Parish in Kensington where he had first met John and Barry. Learning of this from his sister, Tim wrote that day to Cardinal Bevilacqua expressing concern that Fr. Gana was still in active ministry and warning that he presented a danger to the boys of the Archdiocese.

The Cardinal handed the letter to Msgr. Lynn with instructions to respond over Msgr. Lynn's, not the Cardinal's, signature. Monsignor Lynn invited Tim to come talk the next time he was in town from Connecticut, where Tim had gone to become a priest after his excardination from Philadelphia.

Monsignor Lynn belatedly apologizes to a victim, but tries to justify the Archdiocese's treatment of Father Gana.

At their April 1998 meeting, Msgr. Lynn apologized for the manner in which he and Msgr. Molloy had handled Tim's case in 1992. According to Tim, the Secretary for Clergy finally acknowledged that the Archdiocesan managers believed that Fr. Gana abused Tim. Monsignor Lynn noted that others had accused the priest of committing sexual abuse after Church officials had heard, and ignored, Tim's reports about Fr. Gana. One accuser, Msgr. Lynn said, was a Slovak student whom Fr. Gana sponsored to study in the United States. According to Msgr. Lynn, Fr. Gana had revoked the student's funding upon discovering that the boy had a girlfriend, which made Fr. Gana jealous. Monsignor Lynn also spoke of another of Fr. Gana's victims who would "never be right" as a result of his abuse. "He can't function. He has threatened to take his own life."

Monsignor Lynn called Fr. Gana's repeated celebration of Mass at Ascension parish a "mistake" – but not because of how traumatic the priest's presence could be to his

victims. Rather, Msgr. Lynn said: “We tell him to keep a low profile because there are people out to get him.”

Monsignor Lynn reassured Tim that Fr. Gana’s ministry was limited, and that he was being monitored. But Tim remained unconvinced, noting that Fr. Gana’s new ministry at the Carmelite Monastery took only about 35 minutes a day, that he had a car, and that no one was watching him.

Tim testified that Msgr. Lynn related to him the cockeyed logic of the Archdiocese, according to which Fr. Gana had not been diagnosed as a “pedophile” (attracted to prepubescent children) or “ephebophile” (attracted to post-pubescent minors) because he was alcoholic and also had sexual encounters with women and adult males. Had Fr. Gana been diagnosed a pedophile, Msgr. Lynn explained to Tim (who had been compelled to have oral and anal sex beginning when he was 13 years old), the Archdiocese would have taken steps to remove him from the priesthood.

By December 1998, Fr. Gana was asking Msgr. Lynn’s permission to hear confessions at parish penance services. Monsignor Lynn refused, noting that it was impossible to supervise confession. As Msgr. Lynn phrased it in a memo, this was a problem because “any of [Fr. Gana’s] victims from the past, seeing him hear confession, could claim the church is being negligent.”

Father Gana continued, however, to minister in inappropriate situations. Tim’s sister reported seeing him, surrounded by altar boys, celebrating Easter Mass at the Carmelite Monastery. Later, Fr. Dombrow reported that Fr. Gana, who often spent time at his mountain house, was overly involved with a young man he met in one of Fr. Dombrow’s twelve-step meetings. Monsignor Lynn questioned Fr. Gana on December 5, 2000, and reported that Fr. Gana “mentioned one other person, but by the end of the conversation, he had mentioned two more.”

Father Gana is removed from ministry only after the sex-abuse scandal among Boston clergy brings national attention to the issue.

On February 13, 2002, Msgr. Lynn wrote to Fr. Gana, notifying him that the Archdiocese was "unable to provide and sustain an adequate level of supervision" of many sexually abusive priests it kept in limited ministry. Father Gana, along with some others, was relieved of his assignment.

Father Gana was removed from the priesthood one month after the sex-abuse scandal among Boston clergy had surfaced – and more than 25 years after he had begun preying on children in his parishes. Tim told the Grand Jury he was disappointed that the pain of victims had not been enough to prompt earlier action by the Philadelphia Archdiocese.

On October 11, 2004, faced with the possibility of involuntary laicization, Fr. Gana agreed to live "a supervised life of prayer and penance." Father Gana appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Father Raymond O. Leneweaver

The abusive history of Father Raymond O. Leneweaver is remarkable for the number of victims who brought allegations of molestation and rape to Archdiocese managers while they were still being abused by the priest, or shortly thereafter. It is also remarkable because, even with these prompt reports and Fr. Leneweaver's repeated admissions of guilt, Cardinal John Krol allowed him to continue as a teacher and a priest, transferring him from parish to parish, thereby providing him unrestrained access to ever more unsuspecting victims.

Father Leneweaver told the Grand Jury in January 2005 that, for the past year, he had taught Latin at Radnor Middle School. In fact, Cardinal Bevilacqua and his aides had known since 1997 that the admitted child molester was teaching in suburban public schools. The Grand Jury finds that Fr. Leneweaver's large number of victims and his continued access to young boys are directly attributable to the Archdiocese's practice of not reporting a priest's crimes even after he confessed them, of persuading victims' parents not to go to the police, and of then transferring the offender to parishes where his reputation was not known and parents were unaware of the need to protect their sons from their priest.

Ordained in 1962, Fr. Leneweaver began admitting his sexual abuse of boys to Archdiocese officials in the late 1960s. In response to specific complaints made in 1975 to the Archdiocese by victims or their families, he admitted that he had "seriously" abused at least seven young boys. These sexual assaults began when the children were as young as

11 years old, usually lasted a few years, and included fondling, anal rape, and attempted oral sex. In addition to these "serious" involvements, Fr. Leneweaver told Archdiocese officials that he molested other boys "in an incidental fashion," for example, in the swimming pool at Saint Charles Borromeo Seminary. Still more victims, about whom Fr. Leneweaver was not questioned, came to the Archdiocese's attention during his 18-year tenure in active ministry. Given the typical reluctance of young sexual-abuse victims to come forward, these boys, though considerable in number, were most likely a tiny portion of the total. Over the years additional victims of Fr. Leneweaver, now adults, reported their childhood abuse by this priest.

Despite the Archdiocese's knowledge that Fr. Leneweaver was a chronic sexual offender, each time angry parents confronted Church officials with new complaints, Cardinal Krol merely transferred him to another assignment, where the priest remained in active ministry. By the time Fr. Leneweaver was transferred for the fourth time, the Archdiocese Chancellor, Francis J. Statkus, noted in a September 1980 letter that "he was appointed to this area of the diocese because it is one of the few remaining areas where his scandalous action may not be known."

Father Leneweaver admits to reported sexual abuse and the Archdiocese permits him to remain a high school teacher.

In June 1964, Fr. Raymond Leneweaver was assigned to live in the rectory at Our Lady Help of Christians Church in Philadelphia and to teach at Roman Catholic High School. It was during these assignments, which lasted until the summer of 1966, that Fr. Leneweaver began sexually molesting a minor, "Jeffrey." The Archdiocese received a report of Fr. Leneweaver's criminal behavior in June 1968 from Fr. Anthony Massimini of Saint Charles Borromeo Seminary. A June 3, 1968, memo to the file by Chancellor Terrence F. Monihan recorded that Fr. Massimini had informed him that Jeffrey had come forward six months after his own two years of sexual abuse had ended, because he suspected that Fr. Leneweaver was still abusing two other boys.

Monsignor Monihan recorded the complaint, but made no effort to contact Jeffrey or the boys that Jeffrey sought to protect. When Msgr. Monihan asked Fr. Leneweaver about Jeffrey's allegation, the priest immediately confessed, as recorded in the June 3, 1968, memo: "I know; I admit it; I am deeply ashamed."

Father Leneweaver claimed, however, that he was not abusing other boys. He suggested that Jeffrey was merely "jealous" because the priest had found new "friends" at Sacred Heart in Clifton Heights, where he had moved after leaving Our Lady Help of Christians. Had the Archdiocese looked into these "friends" in 1968, it likely would have found "Stuart," among other of Fr. Leneweaver's victims. Handwritten notes of a March 22, 2002, telephone call recorded that Stuart called Archdiocese authorities 35 years later to inform them that Fr. Leneweaver had abused him when he was an altar boy at Sacred Heart Parish in 1968.

Even after Fr. Leneweaver's admission to sexual abuse, Archdiocese managers did not speak to Jeffrey or probe his allegations about other boys. Father Leneweaver, then a teacher at Cardinal O'Hara High School as a result of his reassignment in 1966, claimed that his molestation of Jeffrey for more than two years had been a temporary lapse. He blamed depression following his first assignment, where he had lived with an alcoholic priest and had had to minister to "the Negroes." Father Leneweaver also claimed that his parents had died shortly before he began molesting Jeffrey. The priest often used his parents – who, in fact, were not dead in 1968 – to explain the "difficulties" in his life. Despite Fr. Leneweaver's admitted acts of pedophilia, Archdiocese managers allowed him to continue to teach at Cardinal O'Hara High School. The Archdiocese gave no notice of Fr. Leneweaver's problem to the school principal, much less to parents. The priest remained at the school until 1971, when a litany of complaints, including some about serving alcohol to minors, prompted the Archdiocese to transfer him to a parish assignment.

Although the new chancellor, Msgr. Francis J. Statkus, noted in a memo, dated August 4, 1971, that he knew of Fr. Leneweaver's history as a child abuser, Cardinal Krol assigned the priest to Saint Monica's, a South Philadelphia parish with an elementary school.

While at Saint Monica's parish, Father Leneweaver sexually abuses several more boys; after his admission to these crimes, the Archdiocese transfers him.

At Saint Monica's parish, Fr. Leneweaver formed a group out of the boys he abused. He named them the "Philadelphia Rovers." The priest had T-shirts made up for them. He took them on outings – swimming at the seminary, ice skating, tobogganing. When he got them alone, he molested them. He put his hands down the front of their pants, or pulled down their pants. He fondled their genitals and rubbed his own erect penis against their buttocks until he ejaculated.

In a certified, confidential letter dated June 26, 2002, an attorney, Neil Murray, wrote to Cardinal Bevilacqua and provided the following account from "A.," a former altar boy and Rover. On at least five occasions when A. was in 8th grade, Fr. Leneweaver came into the boy's classroom and took him out of class. The priest took him to the school auditorium, where he forced the boy to bend over a table and rubbed against him until the priest had an orgasm. In the rectory bedroom, the lawyer wrote, "Leneweaver pulled [A.'s] pants down, poured a lubricant on [A.'s] buttocks, and thrusted his penis against [A.'s] buttocks until Leneweaver had an orgasm on [A.]."

Father Leneweaver forcibly raped another of the Rover boys, overcoming his resistance to penetrate him anally. He gave the boys money or gifts afterwards. He assaulted the boys in the seminary swimming pool, in the ocean, in his rectory bedroom, at the church's summer camp, and in the church itself, in the sacristy behind the altar. Several, if not all, of the Rovers were altar boys.

One of the Rovers, "Russell," testified before the Grand Jury. He named four others – "Edward," "Stephen," "Thomas," and "Angelo." Of those, the District Attorney's office was able to locate Edward, but he refused to get involved, saying that he had put those years behind him. His father and brother, however, told their family's painful story.

Edward's older brother, "Daniel" (who, as an adult became a psychologist operating a treatment program for juvenile sex offenders), knew and remembered the most about Edward's abuse. He became aware of it when Fr. Leneweaver visited the family's rented beach apartment in the summer of 1974. Edward was 11 or 12 years old and had spent the previous year as an altar boy at Saint Monica's. Daniel, who was 14 at the time, knew that Edward and other altar boys spent a lot of time with Fr. Leneweaver either at the rectory or swimming at the seminary. Edward told Daniel that Fr. Leneweaver taught him "wrestling

moves" in the priest's bedroom. At the beach that summer, Daniel discovered the true nature of Fr. Leneweaver's relationship with his brother.

Daniel watched from the shore with his youngest brother, "Dirk," as Fr. Leneweaver took Edward into the ocean. Daniel described seeing the two, "sort of plastered together," bobbing up and down, with the priest's front against Edward's back. Later that evening, Fr. Leneweaver singled out Daniel and separated him from his brothers. After taking the three boys to a movie, Fr. Leneweaver returned with them to the beach. He sent Edward and Dirk on a mission to find seashells, then asked Daniel to climb into the lifeguard stand with him. There, the priest started to rub his erect penis against Daniel's backside as he reached down the front of the 14-year-old's pants. Daniel testified that he broke away from the priest's grasp and called for his brothers. The priest told the boys not to mention their walk on the beach to their mother when he dropped them off.

Daniel did tell his mother, but he tried to be vague at first. He told her that he did not think Edward should spend time with Fr. Leneweaver. When his mother accused him of being jealous of the priest's attention, Daniel became more explicit. He told his mother that he thought Fr. Leneweaver was a pervert and that the priest had tried to "push into" Daniel from behind. At that, his mother called Daniel a pervert and slapped him. She told her son that "priests don't do that."

When Daniel and Edward's father came home, their mother recounted what Daniel had told her. The father's response was to beat his oldest son with a belt, repeating, "priests don't do that." Upset that his father did not believe him, Daniel persisted, telling him, as he told the Grand Jury, what the "priest was fucking doing with my fucking brother." Daniel could not remember what happened after that. He heard the rest from his brother Dirk, who was hiding with Edward in the closet. Their father, according to Dirk, "went nuts," beating his oldest son until he was unconscious. Daniel did not bring up the subject again, and Edward continued to spend time alone with Fr. Leneweaver.

In the first week of May 1975, Fr. Leneweaver brutally raped Edward, anally, on a Saturday morning when he was helping to clean a church nursery. After this attack, the young boy no longer could hide his distress from his family. He went home, showered, and

refused to return to the nursery to work that afternoon. His father later found him curled up in a fetal position on his parents' bed, crying. His father also found a pair of bloodstained underpants. Edward told his father that Fr. Leneweaver had "messed with him." Daniel told the Grand Jury that Edward admitted being penetrated anally to their father. In addition to the anal rape, the boy told his father that the priest had wanted to perform oral sex on him and have the boy do the same in return. Eventually Edward had been able to escape and run away.

This time, the horrified father believed his son. He picked up a baseball bat and went looking for the priest, but another priest interceded to prevent any violence.

The next day, Edward told his father about three other boys Fr. Leneweaver was abusing. Together with the parents of two of those boys, Edward's mother and father went to their parish pastor, Fr. Aloysius Farrell, and reported Fr. Leneweaver's behavior. According to Daniel, Fr. Farrell persuaded the parents not to go to the police by telling them that it would not be good for Edward or the others, or for the parish. He promised them that the Church would take care of the situation. Father Farrell then passed on the allegations to Msgr. Statkus at the Chancery Office, who noted in a May 7, 1975, memo to

Cardinal Krol that this was not Fr. Leneweaver's first "unnatural involvement."

When Msgr. Statkus questioned Fr. Leneweaver, the priest admitted, according to the Chancellor's notes, "that for almost a year he has engaged in homosexual activity" with the boys at Saint Monica's parish school whose parents had registered the complaints. A May 12, 1975, memo to the file by Msgr. Statkus recorded that the priest later told the Chancellor that he was "seriously" involved with other boys from the parish as well. In addition, he confided to Msgr. Statkus during their meeting that there were "several others" with whom he was involved "in an incidental fashion, as swimming trips to the seminary, etc. . . ." The Chancellor asked Fr. Leneweaver to provide the names of other boys with whom he was involved. In a May 13, 1975, letter, Fr. Leneweaver provided Msgr. Statkus with three names: "Kenneth" (8th grade), "Christopher" (7th grade), and "Gary" (8th grade).

Archdiocese files reflect no action taken to warn the parents of Kenneth, Christopher, or Gary, so that those boys might be saved from the abuse they were suffering. Instead, Msgr. Statkus wrote a memo to Cardinal Krol informing him about Fr. Leneweaver's admitted crimes but assuring him that "general scandal" was not imminent. The Cardinal was willing to honor Fr. Leneweaver's request to stay in his position two more weeks so that he could participate in a scheduled class reunion. Only when Edward's mother made it very clear that this would not be acceptable, was Fr. Leneweaver asked to leave.

Archdiocese officials did not report Fr. Leneweaver's criminal abuse of multiple minors to the police. Nor did they initiate proceedings to remove Fr. Leneweaver from the priesthood. Instead, on May 7, 1975, Cardinal Krol granted Fr. Leneweaver leave to take care of his still-alive parents in Florida and to seek treatment there. Three and a half months later, the Cardinal assigned Fr. Leneweaver to serve as a priest in Saint Agnes parish in West Chester. A September 4, 1975, Chancery office memo noted that the assignment would not be announced.

Father Leneweaver's victims suffer lifelong damage.

While Fr. Leneweaver moved on, the abused boys and their families were left to deal with their damaged lives. No one from the Archdiocese ever contacted the victims or their families. Edward's father told a detective from the District Attorney's Office that, when he happened to see Cardinal Krol at their church one day, he asked what was being done about Fr. Leneweaver. The Cardinal, knowing that his questioner was the father of a victim, answered: "What do you want, a public confession?" The Cardinal expressed no sympathy, compassion, or remorse.

Edward continued to suffer physically and psychologically. In his early teens, he had 18 inches of his bowel removed due to a perforation. He was afflicted with a stressrelated stomach condition. Mentally, his brother testified, Edward shut down. According to Daniel, Edward "drank his way through his late teens and early twenties." He acted out sexually, Daniel believed, in order to reassure himself that he was not homosexual. As an adult,

Edward told his psychologist brother that he had trouble sleeping because flashbacks continued to torment him.

Edward's father was too sick with cancer to testify before the Grand Jury. He told his story to the detective from the District Attorney's Office, but some parts were too painful for him to recount. According to the detective's testimony before the Grand Jury, the victim's father cried during the interview; it appeared to the detective that he was crying because he knew he could, and should, have done something more to protect his son.

Russell, another of the "Rovers" at Saint Monica's, also suffered long after Fr. Leneweaver left his parish. He told the Grand Jury that, as with Edward, his abuse began when he was 11 years old, in 1973, and continued until his parents reported Fr. Leneweaver to Fr. Farrell in May 1975. Russell's abuse, like Edward's, included a forceful, brutal attack. Russell told of an instance in the priest's bedroom when Fr. Leneweaver pinned his face down on the floor, fondling his genitals and "humping on him from behind." The boy tried to bang on the floor, to be heard by the priest downstairs, but Fr. Leneweaver restrained him. The assault lasted nearly twenty minutes. When it was over, Fr. Leneweaver gave Russell a few dollars and told him not to tell anyone.

Father Leneweaver never relented when Russell asked the priest to stop touching him in the pool, the rectory, or the sacristy. Father Leneweaver forced himself on the boy, saying it was "just wrestling." Russell felt ashamed and scared. As word was getting out about Fr. Leneweaver, the priest dragged Russell out of class one day and, while crushing the boy's hand, threatened to kill him if he told. Russell believed the priest.

Russell's grades dropped when Fr. Leneweaver's abuse began. He developed a nervous twitch that caused him to shake his head constantly and blink. His father could not stand the twitch and took Russell to another priest who tried to hypnotize the boy to get rid of it. The twitch lasted nearly 10 years, into Russell's twenties. Like other victims, when they got older, Russell began to drink heavily. At age 41, he cannot get the abuse out of his mind. His wife has threatened to leave him because of his drinking. He is in counseling and on medication to help him with his anxiety. He said he still distrusts priests and cannot take his children to church – he cannot bear to see altar boys.

At Saint Agnes, Father Leneweaver sexually assaults more children and admits to it; the Archdiocese responds by moving him again.

On August 28, 1975, despite seven admitted instances of long-term sexual abuse of children and several admitted "incidental" encounters, Fr. Leneweaver was named assistant pastor of Saint Agnes parish in West Chester, another parish with a grammar school. A year later, Fr. Leneweaver was sexually abusing "Andy," an 8th grader at Saint Agnes School. In July 1980, when Andy was a senior in high school, his parents learned from an anonymous letter that Fr. Leneweaver had been abusing their son for nearly four years. The parents immediately notified their pastor, Msgr. Lawrence F. Kelly.

In a letter to Msgr. Statkus, dated July 15, 1980, Msgr. Kelly summarized Fr. Leneweaver's abuse of Andy. In the beginning, Fr. Leneweaver regularly approached the child in the schoolyard at Saint Agnes School, instructed him to get excused from his next class, and then abused him, usually in the rectory. Father Leneweaver also molested Andy on camping trips and in his home where Fr. Leneweaver was often a dinner guest. The abuse happened against Andy's objections, but afterwards Fr. Leneweaver lavished the boy with gifts.

Monsignor Kelly confessed to knowing that other boys, in addition to Andy, were frequent visitors to Fr. Leneweaver's bedroom. Monsignor Kelly warned Msgr. Statkus that Andy's father had "not ruled out [going to the police] unless action [was] taken by church authorities." Monsignor Kelly related that the father "did not want to see him again at the Altar, or hear him preach." The father wanted him "away from here." Once again, Fr. Leneweaver admitted to the Archdiocese that the allegations were true.

In response to a threat to contact police, Father Leneweaver was immediately removed from the parish and sent to Villa Saint John. Yet, within two months, the Cardinal had reassigned him to another active ministry. During those two months, two more allegations of recent or ongoing sexual abuse of boys from Saint Agnes became known to the Archdiocese. Cardinal Krol's response was to transfer Fr. Leneweaver to a new parish, Saint Joseph the Worker Church, in Fallsington. As Msgr. Statkus explained: "He was appointed to this area of the

diocese because it is one of the few remaining areas where his scandalous action may not be known."

Father Leneweaver's evaluations and treatment gloss over his problems, and the Archdiocese ignores them.

Between each of his last three assignments, Fr. Leneweaver underwent some type of psychological evaluation or therapy. But the actual diagnosis or treatment had no discernible effect on the priest's subsequent assignments. The Grand Jury finds that Archdiocese officials used Fr. Leneweaver's "treatment" solely for public-relations purposes, that is, so they could justify to parishioners who might question them why a serial child molester and rapist kept being reassigned to new parishes.

Father Leneweaver's first treatment followed his departure from Saint Monica's parish in 1975. While in Florida for three months allegedly assisting his aging parents, Fr. Leneweaver met twice weekly with a psychiatrist, Walter E. Afield. Following Fr. Leneweaver's return to Philadelphia, Dr. Afield sent a report to the Archdiocese, which noted that tests performed when Fr. Leneweaver first arrived in Florida showed "no signs of psychosis or serious mental disorder." This conclusion was reached before any treatment was begun and within a few weeks of the time Fr. Leneweaver had been sexually abusing several young boys simultaneously.

The report made no mention of Fr. Leneweaver's sexual behavior with boys or anyone else. Indeed, there is nothing in the report to suggest that Dr. Afield even knew of Fr. Leneweaver's deviant sexual history or problems. Rather, Dr. Afield addressed problems arising from Fr. Leneweaver's dealings with his aging parents and "some difficulty with his career in terms of his relationship with authority." Dr. Afield concluded that Fr. Leneweaver needed more therapy but could work in any setting where he would be most useful. The doctor stressed that it was "most important" that Fr. Leneweaver's next therapist be Catholic. He did not explain why.

The Archdiocese did not receive Dr. Afield's report until September 3, 1975, several days after Cardinal Krol had already assigned Fr. Leneweaver to Saint Agnes Parish in West Chester. Although too late to influence the Cardinal's decision about Fr. Leneweaver's placement, the report proved useful two months later, when Edward's mother complained because Fr. Leneweaver had been reassigned as a priest and was visiting his old parishioners at Saint Monica's as well. Monsignor Statkus wrote in a November 10, 1975, memo that he "assured her that truly Father Leneweaver was appointed in accord with medical advice, and that he [had] undergone therapy and medical attention." Monsignor Statkus gave these assurances and brushed off the mother's concerns even as he noted in the same memo that Fr. Leneweaver was not pursuing the recommended follow-up therapy and was having serious problems with authority in his new assignment. In a June 23, 1976, memo, Msgr. Statkus wrote that Fr. Leneweaver was "not close to a favorable resolution of his problems. . . . It seems to me that if he remains in the priesthood, he will constantly need the help of a professional."

Father Leneweaver saw a psychiatrist, Anthony Panzetta, nine times in seven months after he returned from Florida. However, as Msgr. Statkus noted in his June 23, 1976, memo to the file, when Dr. Panzetta referred Fr. Leneweaver to another doctor, Alan Goldstein, Msgr. Statkus became concerned about Fr. Leneweaver's therapy. He warned the priest to "be alert in his consultations with Dr. Goldstein – that Dr. Goldstein's care, advice and directives would not run counter to the ideals of the priesthood and his membership in the Church." When Fr. Leneweaver failed to pursue treatment with Dr. Goldstein, the Archdiocese did not object. Within months, Fr. Leneweaver was abusing Andy.

Four years later, in June 1980, when Andy's father threatened to report Fr. Leneweaver's criminal abuse to the police, Cardinal Krol ordered Fr. Leneweaver to undergo psychological testing at the church-owned hospital, Villa Saint John Vianney, in Downingtown. The Cardinal did this, Msgr. Statkus noted in a July 18, 1980, memo to the file, so that "the faithful of West Chester" would be reassured "that the case of Father Leneweaver is being carefully studied and that he was not being reassigned routinely."

On July 18, 1980, Fr. Leneweaver entered Villa Saint John for evaluation. In a letter dated July 31, 1980, Msgr. Kelly, the pastor of Saint Agnes, wrote to Msgr. Statkus to inform him that even though Fr. Leneweaver was at Villa Saint John, he seemed "to have freedom to continue his sick ways." Monsignor Kelly told Msgr. Statkus that Fr. Leneweaver was visiting parishioners' homes, including that of the "Donnelly" family, where Fr. Leneweaver was "friendly" with two of the teenage sons. The pastor had received this information from a young man named "Lamar" who had known Fr. Leneweaver at Saint Monica's and had received a letter from the priest suggesting a gettogether while the priest was at Villa Saint John. Lamar warned Msgr. Kelly that "Father
Leneweaver should never again be assigned where he would come into contact with boys." Monsignor Kelly relayed this information to Msgr. Statkus, along with his own opinion that Lamar had come forward because he was sincerely concerned that boys were "in danger of being hurt." He viewed Fr. Leneweaver "as taking advantage of his priesthood to get what he wants out of boys."

Monsignor Kelly also recounted to the Chancellor a phone call he had received following Fr. Leneweaver's departure from Saint Agnes from a parishioner inquiring about the priest's health and praising his work with the youth. The pastor then boasted: "We have been able, certainly with your help, to keep suspicion from entering people's minds."

In accordance with the Archdiocese's practice of keeping parishioners in the dark, Msgr. Statkus did not contact the Donnellys to warn them that an admitted sexual offender was visiting their sons. On August 13, 1980, while Fr. Leneweaver was still living at Villa Saint John, it was Mrs. Donnelly who reported to Msgr. Statkus her suspicions that Fr. Leneweaver had been molesting her sons. One son had told her about his sexual advances; the other, a 15-year-old, had admitted only to "wrestling." She also told Msgr. Statkus, who recorded his meeting with Mrs. Donnelly in an August 18, 1980, handwritten memo, that Fr. Leneweaver had invited the 15-year-old to play racquetball during the priest's "stay" at Villa Saint John Vianney Hospital.

Monsignor Statkus told Mrs. Donnelly that Fr. Leneweaver "had undergone fulltime psychiatric counseling and rehabilitation before being assigned to Saint Agnes; that he was declared fit for assignment, and that he was counseled to seek part time counseling while on assignment." Monsignor Statkus neglected to tell her that "full-time psychiatric counseling" meant twice a week with a doctor whose declaration of fitness did not address the priest's sexual issues; that Fr. Leneweaver had received no follow-up counseling for four years; and, that the chancellor had known for years that Fr. Leneweaver was "not close to a favorable resolution of his problems."

Dr. Anthony L. Zanni at Villa Saint John diagnosed Fr. Leneweaver as afflicted with a "personality disorder – psychosexual immaturity." He concluded that the priest was suffering from the very mental conditions – anxiety, depression, and frustration – that caused him to molest boys. Although Dr. Zanni suggested that Fr. Leneweaver's prognosis might be favorable with "long term psychotherapy," he did not conclude that Fr. Leneweaver was fit for an assignment at that time.

In an extremely frank memo to Cardinal Krol, dated September 11, 1980, following Fr. Leneweaver's stay at Villa Saint John Vianney, Msgr. Statkus outlined Fr. Leneweaver's long history of sexually abusing boys in several parishes. He recounted the repeated transfers made "in the hope of avoiding scandal," and he lamented that "the latest incident eliminates his usefulness in his ministry in the area of Chester County." The Chancellor pointed out that Fr. Leneweaver's misbehavior was so widespread that there were only two areas of the diocese where he could still be assigned. He questioned the validity of psychological testing that repeatedly proved to be wrong. He reported that Fr. Leneweaver continued his contact with at least one victim even while at Villa Saint John Vianney. (Appendix D-4)

This was when Cardinal Krol assigned Fr. Leneweaver, once again, to a new parish at the opposite end of the Archdiocese – Saint Joseph the Worker, in Fallsington, Bucks County.

With the Archdiocese unwilling to remove him, Father Leneweaver removes himself from ministry, but the danger that he poses remains unknown to the community.

As it happened, Fr. Leneweaver's departure from the priesthood was at his own instigation, not the Archdiocese's. In December 1980, he asked for a permanent leave of absence. In a notation to a memo approving Fr. Leneweaver's leave, Cardinal Krol wrote:

> His problem is not occupational or geographical & will follow him wherever he goes. He should be convinced that his orientation is an acquired preference for a particular method of satisfying a normal human appetite. – An appetite which is totally incompatible with vow of chastity + commitment to celibacy.

Otherwise phrased, Cardinal Krol believed that Fr. Leneweaver was an incurable pedophile. Thereafter, the Archdiocese loosed the sexual offender on children outside the church.

Over the next 20 years the Archdiocese denied various requests from Fr. Leneweaver to become active as a priest again – always, as one memo put it, because of "the risks for the diocese, for the bishop, for himself and the legal repercussions . . . ." While protecting themselves, however, the Archdiocese managers abdicated their responsibility to the community.

Cardinal Bevilacqua learns of Father Leneweaver's past crimes and his continued work with children, but takes no action.

In 1997, Fr. Leneweaver wrote directly to Cardinal Bevilacqua, expressing his interest in resuming active ministry. He sent the Cardinal what Vicar for Administration Joseph Cistone referred to as "a rather large packet of materials." It contained the priest's resumé; several letters of reference for teaching positions, at least one written by an Archdiocese employee; a letter thanking the priest for his volunteer work at a homeless shelter for youth; and a clean criminal history record obtained by Fr. Leneweaver when he applied for a teaching position in New Jersey in 1993. His resume showed that immediately after leaving active ministry in 1980, he had worked for 10 years as a "Residential Counselor and Instructor" for a Jesuit Program for Living and Learning. The resumé listed a job teaching Latin for a year and a half in the Millville, New Jersey, school district. (Appendix D-5)

According to notes from a December 15, 1997, issues meeting, the Cardinal "presented" the letter and asked that his Secretary for Clergy, Msgr. William Lynn, meet with Fr. Leneweaver to discuss his request. The Cardinal also asked that Msgr. Lynn inform him "under what circumstances Mr. Leneweaver left the active ministry." On February 16, 1998, after meeting with Fr. Leneweaver and reading through his Secret Archives file, Msgr. Lynn sent a memo answering the Cardinal's question to Msgr. Cistone. The Secretary for Clergy attached a chronology of Fr. Leneweaver's career, including his repeated admissions that, as a priest, he had sexually abused boys in his parishes. Monsignor Lynn wrote:

> You will note that he has a history of acts of pedophilia/ephebophilia and I imagine by today's standards, would be diagnosed as such. He really does not understand the climate of the times, nor the risks to himself or the church, should he be given ministry.

The Secretary for Clergy recommended that the Archdiocese write Fr. Leneweaver and explain that "for his own welfare and the welfare of the Church," his request to return to ministry could not be granted. As usual, no mention was made of protecting children.

Monsignor Cistone forwarded Msgr. Lynn's memo and chronology to Cardinal Bevilacqua, who approved the recommendation that Fr. Leneweaver not be given an assignment in the Archdiocese. But the Cardinal did nothing more. Despite knowing that Fr. Leneweaver had admitted sexually abusing many boys during his priesthood, that Msgr. Lynn considered the man a pedophile, and that he was still teaching boys, thanks to a clean criminal history resulting from the Archdiocese's concealment of those crimes, Cardinal Bevilacqua did absolutely nothing to reduce the risk that Fr. Leneweaver posed to his students and other children.

Even though Cardinal Krol's earlier decisions not to report the priest's crimes inhibited prosecution of the offender in 1998, Cardinal Bevilacqua could have taken other actions. He could have reported the priest's crimes to law enforcement – as the Archdiocese now does – even though the statute of limitations might be deemed to have run. He could have used his authority to tell the priest that he should not be teaching

children. The Cardinal could have protected many children simply by formalizing and publicizing the priest's removal from ministry and the reason for the decision. In December 2003, Cardinal Bevilacqua announced the removal of four priests due to allegations of sexual abuse of minors and provided their names to the public. Had he done the same with Fr. Leneweaver, it is unlikely the admitted child molester would have found employment in Philadelphia's suburban public schools.

On January 29, 2002, Msgrs. Lynn and Cistone were informed by memo that Fr. Leneweaver had been teaching Latin and History full-time for three years in the Philadelphia suburbs – in the North Penn and Central Bucks School Districts. Again they took no action. And so, on January 5, 2005, Fr. Leneweaver told this Grand Jury that, just last year, he was teaching Latin at Radnor Middle School in Montgomery County.

The Grand Jury finds that Cardinal Bevilacqua could have protected hundreds of students had he chosen to shield them instead of the Archdiocese and this sexually abusive priest.

Father Leneweaver was called to testify before the Grand Jury. He answered questions about his employment since leaving the Archdiocese, but when given the opportunity to answer the allegations against him, he chose not to do so.

Father Joseph Gausch

Father Joseph Gausch began serving as a priest in the Philadelphia Archdiocese in December 1945 and, based on the Secret Archives file provided, he started to abuse young boys almost immediately thereafter. The abuse included fondling, masturbation, oral sex, and attempted anal rape. It occurred in sacristies, rectories, and on outings. On one occasion in 1974, after Fr. Gausch admitted to Archdiocese officials that allegations of child molestation were true, Chancellor Francis J. Statkus wrote in a memo that, "because of the scandal which already has taken place and because of the possible future scandal, we will transfer him in the near future."

There is every reason to believe that Fr. Gausch continued his reign of terror throughout his 54 years of service in the Archdiocese. Yet, because of the manner in which complaints of abuse were handled, neither the Grand Jury nor anyone else will be able to determine just how many victims this priest left in his wake.

The Archdiocese discovers letters that Father Gausch wrote detailing his sexual abuse of boys, sends him to do "penance," and returns him to ministry.

In 1948, Fr. Joseph Gausch was sent to Alexian Brothers Hospital in Oshkosh, Wisconsin, to do "penance" for "perversion and homosexuality." He was ordered to the hospital after letters that he had written to another priest, Fr. Charles L.G. Knapp, were discovered by the assistant pastor at St. Alphonsus, the parish where Fr. Gausch was assigned. The letters describe Fr. Gausch's abuse of several teenage boys beginning as early as 1946:

- In one letter, written in 1946 when he was assigned to St. Joseph's parish, Fr. Gausch wrote that he was going to watch a high school football game and that the "trick will be to appear interested in the game and not the players – there are some wows among them." He continued that "the latest obstacle to my spiritual advancement is a 14 year old 7th grader – not stupid but does not study, wretched home conditions, not a bad kid, attractive as anyone could ask – and sex has already made itself a nice place in his life --- you can see the set up. I was going over town last Friday just as school was dismissing --- his home is over there. He volunteered to walk over with me – a mile and a half. Something to remember Chunk for."

- In a second letter to fellow priest Fr. Knapp, Fr. Gausch wrote: "Your 'work' among the adolescents sounds interesting INDEED. I only hope it is less dangerous than my own escapades with male teenagers. I sometimes feel it is just a question of <u>when</u> I am going to reach out and snatch. I've come THAT close so often…" (emphasis in original).

- In a third letter, Fr. Gausch talked about a student at St. Joseph's and described how "it happened again. We've gotten through the wildfire stage and the thing has settled down into solid, wholesome friendship. He needs no idealizing… he's got the goods… "Teddy" has a grandma who though not sick is housebound and delights in my visits --- you know the rest of the story. That's the last place on today's list --- Teddy will be home from school by then. That, pal, is zeal … who cares for *what*" (emphasis in original).

- Finally, in a May 25, 1948, letter to Fr. Knapp, Fr. Gausch wrote: "This afternoon … Sister asked me if I would take some of the 8th grade boys to camp today. They are finished their exams and they are a job to keep in tow. I said yes … we always do, you know … She told me to take my pick … decision was based on anything but their qualities of soul, naturally. Kept the crowd small … purposefully. We worked for a while then lounged … that's one name for it … for at least two solid hours … result: one more ,e,ory [sic] with a capital 'M'. It is the closest approximation to an old fashioned roll that I have had in <u>years</u> … and the subject was oh so satisfactory and (this is what makes the story) <u>willin'</u> … "Larry" (the hero of the above piece) plans to go to the lake on the annual trip, told me that in the middle of <u>everything</u> this afternoon. Have since been thinking of something. There are so many signed up and it is so difficult to get a place big enough to hold the mob. Sooooo, I am [sic] thinking, why not make two expeditions out of it. First the official JHN jaunt, and the second I could use as one of my vacation weeks --- just take the "overflow" the second week … a cozy five or six. Take a small cottage … and of course, the overflow being handpicked … with Larry heading the list at present writing. That is why it would be so convenient if we had our own place. Not too much more to say so I'll double back here. Been hoping for months now to make a masterpiece of this year's vacation, with something like the above in mind … rounding up a few of the desirables and making off somewhere. After your recent escapades, you may be an invaluable help…". (Appendix D-6)

Upon discovery of these letters, Cardinal Dennis Dougherty suspended Fr. Gausch and sent him to the hospital to do "penance." Father Gausch remained at the hospital from July 21, 1948, until March 1949. There is no indication that any attempts were made to identify or contact the teenage boys that were the subject of the letters.

Father Gausch abuses boys at Our Lady of Peace and Saint Bridget parishes.

After he completed his "penance," Fr. Gausch was assigned to St. Anthony of Padua parish in Easton. He thereafter was transferred as an assistant pastor to several parishes until, in May 1961, he arrived at Our Lady of Peace in Milmont, where he remained until August 1964. His transfer from Our Lady of Peace followed an incident involving molestation of yet another boy.

An April 17, 1974, memo in the file authored by Chancellor Francis J. Statkus revealed that, in 1964, Fr. Gausch had taken a boy from a swimming pool to the rectory at Our Lady of Peace and molested him. No other details were given except to note that Fr. Gausch was immediately transferred to St. Bridget in North Philadelphia.

Father Gausch became assistant pastor at Saint Bridget in August 1964. There he came in contact with "Brian," a 12-year-old altar boy. Father Gausch began by fondling young Brian but quickly escalated to masturbation, oral sex, and attempted anal rape. Brian told the Grand Jury that he came from an extremely religious family whose pride in his being selected as an altar boy was unwavering. This fact played a large part in his inability to speak to anyone about what was happening. Additionally, Fr. Gausch manipulated him by saying that if he were to reveal the abuse, he would not be believed because nobody would believe a "colored" boy. Instead, they would think he was trying to start trouble.
Young Brian never doubted the truth of what Fr. Gausch was telling him. At the time the abuse was going on, he said, there were only about 10 black families in the parish.

Brian told the Grand Jury that the abuse usually occurred after the 7:30 morning Mass, either in the sacristy or the hallway between the church and the rectory. Father

Gausch tried to make Brian believe that it was happening because he was "special" and that God was "ok" with it. Father Gausch also told Brian that what was happening made him feel good, and since priests spend all their time making other people feel better sometimes they need someone to make them feel good as well. Brian believed it – Fr. Gausch was a priest, so he had to be telling the truth.

Brian told the Grand Jury that the abuse affected every aspect of his life. When he finally mustered the courage to come forward and set up a meeting with the Secretary for Clergy, William J. Lynn, he wrote out an agenda for the meeting because he wanted to make sure that he remembered all he wanted to say. He wanted to convey that "the abuse had affected his life and his faith and that it had left a scar and that it was now time to uncover the wound and try to diminish the scars and promote some healing." During the meeting, Msgr. Lynn informed Brian that Fr. Gausch had died and, although he provided no specifics, he also told him that the priest had abused other boys.

At Queen of the Universe, Father Gausch abuses another boy, and nothing is done; he retires in 1992.

In 1973, Fr. Gausch was transferred to Queen of the Universe in Levittown. Thereafter the Chancery was informed that Fr. Gausch was abusing the son of a parishioner, and that a nun with the Sisters of Saint Joseph had commented several times about "Father's familiar advances toward the boys in the school."

When confronted with this information by Chancellor Statkus, Fr. Gausch admitted that the allegations against him were true. Monsignor Statkus noted in a memo that, in light of the priest's conduct and admission to it, "because of the scandal which already has taken place and because of the possible future scandal, we will transfer him in the near future." Monsignor Statkus also told Fr. Gausch that if "he needs, in his estimation, psychiatric consultation, that he should seek it." According to the memo, Fr. Gausch was not directed to this consultation but rather was told that if there was another "lapse," then he would be directed to it – perhaps on a full-time basis. Monsignor Statkus also informed Fr. Gausch that if, in the future, he did not provide cause for apprehension or suspicion, he would be

considered for a pastoral appointment. At no point in the memo or in any subsequent documents was the well-being of the victims considered. Avoidance of scandal was the only consideration.

As the Chancellor had suggested, Fr. Gausch was again transferred, this time to St. Aloysius in Pottstown. And in April 1980, he was elevated to pastor, at Good Shepherd in Philadelphia. When Cardinal Bevilacqua was installed as Archbishop of Philadelphia in February 1988, he retained Fr. Gausch as pastor with no restrictions. In June 1992, Fr. Gausch retired and was named Pastor Emeritus at Good Shepherd.

After Father Gausch's retirement, "Ross" comes forward to report prior abuse; the Archdiocese investigates the victim and dismisses his report.

On January 13, 1994, a 27-year-old male named Ross contacted the Secretary for Clergy, Msgr. Lynn, to report that he had been sexually abused by Fr. Gausch while serving as an altar boy at Good Shepherd parish in 1980-81. Ross was 12 or 13 years old at the time. Ross told Msgr. Lynn that there was another altar boy who was also abused, and he provided his name.

Ross related that both he and the other boy had been fondled by Fr. Gausch in the sacristy. Monsignor Lynn, having access to the extremely long history of Fr. Gausch in the Archdiocese files, asked Ross whether it was possible that he "misinterpreted" Fr. Gausch's actions of putting his hand on the boy's penis. Ross stated that no, he had not misinterpreted the actions. Ross told Msgr. Lynn that all he wanted was to confront Fr. Gausch.

Father Gausch was interviewed on February 15, 1994, and denied the allegations. He said that Ross's family was "problematic" and that Ross "had a terrible home life." Father Gausch discussed his own problems of the past but stated that he had overcome them. He refused to meet with Ross. Monsignor Lynn told Fr. Gausch that "the Archdiocese supported him and that he would investigate a little bit more the background of [Ross]."

Monsignor Lynn did just that: he conducted an investigation not into Fr. Gausch, whose abuse of children went back to 1946, but into the personal history of the victim and

his family. Monsignor Lynn tracked down the principal of Good Shepherd's parish school and a priest who was assigned there from 1976-1980. He also spoke with a nun who taught at St. Clements at the time of Ross's abuse. Monsignor Lynn learned from these people that Ross was absent from school several times, that the family was known in the community in "unflattering" terms, and that Ross was a poor student.

By contrast, Msgr. Lynn conducted *no* investigation of Ross's claims, other than to speak with Fr. Gausch. Most notably, he made no effort to speak to the other altar boy who was identified as also being abused. On March 4, 1994, Msgr. Lynn wrote a memo to Cardinal Bevilacqua informing him of the allegations and suggesting that both he and his aide, Fr. James Beisel were "very suspicious" of Ross's allegations. He also wrote that "it is our suspicion that he is motivated by the hope of a cash settlement with the Archdiocese." Monsignor Lynn noted this "suspicion" even though Ross at no point made a request for a cash settlement. Monsignor Lynn never recommended that Fr. Gausch be evaluated, nor did he recommend that the other named victim be contacted to determine whether he had in fact been abused.

Cardinal Bevilacqua did nothing except to order that "every sensitive allegation, including those involving incidents to have occurred in excess of five years ago, are to be brought to the attention of the Archbishop on the same day that they are received in the office of the Vicar for Administration." Father Gausch died on May 30, 1999.

Following Father Gausch's death other victims come forward.

- **"David"**

On August 11, 2000, David wrote a letter to the Cardinal stating that he had been sexually abused by Fr. Gausch on several occasions when he worked at the Good Shepherd rectory in the early 1980s. He also stated that Fr. Gausch was "unprofessionally friendly with some of the male children who either worked in the rectory or attended the school."

Cardinal Bevilacqua forwarded the letter to Msgr. Lynn. The Secretary for Clergy spoke by telephone with David, who said that the only thing he wanted done was to make

the Cardinal aware of Fr. Gausch's behavior. Apparaently at no point in the conversation did Msgr. Lynn ask for names of additional victims.

- **"Patrick"**

On March 25, 2002, Patrick informed Msgr. Lynn that Fr. Gausch, while assigned at Saint Stanislaus Church (from 1956 to 1961), had sexually assaulted him when he was 18 years old. Patrick said that it was very difficult for him to cope and that he spent many years not speaking to anyone about what happened. He said that he drank excessively to numb the pain. Monsignor Lynn told him Fr. Gausch was dead and offered counseling assistance.

- **"Sammy"**

On March 27, 2002, Sammy informed Msgr. Lynn that Fr. Gausch had abused him in 1963-64 when he was an altar boy at Our Lady of Peace Church in Milmont. Sammy said that he had told his father about what had happened and his father had confronted the pastor, Fr. Noll, as well as Fr. Gausch, who was transferred in August 1964 to St. Bridget's. Sammy expressed his disgust at the fact that the Church had transferred Fr. Gausch to other parishes where he was able to abuse other children.

Sammy also talked about how he had heard Cardinal Bevilacqua publicly state that there were only 35 victims of sexual abuse in 50 years in the Archdiocese. (Sammy was confused on the numbers – the Cardinal had said there were 35 priests and 50 victims. The point, however, remains that the Cardinal grossly underestimated the number of victims.) Sammy said that he felt even more victimized by that statement because he felt more isolated than he had before. He thought, "I can't be only one of 35 people this ever happened to. Am I that big a freak." Sammy said that during a meeting with Msgr. Lynn and his aide, they did not give any information except that Fr. Gausch was dead. They would not confirm that he was transferred based on this incident, nor would they say whether he had any psychiatric treatment. They only stated that "situations back then were handled differently."

Father Nicholas V. Cudemo

Father Nicholas V. Cudemo, ordained in 1963, was described to the Grand Jury as "one of sickest people I ever knew" by Monsignor James E. Molloy, Cardinal Bevilacqua's Vicar for Administration. Father Cudemo raped an 11-year-old girl, molested a fifth grader in the confessional, invoked God to seduce and shame his victims, and maintained sexually abusive relationships simultaneously with several girls from the Catholic school where he was a teacher. His own family sued him for molesting a cousin.

Yet, with serious allegations against the priest on record, Cardinal Bevilacqua twice promoted him to serve as pastor of Philadelphia parishes. Only after victims threatened to name the Cardinal and the Archdiocese in a lawsuit was Fr. Cudemo removed from his pastorate.

Even so, in January 1997, after the victims withdrew their lawsuit, the Cardinal's Secretary for Clergy, Monsignor William Lynn, presented Fr. Cudemo with a certificate declaring him "a retired priest in good standing in the Archdiocese of Philadelphia," and asking that he be permitted to function as a priest in any other diocese in the country. Monsignor Lynn issued this certificate one year after a panel of pastors had recommended Fr. Cudemo's removal as pastor due to "several grave causes" and despite the Archdiocese's knowledge of at least 10 separate allegations against the priest involving sexual abuse of girls. In March 2003, Fr. Cudemo told one of his former victims that the certificate was allowing him to minister in Orlando, Florida, where he now lives part-time.

Perhaps most disturbing, and revealing, about the Archdiocese's handling of Fr. Cudemo's abuse of children is that Church officials have never admitted or acknowledged their misplaced priorities. In 2003, long after the priest's many abuses were well known to the Archdiocese, Cardinal Bevilacqua continued in his Grand Jury testimony to defend the Church's handling of Fr. Cudemo's case. He did so in the face of overwhelming evidence – that Archdiocese managers had ignored or failed to follow up reports of abuse; that they had concealed information from and lied to parishioners; that they had allowed Fr. Cudemo to remain in place long after his abuse was well known, even after he refused treatment; and, finally, that they had permitted Fr. Cudemo to retire early and continue acting as a priest rather than remove him from ministry.

A list of some of the victims identified in evidence before the Grand Jury makes clear both Fr. Cudemo's unrelenting depravity and the extent of Church leaders' knowledge when they kept reassigning the priest. This list includes only those girls who were the subject of formal complaints made to Archdiocesan managers. It does not include the names of girls that the Archdiocese learned of either secondhand from the victims who came forward or from the priest himself.

Date Abuse Began	Victim	Date Abuse Reported
1964	"Donna"	1991

1966	Anonymous Letter	1966
1969	Hysterical Girl	1969
1969	Girl in Fr. Cudemo's Room	1969
1969	"Sister Irene"	1991
1969	"Ruth"	1991
1971	"Sister Margaret"	1991
1973	"Patricia"	2004
1973	"Stacy"	2004
1975	"Emily"	1977
1976	"Marion"	1991
1982	"Theresa"	2001

Saint Stanislaus (1963-1968): The Archdiocese ignores report of Father Cudemo's three year "love affair" with a high school junior.

Father Nicholas Cudemo began his first assignment, as assistant pastor at Saint Stanislaus parish in Lansdale, in June 1963. In April 1966, Cardinal Krol received a letter from an anonymous parishioner informing him that Fr. Cudemo had carried on an "affair" for the entire three years he had lived in the parish with a girl identified as a junior at Lansdale Catholic High School.

Father Cudemo denied the allegation, and church files reflect no further investigation or action. No effort was made to talk to the victim. Father Cudemo remained in place for two more years, during which time he also sexually molested a cousin of his, Donna.

Bishop Neumann High School (6/68-2/69): Father Cudemo is transferred five months after school starts because of "particular friendships" with students.

In 1968, Fr. Cudemo was assigned to teach at St. John Neumann High School. Archdiocese records turned over to the Grand Jury include no new allegations from his stint at Neumann, yet Fr. Cudemo was transferred out after only five months of school. His place of residence, as well as his teaching assignment, changed abruptly on February 10,

1969. Reports from his next assignment indicate that he continued to sexually abuse a girl from Lansdale.

Although the Grand Jury received no records from 1968 which might explain Fr. Cudemo's sudden transfer, a later memo, written by Chancellor Francis Statkus in 1977, made reference to the reason. The Chancellor recorded that he told Fr. Cudemo, who was again accused of sexually abusing a girl in 1977, that he might have to be moved from teaching to parish ministry "since he has already been changed twice previously to other high schools" because of "particular friendships" with female students.

Archbishop Kennedy High School (2/69-6/73): Father Cudemo sexually abuses many girls and is permitted to teach for four years after two incidents are reported to the Archdiocese.

In August 1969 two current incidents are reported to the Archdiocese.

In February 1969, Fr. Cudemo took up a new teaching assignment at Archbishop Kennedy High School and a new residence at Saints Cosmas and Damian in Conshohocken. Six months after he arrived, the pastor of his rectory reported to the Archdiocese two instances of inappropriate behavior with girls.

On August 20, 1969, Fr. Louis DeSimone told then-Chancellor Terrence F. Monihan that, a few months before, the pastor had interrupted an encounter between Fr. Cudemo and a girl from his earlier assignment in Lansdale. Father DeSimone reported that he heard "some commotion" coming from one of the church offices on a Sunday afternoon. When he entered to investigate, he found Fr. Cudemo trying to "calm an hysterical girl." The pastor asked the girl to leave, which she did — shouting as she went that she loved Fr. Cudemo. The priest told Fr. DeSimone that the girl had a crush on him but that he was not involved with her in any way. He promised the pastor that he would be extremely careful in his behavior with girls in the future.

A month later, Fr. DeSimone learned from two witnesses — his housekeeper and a priest living at the rectory — that, while the pastor was on vacation, Fr. Cudemo had taken another girl into his bedroom for half an hour with the door shut.

Chancellor Monihan informed Fr. Cudemo that his residence would have to change. Once again Fr. Cudemo promised he "would be extremely careful of the way he conducted himself with girls in the future." From September 1969 to November 1971, Fr. Cudemo lived at Saint Helena in Center Square. He continued to teach at Archbishop Kennedy for another four years after this allegation.

Three victims from Father Cudemo's tenure at Kennedy report abuse in 1991.

Although they did not surface until many years later, in 1991, subsequent allegations show that during his time as a teacher at Kennedy High School, Fr. Cudemo molested at least three other girls. Two of the girls were related to him: one, Irene, who later became a nun, was his second cousin; the other, Ruth, was her cousin, but unrelated to Fr. Cudemo by blood. (Fr. Cudemo had earlier molested Irene's sister, Donna, while he was still at Saint Stanislaus in the 1960s.)

- **Sister Irene**

Sister Irene testified before the Grand Jury that Fr. Cudemo started visiting her home frequently when she was in 6th or 7th grade and her sister Donna, who was five years older, was in high school. When Irene entered high school in 1969, Fr. Cudemo began taking Irene to baseball and basketball games at Kennedy and at Saint Joseph's University.

On one occasion, after a game at Kennedy, Fr. Cudemo stopped his car on route to Irene's house and started kissing her, as she described it, "kind of all over me." She said she was uncomfortable with the way he was touching her body and told him she wanted to go home. At the time, Irene was 15.

From then on she tried to avoid being alone with him, but he managed to abuse her another time while driving a car full of young people. As Irene sat in the front center, next to him, Fr. Cudemo took her hand, put it on his penis, and held it there. Frozen in fear, and not wanting to draw attention, she said she let it happen, becoming numb and pretending she wasn't in her body.

Sister Irene testified that embarrassment kept her from telling anyone about these incidents, and that it never occurred to her he might be doing the same thing to other people. She did not learn of Fr. Cudemo's severe sexual abuse of her young cousin Ruth until 1991.

- **Ruth**

Father Cudemo became acquainted with Ruth through Donna and Irene's family. Ruth was between 8 and 10 years old in the late 1960s when Fr. Cudemo ingratiated himself with her family and her older brother, who was a football player. Ruth's father was also a sports fan, so they would go to games with Fr. Cudemo or have him over to watch sports on television. Ruth told the Grand Jury that her parents felt privileged to have a priest spending time with their family. Fr. Cudemo would often say Mass in their living room and stay for dinner. Her parents felt he was a good influence.

Initially, Fr. Cudemo's interactions with Ruth seemed innocent. He took her for ice cream or to visit his mother. She said she felt special and almost like she "was the only person in the world that mattered…."

Ruth estimated she was around 10 or 11 years old when Fr. Cudemo began sexually abusing her (but she also recalled sexual activity with Fr. Cudemo at the Saints Cosmas and Damian rectory which he left in 1969, when she was still 9). The first sexual incidents happened in his car. He would say, "Well, I really better drive you right home, because if I don't, I'm going to kiss you."

Ruth explained to the Grand Jury how this approach of Fr. Cudemo's made her feel responsible for what happened:

> And you know, kind of like I didn't say anything, and then, you know, he would pull over and kiss me; and then each time it was something else, but he would always warn me first, which I didn't know at the time, but it was sort of like his way of making me feel responsible, because if I had a choice, you know, to say no, you know, if he — you know like, I'm warning you, so if you don't say anything, I'm going to do this. But I was, you know, a kid, and I was just like really paralyzed and really — I don't know, didn't really feel like I had a choice.

Fr. Cudemo's actions progressed from kissing, to touching – her breasts, then vagina — then to oral sex. He would call the child on the telephone and instruct her to do sexual things to herself. She said she did not fully understand what was happening at the time.

Ruth testified that Fr. Cudemo began raping her when she was 11 years old, which would be in 1971. After raping her, he would hear her confession. He would tell the 11year-old that the only way for her to connect with God was through him. Only after confessing was she "worthy of God's love." He convinced the child it was really a "life or death situation," that she couldn't survive without the priest.

Ruth told the Grand Jury that Fr. Cudemo took her for an abortion of a fetus she conceived from his rapes sometime before she started high school in 1973. She remembered it was not long after she started menstruating, when she was 11 years old. Father Cudemo blamed the young girl and questioned how she could be so stupid as to become pregnant. She said he was mad because he was "very pro-life." She said she was terrified, but Fr. Cudemo did not stay with her at the abortion clinic.

Father Cudemo transferred from Kennedy to Cardinal Dougherty High School in June 1973. Ruth began Dougherty as a freshman in September 1973.

- **Sister Margaret, I.H.M.**

Margaret, who later became a nun, was a high school junior when she met Fr. Cudemo. She informed Archdiocese officials that Fr. Cudemo molested her for two years until she graduated in 1973.

In October 1991, Sister Margaret told Msgr. Lynn, the Cardinal's Secretary for Clergy, and Msgr. Molloy that her first encounter with Fr. Cudemo occurred when he took her and a boy to a wedding in New York. When they stayed overnight, Fr. Cudemo put the boy in one bedroom and had Margaret sleep in the priest's room. In the morning, he got into her bed wearing only boxer shorts. He told her he had wanted to sleep with her the night before.

She said that Fr. Cudemo never had intercourse with her, but that he hugged, kissed, touched, and fondled her many times over the two years. He would lie on top of her and

then go into the bathroom. She told of a train trip to Florida with Fr. Cudemo during which he took her hand, as she sat beside him, put it on his penis, and said, "hold me." Sister Margaret described the shame she felt as a result of what Fr. Cudemo had done to her. She told how he would come to her convent years later to lead retreats and hear confession and how that was torture for her.

When Sister Margaret came forward 18 years after Fr. Cudemo's abuse had ceased, she was still angry. According to Msgr. Lynn's notes of their conversation, she could not understand why Fr. Cudemo was still in a parish when she knew "this isn't the first we've heard about this . . . ." She told Msgrs. Molloy and Lynn of another nun, "Catherine," who she knew had been friendly with Fr. Cudemo and thought might have been victimized. Sister Catherine had a nervous breakdown and said she "hated" the priest.

Father Cudemo was transferred from Archbishop Kennedy High School to Cardinal Dougherty High School in June 1973. Although the Archdiocese provided the Grand Jury with no records from 1973 to explain the transfer, a girl named Marion, who was involved with Fr. Cudemo for many years, told the Grand Jury she believed it was because of "problems with females." Sister Margaret also remembered Fr. Cudemo telling her in 1973 that he had been "called downtown" by the Vice Chancellor because of his behavior with girls. A 1977 memo by Chancellor Statkus confirmed that Fr. Cudemo was transferred from Kennedy because of his "particular friendships" with girls. It was the priest's second transfer from a high school – a fact later noted by the Chancellor to explain why Fr. Cudemo might have to be changed from teaching to parish ministry in 1977. In 1973, however, the Archdiocese responded to the priest's sexual impropriety by giving him his third teaching assignment.

Cardinal Dougherty High School (6/73-9/77): Father Cudemo abuses at least five students; when the Archdiocese learns of one of these victims in 1977, it transfers Father Cudemo to an unsuspecting parish.

At Cardinal Dougherty, Fr. Cudemo added at least four new young victims to the ones he was already abusing. According to the Archdiocese's own records, there was a

period in 1976 and 1977, lasting almost a year, during which Fr. Cudemo was reportedly abusing at least three of his students regularly.

Patricia and Stacy tell the Grand Jury of their abuse while students at Cardinal Dougherty

Two victims of Fr. Cudemo's, Patricia and Stacy, came forward to testify before the Grand Jury after reading a July 25, 2004, newspaper article, naming Fr. Cudemo as a priest who abused minors. They said that they were not surprised, but felt guilty for not speaking up sooner. The two women had been friends during their junior and senior years at Cardinal Dougherty High School from 1972 to 1974. Both were accosted by Cudemo when they were 17 years old and in their senior year of high school.

Patricia testified that Cudemo constantly touched and hugged her and that it was routine when accompanying him in his car, even with others present, for him to take her hand and put it between his legs. She told of three incidents which went far beyond this touching, in one case terrifying the teenager. The first incident, she said, took place as she cleaned in the chapel after school one day. She said that Fr. Cudemo entered the chapel, came over behind the altar where she was working, and began "chitchatting." The next thing she knew, she was pinned against the wall and he was kissing and touching her body. Before anything else happened, the principal of the school, Father James Howard, entered the chapel and saw them. She said that Fr. Cudemo immediately stepped away from her and left the chapel without a word. Patricia testified that she could not remember the principal's exact words, but that his message to her was clear -- if she said anything about the incident, she would be expelled. She said that he asked her no questions about the incident or her welfare.

She continued to see Fr. Cudemo around school and on outings in his car with other students. She said that she felt safe when with a group, but twice Fr. Cudemo dropped the other teens home before her. Both times, when he had her alone, he sexually abused her. The incident which scared her most, happened when the priest pulled his car to the side of a dark and deserted road "in the middle of nowhere." She testified that after stopping, Fr. Cudemo pulled her toward him and began to kiss her. She said that she pled with him:

“Please don’t do that.” When she began crying and asked what he was doing, she said, he unfastened his pants and pulled down the zipper. She said that he got angry and the more she cried, the angrier he got. She said that he kept pulling her hand over to try to make her touch his exposed penis. He told her he couldn’t believe she “didn’t want to do this.” She said that she was terrified by his anger and truly thought she was in danger of physical harm. She said she did not know how long the activity lasted, but eventually she took her hand away and he drove her home. This was one of the last times she saw Fr. Cudemo.

Patricia’s friend, Stacy, testified that she came to know Cudemo because she was the president of the school’s community service organization and he was a moderator for the group. She described how she was in class one day when a hall monitor entered with a note for her teacher. The teacher then announced that Fr. Cudemo wanted to see Stacy in the sacristy. She said that when she entered, Fr. Cudemo approached her, hugged her longer than she thought normal, and then began to kiss her. She said that she pushed him away and asked why he had wanted to see her. He answered that he “loved being close to her” and “just wanted to be with” her.

Stacy said that she continued to have a relationship with Fr. Cudemo in which he aggressively tried to persuade her to become a nun. She did not describe other sexual incidents. She testified that she lost touch with Fr. Cudemo after she turned 18, except for one time, four years later, when he stopped by her mother’s house unannounced. She said he was accompanied by two young Dougherty girls.

Then, in March 2003, Fr. Cudemo called Stacy to wish her a happy 47th birthday. He said that he had been in trouble with the Archdiocese in the 1990s, telling her: “They’re calling me a pedophile, but I don’t like little boys.” He said that he had been accused of hurting girls and he wanted to know if he had hurt her. She told him how inappropriate she thought his behavior had been. Finally, he told her that he was living in Orlando. He explained that he was able to minister and say Mass because the Philadelphia Archdiocese had given him a letter stating that he was a priest in good standing.

The Archdiocese is told of Emily’s abuse in 1977.

The Archdiocese learned of one victim from this time, Emily, shortly after she graduated from Cardinal Dougherty, and while she was still being abused by Cudemo. In July 1977, Emily's best friend, "Denise," and Denise's mother came to see then-Chancellor Francis J. Statkus. They informed him that Emily (they declined to give her last name) had told Denise that Fr. Cudemo had been having sex with Emily since June 1975, the end of the girls' sophomore year of high school. The relationship had continued through high school and was ongoing in July 1977 after they had graduated. Denise told Msgr. Statkus that she was coming forward because she felt the situation was wrong and she feared "tragedy might ensue." She explained that she and Emily had started teachers college at Bloomsburg State following graduation, but that Emily had dropped out following a visit from Fr. Cudemo. Denise said that, while at Bloomsburg, Emily had confided that she feared she might be pregnant. Monsignor Statkus noted that in late July "however, that condition does not exist from the latest information."

After dropping out of teachers college, Emily accompanied Fr. Cudemo and a niece of his to Florida for 13 days. Another trip was planned to California in August. According to Denise, Emily suspected that Fr. Cudemo "associated with" other girls from school.

Monsignor Statkus interviewed Fr. Cudemo on July 27, 1977, having found out Emily's full name. He told the priest of the accusations. Monsignor Statkus wrote in a memo that Fr. Cudemo "admitted to all the statements of Denise concerning his association with [Emily]" — except that he insisted there were no "sexual overtones" in this association.

The 41-year-old priest admitted having the girl visit him at his rectory when she was in high school, talking to her frequently on the phone, visiting her at her house, taking her on trips, and driving her around in his car. He admitted that he had visited her at Bloomsburg State earlier that summer and that he had brought her home because, he said, she did not want to continue. He admitted to being attracted to younger girls, "but in no offensive way."

Monsignor Statkus recorded that Fr. Cudemo offered, "since this was the third occasion that he has been approached by the Chancery on the same subject, namely

particular friendships with girls, that he is prepared to face or meet any action which may be directed to him, even being deprived of his faculties." Despite this offer to remove himself from a situation where he could continue to abuse the diocese's girls, no one in the Archdiocese asked him to forgo his faculties. Rather, he was told by Msgr. Statkus: "we would consider changing him from the teaching apostolate, since he has already been changed twice previously to other high schools and yet the particular friendships have continued."

The Archdiocese then reassigned Fr. Cudemo to a parish, Saint Mary Magdelan De Pazzi in Philadelphia – with a school attached to it – despite evidence in his Secret Archives file, from 1966 and 1969, suggesting that he was quite capable of procuring victims in a parish setting.

Father Cudemo begins to abuse Marion and continues to abuse Ruth.

A year before he was reassigned from Cardinal Dougherty, and while continuing his sexual relationship with Emily, Fr. Cudemo began to abuse another, younger Dougherty student — Marion. A 15-year-old sophomore when the priest began molesting her, she would continue to have a sexual relationship with him for 16 years before informing the Archdiocese in 1991.

Father Cudemo also continued abusing Ruth, whom he had started molesting when she was about 10 years old. She testified that once she entered Cardinal Dougherty High School, Fr. Cudemo started "bringing in other priests" to rape her. She said that the circumstances of sexual abuse by other priests varied, but she testified about one such incident.

She described a time she was at Fr. Cudemo's rectory and he left her in his bedroom, saying he was going to a wedding rehearsal. He told her he'd be back and asked her to wait. Shortly after Fr. Cudemo left, an unfamiliar priest came into the bedroom and gave the teenager some alcohol. He then raped her and left. When Fr. Cudemo returned, he asked Ruth what she'd been doing. Afraid to tell the truth, she said she had been watching T.V. Father Cudemo then cursed her, called her a liar, and said, "I ran into Father John, and

he told me that you seduced him." She later came to suspect that such incidents were designed by Fr. Cudemo. She said he was "really big into …punishment."

Ruth recalled instances where priests she did not know would rape her while Fr. Cudemo was present. She became very upset as she recalled these events, and had to take a break from testifying. Ruth told the Grand Jury that Fr. Cudemo would often insert a Host, the Eucharist, into her vagina and tell her she had "fucked God" or "fucked Jesus." He told her she was a "walking desecration," that she was "unworthy of God's love." He made her feel ashamed, and then would hear her confession.

Father Cudemo told her she had seduced him and that she was evil. He said that he was celibate before he met her, but that her body made him break his vow. She testified that she now knows that what he did was just "really sick," but, as a child, she believed it was her fault. She said she grew up hating herself and her body.

Throughout his tenure at Dougherty High School, Fr. Cudemo took advantage of Ruth's family's hospitality, spending several nights a week at their house and eating most meals there. The priest dropped his "friendship" with Ruth and her family when he was transferred out of Dougherty in 1977.

Saint Mary Magdelan De Pazzi (9/77-12/81): Abuse of Marion Continues.

No new victims came forward during Fr. Cudemo's assignment as assistant pastor at Saint Mary Magdelan de Pazzi parish. His abuse of Marion, who was then a high school senior, continued. She testified that she was often in his room at the rectory. She said other priests saw her at the rectory, but no one seemed to care.

Saint Irenaeus (1/82-6/87): Father Cudemo abuses at least two more girls, but no contemporaneous reports are recorded.

Father Cudemo was appointed assistant pastor at Saint Irenaeus Parish in January 1982. In a memo to Cardinal Krol, his pastor there described him as "popular with the youngsters, serving as director of the CYO Sports and Cultural activities. He was very exacting with the Altar Boys. He visited the school to give religious instructions…." With

three allegations of sexual abuse of minors in his file, this news might have been received as cause for inquiry. There is no evidence it was.

In January 2001, the Archdiocese learned from Philadelphia Police Officer Denise Holmes, that Fr. Cudemo had been accused of molesting a student from Saint Irenaeus grade school during his tenure there. The victim, Theresa, came forward nearly 20 years later and reported being molested in the confessional by Fr. Cudemo when she was in 5th, 6th, and 7th grades. In February 2001, she repeated her allegations to Msgr. Lynn's assistant, Fr. Vincent Welsh. His notes of a telephone conversation with the victim record that Fr. Cudemo touched her genitals, had her touch his, and that he "attempted intercourse." She said that she had been in counseling for years as a result of what Fr. Cudemo did to her. According to a letter Theresa wrote to the Archdiocese in October 2004, she "specifically asked members of the Archdiocese hierarchy if they knew if Father Cudemo abused other children, and . . . was told definitively NO."

The victim was not the only one lied to by Archdiocese managers. When Officer Holmes was investigating Theresa's allegations in January 2001, she pointedly asked Msgr. Lynn if there had been other allegations from Saint Irenaeus. Monsignor Lynn's own memo recording his meeting with Officer Holmes records: "I stated none of which I was aware." When the officer persisted and asked why Fr. Cudemo was retired, Msgr. Lynn told her that the situation "all had to do with allegations made by his family." Both of these statements were false.

Monsignor Lynn had learned of another teen victimized by Fr. Cudemo at Saint Irenaeus from the priest himself. Monsignors Lynn and Molloy had called Fr. Cudemo in after Sister Margaret had been to see them on October 23, 1991. They mentioned to him that they had a complaint, but before telling him who that person was, he began to talk unbidden about another woman, "Isabelle," who had angrily confronted him at his church just days before.

He told the officials that he'd gotten to know Isabelle and her sister when Isabelle was a freshman or sophomore in high school and Fr. Cudemo was at Saint Irenaeus. He said that her parents would leave her at home alone, not allowing her to have guests or go out. They did, however, trust Fr. Cudemo to be alone with her. He denied "overt sexual activity"

with her, but mentioned an occasion when he reminded her that she had "said she would prostitute herself to get money" and then gave her five dollars.

Father Cudemo told the Archdiocese officials that, Isabelle, now 24 years old, had recently confronted him, telling him: "You messed up my life sexually. I have a totally messed up life because of you. . . . You said such things like you would marry me." The priest said she talked about sexual encounters in his car and about his putting her head in his lap while he was driving.

All the while, as associate pastor of Saint Irenaeus, Fr. Cudemo was maintaining his now 7- or 8-year-old relationship with Marion.

Epiphany Parish (6/87-6/89): Father Cudemo abuses a girl named "Michelle" while continuing his sexual relationship with Marion.

Father Cudemo continued having a sexual relationship with Marion throughout his assignment as assistant pastor at Epiphany Parish in South Philadelphia**.** Although she was no longer a minor, the abusive and controlling nature of the relationship, begun when she was young and vulnerable, kept Marion from escaping it.

Marion told the Grand Jury that by the time she was an adult, she felt trapped and totally dependent on Fr. Cudemo emotionally. She described the relationship as an addiction and him as a security blanket. She said she couldn't talk to anyone else because she felt "[g]uilty, embarrassed, scared, anxious. All of those negative feelings." She explained that he had alienated her from her parents, siblings, and friends. He used his position as priest to claim he knew what she was "called to do." In an interview on November 16, 1991, Marion told Msgrs. Molloy and Lynn that she did everything Fr. Cudemo told her to. She explained that he "uses God" to influence people and "keeps God in the midst of the relationship."

In a memo written after the meeting, Msgr. Molloy noted: "She had suffered severe psychological harm as a result of the relationship." Marion suffered two "nervous breakdowns" and "had been suicidal on several occasions as a result of this harm."

Although he would never talk to her about them, Marion knew of Fr. Cudemo's abuse of other young girls. One of them, she told Msgrs. Molloy and Lynn, "ended up in a mental institution." Marion told the Archdiocese officials about another girl, named Michelle, who had been the daughter of parishioners at Epiphany when Fr. Cudemo was assistant pastor. According to Marion, the priest had befriended the family and persuaded them to start coming to church. She noted that Michelle's family fit the priest's predatory pattern: "all the friends he spent time with had young girls in the family." Michelle came to see Marion in Florida in the summer of 1990. She told her she was in counseling because of Fr. Cudemo.

In 1989 Fr. Cudemo left Epiphany when he was promoted to serve as pastor at King of Peace parish in South Philadelphia.

King of Peace (6/89-6/91): Cardinal Bevilacqua promotes Father Cudemo to pastor with multiple uninvestigated allegations in his file.

At the time Cardinal Bevilacqua elevated Fr. Cudemo to pastor of King of Peace parish, the priest's Secret Archives file contained allegations going back to 1966 (a threeyear "affair" with a girl from the Lansdale parish), 1969 (Fr. DeSimone's report of two witnessed incidents with girls), and 1977 (details of his two-year sexual abuse of Dougherty student Emily). Father Cudemo was 13 years into his sexual relationship with Marion, whom he had started abusing when she was 15, and he had just purchased a house with her in Florida. In addition, Cardinal Bevilacqua's number-two man, Vicar for Administration Monsignor Cullen, had longstanding personal knowledge of Fr. Cudemo, having spent seven years with him at Saint Charles Borromeo Seminary.

Despite all of this, Fr. Cudemo became the new pastor at King of Peace in June 1989. He remained there for two years. During that time he, again, befriended at least one parish family with a teenage girl. In 1991, the Archdiocese was told of allegations that Fr. Cudemo was, at that time, very close to the mother, "Rita," and was also molesting the 13year-old, "Claire." According to Donna, Fr. Cudemo's cousin and former victim, Claire's great-grandmother said, as she was dying, that she had seen Fr. Cudemo fondling Claire.

She pleaded with the girl's family to keep Fr. Cudemo away from the girl.

Claire's mother, however, believed in Fr. Cudemo. He was Rita's pastor, and no one from the Archdiocese had ever informed the parishioners of his unrelenting abuse of girls in his former schools and parishes. She had gotten to know him while helping out at King of Peace. She soon became inseparable from him. Marion told Archdiocese officials in November 1991 that 13-year-old Claire was seen alone with Fr. Cudemo in his car when she and her mother accompanied him to Florida the previous summer. Monsignor Lynn noted that Marion "said she can not say anything happened but when young people are around, Fr. Cudemo always has his hands all over them."

Rita, on the other hand, was unaware of the litany of complaints of improprieties and sexual abuse of young girls in Fr. Cudemo's background. In an interview with Msgrs. Molloy and Lynn in December 1991, it was apparent she thought that the only abuse allegations came from Fr. Cudemo's family. Having heard only his side of the story, she said she thought his relationship with Marion was platonic. She apparently believed Fr. Cudemo that Ruth was just psychologically sick.

She had no way of knowing about the girl from Lansdale, or Sister Margaret, or Emily, or Isabelle, or Michelle from Epiphany, or Sister "Nancy," or Sister Catherine, or a girl named "Laura." The Archdiocese officials knew of allegations relating to all these girls and women, but they weren't sharing the allegations with Fr. Cudemo's parishioners who needed to know to keep their children safe. Monsignors Molloy and Lynn declined an offer by Rita to speak with her daughter Claire.

When Fr. Cudemo was reassigned to Saint Callistus in June 1991, Rita went with him as his secretary.

Saint Callistus parish (6/91-5/96): Cardinal Bevilacqua installs Father Cudemo as pastor after learning of Marion and leaves him in place as the Archdiocese receives numerous allegations.

The Archdiocese learns about Marion then installs Father Cudemo in a new pastorate.

Father Cudemo was installed as pastor at Saint Callistus parish on June 23, 1991. In the priest's Secret Archives file at the time of the appointment were the same allegations of abuse of girls that were in the file in 1989 when Fr. Cudemo was promoted to pastor of King of Peace parish. In addition, just weeks before his installation, Marion came to the Archdiocese with the story of her abusive relationship with Fr. Cudemo, beginning when she was 15 years old. She told Msgr. John J. Jagodzinski, Cardinal Bevilacqua's first Secretary for Clergy, that she believed Fr. Cudemo was emotionally unfit to take on a new pastorate.

Marion met with Msgr. Jagodzinski on June 6, 1991. She was 31 years old at the time. She told him that Fr. Cudemo had initiated an inappropriate "relationship" with her when she was a sophomore at Cardinal Dougherty and he was a teacher there. She told of the house in Florida that she and Fr. Cudemo bought in May 1989 and still co-owned. She also said the priest was "in a very poor emotional condition," that he needed to be forced to face himself, and that he should be kept away from other people. Monsignor Jagodzinski wrote a memo to Msgr. Molloy on June 7, 1991, describing his meeting with Marion and recommending that Fr. Cudemo not be made pastor at Saint Callistus.

Monsignor Jagodzinski's memo expressed his belief that Fr. Cudemo had done what he was accused of: "I cannot help but give some personal reaction to what has been communicated to me, in view of my long association with Nick (high school classmates) . . . ." The memo concluded:

> [Marion's] story is, in my estimation, largely believable. Her assessment of Father Cudemo's present emotional state, I believe, is fairly accurate. . . . I think that if Father Cudemo were confronted with [Marion's] story (she gave full approval to her being identified as the source) he would not dispute it. In that event, it seems to me very inadvisable that he assume his new pastorate. Perhaps he could be referred to the Anodos Center for evaluation and be given time to reflect on his present and future ministry. Perhaps some time at Villa Saint John Vianney Hospital is in order, <u>if Father Cudemo admits to what has been told.</u>

Monsignor Cullen testified that, although he had no specific recollection, a memo such as this would normally come to him and he would take it immediately to the Cardinal.

With all this information, and against the recommendation of his Secretary for Clergy, Cardinal Bevilacqua installed Fr. Cudemo at Saint Callistus on June 23, 1991. Almost immediately other complaints against the priest began to pile in.

Archdiocese officials learn about Ruth, Donna, and Irene, yet leave Father Cudemo in his pastorate.

On September 25, 1991, Fr. Cudemo's cousins Donna and Sister Irene, I.H.M., and their cousin Ruth, brought their allegations to the Archdiocese. They were accompanied by Ruth's husband, "Will," and Donna and Irene's sister, "Peggy." They spoke to the Cardinal's delegates, Msgrs. Molloy and Lynn.

Donna told of a time Fr. Cudemo was spending the night at her family's house when she was 15. The priest called her into his bedroom and asked her to sit on his bed. He was dressed only in undershorts. After talking to her briefly, he began to touch and kiss her. He told her that it was all right for cousins to be close. After that incident she stayed away from him. She said it helped that her father thought Fr. Cudemo should not be hanging around so much with young girls, and did not really welcome him in their house.

Sister Irene told of two experiences with Fr. Cudemo's sexual advances when she was a high school sophomore and he was a teacher at Archbishop Kennedy. She also provided the names of two others from her convent whom she suspected had been abused by Fr. Cudemo – Sister Catherine, I.H.M., and a girl named Laura who had left the convent.

Ruth told many but not all of the details of her abuse. She had been 10 years old when Fr. Cudemo started sexually abusing her. She told them that he was manipulative and threatening, that he had a violent temper, and she was afraid of him.

When Monsignor Molloy asked about physical contact, he noted she became "visibly shaken." Eventually, Ruth was able to tell them that Fr. Cudemo would masturbate with her present and tell her to masturbate. He would lie on top of her nude and

“ejaculate all over her.” He put his penis in her mouth and ejaculated. He would use his finger and mouth on her vagina. He was forceful and would hold her down. She told them this all happened when she was in grade school and high school.

The family members all told of the enormous impact that Fr. Cudemo’s abuse had had on Ruth’s life. She had attempted suicide several times. She had seizures. She entered terrible relationships. Her husband told how she still slept “in a position of fear with her arm covering her head.”

Monsignor Lynn wrote: “[Ruth] stated she just wants to be normal again. She said her life has been ruined. This has had an impact on every part of her life.” told the Church officials that it was “hard to accept” the Archdiocese’s inaction, knowing that if steps had been taken when Fr. Cudemo was first accused, none of this might have happened. She said that she came to speak to the Archdiocese at this point for the sake of other people. Donna, Irene, and Peggy all said that Fr. Cudemo should be removed from his parish and that he should not be near families with children.

Not knowing that Marion had already made a report to the Archdiocese, Ruth informed Msgrs. Molloy and Lynn that she believed Marion was Fr. Cudemo’s next victim.

The family members were all extremely anxious to have Fr. Cudemo confronted and to know what he said. Sister Irene told the church officials she would be willing to confront him if he denied the allegations. Ruth’s husband Will said he felt Fr. Cudemo should have to face the civil justice system.

Monsignor Lynn recorded that Msgr. Molloy responded to this threat of legal action by offering a “middle ground.” The victims would allow Fr. Cudemo to voluntarily seek treatment; if he refused or there was a recurrence, Msgr. Molloy suggested, the victims could still resort to “whatever legal action is available.”

Monsignor Molloy assured Sister Irene that the Cardinal would receive the information from the meeting.

Father Cudemo was interviewed twice in response to his family’s allegations, on October 2 and 3, 1991. Father Cudemo gave a rambling mixture of admissions and denials – stating he “possibly” lay nude on top of an undressed girl; had been confronted by a girl

about touching her and performing sexual acts on her, but didn't remember doing those things and "I remember everything"; that he had "known lots of women and that it always takes two to do these things;" that if sexual activities did occur, they must have happened 20 years ago; that all the girls were willing, and that "nothing close to sexual happened with these girls." When told his accusers were family, he immediately said their names and talked about having "incidents" with them.

Monsignor Lynn noted that Fr. Cudemo offered to do "anything we ask." He said he would leave the priesthood and give up his parish if asked to. Monsignor Molloy assured Fr. Cudemo, however, that the Cardinal was not asking him to resign from the parish. Monsignor Molloy merely asked whether the priest would be willing to have an evaluation done. When Fr. Cudemo commented that Msgr. Molloy had offered him such an evaluation the year before, as well, Molloy stated, "that in this case it would be good to have because the allegations were very specific." Father Cudemo agreed to an evaluation. Monsignor Lynn's notes do not explain why Msgr. Molloy had offered Fr. Cudemo an evaluation the year before.

Father Cudemo also wanted Msgrs. Molloy and Lynn to know that people had come to him with sexual abuse complaints against other priests, but Fr. Cudemo had never sent those people "downtown" to report to authorities. No one, apparently, asked who those priests might be.

The Archdiocese officials asked nothing about Fr. Cudemo's relationship with Marion, even though he mentioned her name repeatedly.

The Archdiocese learns about Claire and leaves Father Cudemo in his parish.

On October 17, 1991, three weeks after they told Msgrs. Molloy and Lynn about their abuse, Ruth and her family members returned to the Archdiocese. They were concerned because, despite all they had told the Archdiocese managers, Fr. Cudemo was still at Saint Callistus. They learned that the Cardinal intended to leave Fr. Cudemo in place until his evaluation, scheduled for December 1, 1991. They were further angered because they had learned that Marion had told the Archdiocese in June 1991, before Fr.

Cudemo was reassigned, about her experiences with the priest from the time she was a teen-ager until 1990. The relatives were baffled that, with all these allegations against Fr. Cudemo, the Cardinal insisted that the priest be evaluated before removing him, even temporarily. The relatives were not aware that Fr. Cudemo had volunteered to give up his parish, but that the Cardinal had chosen to leave him in place.

During their second meeting, Msgr. Molloy repeatedly told the victims that Fr. Cudemo denied not only their allegations, but those of Marion as well. There is, however, no record of Fr. Cudemo denying his relationship with Marion. Moreover, anyone hearing the victims' allegations, coupled with Fr. Cudemo's explanations, could not reasonably doubt that he had sexually molested many girls.

The victims told Msgr. Molloy that they knew there had been complaints about Fr. Cudemo for years, dating back to Lansdale. Yet Msgr. Molloy, with allegations in Fr. Cudemo's Secret Archives file from 1966, 1969, and 1977 — two relating to Lansdale — told the victims: "There is nothing in the file that would prevent Father Cudemo from being a pastor." When he made this statement to the victims, Msgr. Molloy also knew that Msgr. Jagodzinski believed Marion's report about her abuse.

Even after Donna told Msgr. Molloy about the 13-year-old girl, Claire, currently spending time with Fr. Cudemo (the one whose fondling by the priest had been witnessed by her great-grandmother), Msgr. Molloy said "there is no compelling evidence at this time to remove him." Monsignor Molloy assured the victims that he reported such "matters" directly to the Archbishop, but still Fr. Cudemo was left in place.

Monsignor Molloy was not as reticent in suggesting wrongdoing by Fr. Cudemo's accusers. On October 25, 1991, Fr. Cudemo told Msgr. Molloy that Sister Irene had warned the principal at Saint Callistus elementary school to protect her students from the priest. As recorded by Msgr. Lynn, "Molloy [then] stated that he wanted to ask a rhetorical question. He asked Father Cudemo if he had considered that such behavior might be the basis for Father Cudemo to speak to Sister or any others about defamation of character."

Archdiocese officials learn of Margaret, Isabelle, and Sisters Catherine and Nancy and still refuse to remove Father Cudemo from the parish.

Less than a week after the second meeting with Ruth and her family, on October 23, 1991, Sister Margaret, I.H.M., came to see Msgrs. Molloy and Lynn. She told of her two years (1971-1973) of molestation by Fr. Cudemo when she was a high school student. She mentioned two other nuns, Sisters Catherine and Nancy, who, she said, were also "friendly" with Fr. Cudemo. She said that one had had a nervous breakdown. Sister Margaret offered, as had the other victims, to confront Fr. Cudemo if he denied the allegations. The Archdiocese managers put her off, but assured the victim that they would "inform the Cardinal again."

Monsignors Molloy and Lynn questioned Fr. Cudemo again two days later. He admitted his relationship with Marion was sexual. It was also during this interview that Fr. Cudemo, when told there was a new allegation, first guessed it was Isabelle, whom he had abused years before. When told it was an Immaculate Heart nun, he mused that it could have been "Sister Nancy" or "Sister Catherine."

Once informed that the allegations came from Sister Margaret, Fr. Cudemo admitted kissing, embracing, touching her breast, possibly lying on top of her, and sleeping in the same bed with her and another girl at the same time. He then assured the Archdiocese managers there was no "sexual involvement."

Monsignor Lynn pointed out to Fr. Cudemo that, despite how the priest might view his actions, what he admitted to was a crime. Despite Fr. Cudemo's admissions to sexual behavior with minors and his simultaneous refusal to acknowledge the behavior as sexual, Msgr. Molloy ended the interview by asking the priest "if he could assure the Archbishop that there is no overt sexual behavior going on now." Monsignor Lynn dutifully recorded that Fr. Cudemo "stated that there is not."

So assured, the Cardinal still did not remove Fr. Cudemo as pastor at Saint Callistus.

The Archdiocese is threatened with a lawsuit, then removes Father Cudemo from his parish.

Totally frustrated, Ruth, Sister Irene, Donna, and their family, wrote to Cardinal

Bevilacqua on Nov. 5, 1991 (Appendix D-7). They criticized Msgr. Jagodzinski, the Secretary for Clergy, because nothing was done in response to Marion's information. They apparently did not know that Msgr. Jagodzinski had, in fact, recommended that Fr. Cudemo not be given his new pastorate. They told the Cardinal that they thought Marion's allegation alone should have been sufficient to suspend Fr. Cudemo. They told the Cardinal that their complaints, which Msgr. Molloy told them he believed, were surely sufficient evidence against Fr. Cudemo for the Archdiocese to remove him.

When they wrote their letter, they did not even know that the Archdiocese had recently also learned of Sister Margaret's abuse. Or that the Archdiocese had learned from Fr. Cudemo himself about Isabelle, Sister Nancy, and Sister Catherine. Even so, the victims had come to realize that lack of credible allegations was not the problem. They told the Cardinal that priests they had consulted "uniformly tell us that any substantial change will come only in response to a lawsuit." And so, the victims in their letter threatened to name the Archdiocese and the Cardinal in a lawsuit.

A week later, on Nov. 11, 1991, the Cardinal asked that Fr. Cudemo "withdraw from the parish" until his evaluation was conducted. In making this request, the Cardinal asked Fr. Cudemo "to consider two things: 1) what is good for Fr. Cudemo; 2) what is good for the Church." The priest complied, saying he would do whatever he was asked.

Following an evaluation, Father Cudemo refuses recommended treatment and continues to minister.

Father Cudemo was first evaluated beginning December 1, 1991, at Saint Luke Institute in Suitland, Maryland. Unhappy with the results, and not wanting to begin treatment before Christmas, Fr. Cudemo asked for a second opinion. Cardinal Bevilacqua gave his approval, and Msgr. Molloy agreed to schedule an evaluation at Saint John Vianney Hospital around a trip Fr. Cudemo had planned for Jan. 19-29, 1992. He was informed he could not perform his duties as pastor of Saint Callistus. With no other limitations placed on his faculties, Fr. Cudemo was still free to minister in other parishes, live in their rectories, or visit with their parishioners. Following the second evaluation, the Cardinal directed on February 11, 1992, that Fr. Cudemo be hospitalized immediately.

Father Cudemo told Msgr. Molloy that he would not comply. Moreover, aware that the Archdiocese was concerned about a possible lawsuit, Fr. Cudemo told Msgrs. Molloy and Lynn that he would rather go to court, and risk jail, than do as the Cardinal ordered.

Over the next few years, the Archdiocese several times repeated its order that Fr. Cudemo enter treatment, and each time he repeated his refusal. On June 22, 1992, Msgr. Molloy spoke to Ruth. The Church official had earlier suggested to the victims that they forego their lawsuit until they gave Fr. Cudemo a chance to voluntarily get treatment. Monsignor Molloy told them that if he refused, "they would still have an opportunity for legal action." But when Ruth asked Msgr. Molloy what was happening with Fr. Cudemo, the Cardinal's delegate did not tell her that the priest had repeatedly announced he would not enter treatment. Instead, Msgr. Molloy told her "it was not yet clear what response he was going to make concerning what is being asked of him."

Ruth and her husband waited four more months for the Archdiocese to respond. Finally, on Oct. 13, 1992, they filed a civil suit against the Archdiocese and Fr. Cudemo. A review of the files indicates that for the next eight months, Church officials took no action. Father Cudemo was permitted unfettered exercise of full faculties to minister anywhere in the Archdiocese except Saint Callistus.

On June 8, 1993, Msgr. Molloy was notified that Fr. Cudemo had scheduled a Mass in the house of a Saint Callistus parishioner — one of the only things he was prohibited from doing. Upon further investigation, it was learned that he had been living and celebrating Mass at Annunciation parish. On June 17, 1993, Cardinal Bevilacqua restricted Fr. Cudemo's faculties to saying private Mass. This was two years after Marion had alerted the Archdiocese to Fr. Cudemo's behavior.

Despite the supposed restrictions, Archdiocese files reveal that a year later, Fr. Cudemo was still acting as a priest, still visiting parishes, and still asking to say Mass. Without notification to pastors of any restrictions, they were predictably impossible to enforce. From time to time the Archdiocese was alerted, for example, that Fr. Cudemo was once again "a frequent visitor to [Annunciation] parish and to parishioners," or that he was looking to say Mass.

Although Fr. Cudemo was able to keep himself busy in the parishes of the Archdiocese by flouting his restrictions, he wanted his faculties to be reinstated officially so he could minister in Florida, where he also spent a lot of time. On January 30, 1995, Msgr. Lynn in response wrote that Fr. Cudemo's faculties had been "restricted for the good of the Church and the avoidance of scandal" and would remain so "at least until the resolution of civil litigation."

That litigation was resolved on August 21, 1995, when it was discontinued because the statute of limitations had expired. Father Cudemo remained on the books as pastor of Saint Callistus, but being relieved of his duties there, was free to spend his time visiting parishes and parishioners all over the Archdiocese.

On October 18, 1995, the parochial vicar at Saint Jude Church in Chalfont notified the Archdiocese that Fr. Cudemo had been accused of sexual harassment by a woman doing community service at the church. Father Michael Gerlach asked Msgr. Lynn if Fr. Cudemo should be spending so much time at the parish. The Secretary for Clergy said that decision was up to the pastor. There is no indication that he informed the pastor of Fr. Cudemo's history, of any restrictions on his faculties, or of the danger he posed to young women and girls.

Cardinal Bevilacqua removes Father Cudemo from his pastorate, but then restores his full faculties.

Although the Archdiocese seemed unconcerned by news that Fr. Cudemo was involved in several parishes, Cardinal Bevilacqua was interested in moving him from his official and published assignment as pastor to a less visible status. Because Fr. Cudemo was not being cooperative, the Cardinal, on January 15, 1996, initiated an administrative process to remove him under canon law.

As part of this process, two Archdiocesan pastors, Msgr. Robert T. McManus, Pastor, Saint Joseph Parish, Downingtown, and Fr. Thomas P. Flanigan, Pastor, Corpus

Christi Parish, Lansdale, reviewed the allegations against Fr. Cudemo dating back to 1966. Among their findings was that, based on the documents the Archdiocese had in its files, "it is impossible not to see the turpitude that is present and documented in the Acts." They commented that "the accusations and the scandal will not simply go away and if Father Cudemo was reinstated to the parish there would be great harm to the Church." They also noted that "there is the grave possibility of civil legal action." They pointed out that there had been a complaint about harassing a woman from Saint Jude's just a few months earlier. The pastors recommended that Cardinal Bevilacqua remove Fr. Cudemo as pastor.

But rather than proceed with the removal process, the Cardinal accepted Fr. Cudemo's resignation on June 28, 1996. In doing so, he bestowed on Fr. Cudemo the status of retired priest, and gave him permission to fully exercise his priestly faculties throughout the Archdiocese. On Jan. 21, 1997, Monsignor Lynn issued an open-ended certificate of "good standing" to assist Fr. Cudemo in his efforts to minister in Florida parishes as well.

Once retired, Fr. Cudemo split his time between Philadelphia and Florida. On February 12, 1999, he wrote the Vicar of Priests in Orlando, who had been reluctant to allow the priest to minister in that diocese. In his letter, which attached his certificate of good standing, Fr. Cudemo described the extensive ministering he was doing in Philadelphia and elsewhere. He listed six parishes where he was involved: Immaculate Conception, B.V.M., Jenkintown; St. Matthew, Conshohocken; St. Thomas Aquinas, Croydon; Our Lady of Mt. Carmel, Bridgeport; Annunciation B.V.M., Philadelphia; and All Saints Rectory in Manassas, Virginia.

According to Fr. Cudemo, he filled in for pastors for weeks at a time at these parishes, led retreats for teen-agers and children preparing for confirmation, worked with children in CCD (the religious education program), and performed baptisms, confessions, marriage preparation, marriages, and grade-school and high school liturgies. He said he was at Immaculate Conception every Sunday he was not in Florida or serving in another parish in Philadelphia. He estimated he served the equivalent of two months a year at Saint

Matthew in Conshohocken — the parish in which Ruth lived. The pastor at Saint Matthew, Father James W. Donlon, testified that the Archdiocese never informed him about Fr. Cudemo's past.

In his letter, Fr. Cudemo questioned the Orlando diocese's reluctance to let him minister, despite Msgr. Lynn's letter of good standing, when the Philadelphia Archdiocese was being so permissive:

> P.S. Father, there is something that puzzles me. I have served for 2½ years since being reinstated and continue to serve in the Archdiocese of Philadelphia (and in some cases in the very area where my accusers reside) with full faculties, in youth work and all kinds of ministries, and I am not able to serve in a far away diocese such as yours.

Monsignor Lynn acknowledged receiving a copy of this letter, which shows Fr. Cudemo bragging about ministering two months of the year in Ruth's neighborhood. Although Msgr. Lynn had heard graphically how traumatized Ruth was by Fr. Cudemo, he did nothing to stop the priest from ministering in her parish. Only after Ruth's husband called Msgr. Lynn, on November 22, 2000, to report what the Secretary for Clergy already knew and to say how upset his wife was, did the Archdiocese do anything. Monsignor Lynn's response was merely to tell the Saint Matthew pastor, Father Donlon, that it "would be best" not to have Fr. Cudemo helping out there. He did nothing to prevent such situations in the numerous other parishes where Fr. Cudemo was active and where his many other victims might worship.

On March 1, 2002, apparently under pressure from the exploding priest-abuse scandal in Boston, Msgr. Lynn informed Fr. Cudemo that his faculties were restricted. There is no indication on file, however, that Fr. Cudemo's "celebret," vouching for his "good standing," and asking other dioceses to allow him to celebrate Mass, was ever revoked.

In March 2003, Fr. Cudemo told one of his former victims, Stacy, that he was, indeed, ministering and saying Mass in Orlando. He explained that he was able to do so because the Archdiocese of Philadelphia had certified that he was a priest in "good standing."

Cardinal Bevilacqua explains the Archdiocese's handling of Father Cudemo.

Cardinal Bevilacqua testified before the Grand Jury that it was his policy that no priest with a history of sexual abuse of minors was to be recommended to him for assignment. He said that his Secretaries for Clergy — first Msgr. Jagodzinski; later, Msgr. Lynn — knew this policy. They also knew, according to the Cardinal, that before making a recommendation, they were to review the priest's Secret Archives file. Cardinal Bevilacqua told the Grand Jury he did not know of a situation where that policy was ever not followed.

Even knowing all the recorded allegations on file at the time Fr. Cudemo first became a pastor — the complaints about multiple victims from 1966, 1969, and 1977 — the Cardinal refused to say that Fr. Cudemo's appointment was a mistake or a breakdown in policy. The Cardinal's testimony clarified how his "policy," properly carried out, had resulted in the appointment of a notorious child abuser, with serious allegations spanning decades, as a pastor in 1991. When shown the allegations that were in Fr. Cudemo's Secret Archives file in 1989 and still in 1991, the Archbishop shared with the Grand Jury the rationales he would use to discount each one:

> Q: If this information had been brought to your attention, would you have made him pastor at King of Peace?
>
> A: I . . . when I look at this, these three documents here, I see one is anonymous. ["Saint Stanislaus Parishioner" reports three-year affair known among the parishioners] It has no value at all to me. The second one [Fr. DeSimone reports two witnessed encounters with girls], there's no admission. I don't see anything in the second document here of any kind of admission of guilt. We're talking civilly and legally now.
>
> Q: Ok. Go ahead. Continue. We'll talk about them later.
>
> A: The third document [Denise and mother reporting twoyear sexual relationship with best friend — Emily], we're looking at secondhand information. We have someone here who won't give the last name of the person, and I don't see that

> the original so-called alleged victim has brought any kind of allegation against him.

The Cardinal claimed that the first allegation had "no value in it unless you investigate it." The third allegation, from a victim's friend and her mother, he described as "secondhand" and, thus, of lesser credibility than if the victim had been interviewed. Yet, according to Msgr. Lynn, it was Archdiocese policy not to seek out known victims reported by third parties, thus avoiding acquisition of first-hand information. Emily's last name was learned within a month, but Archdiocese officials never chose to question her.

Even where two priests reported seeing two suspicious encounters between Fr. Cudemo and young girls – where one of those reports corroborated the 1966 allegation, and where Fr. Cudemo admitted his behavior was "imprudent, if not scandalous" – Cardinal Bevilacqua discounted the information because there was no "admission of guilt." He expressed no displeasure, surprise, or remorse, that this allegation was disregarded in the process of evaluating a potential pastor.

Monsignor Cullen, the Vicar for Administration, confirmed that what the Cardinal claimed was a policy – strictly forbidding the Secretary for Clergy from recommending for assignment any priest with a background of abuse of minors – was, in practice, something quite different. He explained that the Secretary for Clergy could, in fact, recommend priests as suitable for assignment if: (1) there was no definitive proof by Archdiocese standards (for example, an explicit admission or a conviction) or (2) the priest was "rehabilitated" (again by Archdiocese standards – for example, if he had a letter saying "not a pedophile" on file) or, sometimes, (3) if the allegation was old enough. Thus, Msgr. Cullen, like Cardinal Bevilacqua, was able to dismiss the reports from 1966, 1969, and 1977 of abuse by Fr. Cudemo as mere allegations.

Cardinal Bevilacqua, with his attorney's help, took care to distinguish between accusations or allegations and what he called "credible" allegations. When asked to explain what would be required to consider an allegation credible, the Cardinal answered that it would "practically" require an admission by the priest. "Most of the time," he explained,

“when we did have allegations, and we said that that person could not be reassigned, it was because the priest admitted it.”

Cardinal Bevilacqua grudgingly acknowledged that “possibly” a large number of allegations could be a factor in determining credibility. He added, however, that: “there have been cases where there have been several and turned out to be they’re all false.” When asked what case that was, he said, “[I]t had nothing to do with this.”

Monsignor Molloy testified that he was reprimanded by Msgr. Cullen for telling Ruth and her family that he found their allegations credible. Monsignor Molloy explained that he knew how important it was to victims to be believed and, so, he tried to give them this bit of consolation. He was told, however, not to do that. Monsignor Molloy surmised that he was so instructed in order not to compromise any subsequent legal action.

After Ruth’s family’s lawsuit was dismissed without judging the evidence (because the statute of limitations was deemed to have lapsed), Cardinal Bevilacqua reinstated Fr. Cudemo’s faculties, as Msgr. Lynn had suggested he might. At that point, the Cardinal knew of two psychological evaluations — from Saint Luke and Saint John Vianney — that were negative enough for the Cardinal to have directed the priest to be hospitalized immediately for treatment.

Father Cudemo never went for treatment as directed. Instead, he presented a twoparagraph letter from Hugh H. Carberry, a psychologist he chose, stating that he was not a pedophile. No explanation was provided for the basis of the opinion. Nor was an alternative explanation offered for Fr. Cudemo’s long history of sexually abusing young girls. From the letter it is unclear whether the psychologist was aware of the history of allegations against Fr. Cudemo or the admissions he had made about some of the molestations of which he was accused.

Cardinal Bevilacqua’s own panel of pastors, which recommended removing Fr. Cudemo, had rejected an earlier opinion of the priest’s personal therapist, saying “Doctor Carberry had not reviewed any of this material, yet he makes statements which are at odds with two other confidential psychological reports and without performing any psychological testing of his own.” That panel concluded on February 7, 1996, that Fr.

Cudemo was at risk of acting out — at least until treated. On June 28, 1996, Cardinal Bevilacqua reinstated the priest's faculties anyway.

Father Cudemo testifies before the Grand Jury.

Father Cudemo testified before the Grand Jury and was given an opportunity to respond to the allegations against him. He acknowledged knowing the girls who accused him of sexual abuse, but declined to answer when asked if their accusations were true. He told the Grand Jury that Cardinal Bevilacqua restricted his faculties from June 1993 until June 1996 (which covered the time period when the victims' lawsuit was pending and during which the canonical process to remove Fr. Cudemo was ongoing). As soon as these matters were resolved, Cardinal Bevilacqua fully restored Fr. Cudemo's faculties and he once again freely ministered within the Archdiocese. He remained completely unsupervised or restricted for six years. He testified that during that time, he would sometimes take altar servers, including girls, in his car and out to breakfast after Mass.

Father Cudemo told the Grand Jury that some restrictions were put on his faculties in February 2002, but that he was "not clear" what they were. According to the testimony of Stacy, Fr. Cudemo told her in March 2003 that he was still permitted to minister, at least in Florida, and was doing so. Father Cudemo testified that it was not until June or July 2004 that he was finally told he could not wear a collar and present himself as a priest. This was 12 years after Marion, followed by Ruth and many others, told the Archdiocese of their abuse and the danger Father Cudemo posed to young girls.

After it was determined, in August 2004, that the allegations of sexual abuse of minors lodged against Fr. Cudemo were credible, his case was referred to the Congregation for the Doctrine of the Faith in Rome, with a request that the priest be involuntarily laicized. Father Cudemo has retained canonical counsel to contest that action.

The Archdiocese's determined maintenance of willful ignorance in the case of Fr. Cudemo succeeded in fending off, until it was too late, legal action that might have stopped the priest's sexual abuses. Cardinal Bevilacqua's policies permitted the Archdiocese to discount or dismiss numerous allegations while Church officials systematically refused to follow up on accusations or even to seek out known victims.

They allowed the Archdiocese to avoid scandal or accountability while the Cardinal continued to assign and even promote Fr. Cudemo to positions ideally suited for preying on young girls.

Father Peter J. Dunne

Father Peter J. Dunne, ordained in 1954, served the Philadelphia Archdiocese as a teacher, pastor, administrator of a school for delinquent boys, and assistant director of the Archdiocese scouting program for 40 years. He remained a parish priest for seven and a half years after Archdiocese officials learned, in 1986, that he had sexually abused an altar boy who had been in the priest's Boy Scout troop. During those seven and a half years, Father Dunne was diagnosed as an untreatable pedophile. He personally paid $40,000 to silence a victim. The Archdiocese was warned repeatedly that he had many victims, that he was most likely continuing to commit sexual offenses, that he should not be in a parish setting, and that he should not be around children or adolescents.

Yet, not until a former victim threatened a lawsuit did Cardinal Bevilacqua in 1994 finally remove Father Dunne from his assignment at Visitation B.V.M. in Norristown.

In an effort to escape legal liability, the Cardinal chose not to place Father Dunne in a supervised living situation as his therapists strongly urged. A committee of Cardinal Bevilacqua's advisers concluded that "overwhelming evidence of pedophilia is here!" But, rather than take action to protect present and future victims, the Cardinal responded to concerns that the Archdiocese might risk being held liable for the priest's crimes if it tried to supervise him. Cardinal Bevilacqua permitted Father Dunne to retire to his rural cabin where he was known to take boys for sleepovers.

The Archdiocese is informed in 1986 that Father Dunne has abused "Gordon" and several other boys; the priest attempts to buy the silence of one of his victims.

In April 1986, the Archdiocese was told that Fr. Peter Dunne, then pastor of Sacred Heart in Oxford, had sexually abused a boy for several years, beginning in the late 1950s when the boy was 13 years old. In an April 1986 letter, the pastor of the now-grown victim in Eugene, Oregon, Fr. Joseph Wood, informed Philadelphia's Chancellor, Msgr. Samuel E. Shoemaker, of the "detrimental effects" the priest's actions still had on his parishioner – a doctor, referred to in this Report as "Gordon." Father Wood asked the Philadelphia Chancellor to "look into the priest's activities to ascertain that he is not hurting other young people." Msgr. Shoemaker wrote back to Fr. Wood, asking that the victim put the specifics of his allegations in writing.

The victim, Gordon, asked his therapist, Dr. David A. Myers, and a lawyer he retained, R. G. Stephenson, to relate his story. Their letters told the Archdiocese that Fr. Dunne's sexual abuse of Gordon started after the boy told the priest in the confessional that he was attracted to other boys his age. Shortly thereafter, Fr. Dunne began to take Gordon

camping and to a cabin that the priest owned in Bucks County. The priest first had the boy sleep in the same sleeping bag or bed and the priest was naked. Soon he was asking the boy to remove his underwear.

Gordon was 13 years old when Fr. Dunne made the boy handle the priest's genitals. Before long the priest was demanding "sexual contact," including "ejaculation and other deviant sexual behavior," whenever they slept together. This behavior continued until the boy was 17 and picked up again when Gordon was an adult.

Dr. Myers explained to the Archdiocese the devastating impact that Fr. Dunne's abuse had, not only on Gordon, but also on his wife, his children, his patients, and his medical practice. The therapist wrote that Gordon first came to him for help in September 1985, because Gordon's wife, "Bonnie," had discovered he had "sexual inclinations toward their son," who was 11 or 12 years old. It came out later that Gordon himself had begun abusing 12- and 13-year-old boys on camping trips when Gordon was an 18-year-old Eagle Scout. Gordon followed in Fr. Dunne's path (Fr. Dunne had been a Scout leader for years), becoming a Boy Scout leader and preying on his young scouts. In 1991 he lost his medical license for molesting boy patients.

In a September 1986 letter to Msgr. Shoemaker, Dr. Myers described how Gordon's thinking and his pattern of living stemmed from his early interactions with Fr. Dunne – especially the priest's habit of initiating sexual encounters and then condemning them afterwards.

> This pattern could be characterized as follows: on a public level he strives for perfection. He is a Boy Scout leader, active in his parish, the most popular physician in his clinic, a compulsive worker around the house, preoccupied with physical fitness, and an articulate, persuasive individual. Privately, he searches continuously for possible prey to his homosexual inclinations. He has become fixated on the preadolescent and adolescent sexual arousal memories.

Dr. Myers concluded that, "clearly, his relationship with Fr. Dunne has caused both malignant thinking patterns as well as very abnormal emotional functioning."

In later communications, Gordon provided the Archdiocese with the names of three other victims of Fr. Dunne of whom he was aware: “Elliot,” “Mason,” and “Gil.” Elliot was a student at the school for troubled boys that Fr. Dunne headed from 1974 to 1983. Mason was a student at Saint Charles Borromeo Seminary with whom both Fr. Dunne and Gordon had a sexual relationship. Gordon also told of many more boys whom Fr. Dunne seemed to be grooming for sexual relations.

Gordon’s lawyer, in an August 1986 letter to Msgr. Shoemaker, informed the Archdiocese that his client had “become aware of information which causes him to believe that Fr. Dunne is sexually abusing young boys to the present days.” Gordon’s lawyer indicated that his client was asking for some compensation for the damage caused to him and his family by Fr. Dunne’s actions. Equally important, the lawyer told the Archdiocese, was that Fr. Dunne “no longer [be] given the opportunity to ruin other lives for his sexual gratification.”

On September 4, 1986, upon receipt of the therapist’s and lawyer’s letters, Msgr. Shoemaker, along with the Assistant Chancellor, John W. Graf, interviewed Fr. Dunne. Informed of the accusation against him but not the name of his accuser, the priest named two altar boys from Saint Bartholomew, where he had lived while teaching at Cardinal Dougherty High School. The two names were Gordon and “Shane.” He admitted to swimming nude with an unstated number of boys, as well as sleeping nude with them in the same sleeping bag. He said that of “all the boys, [Gordon] was the most frequent camper.”

Monsignor Shoemaker’s notes of the 1986 interview state that at the time, Fr. Dunne had two “young men,” who, he said, were twenty and twenty-one years old, living with him at his rectory in Oxford. According to Fr. Dunne, the young males were from Saint Francis Vocational School, the school for troubled boys where the priest had been administrator before becoming pastor in Oxford in 1983.

Having learned of the devastating consequences of Fr. Dunne’s behavior on Gordon and his family, the Archdiocese responded on October 14, 1986. The response – a veiled threat to expose the victim’s history if he revealed Fr. Dunne’s crimes – came from

the Archdiocese's lawyer, John P. O'Dea of Stradley, Ronon, Stevens & Young. He wrote to Gordon's attorney that "litigation would undoubtedly cause [Gordon] considerable discomfort in light of his activity since obtaining maturity." There was no offer to help the victim or his family with counseling. Perhaps most importantly, Fr. Dunne was not removed from his pastorate.

As it turned out, one of the victims Gordon named, Elliot, was one of the two males still living with Fr. Dunne at the Oxford rectory when Gordon came forward in 1986. The Archdiocese knew by September 4, 1986, that Elliot and another male from Saint Francis Vocational School were living in the rectory, and Msgr. Shoemaker ordered that they leave. Father Dunne admitted to sleeping in the same bed with them and "fondling" Elliot, but denied other overt sexual relations.

Despite these facts, which should have caused Archdiocese officials great concern, there is no evidence that they even interviewed either of the two young men at that time. It was not until December 1986, after attorney O'Dea learned that Gordon knew of Fr. Dunne's involvement with Elliot, that Elliot was questioned about his relationship with the priest. Even then, he was interviewed not by Archdiocese officials, but by O'Dea, their attorney.

What Elliot told O'Dea during the December 2, 1986, interview is not recorded in Archdiocese files. After talking to Elliot, however, O'Dea called Msgr. Shoemaker, "requesting an immediate meeting." O'Dea met with Msgr. Shoemaker and Fr. Dunne later that day. Monsignor Shoemaker's notes of the session recorded that it had become apparent at the meeting between O'Dea and Elliot that "Fr. D. had lied to me about his sexual relationship with [Elliot]."

Father Dunne told Msgr. Shoemaker at the December 2 meeting that, when Elliot was approximately 15 years old and a student at Fr. Dunne's school, the priest had taken him to Boys Town in Nebraska, a program that provided housing for troubled boys. The priest told the boy to contact Gordon, who lived nearby in Iowa, if he needed any assistance.

Meanwhile, according to a December 30, 1986, letter by Gordon's lawyer, O'Dea asked about a "settlement figure." Father Dunne resigned his pastorate on December 5, 1986, and was admitted to Saint John Vianney Hospital. Monsignor Shoemaker's notes of November 1986 recorded that Fr. Dunne indicated to the Archdiocese that he might make a "personal payment of monies to save the church embarrassment." According to Msgr. Shoemaker's notes from the December 2, 1986, meeting, Fr. Dunne no longer denied having sex with minors but claimed "he didn't remember any such happenings -- maybe, he stated, he has a mental block."

Father Dunne remained at Saint John Vianney for nine months. His therapist there recommended that, upon release, he may need to be assigned to a specialized ministry "which would control his contact with children and adolescents, and [a residence with] someone who will assume responsibility for his whereabouts on a twenty-four hour per day basis." Despite this advice, in September 1987 Cardinal Krol assigned Fr. Dunne as assistant pastor at Nativity parish in Warminster.

Memos by Msgr. Shoemaker in October 1987 reflect that the Archdiocese appears to have left it to Fr. Dunne to inform his new pastor of his history. In November 1987, more than a month after Fr. Dunne had started his assignment, Msgr. Shoemaker noted that the priest had not fully informed his pastor, Fr. William O'Donnell. Nowhere does it appear that the Archdiocese instructed Fr. O'Donnell to supervise Fr. Dunne.

On November 24, 1987, Gordon and Bonnie signed a "Full and Final Release and Confidentiality Agreement" with Fr. Dunne, purporting to release not only the priest, but also the Archdiocese, from any liability relating to Fr. Dunne's abuse of Gordon, in return for $40,000. With this agreement, the abuser also tried to purchase Gordon's silence. Father Dunne negotiated the agreement with the assistance of Fr. Daniel J. Menneti, an attorney and priest with restricted ministry in the Harrisburg diocese. No one signed the agreement on behalf of the Archdiocese, and its attorney, O'Dea, claimed no knowledge of the agreement until after April 25, 1988.

Despite warnings and recommendations, Cardinal Bevilacqua retains and reassigns Father Dunne to parish ministry.

At the time that Anthony J. Bevilacqua took over as Archbishop in Philadelphia, the Archdiocese knew that Gordon had made a serious and unresolved allegation against Fr. Dunne. Father Dunne had, on his own, paid $40,000 to silence his accuser. Monsignor Shoemaker, Philadelphia's Chancellor, had learned, in the course of looking into the allegation, that Fr. Dunne admitted to sleeping and swimming in the nude with boys, and had two former students living with him in his rectory in Oxford. Gordon had identified one of these males, Elliot, as one of Fr. Dunne's young victims, not knowing that Elliot was still living with the priest in Oxford. After the Archdiocese's lawyer had spoken with Elliot, Msgr. Shoemaker had concluded that Fr. Dunne had lied when he denied overt sexual activity beyond fondling. Father Dunne's therapist, after nine months of trying to treat him, had suggested to the Archdiocese that the priest might need 24-hour supervision and should be in a specialized ministry, kept away from children and adolescents. Despite all this, Fr. Dunne remained an assistant pastor of Nativity parish, with no recorded restrictions on his faculties.

Archbishop Bevilacqua took over the Archdiocese of Philadelphia in February 1988. On June 16, 1988, Msgr. Shoemaker sent the Archbishop a four-page report updating him on the "very complicated case" of Fr. Dunne. The Chancellor also alerted Archbishop Bevilacqua that Fr. Dunne had "held very sensitive assignments in the Archdiocese," serving as a teacher for 13 years, the administrator of Saint Francis Vocational School for court-assigned boys, and assistant director of the Archdiocese's scouting program. Monsignor Shoemaker pointed out that Fr. Dunne's settlement with Gordon had to cast doubt on his claims of innocence. Finally, the Chancellor wrote to Archbishop Bevilacqua that Fr. Dunne had requested to meet with him. The Archbishop responded, thanking Msgr. Shoemaker for a "good report," but suggesting no action or response to Fr. Dunne's request for a meeting.

During Archbishop Bevilacqua's first months in office, the Archdiocese also received repeated warnings from Fr. Dunne's therapist, Dr. Thomas J. Tyrrell. In letters addressed or copied to Msgr. Shoemaker in April and June 1988, Dr. Tyrrell informed the Archdiocese that Fr. Dunne's aftercare program was not being adhered to, that Fr. Dunne

was not attending his therapy sessions, and that he was "temperamentally unsuitable as a candidate for treatment." His aftercare program, as a result, called for removing Fr. Dunne from parish ministry and placing him in "supervised living which provides twenty-four hour accountability." Father Dunne, however, remained in the parish ministry, living in the parish rectory.

In early September 1988, apparently having received no direction from the Archbishop concerning Fr. Dunne, Msgr. Shoemaker wrote again. He reminded the Archbishop of the June 16 report, updating him on Dr. Tyrrell's continued warnings (most recently on August 19, 1988), and telling the Archbishop that Fr. Dunne had been heard publicly bragging: "I have beaten the system."

On September 20, 1988, Archbishop Bevilacqua met with Fr. Dunne, his priest/lawyer Fr. Menneti, and Msgr. Shoemaker. The group reviewed the recommendations of Dr. Tyrrell and Saint John Vianney. Archbishop Bevilacqua displayed his knowledge of aftercare theory by noting, according to minutes of the meeting, "that the directions of Dr. Tyrrell are formulated against the model used in Minneapolis." The Archbishop told Fr. Dunne that aftercare was "indispensable for him," and that if he violated the aftercare program he would be removed from ministry. Bevilacqua announced that, as Archbishop, he had to be concerned first with scandal, second with the good of the Church, and third with Fr. Dunne.

Further notes, which appear to record a conversation between Msgr. Shoemaker and Archbishop Bevilacqua after the others had left, related that "Dunne admits one incident," that the "incident--is a crime," and that there was a discussion of the "statute of limitations"--"2 yrs." and "5 yrs." Msgr. Shoemaker wrote: "directions of Villa Saint John Vianney--being question[ed] (???)." Specifically, he recorded the Archbishop asking: "Why (therapy) for the rest of the man's life?--(Minneapolis)."

Monsignor Shoemaker later recorded that, in accord with Archbishop Bevilacqua's instructions, he met on November 13, 1988, with Fr. Dunne and Dr. Tyrrell to "surface," as Archbishop Bevilacqua put it, "if any accommodation can be made in the proposed aftercare model for Fr. Dunne." As a result of this meeting, Dr. Tyrrell made several

"accommodations" to Fr. Dunne's aftercare program. These "accommodations" – in response to warnings that Fr. Dunne was violating Saint John Vianney's and Dr. Tyrell's aftercare program, thereby putting parish boys at risk – in effect ended the aftercare program.

Dr. Tyrrell wrote to Fr. Dunne on November 25, 1988, releasing him from group therapy; individual therapy had already been discontinued as unsuccessful. The therapist backed off his demand that Fr. Dunne be removed from parish ministry and from his recommendation of a living situation with 24-hour supervision and accountability. The letter stated that Fr. Dunne was to be evaluated January 15-20, 1989, at Southdown Institute in Canada, and was to abide by its recommendations upon his return. Father Dunne continued in his parish ministry, now with no ongoing therapy, for another two months.

On January 20, 1989, Assistant Chancellor John W. Graf met with Fr. Dunne and his counselor at Southdown. In a memo dated January 24, 1989, Msgr. Graf recorded the findings and recommendations of the Southdown staff. Significant findings included: Fr. Dunne was homosexual, extremely intelligent and narcissistic, with a tendency toward manipulation. Monsignor Graf noted: "The counselor stated that Father's lifestyle shows evidence that the situations of inappropriate behavior could be beyond what we already know of Father's conduct." The Assistant Chancellor also recorded Southdown's recommendation that Fr. Dunne continue outpatient therapy with Dr. Tyrrell, that he procure a very strong spiritual director, and that he "never" work with young people.
In the face of all of these warnings and recommendations, Cardinal Bevilacqua nevertheless left Fr. Dunne as an assistant pastor, in two different parishes with easy access to children, for four more years. He did so despite:

- Dr. Tyrrell's warning, recorded by Msgr. Graf in a March 7, 1989, memo, that "he fe[lt] very strongly that Fr. Dunne [was] involved in other illicit relationships, ranging from youngsters to adults" and that he "recommended strongly that we remove Fr. Dunne from active ministry totally."

- Dr. Tyrrell's notice to the Archdiocese, by letter of March 8, 1989, that Fr. Dunne was not complying with his treatment plan.
- Dr. Tyrrell's stated opinion, recorded by Msgr. Graf in a February 1989 memo, that Fr. Dunne was a pedophile and his "intuition" that Fr. Dunne had been involved in "a myriad number of sexual misconduct cases." (Appendix D-8)
- A memo, dated March 16, 1989, from Assistant Chancellor Graf declaring: "It appears at this time that we have come to the point of decision concerning the ministry of Father Peter Dunne." In the memo, Msgr. Graf reported Dr. Tyrrell's opinion that the Archdiocese was sitting on a "powder keg," that Fr. Dunne was a "very sick man," and should "be relieved of active ministry." (Appendix D-9)
- Notice on May 31, 1989, that the therapist responsible for Fr. Dunne's group therapy, Dr. Eric Griffin-Shelley, had "never heard from Fr. Dunne." The therapist went on to admit "wondering if the Archdiocese is not putting itself at risk with someone so uncooperative on the loose." Dr. Griffin-Shelley told the Archdiocese: "I believe that he is quite likely acting out sexually and needs to have firm limits set on his behavior."
- Another letter, dated August 8, 1989, from Dr. Griffin-Shelley telling the Archdiocese he had heard nothing further from Fr. Dunne and was still concerned.
- A letter, dated September 14, 1989, from Fr. O'Donnell, Fr. Dunne's pastor at Nativity parish, to Secretary for Clergy John J. Jagodzinski, informing the Archdiocese that Fr. Dunne had spent three weeks camping with adolescent boys and their fathers. Father O'Donnell also said that he had discovered Fr. Dunne was counseling a 16-year-old boy without the pastor's knowledge. This counseling, according to the pastor, was conducted in the priest's car.
- A memo to Cardinal Bevilacqua from his Secretary for Clergy, on September 15, 1989, updating him in anticipation of a pastoral visit to Nativity parish. In the memo, Msgr. Jagodzinski wrote that four therapists had reached the conclusion that "there is much potential for a recurrence of sexual abuse by Father Dunne." Father Dunne was about to begin anew with another therapist and was asking for a new

assignment. The Cardinal, in response, wrote on the memo: “Be very cautious. I think he is trying to manipulate so that we act according to his agenda. AJB 9/19/89.” (Appendix D-10)

- A long letter to Assistant Chancellor Graf, dated August 18, 1989, from Dr. Tyrrell. In writing about Fr. Dunne, he described the characteristics of pedophiles and how they function. He explained “grooming,” denial, and resistance to change. He

  showed how Fr. Dunne fit all the criteria and how his continued activities with adolescents – including camping and counseling – presented a continuing danger. The therapist, once again, recommended removing Fr. Dunne from ministry and sending him to an institution for resistive child abusers. So long as Fr. Dunne stayed in active ministry, the therapist said, the Archdiocese and potential victims remained at risk.
- A report from Fr. Dunne’s next therapist, Dr. Eric Griffin-Shelley, dated April 1, 1990, agreeing that the Archdiocese should remove Fr. Dunne from his parish assignment. Dr. Griffin-Shelley stated that it was generally agreed that “a parish assignment is out of the question for a pedophile.” Without providing a firm diagnosis, the therapist wrote, “there cannot at this time be a satisfactory resolution to the ongoing concern about his potential to sexually act out, especially with youth.” The therapist said it was “an untenable position for the Archdiocese” to leave Fr. Dunne in his parish assignment. “In his current assignment,” the therapist suggested, “it might appear to some that the Archdiocese is not acting with sufficient caution to protect possible victims of sexual abuse.”
- A “very urgent plea” to the Archdiocese from Fr. Dunne’s pastor at Nativity, “that specific arrangements be made to provide Father Dunne with the kind of help he needs but refuses to accept . . . .” In a letter written April 10, 1990, Fr. O’Donnell went on to complain that Cardinal Bevilacqua’s administration had allowed Fr. Dunne to avoid both supervision and therapy. He explained how monthly meetings between Fr. Dunne, the pastor, therapists, and Chancellor Shoemaker, required

under Cardinal Krol's administration, had been discontinued when Archbishop Bevilacqua took over. He requested that Fr. Dunne be removed from his parish and suggested that, wherever he go, a supervision team be reinstituted.

Cardinal Bevilacqua finally reassigns Father Dunne, but ignores the advice of therapists to take him out of parish ministry.

In June 1990, Cardinal Bevilacqua did reassign Fr. Dunne, as both the priest himself and his pastor had requested. However, the Cardinal ignored the unanimous advice of Fr. Dunne's therapists to take him out of parish ministry. He also ignored the entreaties of Fr. Dunne's pastor, Fr. O'Donnell, to provide for better supervision. Despite acknowledging Fr. Dunne's manipulative nature, and warning Msgr. Jagodzinski to "be cautious," the Cardinal acceded to a request by Fr. Dunne and assigned him as parochial vicar to Visitation B.V.M. (Appendix D-11)

Father Dunne's pastor at Visitation, B.V.M. was Msgr. Frank Clemins. A September 1989 letter from Fr. O'Donnell to Msgr. Jagodzinski reflects that the Archdiocese knew that Fr. Dunne had previously chosen Msgr. Clemins as his spiritual director and confessor. No supervision team was established, and no therapy was required of Fr. Dunne. Msgr. Clemins, as Fr. Dunne's spiritual director, was constrained in what he could share if he ever learned of misconduct by his parochial vicar.

Cardinal Bevilacqua left Fr. Dunne in this position for several years, insulated from any meaningful oversight. Every few months the priest reported to the Secretary for Clergy, Msgr. Jagodzinski, that all was well. In one such meeting, Fr. Dunne informed Msgr. Jagodzinski that he was spending an "overnight" each week at his cabin in Bucks County, the same cabin where he had abused Gordon. Monsignor Jagodzinski reported that the priest found this opportunity "most helpful."

An October 1990 memo by Msgr. Jagodzinski recorded that Fr. Dunne had told him that he thought therapy was not "necessary at this time," so the priest was not in therapy. After a November 1991 meeting, Msgr. Jagodzinski noted in a memo Fr. Dunne's refusal to undergo a recommended evaluation, but no consequence followed.

On May 6, 1992, Fr. Dunne informed the Archdiocese that he was conducting children's liturgies and delivering report cards to the children in the parish's grade school. In a memo reporting this meeting, Msgr. Jagodzinski recommended leaving Fr. Dunne as parochial vicar.

Had it not been for the persistence of Gordon, his mother, and his wife – and the threat of lawsuit and scandal that they posed to the Archdiocese – Cardinal Bevilacqua might have kept Fr. Dunne in his parish ministry indefinitely.

A victim of Father Dunne again seeks reparations from the Archdiocese.

On October 9, 1992, Gordon's mother wrote the Cardinal pleading for financial assistance for her son. She attached her son's resume, his description of what Fr. Dunne had done to him as a child, and his story of the devastation that the priest's abuse had caused in his own life.

Gordon had a wife and five children, but in 1991 had lost his medical license because he had sexually molested young boys who were his patients. In his attached communication to the Cardinal, he alluded to medical and psychological expenses he had incurred since 1985 and to $130,000 in legal expenses. He was asking the Archdiocese for $30,000 so he could enroll in a treatment program in hopes of getting his medical license back.

At an issues meeting on October 22, 1992, Cardinal Bevilacqua directed the Secretary for Clergy to "pursue the possibility of obtaining documentation to indicate that the Archdiocese of Philadelphia was released from legal liability in the matter concerning [her son, Gordon]." In other words, the Cardinal wanted a copy of the release and confidentiality agreement that Fr. Dunne had negotiated privately with Gordon.

Monsignor William Lynn, who had become Secretary for Clergy the previous summer, was able to procure from Fr. Dunne a copy of the November 24, 1987, agreement. He forwarded it to the Assistant Vicar for Administration, James Molloy. After reviewing the agreement, the Archdiocese agreed to pay $10,000 toward Gordon's anticipated inpatient treatment. A November 17, 1992, letter from Msgr. Lynn to Gordon

made no mention of other costs, totaling $577,000, which Gordon had attributed to his abuse. Within a week of receiving the Archdiocese's offer of $10,000, Gordon's wife, Bonnie, wrote again to Msgr. Lynn. This time she detailed $120,000 of debts she said were "a direct result of [Gordon's] victimization."

In a follow-up letter dated January 18, 1993, Gordon provided more revelations and asked Msgr. Lynn to share his letter with the Cardinal. Gordon wrote of a time in the late 1970s and early 1980s when he was living in Iowa as a young unmarried doctor, and Fr. Dunne was administrator of Saint Francis, the vocational school for troubled boys. Father Dunne brought boys in his charge out to Boys Town in Omaha, Nebraska. According to Gordon, Fr. Dunne sometimes asked Gordon to house the boys. Gordon told Msgr. Lynn and Cardinal Bevilacqua:

> As late as 1981 I was informed by a young man from Saint Francis group home that their history was much like mine. I had been introduced to a number of them by father. I was prepared to restart the predatory cycle myself. On one occasion one of the young men was sent to me in Iowa. Father wanted me to help and shelter them. I picked him up at Boys Town in Omaha. He coyly seduced me while I was driving my car. I asked why he was doing this and he boyishly said, "father does this all the time; I bet he did it to you."

Gordon's account suggested the possibility that as head of an Archdiocese school for troubled boys, Fr. Dunne had not only abused the students himself, but had farmed them out to his former victim who also then abused them. After raising that possibility, Gordon again outlined expenses he attributed to his abuse and announced he was thinking of going "forward publicly with the reasons for my horrible reversal." On January 21, 1993, Msgr. Lynn wrote Gordon informing him that the Archdiocese would cover the entire cost of his inpatient treatment after all.

Threatened with publicity and legal action, the Archdiocese seeks another psychological evaluation; it finds Father Dunne a danger and recommends that he be kept from children and adolescents.

On August 31, 1993, Msgr. Lynn learned that Gordon had a new lawyer who was threatening to file a lawsuit against the Archdiocese for non-therapy expenses attributed to Gordon's abuse. A letter from the lawyer, Stephen Rubino, to Msgr. Lynn dated September 1, 1993, as well as memos by Msgr. Lynn to Cardinal Bevilacqua on September 9 and 13, show that – four days after informing the Cardinal – Msgr. Lynn for the first time since becoming Secretary for Clergy showed an interest in finding out about Fr. Dunne's current status.

Monsignor Lynn consulted Dr. Tyrrell at Saint John Vianney. The therapist told Msgr. Lynn what he had been telling the Archdiocese for years – that he thought Fr. Dunne was a "time bomb" and a pedophile. He recommended a complete evaluation and assessment. Although nothing had changed in years with regard to Fr. Dunne, except the imminence of a lawsuit, Msgr. Lynn, in a September 13, 1993, memo to Cardinal Bevilacqua, recommended that Fr. Dunne submit to an outpatient evaluation and assessment by Saint John Vianney. The Cardinal agreed.

Prior to Fr. Dunne's October 18-21, 1993, assessment, Saint John Vianney asked Msgr. Lynn to complete an "Assessment Referral Information" form. The information the Secretary for Clergy provided Saint John Vianney was replete with inaccuracies – often related more to defending the Archdiocese's actions than to Fr. Dunne himself. For example, under "reasons for referral," Msgr. Lynn stated, "came to the attention of the present Secretary for Clergy and subsequently to the Archbishop that Fr. Dunne was no longer in counseling." Monsignor Lynn went on to explain that in April 1990, Dr. Eric Griffin-Shelley had recommended continuing therapy. "The present administration," Msgr. Lynn declared in October 1993, "is not comfortable with this failure to follow through with professional recommendations."

Monsignor Lynn's suggestion on the form that he and the Cardinal had only recently learned that Fr. Dunne was not in counseling, and that they found this unacceptable, is misleading at best. A year earlier, on October 19, 1992, Msgr. Lynn had written a memo to the Cardinal's Assistant Vicar for Administration, Msgr. Molloy, informing him that "the files do not indicate any on-going therapy program since the

evaluation by [Dr.] Eric Griffin-Shelley of 1990. On one occasion, Msgr. Jagodzinski raised the idea of a re-evaluation to Father Dunne. The file indicates Fr. Dunne was not receptive to this."

In his October 1992 memo to Msgr. Molloy, which was later forwarded to the Cardinal, Msgr. Lynn also had made reference to a memo, dated May 6, 1992, from Msgr. Jagodzinski to the file. That memo recorded Fr. Dunne's own report that, as part of his ministry at Visitation B.V.M., he conducted children's liturgies and delivered report cards to grade school children.

Nevertheless, Msgr. Lynn told Saint John Vianney, "[H]e is supervised and avoids work with children." The Secretary for Clergy declared that Fr. Dunne's work and ministry history had "always been good; seen as a hard worker," while an April 1990 letter from Fr. O'Donnell to Msgr. Jagodzinski and memos from Fr. Graf to the file in March 1989 and to Msgr. Jagodzinski in April 1989 indicated just the opposite.

On November 22, 1993, after Fr. Dunne had undergone the four-day outpatient assessment at Saint John Vianney, Msgr. Lynn sent Cardinal Bevilacqua a memo, along with the hospital's findings, captioned "Diagnostic Impressions and Recommendations," by Dr. Richard Koenig. As before, the priest was diagnosed with pedophilia and narcissistic personality disorder. The psychologist told the Archdiocese, once again, "Father should not be involved with children or adolescents." He recommended, given the rules of confidentiality governing confession, what should have been obvious without a psychological evaluation: "Father's confessor should not be involved in ministry supervision." Finally, the report addressed "Father Dunne's wish to retire to a secluded, unstructured living situation," stating emphatically that such a living arrangement was "highly counter-indicated."

In his memo to Cardinal Bevilacqua, coming on the heels of a threatened lawsuit, Msgr. Lynn recommended that Fr. Dunne be placed on administrative leave, that his faculties be restricted to saying private Mass, and that he be encouraged to seek laicization.

Cardinal Bevilacqua rejects the therapist's advice and convenes a committee that recommends a course of conduct that protects only the Archdiocese.

On November 23, 1993, after receiving the recommendations from Saint John Vianney, Cardinal Bevilacqua directed his aide, Msgr. James E. Molloy, to have Msgr. Lynn convey the Cardinal's wishes to Fr. Dunne. According to Msgr. Lynn's notes and his November 30, 1993, memo to Cardinal Bevilacqua, Msgr. Molloy instructed the Secretary for Clergy to meet with Fr. Dunne and "strongly exhort" Fr. Dunne to voluntarily seek laicization.

Monsignor Lynn was also to inform Fr. Dunne that, in the meantime, he was to be on "administrative leave," but "not in [the] strict canonical sense." Monsignor Lynn was to make it clear that the Cardinal was "not removing his priestly faculties." Rather, Fr. Dunne was being asked to voluntarily refrain from ministering, other than for private Mass. He could appeal this restriction on a case-by-case basis.

Despite Saint John Vianney's clear statement that living alone in an unstructured situation was "highly counter-indicated," the Cardinal wanted Msgr. Lynn to instruct Fr. Dunne to do precisely that – to live on his own. Monsignor Lynn's notes indicate that he was aware of the therapist's warning, but that the Archdiocese's lawyer, John O'Dea, had advised for "civil law liability" reasons that the Archdiocese should take "every step we can to distance self."

On November 30, 1993, Msgr. Lynn sent Cardinal Bevilacqua a memo disagreeing with the Cardinal's instructions that Fr. Dunne should "live on his own." Monsignor Lynn quoted for the Cardinal the entire recommendation from Saint John Vianney: "At this time, Fr. Dunne's wish to retire to a secluded, unstructured living situation is highly counterindicated by both his past history as well as his present ability and/or willingness to give a clear and coherent self-presentation in this interview." Monsignor Lynn recommended that
Fr. Dunne "be assigned to a residence until the laicization process is complete."

Knowing that Fr. Dunne had already expressed his wish to retire and live alone, Cardinal Bevilacqua responded to Msgr. Lynn's recommendation of a supervised residence with the equivalent of a rejection: "If he requests to go." In ignoring Msgr. Lynn's advice, the Cardinal chose to reject the therapist's recommendation designed to protect future

victims in favor of a lawyer's recommendation designed to protect the Archdiocese from civil liability.

A January 17, 1994, memo to the file reflects that when Msgr. Lynn met with Fr. Dunne on January 1, 1994, the priest announced he would "go to his cabin to live." He said it would be virtually impossible to contact him by phone.

In another memo to the file, Msgr. Lynn noted that on February 23, 1994, he was notified by Fr. Dunne's spiritual director, Msgr. Clemins, that Fr. Dunne "continues to keep up a good spiritual life, celebrating Mass publicly." On May 2, 1994, Fr. Dunne informed Msgr. Lynn that he would not seek laicization.

At a May 17, 1994, meeting, Cardinal Bevilacqua, faced with this refusal, directed that an ad hoc committee be established to study Fr. Dunne's case. The next day Msgr. Molloy spelled out in a memo to Msgr. Lynn the mission of this committee: "to evaluate this case and to recommend what can be done to minimize bonds of liability." The committee members were Msgrs. Lynn, Stephen J. Harris (a canon lawyer), Robert McGinnis, and the Archdiocese's lawyer, John O'Dea. They met on June 28, 1994.

Handwritten notes from the meeting indicate that the group determined that Fr. Dunne's current status – that is, on administrative leave, with faculties (although requested to voluntarily refrain from exercising them) – was undesirable from a liability standpoint. The group was advised that under "case law," a "priest is always on business of Bishop." "If status quo remains," the notes say, "some legal liability remains" and Fr. Dunne "would need to be highly supervised." The notes from the meeting reflect the Archdiocese's knowledge that Fr. Dunne was at that time completely without supervision: "PD now – lives by self – he's totally free, he's seen around – we don't know what's what w/him."

Several alternatives were outlined for the Cardinal's consideration. (It is not clear whether Cardinal Bevilacqua was present at the meeting. His initials, AB, appear on the fourth page of notes next to comments and questions as if he is being quoted.) While laicization was considered most desirable, it would involve – without Fr. Dunne's cooperation – a judicial process with "witnesses, publicity probably." In addition, while his

sexual behavior could have been grounds for laicization at the time the Archdiocese learned of his crimes, canon law provided that the conduct underlying a penal laicization action had to have occurred within the past five years. Monsignor Lynn noted that the lastknown incident was in 1986, and involved "young men living in rect @ Oxford."

Another alternative proposed by Msgr. Harris was to use an administrative process to declare "an impediment to exercise of Orders." This would have the effect of suspending Fr. Dunne's faculties, but would not involve a penal process. An "impediment" could be based on his diagnosis as a pedophile. It was noted that "overwhelming evidence of pedophilia is here!" The risk involved in this option, according to the notes of the committee discussion, was that there would still be "civil liability for PD conduct because he's still priest of Archdiocese." Still, it was noted, "Each step to remove PD – from Archdiocese – good." A third alternative outlined at the strategy meeting was simply to assign Fr. Dunne, in essence, "to incarceration" as a "permanent resident @ Darby without getting out," referring to a residential facility the Archdiocese runs for priests in Darby – Villa Saint Joseph.

The group discussed the hospital's warning that Fr. Dunne "shouldn't live by self." Notes record O'Dea opining: "Left as is right now – not good enough for civil law." The next note is: "What's he doing all day – PD – ??" However, rather than advising greater supervision, which might have protected potential victims, O'Dea advised the opposite. He said he didn't "see it as practical, taking responsibility for PD."

The group decided to recommend the second alternative – an administratively imposed "impediment to the exercise of Orders." This choice did nothing to change Fr. Dunne's actual situation or the risk he posed to children. He was still living completely unsupervised. He was still a priest and could wear a collar. He was already, supposedly, refraining from ministering publicly. What the decision accomplished, according to the meeting's notes, was: "civilly . . . takes away authority by Ch [the church] . . . [Fr. Dunne] doesn't represent Ch . . . in no position to act in name of Ch."

The recommendation by the Cardinal's advisers served only one purpose: the one they were charged with, "to minimize the bonds of liability." As an August 1994 memorandum by Msgr. Cullen stated, the Cardinal approved.

Father Dunne retires with no public censure.

The Archdiocese received the diagnosis of Fr. Dunne and the recommendations from Saint John Vianney in November 1993. Its own ad-hoc committee made its recommendations in July 1994. Nevertheless, by January 1995, the Cardinal had not suspended Fr. Dunne's faculties based on a declared "impediment." It was then, in a letter to the Cardinal dated January 10, 1995, that Fr. Dunne requested he be permitted to retire. His request was reviewed by O'Dea, and, on September 14, 1995, approved by Cardinal Bevilacqua. Father Dunne remained a priest, but was still asked to restrict his ministry to private Mass.

Through the spring and summer of 1994, Gordon and his wife continued to call and write the Archdiocese, requesting assistance for their damaged family. The Archdiocese provided the family with money for counseling for years, but their life never much improved. The damage begun with the abuse of one 13-year-old had multiplied, devastating the lives of the victim's parents, his wife, his children, and his own young victims. Monsignor Lynn eventually notified Gordon and Bonnie by letter, on July 22, 1994, that he would no longer take their phone calls.

Thus, despite nine years of allegations of sexual abuse, Fr. Dunne retired from ministry, as would have any other priest, with full benefits, no public censure and no official recognition by the Archdiocese of the damage he had caused. As for Gordon and his family, as well as the other victims of Fr. Dunne's who have not come forward, they found themselves unable simply to "retire" from the effects of years of sexual abuse.

On October 21, 2004, faced with the possibility of involuntary laicization, Fr. Dunne agreed to live "a supervised life of prayer and penance" at Villa Saint Joseph, a retirement home for priests.

Father Dunne appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Father James J. Brzyski

Father James Brzyski was one of the Archdiocese's most brutal abusers – emotionally as well as physically. The 6'5" 220-pound priest convinced a 12-year-old devout boy whom, beginning in 1983, he repeatedly anally raped, that the boy's mother had sanctioned the acts. Father Brzyski's words were lies, but it took the boy 20 years to learn that; alienated from his mother all that time because of this lie, the victim only recently began repairing a two-decades old estrangement. Another victim testified that Fr. Brzyski told him too as a 7th-grader that his parents had made "a deal" with Fr. Brzyski to allow the priest to sexually abuse him. He said the lie had isolated him from all that he loved and had destroyed his life.

By one estimate, Fr. Brzyski, who was ordained in 1977, sexually abused a hundred young victims during just seven years he spent in two parishes of the Philadelphia Archdiocese. The victims were, as described by another priest, "shy, docile, bright, and intelligent." The ones who testified before the Grand Jury could remember a time when they were happy, loving, and deeply religious. That all changed when Fr. Brzyski chose them as altar boys and began his unrelenting abuse, including fondling, oral sex, and anal rape. Father Brzyski abused some of his victims over a seven- or eight-year period.

Had they cared, Archdiocesan managers could have acted to stop Fr. Brzyski from ruining the lives of innumerable children. In 1984, Fr. Brzyski admitted to a Church official that he was a child molester. Archdiocese leaders knew the names of many of his victims, and could have known the identities of many more had they simply followed up on reports they received. A concerned counselor at Bishop Egan High School, a non-diocesan priest named Fr. James Gigliotti, T.O.R., persistently reported victims' names to Church officials and sought help for the victims, in the face of Archdiocesan managers' indifference and even hostility. He informed them that Fr. Brzyski was still involved with many of the boys and their families. He told them that the parents of some of the boys had come to him concerned about changes in their children's personalities and behavior. The high school counselor and a school psychiatrist told Archdiocese officials that it was therapeutically important to inform the parents about their sons' abuse and counsel the victims.

Archdiocese managers, however, chose to turn their backs on Fr. Brzyski's victims and their families. They directed the school psychiatrist not to initiate counseling for the boys about their abuse. Rather than encourage Fr. Gigliotti to inform the victims' parents about the source of their children's troubled behavior, they advised the counselor of the need for "confidentiality." Although Fr. Brzyski admitted "several acts of sexual misconduct" involving minors, Archdiocese officials chose not to end their priest's criminal rampage by reporting his offenses to the police.

This was not a neglectful lapse but a calculated decision, a reflection of Archdiocese policy. Parents even of known victims — including those whose abuse may have been continuing – were not to be informed. And, as a 1986 memo by Vice Chancellor Donald F. Walker spelled out, "we could not actively seek further names of persons who may have been involved with Father Brzyski." The policy shielded the Church from scandal and legal liability. It also consigned Fr. Brzyski's victims to continued abuse.

Father Brzyski preys on many children while assigned to Saint Cecilia from 1981 to 1984.

Father James Brzyski spent only seven years in two assignments with the Archdiocese of Philadelphia. In that short time, he had possibly over a hundred victims. The young priest was in his second assignment – as an associate pastor at Saint Cecilia Church, in Fox Chase – when the Archdiocese first recorded knowing that he had sexually abused boys in his previous assignment. At Saint Cecilia, one of his victims estimated, Fr. Brzyski sexually abused nearly a hundred children. Three of those victims described to the Grand Jury their years of abuse – beginning when they were 10 or 11 years old – and the broken lives they have lived ever since.

- **"Billy"**

Billy told the Grand Jury that his deepest wish was to return to who he was before Fr. Brzyski began sticking his hands inside Billy's pants when he was an 11-year-old altar boy. He wanted God back, and his parents, and the joy of celebrating Easter and Christmas. He wanted to believe in Heaven and morality. He wanted to be able to get out of bed – to live every day. He wanted to believe in God, in part, so he could get past the first steps of his twelve-step program to end his addictions to drugs and alcohol.

Billy told the Grand Jury that, when he became acquainted with Fr. Brzyski in 1981, he was in 5th grade at Saint Cecilia's parish school. He was the second oldest in a family of five boys and one girl. His parents were extremely devout, and each of their boys served as an altar boy at Saint Cecilia's. When the new assistant pastor befriended the family – stopping by for coffee and meals -- Billy's mother was honored. She encouraged Billy to spend time with the priest.

Billy described how Fr. Brzyski began molesting him in 5th grade in the sacristy as the 11-year-old altar boy dressed for Mass. The priest cornered the boy in a secluded corner of the dressing room, slid his hands inside the boy's pants and fondled his genitals. Billy told the Grand Jury that the priest did this even while other altar boys were dressing

in the same room. He named three other altar boys he believed had had the same experience with Fr. Brzyski – "Kirk," "Wesley," and "Sean."

Billy said that other priests at Saint Cecilia, as well as other boys, knew of Fr. Brzyski's constant sexual predations upon the parish youth. One, Fr. William Joseph (who has himself been accused of sexually abusing boys), walked into the sacristy on one occasion and saw Fr. Brzyski fondling the boy's naked genitals as the boy sat on the priest's lap. Father Joseph, according to Billy, did not appear surprised by what he saw, and certainly did nothing to help the boy. Another priest, Fr. Robert E. Brennan (not the Fr. Robert L. Brennan discussed elsewhere in this report), also knew what Fr. Brzyski was doing to Billy. The victim said Fr. Brennan never told the boy's parents, who considered Fr. Brennan a close friend.

Among the altar boys, Billy testified, Fr. Brzyski "became known for this and feared for this." While Billy estimated that Fr. Brzyski had "nearly a hundred" victims at Saint Cecilia, the boy considered himself particularly unfortunate because he seemed to be a "favorite molestee." Father Brzyski pulled him out of classes and took him to the rectory and on outings – always with the same sexual purpose. His abuse continued from 5th grade through 8th, when the priest suddenly disappeared and parishioners were told he had had a nervous breakdown.

The psychological damage to Billy long outlasted the physical abuse. Billy told the Grand Jury that he was devastated by his helplessness in the face of the constant and repeated humiliation of being dragged out of class, having his pants pulled down, being placed on Fr. Brzyski's lap, and having his genitals fondled. The effect of the abuse was to take from Billy everything he loved in his life. He said he felt like he lost God and his belief in Heaven, and that was "the scariest thing you want to go through being a kid . . ." Worse still was what happened when the boy finally decided he would not put up with the abuse anymore and he announced to the priest that he was going to tell his parents. Billy told the Grand Jury that upon hearing this, Fr. Brzyski "looked and laughed at me and said, '[Billy].' He said, 'If you don't know,' you know, 'your parents know what goes on. We have a deal.' You know, 'Don't think that they don't know.'" Billy told the Grand Jury,

"After that, I walked back to the classroom devastated, like scared to death to even go home or – never look at my parents again . . . ."

Billy began to wonder whether his parents needed money so badly that they had accepted money from Fr. Brzyski in exchange for permission to abuse their son. His fears, he said, were confirmed in his mind one day when he begged his mother not to make him go with Fr. Brzyski to the Mummers parade. He recalled his mother yelling at him, telling him he had no choice – he was going. On the way to the parade, in the front seat of Fr. Brzyski's car, the priest fondled the boy's genitals. In the back seat were two of Billy's brothers.

For nearly 20 years, Billy believed that his parents were complicit in his abuse. Doubly wounded by Fr. Brzyski's sexual molestation and by the belief, fostered in him by Fr. Brzyski, that his parents had abandoned him to this abuse, Billy fell into drinking and drug abuse. He lost all respect for the things he once loved – his parents, his church, his God. His mother could not understand why he turned against everything she had brought him up to believe in. Even when he finally told his mother, in 2001, about his abuse, he could not bring himself to tell her the lie that Fr. Brzyski had told him. Billy explained to the Grand Jury, "I didn't want her heart broken thinking that I believed this for all those years."

Billy also felt as though he had lost himself – or the person he used to be – as a result of Fr. Brzyski's abuse. He described what the priest had done as "turn[ing] this good kid into this monster." He began to think of himself as two different people. He told the Jurors:

> I had no God to turn to, no family, and it just went from having one person in me to having two people inside me.
>
> This nice [Billy] that used to live, and then this evil, this darkness [Billy] that had to have no morals and no conscience in order to get by day by day and, you know, not to care about anything or have no feelings and to bury them feelings so that you could live every day and not be laying on the couch with a depression problem so bad that, you know, four days later you'd be in the same spot.

Though he considered Christmas the "most wonderful time of the year," Billy spent four consecutive Christmases unable to get out of bed. All the things he had loved most – "going to church as a family and stuff like that" – were ruined for him, he said, by Fr. Brzyski.

The priest ruined even Billy's "most precious spot as a kid" – his grandmother's fishing shack in Forked River on the New Jersey Shore. There, as a youngster, he had spent time with her fishing, hanging out, and cooking crabs. The site was ruined for him when he learned that Fr. Brzyski and another priest owned a house a couple of blocks away. According to Billy, on weekends Fr. Brzyski and priest friends brought anywhere from five to ten boys to the house. Billy saw Kirk and Wesley at the house and several other boys whose names he could not remember. Seeing, as he put it, "this psycho's down there just killed me and I didn't even want to go down there no more."

- **Sean**

Sean was Billy's cousin and best friend. He, too, was an altar boy at Saint Cecilia. He was 12 years old and weighed just over 80 pounds when Fr. Brzyski – 6'5" and 220 pounds – anally raped him in the rectory. His abuse had started at an even younger age – when he was 10 or 11 – in the corner of the sacristy, where Fr. Brzyski forcibly fondled his genitals and rubbed up against the boy.

Sean testified that he was scared, but he was devout. He believed that to say anything bad about a priest was a mortal sin and that he would go to Hell if he told. So he said nothing at first, and continued to suffer the abuse even as its severity increased. He went on to be named "altar boy of the year" by the Archdiocese, and he was chosen to serve Mass with Pope John Paul II.

Sean tried to take his altar boy uniform home with him, and changed his clothes in the church parking lot to avoid Fr. Brzyski's attacks. He tried to serve Masses only when other priests were on duty. But Fr. Brzyski still found ways to abuse the boy. The priest became a regular at his family's dinners. He invited the parents to dine at the rectory – a

special honor complete with fancy china and crystal. He invited Sean to dinner and movies. The boy's parents expressed pleasure that he was spending time with the priest.

Sean estimated for the Grand Jury that Fr. Brzyski molested him "a couple of hundred times." The abuse progressed from fondling, to the priest fondling his own genitals, to performing oral sex on the boy, to anal rape.

The first time Fr. Brzyski raped the boy was in his rectory bedroom after giving the 11-year-old an alcoholic drink. Sean testified that he passed out. When he awoke, he was on the priest's bed. His pants and underpants were pulled down around his knees. Father Brzyski, sitting in a chair in the bedroom, asked him, "How are you doing, Boy?" Sean said he knew immediately that something had happened. He got up, pulled his pants up and ran home. He said he hurt all over and had trouble walking.

When he got home, Sean said, he showered a long time. Sore everywhere, he was bleeding from his rectum. But, more than the blood, it was the "nasty dirty feeling" he was trying, unsuccessfully, to shower away.

Sean told the Grand Jury that he did try once to tell his father what Fr. Brzyski was doing to him. The result was disbelief and physical abuse: "I got back-handed across the room, and I got told how dare I make up a lie about a priest . . . . And so that was the first and last time I ever opened my mouth about it."

As he had done to Billy, Fr. Brzyski told Sean that his mother knew what was going on, so it would do no good to tell her. As for the boy's father – actually his stepfather – Fr. Brzyski told Sean that the man he had always considered his father could never love the boy because he wasn't his "real" son. And, like Billy, Sean believed Fr. Brzyski. The priest's cruel strategy to isolate and control the boy for his own sexual purposes again destroyed a family and permanently damaged an innocent life – a devastation abetted by Archdiocese officials' strategy of looking the other way.

Having no one to turn to for help, Sean resigned himself to his situation. He dealt with his despair by abusing drugs and alcohol. In order to get through Masses where he served with Fr. Brzyski, Sean got high. He used marijuana and cocaine so he "didn't have to think about it." Although Fr. Brzyski left the priesthood in 1985, he continued to abuse

Sean – including anally raping him – for four more years, until the victim was 18 years old.

When he appeared before the first Grand Jury in October 2002, Sean was 31. Three days earlier, he had talked for the first time about his abuse to his mother, from whom he had long been estranged. He told the Jurors:

> I've harbored this feeling towards my mom for going on twenty years and to come to find out the other night that it's not – you know, it was – it wasn't true. She had no idea. She had absolutely no idea.
>
> So you know, I've been dealing with this. I've been hating her for twenty years for no reason whatsoever, and that's not right. That's my mom.

Like his cousin, Billy, Sean spent Christmases, Easters, Thanksgivings alone. He has been alienated from his family. He cannot maintain a stable, intimate relationship. Both men have fathered children whom they are incapable of supporting emotionally. They have battled alcohol and drugs and have beaten themselves up for not being able to live up to their potential.

Like Billy, Sean witnessed Fr. Brzyski abusing other altar boys. He had sometimes tried to come to their rescue. He saw as many as a hundred photographs of boys, ages 13 to 16, many of them nude, which Fr. Brzyski kept in a box in his bedroom. Sean said that the priest had a photograph of him, and that he recognized several of the other boys.

- **"Ryan"**

Ryan did not use drugs and alcohol to block out what Fr. Brzyski did to him when he was 11, 12, and 13 years old. At age 32, he told the Grand Jury that he still thinks about what happened every day. At times, he said, it seemed as if he had lost his mind.

Ryan told the Grand Jury that he had episodes – every Sunday in one period, he said – during which he believed he was in Hell. He said it was strange because he had always thought, as a child, that Hell – or Heaven – was a place you went after you died. But during these episodes he believed he had ended up in Hell by making all the wrong decisions, each time he was given a choice to do the right thing in his life. He said it seemed as if his soul had died and he had somehow ended up in eternal damnation. These

episodes could be so real that, when around other people, he would see them as demons and would run from the room.

Because of episodes like these, he sought psychiatric help in 1997, more than 15 years after his abuse. While acknowledging that he might still appear quite disturbed, he told the Grand Jurors that he was, actually, much better since having finally talked to someone about what Fr. Brzyski had done to him. Like Fr. Brzyski's other victims, Ryan had felt he had no one in whom he could confide. It was clear from his testimony that it never even occurred to him that he could tell anyone. Believing as he did that "priests were the direct link to God," Ryan explained, "this was God . . . there's nobody to tell."

"What I did," Ryan told the Grand Jury, "was I found a way for twenty years to carry this around without telling it, and what you have to do is you have to learn to put it away." So, to save himself "from going nuts," he had to walk away from "everything that I had been brought up in."

Ryan could not care about school, when all he could think about was his abuse by Fr. Brzyski in that same building. The boy who once thought he had a vocation as a priest had to sit in the back of the church at weddings because he could not bear even seeing one. His whole life had revolved around Saint Cecilia, and Fr. Brzyski had taken that from him.

As an adult, he found he had to avoid intimate and caring relationships as well. He described his unsuccessful attempts to be close to someone:

> I couldn't have sex without crying afterwards. I would go to bed with my girlfriends and wake up in the middle of the night and like think that they were dead regularly, and . . . if, God forbid, one of them should reach from behind me and like put their hand on my waist.
>
> I used to tear rooms apart . . . and then to think about that, you know, having someone in your life that you love, who didn't sign on to have a boyfriend who's a complete basket case on any given moment, who can't go to bed with you without turning into some kind of lunatic.

So Ryan had to walk away from love, too. He stopped getting involved, assuming that "as soon as we get in bed, I'm going to end up scaring the shit out of this person." He decided, "I'm not going down that road . . . . It was awful."

It was apparent from his testimony that there were some details of Ryan's abuse that were still "put away." But he did refer to the priest's assaults as, at times, "intense" and "violent." One incident, he said, he recalled "kind of up until the point that I was on the floor with this guy on top of me, and then I was half way to my house, you know, and that's when I remember; and if . . . if there's something further, I'm not certain that I care to know what happened."

Ryan stopped showing up for Mass after that incident, and was fired as an altar boy. He continued to believe it had been God's will to make him suffer Fr. Brzyski's violent abuse. He probably never suspected that he continued to suffer the consequences of that abuse in silence because of a willful decision by the Archdiocese.

Between 1984 and 1986, the Archdiocese learns of 11 victims.

The Archdiocese began recording reports about Fr. Brzyski's abuses in 1984, when he was at Saint Cecilia. Within a year and a half, officials had learned from a fellow priest the names of at least 11 victims from the priest's previous assignment, at Saint John the Evangelist parish, in Lower Makefield. Their abuse began when Fr. Brzyski was the parish's assistant pastor, from June 1977 to August 1981, and continued, in some cases, for many years after he was transferred to Saint Cecilia.

It was a counselor at Bishop Egan High School, Fr. James J. Gigliotti, T.O.R., who brought the allegations to Assistant Chancellor John W. Graf, beginning on June 25, 1984. Father Gigliotti called Fr. Graf because the parents of one boy – "Mark," then a student at Bishop Egan – had reported to the counselor that their son had been molested by Fr. Brzyski during the student's 5th- and 6th-grade years at Saint Cecilia's grade school.
In a June 27, 1984, interview, Mark's mother and father detailed for Fr. Graf not only their son's abuse, which included Fr. Brzyski's fondling the boy's genitals and trying to make the boy do the same in return, but also the priest's involvement with many other boys. Father Graf's memo recording his meeting with Mark's parents described the pattern of Fr. Brzyski's behavior: "Father would take up with a particular boy and then drop this boy and

move on to other friendships." Father Graf noted these "particular friendships" included "rather young boys, 10, 11 and 12 years old."

Mark's parents told Fr. Graf how embarrassed their son was by his encounters with Fr. Brzyski. They said he had suffered from nightmares and emotional stress and that they had taken him for professional counseling.

Mark's parents provided the names of five other boys – "Richard," "Anthony," "Steve," "Darryl," and "Philip," who were, in the language of the Archdiocese, also "involved in these friendships" with Fr. Brzyski. All of these boys, according to the parents, were having "family problems when Father befriended them."

On June 28, 1984, Fr. Gigliotti provided Fr. Graf with the names of two more boys whom he had heard were being abused – "Raymond" and "Paul." He confirmed the names given by Mark's parents, and he told Fr. Graf that all of these boys were "shy, docile, bright and intelligent and that they were all physically attractive." He told Fr. Graf that the parents of two of these boys – Raymond and Steve – had come to him for counseling "concerning unusual anger and withdrawal in both their sons."

Confronted with allegations, Father Brzyski offers to resign, but Archdiocese officials persuade him not to.

Father Graf informed Cardinal Krol of the allegations in a memo dated July 10, 1984. That memo provides an insight into the way the Chancery Office handled sexual abuse allegations. Despite a detailed account by parents of their own son's molestation, and clear indications that many other boys were being abused as well, Fr. Graf was unclear whether he should investigate further because, he said, the information was "indirect." Thus, he asked the Cardinal: "Should Father Brzyski be confronted with this information even though the information is indirect, thus affording Father Brzyski the possibility of denial?" This language suggests that if Fr. Brzyski denied the allegation, the normal procedure would be to do nothing more. Father Graf went on to advise the Cardinal, however, that doing nothing might be unwise in this case where "scandal" seemed likely.

He wrote: “On the other hand, it becomes evident that scandal could easily arise in this case if action is not taken.”

In response, Cardinal Krol instructed the Assistant Chancellor to confront Fr. Brzyski and to “impress on him the gravity of the situation in the words of Jesus about those who scandalize the young.” Cardinal Krol wrote in the margin of Fr. Graf’s memo: “His alleged conduct suggests a wolf in sheep’s clothing – who serves as Satan’s agent for perdition and not Christ’s alter ego for salvation.” This depiction did not prevent the Cardinal’s aides from later trying to persuade Fr. Brzyski to remain in ministry.

When confronted, the priest was, according to Fr. Graf’s notes, “confused as to the details” concerning Mark. But he readily admitted to “several acts of sexual misconduct.” He named only two of the boys he had molested – Darryl, who, according to Fr. Brzyski, would have been in 10th grade at the time of the abuse, and Richard, who would have been in 7th grade. The priest admitted that on “several occasions he had sexual contact with [Richard].” He announced he wanted to quit the priesthood.

Archdiocese officials instead persuaded Fr. Brzyski to go to Saint Luke Institute in Suitland, Maryland, for an evaluation. According to a memo by Vice Chancellor Donald F. Walker dated July 27, 1984, the director of Saint Luke, Fr. Michael Peterson, reported that Fr. Brzyski demonstrated “a repressed personality with chronic immaturity manifested in . . . pedophilia.” Father Peterson warned that “there is a definite concern for possible legal liability.” He recommended that Fr. Brzyski remain at Saint Luke for treatment and that he not be permitted to return to Philadelphia even to pick up clothes. Characteristically, the Archdiocese’s response centered on its own interest, not children’s: on July 30, 1984, Fr. Walker wrote to Cardinal Krol that “Father Peterson is of the opinion that our criminal liability is minimized by the fact that Father would be admitted to an intensive program.”

Father Brzyski continues to be a danger and refuses to participate in therapy.

By August 27, 1984, Archdiocese managers knew for sure that Fr. Brzyski was still a danger to his young victims. In a memo of that date, Fr. Graf recorded being told by Fr.

Gigliotti that Fr. Brzyski had called several of his victims, including Richard, and invited them down to Suitland.

Father Brzyski remained at Saint Luke Institute until January 17, 1985, leaving on that date supposedly to visit Philadelphia and the New Jersey Shore, after agreeing to return to Saint Luke by February 11, 1985, to resume outpatient therapy. He never returned. The institute's director made it clear that the priest could not be considered cured. Father Peterson reported being "very disheartened" by Fr. Brzyski's immaturity and said the priest was acting "like an eighteen year old."

Archdiocese officials tried to persuade Fr. Brzyski to remain in therapy. They also tried to persuade him to remain in ministry. Fr. Brzyski decided not to continue either.

Despite Father Brzyski's continuing threat to parishioners, the Archdiocese is concerned only with its liability.

Over the next two years, the Chancery Office received reports that Fr. Brzyski was still visiting victims from his previous parish in Lower Makefield, and that he had taken a high school teaching job in the Archdiocese of Metuchen, New Jersey. Father Gigliotti provided the names of at least three more victims – "Matthew," "Mike," and a boy with the last name of "Gibbs."

Vice Chancellor Walker wrote on January 8, 1986: "Father Gigliotti has a grave concern that more names will surface and that the influence of Father Brzyski was more extensive than first imagined or known." Father Gigliotti told Fr. Walker that Fr. Brzyski still visited Lower Makefield often.

Archdiocese officials showed no concern, however, that Fr. Brzyski was almost certainly continuing to sexually abuse boys from his parish assignments. Instead, they worried about the Church's liability. In a February 7, 1986, memo to Cardinal Krol, Fr. Graf reported Saint Luke Director Peterson's opinion that "unilateral withdrawal from the ministry or even suspension does not insure the Archdiocese that it is no longer responsible for the actions of one of its priests." Father Graf went on to suggest: "In light of the possibility that there are more instances of misconduct which may, for all I know, be

continuing at the present time, I wonder if it would not be wise for us to review this entire case once again with legal counsel."

Cardinal Krol directed Fr. Graf to try to persuade Fr. Brzyski to voluntarily seek laicization, a step designed to absolve the Archdiocese of liability. Father Graf also notified the high school in Metuchen of the situation and Fr. Brzyski's employment was terminated. Nothing, however, was done to protect the known victims who, Fr. Graf conceded, might still be suffering abuse. No families were informed or warned. No pastoral care was offered to those already damaged.

In order to evade responsibility, Archdiocese officials choose not to help or find additional victims.

Archdiocesan managers apparently never considered contacting law enforcement authorities. Still, because Fr. Gigliotti was pressing the Archdiocese about known victims who needed help, Church leaders had no choice but to make a decision. They could grant permission to professionals to help the victims and their families, which would require revealing what they knew about Fr. Brzyski's abuses, or they could conceal that knowledge and block the counselors from providing assistance. In the case of unknown victims, Archdiocese officials could try to find them to offer counseling and prevent further abuse, which would show that they knew about Fr. Brzyski's criminality, or they could avoid learning about any new victims in an attempt to evade responsibility. In both cases, Church leaders chose not to help or protect the victims.

Some of the boys from Saint John the Evangelist parish harmed by the Archdiocese's policy of neglect were Richard, Matthew, Mike, Raymond, and Steve. Also harmed were all the victims from Saint Cecilia parish whose names the Church officials made an effort not to learn.

- **Richard**

On June 27, 1984, Mark's parents told Assistant Chancellor Graf that, a few years before, Fr. Brzyski had taken their son, Mark, and several other 12- and 13-year-old boys to a shore house that the priest owned in Forked River, New Jersey. There, Mark had

observed Fr. Brzyski in bed with one of the boys, Richard. Mark would not describe what he saw, but he and the other boys characterized the priest's relationship with Richard as "extreme."

Richard was one of the boys Fr. Brzyski confessed to abusing when questioned on July 18, 1984. The priest told Fr. Graf that on "several occasions he had sexual contact with [Richard]." He said the boy would have been in 7th grade at the time of the abuse. He told Fr. Graf that he was still friendly with the family.

In handwritten notes of his June 27, 1984, meeting with Mark's parents, Fr. Graf wrote that Fr. Brzyski still visited Richard and his family, three years after his 1981 transfer to Saint Cecilia. Father Graf did not include this information in his typed report. Father Peterson, the director of Saint Luke, told Fr. Graf on July 27, 1984, that Fr. Brzyski's abuse of Richard was more serious than first thought and that it involved "many episodes."

On August 27 of that year, Fr. Gigliotti told Fr. Graf that Fr. Brzyski had called Richard's house and invited the boy down to Suitland, Maryland, where he had gone for treatment. Father Graf claimed in an official memo that he had contacted Fr. Gigliotti to ask the counselor to watch for signs of "any peculiar psychological change in [Richard] and to let us know so that we could be of help to [Richard] and his family if necessary." However, when Fr. Gigliotti agreed that the Archdiocese should help Richard and his family, and proceeded to tell Fr. Graf that Richard's mother had already noticed strange behavior and had asked the school counselor for advice and help, none was given.

Richard's mother had come to Fr. Gigliotti because she could not understand her son's angry reaction when Fr. Brzyski invited him down to Saint Luke. According to Fr. Brzyski's testimony before the Grand Jury, the priest had become close to Richard's family when another of their sons had been tragically killed. Father Brzyski testified that Richard's brother, the family's second son, had also been an altar boy at Saint Cecilia, and that "after leaving an altar boy rehearsal for Easter, [he] crossed the street and got run over by a tow truck and he was killed." (It is possible that Fr. Brzyski confused Richard with Mike – another victim. Father Gigliotti told Fr. Graf that it was Mike's family that Fr.

Brzyski became close to when one of their sons died. In either case, Fr. Brzyski recalled involving himself with a family when an altar boy died after leaving a church rehearsal.)

When Richard's mother contacted Fr. Gigliotti, Archdiocese officials knew that Fr. Brzyski had sexually abused her son and was still pursuing him – even from Saint Luke. The mother, confused, was asking for help. She received none.

Father Graf wrote on August 27, 1984:

> The mother did not understand her son's reaction and went to Father Gigliotti for advice. Father Gigliotti did not tell her the possible reason for the boy's reaction. He wanted us to be aware of the situation.

On October 25, 1985, Fr. Gigliotti tried again to get help for the troubled boy. This time he consulted a psychiatrist, Dr. Thomas Daniels, who had been hired by the Catholic School system to provide counseling in the high schools. Father Gigliotti told Dr. Daniels about Richard's situation. The psychiatrist, according to a memo from Fr. Graf to Cardinal Krol, told Fr. Gigliotti "that it is important in matters of abuse, physical or sexual, that the victims be confronted openly and that they be allowed to ventilate their fears and feelings." Father Graf added: "The doctor only wanted us to consider that possibility and offered his assistance." The Assistant Chancellor went on to inform Cardinal Krol: "I expressed to the doctor that we were grateful for his concern, however, because of the sensitivity of the situation, we would ask him to do nothing until we get back to him and we hoped he would respect our wishes, especially in regard to the confidentiality of the issue." (Appendix D-12)

Father Graf wrote to the Cardinal that he next consulted with Fr. Peterson at Saint Luke Institute. While Fr. Peterson agreed that confronting a victim could be beneficial, Fr. Graf wrote that Fr. Peterson "made a perhaps more important suggestion for us to consider." Father Peterson's actual suggestion was redacted from the copy of the memo provided to the Grand Jury, suggesting that it must have been some sort of legal, rather than psychological, advice. Whatever it was, it appears to have disinclined the Archdiocesan managers from behaving with humanity. According to their own records, they did not permit either Fr. Gigliotti or Dr. Daniels to offer counsel to Richard or even to

inform his mother that Fr. Brzyski had admitted sexually abusing him. It would be difficult to imagine greater heartlessness.

- **Matthew**

Another victim whom Fr. Gigliotti tried to help was Matthew, the son of friends. In addition to being a friend of the parents', Fr. Gigliotti served as the father's spiritual director as he prepared to become a deacon of the church. Both the parents and son had approached Fr. Gigliotti for help. The parents asked for the priest's advice because their son's behavior had become disruptive, he was using drugs, and his personality seemed to have changed. The boy, now 19 years old, told Fr. Gigliotti that he had a serious problem, but then was unable to discuss it.

Father Gigliotti told Vice Chancellor Walker that he knew from a third party, unrelated to Matthew's family, that the boy had been molested by Fr. Brzyski from the age of 12 until he was 14 years old. Father Walker wrote in a memo dated January 8, 1986, that Fr. Gigliotti felt it was "very important for the therapeutic process" that he share his knowledge of the boy's abuse with both Matthew and his parents.

Father Gigliotti presented his "quandary" to Fr. Walker. The Vice Chancellor wrote that he then discussed the matter with Chancellor Samuel Shoemaker and that "it was decided" that Fr. Gigliotti should not reveal what he knew. He could continue to counsel the boy about current problems, but could not initiate a discussion of the boy's relationship with Fr. Brzyski. Father Walker noted: "This approach is taken in order to avail [Matthew] of some pastoral assistance *while still maintaining the position taken by the Chancery Office that we could not actively seek further names of persons who may have been involved with Father Brzyski*" (emphasis supplied).

In simple terms, then, the Archdiocesan managers decided that in order to lessen the Archdiocese's possible exposure to civil suit, they would withhold information crucial to the psychological healing of a boy sexually abused by an Archdiocesan priest. The further decision not to seek out other parishioners injured by this same priest was also made to minimize the Archdiocese's possible exposure to lawsuits. The Archdiocese weighed the harm that "scandal" would do to it against the health and well-being of

parishioners injured by one of its priests – parishioners injured because they had been placed in particularly vulnerable positions due to the unique role and power of the priest.

- Mike

On January 10, 1986, a year and a half after Fr. Brzyski had admitted to abusing at least two boys, Fr. Gigliotti told Vice Chancellor Walker that another boy said to be a victim of Fr. Brzyski's was Mike. The priest was long known to have visited his house. In July 1980, the pastor at Saint John in Lower Makefield had reported to the Archdiocese that Fr. Brzyski was seen visiting Mike's house as often as two to three times a day. Six years later Fr. Walker wrote of Mike:

> The family lives in Lower Makefield Parish and Father Brzyski still visits the family on a regular basis. Father Gigliotti stated that it is common knowledge that Father Brzyski still seeks the company of this young man who may now be nineteen or twenty years of age.

Even though the Archdiocese was well aware of Fr. Brzyski's admitted abuse, and even though the attention Fr. Brzyski was giving to Mike was extraordinary, there is no indication that the Archdiocese took any steps to determine whether Fr. Brzyski was still abusing the boy or to intervene in any way in the situation.

- **Raymond and Steve**

In June 1984, Fr. Gigliotti told Fr. Graf of reports of two more victims of Fr. Brzyski from Lower Makefield – Raymond and Steve. Father Gigliotti also informed the Assistant Chancellor that the mother of Raymond and the father of Steve had consulted him, in his capacity as a counselor at Bishop Egan High School. The parents had sought advice "concerning unusual anger and withdrawal in both their sons."

Rather than advise the counselor to do his job and help these parents protect their children from a sexual offender or mitigate the damage already done, the Assistant Chancellor noted in a memo that Fr. Gigliotti understood the "confidentiality of this matter

and is willing to assist us in any way." By invoking the protection of the abuser's confidentiality as an excuse not to inform parents that their children were being sexually abused, the Archdiocese aided Fr. Brzyski in his crimes. A year and a half later, on January 10, 1986, Fr. Gigliotti told Vice Chancellor Walker that "Father Brzyski is still a frequent visitor to [Steve's family's] home."

Archdiocese leaders explicitly decide not to seek out victims from Saint Cecilia parish.

Given what they knew about how many boys Fr. Brzyski had preyed upon and molested in serial fashion at Saint John the Evangelist, Archdiocese officials had excellent reason to believe he would have many additional victims from Saint Cecilia, where he was assigned from August 1981 until August 1984. The victims from Saint Cecilia who testified before the Grand Jury said his abusive behavior there was blatant and notorious. Billy and Sean both said they were sure the other priests at Saint Cecilia knew. Yet, rather than try to find these victims and help them, the Chancery office established a policy, cited by Vice Chancellor Donald Walker in a 1986 memo, "that we could not actively seek further names of persons who may have been involved with Father Brzyski."

Father Brzyski's crimes continue after Bevilacqua becomes Archbishop of Philadelphia.

When Anthony J. Bevilacqua became Archbishop of Philadelphia in February 1988, Fr. Brzyski was still a priest in the Archdiocese, though he had chosen to withdraw from active ministry. Cardinal Krol had decided not to seek an involuntary laicization of the priest. Such a procedure could have required the Archdiocese to document what it knew of Fr. Brzyski's criminal behavior and present it to a tribunal as true. It might also have required testimony from victims – victims whom the Archdiocese had not acknowledged.

Cardinal Krol chose to keep Fr. Brzyski as a priest even though Archdiocese records clearly indicated his criminal sexual abuse of boys and included warnings in 1986 and 1987 that this serial abuse could be ongoing. Archbishop Bevilacqua, possessing the

same information, followed the same course – allowing Fr. Brzyski to remain a priest in the Archdiocese throughout his tenure as Archbishop.

Archbishop Bevilacqua, who presumably would have asked or been told why one of his younger priests was without an assignment, did nothing to protect the Philadelphia community or past parishioners from this dangerous, untreated, and unsupervised sexual offender. Anyone who gave even a cursory look at Fr. Brzyski's Secret Archives file would know he was extremely dangerous to young boys. They would know that there were many known and named victims who needed psychological or pastoral care. They would know that the priest was likely still involved with known victims and their unsuspecting families. They would know that there had to be a multitude of victims from Saint Cecilia who were unknown to the Archdiocese only because there was no Father Gigliotti there to care about those children.

Archbishop Bevilacqua's initial Chancellor, Samuel Shoemaker, was well acquainted with Fr. Brzyski's history and the Archdiocese's policy of trying to avoid knowing about the priest's victims. As a result of this policy, Fr. Brzyski's victims from Saint Cecilia went undiscovered, or at least unrecorded, despite the priest's blatant behavior and his notoriety.

During Archbishop Bevilacqua's early years, Sean was 16, then 17 years old, and still being anally raped by Fr. Brzyski. Father Brzyski was also still associating with another former altar boy from Saint Cecilia, "Wayne." According to "Julian," a witness who testified before the Grand Jury, Fr. Brzyski described to him in "graphic detail" his sexual relations with Wayne, beginning when the priest was still at Saint Cecilia and continuing at least until the late 1980s. Julian, who was a friend of Fr. Brzyski's in the late 1980s and early 1990s, named other minors, who had not been parishioners, whom Fr. Brzyski sexually assaulted after leaving active ministry.

In addition to the victims who continued to suffer actual abuse, there were others who suffered a world of torment because their abuse remained secret and they were left to cope with its devastating consequences alone. Victims such as Billy and Ryan, and the boys Fr. Gigliotti was prevented from helping, have led broken lives filled with despair

and unfulfilled potential. Children had been estranged from mothers and fathers for decades because no one ever told them that their parents had not made deals with their tormenter.

Because law enforcement was denied a chance to apprehend or deter Fr. Brzyski, there may have been new victims – such as a boy Fr. Brzyski was accused of molesting in May 2002, in his new hometown of Chesapeake, Virginia. There will likely be future victims of this serial molester and child rapist, who remains a priest, albeit without active ministry, free and unsupervised thanks to the Archdiocese's concealment of his crime spree under its auspices.

The Archdiocese seeks forced laicization 20 years after Father Brzyski admitted sexually abusing altar boys.

On February 11, 2004, after allegations made by at least five victims against Fr. Brzyski were found credible, the Archdiocese referred the case to the Congregation for the Doctrine of the Faith in Rome, requesting that the priest be forcibly laicized.

Father Brzyski appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so, although he did answer questions relating to various residences and jobs.

Father David C. Sicoli

In 1999, Fr. David C. Sicoli had in his Secret Archives file a long history of abusive and manipulative relationships with adolescents, as well as numerous reports from other priests about these relationships. Cardinal Bevilacqua, Secretary for Clergy William J. Lynn, and other members of the Cardinal's Priest Personnel Board were considering where Fr. Sicoli should be assigned, and some of them were concerned, but not because of the threat he posed to children. They worried aloud that Fr. Sicoli would be disappointed if his parish did not include a school. According to notes of their meeting, they also believed that Fr. Sicoli should be in a parish that had no other priests--even though that meant he would run all the youth programs and would avoid any other priests' observing him. Accordingly, Cardinal Bevilacqua appointed Fr. Sicoli pastor at Holy Spirit Church in South Philadelphia.

Four witnesses testified before the Grand Jury that Fr. Sicoli had sexually abused them as teenagers when he was assigned to Immaculate Conception parish in Levittown in the 1980s. The abuse included oral sex and mutual masturbation. Father Sicoli had been transferred to Immaculate Conception because of possible scandal resulting from complaints made by three boys at his previous parish – Saint Martin of Tours in Philadelphia. At Immaculate Conception, fellow priests expressed concerns about Fr. Sicoli's behavior from the start. One specifically warned Archdiocese officials of his unhealthy relationships with the four victims who eventually testified. The Church officials knew the identity of at least one boy while he was still being abused, and possibly before the abuse occurred – while he was being "groomed." Even after being told that this victim was "suicidal," Archdiocese officials did nothing to intervene. They questioned none of the named victims. Instead, they transferred Fr. Sicoli to another parish and permitted him access to a whole new pool of potential victims. They also named him Associate Director of the CCD youth program for the entire Philadelphia area.

With uninvestigated allegations involving at least nine boys in Fr. Sicoli's file, Cardinal Bevilacqua in 1990 promoted him to pastor at Our Lady of Holy Souls in North Philadelphia. The Cardinal would reassign him as pastor to three more parishes between 1991 and 1999, despite several more reports to the Archdiocese of intense, exclusive, and suspicious relationships with teenaged boys. In 2002, after complaints from parish staff that the priest kept boys living with him at rectories, but no investigations, Cardinal Bevilacqua left Fr. Sicoli as pastor of Holy Spirit Church, living in the rectory with the boys and no other priests. Father Sicoli was still its pastor, with a new favorite boy, in 2003, when Cardinal Bevilacqua resigned. The Cardinal never even asked the Archdiocese Review Board to investigate the numerous complaints against Fr. Sicoli.

Only in May 2004, after having been questioned about Fr. Sicoli before the Grand Jury, did now-Bishop Joseph Cistone initiate an investigation of the allegations against the still active pastor. An investigator for the Review Board became the first person to question on behalf of the Archdiocese victims whose names were provided to it in 1983. After finding "multiple substantiated allegations involving a total of 11 minors over an

extensive period of time beginning in 1977 and proceeding to 2002," the Review Board recommended Fr. Sicoli's removal from ministry. (Appendix D-13)

From the start of Father Sicoli's career the Archdiocese receives complaints about his contact with boys but fails to act.

Father David Sicoli began his first assignment as an assistant pastor at Saint Joseph, Ambler, in June 1975. Memos from Vice Chancellor Francis J. Clemins reflect that by the beginning of September, both Fr. Sicoli and his pastor were asking that he be transferred. Father Sicoli complained that the pastor, Father James Gallagher, was interfering with what Fr. Sicoli believed should be his total control of the altar boys. Father Gallagher questioned Fr. Sicoli's interest in the priesthood. The pastor said that he had consulted Fr. Sicoli's supervisors from seminary and that they thought the young priest was mentally ill.

A week after meeting with Chancery officials, Fr. Sicoli was transferred to Saint Martin of Tours Church in Northeast Philadelphia. There he threw himself into the work of the Catholic Youth Organization ("CYO"), neglecting other duties. In December 1977, three teenage officers of the CYO – "Nick," his cousin "Jeffrey," and "Adam" – complained to the Chancery that Fr. Sicoli's frequent attempts to have physical contact with them over the preceding two years made them uncomfortable. The three boys had been directed to speak to Vice Chancellor Clemins by their pastor, Msgr. Michael Marley, and by another priest, Fr. John Sharkey, who had become suspicious of Fr. Sicoli's behavior with the boys. All three boys were seniors at Cardinal Dougherty High School when they came to Chancery.

Nick told Msgr. Clemins of a trip to Florida with Fr. Sicoli, Adam, and another boy after the boys' sophomore year of high school. For the entire trip, Fr. Sicoli insisted that Nick sit in the front seat of the car and sleep in the priest's bed. Nick insisted, in front of his friends, that "no overt sexual acts" took place, but he said that in bed Fr. Sicoli edged toward the boy "to the point of body contact more than would be expected," as the Archdiocese official put it.

Father Sicoli manipulated Nick into another trip – to California the next summer – telling the boy he had been chosen by the downtown CYO office to represent the diocese,

when, in fact, Fr. Sicoli planned and paid for the trip. The priest had intended to go alone with Nick, but the boy refused to go unless his cousin Jeffrey could accompany them. Even with Jeffrey present, Fr. Sicoli insisted that Nick sleep in the priest's bed.

According to Msgr. Clemins' notes, Nick reported that, on the trip to California, Fr. Sicoli took the boys to see a stripper perform. He took them to a bar in Tijuana, Mexico, described by Msgr. Clemins as "an habitué for prostitutes," and offered the boys $15 so that they could pay to "go with a B-girl to a back-room."

Adam told how, in October 1977, Fr. Sicoli made Nick and him stay "'til the wee hours of the morning to count money," in Fr. Sicoli's bedroom following a CYOsponsored "Beef and Beer Party." When the boys said they wanted to leave, Fr. Sicoli took Nick home, but pressured Adam to come back to the rectory. Feeling uncomfortable, the boy pretended to be sick. The priest encouraged the teen to sip beer and lie down on the sofa. The priest then sat beside him and put his arms around the teenager. When Adam stood up to leave, Fr. Sicoli asked whether he could give the boy a hug. Adam said no.

Nick confided to Msgr. Clemins that "Father acts like he is in love with me." According to the Monsignor's handwritten note of December 30, 1977, Fr. Sharkey confirmed that, because of Fr. Sicoli's "unnatural" attentions, "[Nick] has suffered in silence" the verbal abuse of his peers. The priest said Nick did not criticize Fr. Sicoli to the other kids "because he doesn't want the priest's reputation tarnished publicly."

When interviewed by Msgr. Clemins, Fr. Sharkey said that he had become suspicious of Fr. Sicoli about five or six weeks earlier when he overheard a "violent argument with some youths in his bedroom." He also told the Vice Chancellor that a psychiatrist he had consulted advised him that Fr. Sicoli needed treatment.

Archdiocese documents reflect that on January 3, 1978, Msgr. Clemins interviewed Fr. Sicoli. The priest admitted sleeping "rather consistently" in the same bed with Nick on trips to Florida and California. He admitted taking the teens to bars, but insisted that he had not done so "for any immoral purposes." He denied trying to hug Adam, but did not deny having the boy in his rectory bedroom at 4:00 a.m. He claimed that the boys' report was false, and that Jeffrey and Adam were "jealous" of Nick because of his leadership position

in the CYO. Monsignor Clemins, clearly, did not accept this explanation, writing in his memo of the conversation: "This would fail to explain why all three would come to Chancery to make the accusations in the presence of Father Sharkey." Monsignor Clemins further noted that "Monsignor Marley told Msgr. Statkus that the 3 boys were credible."

A few days after Msgr. Clemins informed Fr. Sicoli of the charges against him, his pastor, Msgr. Marley, brought a letter to Vice Chancellor Clemins "on behalf of Father Sicoli." The letter, from Nick, purported to recant the allegations of all three, although it was signed only by Nick. Moreover, as it alleged that the other two victims had a vendetta against Fr. Sicoli and that they were merely jealous of Nick, it is highly unlikely that the other two victims had any part in authoring the letter; thus, it is equally unlikely that either of the other victims used the letter to "recant" their statements. Indeed, there is strong evidence that Fr. Sicoli himself had coached Nick into writing the letter: Nick had demonstrated his willingness to protect Fr. Sicoli at his own expense; and the letter's claim that the other victims had a vendetta against Fr. Sicoli because they were jealous of Nick was one of the same excuses Fr. Sicoli had himself made to Msgr. Clemins. Monsignor Marley made it clear to Msgr. Clemins that he did not reject the boys' allegations and thought that Fr. Sicoli should be transferred.

Nick also called Msgr. Clemins, according to notes kept by the Vice Chancellor, "to express his continued concern for Fr. Sicoli as well as his own guilt feelings." When pressed, however, Nick "could not deny" – despite what Vice Chancellor Clemins perceived to be guilt feelings stemming from the realization that Nick might "be hurting a priest's reputation" – that the reports he and his friends had made against Fr. Sicoli were true.

In a January 5, 1978, memo to Cardinal Krol, the Vice Chancellor advised the Cardinal that he had received reports from Fr. Sicoli's pastor that three boys were alleging that Fr. Sicoli was "either bordering on homosexuality or has had homosexual acts with them." He related their allegations and noted that Fr. Sicoli "has given scandal by his behavior." Monsignor Clemins wrote that it was "because some of the parents of these boys also knew in varying degrees about the situation" that he suggested Fr. Sicoli seek

treatment at Villa Saint John Vianney Hospital, a suggestion Fr. Sicoli refused to follow. Monsignor Clemins also related that he had told Fr. Sicoli he would very likely be transferred. The reason for the transfer, given to Fr. Sicoli and recorded by Msgr. Clemins on January 3, was that "the element of scandal is too evident in regard to his associations at St. Martin's."

Father Sicoli refuses to be evaluated at Saint John Vianney Hospital.

On January 3, 1978, when Fr. Sicoli refused to go to Saint John Vianney, Vice Chancellor Clemins instructed him to have a psychological evaluation on his own. On February 6, 1978, Chancery received from a psychologist, Donald E. D'Orazio, a two-anda-half-page narrative of a conversation with Fr. Sicoli. Although there was a heading labeled "Test Findings," no tests or results were mentioned. However, even as a result of their apparently brief interaction, D'Orazio detected problems. He stated that his "clinical evaluation does not show any hard signs of homosexuality," but did reveal problems with impulse control and social adjustment. Father Sicoli had, in any case, already been reassigned.

On January 6, 1978, three days after Vice Chancellor Clemins had recorded in his handwritten notes that "there persists a grave suspicion that Fr. Sicoli is at least emotionally unbalanced," Cardinal Krol reassigned Fr. Sicoli as associate pastor at Immaculate Conception B.V.M. Church in Levittown. There he sexually abused four victims who later testified before the Grand Jury.

Archdiocese officials record restrictions on Father Sicoli's access to youth, but fail to implement or enforce them.

Aware of Fr. Sicoli's troubled relationships with adolescents, Chancellor Francis Statkus wrote in a memo to the file that he had forbidden Fr. Sicoli to supervise youth in his new parish. Yet when the Chancellor learned almost immediately of concerns that Fr. Sicoli was once again intimately involved with the parish's youth programs, he did nothing to intervene.

In a memo for the official record, dated January 12, 1978, six days after Fr. Sicoli had been assigned to Immaculate Conception B.V.M., Chancellor Statkus described a conversation with the pastor there:

> I telephoned Father John Campbell directing him not to place Father Sicoli into any position as moderator or director of any youth groups. I included the direction of the altar boys in this restriction.
>
> I did not explain in any way the reason for this restriction. I indicated simply that, in the past, Father Sicoli's experiences with the youth have not been favorable.
> (Appendix D-14)

Right from the start, fellow priests, who lived with Fr. Sicoli in the rectory of Immaculate Conception, made it clear to the Archdiocese that Fr. Sicoli's behavior was continuing. In March 1978, Chancellor Statkus wrote that Fr. Frederick K. Schmitt "registered annoyance and apprehension about Father David Sicoli." The Chancellor's memo of a meeting with Fr. Schmitt noted obliquely that Fr. Schmitt and another priest at the parish, Fr. Arnholt, had seen some "shortcomings" in Fr. Sicoli. Monsignor Statkus wrote that Fr. Schmitt told him that "unless he learn[ed] more about Fr. Sicoli from us or if Fr. Sicoli's patterns do not improve, Father Schmitt would have difficulty continuing to be assigned with him."

On July 10, 1978, Fr. Schmitt returned to Chancery "distraught and upset." According to Chancellor Statkus's notes, the priest reported that Fr. Sicoli only performed the duties that interested him – specifically, those supposedly banned by Msgr. Statkus – the youth program, Confraternity of Christian Doctrine ("CCD"), and the grade school. Father Arnholt, who spoke to the Chancellor by telephone, confirmed that Fr. Sicoli was a problem and that he generally spent seven hours – 9:00 A.M. to 3:00 P.M. – at the parish school. Both priests recommended that Fr. Sicoli be moved.

Instead, Chancellor Statkus recommended that *Fr. Schmitt* be reassigned. In a July 21, 1978, memo recording an interview with Fr. Sicoli and his pastor, Fr. John Campbell, the Chancellor explained that he probably should have transferred Fr. Sicoli, but he decided not to "considering the number of transfers he already had had." Monsignor

Statkus recorded that at their interview he reviewed the "unfavorable observations which have been made concerning him since his first appointment." The Chancellor noted that the pastors from all three previous assignments had reported "shortcomings."

Unless covered under the topic of "shortcomings," the Chancellor's notes from the meeting record no admonishment of Fr. Sicoli, or Father Campbell, for the inordinate amount of time Fr. Sicoli was spending on youth activities and in the parish school. Chancellor Statkus recorded no mention of his previous recorded instructions to keep Fr. Sicoli away from youth activities.

Father Sicoli abuses numerous boys at Immaculate Conception.

- **"Frederick**

"Shortcomings" did not really adequately describe what Fr. Sicoli was doing at Immaculate Conception. In the summer of 1978, when Fr. Sicoli's fellow priests were registering their disregarded concerns, Frederick was a 13-year-old altar boy who worked in the rectory answering phones and helping the four priests. Father Sicoli began to invite him on outings – to swim at Saint Charles Borromeo Seminary, to movies, and to his house at the New Jersey Shore. Sometimes other boys who worked at the rectory were included, but sometimes only Frederick accompanied Fr. Sicoli.

Frederick told the Grand Jury that at first he was delighted about the outings. He was one of ten children and his parents rarely took him anywhere. He did not object when Fr. Sicoli took him and other boys to a bar in North Wildwood – the "Red Garter" – and let them drink pitchers of beer, or when the priest let the underage boy drive the priest's car home from the bar. What became an unwelcome part of the routine, however, was that, while the intoxicated boy drove, the priest feigned sickness and asked the teen to rub his stomach. Invariably, Fr. Sicoli had the boy rub his crotch as well. Frederick testified that he was 14 or 15 years old when this began.

Another regular feature of trips to the shore was sleeping in the same bedroom with Fr. Sicoli and being sexually assaulted by him. Frederick said that he often went to bed

intoxicated and awoke to find Fr. Sicoli either performing oral sex on him or masturbating him. Father Sicoli then asked to be masturbated. On one occasion, the priest asked Frederick to perform oral sex on him but the boy refused. Frederick said that he sometimes went to bed with clothes on and awoke nude. He said that Fr. Sicoli asked to be masturbated "numerous, numerous times." One time he remembered, in particular, was in the fall of 1980 (the year the Phillies won the World Series). Frederick was 15. He was at the priest's house in Sea Isle City, New Jersey, drinking alcohol, when tickets went on sale for Phillies' playoff games. He said that he and Fr. Sicoli immediately jumped in the priest's car and headed for Veterans Stadium. The underage teen drove the car. Father Sicoli masturbated him and had the teen masturbate him all the way along the drive to Philadelphia.

Frederick testified that his abuse continued from 7th grade into high school. He recalled that it ended before he turned 16. A cook in the rectory, Barbara Walsh, helped end Fr. Sicoli's abuse. Frederick told the cook that he did not want to go to the shore anymore, but he knew Fr. Sicoli would get angry with him. Frederick testified that it was "warped," but that Fr. Sicoli acted as if the two of them had a "boyfriend-girlfriend relationship" and became very emotional and screamed when he did not get his way. The cook told Frederick to tell Fr. Sicoli he was not going to the shore anymore. When Fr. Sicoli blew up and tried to fire Frederick from his rectory job, Walsh said that she would "go to the pastor." Frederick was able to keep his job, which he needed to help his family financially, but, he said, he was ostracized by Fr. Sicoli.

- **"Jake" and "Robert"**

Jake and Robert were a year younger than Frederick. Like Frederick, they were members of the church's youth group and worked at the rectory. They told the Grand Jury of experiences with Fr. Sicoli very similar to Frederick's. On separate occasions, Fr. Sicoli took both to the "Red Garter" in North Wildwood and plied them with beer. Both drove the priest home from the bar in his car, though neither boy was old enough to drive. Father Sicoli told both boys on those occasions that he felt sick and asked them to rub his stomach, urging both to go "lower, lower."

Jake testified that one night he awoke in the middle of the night, after drinking at the bar, to find Fr. Sicoli standing over him. The priest had been rubbing the boy's genitals and his "crotch was wet." When he asked the priest what happened, Fr. Sicoli answered that the boy must have had a wet dream. Later that night, 14-year-old Jake looked over at the priest, who was on a separate bed in the same room. Father Sicoli was lying naked on top of his covers, looking at him and masturbating. The next day, Jake's parents stopped by the priest's beach house on their way to visit relatives. Jake begged his mother to take him with her when she left, but she refused, not wanting to insult the priest.

When Jake announced to Fr. Sicoli that he no longer wanted to go to the shore, the priest threatened to, and then did, tell his parents that the teen had been smoking. The priest tried to enlist the mother's help to persuade Jake to continue his beach trips. This time, Jake's mother told the priest to give her son some "space."

Robert testified that he accompanied Fr. Sicoli to his beach house and drank with the priest on many occasions. Often, he said, he was too intoxicated to remember what happened when he went to bed in the same bedroom with the priest. On one occasion, another parish boy came into the bedroom to wake Robert up and found Robert lying on top of Fr. Sicoli. Robert said that he did not know how he had gotten there. Father Sicoli fired Robert from his rectory job and kicked him out of the CYO when Robert refused once to go to the shore with him.

- **"Hugh"**

Hugh told the Grand Jury that he came onto "Father Sicoli's radar screen" in 6th grade, when he broke a rectory window while playing ball and rang the rectory bell to confess. Father Sicoli, he said, recruited him to become an altar boy. The priest later hired him to work in the rectory and, according to Hugh, paid him "top dollar." The grooming process continued with favorable treatment, trips, invitations to the priest's shore house, assignments to leadership positions in the youth group, and lucrative funeral and wedding jobs. He was 12 years old when he was put "in charge of" the other altar boys. Father Sicoli regularly took Hugh out of his classes at Immaculate Conception's grade school.

Hugh told the Grand Jurors that one day, while he was doing his homework at the rectory, Fr. Sicoli came up to him and said, "Let's wrestle." The priest then wrestled the boy to the floor and climbed on top of him. He challenged the boy to try to get away and, according to Hugh, called him something like a "pussy" for not fighting back. Hugh testified: "I saw that he was getting more into it, and he was grinding all over me, and I recognized that he had an erection, and I certainly wanted no part of that . . . ."

Hugh said that similar "wrestling" incidents happened at Fr. Sicoli's beach house. Hugh testified that Fr. Sicoli gave him Margaritas and other alcohol while at the shore and that he often went to bed too intoxicated to remember the next morning what had happened. He said that he remembered a part of one night when he awoke to find Fr. Sicoli standing, watching him. He described vivid images he recalled from that night and said that he felt strongly that something happened that "my brain's not letting me see."

Hugh tried to explain to the Grand Jurors how he emotionally dealt with Fr. Sicoli's abusive behavior. He told them:

> If you've ever heard the term "out of body experience," I can tell you that it actually happens, and it's terrifying because it is – it's a way to escape. And I remember sitting in the rectory one time, and I was sitting on the couch, and he was awfully close, and he was saying some things about my parents, and the stress just was – it was on me like an anvil, on my chest. I couldn't, and I remember distinctly my body and soul lifting out, going up in the top corner in the room. I was just looking down on myself, and I could see this day. It's just the most bizarre picture. And I was yelling, "Get up and run." . . . . And my brain is not letting me see the other side of it. There's something that's really – it's dark. I can't – it's like a light, the light goes dim when I'm trying to explore it and see what happened.

Hugh described the emotional toll that Fr. Sicoli imposed on him. Like the other victims, he noted Fr. Sicoli's immaturity, his controlling and manipulative nature, and his temper. Like the others, he recalled tantrums whenever he associated with, or even talked to girls. Hugh illustrated how "mentally taxing" it was to deal with Fr. Sicoli, testifying: "every time you dealt with him, you felt like you just came out of surgery."

Hugh told the Grand Jury that his abuse by Fr. Sicoli ended when he backed out of a trip to Disney World that Fr. Sicoli had planned for the two of them. Hugh's father, apparently sensing reluctance from his son, pressed the boy on whether he really wanted to go on the trip. Hugh said he admitted to his father that he was afraid "something really bad is going to happen down there." When Hugh's father informed Fr. Sicoli that Hugh would not be going, the priest yelled and swore at Hugh's father. When Hugh showed up for work at the rectory the next week, Fr. Sicoli had replaced him with another boy.

The Archdiocese is made aware of the improper relationships between Father Sicoli and his victims while they are taking place, but ignores the reports.

Had the Archdiocese heeded, or even investigated, Fr. Schmitt's warnings about Fr. Sicoli and acted appropriately, the victims would have been spared life-altering sexual abuse. Frederick, Jake, and Robert all testified that they were angered to discover in 2004 not only that Fr. Schmitt had warned of Fr. Sicoli's behavior, but that their abuser had been transferred to Immaculate Conception because boys at his previous assignment had brought sexual abuse allegations to the Archdiocese. They were further amazed to learn that Fr. John Graf, then an assistant pastor at Immaculate Conception, had in 1983 provided their names to the Chancellor and warned him of Fr. Sicoli's suspicious and unhealthy relationships with the teens. The three victims were angry that no one from the Archdiocese had sought them out for 20 years. If nothing else, they believed that harm to future victims could have been prevented.

But Archdiocese managers demonstrated no interest in protecting children they knew were at risk. Chancellor Statkus was well aware, throughout Fr. Sicoli's tenure at Immaculate Conception, that the priest was extremely involved with the parish youth, as Fr. Sicoli himself boasted. On May 1, 1982, Fr. Sicoli wrote to the Chancellor requesting a high school teaching job. In his letter he enumerated his extensive work with children, including: developing a summer religious education program for 130 students, teaching 7th and 8th grade religion daily, and starting a "parish based high school retreat program for which [the] high school students are released from school."

On August 3, 1982, in his write-up of a five-year review routinely performed with priests, Msgr. Statkus noted that Fr. Sicoli "moderate[d] the altar boys and the CYO (high school students)." Ignoring the fact that all of these activities were in complete disregard of his purported directive that Fr. Sicoli not be involved with youth, Msgr. Statkus wrote: "his experiences in his first assignments are considered a closed matter."

In October 1982, the Chancellor appointed Fr. Sicoli associate director of the youth program, CCD, in Bucks County. The priest also remained associate pastor at Immaculate Conception B.V.M. Church.

On May 2, 1983, Chancellor Statkus learned from Fr. Graf that considering Fr. Sicoli's prior abuse "a closed matter" was a mistake. On that day, Fr. Graf told Msgr. Statkus of Fr. Sicoli's unnaturally close and unhealthy relationships with six adolescent boys, including the four that testified before the Grand Jury. (Appendix D-15)

The six named by Fr. Graf were: Jake, Frederick, Robert, "Henry," "Brandon," and Hugh. Chancellor Statkus recorded that Fr. Sicoli had "befriended" and tutored Jake from his 8th-grade year at the parish grade school to his sophomore year at Bishop Egan High School. Frederick, whom Fr. Sicoli had also "befriended," had since moved to Florida. Father Sicoli tutored both Robert, a junior at Bishop Egan, and Henry, a freshman, who had been "his recent friend." Brandon and Hugh were both 8th-graders at the parish school whose "friendships" with Father Sicoli were four or five months old.

Father Graf explained that these associations followed a "usual routine." Father Sicoli hired the boys to work in the rectory. He became close to their families. He took several of the boys on trips to his beach house at the New Jersey Shore. When his "associations" ended, Fr. Sicoli fired the boys from their rectory jobs. Father Graf told Msgr. Statkus that Fr. Sicoli's most recent "friends" – Hugh and Brandon – came from troubled homes. Although Chancellor Statkus, in his memo recording Fr. Graf's report, labeled Fr. Sicoli's relationships with these boys "friendships," Fr. Graf testified before the Grand Jury that he "had the deep feeling" that Fr. Sicoli was sexually interested in these boys.

Father Graf also reported to Msgr. Statkus that others suspected Fr. Sicoli of misconduct. The teachers and principal at the parish school, according to Fr. Graf, were extremely upset and thought Fr. Sicoli needed "professional help or attention." He was known to excuse his favorites from their classes. The school principal asked Fr. Graf to communicate to Chancery that she was willing to be interviewed. Father Sicoli was scheduled to be transferred in June 1983 in any event, so on May 2, 1983, Chancellor Statkus told Fr. Graf to "assure the sisters and other members of the faculty that there would be a due review and that truly there was no need for them to be interviewed." It is clear from Msgr. Statkus' response that he thought the problem posed by Fr. Sicoli would be "solved" simply by transferring him to another parish; such would have been true only if the "problem" perceived was that of the scandal resulting from the priest's actions, and not the priest's actions themselves.

Father Sicoli is transferred to Saint Athanasius and is named Associate Director of the CCD youth program for the entire Philadelphia area; he continues abusing Hugh.

On June 1, 1983, Fr. Sicoli became associate pastor at Saint Athanasius, a predominantly black parish in West Oak Lane. By mid-June, it was apparent to the principal and faculty at the Immaculate Conception B.V.M. grade school that the Archdiocese was not protecting its parish children. Father Sicoli had written several vengeful letters to his former colleagues, bitter that they had tried to curtail his involvement with their students. In his letters, Fr. Sicoli indicated that, despite his transfer, he was still in contact with Hugh. Sister Elaine Anthony, a religion teacher at Immaculate Conception B.V.M., wrote to Chancellor Statkus on June 21, 1983:

> [Hugh] was in my class. I watched [Hugh] go from a happy mischievous kid to a tension-filled, confused state of mind. Father has had him down the Shore on weekends. We had hoped this would have discontinued when Father was changed. Father had had a controlled grip on this young fellow that is unhealthy for a thirteen year old.

What concerned the principal and teachers most was that Fr. Sicoli informed them how involved he was already in the school at Saint Athanasius. The Immaculate Conception principal, Sister William Anthony, told the Chancellor in a letter received June 20, 1983, that she was "very much concerned with the fact that Fr. Sicoli intends to teach in the elementary school at his new parish, and he has already begun to pass judgment on the faculty there."

"It is not fair to the people of St. Athanasius nor Father himself," the principal went on, "to let this go by. . . .The poor man needs help and apparently cannot see that need in himself. I don't know what you can do about him, but please Msgr., do not allow him to get involved in that school . . . . I just want to keep him from hurting anyone else – or himself."

Sister Elaine Anthony made the same plea on June 21, 1983. She tried to impress on the Archdiocese official the enormity of the harm Fr. Sicoli was doing to these children:

> I have not only seen, but have experienced, first hand, the inner emotional stress and strain of my students whom Father has singled out as his favorites. I have watched the other students resent them and pressure them through verbal uncharitableness.

She described graffiti in both the boys' and girls' bathrooms. The graffiti depicted Hugh (his name was written) performing an "obscene sexual act." In the boys' bathroom, she reported, he was performing the act on "Father."

In their letters to Chancellor Statkus, both the principal and Sister Elaine mentioned Fr. Graf's report to the Archdiocese, nearly two months earlier, of the problems with Fr. Sicoli. Up until the time they wrote, however, nothing had been put in Fr. Sicoli's file – either the personnel or Secret Archives file – to record the information, including the names of the six boys, that Fr. Graf had provided to Msgr. Statkus. On June 22, 1983, two days after receiving the principal's letter, the Chancellor wrote a memo summarizing his meeting of May 2 with Father Graf.

Still the Archdiocese response was negligible. Monsignor Statkus met with Fr. Sicoli, but according to the Chancellor's June 24, 1983, notes from the meeting, Fr. Sicoli

was not restricted in activities at Saint Athanasius' school. He was not sent for evaluation, or treatment, or counseling. He was not confronted with the names of the boys he had "befriended" or questioned about his continuing contact with Hugh. Instead, he was simply "cautioned . . . not to form particular friendships because these lessen the effectiveness of his ministry." Instead of being banned from the school, he was encouraged "to maintain a favorable rapport with the teachers of the parish school."

Other than a noted intention to speak to Fr. Sicoli's new pastor, there is nothing in the Archdiocese files to indicate any action taken. The boys named by Fr. Graf were not interviewed. The Archdiocese apparently ignored altogether Fr. Sicoli's ongoing relationship with Hugh, even though Fr. Sicoli had told Msgr. Statkus, as recorded in the June 24, 1983, memo, that he feared the boy might commit suicide. The Chancellor received a copy of a letter written by Fr. Sicoli to Sister Elaine on June 15, 1983, in which the priest wrote: "last week [Hugh] said to me that all he had to do to end the difficulties he was having was simply to break with me. But he felt that would be wrong." The Archdiocese did nothing to protect Hugh. Sadly, no one from the Archdiocese showed any interest in what Fr. Sicoli was doing to the boy until another twenty years had passed, after the Grand Jury questioned Archdiocese managers in 2004.

During Fr. Sicoli's tenure at Saint Athanasius, on October 1, 1984, Chancellor Samuel Shoemaker appointed him associate director of the CCD youth program for the entire Philadelphia area. The Chancellor made the appointment even though the priest's file clearly showed that he used the Church's youth groups to reward, groom, and manipulate his targeted boys.

Despite Father Sicoli's record, Archbishop Bevilacqua promotes him to pastor of Our Lady of the Holy Souls Church.

In January 1990, Fr. Sicoli's Secret Archives file contained multiple reports of improper behavior with adolescent boys, a history of failed assignments, and pleas from co-workers to help this sick man and protect the youth of the Church. Despite all this, Archbishop Bevilacqua promoted Fr. Sicoli to a pastorate, appointing him to be pastor of Our Lady of the Holy Souls Church. There is no indication that Archbishop Bevilacqua

requested a psychological evaluation or that any of the many allegations in the file were investigated before making the assignment. (When the Archdiocesan Review Board finally investigated these allegations in 2004, it concluded unanimously that there were "five victims of multiple substantiated allegations of sexual abuse" and "three victims of multiple substantiated allegations of sexual exploitation.") Father Sicoli's request to return to a black parish was honored by the transfer to North Philadelphia.

Grand Jury testimony from Sister Ann Provost, the Director of Religious Education while Fr. Sicoli was at Holy Souls, established that, once again, Fr. Sicoli focused his attention on the church's youth group – and on one boy in particular, "Adrian." When Fr. Sicoli joined Holy Souls, Adrian was not, according to Sister Ann, one of the leaders of the then-thriving youth group. But Fr. Sicoli's immediate favoritism toward Adrian, and his elevation of Adrian to a leadership position, drove other participants away. Sister Ann said she heard other students talking and saying that Adrian and Fr. Sicoli had a sexual relationship.

Sister Ann said that the rumors were widespread among the mothers of teens. She even received a call from the former pastor at Holy Souls, Fr. Charles Vance, asking her whether what he was hearing – that Fr. Sicoli was taking Adrian overnight to his beach house on Friday nights – was true. She later learned from Fr. Sicoli that it was true.

Sister Ann said that Adrian was a high school junior when Fr. Sicoli's relationship with him began. After Adrian graduated, Fr. Sicoli gave him a job as a part-time youth minister and asked the teen to move into the rectory. Sister Ann thought that the job might have something to do with financial assistance Fr. Sicoli was helping to arrange for Adrian to attend LaSalle College. As a high school graduation present, Fr. Sicoli took Adrian to Africa for two weeks.

Sister Ann also told the Grand Jury that, after Adrian moved into the rectory, his relationship with Fr. Sicoli became very tumultuous, even violent. She learned this from the youth minister, "Diane." Sister Ann said that it was with great reluctance that Diane confided that Fr. Sicoli had called her and her husband in the middle of the night more than once to break up physical fights between the priest and Adrian.

In September 1992, according to Sister Ann, Diane called her to the scene of one midday fight, telling Sister Ann to hurry because Adrian was "after [Fr. Sicoli] with a baseball bat." By the time Sister Ann arrived, Adrian was gone, but she saw Fr. Sicoli, looking disheveled, with a cut on his face. After hours of talking to Fr. Sicoli and Adrian, who had returned, Sister Ann concluded that they were both "too engrossed" emotionally and that the situation was unhealthy. Sister Ann was instrumental in getting Adrian to move out of the rectory and back home with his mother. Father Sicoli, she said, was "irate" that Adrian had moved out and started packing his bags and threatening to resign.

The next morning, Fr. Sicoli called Sister Ann at 6:30 a.m. She told the Grand Jury: "He said he was in Sea Isle and another young man had come down in the middle of the night to be with him. . . . He said he would be up in a couple of days." He returned to the parish, but Adrian did not. A month later, Fr. Sicoli fired Diane. He stopped talking to Sister Ann.

Sister Ann told the Grand Jurors of two other boys in whom Fr. Sicoli took a particular interest. One was a 6th-grader who worked in the rectory and whose mother "pulled him right out," as Sister Ann put it, "as soon as anything started." The other boy was an 8th-grader named "Ben," who was not Catholic, but who attended the grade school associated with Saint Stephen parish. That parish was scheduled to merge the next summer with Holy Souls and the youth of the parishes were beginning to engage in joint activities.

Ben, Sister Ann learned later, was the boy whom Fr. Sicoli went to see immediately after the incident that caused Adrian to move out of the rectory. She testified that he largely replaced Adrian, becoming a regular around the rectory at all hours, even though he continued to live at home with his father.

Cardinal Bevilacqua names Father Sicoli pastor of a newly consolidated parish, Our Lady of Hope, where the priest targets an eighth-grader.

Despite the notoriety of Fr. Sicoli's behavior with Adrian, not to mention his extensive Secret Archives file, Cardinal Bevilacqua chose Fr. Sicoli to be the pastor of the newly consolidated North Philadelphia parish, Our Lady of Hope, formed in June 1993 by the

merger of Our Lady of the Holy Souls and two other parishes. Serving on Cardinal Bevilacqua's Priest Personnel Board, the group he charged with advising him on assignments, was Fr. John Graf, the same priest who had reported Fr. Sicoli's sick behavior to the Archdiocese in 1983. Father Graf had also served as Assistant Chancellor from 1984 through 1989 and was familiar with Fr. Sicoli's Secret Archives file.

Father Graf testified before the Grand Jury that he felt uncomfortable bringing up sensitive issues before the large Priest Personnel Board, but that he did express his concerns privately to Cardinal Bevilacqua and his Secretary for Clergy, William J. Lynn. Father Graf said that in March or April of 1993, before Fr. Sicoli's appointment, he told Cardinal Bevilacqua and Msgr. Lynn that Fr. Sicoli was ill and needed help. Father Graf said there was no "real reaction" to his warning, other than the Cardinal's saying, "He'll get help. He's getting help." The Cardinal did not ask what Fr. Graf meant by "ill." There is no record in the file that Cardinal Bevilacqua ever ordered such "help."

Father Anthony Bozeman was hired by Fr. Sicoli as the youth minister (this was a lay position and Fr. Bozeman was not ordained at that time) at Our Lady of Hope. Father Bozeman testified that, at some level, he sensed something strange when Fr. Sicoli brought a 13- or 14-year-old boy, Ben, along to interview Bozeman for the job. He began work in June 1993, and soon noticed that Fr. Sicoli called a 13-year-old girl (whom Bozeman thought a "sweetheart") a "tart." He said that Fr. Sicoli refused to give the girl's mother the "Sign of Peace" at Mass. His suspicions that something was wrong deepened when he learned that the "tart" was Ben's girlfriend. Bozeman began to see Fr. Sicoli's affection for Ben and another 8th-grade boy, "Howard," in a different light.

Father Bozeman testified that Fr. Sicoli took him to Disney World on a trip that Fr. Sicoli had planned for himself, Ben, and Howard. Father Sicoli invited Bozeman because Howard's mother forbade him from going and Ben refused to go alone with Fr. Sicoli. The youth minister said that he did not observe any abuse on the trip, but thought it odd that Fr. Sicoli and Ben went out to play tennis at 3:00 a.m. He noted that Fr. Sicoli said he was feeling sick most of the time.

By August 1993, Fr. Bozeman said, he and all of the priests – there were three others living at the rectory – had concluded that something needed to be done about the unnatural relationship between Fr. Sicoli and Ben. While absolute evidence of sexual abuse is nearly impossible for any third party to obtain, the priests and Bozeman began documenting the suspicious behaviors they witnessed. They noted the trips, the long hours Ben spent in the rectory, including eating dinner with the priest, the thousands of dollars Fr. Sicoli spent on computer equipment for Ben to use, Fr. Sicoli's absolute dependence on Ben, the fact that Fr. Sicoli's mood was governed entirely by the state of his relations with Ben, the total access that Ben had to the pastor's private quarters, and an overheard conversation in which the priest told the 14-year-old, "You make me feel like a cheap whore." They also noted that Fr. Sicoli expedited the process to convert Ben to Catholicism and baptize him so that he could become head of the youth group.

Father Bozeman told the Grand Jury that the priests – Fr. William Murphy, Fr. Timothy Judge, and Fr. Michael Hennelly – took their observations to Secretary for Clergy Lynn in late August or September 1993 (although no record of this meeting was provided to the Grand Jury). They told him of their concerns, said that the whole church staff had noticed the behavior, and said that they could not work with Fr. Sicoli. Father Bozeman said that Fr. Sicoli later told him that Msgr. Lynn had spoken to him. Fr. Sicoli, according to Fr. Bozeman, said that Msgr. Lynn was going to look into the situation. Since there is no evidence, either by way of memo or testimony from Msgr. Lynn or anyone else, that the Secretary for Clergy tried to talk to Ben, any of the church staff members, or any of Fr. Sicoli's previous victims, it is, at best, not clear to the Grand Jury how Msgr. Lynn was "looking into it."

Father Bozeman further told the Grand Jury that Msgr. Lynn came to the rectory shortly thereafter and announced that Fr. Sicoli was to be sent for a psychological evaluation. Bozeman felt that Msgr. Lynn was trying to tell the staff that their perceptions were mistaken, and that if an evaluation showed no problem, Fr. Sicoli would probably be returned. Father Bozeman did say, however, that Msgr. Lynn assured the staff that "Father Sicoli is not to have any more involvement with children."

Monsignor Lynn provides Saint John Vianney Hospital with false or incomplete information leading to Father Sicoli's misdiagnosis.

On October 11, 1993, Fr. Sicoli began a four-day outpatient evaluation at Saint John Vianney Hospital. On the referral form explaining why an evaluation was sought, Msgr. Lynn listed complaints from associates of emotional attachment to parish boys and petty arguments. Monsignor Lynn stated that no "immorality" was alleged, when that was precisely what the complaints suggested. He completely discounted what he called "sexual misconduct allegations" of the three victims from Fr. Sicoli's assignment at Saint Martin of Tours. The Secretary for Clergy wrote that the boys had retracted the allegations when, in fact, only one boy, in a letter that sounded coached and unconvincing, purported to retract the accusations of all of them and thereafter admitted that they were true. Monsignor Lynn said on the referral form that Fr. Sicoli's relations with peers were good, even though the Secretary for Clergy had been told by Fr. Sicoli's co-workers that they could not work with him. Indeed, Fr. Sicoli's file contained numerous references, from several sets of co-workers at various locations, to Fr. Sicoli's inability to get along with fellow priests. Nevertheless, Msgr. Lynn informed the Archdiocese-owned treatment facility that the hope was to have Fr. Sicoli continue in his present assignment.

Given the information with which the treatment facility was provided, it was unsurprising that, at the conclusion of his evaluation, Fr. Sicoli announced (according to Father Bozeman) that the diagnosis was that he fixated on problems and that he needed more exercise. He assured the staff that everything was fine now.

Following the evaluation, Msgr. Lynn was informed repeatedly that Fr. Sicoli's relationship with Ben was continuing. Father Hennelly, one of the priests living in the rectory, informed him one week after Fr. Sicoli returned from his evaluation announcing that everything was fine. Charles Devlin, Vicar for North Philadelphia, informed him in January 1994, when he forwarded to the Secretary for Clergy a letter from Fr. Murphy (another priest living in the rectory) to Fr. Sicoli, explicitly criticizing his continuing "unhealthy and destructive relationship with [Ben]." In February 1994, Msgr. Lynn

recorded Fr. Hennelly reporting that he was still "suspicious of his pastor [Sicoli] and the pastor's relationship with the young men of the parish." On April 5, 1994, Msgr. Lynn met with Fr. Judge, the third priest living at the rectory, and recorded being told: "Father Sicoli's relationship with the young man named Ben who works at the rectory has not changed."

On April 15, 1994, Cardinal Bevilacqua received a six-page letter from Diane and her husband detailing the story of Fr. Sicoli's intense and violent relationship with Adrian at Our Lady of the Holy Souls. They also alerted the Cardinal that Fr. Sicoli was now obsessively involved with another boy, referring to Ben.

Cardinal Bevilacqua responds to complaints against Father Sicoli by transferring him to another parish, where he attaches to a new boy.

Cardinal Bevilacqua's response to the overwhelming opinion of the staff from Fr. Sicoli's last two assignments – that Fr. Sicoli had sick and improper relationships with adolescent boys – was to offer the priest another pastorate in a different part of town. On May 7, 1994, Fr. Sicoli wrote to Msgr. Lynn:

> I have given much thought to the options that you and Msgr. Devlin discussed with me at our May 6th meeting concerning my next assignment.
>
> I wish to accept Cardinal Bevilacqua's offer to be named Pastor of Saint Anthony's parish.

There is no indication in Archdiocese files how Cardinal Bevilacqua reached his decision to offer Fr. Sicoli another pastorate. At least three members of the Priest Personnel Board – the Cardinal, Msgr. Lynn, and the North Philadelphia Vicar, Charles Devlin – were quite familiar with Fr. Sicoli's problem with adolescent boys.

Now-Bishop Joseph Cistone told the Grand Jury that because Fr. Sicoli was the only priest assigned to Saint Anthony, a South Philadelphia parish, this meant that, by necessity, Fr. Sicoli be in charge of any youth programs and altar boys. It also meant there were no assistant priests to observe and report any improper relationships or behavior.

Father Sicoli's behavior had become so notorious among priests and Catholic lay staff, however, that Bozeman soon had people asking and informing him about Fr. Sicoli's actions. He told the Grand Jury that Linda Love, the Director of the Office of Black Catholics, approached him and told him that she had heard stories about what had happened at Our Lady of Hope and was concerned because she knew he was involved with youth again at Saint Anthony. She told Bozeman that Fr. Sicoli had started a chastity program at his new parish, similar to one he ran at Our Lady of Hope. She said that Ben was now a part of this group at Saint Anthony. Love also told Bozeman that Fr. Sicoli had "picked up another kid" at Saint Anthony, a boy named "Allen," and that Allen's mother was worried about the situation. Linda Love told Bozeman that she intended to report Fr. Sicoli's continued involvement with teens to "the proper authorities." If Love did complain to the Office for Clergy, there is no record of it and no action resulted.

Cardinal Bevilacqua gives Father Sicoli a third pastorate; complaints again come in immediately, and are ignored.

Saint Anthony closed in 1999. On January 13, 1999, Msgr. Lynn met with Fr. Sicoli and the Vicar for South Philadelphia, Msgr. John Conway, to discuss possible next assignments for the priest. Monsignor Lynn wrote in a memo of that date that he and Msgr. Conway "questioned whether Father Sicoli should be in North Philadelphia" given "his experience in leaving Our Lady of Hope Parish." They apparently did not question whether Fr. Sicoli should be ministering to children at all. Instead, Msgr. Lynn wrote that both he and Msgr. Conway believed Fr. Sicoli "would probably be better off in a one-man parish." The implication of this decision was that Fr. Sicoli, once again, would have exclusive charge of all youth activities, with no supervision and no fellow priests to observe, and possibly question, his relationships.

In accordance with this view, Msgr. Lynn recommended to the Priest Personnel Board that Fr. Sicoli be appointed pastor at Holy Spirit, another South Philadelphia parish. According to minutes from a March 16, 1999, Personnel Board meeting, the only reservation anyone expressed about the appointment was the possibility that Fr. Sicoli

would not have access to parish children: "It also was noted that the parish school seems to be in a precarious situation and that it would be difficult for Father Sicoli if the school has to be closed."

This time, in 1999, the Priest Personnel Board included at least four priests who knew of Fr. Sicoli's history of improper relationships with adolescent boys – the Cardinal, Msgr. Lynn, and the vicars for North and South Philadelphia, Msgrs. Devlin and Conway. In testifying before the Grand Jury, now-Bishop Joseph Cistone, who was then Bevilacqua's Vicar for Administration, admitted that Fr. Sicoli should never have even been recommended to the Priest Personnel Board.

Although Secretary for Clergy Lynn intended for Fr. Sicoli to be alone at his new parish, a visiting priest from India, Fr. Vilayakumar Chithalan, was stationed at Holy Spirit for a time in 2001. He, like most priests who lived with Fr. Sicoli, noticed and came to suspect the improper nature of Fr. Sicoli's relationships with adolescent boys. On November 21, 2001, he met with Msgr. Lynn and his assistant, Vincent F. Welsh, to share his concerns.

According to Fr. Welsh's notes of the meeting, Fr. Chithalan told the Archdiocese managers that Fr. Sicoli gave a "disproportionate amount of attention to the teenagers of the parish." More troubling still, he reported that two teenage brothers, one in 8th grade and one in 10th, had been living at the rectory over the past year. Father Welsh noted that the boys were of Filipino origin, but did not record their names. Father Chithalan also told the Archdiocese managers that Fr. Sicoli had removed a deacon from the pastoral council and replaced him with three teenagers; that Fr. Chithalan believed Fr. Sicoli spent his days off and his vacation time with teenagers; and that Fr. Sicoli hosted youth group sleepovers at the rectory.

Monsignor Lynn apparently did nothing with this information. Five months later, on April 26, 2002, Msgr. John Conway, the Vicar for South Philadelphia, told him that the two teenage brothers were still living in the rectory with Fr. Sicoli. Monsignor Conway conveyed information from Brother Richard Kessler, the President at West Catholic High School, who had visited the rectory at Holy Spirit in response to a complaint from the

boys' mother that Fr. Sicoli was causing division in her family. Father Sicoli showed Brother Kessler a suite of rooms in which the teenage brothers lived. In a telephone call with Fr. Welsh and Msgr. Lynn also on April 26, 2002, Fr. Sicoli said that he did not, and had never had teenage boys living at the rectory. It did not appear from Fr. Welsh's memo of that call that Msgr. Lynn had ever acted on Fr. Chithalan's report five months before about the boys. Monsignor Lynn and Fr. Welsh went to the rectory a half hour after the call. Father Sicoli again falsely claimed that no boys had been living with him. When pushed, he claimed that two boys had stayed briefly, that they lived on the first floor, and that their mother lived there with them. Father Welsh's memo states that, contrary to Fr. Sicoli's claim, the boys' mother never stayed overnight at the rectory.

Father Welsh wrote that Msgr. Lynn told Fr. Sicoli his actions were "incredibly stupid" not only "because of the current climate but because of Father Sicoli's imprudence in his relating to youths." According to Fr. Welsh's memo, Msgr. Lynn told the priest not to have children or teenagers stay at the rectory and "put [Fr. Sicoli] on notice" that, if he disobeyed, "Cardinal Bevilacqua will take strong action against him." Father Welsh recorded Fr. Sicoli's assurance that he "would pull away from the family situation." Monsignor Lynn made no effort to interview the boys or their mother. One of the boys, "Joseph," later told the Grand Jury that he and his younger brother, "Anthony," did not sleep on the first floor, but on the second floor in Fr. Sicoli's private quarters, in a room next to the priest.

Despite the fact that the Archdiocese had caught Fr. Sicoli lying about his involvement with the teenage brothers, and despite a long history demonstrating that he was incapable of obeying instructions to stay away from children and adolescent boys, Msgr. Lynn and Cardinal Bevilacqua nevertheless left Fr. Sicoli as pastor and sole priest at Holy Spirit. Within a few weeks, the managers learned that Fr. Sicoli was continuing to disobey their orders concerning the two brothers.

On June 6, 2002, Marguerite DiMattia, who worked with an intervention program for at-risk kids at West Catholic High, called Msgr. Lynn to tell him that Fr. Sicoli's relationship with the boys was continuing. DiMattia told the Grand Jury that she informed

Msgr. Lynn that Fr. Sicoli had planned a trip to his beach house with the two boys, and that he was planning on driving the older brother, Joseph, to South Bend, Indiana, to look at Notre Dame University. Monsignor Lynn's notes of his phone call with DiMattia confirm her testimony. DiMattia also testified that she was very concerned because of the way Joseph hesitated when she asked whether Fr. Sicoli had touched him sexually.

DiMattia's complaint apparently had as little effect on the Archdiocese as did the others. Cardinal Bevilacqua and Msgr. Lynn left Fr. Sicoli as pastor at Holy Spirit.

Joseph, in his appearance before the Grand Jury, testified that Fr. Sicoli was extensively involved in his life as his employer while he lived at the rectory, and also his mentor. He said that Fr. Sicoli had taken him to visit approximately twenty colleges, often on overnight trips. He said that Fr. Sicoli had contributed $5,000 toward his tuition at Notre Dame for 2003-2004, and that he expected him to help again in 2004-2005. He denied having sexual relations with the priest.

When asked in June 2004 before the Grand Jury whether there were any adolescents at Holy Spirit that the District Attorney's office should be worried about or that could be harmed, Joseph, at first, failed to respond. He then said: "I'm trying to think. No. I don't think so." He did testify, though, that his brother Anthony had told him that Fr. Sicoli had turned his attentions to another boy in the church youth group – "James." Another boy, Joseph said, told him that James was the "new you."

Father Sicoli resigns.

With 25 years of complaints and suspicions about Fr. Sicoli's behavior with boys in the priest's file, Cardinal Bevilacqua never removed Fr. Sicoli from ministry. He never restricted his faculties or tried to supervise his behavior. He never had his Secretary for Clergy question a single named or suspected victim, either to ascertain the nature of Fr. Sicoli's attentions or to protect the child. He and Msgr. Lynn did not even include Fr. Sicoli's name on the list of priests the Review Board should investigate.

The Archdiocese finally ordered an investigation after Vicar for Administration

Joseph Cistone was questioned before the Grand Jury about Fr. Sicoli in May 2004. The Review Board's investigator quickly located several victims who confirmed that Fr. Sicoli had sexually abused them. These victims included Frederick, Jake, Robert, and Hugh. Had the Archdiocese conducted even a minimal inquiry years earlier and denied the priest continued access to parish youth, untold numbers of victims might have been spared sexual and emotional abuse.

On July 1, 2004, Fr. Sicoli requested a leave of absence from his assignment as pastor of Holy Spirit. His "voluntary leave" was explained to parishioners as the "result of recent allegations of sexual abuse against him." By Decree of October 28, 2004, the Archdiocese, declaring that allegations made against the priest – some dating to 1977 – had been "found credible," formally removed Fr. Sicoli from ministry and forbade him from presenting himself as a priest or wearing clerical garb. His case has been referred to the Congregation for the Doctrine of Faith in Rome, which must approve any involuntary laicization. According to the last records presented to the Grand Jury, as of December 2004, Fr. Sicoli was living in Sea Isle City, New Jersey.

Father Sicoli was subpoenaed to appear before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Father John P. Connor

Father John P. Connor, an admitted child molester in his home diocese of Camden, New Jersey, served from 1988 until 1993 as assistant pastor of Saint Matthew parish in Conshohocken. He did so thanks to an understanding described by Cardinal Bevilacqua's assistant from his tenure in Pittsburgh as a "tradition of bishops helping bishops." That "tradition" led Cardinal Bevilacqua to help his friend, Bishop George H. Guilfoyle of Camden, by assigning Fr. Connor to a diocese where parishioners did not know that the priest had molested a 14-year-old student. Bishops Guilfoyle and Bevilacqua agreed to place Fr. Connor first in the diocese of Pittsburgh and later, after Bevilacqua's transfer, in Philadelphia, each time with access to a fresh group of children unprotected by informed parents. When Archbishop Bevilacqua assigned Fr. Connor to duties at Saint Matthew Church, it was with the directive to "educate youth."

Cardinal Bevilacqua tried to justify his actions to the Grand Jury by claiming that he first learned that Fr. Connor's 1984 arrest was for sexual abuse of a minor by reading about it in a newspaper in April 2002. The Grand Jury finds that this testimony was untruthful. In 1985, before he accepted the priest into the Diocese of Pittsburgh, thenBishop Bevilacqua handwrote on a memo that Fr. Connor could present a "serious risk" if assigned there. In 1993, when Fr. Connor's New Jersey victim threatened to sue the Camden diocese and expose Fr. Connor's abuse, Cardinal Bevilacqua was fully aware of the potential scandal and acted quickly to have Fr. Connor transferred out of the Philadelphia Archdiocese and back to Camden.

Cardinal Bevilacqua's decision to place this dangerous New Jersey priest in a Philadelphia-area parish, coupled with his refusal to inform its pastor or parishioners of the priest's predilections, certainly put the children at Saint Matthew at "serious risk." Indeed, a year after Fr. Connor returned to Camden, a priest and a teacher from Saint Matthew warned Secretary for Clergy William J. Lynn that Fr. Connor was continuing a "relationship" he had developed with an 8th-grade boy at the Conshohocken parish. Monsignor Lynn acted promptly – notifying the Chancellor in Camden and the Archdiocese's attorney, John O'Dea. He did not notify the boy's mother who, in 1994, had no way of knowing the priest she trusted with her son was an admitted child molester.

Father Connor is arrested in 1984 in New Jersey for molesting a minor.

Ordained in 1962, Fr. John Connor was a 52-year-old theology teacher and golf coach at Bishop Eustace Preparatory School in Pennsauken, New Jersey, when he was arrested for molesting a 14-year-old student in October 1984. According to an article in The Philadelphia Inquirer, Fr. Connor befriended the victim, "Michael," when he was a freshman honors student at Bishop Eustace. The priest invited the boy to Cape May for a

weekend to play golf and help repair the roof on Fr. Connor's trailer. The boy's mother agreed, she said, because "he was a priest."

The priest and student played a round of golf and then went to Fr. Connor's trailer. There, the priest served beer to the 14-year-old and announced he was about to have a "religious experience." Michael described the experience to prosecutors as mutual masturbation.

When the priest attempted another sleepover the next weekend, Michael's mother alerted police. With Michael's assistance, they caught the priest in a sting operation and recorded an incriminating phone call with the boy. Father Connor was arrested in the principal's office at Bishop Eustace.

The priest did not, however, go to jail or even trial. Lawyers for the Diocese of Camden negotiated a pretrial intervention with the Cape May Prosecutors' Office. The terms of the deal Connor cut were that he would admit molesting the boy in exchange for having the record of his arrest erased if he were not rearrested within one year.

Michael's mother later complained to a newspaper reporter that, while Fr. Connor's life and career went on as if nothing happened, her son was so humiliated that he fled school, changed his name, and moved far away. In the April 21, 2002, Philadelphia Inquirer article, she referred to the year of his abuse as "the year my son died."

Cardinal Bevilacqua, then Bishop of Pittsburgh, agrees to accept Father Connor into the Pittsburgh Diocese to accommodate Bishop Guilfoyle of Camden, New Jersey.

After his arrest, Fr. Connor spent much of the following year in treatment at the church-affiliated Southdown Institute outside of Toronto. As the priest's release neared, Fr. Connor's bishop in Camden, Bishop Guilfoyle, wrote to Bevilacqua, who was then Bishop of Pittsburgh. In a confidential letter of September 5, 1985, Bishop Guilfoyle asked Bishop Bevilacqua whether he would consider accepting into the Pittsburgh Diocese a priest who had been arrested and was coming out of Southdown Institute, a facility that treated sexual offenders. He stated in the letter that he would call Bishop Bevilacqua with details. Bishop Guilfoyle explained to Bishop Bevilacqua later that he could not keep Fr. Connor in Camden because of scandal.

According to documents from the Pittsburgh Diocese, Bishop Bevilacqua consulted with his personnel aide, Fr. Nicholas Dattilo, and showed him Bishop Guilfoyle's letter. Father Dattilo raised several appropriate concerns about bringing Fr. Connor to Pittsburgh. In a memo dated September 11, 1985, Fr. Dattilo told Bishop Bevilacqua that they needed more information about the nature of Fr. Connor's "problem." Assuming there must be "scandal to necessitate an assignment outside the diocese," Fr. Dattilo wanted to know, "what happened?" He noted that "if the problem is homosexuality or pedophilia we could be accepting a difficulty with which we have no post-therapeutic experience." He concluded: "If, after you have talked to Bishop Guilfoyle you believe there is no serious risk in accepting Fr. Connor, we will do everything we can to keep the tradition of bishops helping bishops intact." (Appendix D-16)

After speaking to Bishop Guilfoyle, Bishop Bevilacqua wrote on Fr. Dattilo's memo: "I cannot guarantee that there is no serious risk." Despite this acknowledgement, and after receiving reports from Southdown that spoke of Fr. Connor's "sexual preference for late adolescent males," Bishop Bevilacqua agreed to give Fr. Connor an assignment in Pittsburgh.

The file contains no further detail about the basis for his decision, and Cardinal Bevilacqua could provide none when the Grand Jury questioned him about the matter. Rather, the Cardinal tried to place blame on Fr. Dattilo (who died recently, after becoming Bishop of Harrisburg): "It's the responsibility of the Clergy office to follow up any kind of concerns." Memos from Pittsburgh's files, however, suggest that Fr. Connor was hired at Bishop Bevilacqua's insistence. Father Dattilo said in his memo of September 11, 1985, to Bishop Bevilacqua: "If, after you have talked with Bishop Guilfoyle you believe there is no serious risk…." Father Dattilo's "recommendation" to accept Fr. Connor, written one day after his bishop responded, "I cannot guarantee there is no serious risk," was less than enthusiastic. Father Dattilo listed, prominently, among the reasons for the recommendation, "what [he] perceive[d] as [Bishop Bevilacqua's] inclination to assist Bishop Guilfoyle and Fr. Connor."

Cardinal Bevilacqua also refused to admit in his Grand Jury testimony that he was aware of the nature of Fr. Connor's crime at the time he hired him. But the Southdown Institute report, which Bishop Bevilacqua received, specifically warned against giving the priest responsibility for adolescents. Father Dattilo's September 18, 1985, "recommendation" cited the "serious consequences of a recurrence" given "the nature of the incident for which he was apprehended." Bishop Bevilacqua initialed this memo, adding a note that: "He must also be told that his pastor/supervisor will be informed confidentially of his situation." There is, therefore, excellent reason to believe that Cardinal Bevilacqua did know the nature of Fr. Connor's crime when he agreed to accept him.

Father Connor stays in Pittsburgh only so long as Bishop Bevilacqua is there; Archbishop Bevilacqua then finds a parish for him in Conshohocken.

Father Connor began work in Pittsburgh in October 1985 after his release from Southdown. He remained there three years, first in a hospital chaplaincy, then in a parish. From the start he was anxious to return to Camden, but, as reflected in a May 12, 1986, memo from one of Bishop Guilfoyle's aides, Msgr. Buchler, to his bishop, Bishop Guilfoyle repeatedly put him off.

Efforts to find other dioceses willing to take Fr. Connor were unproductive. As noted in the same memo: "Ordinaries of dioceses are beginning to become somewhat 'gun shy' about accepting priests from other dioceses. The potential for legal ramifications are becoming more and more prohibitive." September 1986 memos from Bishop Guilfoyle's aides, Frs. Frey and Bottino, to their bishop recorded that some dioceses, such as Baltimore, were so wary of taking on Fr. Connor that they said they would require the extraordinary protection of an "indemnity agreement" whereby the Camden diocese would agree to "exonerat[e] them from any incident and damages caused by any acts of Pedophilia on the part of Father Connor . . . ." After Bishop Bevilacqua left Pittsburgh, Fr. Dattilo revoked Fr. Connor's assignment. A 1988 letter from Fr. Connor to Bishop Guilfoyle recorded that Fr. Dattilo cited "legal complications" and suggested Fr. Connor

apply to Philadelphia since Archbishop Bevilacqua had been willing to accept the priest before.

Once again, Archbishop Bevilacqua accommodated Fr. Connor, and gave him an unrestricted ministry. He invited the priest, who he had acknowledged could present a "serious risk," to minister to the faithful of Saint Matthew parish in Conshohocken. On September 7, 1988, Archbishop Bevilacqua appointed Fr. Connor assistant pastor at Saint Matthew, a parish with a grade school. The Archbishop's assignment letter, among other duties, encouraged Fr. Connor to "educate youth."

Cardinal Bevilacqua told the Grand Jury that, from what he could recall of the appointment process, Fr. Connor called the Archbishop directly to request an assignment. Archbishop Bevilacqua then asked the Chancellor, Msgr. Samuel Shoemaker, to handle the appointment. Cardinal Bevilacqua testified that he did not recall telling the Chancellor about Fr. Connor's history.

Archbishop 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 Saint Matthew Church since March 1989, testified to the Grand Jury that Cardinal Bevilacqua never told him about Fr. Connor's arrest or that he had been treated at Southdown for abusing alcohol and a 14-year-old boy. The Archbishop met with Fr. Donlon for a half hour in February 1989 to familiarize Fr. Donlon with his new parish. Rather than share information that might have aided the pastor in protecting the children of Saint Matthew, Archbishop Bevilacqua chose to say only that Fr. Connor was brought from Pittsburgh to be closer to his family. Moreover, Fr. Donlon was given no guidance as to what activities Fr. Connor should or should not participate in, even though the Southdown report that Cardinal Bevilacqua had received explicitly recommended that Fr. Connor *not* be put in a position of responsibility for adolescents. Since Fr. Donlon received no warning from the Archbishop, he allowed Fr. 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 Fr. Connor and a young boy from the parish grade school, named "Timothy."

The Grand Jury further heard that Archbishop Bevilacqua also neglected to tell the pastor that Fr. 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 Fr. Connor continued to drink, Fr. Donlon did not know to be especially concerned.

The Grand Jury heard from Detective Joseph Walsh of the District Attorney's Office that he had located Timothy, the boy Fr. Donlon had noticed Fr. Connor befriending during his tenure at Saint Matthew. Timothy, now 24 years old, was living with his mother outside the parish. Detective Walsh obtained signed statements from Timothy and his mother. Timothy did not say that Fr. Connor abused him sexually, but he told the detective that for several years – from third grade until the beginning of high school – Fr. Connor took him, once a week, to movies, dinner, bowling, and golfing. The priest bought him golf clubs and a bike. Timothy also admitted to the detective that as a boy he suffered from proctitis, an inflammation of the anus often associated with anal intercourse. The Grand Jury saw medical records that documented that Timothy had been treated for this condition. Timothy' mother told the detective she was convinced her son was sexually abused by Fr. Connor.

Father Donlon also told the Grand Jury that it was not until a newspaper reporter called him in 2002 that he became aware of Fr. Connor's arrest for sexually abusing a minor. Father Donlon then complained to Msgr. Edward Cullen, the Vicar for Administration, that he should have been told of Fr. Connor's background. Father Donlon explained to the Grand Jury that he "would have been more careful about everything," meaning Fr. Connor's activities and his association with the school. The pastor did not, however, complain to Cardinal Bevilacqua, because he assumed that the Cardinal did not know about Fr. Connor's background. When asked before the Grand Jury why he made this assumption, Fr. Donlon answered: "Wouldn't he have said something to me if he had known?"

The pastor did not know what Cardinal Bevilacqua's friend Bishop Guilfoyle had noted in a September 12, 1988, memo announcing Father Connor's appointment in

Conshohocken: “Certainly no one knows more than Archbishop Bevilacqua about Father Connor’s background over these last several years.” (Appendix D-17)

Cardinal Bevilacqua defends his actions by falsely denying knowledge of Father Connor’s offense.

Cardinal Bevilacqua attempted to conceal his knowledge of Fr. Connor’s “background” from the public and the Grand Jury. He told a reporter, according to a story printed July 28, 2002, in the Philadelphia Inquirer, that he did not know that Fr. Connor’s 1984 arrest involved a minor until he read it in a newspaper in April 2002. He told the Grand Jurors: “my memory is I thought [the incident] involved an act of homosexuality or possibly heterosexuality with an adult woman.” The Cardinal testified that he first learned that Fr. Connor had been at Southdown Institute – a facility that treated sexual offenders – again from a newspaper account in 2002. He insisted that, when Bishop Guilfoyle asked him to take a priest who had been arrested – causing too much scandal for the Camden diocese to keep him – he would not have asked why that priest had been arrested. Documents from the files of both Camden and Pittsburgh demonstrate, however, that Cardinal Bevilacqua did know, from September 1985 on, that Fr. Connor’s arrest involved a minor and that the priest had been at Southdown. Bishop Guilfoyle’s initial letter of September 5, 1985, to his fellow bishop, specifically stated that Bishop Guilfoyle would follow up with a phone call to provide Bishop Bevilacqua with the details of Fr. Connor’s case. The letter also stated that:

> Early in the year [Fr. Connor] was arrested and with government approval went for treatment at Southdown, Ontario, Canada (416-727-4214). … He has been at Southdown for a good many months and will be released the end of this September.”

Furthermore, a subsequent September 12, 1985, letter from Bishop Guilfoyle to Bishop Bevilacqua reflects that the report from Southdown, dated September 3, 1985, was forwarded to Bishop Bevilacqua and explicitly recommended “points” to be passed on to the Pittsburgh Bishop to inform his decision about accepting Fr. Connor.

The report itself states that:

> The staff at Southdown does not believe that Jack is a primary pedophile but rather someone who, under the circumstances of extreme loneliness and excessive use of alcohol, acts out sexually with some preference for late adolescent males….However, because of the incident for which he was apprehended, we would not recommend any ministry that would directly put him in a position of responsibility for adolescents such as a teaching situation.

Memos in Pittsburgh between Fr. Dattilo and Bishop Bevilacqua refer to the Southdown report. Indeed, Cardinal Bevilacqua himself professed reliance on the Southdown report to justify to the Grand Jury his decision to allow Fr. Connor to return to ministry in Pittsburgh in 1985. He told the Grand Jury that the "report from Southdown seemed to say it was a minor – that he could be restored to some kind of ministry. That's what I gathered from the report." Yet he testified, also, that he did not know until 2002 that Fr. Connor was *ever at* Southdown.

The Grand Jury finds the Cardinal's testimony in this regard untruthful. We further find it inexplicable that, knowing of Fr. Connor's abuse of a minor, Archbishop Bevilacqua chose to accept Fr. Connor into the Archdiocese of Philadelphia, to assign him to a parish with a grade school, and *not* to inform the pastor or parishioners at Saint Matthew of Fr. Connor's criminal background, even though Archbishop Bevilacqua acknowledged that Fr. Connor could present "a serious risk." The Grand Jury specifically finds that Cardinal Bevilacqua chose to subject the parish's boys to that risk in order to help his friend Bishop Guilfoyle avoid scandal. Why he compounded this risk by choosing to keep Fr. Donlon in the dark is not clear, unless it was simply so that the Cardinal could later claim he knew nothing.

When Father Connor's New Jersey victim sues the Camden Diocese in 1993, Cardinal Bevilacqua promptly transfers the priest back to New Jersey.

In September 1993, Fr. Connor was suddenly transferred back to Camden. He did not request the transfer, and no reason for it was given to Fr. Donlon. The impetus for his transfer is well documented, however, in Archdiocese files. Those records also confirm

that Cardinal Bevilacqua was well aware in 1993 that Fr. Connor's victim in 1984 had been a minor, and indeed that Bishop Bevilacqua had known that in 1985.

Detailed notes by Msgr. James E. Molloy, Assistant to the Vicar for Administration, record that on July 21, 1993, Cardinal Bevilacqua consulted Msgr. Cullen concerning Fr. Connor. The Archbishop told the Vicar for Administration that he had received a phone call from Bishop McHugh of Camden, warning that Fr. Connor's victim from 1984 had hired an attorney and was preparing to sue the Diocese of Camden and Bishop Eustace High School. Monsignor Cullen told his assistant the next morning that Fr. Connor had gone to Pittsburgh under Bishop Bevilacqua and then to Philadelphia based on this incident in Camden. As church officials moved urgently to manage the crisis, Msgr. Molloy was instructed to gather whatever records the Archdiocese had.

Monsignor Molloy kept minute-by-minute notes of his actions on July 22, 1993 – all of which were devoted to Fr. Connor's situation. Monsignor Molloy spoke to the Bishop of Camden who updated him on the incident itself and what had happened with Fr. Connor since. The Bishop instructed his Chancellor, Joseph Pokusa, to read to Msgr. Molloy the September 3, 1985, report from Southdown that Bishop Guilfoyle had had sent to Bishop Bevilacqua in Pittsburgh. Monsignor Molloy noted that, according to the letter, the Southdown staff did "not believe [Fr. Connor] was a primary pedophile but rather that he acted out under stress." The letter recommended "against ministry which would involve him with adolescents."

Msgr. Molloy recorded that, at 10:05 p.m. that night, he called Msgr. Cullen to update him and to inform him that he would try to contact the Archdiocese attorney John O'Dea in the morning. At 3:20 P.M. the next day, July 23, 1993, Msgr. Molloy wrote that he briefed Cardinal Bevilacqua and Msgr. Cullen at Saint Charles Borromeo Seminary. Monsignor Molloy's only notation about the briefing was that he reminded them of Southdown's recommendation, sent to Bishop Bevilacqua in 1985, that Connor not be in ministry involving adolescents.

On July 27, 1993, Msgr. Molloy met with Cardinal Bevilacqua, Msgr. Cullen, and Bishop McHugh. At this meeting Msgr. Molloy was instructed to "contact Pittsburgh to get any letter sent to AJB [Anthony J. Bevilacqua] from Camden while AJB was in Pittsburgh." The reason that these incriminating letters had to be obtained from Pittsburgh, rather than Camden, was not stated. Camden officials had already gone through their files and read the most relevant letter to Msgr. Molloy.

The bishops decided that Fr. Connor should be transferred back to Camden.

The Diocese of Camden reportedly settled out of court with Fr. Connor's victim in 1993. Since then, according to documents from Camden, Fr. Connor has twice been sent to Saint John Vianney — the Philadelphia Archdiocese's hospital where priest sexual offenders are treated. The Camden Diocese offered him early retirement in February 2002.

Monsignor Lynn is warned in 1994 that Father Connor continues a relationship with an eighth-grade boy in Conshohocken.

On November 15, 1994, Fr. John Kelly, a parochial vicar at Saint Matthew, Conshohocken, called Secretary for Clergy Lynn. The priest reported that Fr. Connor, a year after he had been transferred back to Camden, was still visiting 8th-grader Timothy – the same boy who, Pastor Donlon testified, Fr. Connor had befriended while assigned to Saint Matthew. Father Kelly told Msgr. Lynn that Fr. Connor visited Timothy weekly, took the boy on trips, and gave him gifts. A few days later, Sister Margaret Gradl, I.H.M., who taught 8th grade at the parish school, also called Msgr. Lynn about Fr. Connor's relationship with Timothy.

Monsignor Lynn, obviously concerned, called the Camden Chancellor, Msgr. Pokusa, and the Archdiocese attorney, John O'Dea, to notify them of Fr. Connor's "imprudent" behavior. Archdiocese files indicate no attempt to notify Timothy's mother.

On April 10, 1995, Fr. Kelly again reported that Fr. Connor was back in the parish and still in Timothy's life. Monsignor Lynn responded: "I told Father Kelly that all I could do was inform the Camden Diocese, as I did before, that Fr. Connor was back in the picture with this young boy here in Conshohocken." Monsignor Lynn did not explain why

he could not warn the boy's mother that allowing her son's relationship with Fr. Connor might not be prudent.

Father Connor was subpoenaed to appear before the Grand Jury in order to afford him an opportunity to answer the allegations against him. By letter of his attorney, Fr. Connor declined to appear or testify.

Father Gerard W. Chambers

The case of Fr. Gerard W. Chambers illustrates the fact, clearly established by evidence before the Grand Jury, that the Philadelphia Archdiocese had a longstanding policy of transferring sexually abusive priests from parish to parish in order to avoid disclosure and scandal--never mind all the children thereby endangered and abused. Without investigating any accusations against Fr. Chambers, but based solely on a list of his assignments, Secretary for Clergy William J. Lynn was able to advise Cardinal Bevilacqua that an abuse allegation against the priest was probably valid. And what was it about the assignment list that made Msgr. Lynn's inference reasonable? The list showed that the Archdiocese had frequently, constantly moved Fr. Chambers around.

Ordained in 1934, Fr. Chambers was accused of molesting numerous altar boys, and of anally and orally raping at least one, during 40 years as a priest in the Archdiocese. Nearly half of those years were spent on "health leaves" and in treatment facilities. Each time the priest returned to ministry, he was assigned to a parish with full access to children. Once, after three successive sick leaves totaling more than six years, he was assigned as chaplain to an orphanage for boys. When Fr. Chambers was not on sick leave, he was moved from parish to parish. The Archdiocese assigned him to 17 parishes in his 21 years of active ministry.

Church officials in 1994 said they destroyed all of Fr. Chambers' personnel records covering his career in ministry. Beginning in that year, four of his victims came forward to the Archdiocese to talk about their abuse. The victims were from his fourteenth and fifteenth assignments – Saint Gregory, in West Philadelphia; and Seven Dolors, in Wyndmoor. One rape victim tried to commit suicide and has been institutionalized at a state mental hospital. He suffers delusions because he cannot reconcile his faith in the Church with what happened to him. Two of his brothers were also victims of Fr. Chambers and are still haunted by their abuse more than 40 years later. They named several other boys from Saint Gregory whom the priest had abused. One of the brothers testified that he believed Fr. Chambers "sexually abused every altar boy and quite frequently those who weren't altar boys."

The brothers of the institutionalized victim expressed anger before the Grand Jury because they know the Archdiocese could have prevented the abuse that ruined their brother's life. They, too, could tell from the list of Fr. Chambers' transfers that Church officials had to have known of the priest's crimes from the time of his earliest assignments. Father Chambers was constantly transferred, at odd times of the year, sometimes after

only months in assignments, and his career was interrupted repeatedly for "health leave." The priest was placed on permanent health leave in 1963, at the age of 56. He died in 1974.

In 1994 the Archdiocese learns of victim "Benjamin."

Benjamin was 46 years old in March 1994 when he told Msgr. Lynn and his assistant, Fr. James D. Beisel, that Fr. Gerard Chambers had abused him as an altar boy at Seven Dolors parish in Wyndmoor in 1959 or 1960. Father Beisel recorded that the abuse included "hugging, kissing, masturbating" the victim and "mutual fondling of the genitals." It happened in the church sacristy, at Fr. Chambers' sister's house, and in the priest's car. According to Fr. Beisel's memo, Benjamin recalled that "Father Chambers plied him with alcohol and cigarettes." Monsignor Lynn told Benjamin he would investigate the matter and get back to the victim. He offered that if the allegation were substantiated, the Archdiocese might help the victim with counseling costs he had incurred over the years.

By memo of March 28, 1994, Msgr. Lynn forwarded the allegation to Cardinal Bevilacqua and included a copy of the priest's "profile," listing his assignments within the Archdiocese. Monsignor Lynn informed Cardinal Bevilacqua that Fr. Chambers had died in 1974. He said that Benjamin had reported that Fr. Chambers was at Seven Dolors only a short time and had "disappeared suddenly, gone overnight." Monsignor Lynn also stated: "From the attached profile it could be determined that the probability of the alleged abuse is highly possible." He recommended that the Archdiocese offer the victim assistance with counseling costs.

Notes from an issues meeting on March 29, 1994, record: "Cardinal Bevilacqua did not act on the recommendations as submitted. Rather, the Cardinal directed that Msgr. Lynn notify Benjamin that his request is being reviewed and that further communication will be forthcoming." In the meantime, Cardinal Bevilacqua directed that his staff

"investigate prescriptions of the Code of Canon Law concerning the retention and/or destruction of records of clerical personnel who are deceased."

Before agreeing to assist Fr. Chambers' victim, Cardinal Bevilacqua also wanted Msgr. Lynn to research victim compensation policies of other dioceses, as well as payments made previously to victims of other priests in the Philadelphia Archdiocese. The Cardinal wanted to know from legal counsel: "What will happen if we decide not to pay anything to [Benjamin]?"

Eventually, Cardinal Bevilacqua agreed to reimburse Benjamin $6,890 for counseling if the victim would sign an agreement acknowledging that the Archdiocese was not admitting guilt and promising that he would seek no further assistance. Monsignor Lynn told Benjamin that without "proof," the Archdiocese could not acknowledge the victim's abuse. He said the Archdiocese was only required to retain records for ten years after the death of a priest, and that it had disposed of Fr. Chambers' personnel files.

In 2002 the Archdiocese learns of more victims.

- **"George"**

In June 2002, Msgr. Lynn learned of three more of Fr. Chambers' victims, these from the priest's 14th assignment. George called Msgr. Lynn and told him that Fr. Chambers had molested him and his two brothers at Saint Gregory parish in the 1950s. George and his brother, "Francis," testified before the Grand Jury that Fr. Chambers fondled their genitals in the sacristy, at a house on the New Jersey Shore, and in the priest's car. At age 59, George said he was embarrassed that he could not tell the Grand Jury about his abuse without many times breaking out in tears. He said he still harbored "more than a fair amount of self-hatred and self-recrimination."

George said that Fr. Chambers' abuse of him and his brothers ruined the life of his family when he was growing up. The brothers all had these awful secrets, and although they knew at some level of each other's abuse, no one talked about it, and no one dared tell their Irish immigrant parents who had brought the boys up to be in "awe" of priests. So the boys "stuffed it down," he said, and suffered alone. George started drinking at age 13 or 14

years. He said he has been in Alcoholics Anonymous since 1975, but has suffered from depression since then. He said that his second wife has tried to be supportive, but it was hard for her to understand the "repetitive stuff that I go through," and why he could not get over it.

- **Francis**

Francis testified that, like George, as an altar boy he had endured Fr. Chambers' fondling his genitals and rubbing the priest's genitals against him in the sacristy. He also recalled a particular instance of abuse when he had accompanied Fr. Chambers on an overnight trip to the New Jersey Shore. He told the Grand Jury that he awoke to find Fr. Chambers in his bed with one hand on the boy's genitals and the other on his "rear." Francis spent the rest of the night locked in a bathroom to escape the priest. Although his abuse occurred when he was a young teenager, Francis told the Grand Jury: "It's something that I carried my whole – my whole life." He said he thought about it all the time and still has trouble concentrating.

George echoed Francis's self-assessment. George testified that Fr. Chambers' abuse of Francis "clouded" his brother's whole thought process.

- **"Owen"**

For all of the abuse that Francis and George suffered at the hand of Fr. Chambers, it was Owen's suffering that finally led his brothers to the Archdiocese for help in 2002. Owen was the youngest brother and had been most brutally abused by Fr. Chambers. Although Owen refused to acknowledge or talk about his abuse, his brothers knew of it. In November 2002, a cousin of theirs, Fr. "Edward," was able to get Owen to talk about what Fr. Chambers had done to him.

Father Edward, who was an Irish priest, wrote to the Philadelphia Archdiocese in August 2003 and related how Owen had finally acknowledged his abuse. The cousin wrote that Owen did not use the word "abused" and he would not refer to Fr. Chambers as a priest. Rather, Owen insisted that Fr. Chambers "was not a priest," but "an agent trying to destroy the Catholic Church." He described to his cousin "screaming in the sacristy" because of what Fr. Chambers did to him. He told the name of a sexton who had ignored

his cries. He shared delusions with his cousin about "agents making poisonous wafers" and accused the Queen of England and evil men of trying to destroy the Catholic Church.

The cousin described Owen as "very pious." He wrote that Owen "often attended three Masses daily" and "loved to recite rosaries." He told Archdiocese managers:

> I feel that [Owen] has suppressed in his subconscious much of what happened to him when he was an altar boy. In the past and even now, he seems incapable of accepting that abuse, such as happened to him, could happen within the Catholic Church and be done by a priest. Other churches, yes, but not ours. His vision of a priest is still that of his childhood . . . of a saintly man incapable of doing evil. Hence his reference to agents . . . trying to destroy the Catholic Church may be his way of trying to reconcile for himself what happened to him.

Father Edward said that he was writing to Msgr. Lynn and Martin Frick, the Archdiocese's victim assistance coordinator, "in the hope that you may appreciate better the pain and confusion that Owen has experienced as a result of what happened to him when he was young."

Francis testified that Owen's condition deteriorated significantly when he began to read in early 2002 that abuse of minors by Catholic priests was, in fact, widespread. When Owen testified before the Grand Jury on July 9, 2004, he had been at Norristown State Hospital for about a year and was on medication. He was able to recall and finally describe his abuse. He still insisted, though, that he considered Fr. Chambers "a demon" and "a devil" and "not representative of a Catholic priest."

Owen told the Grand Jury that his abuse started when he was 9 or 10 years old, but he probably was 12, given when Fr. Chambers came to his parish. He testified that Fr. Chambers "trapped" him in a closet where cassocks were hung. He said Fr. Chambers put his hands around the boy's neck and tried to force him to perform oral sex on the priest. Owen thought Fr. Chambers choked him partly to make him do what the priest wanted, and then in frustration when Owen refused. Owen told how Fr. Chambers fondled his genitals. He estimated this happened 12 to 15 times.

Owen told the Grand Jury that he tried to tell his mother that Fr. Chambers was a

“bad priest,” but he described what happened to him in childish ways, for example, saying “he touched me between my legs,” and his mother did not seem to understand. Once, when Owen was trying to avoid going to the shore with Fr. Chambers, he told his mother that the priest “touched me here, and he wants to blow me.” His mother hit him, which he said did not cause “physical pain, but psychologically was a crusher, because she was sending me down to the shore with an ogre.”

It was on that trip to the shore that Fr. Chambers orally and anally raped the 12year-old. Owen testified that he spent two nights with Fr. Chambers at his New Jersey Shore house. He could not remember precisely what happened on which night, but he recalled Fr. Chambers’ entering the room where Owen was sleeping on a couch. He said the priest was naked and he climbed on top of Owen and put his hands around the boy’s throat. He told the boy: “You know I could strangle you right now if I wanted to.” Owen said he was “deathly afraid” and tried to “fight him off.” The boy, who had been pinned on his stomach, was able to turn onto his back. At that point, he said, the priest sat on his chest and “pressed his penis against my mouth.” When the boy refused to perform oral sex, he said, Fr. Chambers smacked him and left the room.

Owen could not remember whether it was the next night or later on the same night that Fr. Chambers returned. The victim described how Fr. Chambers pulled down his pants and performed oral sex on him for about 45 minutes. Owen said he never had an orgasm, but that his penis began to bleed.

Owen further told the Grand Jury that about an hour after this ordeal ended, Fr. Chambers returned, climbed on top of the boy’s back, and tried to force his erect penis into the boy’s rectum. Owen said that Fr. Chambers succeeded in entering him anally “for about half a minute.” After the boy struggled and got “him out of my rear end, . . . he tried for about fifteen, twenty minutes to get back in.” Owen said he “wouldn’t let him.” He then told the priest, “Why don’t you kill me now? I got to live with this shame for the rest of my life.” Owen told the Grand Jury: “I still feel shame about it today.”

Owen did not talk about what happened to him for more than 40 years. As his brother George testified: “[Owen] just stuffed it.” George said that, in 1981, Francis tried

to get Owen to talk about what happened, warning him: "[Owen] if you don't deal with this molestation, it's going to take you down." Owen testified that it ruined his marriage. His wife, he said, had "heard a little bit of the story," and did not want their children raised Catholic. Owen, still believing that Fr. Chambers was "a devil" and an aberration "not representative of a Catholic priest," remained devoted to his church. Owen and his wife divorced in the early 1980s.

After his divorce, Owen moved back to his parents' home in Philadelphia. There, in 1983, he attempted suicide, slitting his throat and wrists with a razor. Since then, Owen has been in and out of psychiatric facilities.

Between 1934 and 1974, Father Chambers is given 17 assignments and placed on "health leave" for a total of 19 years.

In 1994, when Benjamin began speaking to the Archdiocese about his abuse, the priest had been dead 20 years. Church officials told the victim that Fr. Chambers' personnel records no longer existed. However, the one document the Archdiocese had retained – a list of Fr. Chambers' assignments – reveals a great deal. It reveals that the priest was on "health leave" almost as much as he was in active ministry, and that he spent his 21 years of active ministry in 17 different parishes. Having heard the stories of so many sexually abusive priests, the Grand Jury was easily able to recognize this pattern of constant transfer as an indicator that the Archdiocese knew that Fr. Chambers was a chronic sexual offender and moved him from parish to parish to avoid scandal, without regard to how these transfers endangered the children of the parishes.

Interestingly, Secretary for Clergy Lynn also recognized this pattern, and ascribed to it the same significance that the Grand Jury did. Msgr. Lynn found Benjamin's allegations "highly possible," based only on a review of this list of assignments. Monsignor Lynn told one of the three brother victims that priests normally spent five years in each assignment. Fr. Chambers often spent less than nine months. His longest parish assignment lasted two-and-a-half years. He was frequently transferred in the middle of the year, rather than in June as was customary – and he was moved to all corners of the

Archdiocese. For Msgr. Lynn, as for the Grand Jury, this pattern of transfer was characteristic of how the Archdiocese treated the problems presented by sexually abusive priests.

The Grand Jury cannot know whether Fr. Chambers abused others at any of the many other parishes to which he was assigned, but common sense dictates that it is highly likely that he did so. The three brothers, George, Francis, and Owen, gave to the Grand Jury the names of six other boys who had told them that they also had suffered Fr. Chambers' abuse – "Daniel," "Bill" (who in February 2004 had himself reported to the Archdiocese that Fr. Chambers had abused him), "Sam," "Don," "Bobby," and "Hank" (whose sister in February 2004 reported to the Archdiocese that Fr. Chambers had abused her brother). Hank died at age 38 after suffering from serious drug and alcohol abuse. Francis and George testified to having been abused in Fr. Chambers' car when he took them to visit an orphanage in the Poconos, where the priest had been chaplain. Both assumed there were more victims there. Owen told the Grand Jury that he believed Fr. Chambers had "sexually abused every altar boy [at Saint Gregory] and quite frequently those who weren't altar boys."

The Archdiocese responds to the three brothers.

George, Francis and Owen began seeking help from the Archdiocese in 1995, one year after Benjamin came forward. Their first attempt to report their abuse and its consequences came in a letter to Bishop John Graham, who had been an auxiliary bishop, and was a cousin of the three brothers. Francis wrote the letter Easter week of 1995. In it he detailed Fr. Chambers' abuse of the three brothers. He told of Owen's attempted suicide. He received no response from Bishop Graham or anyone else in the Archdiocese.

Seven years later, in June 2002, George contacted Msgr. Lynn to report Fr. Chambers' abuse of all three brothers. George was primarily concerned for Owen, who had attempted suicide and was in desperate need of help. Msgr. Lynn told George that he was willing to meet with the victims, but that they were also "welcome to go to the civil authorities." This case, where Msgr. Lynn knew the priest had been dead almost three

decades, is one of the few in which he ever noted suggesting a report to law enforcement. When Francis called Msgr. Lynn in August 2002, the Secretary for Clergy wrote to the Archdiocese's victim coordinator, Martin Frick. Msgr. Lynn explained the situation and asked Frick to assist Owen with counseling and housing. In March of the next year, George wrote to complain that no assistance had been provided. It appears that, despite Msgr. Lynn's instructions in August 2002 to go ahead and assist Owen, Frick was insistent on taking some sort of statement from the victim, even though the victim was not emotionally able to give one. Owen's delusions, heard by a priest friend and reported to Frick, that "men were coming in and out of his apartment and putting semen in his mouth," should have been sufficient evidence that he needed help. On March 31, 2003, Msgr. Lynn again instructed Frick to help Owen, without a statement from the victim, based on the information they had from George, Francis, and the cousin, Fr. Edward.

By August 2003, while still waiting for the assistance he needed, Owen had assaulted his landlord and was committed to Norristown State Hospital. On November 20, 2003, the day before he testified before the Grand Jury, George met with Msgr. Lynn and Frick and, again, asked the Archdiocese to pay for counseling and housing for Owen. The Church officials told him that it would be discussed the next week and George would be notified.

On June 18, 2004, Francis testified that George had recently been notified that the Archdiocese would pay for six months of counseling if and when Owen was released from Norristown State Hospital. After the six months, the brothers were told, Archdiocese managers would review the situation. According to Francis, no housing assistance was offered. Owen told the Grand Jury: "I hope they don't release me until I get over [my] suicidal tendencies."

Father Michael J. McCarthy

Cardinal Bevilacqua named Fr. Michael J. McCarthy pastor of Epiphany of Our Lord Church in Norristown in September 1992 – nine months after learning that the priest was accused of molesting several students from Cardinal O'Hara High School when he was a teacher there in the 1970s. The Cardinal had been informed that Fr. McCarthy had taken boys to his New Jersey beach house, plied them with liquor, slept nude in the same bed with them, and masturbated the boys and himself.

Cardinal Bevilacqua responded by having his assistant, Msgr. James E. Molloy, assure the priest, ordained in 1965 and then parochial administrator at Saint Kevin parish in Springfield, that the Cardinal did not "doubt . . . Father McCarthy's ability to be pastor." The only concern expressed by the Cardinal before promoting Fr. McCarthy to a pastorate was that his parish should "be distant from St. Kevin Parish so that the profile can be as low as possible and not attract attention from the complainant." In the priest's Secret Archives file at the time of his assignment to Epiphany was another accusation, made in 1986, by the mother of a recent O'Hara student.

In May 1993, Cardinal Bevilacqua removed Fr. McCarthy from his pastorate at Epiphany, but not because of his abuse of children. The Cardinal said he removed the priest for keeping homosexual pornography in his closet – but he had launched an investigation of Fr. McCarthy only after a large financial contributor complained to the Archdiocese. The contributor, a travel agent, had protested that Fr.McCarthy was acting as an agent himself and had taken away business she usually received from Epiphany's travel club.

The Saint Luke Institute, in Suitland, Maryland, diagnosed Fr. McCarthy as a homosexual ephebophile – someone sexually attracted to adolescents. Secretary for Clergy William Lynn questioned the diagnosis, but Saint Luke refused to alter its finding. Church records suggest that the Archdiocese, which had used Saint Luke extensively to evaluate and treat priests, thereafter curtailed its relationship with the Institute.

The Archdiocese ignores a 1986 complaint of sexual abuse.

In September 1986, "Bruce's" mother reported to Fr. Philip J. Cribben, the principal at Cardinal O'Hara High School, that her son's biology teacher, Fr. Michael McCarthy, had touched Bruce in an improper way. Father Cribben originally ignored the complaint even though he had told Bruce's mother that he had heard rumors but had felt powerless to act without an actual complainant. She wrote Fr. Cribben, volunteering that she or her son would be willing to talk to anyone and asking that the principal relay her allegation to Archdiocese managers. She asked also that her son be transferred out of Fr. McCarthy's class immediately.

As reported third- or fourth-hand to Chancellor Samuel E. Shoemaker on

December 5, 1986, by Msgr. David Walls in the Archdiocese education office, Fr. McCarthy touched Bruce's neck while the boy was seated in class, then "moved with his hands down the boy's back, finally touching his buttocks." Monsignor Walls reported further that "when confronted with this, Fr. McCarthy denied it but then proceeded to contact a lawyer." In fact, Fr. McCarthy had admitted to the principal "pinching" some students as he examined their work.

The action decided on, to remove Bruce from Fr. McCarthy's Track One Biology class, was one the principal initially refused to make. Monsignor Walls reported to Msgr. Shoemaker, though: "It was felt necessary to change two classes rather than just Fr. McCarthy's class so that it could be said that the change was for academic reasons." Thus, Bruce was, in effect, punished for having been a victim of Fr. McCarthy's sexual abuse.

As for Fr. McCarthy, not only was the complaint ignored, in 1989 he was made the administrator (which is like an acting pastor) at Saint Kevin Church in Springfield, Delaware County. Cardinal Bevilacqua made the appointment despite this complaint, which remained in McCarthy's Secret Archives file.

The Archdiocese ignores a 1991 complaint of sexual abuse.

On November 27, 1991, "David," a married father of two daughters, called the Archdiocese to report that when he was a student at Cardinal O'Hara High School in Springfield, a priest had befriended and then sexually abused him in the years 1974-1976. On December 23, 1991, he met with Monsignor James E. Molloy, the Assistant Vicar for Administration, and his aide Msgr. William J. Lynn, and named Fr. McCarthy as his abuser.

David related that Fr. McCarthy had been his Advanced Placement Biology teacher his sophomore year at O'Hara (1974-1975). David said he had done poorly on a test and Fr. McCarthy bet him a dinner that he would get a 90 or better on the next test. David said he got a 63 on the next test, but when he subsequently received a 94 on another test, Fr. McCarthy took him to dinner. The two began to talk frequently at school. The teacher took the boy to his shore house in Margate, New Jersey. There they went to the beach and out to

dinner. The priest's house had a well-stocked bar and David said Fr. McCarthy provided boys with liquor. At night, the priest slept in the same bed with the student even though there were two bedrooms in the house and one had two beds. The priest always slept naked.

David reported to the Archdiocese managers that, as time went on, Fr. McCarthy told the student not to take his clothes into the bathroom when he showered so that the boy had to walk naked in front of the priest. The boy initially slept in underwear, but after the priest wrestled them off of him one night, he also took to sleeping in the nude. The priest began to put his arm around the boy in bed, then to touch his nipples. Eventually, he fondled the boy's genitals.

David described one night when the priest took him to Atlantic City for dinner. According to David, Fr. McCarthy was "pumping drinks" into the boy and insisted he drink some of the priest's Chivas Regal. Back at the beach house, in one bed, nude, Fr. McCarthy began to touch and stroke his student's penis. After the boy reached orgasm, he said, the priest tried to kiss him with his tongue.

David told the Archdiocese managers that he then asked whether the priest did this same thing with other boys he brought to the beach. Father McCarthy answered that he did. He then masturbated himself.

Monsignor Molloy asked David whether he found convincing the priest's claim that he masturbated the other boys he brought to the beach. David said he did. He provided the Archdiocese managers with the names of several boys he knew accompanied Fr. McCarthy to his beach house. Monsignor Lynn, in his notes, listed: "the ["Jones"] boys from Notre Dame, ["Harold"] from St. Charles Parish in Drexel Hill and another boy that [D] said MM was friendly with before he became friendly with [D] whom MM was upset about." There is no indication the Archdiocese ever attempted to locate these people either to question them or to determine whether they needed assistance.

The Archdiocese managers typed the notes from their interview and had the victim sign them on January 23, 1992. In the margin of the memo is a handwritten notation instructing Msgr. Molloy: "Never admit to victim that there have been other cases."

As the administrator at Saint Kevin Church, Fr. McCarthy, faced with this second allegation, provided a signed declaration, dated February 17, 1992. It denied the accusation and stated: "To the best of my recollection the incident alleged by [David] never took place." A handwritten note in the margin described the priest's denial as "very guarded" and "suspicious."

Monsignor Molloy forwarded David's allegation, along with Fr. McCarthy's suspect denial, to Cardinal Bevilacqua on March 16, 1992. The Cardinal allowed Fr. McCarthy to continue as administrator at Saint Kevin.

Concerned with scandal, Cardinal Bevilacqua ignores complaints against Father McCarthy and appoints him pastor of Epiphany of Our Lord Church in Norristown.

When Msgr. Molloy forwarded David's signed allegation to Cardinal Bevilacqua on March 16, 1992, he also informed the Cardinal that the victim was aware Fr. McCarthy was administrator, and a possible successor to the retiring pastor, at Saint Kevin parish in Springfield. Monsignor Molloy wrote to Cardinal Bevilacqua that "the complainant has indicated that he cannot see how the Archdiocese could appoint Fr. McCarthy as pastor in light of his behavior as alleged." Cardinal Bevilacqua apparently saw this problem as one of publicity, not fitness, because within months he did appoint Fr. McCarthy as pastor, but for a different parish – Epiphany of Our Lord Church in Norristown.

Monsignor Lynn recorded that, at a meeting on June 18, 1992, Msgr. Molloy "related to Fr. McCarthy his understanding of the Cardinal's directions as related verbally to him by Monsignor Cullen." Monsignor Molloy told Fr. McCarthy that Cardinal Bevilacqua "has decided it is in Father McCarthy's best interest not to be appointed pastor of St. Kevin Parish." The reason given was not because of the danger Fr. McCarthy posed, but, rather, scandal: "[Fr. McCarthy] *could be the subject of great publicity and tarnished reputation should the complainant go forward with his story*" (emphasis supplied).

That fear of scandal was the sole motivation of the Archdiocese's decision became even clearer when Msgr. Molloy assured Fr. McCarthy "that the Archbishop was not implying doubt about Fr. McCarthy's ability to be pastor," and that, *despite the allegations*

against him, he could be "appointed pastor at another parish after an interval of time has passed" (emphasis supplied). That parish, Msgr. Molloy relayed from Cardinal Bevilacqua, "*would be distant from St. Kevin Parish so that the profile can be as low as possible and not attract the attention of the complainant*" (emphasis supplied). (Appendix D-18)

Father McCarthy, in response, demonstrated that he understood well that Cardinal Bevilacqua did not consider serious allegations of child abuse a disqualification for being a pastor. He immediately set out his demands for a future parish. Monsignor Molloy recorded that the priest did "not want to be stationed in Philadelphia," that he preferred "to stay in Delaware County," and that he "would like to be stationed in a parish where he has help" and which could "support itself financially."

Moreover, Fr. McCarthy told Msgr. Molloy that he "did not agree with the evaluation he received from Dr. Miraglia." This was a reference to a psychological report read only by Cardinal Bevilacqua. Monsignor Lynn's June 18 memo explained that this report had been delivered to the Cardinal sealed and had been resealed with tape by Cardinal Bevilacqua before Msgr. Cullen returned it to the file. It was not turned over to the Grand Jury.

A month and a half later, on September 3, 1992, Cardinal Bevilacqua appointed Fr. McCarthy pastor at Epiphany of Our Lord Church in Norristown – a church with a school. No limitations were placed on his ministry. Rather, as pastor, he had unfettered discretion and authority.

The Archdiocese ignores complaints made shortly after Father McCarthy's appointment as pastor at Epiphany of Our Lord.

Within days of his appointment as pastor at Epiphany of Our Lord, the Office for Clergy started receiving complaints about the pastor. The complaints appear to be consistent with the previous ones, and, like the previous ones, were ignored.

On September 14, 1992, Fr. Michael O'Malley, an associate pastor at Epiphany, brought a fellow priest's reports about Fr. McCarthy to Msgr. Lynn's attention. Father

O'Malley told Msgr. Lynn that Fr. Michael Saban had complained about Fr. McCarthy's behavior, his open discussions about frequenting gay bars, and his constant sexual innuendos and jokes. Father O'Malley also related that Fr. Saban had, months earlier, registered complaints about Fr. McCarthy with Msgr. Lynn's assistant, Fr. Karl Zeuner. Monsignor Lynn's notes from his meeting with Fr. O'Malley do not recount the substance of the allegations made to Fr. Zeuner. The Secretary for Clergy wrote, though, that Fr. O'Malley recommended that Fr. Saban "go and sign his interview with Father Zeuner." Monsignor Lynn recorded that "Father Saban told Father O'Malley that a lawyer had recommended that he not do that, because if any problems ever went to court Father Saban would be called in to testify." Concerning the allegations, the Secretary for Clergy opined: "Everything was innuendo." He wrote, "there was much that Father Saban told Father O'Malley for which there was no proof." There is no indication that Msgr. Lynn ever endeavored to find "proof."

Monsignor Lynn's September 14, 1992, memo of his conversation with Fr. O'Malley did not state an intention to take any action, but recorded that "Father O'Malley stated that he does not intend to speak with Fr. Saban any more about the issues involving his new pastor, Reverend Michael McCarthy."

A few months later, however, Fr. O'Malley asked for a transfer from his assignment. On March 23, 1993, he met with Msgr. Lynn to explain his reasons. Father O'Malley told Msgr. Lynn that Fr. McCarthy did not do his share of the work and that he was negative in his dealings with parishioners and the rectory staff. He again mentioned the sexual innuendos. He told Msgr. Lynn that Fr. McCarthy received underwear catalogues in the mail and had, hanging in his bedroom, a framed poster entitled "Survival of the Fittest", which portrayed a naked man with rope around his genitals. Father O'Malley reported that his mother was very upset when Fr. McCarthy showed her his room and she saw the poster. The associate pastor told Msgr. Lynn that Fr. McCarthy kept a bag of pornographic videos in his closet. Monsignor Lynn filed his handwritten notes of this meeting with Fr. O'Malley, but, again, showed no intent to act upon the information.

That changed when Cardinal Bevilacqua received a letter, dated April 13, 1993, from Lily Giuffrida.

The Archdiocese responds to the complaint of a large contributor that Father McCarthy was stealing business from her.

Lily Giuffrida's complaint about Fr. McCarthy began:

> Dear Cardinal Bevilacqua,
>
> I do not know if you remember me. We had dinner at your home. My husband, Dominic, . . . did give you his personal donation for $25,000, for Catholic Life Renewal.

Giuffrida's complaint was that Fr. McCarthy was operating as a travel agent, which was also her business. Giuffrida explained that Epiphany of Our Lord's travel club had done business through her travel agency, Lillimar Travel, Inc., until Fr. McCarthy became pastor. She said that she had learned that Fr. McCarthy was himself a travel agent and was "running his trips through Kitty Ward Travel." She told the Cardinal she was not concerned that he had chosen another agency, but was upset that "we donate to Churches who now become our competitors."

At the next issues meeting on April 20, 1993, Cardinal Bevilacqua, according to the minutes, "requested that a high priority be placed on procuring all the facts related to" Lily
Giuffrida's letter. Monsignor Lynn, at the Cardinal's direction, began investigating Giuffrida's complaint on April 22, 1993.

At Cardinal Bevilacqua's instruction, Msgr. Lynn met first with Msgr. Robert Maginnis, Vicar for Montgomery County, and uncharacteristically shared Fr. McCarthy's history with him. Monsignor Lynn invited concerns and recorded that Msgr. Maginnis had received five or six complaints about Fr. McCarthy's harsh treatment of altar boys and children in the confessional. Monsignor Lynn met five days later, April 27, 1993, with Fr. Christopher Jungers, a resident in Epiphany's rectory. Father Jungers told Msgr. Lynn that Fr. McCarthy was self-centered and uninterested in ministry. The resident said the pastor

cursed at high school kids working in the rectory. He said the pastor was immodest, and described how Fr. McCarthy invited priests into his bedroom for drinks, dressed in a tank top and silk running shorts. He confirmed what Fr. O'Malley had told Msgr. Lynn before Giuffrida sent her letter – about the underwear catalogues and homosexual videos in the closet. Monsignor Lynn's handwritten notes reveal that he, again uncharacteristically, probed – asking Fr. Jungers about the complaints Msgr. Maginnis had passed on about altar boys and children in the confessional. Monsignor Lynn's notes record Fr. Jungers answering that they were "all afraid."

Monsignor Lynn also interviewed Lily Giuffrida. She repeated her complaint that Fr. McCarthy was a "bona-fide travel agent."

Finally, on May 11, 1993, while Fr. McCarthy was on vacation, Msgr. Lynn "inspected" his closet. There he found 13 videos whose titles, he wrote, "seemed to indicate that the content of each was homosexual," a magazine entitled "A Guide to the Gay Northeast," and travel brochures focusing on gay vacation spots.

On May 12, 1993, Msgr. Lynn sent Cardinal Bevilacqua a memo outlining all the information he had gathered since the April 20 issues meeting. He also wrote up Fr. O'Malley's complaints, which Msgr. Lynn had listened to in March and then filed away.

Cardinal Bevilacqua asks Father McCarthy to resign because he is believed to be a homosexual, not because of his sexual abuse of young boys.

On May 24, 1993, Msgr. Lynn and Msgr. Maginnis communicated to Fr. McCarthy the Cardinal's request that he resign his pastorate. Cardinal Bevilacqua met with the priest that evening at the Cardinal's residence. In a memo recording that meeting, Cardinal Bevilacqua wrote that he asked Fr. McCarthy to resign "as a result of the discovery of improper material in the possession of Fr. McCarthy." The Cardinal concluded: "It had to be very obvious from my interview and the interview with Msgr. Lynn that implications of the material found were that Fr. McCarthy was homosexual." Thus, it was complaints about Fr. McCarthy's business practice that sparked a serious investigation into him, and

his mere *status* as a presumed homosexual, rather than his actions as a sexual abuser of young boys, that the Cardinal used to justify requesting his resignation.

The Cardinal wrote that he disbelieved Fr. McCarthy's story that he had taken the videos from a young Irish man three years earlier and was merely holding them. Although Fr. McCarthy did deny that the videos were his, Cardinal Bevilacqua claimed to find the priest's denials and protests of innocence insufficiently strong.

On May 26, 1993, a month and a half after Lily Giuffrida wrote her letter to Cardinal Bevilacqua, Fr. McCarthy resigned his pastorate and Cardinal Bevilacqua granted him a "period of health leave." No new allegations of abusing minors had become known to the Archdiocese since Cardinal Bevilacqua had named him pastor in September 1992.

Father McCarthy undergoes treatment and is diagnosed with ephebophilia.

Father McCarthy was sent initially to Saint John Vianney Hospital, then, on August 16, 1993, was transferred to Saint Luke Institute in Suitland, MD. He proved to be an extremely defensive patient and made slow progress. Father McCarthy remained at Saint Luke and its halfway house for ten months. Upon his release in June 1994, he was diagnosed, according to a September 9, 1994, memo from Cardinal Bevilacqua to the file, with "homosexual ephebophilia" (attracted to post-pubescent boys). Monsignor Lynn informed the Cardinal that Fr. McCarthy's therapists felt "that there is still more that has not yet been revealed and do not think we should risk having Fr. McCarthy in any assignment" for at least three years.

On July 25, 1994, Cardinal Bevilacqua placed Fr. McCarthy on administrative leave and limited his faculties to celebrating private Mass for himself. In September, Cardinal Bevilacqua personally informed Fr. McCarthy that it was his policy not to assign a priest who had ever been diagnosed a pedophile or an ephebophile. When Fr. McCarthy protested that he thought his diagnosis was unfair, Cardinal Bevilacqua invited him to "put all his allegations against Saint Luke's in writing and send his statement to me." Cardinal Bevilacqua encouraged him to "take his time in making a thorough and complete listing of all his allegations."

Despite more allegations, Monsignor Lynn questions Father McCarthy's diagnosis.

Upon his release from Saint Luke's halfway house on June 24, 1994, Fr. McCarthy took up residence at his house on the New Jersey Shore, in Margate. He got a job as a cashier at a casino in Atlantic City and he attended continuing care workshops conducted by Saint Luke staff. He reported that he attended AA and sex addicts anonymous meetings regularly.

On July 8, 1996, in response to an inquiry from Saint Luke's continuing care staff, Msgr. Lynn reported that there had been new accusations brought against Fr. McCarthy "for alleged actions approximately six years ago." Monsignor Lynn wrote of complainants – plural, but provided no other details. The allegations are not documented anywhere in the files turned over to the Grand Jury. Two weeks earlier in a letter to Msgr. Lynn, Fr. McCarthy had thanked the Secretary for Clergy "for [his] intervention in the St. Kevin Irish situation."

On June 16, 1998, after the pastor at Saint Kevin died, Fr. McCarthy, who was still forbidden to celebrate Mass publicly, wrote to Cardinal Bevilacqua asking to be appointed to that pastorate. Monsignor Lynn did not seriously consider this request, but he did talk to Fr. McCarthy about his diagnosis as an ephebophile and how it might be dealt with if Fr. McCarthy wished to return to ministry. Monsignor Lynn asked Fr. McCarthy to have his current therapist send a letter addressing Saint Luke's diagnosis. Monsignor Lynn told Fr. McCarthy he would speak to Fr. Stephen J. Rossetti, the director at Saint Luke, to see what he could do.

Monsignor Lynn recorded in a memo that he had already met with Fr. Rossetti and discussed "some of his concerns about St. Luke Institute." After meeting with Fr. McCarthy, he wrote Saint Luke's director and explained to him that in the Philadelphia Archdiocese, a diagnosis of pedophilia or ephebophilia meant a priest could not receive an assignment. He told Fr. Rossetti that Fr. McCarthy disputed his diagnosis, and that he, Msgr. Lynn, questioned the competence of Fr. McCarthy's therapist there. In other words, Msgr. Lynn was calling into question the priest's diagnosis as an ephebophile despite

knowing: that the priest had admitted he was attracted to teenage boys; that he had admitted sleeping nude in the same bed with them; and that he was accused of sexually molesting several minors.

After checking Fr. McCarthy's file, Fr. Rossetti explained to Msgr. Lynn that the diagnosis was made by a team – based on, among other things, Fr. McCarthy's admission that he was sexually attracted to adolescents. According to Msgr. Lynn's notes of his telephone call with Fr. Rossetti, the St. Luke director told him that the staff believed the diagnosis was valid and accurate and "should remain as it is."

The Archdiocese, which had used Saint Luke extensively for evaluating and treating sexually abusive priests, sent few, if any, clergy to that facility after 1994, when Fr. McCarthy complained to Cardinal Bevilacqua about his diagnosis as an ephebophile. (None of the 28 priests profiled in this report were sent to Saint Luke after Fr. McCarthy's treatment there.) The Grand Jury chooses not to speculate on the Archdiocese's reasons for discontinuing its relationship with Saint Luke. However, it is noteworthy that, in the course of dealing with Fr. McCarthy's treatment there, Msgr. Lynn became familiar, if he was not already, with current techniques for testing attraction and orientation in sexual offenders. Therapists told him that a particular test used at Saint Luke – a penile plethysmography – was used by most experts in evaluating sexual orientation and that it could provide valuable information in diagnosing sexual disorders. The Grand Jurors find that the Archdiocese's decision to have priests evaluated at its own hospital, Saint John Vianney – which did not employ up-to-date methods, including plethysmography, and relied instead on a perpetrator's word – had the effect of diminishing the validity of the evaluations and the likelihood that a priest would be diagnosed as a pedophile or an ephebophile.

Father McCarthy remains on unsupervised leave for more than 10 years.

From June 1993 until he retired in October 2003, Cardinal Bevilacqua left Father McCarthy on administrative leave, totally unsupervised. The Archdiocese has finally taken steps to supervise, or laicize, Fr. McCarthy and other priests like him – known sexual abusers who are no longer in active ministry. In September, 2004, Msgr. Lynn's successor

as Secretary for Clergy, Msgr. Timothy Senior, offered Fr. McCarthy two options: he could agree to "a supervised life of prayer in penance in a residence assigned by the Cardinal" or he could seek voluntary laicization. Monsignor Senior informed the priest that if he failed to choose either, his case would be sent to the Congregation for the Doctrine of the Faith in Rome, with a request that the priest be involuntarily laicized. Father McCarthy had not made his decision as of the last information provided to the Grand Jury.

Father McCarthy appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

David, who initially came to the Archdiocese asking for nothing but an apology to his mother, became embittered and angry with Church officials for leaving Fr. McCarthy at Saint Kevin and then promoting him to pastor of Epiphany of Our Lord. David's mother never received an apology.

Father Albert T. Kostelnick

During Anthony Bevilacqua's tenure as Archbishop of Philadelphia, the Archdiocese received reports that Fr. Albert T. Kostelnick, ordained in 1954, had sexually molested at least 16 young girls. Father Kostelnick was accused of fondling the breasts and genitals of girls ages 6 to 15, and fondling a slightly older girl as she lay in traction in the hospital. The reports to Cardinal Bevilacqua began in July 1988, with notice that there had been several earlier reports. Yet the Cardinal did not remove Fr. Kostelnick from parish ministry until May 2002. By that time, as the priest later admitted to the Archdiocesan Review Board, he had "fondled . . . many girls over a lengthy period of time."

The Archdiocese is warned in 1988 that Father Kostelnick is fondling young girls but, despite promises, takes no action.

On July 19, 1988, Vice Chancellor Joseph Pepe recorded being told by Fr. Joseph J. Gallagher, an assistant pastor at Saint Mark Church in Bristol, that he was concerned about his pastor, Fr. Albert Kostelnick, "and his alleged problems with fondling of children." Father Gallagher referred to an incident from January 1987, when a parent had reported the pastor's behavior to police. As later recorded, "[t]he [1987] allegation was that Father Kostelnick fondled [an eight year old] girl in an offensive manner." The police referred the abuse case to the Bucks County District Attorney, but charges were not pursued. Father Gallagher told Fr. Pepe that he had heard that Fr. Kostelnick, a year and a half later, "was still imprudent in his actions." In addition to recording Fr. Gallagher's general report of what the assistant pastor had heard, Fr. Pepe also wrote that Fr. Gallagher had "noted" on one occasion Fr. Kostelnick fondling a young girl in the rectory (the first of his victims reported during Cardinal Bevilacqua's tenure).

At the time that Fr. Gallagher made his complaint, Fr. Kostelnick's Secret Archives file included references to three prior incidents. Two were described in Chancellor Shoemaker's June 12, 1987, handwritten notes as "two other reports of sexual[ly] harassing children." The third was the above-described incident concerning the 8-year-old that produced the police investigation.

In response to Fr. Gallagher's complaint, Fr. Pepe assured him that "he [Fr. Pepe] would certainly look into the matter." Then-Chancellor Samuel Shoemaker told the Grand

Jury that it was the Chancery Office's policy for him or Fr. Pepe to report such an allegation immediately to Archbishop Bevilacqua. Despite Fr. Pepe's promise to Fr. Gallagher, however, there is no indication in the Archdiocese files that any further action was taken. No investigation is recorded, not even an interview with the accused priest.

In 1992, another assistant pastor reports that Father Kostelnick is still fondling girls; again, the Archdiocese takes no action.

On January 21, 1992, another assistant pastor sharing the Saint Mark rectory with Fr. Kostelnick, Fr. Dennis Mooney, passed on to the Archdiocese complaints that he had received concerning his pastor. Father Mooney told Secretary for Clergy John J. Jagodzinski that two women parishioners, who asked to remain unnamed for "fear of reprisals," had reported several instances of what Msgr. Jagodzinski termed "inappropriate gestures of affection" toward young girls. One woman explained that her two daughters – 8th and 9th graders – had quit their rectory jobs because of Fr. Kostelnick's abusive behavior (the second and third of his victims reported during Cardinal Bevilacqua's tenure). The other woman knew of a family that had taken their daughter out of the parish school because of Fr. Kostelnick's "inappropriate gestures of affection" (the fourth victim). The other woman also reported that the parish cemetery caretaker's daughter had quit her rectory job "for similar reasons" (victim number five).

Again the Archdiocese was reminded, this time by Fr. Mooney, that Fr. Kostelnick's behavior was serious enough that he previously had been reported to police. The police, according to Fr. Mooney, had warned the priest to "desist." Father Mooney vouched for the credibility of the two women and told Msgr. Jagodzinski that he had personally witnessed his pastor's inappropriate "gestures." Monsignor Jagodzinski forwarded all of this information to Msgr. James E. Molloy, the Assistant Vicar for Administration.

Monsignor Molloy wrote to Fr. Mooney asking him to have the two women come forward to make their allegations formally. When the women, who had already said they were afraid to identify themselves, did not come forward, the Archdiocese took no action

in response to their credible reports, even though Fr. Mooney had corroborated them with the report of what he had personally witnessed.

Had Archdiocese managers truly been interested in investigating Fr. Kostelnick's conduct, they could have conducted an investigation even without the women, or they could have confronted the priest. But Archdiocese files contain no evidence of any effort to question other known witnesses or victims, such as the cemetery caretaker and his daughter, or even to interview Fr. Kostelnick. Given that Fr. Mooney had witnessed, and Fr. Gallagher before him had "noted," inappropriate behavior on Fr. Kostelnick's part, inquiry should not have ended because the two fearful witnesses did not come forward.

The Grand Jury finds that the long history of consistent complaints against Fr. Kostelnick, coupled with reports from other priests of the pastor's improper behavior, should have been sufficient for Cardinal Bevilacqua to take action to protect the girls of Saint Mark parish. He took none.

The consequences of Cardinal Bevilacqua's inaction were predictable. When finally confronted in 2004, Fr. Kostelnick admitted that he continued to fondle "young girls who worked in the parish rectories where he lived" after Cardinal Bevilacqua left him in place following these complaints in 1992. The damage done to these young girls is incalculable.

Cardinal Bevilacqua leaves Father Kostelnick in active ministry for 10 more years; fails to remove him in 2001 when additional victims complain; and allows him to retire in 2002 after another victim comes forward.

Cardinal Bevilacqua permitted Fr. Kostelnick to remain pastor at Saint Mark until 1997, when the pastor turned 70 years old. Cardinal Bevilacqua named him Pastor Emeritus at Saint Mark, honoring the molester (and all other pastors emeritus) with a luncheon at the Cardinal's residence. At the same time, the Cardinal made Fr. Kostelnick a senior priest and transferred him to Assumption B.V.M. in Feasterville, a parish with a school, offering access to a large new source of victims. In a letter dated May 23, 1997, the Cardinal outlined the duties of the senior priest, directing Fr. Kostelnick to "teach the youth" and to "assist in the over-all welfare of the parish." Father Kostelnick was still

living and participating in parochial ministry at Assumption B.V.M. when more complaints, these from the past, began to pour into the Archdiocese.

In December 2001, Secretary for Clergy William J. Lynn received yet another complaint about the priest. “Mary,” a 44-year-old woman who had been abused by Fr. Kostelnick more than 30 years earlier (victim number six), wrote to Msgr. Lynn. She explained that as a 13-year-old she had worked in the rectory at Saint John of the Cross, in Roslyn, serving meals to the priests. (Father Kostelnick lived at the rectory for 26 years while teaching at Cardinal Dougherty High School.) Mary described how Fr. Kostelnick, when he ate alone on Sunday mornings, would hold her hands while she served him breakfast and would then proceed to move his hands along her body until he felt her breasts. She described her embarrassment and shame, and her silence until she was in her thirties. At that time, she told her family and learned that Fr. Kostelnick had done the same thing to her two younger sisters (victims seven and eight) when they in turn replaced her in the rectory job. On December 4, 2001, she reported her abuse and that of her sisters to Msgr. Lynn.

The Archdiocese’s response to these reports was to send the priest to Saint John Vianney, where the priest underwent a “psychodiagnostic assessment” in February 2002, which concluded that there was “no history from the Archdiocese since the late 1980s . . . that would suggest that he would be acting on these attractions [to young girls] now.” Archdiocese officials should have instantly rejected that conclusion, since they knew from Fr. Mooney of allegations that Fr. Kostelnick’s behavior was continuing in the 1990s. Even so, the Priest Personnel Board, headed by Cardinal Bevilacqua, determined to leave the priest at Assumption B.V.M. until June 2002, when the priest could retire in the normal course.

Father Kostelnick was removed from parish work ahead of the June date only because “Maureen,” a victim from the 1970s (the ninth reported during Cardinal Bevilacqua’s tenure in office), complained in April 2002 to the Office for Clergy. She came forward after calling Assumption B.V.M. and discovering that Fr. Kostelnick was still active. The victim met on April 22, 2002, with Secretary for Clergy Lynn and his

assistant, Fr. Welsh. She told them that twice a week for six months, while she worked at the rectory at Saint John of the Cross, Fr. Kostelnick put his hands inside her blouse and fondled her breasts. She was 11 years old and in 7th grade at the time. Maureen's mother, who accompanied her to meet with the Church officials, said that he had done the same thing to another daughter when she was in 6th grade (victim number ten). The mother said that she reported the abuse at the time to the pastor, Fr. Arthur W. Nugent. Maureen said that she knew of two other girls "who had similar claims" (victims eleven and twelve).

Father Welsh's notes from the meeting reflect that Msgr. Lynn told Maureen and her mother that there had been another recent allegation, but that the priest claimed he was only being affectionate, and that the Archdiocese had intended to allow Fr. Kostelnick to remain in his assignment until his planned retirement in June. Even though Fr. Kostelnick's Secret Archives file contained numerous other complaints, Fr. Welsh recorded Msgr. Lynn telling Maureen that – because there was now a "second," "similar" accusation – there was "more credibility" and the Archdiocese would ask Fr. Kostelnick to retire sooner. Accordingly, on May 1, 2002, Cardinal Bevilacqua approved Fr. Kostelnick's retirement and permitted him to move to a retirement home, Villa Saint Joseph.

The Archdiocese receives five more abuse allegations against Father Kostelnick, who admits fondling many girls over a long period of time.

Between August and October 2003, the Archdiocese received four more allegations of sexual abuse of young girls by Fr. Kostelnick (a fifth report surfaced in February 2004). Three sisters from one of the founding families of Saint John of the Cross reported their own childhood abuse; two also revealed the abuse of their older sister who did not want to come forward (victims thirteen, fourteen, fifteen and sixteen). "Anne," "Patsy," and "Frances" reported that Fr. Kostelnick was a close friend of their parents' and that he regularly brought slide photographs of trips he had taken to show at their house. The children sat next to the priest on the sofa in the darkened room. They all said that during these slide shows, the priest fondled their breasts and genitals. The abuse occurred for

approximately two years, beginning in 1968. The three sisters were 6, 12, and 13 years old when the abuse began.

Two of the three also told of their oldest sister's abuse. Father Kostelnick, they said, had molested her in 1971 while she was in the Chestnut Hill Hospital in traction following an automobile accident. They said that their sister had to summon the nurse with the call button in order to stop the priest from fondling her.

In February 2004, after Cardinal Bevilacqua had resigned, 35-year-old "Linda" reported to Archdiocese Victim Assistance Coordinator Martin Frick that Fr. Kostelnick had fondled her breasts repeatedly in 1984 when she was 15 years old and worked at the rectory at Saint Mark's in Bristol. Once, she said, he was interrupted and abruptly pulled his hands out from inside her shirt when Fr. Joseph J. Gallagher, an assistant pastor, entered the room.

In March 2004, the Archdiocesan Review Board recommended the same removal of Fr. Kostelnick that Cardinal Bevilacqua should have undertaken in 1992: it urged that Fr. Kostelnick be prohibited from presenting himself as a priest or performing priestly functions. It did so after determining that the sexual abuse allegations of eight victims that it investigated were credible. The Board also reported that "Father Kostelnick admitted that his habit of fondling the breasts of young girls is a longstanding habit that occurred frequently and over an extended period of time." According to the Board's report, the priest explicitly "indicated that his behavior continued" after 1992.

Had Cardinal Bevilacqua removed Fr. Kostelnick in January 1992, he would have spared the priest's post-1992 victims their lasting damage and humiliation. By that date, the Bevilacqua administration had received reports of ongoing or recent abuse of at least five young girls by Fr. Kostelnick. In his Secret Archives file at that time were three other complaints. It is unconscionable that Cardinal Bevilacqua not only allowed Fr. Kostelnick continued access to Saint Mark's children after 1992, but even honored this sexual abuser in 1997, provided him with a new parish full of potential victims, and allowed him to retire as a respected priest in 2002.

On October 11, 2004, faced with the possibility of involuntary laicization, Fr. Kostelnick agreed to live "a supervised life of prayer and penance" at Villa Saint Joseph, a retirement home for priests.

Father Kostelnick appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Father Edward M. DePaoli

Father Edward M. DePaoli, ordained in 1970, was convicted in 1986 of receiving child pornography through the mail. A 1985 search by U.S. Postal Inspectors of his rectory room at Holy Martyrs Church in Oreland turned up an estimated $15,000 worth of pornography. Child pornography – including 111 magazines, 14 8mm films, and 11 videotapes – was seized from under Fr. DePaoli's bed. At the time he was teaching morals and ethics at an Archdiocese high school.

Father DePaoli's criminal behavior, and the Archdiocese's concealment of it, followed familiar patterns, including transfers to parishes where parents were unaware of the priest's past, official intimidation of a concerned witness, and the filing of records claiming restrictions that were not enforced.

After his arrest in 1986, Fr. DePaoli went for treatment, which proved unsuccessful. He was diagnosed with a sexual compulsion and relapsed repeatedly – purchasing child pornography even while residing at a treatment center.

In February 1988, Archbishop Bevilacqua ignored the advice of the priest's doctor and the Archdiocese's Chancellor to keep Fr. DePaoli in Philadelphia for therapy. Instead, he arranged an assignment for the priest in Colonia, New Jersey, where his crime and sexual addiction would be unknown to his parishioners.

Father DePaoli eventually returned to Philadelphia in 1991 and continued to minister until December 2002, though without a formal assignment for part of the time. He was allowed to minister despite reports to the Archdiocese that his addiction to pornography continued, that he made sexual comments about an 8th-grade girl during a sermon, and even that he had molested a 12-year-old girl years earlier.

A nun in 1996 informed officials that she was worried about the safety of the children in her parish. She was fired for speaking out.

Father DePaoli's ministry, however, continued. The Archdiocese was well aware that he was performing marriages and baptisms, hearing confessions, concelebrating Mass, and preaching nearly every Sunday at Saint Gabriel of the Sorrowful Mother in Stowe, where he had resided in the rectory since 1995.

Yet, in December 2002, when news stories reported that the convicted collector of child pornography was still ministering, Cardinal Bevilacqua claimed the priest was being disobedient. The Cardinal had his spokesperson, Catherine Rossi, tell reporters that Fr.

DePaoli had been stripped of all his priestly duties immediately after the 1985 incident, but fail to mention that they had been fully reinstated before Fr. DePaoli returned to active and unrestricted ministry in 1988.

After telling a victim he believed her allegation that the priest had molested her, Cardinal Bevilacqua assured the public that he was "not a danger to anyone."

Father DePaoli is arrested and convicted of possession of child pornography.

On June 27, 1985, United States Customs Deputy Commissioner Albert D'Angelo informed Cardinal Krol that for a year and a half Fr. Edward DePaoli had been receiving an average of three packages a week from outside the country. Father DePaoli at the time was a teacher of morals and ethics at Bishop McDevitt High School and a resident priest at Holy Martyrs Church in Oreland.

Pursuant to a search warrant, customs officials, accompanied by Chancellor Samuel E. Shoemaker, searched Fr. DePaoli's rectory bedroom. They seized 110 magazines, nine videocassettes, and fourteen reels of film depicting child pornography.

Cardinal Krol suspended Fr. DePaoli's priestly faculties and ordered him to Saint John Vianney Hospital. In a letter to the priest explaining the Cardinal's decision, Msgr. Shoemaker noted that "your possession of this illicit material is known to third parties thus creating a public scandal." The Chancellor also pointed out that the purchase of child pornography supported "crimes committed against minors" and contributed to "grave moral offenses."

Cardinal Krol and Msgr. Shoemaker tried to persuade Fr. DePaoli to plead guilty to avoid the scandal and publicity of a trial, but the priest refused. He accused Msgr. Shoemaker of advocating a guilty plea because the Archdiocese feared "other things" might come out at trial. The Chancellor, in a letter to Fr. DePaoli, admitted that the Archdiocese's attorney, John O'Dea, warned that "it has not been unknown for Federal Authorities to seek other information from an indicted person which may assist them in prosecuting other cases."

On November 13, 1986, U.S. District Court Judge Anthony J. Scirica found Fr. DePaoli guilty of knowing receipt in the mails of visual depictions of minors engaging in

sexually explicit conduct. Father DePaoli was sentenced to one-year probation conditioned on participation in psychiatric treatment. The form of the treatment was left to the Archdiocese. Against the wishes of the Archdiocese, Fr. DePaoli appealed his conviction. The Third Circuit affirmed his conviction on July 23, 1987.

Father DePaoli obtains child pornography while receiving psychiatric treatment.

"Treatment" did nothing to change Fr. DePaoli. He spent nearly three years in four different treatment centers, and repeatedly demonstrated his disinclination to change:

- Father DePaoli spent 18 months at Saint John Vianney following the discovery of the child pornography. At the end of that time his therapist, Dr. Eric GriffinShelley, reported to the Archdiocese that Fr. DePaoli "ha[d] not been involved in therapy in a meaningful way," that their psychotherapy relationship was "adversarial," and that there was evidence that Fr. DePaoli was still receiving pornography in the mail.
- Dr. Griffin-Shelley concluded in his Treatment Summary that Fr. DePaoli "need[ed] intensive psychotherapy probably for six to twelve months," and opined that, "without this, he [was] quite likely to repeat his past behavior and become progressively worse." Finally, the therapist warned that Fr. DePaoli "could go beyond fantasy in terms of his sexual urges toward children."
- On January 12, 1987, after Fr. DePaoli was sentenced to one year's probation with psychiatric treatment, he was sent for a two-week evaluation to Saint Luke Institute, a church-affiliated treatment facility in Suitland, Maryland. There, Fr. DePaoli was diagnosed with a psychosexual disorder. The staff found Fr. DePaoli "in need of extensive psychological work," and recommended inpatient treatment at the House of Affirmation in Hopedale, Massachusetts.
- Father DePaoli was admitted to the House of Affirmation on May 6, 1987. Six and a half months later, a staff member saw him coming out of an adult bookstore. A search of the priest's bedroom revealed a stash of pornography books, videos, and a magazine, including child pornography. The Archdiocese received a report of Fr.

DePaoli's misconduct, along with a recommendation that he be transferred to an intensive program designed specifically for sexual addicts.

- In accordance with this recommendation, Fr. DePaoli was transferred on January 24, 1988, to the Sexual Dependency Program at Golden Valley Health Center in Minneapolis. He remained there for five weeks. Upon his release, the doctor treating him, Dr. Arlene Boutin, in a letter to Msgr. Shoemaker, recommended that he continue in therapy with Dr. Martha Turner in Philadelphia. Dr. Boutin explained that not all areas of the country had doctors familiar with the field of sexual dependency. Therefore, she "strongly recommended that Father Ed be allowed to remain in the Philadelphia area to avail himself . . . of [Dr. Turner's] knowledge and understanding of the disease process and the recovery associated with sexual dependency." Dr. Boutin also advised that Fr. DePaoli participate in a sexual addicts anonymous group. Chancellor Shoemaker passed these recommendations on to Archbishop Bevilacqua, along with a suggested assignment as a college chaplain.

Cardinal Bevilacqua ignores the therapist's recommendation and sends Father DePaoli to New Jersey, where his crime is less likely to be known.

Ignoring the doctor's and his Chancellor's advice, Archbishop Bevilacqua chose instead to send Fr. DePaoli to another diocese where his crime might not be known. The Archbishop met with Fr. DePaoli on May 4, 1988. According to a memo Archbishop Bevilacqua wrote recording the conversation, he told the priest: "for the present time it might be more advisable for him to return to the active ministry in another diocese." The Archbishop explained that this move would "put a sufficient period between the publicity and reinstatement in the active ministry of the Archdiocese of Philadelphia." (Appendix D19)

Archbishop Bevilacqua gave the order to find another diocese for Fr. DePaoli. Tellingly, getting another diocese to accept this dangerous priest was difficult; other bishops were apparently less willing than Cardinal Bevilacqua had been with Fr. John P.

Connor (see the profile of Fr. Connor) to take on a priest who presented a significant risk to their children. The Harrisburg Diocese refused to take him, it was reported to the Archbishop, because "the Philadelphia Inquirer is too widely read in this diocese to avoid a serious scandal." Scranton would accept Fr. DePaoli only if he was "certified as being O.K." Finally, Bishop Edward T. Hughes of the Metuchen Diocese in Northern New Jersey agreed to take the priest "for a reasonable amount of time." Archbishop Bevilacqua wrote the bishop personally to thank him, saying it was "extremely good of you to provide [Fr. DePaoli] the opportunity to continue his ministry . . . ."

In the summer of 1988, Fr. DePaoli – apparently with his full faculties restored – was assigned as a parish priest to Saint John Vianney Church in Colonia, New Jersey. He remained there for three years. Despite the therapist's warning on file that Fr. DePaoli "could go beyond fantasy in terms of his sexual urges toward children," there is no indication that any attempt was made to restrict Fr. DePaoli's access to children. In fact, Fr. DePaoli told Bishop Hughes about his extensive continuing access to children, proclaiming that he was "an ardent supporter of our parish elementary school and C.C.D. programs." Although scheduled for only one hour of confession weekly, Fr. DePaoli declared it the "high point of my life here" and stated that he "spent 2 to 3 ½ hours proclaiming Christ's forgiveness." Even Msgr. Shoemaker, Archbishop Bevilacqua's Chancellor at the time, acknowledged to the Grand Jury that this transfer put the children in the New Jersey parish at risk.

Father DePaoli returns to Philadelphia after several years and relapses again.

In the summer of 1991, Archbishop Bevilacqua brought Fr. DePaoli back to Philadelphia, assigning him to be associate pastor at Saint John the Baptist Church in Manayunk. No restrictions on his ministry were recorded in Archdiocese files.

On April 28, 1992, Dr. Richard Fitzgibbons, a psychiatrist who had been consulted earlier about Fr. DePaoli's case, called the Office of the Secretary for Clergy and James E. Molloy, Assistant Vicar for Administration. According to Msgr. Molloy's notes, other priests had passed along to the doctor reports that during a Mass for school children, Fr.

DePaoli told the congregation: “I’d rather imagine what this [8th grade] girl would look like if she were naked from the waist up.” Two weeks later, Fr. Robert T. Feeney, an associate pastor at Saint John the Baptist, reported to Secretary for Clergy John J. Jagodzinski that Fr. DePaoli was receiving pornography in the mail. Father Feeney gave the Secretary for Clergy one of the packages that had recently arrived at the rectory. Monsignor Jagodzinski met to discuss the situation with the Vicar for Administration, Edward P. Cullen, and soon-to-be-named Secretary for Clergy William J. Lynn, then he interviewed Fr. DePaoli. Monsignor Jagodzinski recorded that Fr. DePaoli at first appeared “incredulous as to why he was being confronted,” but, faced with the physical evidence, stated that what he referred to as his “addiction cycle” had been “activated.”

Father DePaoli was removed from the rectory at Saint John the Baptist, but, despite the fact that he had relied upon the psychological explanation of “addiction cycle” to explain his conduct, he nevertheless resisted the Archdiocese’s efforts to have him returned to Saint John Vianney Hospital. After staying with his parents briefly, the priest was given a residence at Immaculate Conception parish, where the rectory was used to house priests with various problems. Still, the priest avoided hospitalization and lobbied to return to ministry at Saint John the Baptist. He remained in limbo – officially assigned to Saint
John, but living at Immaculate Conception – for six months. The pastor and priests at Saint John vehemently opposed Fr. DePaoli’s return to the parish. They reported to Msgr. Lynn that Fr. DePaoli was still receiving objectionable material in the mail and his bedroom was filled with nude pictures. On December 2, 1992, he was relieved of his assignment.

Removed from his assignment, Father DePaoli is allowed to continue ministering.

Faced with Fr. DePaoli’s obvious unfitness and his refusal to make use of the treatment he was repeatedly offered, the Archdiocese put the priest on administrative leave, but nevertheless allowed him to continue to minister. In a December 2, 1992, letter, Msgr. Lynn informed Fr. DePaoli that he would be put on administrative leave, with his faculties restricted to celebrating Mass “privately for his own spiritual benefit.” For the

next ten years, the priest lived in a rectory with no official assignment. He continued, however, to minister extensively and publicly with explicit permission from Msgr. Lynn, in accordance with directions from the Cardinal.

Father DePaoli's file from this period contains written permission to perform more than 80 marriages, baptisms, and confirmation Masses, as well as permission to concelebrate the ordination Mass of Bishop-elect Cullen and Mass with Cardinal Bevilacqua. In 1995, Msgr. Lynn issued a certificate called a "celebret," which stated that Fr. DePaoli was a priest in good standing, so that he could exercise full faculties on a trip he was planning to Rome to celebrate his silver jubilee of 25 years in the priesthood. Monsignor Lynn acknowledged in a memo to Msgr. Cistone in April 1995 that Fr. DePaoli was "really having little supervision."

In 1994, Fr. DePaoli complained that some restrictions remained on his faculties. Monsignor Lynn explained to him that "Cardinal Bevilacqua emphasized that at no time have [your] faculties been withdrawn; rather, the exercise of those faculties has been restricted for the good of the Church and the avoidance of scandal." Monsignor Lynn noted that Fr. DePaoli "could exercise his faculties on occasion, with permission, as, in fact, has been the case on several occasions."

Father DePaoli, however, continued to ask for more. He engaged a canon lawyer, Father Thomas Moran, to present his requests to the Archdiocese. To his credit, after reviewing his client's file, Fr. Moran concluded, according to notes kept by Msgr. Lynn, that Fr. DePaoli was a "chronic offender and, therefore, very risky." Father Moran therefore combined his requests for an assignment and limited exercise of faculties with proposed conditions that would permit the Archdiocese to monitor Fr. DePaoli more closely.

Father Moran asked that his client receive a residence assignment and be permitted to concelebrate Mass and deliver homilies occasionally. At the same time, he suggested that the parish be fully informed of Fr. DePaoli's history, that any homily be reviewed by the pastor first, that his client's mail be subject to inspection, and that his bedroom be subject to unannounced inspection by the Secretary for Clergy or his delegate. Father

Moran acknowledged that Fr. DePaoli needed to continue in individual and group therapy.

Father DePaoli accepted these conditions, and Msgr. Lynn recommended that Cardinal Bevilacqua approve them, with the exception of allowing Fr. DePaoli to preach. But, rather than approve the plan, which called for significant supervision, Cardinal Bevilacqua chose to distance the Archdiocese from its priest.

Initially, following advice from the Archdiocese's lawyers, the Cardinal avoided formally reassigning Fr. DePaoli. He suggested, for the record, that the priest could "seek acceptance by another diocese" or, failing that, voluntarily agree to laicization. Predictably, Fr. DePaoli did neither. Instead, the priest requested a parish residence at Saint Gabriel Church in Stowe, where he was friendly with the pastor, Father James Gormley.

In September 1995, Cardinal Bevilacqua granted Fr. DePaoli's request. He moved the priest to a parish *without requiring even the level of supervision that Fr. DePaoli's own canon counsel had recommended*. Once again, the Archdiocese demonstrated that protection of the community was not its priority.

Cardinal Bevilacqua assigns Father DePaoli to live at Saint Gabriel, and allows him to minister without the restrictions or supervision that the priest's own lawyer recommended in order to protect parishioners.

Over the next seven years at Saint Gabriel, Fr. DePaoli lived in the rectory, concelebrated Mass, delivered homilies regularly, heard confessions (including of school children), taught adult religious education, and occasionally celebrated Sunday Mass without another priest present. Although his assignment letter purported to restrict Fr. DePaoli's faculties, the Archdiocese was made aware of all these activities and did not stop them.

In other words, Fr. DePaoli was doing more than Father Moran had asked for, but without the safeguards suggested by the canon counsel and agreed to by Fr. DePaoli. Church officials did not inspect his mail or his bedroom. The parish was not informed of the priest's history. Rather than acknowledge that Fr. DePaoli was ministering to the

parish, and then monitor his interactions with parishioners, Archdiocese managers sought to limit their legal liability by continuing to promote and document the fiction that the priest was ministering only to himself.

In furtherance of this fiction, Msgr. Lynn went so far as to alter the way in which the Archdiocese accounted for the salary of Fr. DePaoli and other priests accused of sexual misconduct. Monsignor Lynn's assistant, Mary Ann Sullivan, reminded the Secretary for Clergy about the strategy in a July 14, 1995, memo:

> When you were making judgments concerning which of the "Clerical fund recipients" should receive salary vs. stipend, taxable vs. non-taxable, one of the considerations you were dealing with was the following: if a cleric had been involved in misconduct and there was concern over his publicly ministering as a priest, you did not want the books to show that the Archdiocese was paying him a salary for services rendered. I was under the impression that such thinking guided your identification of Frs. DePaoli, [Richard] McLoughlin, [Martin] Satchell, and McCarthy as priests who specifically should not receive W-2 forms.

A nun blows the whistle on Father DePaoli, and she is fired.

The director of religious education at Saint Gabriel, Sister Joan Scary, testified that in December 1995, three months after Fr. DePaoli's assignment to the parish, she noticed three children being detained by Fr. DePaoli in the confessional. After testifying, she explained further to a detective with the District Attorney's Office that she was suspicious and wrote to the children's parents. One girl was a third grader, but in 2003, when talking to the detective, Sister Scary could not remember her name. The others were "Jennifer," a fifth grader, and "Tony," an 8th grader.

In response to the warnings, Sister Scary said that the third-grader's mother thanked her. She also told the nun that, during confession, Fr. DePaoli asked the mother unwelcome questions about her sex life. The mother of the fifth grader accused Sister Scary of spreading scandal. Tony's grandfather told Sister Scary that Tony had denied that anything happened in the confessional, but that the boy considered Fr. DePaoli "weird"

and tried to stay away from him. Sister Scary told the detective that later, at a Lenten Reconciliation Mass in April 1996, Tony told her he would not go into Fr. DePaoli's confessional. The detective presented Sister Scary's information to the Grand Jury.

In May 1996, having learned of Fr. DePaoli's pornographic interests not from Archdiocesan managers but inadvertently, Sister Scary noticed suspicious packages arriving at the rectory for Fr. DePaoli. She described to the Grand Jury a plain cardboard box – the size of "small diskettes" – postmarked from Denmark. She also saw sexually explicit magazines arriving in the mail.

One such magazine, "Details," featured cover articles entitled "Sex: The Ultimate Buyer's Guide," and "Anka: The Naughty Daughter Talks Dirty to her Mom and Dad." Sister Scary mailed this magazine to Cardinal Bevilacqua with an anonymous note asking, "Your Eminence, Is this appropriate for a Roman Catholic Priest?" Father DePaoli's name and rectory address were on the label of the magazine.

In a June 3, 1996, memo to the file, Msgr. Michael McCulken, assistant to Secretary for Clergy Lynn, acknowledged that the magazine sent to Cardinal Bevilacqua had been received and did "seem very inappropriate." Another memo indicates that Cardinal Bevilacqua and Msgr. Cullen discussed the magazine at an issues meeting on May 14, 1996, but no decision to impose any restrictions on Fr. DePaoli was recorded.

Testifying before the Grand Jury, Sister Scary described her fears:

> We had a whole program with children, and my fear was that he would have any contact with the children in the parish; and I just was, very concerned that . . . if he was . . . enticing them in any way, something could happen to them.

On May 29, 1996, the vicar for Montgomery County, Msgr. Robert P. McGinnis, wrote to the Office for Clergy that Sister Scary had called him several times. Monsignor McGinnis's letter informed the Archdiocese that Fr. DePaoli "celebrates mass regularly" with another priest, Fr. Joseph McCloskey, and that Sister Scary had reported Fr. DePaoli celebrating Holy Thursday and Good Friday liturgies by himself. Also, Msgr. McGinnis repeated Sister Scary's charge that Fr. DePaoli was receiving inappropriate magazines.

Still the Archdiocese records indicate no action to investigate the mail that Fr. DePaoli was receiving, to restrict his public ministering, or to stop him from associating with minors.

In fact, while the record shows no action taken against Fr. DePaoli in response to Sister Scary's reports, Father Gormley, the parish pastor, did take action against Sister Scary. When he learned of her reports to Msgr. McGinnis, he fired her as director of Saint Gabriel's religious education.

The Vicar for Montgomery County informed the Office for Clergy of the circumstances of Sister Scary's firing. On June 10, 1996, Msgr. Lynn met with Fr. DePaoli. They discussed threats of exposure from parishioners who had learned from Sister Scary about the reason for her firing. At this meeting, Fr. DePaoli informed Msgr. Lynn that he regularly concelebrated Mass with Pastor Gormley and that he directed and taught the adult education program for the parish.

Monsignor Lynn wrote in his notes that he "thanked Father DePaoli for seeing me and for being honest and always following the directives that he has been given. We agreed right now that he would stay there unless circumstances warrant otherwise."

On July 1, 1996, Msgr. Lynn sent Joseph R. Cistone, Assistant to the Vicar for Administration, an update on Fr. DePaoli. Again the focus of the report was Sister Scary, her attempts "to stir up some conflict" by informing parishioners about Fr. DePaoli's past, and how to scare her into silence to suppress her knowledge of Fr. DePaoli's predilection for naked children. Monsignor Lynn reported to Msgr. Cistone that Sister Scary's religious-order superiors had "spoken several times with Sister Joan Scary to bring up to her the civil implications of her actions." Monsignor Lynn also reported that, "if needed," her religious superiors were "ready to place Sister Joan Scary under obedience to cease and desist."

On August 5, 1996, having received reports that Sister Scary's supervisors were invoking what "amounts to a 'gag order,'" Msgr. Lynn reported to Msgr. Cistone: "Everything is quiet at Saint Gabriel Parish concerning this situation." Sister Scary eventually moved out of the Archdiocese.

The Archdiocese ignores another warning about Father DePaoli.

In April 2002, Archdiocese managers were told yet again that Fr. DePaoli was receiving suspicious unlabeled videos in the mail. This time, the report came from the Vice Chairman of the Pastoral Council of Saint Gabriel, Shirley A. Birmingham. She also told Msgr. John C. Marine, Msgr. McGinnis's replacement as Vicar for Montgomery County, that parishioners were aware of Fr. DePaoli's child pornography conviction and that she was concerned about his presence at Saint Gabriel. She informed Msgr. Marine that Fr. DePaoli heard confessions, preached almost every weekend, and said daily Mass when the pastor was away.

Monsignor Marine wrote in his notes recording his meeting with Birmingham: "I assured her that Fr. DePaoli requests permission before he performs his priestly service at the parish." Monsignor Marine also noted that he corrected her use of the term "pedophile," telling her that Fr. DePaoli's predilection for child pornography did not equate with sexually acting out with children. Monsignor Marine forwarded all this information to Secretary for Clergy Lynn. Even then, records indicate no action was taken to stop Fr. DePaoli's extensive ministering.

Church officials minimize the complaints of a parishioner whom Father DePaoli had molested when she was a child.

In 2002, the Archdiocese learned that the warning of Fr. DePaoli's former therapist, Dr. Griffin-Shelley, that the priest could go "beyond fantasy in terms of his sexual urges toward children," was not only true but had in fact already occurred more than a decade before the warning was issued. Shortly after Msgr. Marine had assured Birmingham that her fears of Fr. DePaoli acting out with children were unfounded, 46-year-old "Anna" reported to the Archdiocese, on June 14, 2002, that more than thirty years earlier Fr.

DePaoli had grabbed and fondled her breast in the schoolyard at Our Lady of Mount Carmel in Doylestown, when he was associate pastor and she was 14 years old. In response to this report, Archdiocese managers downplayed the event and lied to Anna.

Anna told the Grand Jury that she met with Msgr. Lynn and his assistant, Father Vincent Welsh, on June 19, 2002. She described to them how Fr. DePaoli had fondled her breast as he walked with his arm around her in the schoolyard. She said that she was positive it was not a mistake and that he stopped only because she elbowed him hard. She told them that she had reported the incident to her mother at the time, but that her mother, a recent immigrant from Cuba, did not want to make trouble and told Anna to just ignore it. Anna testified that Msgr. Lynn and Fr. Welsh told her that what had happened to her was "not so bad." She told the Grand Jury that she was frustrated that they seemed not to understand that nothing else had happened only because she stood up to the priest, and that he presented a danger to less confident children. She said the Archdiocese managers appeared not to be satisfied with her account and asked that her 72-year-old mother come in to verify that Anna had reported the incident when it happened.

When Anna asked them about Fr. DePaoli's access to children, the Archdiocese managers assured her that they were "watching him," that they had taken away all his privileges, and that he was not allowed to be around children. As the Grand Jury learned, these assertions were misleading, at best.

Even then, Fr. DePaoli was not removed from his parish residence. In October 2002, Cardinal Bevilacqua met with Anna. He told her that she was "lucky," that what had happened to her really "wasn't that bad." He also assured her that Fr. DePaoli had no ministry at Saint Gabriel's – only a residence. This, too, was a misrepresentation. Archdiocese managers repeatedly told Anna that she was the only person ever to make allegations of abuse against Fr. DePaoli. Almost immediately they learned from Fr. DePaoli himself that this was not true. In an interview about Anna's allegations, the priest mentioned to Msgr. Lynn and Fr. Welsh that he had been accused before. He told them that, if they wanted more information, his attorney could provide it. According to rough notes from the June 26, 2002, meeting, Msgr. Lynn told Fr. DePaoli: "What's bad is that past allegation . . . I stressed w/ [Anna] [that we] had no other report of such behavior – no allegations."

Neither Msgr. Lynn nor Fr. Welsh told Anna that they had subsequently learned of other complaints against Fr. DePaoli. In fact, according to notes of a meeting on July 26, 2002, Anna said to Msgr. Lynn, "I can't believe there were not other incidents," and, despite knowing otherwise, Msgr. Lynn told Anna twice, "We haven't had anyone else come forward with this type of allegation," and "you are the first one to come in with an allegation against him." Moreover, rather than clear up this misleading information, Fr. Welsh attempted to console Anna, telling her on July 9, 2002, that Fr. DePaoli was having a "full psychological evaluation." There is no evidence before the Grand Jury that such an evaluation took place.

On July 17, 2002, in accordance with procedures required by the Charter for the Protection of Children and Young People which had been adopted by the Bishops of the Catholic Church on June 14, 2002, the Archdiocese's attorney, William Sasso, informed the Bucks County District Attorney of Anna's allegation. At the time, Archdiocese files included numerous reports that Fr. DePaoli was hearing confessions, delivering homilies, teaching adult religious education, and concelebrating Mass (most recently told to Msgr. Lynn on June 26, 2002, by Fr. DePaoli himself). Yet Sasso assured the District Attorney that, at the time of Anna's allegation (June 14, 2002), Fr. DePaoli "had no public ministry."

Anna testified that she felt lied to when she heard in December 2002, through media reports, that Fr. DePaoli was still ministering – delivering homilies at Saint Gabriel. She said she was extremely upset and left a message on the answering machine of a therapist with whom the Archdiocese had set her up. She said: "They promised nothing was going to happen, and they promised he was being watched." She heard nothing more from the therapist.

The Archdiocese misleads the media and the public about Father DePaoli.

On December 18, 2002, the day the Philadelphia Inquirer published a story revealing that Fr. DePaoli was a convicted possessor of child pornography, Cardinal Bevilacqua quickly and radically changed his approach to the priest. No longer willing to

protect him, he told reporters that Fr. DePaoli, the priest whom Msgr. Lynn had thanked for always following the Cardinal's directives, was disobedient. Knowing of Anna's allegation, which he had told her he believed, Cardinal Bevilacqua told reporters that Fr. DePaoli was "not a danger to anyone," suggesting that his only offense was enjoying child pornography, a serious crime and one that counseled keeping such a man as far away from children as possible. The Cardinal's spokesperson, Catherine Rossi, misled reporters into believing that Fr. DePaoli had been stripped of "his priestly duties" since 1986.

On December 19, 2002, Msgr. Lynn informed Fr. DePaoli he would have to leave Saint Gabriel. Monsignor Lynn insisted the action was the result of Fr. DePaoli's refusal to follow his restrictions, and not the media attention.

On January 14, 2004, the Archdiocese found credible the allegation against Fr. DePaoli of sexual abuse against a minor, presumably Anna, and removed the priest from ministry. In November 2004, Monsignor Lynn's successor as Secretary for Clergy informed DePaoli that the process to laicize the priest involuntarily had been completed and that he was removed "from the clerical state."

DePaoli appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Monsignor David E. Walls

Monsignor David Walls, ordained in 1960, was a sexual abuser of both boys and girls, yet served as Vicar for Catholic Education in the Philadelpia Archdiocese. Cardinal Bevilacqua left him living in a parish rectory, ministering to all ages, even after learning of the priest's sexual offenses. When the Cardinal testified that he did so because he did not know at the time that the victims were minors, the Grand Jury did not find his explanation credible – or consistent with the evidence. The Cardinal's testimony did, however, provide a window into the deceptions, half-truths, and rationalizations with which the Archdiocese has sought to justify and cover up practices that systematically abetted the abuse of children.

Monsignor Walls presented an early test of Archbishop Bevilacqua's handling of sexually abusive priests. Within weeks after taking over the Philadelphia Archdiocese in February 1988, the Archbishop learned that Msgr. Walls, then serving as Vicar for Catholic Education, was accused of attempting to sexually assault a 17-year-old girl in his rectory bedroom two years earlier and also of making inappropriate advances toward two boys (one the brother of the female victim). Shortly thereafter the Archbishop received a memo that Msgr. Walls had admitted the incidents. The pastor of Saint John Neumann, the parish to which Msgr. Walls was transferred following the incidents, told Archbishop Bevilacqua that several parishioners "have stated that he has been involved in" what the parishioners characterized as "pedophilia." The Archbishop's response became his standard practice through the years: he acted to fend off legal liability for the Archdiocese, but gave the priest continued opportunity and cover for his crimes by permitting him to go on ministering while enjoying unrestricted access to parish youth.

The Archbishop did remove Msgr. Walls from his high-profile job in the Office of Catholic Education, but solely to avoid legal action. In a May 4, 1988 memo, Archbishop Bevilacqua explained that the "perception of inaction could very well trigger the parents to resort to some kind of further procedure through court action." The Archbishop's effort to avoid the "perception of inaction" characteristically included no attempt to protect parish children. Archdiocese managers contacted neither victims nor civil authorities.

Instead, despite pleas from the priest's therapists, from his pastor, and from the Cardinal's own Secretary for Clergy, Cardinal Bevilacqua allowed Msgr. Walls to remain unmonitored in his parish residence in Bryn Mawr – with no formal assignment, few obligations, and limitless unsupervised time in which to procure new victims. For 14 years after learning of the priest's admitted *sexual offenses against minors, Cardinal Bevilacqua permitted him to live in the parish rectory, to celebrate Mass with altar boys, to hear confessions, and to counsel parishioners and others through Catholic Human Services.*

Cardinal Bevilacqua learns in 1988 of Monsignor Walls' abuse of minors.

On February 25, 1988, a therapist, Eileen Egan, informed the Archdiocese that

Msgr. David Walls had sexually accosted a client of hers, later identified as "Colleen," two years earlier, when the girl was 17 years old. Vice Chancellor Joseph Pepe met with Egan and recorded the report:

> Ms. Egan alleged that one evening this young woman went to the rectory where Monsignor Walls resided to discuss some family difficulties. He brought her up to his suite of rooms, turned the lights out, and proceeded to make sexual advances. He got the young girl down on the floor. She escaped his grasp, got up and he began to pursue her around the room. He used words which Ms. Egan did not explain. The young woman eventually ran out of the rectory and Monsignor Walls pursued her for four blocks. This Ms. Egan assured me was not to assault her client but from what she could learn to calm her client down.

Father Pepe also recorded reports from Egan that Walls had "approached" two boys, one of them the brother of Egan's client. The therapist told Fr. Pepe that she was concerned about Msgr. Walls' potential to damage other children because he was still performing parochial duties and was still Vicar for Catholic Education for the Archdiocese.

Later that day, Chancellor Samuel Shoemaker and Vice Chancellor Pepe met with Msgr. Walls. Father Pepe's notes from the meeting record that Msgr. Walls "minimized" but "did not deny" the allegations regarding Colleen, her brother, and the other boy known to Eileen Egan. Monsignor Walls stated that he had been under the care of a psychiatrist since July 31, 1987, but would not give the name of his therapist.

Father Pepe prepared a memo recording the meetings with Egan and Msgr. Walls. Monsignor Shoemaker told the Grand Jury that Archbishop Bevilacqua was immediately informed of the charges against Msgr. Walls and provided with the written report that included the priest's admissions.

A victim's therapist reports Monsignor Walls' sexual assault to the Archdiocese, but not to the police, and asks Church officials to remedy the matter.

Eileen Egan explained to Fr. Pepe that she did not report the assault against her client to civil authorities for reasons relating to her therapy, but was relying on the

Archdiocese to "do its duty in looking into the allegations and coming to some resolution on the matter/and incident." Egan offered that her client and a colleague who knew of another victim were available to talk to Archdiocese managers if necessary "to get some action on these allegations." She also asked "that the Archdiocese in some way let her client know they were sorry concerning the incident. . . ."

After Msgr. Shoemaker and Fr. Pepe discussed with the therapist the legal duty to report child abuse, Archdiocese managers decided that another priest, Fr. John McFadden, should be asked to act as a "go-between" with the family of the victim. This decision was originally recorded in Fr. Pepe's February 25, 1988, report, but was whited out on the copy provided to the Grand Jury, presumably because the advice to use a go-between was provided by legal counsel. The Grand Jury was able to ascertain what Fr. Pepe originally wrote in his report because a subsequent handwritten "file summary" prepared by Fr. Vincent Welsh included a summary of Fr. Pepe's report, including: "-approved Fr. [John] McFadden as go between w/ family."

The designation of Fr. McFadden as a go-between is significant because Archdiocese managers testified before the Grand Jury that legal counsel had advised them that they were required to report suspected sexual abuse only when it was reported to them directly by a victim. Therefore, under their interpretation of Pennsylvania's reporting requirements, the use of Fr. McFadden as a go-between might free Archdiocese managers of the legal duty to report Msgr. Walls' criminal behavior. (The Child Protective Services Act in 1988 required anyone who, in the course of their employment, came into contact with a child he suspected was abused, to report that abuse. Clergy were not explicitly included or excluded from this requirement. In 1995, the legislature made it explicit that clergy were included.) There is no evidence to show whether Fr. McFadden ever contacted the victim's family.

Father McFadden may have been chosen to communicate with the victim's family because he was well aware of Msgr. Walls' problems. Eileen Egan's client, Colleen, and her family had gone to Fr. McFadden shortly after Msgr. Walls had accosted her in 1986 in his rectory bedroom at Saint Matthias. In addition, according to an October 1990 letter

from Msgr. James Meehan, Msgr. Walls' subsequent pastor at Saint John Neumann, *11* people from Msgr. Walls' previous parish, Saint Matthias, had protested to Fr. McFadden about Msgr. Walls' "deviate sexual behavior" before the Archdiocese reassigned him in 1987. The parishioners told Fr. McFadden they thought Msgr. Walls needed to be institutionalized.

But Msgr. Walls had not been institutionalized. Instead, in June 1987, Cardinal Krol had quietly transferred Msgr. Walls' residence to Saint John Neumann in Bryn Mawr. At the same time, he promoted Walls to be Vicar for Catholic Education for the Archdiocese. It was eight months later that Eileen Egan informed the new Archdiocese administration about Msgr. Walls' abuse of her client.

Monsignor Walls is returned to a parish residence after admitting sexual abuse of minors, despite his therapist's warning not to mingle with youth.

Four days after receiving Eileen Egan's report of her client's abuse, Chancellor Shoemaker arranged for Msgr. Walls to go to Saint Luke Institute in Suitland, Maryland, for an evaluation. On March 14, 1988, Msgr. Walls began a ten-day evaluation. The Institute's assessment confirmed Msgr. Walls' earlier admissions.

The therapists, according to Fr. Welsh's notes, urged that Msgr. Walls "abstain from working w/ or mingling w/ youth or young adults in unsupervised capacity." Saint Luke staff also recommended a re-evaluation at the Institute in six to nine months. Monsignor Shoemaker told the Grand Jury that he sent this evaluation to Archbishop Bevilacqua. Nevertheless, Cardinal Bevilacqua allowed Msgr. Walls to live, unsupervised, in the rectory at Saint John Newman, a parish with a school.

The pastor at Monsignor Walls' parish pleads with Archbishop Bevilacqua for guidance in supervising his resident, but the Archbishop ignores him.

Upon Msgr. Walls' return to Bryn Mawr after his evaluation in March 1988, Msgr. James Meehan, his pastor, began writing letters to the Archdiocese describing his concerns about the priest and pleading for instructions from the Archbishop.

In a letter of April 11, 1988, to Chancellor Shoemaker, the pastor described Msgr. Walls' situation as "potentially explosive." He expressed extreme concern for the priest, the Church, "and others." He wanted Archdiocese managers to know that he was not in regular or close contact with Msgr. Walls, and was not supervising him. Monsignor Meehan sent a copy of this letter to the Archbishop and requested a meeting with him.

On May 3, 1988, Archbishop Bevilacqua telephoned Msgr. Meehan in preparation for a meeting with Msgr. Walls the next day. The Archbishop's notes of the phone call record that Msgr. Meehan told him that "reports about Monsignor Walls are becoming more and more public," and that "several women have stated that he has been involved in" what the women characterized as "pedophilia."

The Archbishop also wrote that Msgr. Meehan expressed concerns about his responsibilities as pastor and about what Msgr. Walls was allowed to do. Monsignor Meehan had heard informally, while discussing another matter with Msgr. Shoemaker, that Msgr. Walls was not supposed to be celebrating Mass. Monsignor Meehan told the Archbishop that the Chancellor needed to tell Msgr. Walls not to perform Masses if that was the Archbishop's wish. Archbishop Bevilacqua recorded in his memo to the file that he told Msgr. Meehan he "would look into the matter."

Chancellor Shoemaker testified to the Grand Jury that the Archbishop did not thereafter ask him to instruct Msgr. Walls to refrain from celebrating Mass. The Chancellor said that, had he been asked, those instructions would have been communicated to Msgr.

Walls verbally and in writing, with a copy in the file.

Monsignor Shoemaker told the Grand Jury that it was his understanding that the Archbishop was handling this matter himself. On May 4, 1988, Archbishop Bevilacqua met with Msgr. Walls. Rather than tell Msgr. Walls that he could not celebrate Mass, the Archbishop, according to his own notes, explicitly permitted the priest to "remain at St.

John Neumann and continue to assist Monsignor Meehan . . . .” He later confirmed to the Grand Jury that he meant for Msgr. Walls to assist with parish duties, including saying Mass and hearing confessions, even of youth.

Monsignor Walls is asked to resign his high-profile position as Vicar for Catholic Education, but continues to minister at Saint John Neumann for 14 Years.

After hearing that reports about Msgr. Walls were becoming “more and more public,” Archbishop Bevilacqua, at his May 4, 1988, meeting with the priest, asked him to resign as Vicar for Catholic Education. According to his memo on the meeting, the Archbishop explained that Msgr. Walls could not continue in this high-profile position. He cited in particular “the fear that the parents of recent victims were not likely to take any action of a legal nature as long as the Archdiocese has acted strongly.”(Appendix D-20)

Having taken action to quiet the parents of Msgr. Walls’ victims, Cardinal Bevilacqua left the priest in residence at St. John Neumann for 14 more years. He did this knowing that Msgr. Walls would be working and mingling with young people in complete disregard of the St. Luke Institute’s recommendations. He left the priest in place without restrictions, supervision, or follow-up evaluations despite numerous reminders, warnings, recommendations, and pleas from Msgr. Meehan, Secretary for Clergy John J. Jagodzinski, and the Vicar for Delaware County, Msgr. Francis A. Menna.

Monsignor Walls’ pastor, Msgr. Meehan, continued to convey warnings and ask for direction. On August 22, 1990, he wrote to Msgr. Jagodzinski, who forwarded the letter to Archbishop Bevilacqua, that he felt he was “sitting on a keg of dynamite.” Monsignor Meehan told the Archdiocese managers that Msgr. Walls “leaves early in the morning and comes in around 10 or 11 at night.” In three years, he estimated, Msgr. Walls had eaten two meals at the rectory. The pastor wrote, “It is nearly impossible to know what his lifestyle is like.”

Monsignor Meehan’s letter referred to the Church’s recent problems with pedophilia and requested “for my own personal peace of mind, a statement in writing

indicating exactly what my position is. Specifically, it would be extremely beneficial to have a diocesan lawyer outline the legal responsibilities to the people in the parish and the liabilities I might have if the matter should ever come to the attention of the press or become a future concern." He concluded with a "P.S." apologizing for the length of the letter, but stating: "as you know from our conversations, it leaves out much more than it includes."

On September 26, 1990, prior to a parish visit by the Archbishop to St. John Neumann, Msgr. Jagodzinski sent a memo about Msgr. Walls' situation to Vicar General Edward P. Cullen, headed: "FOR INFORMATION OF THE ARCHBISHOP." In it, the Secretary for Clergy noted several "difficult and complicating factors," including: "the high profile nature of Msgr. Walls' earlier position"; "the extremely sensitive nature of the earlier accusations against him"; and "the continuing 'explosive' potential for future acting out."

Monsignor Jagodzinski pointed out that Msgr. Walls had been on "leave of absence," residing at St. John Neumann, since May 1988, and that his pastor, Msgr. Meehan, had repeatedly but unsuccessfully asked for some definition of his responsibilities. Monsignor Jagodzinski attached Msgr. Meehan's most recent plea, dated August 22, 1990. The Secretary for Clergy also forwarded for the Archbishop a letter from Msgr. Walls describing his parish activities, which included performing Mass, hearing confessions, counseling, and covering the parish when the pastor was away. The priest even reported that he was doing individual and group addiction counseling. Among the recommendations Msgr. Jagodzinski made to the Archbishop were: that Msgr. Walls "undergo full re-evaluation by Saint Luke's Institute, in accord with the Institute's recommendation in April 1988, that such re-evaluation take place 'in six to nine months'"; that Msgr. Meehan's role and responsibility in relation to Msgr. Walls be defined and communicated to Msgr. Meehan; and that, depending on the advice of therapists, Msgr. Walls be advised that he would be reassigned in the spring of 1991.

Archbishop Bevilacqua had Msgr. Cullen respond that the Archbishop needed more “background material on Monsignor Walls” before acting on Msgr. Jagodzinski’s recommendations.

On October 1, 1990, Archbishop Bevilacqua had an opportunity to get more information and to deal with these issues when he made his parish visit. Afterwards, Msgr. Meehan wrote to his Regional Vicar, Msgr. Menna, expressing disappointment after again pleading for action: “The Archbishop’s response, as best I can recall it, was ‘these problems are serious and we cannot handle them as they were handled in the past.’ He said no more.”

In frustration, Msgr. Meehan attached a packet of information about Msgr. Walls to his October 25 letter to Msgr. Menna, and sent copies to Msgr. Jagodzinski. He wrote that he had learned about his resident priest’s past not from the Archdiocese, but only because 11 parishioners from Saint Matthias, Msgr. Walls’ previous parish, had insisted that another priest inform Msgr. Meehan about Msgr. Walls’ “deviate sexual behavior.” The Saint John Neumann pastor also informed the Secretary for Clergy that Msgr. Walls, shortly after arriving at his parish in June 1987, had “admitted to inappropriate affection with altar boys and a ‘run-away girl’ who came to the rectory on one occasion.” Monsignor
Meehan reported that Cardinal Krol, who had originally transferred Msgr. Walls to Saint John Neumann, had recently warned him that the pastor was “sitting on a keg of dynamite,” referring to Msgr. Walls.

On November 12, 1990, Msgr. Jagodzinski sent a seven-page memo to Archbishop Bevilacqua summarizing Msgr. Walls’ entire Secret Archives file. All of the information relating to his sexual abuse of minors had previously been provided to the Archbishop. Monsignor Jagodzinski’s memo repeated the recommendations he had made in September 1990.

This time, Archbishop Bevilacqua responded by signing the memo: “Thanks for the report. AJB 11/24/90.” None of Msgr. Jagodzinski’s recommendations was followed. Archdiocese files reflect that Msgr. Walls continued to live at St. John Neumann,

performing all of the functions of a parish priest, with full access to young people. He continued to counsel addicts without himself ever being reevaluated at Saint Luke or any other institution. There is no evidence that Cardinal Bevilacqua ever gave the requested guidance or instructions to Msgr. Meehan.

After receiving Msgr. Jagodzinski's memo in November 1990, Archbishop Bevilacqua gave his approval to Msgr. Walls' reentry into full-time ministry, but he was never assigned. The next year, the Archbishop approved of Msgr. Walls' serving as a consultant to Catholic Human Services on drug- and alcohol-related staff development issues. The priest's involvement, however, was reported to Secretary for Clergy William Lynn in 1994 as "minimal." In the absence of a formal assignment, Cardinal Bevilacqua did nothing to supervise or limit Msgr. Walls' ministry or living situation.

A victim's abuse is reported again in 2002.

In 2002, 14 years after Colleen's abuse was reported to Archbishop Bevilacqua, and nearly 12 years after Msgr. Jagodzinski had urged the Archbishop to take action, Colleen and her mother came to the Archdiocese.

Colleen told Secretary for Clergy Lynn and his assistant Fr. Welsh how Msgr. Walls had offered her a ride, driven her to a secluded spot, parked, and kissed the teen and fondled her breasts. She further told of the incident, reported in 1988 by Eileen Egan, when she went to Msgr. Walls' rectory at Saint Matthias to talk about problems at home and he turned off the bedroom lights, got the teenager on the floor, and asked her to have sex with him. Colleen's mother told Archdiocese managers, as Egan had, that Colleen's brother and another teenage boy were also subjected to Msgr. Walls' "advances."

According to a March 26, 2002, memo to Cardinal Bevilacqua from Secretary for Clergy Lynn, Colleen and her mother came to the Archdiocese because "other than [Walls'] removal from the Office of the Secretary of Education, it seemed to them as if nothing had been done." When Colleen called the Office for Clergy about a month later to check on Msgr. Walls' status, she was told he had moved from his Bryn Mawr residence. As recorded by Fr. Welsh in his notes of April 24, 2002: "In response to her question

concerning whether he is in therapy and being monitored, I said he is continuing counseling and we will keep in contact with him." There is no record of contact with Msgr. Walls or with any counselor for more than two years after that promise was given.

Cardinal Bevilacqua maintains before the Grand Jury that he had no knowledge that Monsignor Walls was involved with minors.

On August 22, 2003, when Cardinal Bevilacqua was asked before the first grand jury why he left Msgr. Walls in residence at St. John Neumann performing the duties of a parish priest for 14 years after learning he had sexually abused minors, the Cardinal told the first grand jury: "This is the first time I hear that the allegations involved a minor." He told this to the grand jurors even though he had personally authored a memo recording Msgr. Meehan's report that parishioners were talking publicly about Msgr. Walls' involvement in "pedophilia." He persisted in this contention when confronted with a document in Archdiocese files that documented that Msgr. Walls had pursued sexually an adolescent female and was inappropriate in touching a young male.

The Cardinal tried to explain how he could still fail to realize that the girl who had brought the allegations was a minor. First he claimed that, because the document included no names, the adolescent girl mentioned in the report was not necessarily the victim who had made the allegations. He explained to the Grand Jury, "From this [report] I cannot deduce that either one of these was the accuser. You said now, right now, that the accuser was an adolescent. This is referring to two people, but no names." Then Cardinal Bevilacqua claimed he had "never heard the expression" to "pursue sexually" and that he needed clarification of the phrase used in the Archdiocese's document.

The Cardinal also testified that he "never knew" Msgr. Walls was performing all the parochial functions outlined in the priest's letter to Msgr. Jagodzinski, dated September 24, 1990, which was forwarded to the Cardinal. Cardinal Bevilacqua claimed ignorance even though he had expressly authorized such parish assistance in his May 4, 1988, meeting with Msgr. Walls. He persisted with this claim despite Msgr. Jagodzinski's memo to Msgr. Cullen, dated September 26, 1990, and entitled: "FOR INFORMATION OF THE

ARCHBISHOP," which attached Msgr. Walls' letter detailing the duties he was performing in the parish. Indeed, the Cardinal persisted in downplaying the entire case, telling the Grand Jury: "You know, I don't -- I can't say that this was that of a high level that it should have been reported to me necessarily."

Finally, the Cardinal was asked about a news interview in which he had claimed that the Philadelphia Archdiocese had suffered fewer problems with sexual abuse of minors than other dioceses because "we have taken a very firm stand here":

> "Q: Do you think, Cardinal, leaving a person who acknowledged sexual misconduct with a minor in a parish for fourteen years with, as we've already discussed, few if any restrictions on their abilities, would you consider that taking a very firm stand?
>
> A: I said that I had no recollection that he was involved with a minor.
>
> Q: Well, your recollection notwithstanding, Cardinal, the documents supported—
>
> A: I know that.
>
> Q: -- that it was a minor, and so I'll ask you: With regard to what the documents show and with Monsignor Walls' own admission of his participation in the assault with minors, do you think it's a very firm stand to allow him to remain in a parish for fourteen years?
>
> A: If it had been brought to my attention, you know -- you know, as it was recently, we would have -- we still would have gone by -- at the beginning, by what Saint Luke's Institute recommended."

The Cardinal resorted to his two main explanations - he did not know, and he was just following the advice of the therapists. The Grand Jury finds that Cardinal Bevilacqua did know, and that he did not follow the therapists' advice.

Even after reviewing his own May 4, 1988, memo summarizing his meeting with Msgr. Walls, the Cardinal insisted that in May 1988 he did not know that the priest had abused minors. In that memo, Archbishop Bevilacqua had explained why he had told

Msgr. Walls that he could not continue in his position as Vicar for Catholic Education:

> *Among the more immediate reasons was the fear that the parents of recent victims were not likely to take action of a legal nature as long as the Archdiocese has acted strongly.* Since he would not be away on an inpatient basis and if he is restored to his previous position as Vicar, it would *appear* that the Archdiocese had not considered this a serious matter and had taken no reasonable action. *This perception of inaction could very well trigger the parents to resort to some kind of further procedure through court action*. (Emphasis supplied)

In addition to showing that Cardinal Bevilacqua knew the victim was a minor, the Archbishop's own words in this memo demonstrate that his primary concern was to create the *perception* that the Archdiocese was taking some kind of action, so as to dissuade parents from taking legal action against the Church – without doing anything meaningful to reduce the danger to parishioners. Archdiocese managers had no interest in removing Msgr. Walls; however, faced with the threat of scandal, they were forced to act *as if* they were taking decisive action. Thus, Msgr. Walls was removed as Vicar, but not from ministry, because the Archdiocese was more protective of its shepherds than its flock.

It remains unclear whether the Archdiocese is currently supervising Monsignor Walls.

In September 2004, Father Michael Hennelly, an assistant in the Office of Clergy, sought to contact Msgr. Walls as part of an effort to begin monitoring priests no longer active in ministry because of sexual abuse of minors. There is nothing in the record before the Grand Jury to indicate that those efforts with respect to Msgr. Walls have been successful.

Father Walls appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Father Francis P. Rogers

The Grand Jury will never be able to determine how many boys Father Francis P. Rogers raped and sexually abused in his more than 50 years as a priest. Nor, probably, will we or anyone else be able to calculate the number of boys the Archdiocese could have saved from sexual abuse had it investigated potential victims rather than protecting itself from scandal and shielding this sexually abusive priest. We have learned of at least three victims who we believe would not have been abused had the Archdiocese taken decisive action when it learned of Fr. Rogers' "familiarity" with boys. We find that the Archdiocese received a litany of verifiable reports beginning shortly after Fr. Rogers' 1946 ordination and continuing for decades about his serious misconduct with, and abuse of, boys.

One of his victims described waking up intoxicated in the priest's bed, opening his eyes to see Fr. Rogers, three other priests, and a seminarian surrounding him. Two of the priests ejaculated on him while Fr. Rogers masturbated himself. Then Fr. Rogers sucked on the victim's penis, pinched his nipples, kissed him, and rubbed his stubbly beard all over him. The former altar boy, whom Fr. Rogers began abusing when he was about 12 years old, remains haunted by memories of the abuse more than 35 years later.

Father Rogers' file demonstrates that the Archdiocese responded to reports of his crimes with a shameful half-century of transfers, excuses, and finger-wagging threats that did nothing to deter the priest from indulging his self-acknowledged "weakness" and that exposed every boy in his path to the very real and horrible possibility of sexual abuse.

Father Rogers sexually abuses "Russell."

In approximately 1962 or 1963, during his first year as an assistant pastor at Saint Joachim's parish in Philadelphia, Fr. Francis Rogers began molesting Russell, having selected him as an altar boy. The priest was 43 or 44; Russell was around 12. Father Rogers sexually abused Russell every week until sometime after Russell turned 16. In a statement he provided to the Grand Jury, discussions with the Archdiocese, a letter he wrote to a detective, and a follow-up interview with the detective, Russell described an escalating sequence of abuse that began when he was an altar boy working on setting up a manger. On that first occasion, Fr. Rogers put his hand inside Russell's underwear and slid his finger into the cleft between Russell's buttocks. Russell was baffled; he knew that what Fr. Rogers had done was a bad thing, but Fr. Rogers was smiling and, moreover, he

was a priest and as Russell had been taught, priests were "chosen by God and could do no wrong."

Quickly thereafter, Fr. Rogers insinuated himself into Russell's home and began to take Russell to dinner and the movies. The boy grew to hate these outings because they ended with kissing that, in Russell's words, "led to something else," namely Fr. Rogers putting Russell's penis in his mouth. Russell's psychological turmoil was intense. He blamed himself for Fr. Rogers' sexual attacks and hated himself as a result. Like other abuse victims, Russell decided "it must have been something I did to make him do these things to me." Father Rogers had chosen his victim well; young Russell wanted to make his father proud of him and saw his family's pride in the attention Fr. Rogers paid him. These factors likely created a very strong pressure on the boy not to report the priest's abuse.

Father Rogers used alcohol to limit Russell's ability to resist his attacks. He regularly took Russell to a New Jersey beach house and got him drunk. Having done so, he took Russell to bed and did whatever he wanted to him. Father Rogers also inflicted pain on the boy. He made a practice of rubbing his beard stubble all over the boy, focusing on his nipples and the head of his penis. Father Rogers simply ignored Russell when he said that it hurt and asked the priest to stop. Russell hid his feelings of fear and disgust in the alcohol Fr. Rogers forced on him. To this day, he recalls Fr. Rogers' sweaty, hairy chest all over him and the priest's gin-soaked breath.

Father Rogers took the boy to New York for Broadway shows and fancy restaurants almost as if they were dating; at the restaurants the priest would place an alcoholic drink before the child. Afterwards, back in the car, he made the boy fondle his penis and then drove him to New Jersey for further abuse.

Russell wrote to the detective that one summer day Fr. Rogers anally raped him despite his best efforts to protect himself. Father Rogers had taken Russell and a group of altar boys to his New Jersey Shore house. The boy figured that if he left the beach ahead of the others and showered and dressed he would be safe from Fr. Rogers' predations: the priest would not touch him in front of the others. Russell went to the garage where the

showers and a makeshift chapel were in close proximity. When he emerged from the shower, Fr. Rogers jumped him, ripped his towel off and threw him to the cement floor on which the boy struck his head. They landed in the chapel. Father Rogers forced the boy's legs up and stuck his erect penis into his anus, causing extreme pain. When he had sated himself, Fr. Rogers left the boy on the ground. Russell dressed and rode Fr. Rogers' bicycle 15 miles to his sister's summerhouse in Ocean City but was too afraid to tell his mother and sister what had happened to him. Unaware what happened to Russell, the boy's sister and mother put the bike into the car and drove him back to his abuser. Father Rogers was frightened at first, thinking the boy had revealed the assault. When he discovered that his sexual abuse of the boy was still secret, Fr. Rogers instructed the boy never to reveal it. Father Rogers told the boy that if others learned of the abuse they would think ill of Russell's mother for allowing him to be with the priest.

It would be unseemly to compare or rank the types of psychological and sexual abuse Fr. Rogers heaped upon Russell. Yet, one event, involving the presence of multiple priests, is particularly notable. As Russell described it in his letter to the detective, one morning at the shore house he awoke intoxicated in bed. Opening his eyes, he saw Fr. Rogers, three priests, and a seminarian looking at him. Two of the priests ejaculated on him while watching Fr. Rogers masturbate himself with one hand and caress Russell's penis with the other. Then Fr. Rogers sucked Russell's penis, pinched his nipples, kissed him on the lips, and rubbed his beard all over him. More than 35 years later Russell still trembles at the memory of this abuse.

Father Rogers was simultaneously abusing a friend of Russell's. One winter day when Russell was visiting Fr. Rogers, he saw the boy sucking Fr. Rogers' penis. Detected, the priest ordered Russell to go shovel the driveway.

The Archdiocese fails to respond effectively to three separate reports prior to Father Rogers' rape of Russell.

Had the Archdiocese paid attention to prior reports of Fr. Rogers' abuse of boys, the priest might never have had the chance to rape Russell and assault other boys. We find that by May 5, 1961, the date on which the Archdiocese Chancellor, John J. Noone, wrote

a memorandum to the file about then-current reports of Fr. Rogers' misconduct with boys, Fr. Rogers already had a more than 10-year history of reports of serious misbehavior with boys. On that date, more than a year before he ever met Russell, Fr. Rogers was an assistant pastor at Saint Francis of Assisi in Norristown. According to the Church memo, Doctor Hoffman, a psychiatrist, conveyed to Fr. Noone reports of Fr. Rogers' "familiarity" with 8th- and 9th-grade boys. The Chancellor met with Fr. (later Monsignor) Charles Devlin, the second assistant at Saint Francis, Msgr. McNally and Fr. Rogers. He recorded that Fr. Rogers "has taken boys out of school for trips to the seashore, occasionally overnight ones; frequently takes boys in his automobile and to drive-ins. He provides opportunities for them to smoke in his car or the parish garage; has [a]llowed them to drink; taken obscene pictures of them, and showed them indecent magazines." Father Noone also noted that some of the boys' mothers had complained; that one boy had told his mother he "never want[ed] to go with Father Rogers again"; that Fr. Rogers was known to wrestle with boys in public and lift them above his head; and that his speech was sometimes "vulgar and startling."

These were not the first complaints concerning Fr. Rogers' improper contact with boys. Father Noone's memo discloses that Fr. Rogers was "[f]amiliar" with boys in at least two other assignments dating back to his first assignment at Saint Patrick in Pottsville in 1946-1949. The precise meaning of this seemingly innocuous word, "familiar," is lost to time: the Secret Archives file contains no documents detailing the pre-1961 allegations. The Grand Jury notes, however, that Fr. Noone used the word "familiarity" to describe the above, serious charges against Fr. Rogers, which provides some clue as to the behavior he had previously been accused of committing. (Appendix D-21)

Father Noone's memo does not explicitly state that Fr. Rogers admitted the truth of the allegations against him. However, we find for two reasons that he must have either explicitly or implicitly done so. First, Fr. Noone concluded, after meeting with Fr. Rogers and others, that Fr. Rogers had committed the misconduct; given Church practice, it is highly unlikely that he would have drawn that conclusion had Fr. Rogers not admitted to the misconduct. Moreover, the memo recites that Fr. Rogers' response to the allegations

was to “reveal the history of his weakness.” We find that that phrase is a euphemism for Fr. Rogers’ preference for sexual activity with boys: Fr. Rogers’ explanation of the history of his “weakness” was that he said he was “victimized” by a boarder in his own home as a boy, that he had a weak character and an inferiority complex, and that he was “victimized” in the seminary by an older student.

It apparently never occurred to anyone in the Archdiocese to have a psychiatrist examine Fr. Rogers even though there was clearly one available – the report of Fr. Rogers’ misconduct had come from a psychiatrist who was already treating the pastor of Fr. Rogers’ parish. We find that even in the early 1960’s it would not have required great psychological insight to order such an examination, given Fr. Rogers’ claim that he had been repeatedly abused himself and the fact that this was the *third* parish reporting that he had committed serious improprieties with boys. Instead, in handwritten notes on the memo, Cardinal Krol himself established the ineffective procedure that would be followed repeatedly with Fr. Rogers: warn him that he must change his behavior or face allegedly harsh consequences. Two sets of the Cardinal’s notes appear on the memo. The first prescribes an immediate retreat, a “[s]evere warning that any further complaint will call for summary deactivation!” and “transfer to another post.” The second set states that the Cardinal met with Fr. Rogers on May 8, 1961, and notes: “1) 2 week retreat; 2) change; and 3) Caveat! Must avoid slightest suspicion – any further complaint will provoke effective action to preclude scandal – even civil.”

The Grand Jury finds that Cardinal Krol’s notes do not direct that any attempt be made to determine which boys Fr. Rogers abused or speak to them about what Fr. Rogers did to them. Instead, the Archdiocesan response to the serious allegations against the priest was, at best, lukewarm and apparently motivated by the fear of “scandal.” We also note that even the two week retreat that Cardinal Krol prescribed to alter Fr. Rogers’ more than decade-long practice of abusing boys was not possible: the Trappist Monastery where Fr. Rogers was sent permitted only ten day, not two week, retreats.

The Archdiocese fails to respond adequately to accumulating evidence of Father Rogers’ deficiencies of character and continuing misconduct with boys.

The Grand Jury finds that Fr. Rogers' self-described weak character manifested itself in other than sexual ways that should have raised questions about his fitness to retain any position of trust or authority. A 1965 letter from a parishioner reported that Fr. Rogers had declined a request that he visit a woman before a serious operation despite having had more than six hours to do so; the woman died shortly after her operation. A 1969 letter from another parishioner reported that Fr. Rogers had announced at the wake of her husband's 89-year-old great-uncle that no priest would be at the grave the following morning. The family decided to conduct the prayers themselves and, before ten p.m., rang the bell of the rectory, seeking to borrow the necessary prayer book from Fr. Rogers. The parishioner reported that Fr. Rogers took offense and ordered them from the rectory saying, "Get out! I don't have to stand here and be insulted… Get out!" A 1970 memo to the file from Chancellor Terrence F. Monihan noted a visit from a parishioner whose son Fr. Rogers had struck with a stick when the boy missed an altar boy assignment; the parishioner had to be persuaded not to report the incident to the police. According to the memo, Fr. Rogers admitted that he struck the child and promised that he "would never strike a child again, and certainly would never use a stick to strike a child again."

The Grand Jury further notes that the Archdiocese either ignored or, at best, failed to act effectively in response to additional reports of Fr. Rogers' misbehavior with boys. Mothers of Saint Barnabas parish students sent an anonymous letter in May 1973 to the Chancery reporting that Fr. Rogers used foul language with women and children; constantly wrestled with boys in public and in private; and took older boys for rides in his car during school hours without informing their teachers. The letter-writers stated that they were withholding their names to safeguard their children but declared that little effort would be required to verify the truth of their report. These allegations are disturbingly reminiscent of the 1961 report of Fr. Rogers' misbehavior already discussed, a report whose allegations of his misbehavior with boys that Fr. Rogers essentially conceded was true.

We find that the Archdiocese's response to the May 1973 reports of serious misconduct, like its response to the 1961 memo, was not calculated to protect the safety of

the boys to whom Fr. Rogers had access. Chancellor Statkus explicitly told Fr. Rogers, as he recorded in his June 8, 1973, memo to the file, that he would take no action: "I noted to him that we would not take any action or investigate the letter since it is anonymous; however, I noted that if a signed letter or report comes to our attention, he will then be confronted." Monsignor Statkus' brief memo concludes with the following sentence, that lacks even the strength of Cardinal Krol's 1961 consideration of the possibility of summary deactivation: "I indicated to him that in view of the past reports, any future unfavorable reports would be treated very seriously." We find that in light of the fact that it had been at least 24 years since the first reports of Fr. Rogers' misbehavior with boys that this comment from Msgr. Statkus was extremely unlikely to have any deterrent effect on the priest's misbehavior.

A signed complaint about Fr. Rogers' conduct arrived at the Archdiocese in January 1974; the writer, "Elizabeth," stated that Fr. Rogers was a bad example for Saint Barnabas boys and was vulgar with the women. Chancellor Statkus met with Fr. Rogers concerning the letter. Interestingly, although the letter did not allege improper contact with boys, the memo notes that "[a]s to his rapport with the boys, [Fr. Rogers] alleged no actions and no trips with anyone, but stated that he used vulgar expressions or words." Chancellor Statkus also repeated the familiar admonitions to Fr. Rogers:

> I noted to Father Rogers that in view of previous reports of his using vulgar and offensive language even when he was stationed at Incarnation parish [1968-1971], and in view of other more serious matter in earlier times, any further indications or reports of vulgarity or erratic behavior will be treated with sternness.
>
> I noted that such action would be taken which would not only indicate a change of assignment but would place him for psychiatric consultation and care and possible inpatient rehabilitation.

One indication of the lack of gravity with which Fr. Rogers apparently regarded this now-familiar warning (in fairness, the portion of the censure concerning psychiatric consultation and possible inpatient rehabilitation was somewhat new) was that he asked Msgr. Statkus whether he would be assigned a pastorate. The Chancellor told Fr. Rogers that he would not be considered for such a promotion unless there was positive evidence

"that these matters have been eliminated." An answer was not long in coming, albeit not the one the Archdiocese was apparently hoping to receive. Fewer than two weeks later, the Archdiocese began to receive anonymous letters asserting an improper association between Fr. Rogers and a married woman who lived in Saint Barnabas parish. Chancellor Statkus spoke with Fr. Rogers, who denied the allegations. Statkus also spoke with Fr. Gough, Fr. Rogers' pastor, who "feels that there is no scandal; and, therefore, no need to transfer him now." When Fr. Gough was sent a letter in March 1974 repeating the accusation against Fr. Rogers, Fr. Rogers reported that he destroyed it, allegedly to prevent Fr. Gough from being "distracted" during a hospital stay. Chancellor Statkus advised Fr. Rogers that if the letter writing continued, a transfer might have to be considered.

The Archdiocese continues to tolerate Father Rogers' misconduct with boys.

The Grand Jury finds that on June 25, 1975 (as well as at several previous and subsequent times), the Archdiocese was deeply suspicious of Fr. Rogers' conduct with boys (and women) but unwilling to take decisive action or to preclude Fr. Rogers' potential advancement within the Church, even though Fr. Rogers did not deny the truth of the reports of his misconduct. In a June 26, 1975, memo to the file, Vice Chancellor Francis
Clemins recounted a recent meeting with Fr. Rogers. Monsignor Clemins summarized the Archdiocese's concern about promoting Fr. Rogers: "I told him that the suspicion of patterns involving homosexuality has been in the picture for some time, and I again reminded him that he knows of what I am speaking. He nodded in a positive way."

In the two sentences that follow the acknowledgment of Fr. Rogers' long history of suspected sexual contact with young boys, Msgr. Clemins summarizes the Archdiocese's position on Fr. Rogers' future advancement and Fr. Rogers' response: "I told [Fr. Rogers] … that in spite of these problems he has not been taken out of consideration for a pastorate, but this apprehension still exists. He offered no defense or argument in favor of new evidence that he has put aside any reason for such suspicion." In other words, despite Fr. Rogers' lengthy history of suspected sexual contact with boys and his complete failure

to demonstrate that he had ceased such behavior, the Archdiocese still regarded him as a candidate for a pastorate.

Cardinal Krol had, nearly 15 years earlier, reacted to the allegations of Fr. Rogers "familiarity" with boys in the 1961 memo by prescribing a retreat, urging "change" and threatening transfer. Now, in March 1976, he met with Fr. Rogers at the priest's request to discuss a possible pastorate. According to the Cardinal's handwritten, signed notes, he reviewed Fr. Rogers' record on the "various types of complaints that have been lodged against him on serious and less serious types of charges." The Cardinal noted that those charges gave rise to questions not only about Fr. Rogers' "weakness" but also about his "ability to engage the sympathetic cooperation of the people he serves." As to the complaints, the Cardinal noted that they "can be argued or explained but you cannot deny that some people were sufficiently disturbed by him to complain against him." The Cardinal noted that he told Fr. Rogers that he could make "no promises or predictions, however I will ask for a review of his record and for an evaluation of the risks, if any, entailed in entrusting him with a [last word illegible]." The Grand Jury finds that in 1976, given the accumulation of evidence over the thirty years of Fr. Rogers' priesthood, the Cardinal knew or should have known that Fr. Rogers posed a substantial risk in any situation that brought him into contact with boys.

Fewer than two months later, a Saint Barnabas parishioner named "Mary" wrote an April 19, 1976, letter to "Your Eminence" and an April 20, 1976, letter to "Monsignor" concerning the behavior of the Saint Barnabas priests, especially Fr. Rogers. In the April 20, 1976, letter, Mary stated that Fr. Rogers' "chasing of boys is well known." The Archdiocese had previously declined to investigate earlier, anonymous complaints from the mothers of Saint Barnabas parish stating that Fr. Rogers was wrestling with boys in public and private and taking them for unauthorized rides in his car during school hours, despite the similarity of these reports to the 1961 allegations against him that Fr. Rogers had either implicitly or explicitly admitted were true. Mary's report was not anonymous. Yet, there is no indication in the file that the Archdiocese ever contacted the nonanonymous Mary. Each of her two signed letters bears the handwritten notation, "No

address listed F.J.S[tatkus].” There is no other evidence in the file of any attempt to find or speak with Mary. Within one month of the receipt of these letters, Fr. Rogers was transferred from Saint Barnabas.

The Archdiocese attempts to limit the damage resulting from Father Rogers' admission that he sexually abused Russell.

In March 1998, Russell informed the Archdiocese that Fr. Rogers had sexually abused him for years in the early 1960s. Father Rogers' file contains undated 1998 notes recording some of those allegations, as well as notes headed with the name “Hank Keene,” one of the Archdiocese's attorneys. Those notes indicate that even at the point that Russell came forward to identify Fr. Rogers as having sexually abused him – further proving what the Archdiocese had known for decades – the Archdiocese still sought to avoid having to act. Underneath Mr. Keene's name, the notes say “due to time since alleged incident,” “no recent complaints,” “Fr. R. age – (77?),” “H.K. advice – wait for letter before confront.”

On April 6, 1998, Russell met with Msgr. Lynn and Fr. Mesure and provided the details of Fr. Rogers' abuse, as well as the name of “Richard,” a current parishioner who, as a boy, had been sexually abused by Fr. Rogers. Monsignor Lynn's account of the meeting to Cardinal Bevilacqua hopefully notes that Russell was “not antagonistic and did not make any demands.” The memo also delicately records that material in the Secret Archives indicates that “there was a problem” in the 1960's with this behavior.” Interviewed that day, Fr. Rogers initially declared Russell's accusations to be “maybe” true. Then, he admitted to sexually fondling Russell when Russell was a boy. Finally, he admitted that, according to Fr. Mesure, “[Russell] was being truthful in his accusations.”

Father Mesure reported that after consulting with legal counsel it was decided that it was sufficient, given Fr. Rogers' age and retired status, for Fr. Rogers to receive outpatient psychological evaluation. The Grand Jury finds that the initial findings and recommendations of Vianney therapist Andrea Delligatti, Ph.D., who performed a psychological evaluation of Fr. Rogers, do not demonstrate even a cursory knowledge of

Fr. Rogers' psychological makeup. The Archdiocese therapist did not diagnose Fr. Rogers as having any sexual disorder. We also find it significant that the materials produced to the Grand Jury by the Archdiocese do not include a final Psychodiagnostic report concerning Fr. Rogers.

Despite Fr. Rogers' admission to sexually abusing Russell, the Archdiocese preferred not to provide Russell with additional information. For instance, in October 1998, when Russell asked Fr. Mesure to tell him the name of the one priest Fr. Rogers had identified as a participant in masturbating on Russell, Fr. Mesure told him that the man was dead and because he could not defend himself against the accusation, "I was not sure that it would be right to be giving out his name." Father Mesure's concern for the priest's reputation in light of the "accusation" was arguably misplaced. Seemingly it was more a fact than an accusation since Fr. Rogers had admitted that the event had occurred and himself provided the priest's name.

In further contravention of their professed dedication to the needs of victims of sexual abuse, Archdiocese officials did not attempt to find additional victims of Fr. Rogers, even when provided with a name. On April 7, 1998, Russell told Fr. Mesure that he had spoken the night before to another Rogers victim, Richard, who was willing to speak to the Archdiocese about his abuse if contacted. Father Mesure told Russell that since Fr. Rogers was "cooperating," he did not see a need to contact Richard, although Russell was welcome to tell Richard to call if he needed assistance. We find that Archdiocese's behavior in Fr. Rogers' case was not an isolated example of its unwillingness to seek out additional victims of identified abusers. Rather, the Archdiocese adopted a passive approach: it would speak to those victims who came forward but not to speak to or seek additional victims even where provided with the names and/or addresses of those victims.

Church officials were more willing to be aggressive when it came to the possibility that Russell would file a civil suit. In a June 3, 1999, letter to Russell, an attorney for the Archdiocese declared that the Archdiocese had concluded that two other people had had sexual contact with Russell when he was a minor. The basis for the attorney's statement was apparently the fact that during his initial interview with Fr. Mesure and Fr. Lynn,

Russell revealed that a baby sitter and a relative had molested him by the time he met Fr. Rogers. Ultimately, the Archdiocese paid some of Russell's counseling and other medical bills but declined any other financial settlement.

More victims come forward.

If the Archdiocese hoped that failing actively to seek additional victims would prevent them from coming forward, it was to be disappointed. On February 28, 2002, Msgr. Lynn received a call from a man concerning the period from 1959 to 1961 when Fr. Rogers was assigned to Saint Francis of Assisi in Norristown – the assignment that was the subject of the 1961 memo. Because Lynn kept limited, semi-legible and cryptic notes, it is impossible to say what, if anything, Fr. Rogers did to the caller. However, in a subsequent letter Msgr. Lynn expressed the hope that their conversation had been able "to ease your mind somewhat, and was an instrument of closure for you."

On March 11, 2002, fewer than two months later, the Archdiocese received a call from a victim who said he was "abused when he was ten years old by Fr. Francis Rogers at Townsend's Inlet and elsewhere, trips to Hair and Jesus Christ Superstar." Although he did not want to give a full account of his abuse, the victim mentioned (presumably as places where the abuse occurred): Saint Joachim's (where Fr. Rogers was assigned from 1962 to 1968), Incarnation (1968 to 1971), and "61st and Dickerson." A third new case of child sexual abuse by Fr. Rogers was reported in June 2002. In that month, the Deacon of the Archdiocese of Charleston, South Carolina, called to report that "Sean" reported that Fr. Rogers had sexually abused him in approximately 1976-77 when Fr. Rogers was Assistant Pastor at Saint Ambrose. Msgr. Lynn's handwritten notes on the phone message relate that the abuse involved fondling and sex. They also list the names of two males, one of whom is recorded as having committed suicide. There is no evidence that the Archdiocese attempted to investigate the abuse of either of those males or questioned Fr. Rogers about them.

Father Rogers' abuse of his young victims was shameful, as was the Archdiocese's unwillingness or refusal to stop it. Had the Archdiocese interceded, as it should have,

instead of allowing Fr. Rogers to remain a priest for more than 50 years, it likely would have saved countless boys from the trauma inflicted on them by Fr. Rogers.

Father Rogers was never punished or held to account for his unchecked sexual predations or the devastation they caused. He was permitted to retire in 1995, his "good name" intact. The message clearly communicated by the Archdiocese's actions – to victims and abusers alike – was that it would protect the reputation of its priests at all costs. This twisted sense of priorities was not lost on Fr. Rogers. In 2002, according to a Philadelphia Inquirer article, Fr. Rogers admitted to having sexual relations with Russell but minimized its significance and questioned the importance of the disclosure. Father Rogers said that the abuse "may have happened but it was not as prolonged as he says it was. . . . Naturally, he was young and I was older, so I should have known better. I don't know why it has to come out now. . . . It will just ruin my reputation."

On October 6, 2004, faced with the possibility of involuntary laicization, Fr. Rogers agreed to live "a supervised life of prayer and penance" at Villa Saint Joseph, a retirement home for priests. Although he was sworn in to testify before the first grand jury, it was determined that Fr. Rogers was too feeble to be questioned and no testimony was taken. He died in February 2005.

Father Francis X. Trauger

One night in a Poconos motel in the spring of 1981, Fr. Francis X. Trauger repeatedly tried to anally penetrate a 12-year-old altar boy and for hours manually manipulated his penis. After the 5th-grader's parents reported the abuse through their parish pastor, the Archdiocese recorded the event this way: "They shared the same bed and there were touches."

The pastor passed on other allegations against the priest, involving another boy. The Archdiocese report stated: "same bed: touches." A few days later, Fr. Trauger himself told an Archdiocese official that "two similar events" occurred that spring with still two other boys. Subsequent years saw Church officials record other reports of "touches" and "camping."

The Archdiocese's use of such delicate euphemisms had the effect of concealing the true nature of Fr. Trauger's crimes. Whether the result of intentional obfuscation or a refusal to interview victims directly, the Archdiocese's responses to abuse allegations effectively shielded the priest from legal or criminal action and facilitated decades of sexual predation.

Ordained in 1972, Fr. Trauger was transferred eight times during his long career, each time to a parish with a school attached, each time without a warning to parish parents about the priest's predilections. Six of the transfers occurred after 1981, when the Archdiocese began recording abuse allegations.

Father Trauger is transferred following 1981 abuse reports.

The first recorded accusation against Fr. Francis Trauger reached the Chancellor of the Archdiocese, Monsignor Francis J. Statkus, on August 6, 1981. Two families had reported to Fr. Anthony McGuire, the pastor of Saint Titus Church in Norristown, that Fr. Trauger had molested their young sons. One of the boys, "Evan," was 12 years old; the other, "Carl," was 13. Both had been taken by the assistant pastor, on separate occasions, overnight to the Poconos, where the priest had the boys sleep in his bed.

Monsignor Statkus recorded the barest description of the abuse itself. He wrote only that the boys shared a bed with the priest and there were "touches." He added, regarding the abuse of Evan: "reportedly, according to Msgr. McG, no sodomy." He did not record whether there was sodomy with Carl.

Monsignor Statkus wrote extensively, however, about the character of the two boys' families, apparently with an eye toward whether either would make the assaults

public. Evan's mother and father were "fine parishioners, cooperative workers, and credible." They "kept this matter to themselves." Carl's parents, on the other hand, were "not stable." They reportedly had spoken to others about their son's night with Fr. Trauger. Monsignor McGuire, according to Msgr. Statkus's notes, was "of the mind that there is scandal in the parish and that Father T should be transferred."

On August 10, 1981, Fr. Trauger admitted to Msgr. Statkus's assistant, Fr. Donald Walker, that he had taken the boys to the Poconos, slept in the same bed with them, and "massaged" them. The incident with Evan took place in March 1981, while the one with Carl occurred in June 1981. Father Walker wrote that Fr. Trauger admitted that "two similar events occurred at his mountain home in the spring with two other boys from the parish" in addition to Evan and Carl.

Father Walker did not ask the identity of the two unnamed boys. There is no record that he, or anyone from the Archdiocese, contacted the known victims or their families. Rather, Fr. Walker instructed Fr. Trauger not to contact the boys again, to "desist" from one-on-one interactions with boys in general, and to secure professional help. Monsignor Statkus's delicate description of the abuse as "touches" was not the gruesome picture the Grand Jury received. On December 11, 2003, Evan told the Grand Jury that he was 11 or 12 years old when Fr. Trauger molested him in the shower at Saint Charles Borromeo Seminary and attempted to anally rape him at a motel in the Poconos.

Evan had been an altar boy in 5th grade, under Fr. Trauger's supervision. He testified that he initially liked the attention Fr. Trauger paid to the boys in the parish, playing basketball and visiting the school's classrooms.

Evan was enthusiastic when Fr. Trauger took him to the seminary to play basketball. When the priest suggested they shower together and then moved from soaping the boy's back to fondling his penis, Evan was confused. Evan resisted efforts by Fr. Trauger to make the boy handle the priest's penis, so the priest rubbed his penis against the boy's backside. Evan said he didn't know whether what the priest had done was normal or abnormal, but he felt nauseous afterwards and could not speak with his family about what happened.

Now a grown man, Evan, a police officer, cried as he testified about what happened when Fr. Trauger took him overnight to the Poconos — supposedly to see a house that the priest was thinking of buying and then to go skiing. Evan said that looking at the house entailed going to a rundown house, peering through windows, but not going inside. Skiing never happened at all. Instead, Fr. Trauger took the boy to a motel. Although there were two beds, the priest insisted they sleep in one to save housekeeping some work. In order to explain why the boy needed to sleep naked, the priest turned the heat up high.

Although Evan assumed a fetal position on the edge of the bed, and pretended to be asleep, the priest's hand was soon on the boy's penis. Evan described an unbearably long night of abuse. He said the priest fondled his penis for hours. He could feel the priest's rubbing against his back. After a while, he said, the priest moved his penis toward the boy's anus. He remembered Fr. Trauger persistently trying to penetrate the boy. Evan was not sure whether the priest succeeded in penetrating him anally. Evan said the next thing he remembered was the sunlight. The priest's hand was still on the boy's penis. He could not remember getting dressed or the drive home.

Although Evan's abuse was reported (the exact nature of the report cannot be determined from Father Statkus's notes of "same bed" and "touches"), along with Carl's in 1981, no one from the Archdiocese asked Evan about it until November 2003, when he was contacted by an investigator who had been hired by the Archdiocese's law firm to assist the Review Board. Evan told the Grand Jury that he said to himself, "twenty-three years and finally somebody wants to ask me what happened." Although Evan had never even told his wife, he agreed to meet the investigator because "he had a lot to say."

Evan said he had always felt guilty about not telling anyone so that Fr. Trauger could be stopped. He did not realize that others had informed the Archdiocese about Fr. Trauger and that it was not Evan's fault that the priest actively ministered to children for 22 more years.

On August 12, 1981, six days after receiving the complaints regarding Evan and Carl, Cardinal Krol transferred Fr. Trauger to Saint Matthew, another Philadelphia parish

with a school. Father Trauger had his first appointment with a psychologist who was to evaluate his mental fitness on August 13. After three one-hour appointments with Dr. Dennis Donnelly, Fr. Trauger himself reported the results to Assistant Chancellor Walker. According to Fr. Walker's notes, Fr. Trauger told him that Dr. Donnelly had "found no evidence of homosexual problems on the part of Father T but there was a gross error in judgment." Father Trauger promised that a written evaluation would follow, but none was found in the priest's file.

Following a 1982 abuse report, Father Trauger is transferred again.

A year later, on August 2, 1982, Fr. Trauger again was accused of making sexual advances toward a student at his parish school. According to Chancellor Statkus's notes, on July 22, 1982, Fr. Trauger took 14-year-old "Marty" to his Pocono mountain house, ostensibly so that the boy could help mow the grass. Marty's father told Msgr. Statkus that Fr. Trauger made the boy sleep with him in a small tent, under one blanket, although there were two bedrooms in the priest's house. Marty told his father that, throughout the night, Fr. Trauger touched and rubbed up against the boy even though he kept telling the priest to stay on his own side. The next morning, the priest drove Marty home, but while they waited for his parents, who were out, Fr. Trauger tried to tickle and "wrestle" with the boy. When his parents arrived home, they found Marty outside their property, upset and crying. When his father asked what was wrong, Marty related the above account, though his father suspected there was more that Marty did not tell him. Marty also told his father that he did not want to accompany Fr. Trauger on a planned two-week camping trip to South Dakota.

Marty's father was a detective in the Philadelphia police department. He reported Fr. Trauger's actions to the morals division of the police department on the morning of August 2, 1982. After hearing his complaint, an unnamed morals division officer contacted David McKenzie at the Catholic Youth Organization office. McKenzie, in turn, contacted Msgr. Statkus, who arranged to meet with the father on the afternoon of August 2.

Monsignor Statkus wrote after his meeting with Marty's father, the detective: "The [parents] have not discussed this with anyone outside the family and an officer of the

Morals Division. The priests of Saint Matthew were not contacted by him or by Chancery. I suggest that no mention be made to the priests. . . .” Monsignor Statkus also noted that he had successfully diverted Marty’s father from pursuing the matter with the police or otherwise: “Convinced of our sincere resolve to take the necessary action regarding Fr. T., Mr. […] does not plan to press any charges, police or otherwise.”

When Msgr. Statkus tried to contact Fr. Trauger on August 2, 1982, the priest was in South Dakota camping with two boys from Saint Matthew’s School. The Chancellor immediately asked his assistant, Fr. Walker, to contact Dr. Donnelly for reassurance that Fr. Trauger was “not of a homosexual orientation.” And Cardinal Krol, who had routinely reassigned Fr. Trauger to a new parish after four similar incidents the year before, declared the case “very serious.”

While Archdiocese officials quickly took steps necessary to keep Marty’s father from pursuing charges criminally, their records show no action taken with regard to the two boys camping with Fr. Trauger in South Dakota. Despite the “very serious” nature of this case, there is no evidence that the Archdiocese contacted the parents. According to notes of an August 8, 1982, meeting with Fr. Trauger, Msgr. Statkus questioned the priest about Marty, but asked nothing about the other two boys, including their identity. Monsignor Statkus recorded that Fr. Trauger told him of about eight camping trips he had taken with young boys during the preceding year. Again, there was no mention of an inquiry into who these boys were or what happened on the camping trips. At Cardinal Krol’s direction, Msgr. Statkus informed Fr. Trauger that his assignment at Saint Matthew was terminated, that his faculties were suspended pending evaluation, and that he was to report to Villa Saint John Vianney Hospital, the churchaffiliated treatment center in Downingtown. Fr. Trauger underwent an evaluation there on August 11, 1982. His evaluating psychologist, Phillip J. Miraglia, recommended inpatient treatment followed by an “intensive retreat” and outpatient therapy.

Dr. Miraglia found “frustration regarding sexual expression and some confusion regarding sexual object choice.” However, the psychologist thought the “quality of the responses . . . benign.” The therapist understated the seriousness of the charges against Fr.

Trauger in his final report of September 24, 1982, in which he commended Fr. Trauger's acceptance of "the fact that he demonstrated poor judgment in planning a camping trip with a young student." No mention was made that Fr. Trauger had, in fact, inappropriately touched at least five boys in the previous 18 months and gone "camping" with innumerable others.The weakness of the report may not be the fault of Dr. Miraglia, who may not have been made aware of any behavior other than "physical contact" with one boy while camping.

The Cardinal's response to this "very serious case" was, once again, to transfer Fr. Trauger to a different parish. On October 1, 1982, Cardinal Krol assigned Fr. Trauger to Saint Francis DeSales in West Philadelphia, a parish with a grammar school. Monsignor Statkus again instructed the priest not to take trips with boys, but he encouraged Fr. Trauger to participate in the parish's youth activities including, "visiting the school, moderating the altar boys . . . as well as the CYO."

Monsignor Statkus further told Fr. Trauger "that his most recent indiscretion was viewed as a very serious matter and was filled with extremely dire circumstances which could have led to greater scandal." Although the obfuscations and vagueness of documents make it difficult to establish exactly how the Archdiocese saw Fr. Trauger's "recent indiscretion" compared to his previous ones, one important difference, and one that clearly got the attention of the Archdiocese, was that the father of the victim of the most recent indiscretion was a police detective who had made a police report.

With serious allegations against him, Father Trauger is reassigned to four more parishes.

Father Trauger was transferred four more times in his career. He went as parochial vicar to Saint Matthew, Conshohocken, in June 1985 and left in September 1988. From there he went to Annunciation B.V.M., in South Philadelphia, staying less than a year. In June 1989 he was transferred to Saint Joseph, in Aston, Delaware County, where he remained until June 1993, when Cardinal Bevilacqua appointed him parochial vicar of Saint Michael the Archangel in Levittown.

Cardinal Bevilacqua, having become Archbishop in February 1988, was responsible for three of the reassignments. With allegations described by Cardinal Krol as "extremely serious" from three named victims on file, along with several other admissions of suspicious but unexplored "events," "touches," and "camping," Archbishop Bevilacqua named Fr. Trauger Parochial Vicar of three parishes with grade schools.

There is nothing on record to indicate that the priest's activities with youth were restricted in any way or that anyone in the new parishes, including the pastors, was ever informed of the reasons why Fr. Trauger had left past assignments.

The Archdiocese in 1991 receives a report that Father Trauger is stalking a boy.

Archbishop Bevilacqua's last transfer of Fr. Trauger – to Saint Michael the Archangel in 1993 – followed a report that in April 1991, while Parochial Vicar at Saint Joseph's, Fr. Trauger had stalked a student at Saint John Neumann High School after encountering the boy in a center city bookstore. Even the less-than-rigorous "investigation" conducted by Archbishop Bevilacqua's staff revealed that Fr. Trauger used his standing as a priest to track down personal information about this student. First, he ascertained the boy's name from Fr. Ronald Rossi, vice principal at his high school. Then he obtained the boy's phone number, address, and family information from Fr. Dominic Chiaravalle, the boy's pastor at Epiphany in South Philadelphia. The next day, Fr. Trauger used his priestly status to remove the boy from class, take him to a room, and presume to "counsel" the boy for an hour and a half about the homosexual pornography he had been perusing in the bookstore.

The boy's mother called the school, concerned when her son did not return home as scheduled. She called school officials again, very upset, when she learned the content of her son's conversation with the unfamiliar priest. She did not know that the priest had made sexual advances during their "conversation." Nor, it appears from records, did Archdiocese officials, because they did not question the student about the incident. (According to a February 9, 2004, recommendation by the Archdiocesan Review Board,

prepared after the boy was finally interviewed in 2003, he reported that, in addition to talking about sex, Fr. Trauger felt the boy's knee and upper thigh.)

School officials reported the incident to the Archdiocese on April 12, 1991. Secretary for Clergy John J. Jagodzinski recorded the report – though not the name of the student involved – and forwarded it to Msgr. Molloy. Monsignor Molloy interviewed Fr. Trauger on April 15. The priest admitted approaching the boy in the bookstore; introducing himself as a priest; telling the boy, who was wearing a Neumann High School jacket, that the priest knew the principal, vice principal, and several teachers at the boy's school; questioning the boy about pornography; and asking the boy's name (which the boy refused to give). The priest admitted to tracking the boy down, removing him from class, meeting alone in a small room with the boy for an hour and a half, and questioning whether the boy thought he was gay.

In a four-page memo recording his interview with Fr. Trauger, Msgr. Molloy still did not mention the boy's name. Finally, after Fr. Rossi, the vice principal, called for a second time about the incident, Msgr. Molloy recorded the boy's last name – "Logue."

Monsignor Molloy testified that even though he knew of Fr. Trauger's history of abuse when he was dealing with the incident in 1991, Archdiocese officials never interviewed the boy. Monsignor Molloy attempted to justify the failure to remove Fr. Trauger from his parish or restrict his access to schools and children, claiming that the Archdiocese lacked "hard evidence" against the priest. Knowing that Fr. Trauger was in a position to stalk, harass and abuse Archdiocese children, Church officials allowed him to continue in his position as Parochial Vicar at Saint Joseph's. Two years later he was transferred to Saint Michael the Archangel in Levittown.

Cardinal Bevilacqua assigns Father Trauger to another parish with a school.

When Archbishop Bevilacqua appointed Fr. Trauger as Parochial Vicar of Saint Michael in 1993, Archdiocese officials knew of accusations against the priest by four named boys (Evan, Carl, Marty, and the Logue boy). They knew of two other boys whom

Fr. Trauger had admitted touching inappropriately. And they knew of many more who had gone "camping" with the priest.

Yet in these 10 years of accusations, Archdiocese officials never sought to question a single victim directly to find out what Fr. Trauger had done. Nor did they seek out the families of known victims so they could stop the continuing abuse of their children. Instead, they recorded hearsay accusations and determined that they lacked "hard evidence." Then the Archbishop would reassign the priest, or not, apparently depending on whether it was necessary to prevent exposure or scandal.

In his testimony before the Grand Jury, Msgr. Edward Cullen, the Vicar General, admitted that the Archdiocese's investigation into the 1991 stalking of the Logue boy was not handled correctly and that the boy and his family should have been interviewed. He explained that Fr. Trauger was not endorsed for a high school chaplaincy in 1991 because it would "make sense to not put that person in a high school." In light of that recognition of the risk Fr. Trauger posed, Msgr. Cullen was at a loss to explain why Cardinal Bevilacqua appointed Fr. Trauger as Parochial Vicar at Saint Michael, which he described as having a large school.

On December 18, 2003, after Fr. Trauger's files were subpoenaed by this Grand Jury, the Archdiocese announced that it was removing him from the ministry, finding the allegations against him "credible." Father Trauger had admitted on December 12 to Secretary for Clergy Lynn that he had sexually abused the three boys who had made allegations against him.

Father Trauger appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Father John P. Schmeer

Father John P. Schmeer, ordained in 1964, was pastor at Saint Martin of Tours in New Hope when he was placed on leave on May 23, 2004. Before that he was a science teacher and guidance counselor in the Philadelphia Archdiocese's school system for 25 years. When young male students came to him for counseling, Fr. Schmeer questioned them about masturbation and then fondled their penises.

The priest took boys to houses in Gladwyne and at the New Jersey Shore. In the late 1960s, he provided one 14-year-old, "Kevin," with pornography, instructed the boy to masturbate, and watched as an older girl tried to seduce him. On another occasion, Fr. Schmeer stripped and fondled the boy and, anally penetrated him with his finger in the Saint Charles Borromeo Seminary swimming pool. The priest's friend and fellow teacher, Ernest Durante, sometimes watched as Fr. Schmeer abused the student.

Older students at Roman Catholic High School harassed and sexually abused Kevin because of his reputation as "Father Schmeer's boy." In March 2002, he told Archdiocese managers that he knew of 15 or 16 other boys whom Fr. Schmeer had abused.

In response, the Church officials conducted a thorough investigation — of the victim. The Archdiocese probed Kevin's background, including tax records and court proceedings from his two divorces. An investigator hired by the Archdiocese's law firm obtained the victim's bank records without permission or authorization.

In March 2004, additional victims came forward following the publication of news stories reporting that Kevin was suing the Archdiocese and had named Fr. Schmeer as his abuser. Archdiocese managers, knowing that these other allegations corroborated Kevin's complaint, remained silent while unaware parishioners loyally rallied around Fr. Schmeer and questioned Kevin's motives.

Father Schmeer abuses Kevin at Roman Catholic High School; when Kevin complains, the Archdiocese investigates the victim.

Kevin was a freshman at Roman Catholic High School when his science teacher, Fr. John Schmeer, singled him out – or so he thought – for frequent guidance counseling sessions. Kevin was a small boy, late to mature, with an uninvolved father. According to the handwritten notes of Msgr. Lynn, in an interview with Archdiocese managers on April 2, 2002, Kevin told them he was honored at first. He considered Fr. Schmeer his spiritual leader, mentor, and "man in [his] life." His mother approved.

Kevin also gave an account of his abuse to a detective from the District Attorney's office on June 18, 2002. He told her that in his first counseling session, Fr. Schmeer began to talk about masturbation and asked the boy whether he did it. Kevin described being embarrassed, but said that Fr. Schmeer did not touch him that day. During his second

session, the priest and teacher again talked about masturbation. This time, he pulled his chair close to the student so they were face-to-face with knees touching. The priest then reached over and grabbed Kevin's penis through his pants. Father Schmeer asked whether Kevin was "getting an erection" and proceeded to rub the boy's genitals for about twenty minutes.

Kevin said this pattern continued twice a week for months. Father Schmeer fondled the boy when they met, always talking about masturbation, "impure thoughts about girls," or "whatever perverted questions he could ask about sex."

The abuse soon moved beyond counseling sessions. One incident, at the Saint Charles Seminary pool, greatly upset Kevin. He described how Fr. Schmeer took him to the end of the pool and had the boy sit on his lap. Kevin went on:

> In 2 seconds he had my bathing suit off and his hands on my ass. I thought he was gonna drown me. He grabbed my testicles and penis from behind, they were in his hand. I started crying. Then he put his finger up my ass. I couldn't stop crying, I was freaked.

Kevin said the priest had an erection and was rubbing up against the boy. Father Ernest Durante was in the pool, watching.

Kevin was bothered by his inability to break away from the priest. "I just beat myself up, that after this happened to me, I still returned to the guidance office," he said. "I don't know why I kept going back to the counseling sessions." Kevin described feeling "hooked or brainwashed." He explained, "I wanted to tell my mom, but felt I couldn't because I felt I let it go on too long."

Kevin said that after the pool incident, Fr. Schmeer no longer fondled the boy in the guidance sessions. He did, however, take the boy to houses he said he owned with Fr. Durante. In a "big expensive" home off the Gladwyne exit of the Schuylkill Expressway, Kevin said Fr. Schmeer took him to a room filled with "Playboy books." The priest told the teenager it was "OK to masturbate while looking at pictures of girls." Father Schmeer then instructed the boy to "go ahead," and left the room. Kevin said he did not stay in the room, but walked around the house. As he entered one room, he saw Fr. Schmeer and Fr.

Durante sitting on a large leather couch, masturbating.

In the spring of his freshman year, Kevin and two other boys were taken by Fr. Schmeer and Fr. Durante to a house on the New Jersey Shore. This time, Fr. Schmeer left the 14-year-old in a room with a "17-year-old very nice looking girl." Kevin described how the two teens were talking, and then, "all of a sudden this girl gets up and kisses me and rams her tongue down my throat." He said he was shy and ran from the room. As he pushed the door open, he bumped into Fr. Schmeer, who had been watching the episode. Kevin described as "horrific" what older students at Roman Catholic High School did to him because of his reputation as Fr. Schmeer's boy. Kevin told the Archdiocese and the detective that he was assaulted four or five times by older students in the school basement. Groups of students would "beat me up and hold me and grind up against me until they ejaculated."

Kevin said by the end of his freshman year he wanted to commit suicide. He said it was unbearable when he returned the next year, and he persuaded his mother to allow him to transfer to Roxborough High School. He said he was in therapy for the next 20 years. He was 33 years old before he could talk about what happened. He was 49 before he reported the abuse to the Archdiocese.

When questioned by Msgr. Lynn on April 2, 2002, Fr. Schmeer denied ever abusing Kevin and claimed not even to recall the name. He admitted, though, that his friend "Ernie" Durante was assigned to live in Gladwyne at the time. He said that he did take boys swimming and could have taken some to the shore.

Father Schmeer agreed to go for an evaluation at Saint John Vianney Hospital in Downingtown. There he again denied the allegations against him, but talked extensively about his relationship with Fr. Durante, which had ended abruptly when Fr. Durante left the priesthood in 1987 to get married. Father Schmeer told the therapists he was devastated because Fr. Durante, with whom he co-owned a house at the shore, had kept his affair with his future wife secret for five years.

Saint John Vianney's therapists concluded that they could not substantiate the allegations against Fr. Schmeer, but they did so expressly "based upon all available data." This data included Fr. Schmeer's denials, Msgr. Lynn's representation that there had

"never been any other reports of Father Schmeer being involved with any adolescents or for that matter with anyone else sexually," and Msgr. Lynn's assertion that "an ex-priest friend of Father Schmeer's" reported that he had never seen the alleged behavior.

Monsignor Lynn apparently failed to inform the therapists that Kevin claimed to know 15 or 16 others who had been abused, that Fr. Schmeer *had* previously been accused of sexual misconduct – in 1976 with a parish cook – or that the "ex-priest friend" who vouched for Fr. Schmeer was, himself, implicated in the abuse of Kevin. Even so, the therapists suggested that the Archdiocese might want to investigate further. Cardinal Bevilacqua permitted Fr. Schmeer to continue on as pastor at Saint Martin of Tours in New Hope.

Handwritten notes from March 3, 2002 in the Secret Archives file recorded that Church officials' investigation concentrated on questioning and re-questioning Kevin, with direction coming from the Archdiocese's lawyer. Those notes of a consultation with counsel record instructions that Msgr. Lynn not tell Kevin that Fr. Schmeer had denied the allegation, but instead tell him that the investigation was continuing. Monsignor Lynn recorded numerous questions he was to ask Kevin, as well as counsel's instructions to "get details – even unimportant."

The Archdiocese file on Fr. Schmeer reflects an extensive probe of Kevin, with 18 pages of records investigating relatives, tax records, any criminal history (none was found), and his two divorces. It also contains Kevin's confidential bank records, which were obtained without permission or authorization. The file includes high school records not only for Kevin, but also for three other boys with whom he attended Roman Catholic High School. No effort to interview these boys is recorded.

The Archdiocese finds the report of Father Schmeer's abuse "not credible," but media coverage leads to other victims coming forward.

On December 5, 2003, following an Archdiocesan Review Board investigation into Kevin's and others' accusations, the Archdiocese decreed that "the allegation lodged against Reverend John P. Schmeer is not credible." This decision was based, in part, on

Kevin's reluctance to be interviewed yet again. All that had come of his previous repeated interviews with Archdiocese managers was an investigation of him.

Kevin, frustrated with the Archdiocese's response, filed a lawsuit on March 24, 2004, against the Archdiocese, naming Fr. Schmeer as his abuser. Following the appearance of stories in the media, Fr. Schmeer denied the allegations from the pulpit and went to several classes of the parish grade school to reassure the children of his innocence.

On March 29, 2004, two more victims of Fr. Schmeer came forward with reports much like Kevin's.

- **"Nathan"**

Nathan reported to the Archdiocese that in 1968 he had been falsely accused of skipping class at Roman Catholic High School and was summoned to Fr. Schmeer's office. Nathan mentioned that to get to Fr. Schmeer's office, he had to pass through Fr. Durante's office. The report written by Msgr. Lynn states:

> Once in Schmeer's office [Nathan] said Schmeer talked about sexual relationships, erections, and masturbation, then reached over and grabbed [Nathan's] penis, over his clothes. [Nathan] said that he ran out the door and when he returned to class, he recalls other students asking if he saw 'Schmeer the Queer.'"

- **"Clarke"**

Clarke reported that he was molested by Fr. Schmeer in 1986, the summer between his graduation from Saint Titus grade school and his freshman year at Bishop Kendrick High School. He told the Archdiocese's victim assistance coordinator, Martin Frick, that Fr. Schmeer took him, his 10-year-old brother Marty, and another 10-year-old, "Gary," to the priest's house on the New Jersey Shore. When the younger boys were not present, Fr. Schmeer questioned the 15-year-old Clarke about masturbation and wet dreams. Father Schmeer then had Clarke sleep in the same bedroom, which had twin beds, with the priest. Clarke told Frick that he awoke during the night to find Fr. Schmeer at the side of his bed

with the priest's hand in the boy's shorts. Clarke reported that Fr. Schmeer made him ejaculate – the first time the boy had ever done so.

Archdiocese managers remain silent while parishioners rally behind Father Schmeer.

Even with these new allegations, echoing those of Kevin, Fr. Schmeer remained pastor at Saint Martin of Tours for nearly two more months, until he was eventually placed on leave on May 23, 2004. His parishioners, apparently unaware of the other allegations, rallied around him and attacked Kevin's motives. Some parishioners raised funds in their priest's defense. Signs posted in the church's front windows read "God Bless a Great Pastor," "Pray for Father Schmeer and his False Accuser," and "It's all About Money - 30 Pieces of Silver." According to a news report, Fr. Schmeer "made a quiet exit" from Saint Martin after celebrating Mass on May 23, 2004. While loyal, uninformed parishioners rallied on behalf of Fr. Schmeer and attacked Kevin, the Archdiocese managers, who knew of the additional reports, said nothing.

On May 25, 2004, Msgr. Lynn met with Fr. Schmeer. The Secretary for Clergy's notes from that meeting allude to three people who provided information concerning the allegations of Clarke and Nathan to the Review Board's investigator. Monsignor Lynn carefully avoided writing down any incriminating information the witnesses might have provided, but did record Fr. Schmeer's defenses and explanations. He wrote, for example:

> With regard to allegations of "Gary," Father Schmeer remarked that it would be unusual for a teacher to escort a student to his office. Normally, that happened only if the student were headed to the discipline office. Father Schmeer denied the use of the language alleged and stated that he was always careful and mindful that the Lord said not to give scandal to the children.
>
> With regards to the situation [a male with the same last name as Clarke] described, Father Schmeer pointed out how it would have been almost impossible for such an exchange to take place in a corridor in a high school while class was going on. He found this to be incredulous.

The Secretary for Clergy recorded Fr. Schmeer's "hopes" that "more investigation would be done on [Nathan's and Clarke's] families." In accord with those hopes, Msgr.

Lynn asked James Bock, the Associate to the Vicar for Administration to: "gain better information on [Clarke's] Family," to find out "the nature of [Clarke's] learning disability," and to question Nathan's wife about "mental problems" he might have. The Grand Jury finds that, even in May 2004, Msgr. Lynn's "investigations" of abuse allegations were designed more to discredit the victims and conceal evidence of their abuse than to ascertain whether their alleged abuser was in fact a sexual abuser of children.

A second review finds allegations against Father Schmeer credible.

The Archdiocesan Review Board conducted a further investigation and review of Fr. Schmeer based on the additional allegations which were made following the publicity surrounding Kevin's civil lawsuit. On October 28, 2004, following the Review Board's new finding that the allegations made against Fr. Schmeer were, in fact, credible, the Archdiocese prohibited the priest from further public ministry.

On December 29, 2004, faced with the possibility of involuntary laicization, Fr. Schmeer agreed to live "a supervised life of prayer and penance" at Villa Saint Joseph, a retirement home for priests.

Father Schmeer appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Monsignor Francis A. Giliberti

Monsignor Francis A. Giliberti, ordained in 1970, was said by his students at Cardinal O'Hara High School to run a "sort of boot camp to stop masturbation" at his beach house in New Jersey. His methods, he bragged to one student, included walking in on boys while they were masturbating.

The priest abused at least two students who went to him for help, fearing damnation because of their "masturbation problem." One victim described how Msgr. Giliberti insisted on "inspecting" the boy's penis to determine whether it was "traumatized," ordered him to make himself erect, and offered to perform oral sex. The priest told the other student he could introduce him to gay men. These activities took place in the mid-1970s, and were reported to the Archdiocese in 2002.

Both victims who came forward were traumatized by Msgr. Giliberti's abuse. One doused his penis with lighter fluid and set it on fire, his self-loathing was so intolerable. The other lived through years of suicidal tendencies, alcoholism, and failed relationships. Both were incensed by what they saw as the hypocrisy of their Church.

Following these allegations, Cardinal Bevilacqua permitted Msgr. Giliberti to continue as pastor at Nativity B.V.M. in Media without restrictions on his access to children and without informing the parish of the allegations against him. On April 25, 2002, one week after the first victim brought his detailed accusations to the Archdiocese, Cardinal Bevilacqua was quoted at a press conference assuring the public that no priest "credibly accused of misconduct with a minor" has remained in ministry. In December 2003, the allegations against Monsignor Giliberti were determined to be credible and he was forced to retire.

"Jay" informs Archdiocese leaders that Monsignor Giliberti abused him at Cardinal O'Hara High School; a week later Cardinal Bevailacqua gives the public false assurances.

On April 18, 2002, Jay, a 40-year-old divorced and unemployed man, came to Archdiocese headquarters accompanied by his parents to tell Secretary for Clergy William Lynn of his abuse 25 years earlier. Monsignor Francis Giliberti, ordained in 1970, had been Jay's sophomore-year religion teacher at Cardinal O'Hara High School in Springfield in 1976-1977. Jay was 15 years old in the spring of 1977 when the abuse began.

With his parents out of the room, Jay told Msgr. Lynn and his assistant, Fr. Vincent Welsh, about the events that led to his molestation. According to Fr. Welsh's notes, Msgr. Giliberti in his theology class led "graphic sexual discussions," but instructed the boys that "any sex outside of marriage is a mortal sin." Jay said that he felt "doomed to hell" at the age of 15 because of masturbation. So, when Msgr. Giliberti offered to help students who

“have this problem,” Jay went to see him one day after school. They discussed masturbation, and Msgr. Giliberti instructed the boy to go to confession as often as he needed.

The priest also invited Jay to stop by his rectory at Nativity B.V.M. and to accompany him to his beach house in Brigantine, New Jersey, during the summer. Jay told the Archdiocese managers that Msgr. Giliberti claimed he had taken others to his shore house and “helped [them] with masturbation problems.”

In one such discussion of masturbation in Msgr. Giliberti’s rectory room, the priest asked the boy to drop his pants. Telling Jay that his penis might be “traumatized,” Msgr. Giliberti proceeded to inspect it. According to Fr. Welsh’s notes, the priest “held [the student’s] penis, peeled back [the] opening and stroked him.” Monsignor Giliberti said he needed to see the boy’s penis erect and instructed him to go into the bathroom “to get erect.” The boy tried to obey, but could not.

Jay said he felt confused and ashamed, but he continued to meet with Msgr. Giliberti. He accompanied the priest to his beach house on several occasions. The teacher served his student beer. They discussed girls, and Jay’s masturbation “problem.” One time, Msgr. Giliberti asked the boy to strip and show the priest exactly how he masturbated. Jay said he complied and “showed him quickly.” Other times, the priest offered to sleep with the boy and to perform oral sex on him.

Jay told Msgr. Lynn and Fr. Welsh how he became overwhelmed by shame and fear. He felt he could not trust his own instincts for appropriate boundaries. He made a mold of a penis and brought it to the rectory to show the priest. When Msgr. Giliberti told him that, as a boy, he had exposed himself to his sister, young Jay “followed his lead,” doing the same to his sister. As an adult, Jay said he abused his wife, touching her in unwelcome ways as she slept.

Jay said he told no one about his humiliation as an adolescent. He said he had “wanted to be perfect” for his “very ethical” parents. So he took out his shame and guilt on himself, one day dousing his penis with lighter fluid and setting it on fire. He eventually told his parents about Msgr. Giliberti’s abuses, sparing them the specifics.

At Saint Charles Borromeo Seminary, which he attended for two years, he also told two priests. They advised him to "let go" of it – that it was his word against the Church's. After Jay told the Archdiocese managers the details of his abuse, his parents joined the conversation. They expressed their outrage and sense of betrayal. They told how much their family had suffered. Jay's father described how he had "watched [his son's] life go down [the] tubes." Jay's wife had divorced him, and he had lost a good job. The parents had brought him to the Archdiocese offices in the desperate hope that, by telling his story and confronting Msgr. Giliberti, as he asked to do, their 40-year-old son could finally overcome his shame and move on with his life.

Monsignor Lynn twice told the parents what he had already told Jay: that their son was the only person to ever make allegations against Msgr. Giliberti – a point he often emphasized in conversations with victims (even on occasion when it was not true). Monsignor Lynn had to know from his experience with numerous victims how desperately they wanted to know they were not the only ones.

When the Archdiocese managers interviewed Msgr. Giliberti later that day, he denied ever having abused Jay, though he remembered the boy coming to him for confession. He told Msgr. Lynn and Fr. Welsh that masturbation was only a secondary issue and that there were "2 other things" that were troubling the student. The priest said that "the seal" of confession prevented him from explaining further.

Cardinal Bevilacqua allowed Msgr. Giliberti, whom he had appointed as pastor at Nativity B.V.M. in June 1991, to remain there, even though it had a school attached to it. Msgr. Giliberti was still pastor when Cardinal Bevilacqua announced at a press conference on April 25, 2002: "I can assure all the people here in the Archdiocese of Philadelphia that there is no priest in any parish or any ministry whatsoever that was credibly accused of misconduct with a minor." The press conference took place one week after Jay had reported his abuse by Msgr. Giliberti.

Monsignor Giliberti abuses "Patrick" at Cardinal O'Hara High School.

Patrick contacted Archdiocese managers on September 11, 2002, when he was 44 years old. Like Jay, he had been a student of Msgr. Giliberti's at Cardinal O'Hara High School in the mid-1970s. Because Patrick lived in California, his allegations were recorded from a telephone call and repeated in a letter to Msgr. Lynn dated September 17, 2002.

Patrick told Msgr. Lynn that Msgr. Giliberti had been his freshman-year theology teacher. Patrick was 14 years old. The priest held "informal confession" in his empty classroom, and it was here that Patrick confessed his struggles with masturbation. Like Jay, this extremely devout boy had problems reconciling his sexual urges with what he was learning in school – that masturbation was "a sinful act in the eyes of the church."

Monsignor Giliberti said he could help the boy stop masturbating. He invited Patrick to come to the rectory to talk on several occasions. Patrick wrote that, during these talks, Msgr. Giliberti mentioned that he had a house at the New Jersey Shore "where he took boys my age during the summer months to help them work through their problems." The priest, he said, bragged to him that he had cured one boy of masturbating by walking in on him in the shower during the act. Patrick had heard that Msgr. Giliberti conducted "a sort of boot camp to stop masturbation." Patrick was frightened by the prospect and never went to the shore.

In the summer of 1975, however, when he was 17, Patrick confided in Msgr. Giliberti that he was having sexual problems when he tried to become intimate with girls. He told Msgr. Giliberti he thought he must be homosexual.

The priest's counsel was to offer to introduce him "to half a dozen gay men in downtown Media if I thought I wanted to try it out." Patrick wrote that, when he registered shock and revulsion, Msgr. Giliberti scoffed: "See you're not gay! And you can have an erection any time you want." The priest then pointed to his bedroom and instructed the boy to strip, lie on the bed and "prove it to yourself . . . give yourself an erection."

Patrick wrote that he submitted "to this unbelievably peculiar command" only because of the "extremely vulnerable state" in which he found himself. He described lying nude in the priest's chilly bedroom surrounded by the crucifix and religious items as "the most uncomfortable situation imaginable." When Msgr. Giliberti then walked in and

watched as the boy stroked his penis with no success, the boy was devastated. The priest watched as the boy dressed, then heard his confession.

Patrick wrote that he stopped going to church after that episode and never spoke to Msgr. Giliberti again. In 2002, he told Msgr. Lynn that he had been in and out of therapy since he was 21 years old. For years, he said, he suffered through "suicidal tendencies, alcoholism, and failed relationships." He said he became angry after the episode at the rectory, but that he became angrier still after "reading about the scandalous behavior of some of the priests, and the protection they received from their superiors (at the expense of children!)." He wrote to Msgr. Lynn, "It makes my own experience all the more disturbing to learn that the Church actually protected these pedophiles that hypocritically lived out their sexual fantasies while preaching a morality that bore a crushing and destructive weight on the innocent and ever-so-vulnerable psyche of children like myself."

The Archdiocese responds by seeking a self-serving "diagnosis" and taking no action.

On October 18, 2002, after Jay informed Msgr. Lynn of his abuse and after Patrick brought a second allegation, Msgr. Giliberti was sent for a psychological evaluation, performed by Kelly Counseling and Consulting.

Monsignor Giliberti's evaluators found that "test data" could not confirm or deny allegations made against him. Despite separate allegations that the priest's actions had devastated at least two lives, the evaluators hired by the Archdiocese found, "There is no reason to conclude from the interview [with the priest] or the test data that Monsignor Giliberti is a threat to the physical or emotional health of those to whom he ministers." Absent the threat of public scandal – neither victim having threatened to sue or publicly expose Msgr. Giliberti – Cardinal Bevilacqua permitted the priest to continue as pastor at Nativity B.V.M. His parishioners were not informed of the charges against him, and he enjoyed full access to boys like the traumatized ones who, as adults, had met with Msgr. Lynn.

In 2004, the Archdiocese removes Monsignor Giliberti from ministry based on the same evidence discounted by Cardinal Bevilacqua.

On January 14, 2004, the Archdiocese removed Msgr. Giliberti from ministry, finding the allegations of Jay and Patrick credible. Monsignor Giliberti had been allowed to retire three weeks earlier.

After Msgr. Giliberti's retirement and removal, in April 2004, a Florida man named "Gerald" informed the Archdiocese that Msgr. Giliberti had abused him and another boy when the priest was still a seminarian, more than 30 years earlier. Gerald wrote that Giliberti had taken him and five other boys to the New Jersey Shore house of a fellow priest, had shared a bed with three of the boys, and had fondled the genitals of Gerald and a boy named "Joey." The victim explained that he had not come forward earlier "out of fear and shame."

On October 16, 2004, faced with the possibility of involuntary laicization, Fr. Giliberti agreed to live "a supervised life of prayer and penance" at Villa Saint Joseph, a retirement home for priests.

Father Giliberti appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Father John H. Mulholland

In August 1968, a mother brought to the pastor of Saint Joseph's Church in Hatboro two letters written by the parish's recently reassigned associate pastor, Fr. John H. Mulholland, to her son while he was at summer camp. Amid cut-out illustrations of chains, ropes, and people suffering various forms of bondage, the priest wrote to the boy:

> *Plan and prepare to break me on vacation. If you can get me to beg to be punished by you even more and beg to be your slave – I will offer a just homage payment – such as – you can be my financial bookkeeper for the school term, possessing the checkbook with signed blank checks – or an outright fee each month of maybe 10% of the balance. You really have no imagination – this is your chance – take over – become master in fact as well as word – make me know what*

> *it means to squirm, sweat and fear and to understand what slave means.*

In the other letter, the priest discussed plans for proving submission by "kneeling next to toilet when master craps then wiping ass with paper then with tongue. Also being forced to lick master's ass and kiss it frequently."

At the time the mother brought the letters to the rectory, her son was on a two-week trip with Fr. Mulholland. The letters mentioned several other parish boys and suggested that they also participated in sado-masochistic rituals with Fr. Mulholland. After the boy returned from the trip, the Archdiocese's Vicar General, Gerald V. McDevitt, recorded that he "confessed a relationship with Father."

Yet Msgr. McDevitt told Fr. Mulholland that the Archdiocese's response to learning that its priest victimized parish boys with his sick behavior would "depend on the attitude the mother of the boy took and how far she would want to follow up the matter." Archdiocese officials did nothing.

Two years later the Chancery received a report that a boy at Fr. Mulholland's next parish "was being strung up and Father Mulholland [was] piercing him or at least jabbing him with some instrument all over his body." Again, Archdiocese officials left the priest in place.

The Archdiocesan Review Board in 2004 found that "Reverend Mulholland's letter to a young boy in his parish," though "quite disturbing in its language regarding issues of power, descriptions of human excrement and use of restraint," did not "fall under the definition of sexual abuse as contained in the Essential Norms."

Ordained in 1965, Fr. Mulholland apparently has never undergone even the Archdiocese's concept of treatment. He remains at last report an active priest with unrestricted faculties in the Philadelphia Archdiocese.

Father Mulholland shares stories of sexual masochism with boys from Saint Patrick Church in Kennett Square.

The Grand Jury was given no records of allegations against Fr. John Mulholland from his first assignment as associate pastor at Saint Patrick Church in Kennett Square (6/65-6/66). However, the priest's own letter of July 1968 to "Stan," a boy in his next parish, indicates he had inappropriate relations with boys at Saint Patrick.

In the middle of a long letter illustrated with chains, nooses, and "adults only" signs, Fr. Mulholland wrote to Stan, two years after he had left Kennett Square:

> I met some kids I know from Kennett this week – three brothers 18, 17, and 15 years old . . . . so they went on a four day camping trip and little brother was jumped and tied with

> his arms stretched out on a pole and all equipment tied on his back and the pole. He was led by one with a long rope around his neck with the other prodding behind with a short switch. POOR BOY!! He was stripped by the loving brothers, hung by his ankles with his hands tied up tight with a light rope or heavy cord going from his wrists and under his crotch and ending in a loop around his well-known privates (struggling could be painful). He was pulled up high and a low charcoal fire was shoveled under him, then wet leaves put on the fire – heat and smoke right up his body – an old Apache torture. . . Little brother now obeys. (Appendix D-22)

Cardinal Krol transferred Fr. Mulholland after one year in Kennett Square to Saint Joseph Church in Hatboro.

Father Mulholland takes boys from Saint Joseph Church on a vacation described as "a two week torture treatment."

By the time Stan's mother found Fr. Mulholland's letters to her son in the footlocker that he had taken to camp, the priest had been transferred to still a third parish. (The Archbishop in June 1968 appointed Fr. Mulholland to Saint Anastasia parish in Newtown Square.) In August 1968, though, he was vacationing with boys he knew from Saint Joseph. In his letter to Stan at camp, Fr. Mulholland described the anticipated vacation as "a two week torture treatment" to "purge" the priest of all resistance and "break" him into "complete nothingness, thereby rendering [Fr. Mulholland] a perfect slave." He wrote of other parish boys who would participate, referring to them as "Emperor ["Lewis']" and "Sadistic Duke["Smith"]." Stan, he named "Sadistic Prince [Stan], Man of Steel." The priest called himself "Barney" and played the role of the slave. He wrote about a 15-year-old being tied "spread-eagled" on the ground and "used as a toilet." He wrote to Stan:

> If Barney is bored from lack of torture or is not chained or tied at night Prince may also become prisoner as shown [there is an illustration of two people hanging by their wrists in chains]. Barney promises never to jump or molest Prince as long as daily punishments continue EXCEPT – A PROMISE – NEVER LET BARNEY SLEEP UNFETTERED – UNTIED – OR UNCHAINED OR

PRINCE will die at night as above.

The Vicar General of the Archdiocese, Gerald V. McDevitt, met with Fr. Mulholland on September 25, 1968, after he had returned from his two-week vacation with Stan and the other boys. The priest acknowledged that he wrote the letters. He said that his relationship with Stan was one of "testing strength and wrestling and things of that nature." He denied anything sexual.

McDevitt informed Fr. Mulholland that Stan's mother had consulted a lawyer and that Stan had "confessed a relationship with Father." In his memo recording his conversation with Fr. Mulholland, Msgr. McDevitt wrote that the lawyer had persuaded the mother not to have police attempt to interrupt the priest's trip with her son. In the Archdiocese file is a handwritten note with the name of the lawyer supposedly representing the mother — Stanley Gordon – and a notation that he was "sympathetic to both sides."

According to his notes, Msgr. McDevitt instructed Fr. Mulholland to have "no further contact or communication with the boy." The Vicar General advised Fr. Mulholland that he "did not know what he might hear further from us since much of that would depend on the attitude the mother of the boy took and how far she would want to follow up the matter."

Monsignor McDevitt recorded no effort to contact the other boys involved. He "suggested the possibility of [Fr. Mulholland's] seeing a psychiatrist," but wrote that the priest said he "thought he knew himself well enough and that he did not need the help of a psychiatrist." The record shows no effort even to find out what happened during the twoweek "vacation," much less to protect the other known victims from Fr. Mulholland's ongoing depravity or to inform their parents.

Two years later Assistant Chancellor Vincent M. Walsh would matter-of-factly write of Mulholland: "Part of the interview with Bishop McDevitt was a promise that he would stop going back to the parish. We had some reports later on that he was still returning to Hatboro."

In 1970, the Archdiocese is again warned in graphic terms of Father Mulholland's sadomasochistic practices with boys, and again takes no action.

Father Mulholland was transferred to Saint Anastasia in Newtown Square in June 1968. While he was there, the Archdiocese received several reports of inappropriate sexual contact involving the priest. Once again, the Archdiocese left him in place; ironically, it did so at the request of parents who continued to support the priest because the Archdiocese had not revealed to them his sadomasochistic activity. The Archdiocese abandoned plans to transfer Fr. Mulholland or send him for diagnosis and possible treatment when the perceived level of scandal lessened.

While he continued to visit victims from his previous parish, Saint Joseph Church in Hatboro, Fr. Mulholland also assembled a group of boys at his new assignment. Parents, unaware that the Archdiocese had sent them a priest known to corrupt and abuse parish youth with sadistic and depraved behavior, welcomed Fr. Mulholland's obvious interest in their sons.

"Lyle" reports continued deviate behavior.

In October 1970, Lyle, a sophomore at the University of Pennsylvania and a junior adult advisor to the CYO at Saint Anastasia, alerted the Archdiocese that Fr. Mulholland's degenerate behavior was continuing and that he had many new victims. Lyle named six boys who had traveled over summer vacations with Fr. Mulholland. "Jack," "Steve," and "Louis" (no last names were recorded) had gone camping with the priest in the Southwest over the summer of 1969; "Jared," "Randy," and "Gene" had accompanied Fr. Mulholland in 1970. Lyle described how the relationship between the boys and the priest seemed to change after the trips. He said that Gene and Randy were "pretty tight lipped" about the trip, but that they did mention one incident. According to notes kept by Assistant Chancellor Walsh, Gene and Randy told Lyle that Jared had been "strung up" and that Fr. Mulholland was "piercing him or at least jabbing him with some instrument all over his body."

Lyle also reported walking into a room and seeing Fr. Mulholland running his hands up and down Jared's leg. Another time he saw a boy's head in the priest's lap. He described "wrestling" that took place frequently with the same boys. Lyle said it was not really wrestling, though, since there were no wrestling moves. The priest, he said, would merely lie on top of the boys. He said this happened regularly before CYO meetings. Lyle told of seeing Fr. Mulholland walking hand-in-hand with a boy in the schoolyard. He reported that the priest seemed to conduct some sort of private Masses in the church basement with only his "special boys."

"Barbara" confirms her brother's report.

Lyle's sister, Barbara, was a member of the CYO and confirmed her brother's account to Fr. Walsh. She provided Louis's last name and said that Fr. Mulholland regularly drove Louis home after CYO meetings, often taking many hours to do so. She described the wrestling and told how, in a recent meeting, Fr. Mulholland and Jared had spent the entire time behind the stage.

The Grand Jury notes that the behavior reported was consistent with that described in the 1968 letters to Stan, letters Fr. Mulholland admitted to writing. Thus, the Archdiocese's failure to respond appropriately to the 1970 report is even more inexcusable.

Saint Anastasia's pastor corroborates Lyle and Barbara's observations and reports additional behavior.

The pastor at Saint Anastasia, Fr. Joseph T. Kane, told Fr. Walsh that Lyle and Barbara were credible and responsible. In addition, Fr. Kane told the Assistant Chancellor that Fr. Mulholland had "boys in his room" at the rectory on either a daily or weekly basis – Fr. Kane was unsure which. Father Walsh wrote that Fr. Kane verified "that certain strange activity is taking place concerning which he is not totally aware." There is no indication that Fr. Walsh enlightened the pastor, who lived with Fr. Mulholland and could have been enlisted to monitor him, by letting him know what Archdiocese officials had known for

years – that the associate pastor sent to his parish had been known to involve parish youth in sadomasochism.

To avoid scandal, Archdiocese officials plan to reassign Father Mulholland, but the decision is reversed.

After hearing from Barbara and another parishioner, "Walter," that Fr. Mulholland's reputation for "play[ing] around with boys" or "something" was widespread, Fr. Walsh informed Fr. Mulholland, on October 26, 1970, that he would have to be reassigned because of "scandal." Father Walsh recorded that he confronted Fr. Mulholland with the whole litany of accusations against him and that the priest "merely stayed silent and accepted them as true."

Yet Cardinal Krol did not remove Fr. Mulholland. On November 2, 1970, a group of parents from Saint Anastasia visited Fr. Walsh to say that they favored keeping the priest. Ironically, two of the parents were fathers of boys who went on trips with Fr. Mulholland and were "favored." One, the father of Gene (age 16), praised the priest for taking his son on a summer trip for 21 days and not asking the parents for any money. Another, the father of Jack, was appreciative because "Father . . . was instrumental in getting [Jack] into Priory." He told Fr. Walsh that Fr. Mulholland spent "a lot of time at [Jack's family's] home." (Appendix D-23)

Although aware of Fr. Mulholland's history of taking boys on these "trips" to engage in sadomasochism, Fr. Walsh listened to these parents who, obviously, trusted the priest with their children. Yet Fr. Walsh said nothing, even though it was clear from what Lyle, Barbara, and the pastor had told him that Fr. Mulholland was still abusing the boys.

Not only did Fr. Walsh not warn these parents, the Archdiocese decided to allow Fr. Mulholland to remain in the parish where he could continue to abuse their children. On October 27, 1970, after hearing that Fr. Mulholland's reputation was widespread, Fr. Walsh wrote: "I also made it clear to Father that there is no possibility of his remaining in the parish." On November 5, 1970, three days after the uninformed parents' group came to the priest's defense, Fr. Walsh informed Fr. Mulholland "that we would have no difficulty

allowing him to stay at St. Anastasia." The explicit reason for the change of heart was because "the amount of scandal given seemed to lie only with a very small minority." Archdiocese officials knowingly used the ignorance of the parents whose children were being victimized to justify leaving the priest in their parish. (Appendix D-24, D-25)

The decision to order treatment for Father Mulholland is also reversed when the Archdiocese perceives the threat of scandal to have abated.

The position of the Archdiocese regarding the necessity of psychological treatment was, likewise, determined not by the priest's obvious depravity or the danger he posed to children, but by the perceived level of scandal. Archdiocese officials purported to leave the decision regarding inpatient treatment to Dr. Anthony L. Zanni at Saint John Vianney Hospital in Downingtown. But the decisive factor determining that Fr. Mulholland did not require treatment was Fr. Walsh's conclusion that the threat of scandal was smaller than previously thought. In an October 27, 1970, letter to Dr. Zanni, Fr. Walsh related that he had warned Fr. Mulholland not only that the priest would have to be reassigned, but also that Dr. Zanni would likely "want him to go to Downingtown." After determining that the "scandal" was limited to "a small minority," however, Fr. Walsh called Dr. Zanni to inform him of this development. Father Walsh recorded in a memo dated November 5, 1970: "Dr. Zanni, with this new information, decided that he would probably not ask Father Mulholland to go to Downingtown."

Continuing reports obliquely refer to Father Mulholland's depravity.

Father Mulholland's fellow priests at Saint Anastasia complained repeatedly about him, but Archdiocese records obscure their concerns. In April 1971, Chancellor Francis J. Statkus wrote that the pastor, Fr. Kane, reported that Fr. Mulholland "has not been effective with the CYO" and asked that he "be changed." On March 5, 1973, Fr. Walsh, now the Vice Chancellor, recorded the complaint of a fellow priest at Saint Anastasia, Fr. Joseph Shields: "He mentioned that the problems that were present about a year and a half ago and brought to our attention are still present. He states that Fr. Mulholland *ministers*

only to a certain few in the parish and that the parish has more or less accepted the strangeness of that ministry. He felt that we should talk to Father Mulholland since there might be need for professional help." (emphasis supplied)

There is nothing in the files turned over to the Grand Jury recording complaints made a year and a half earlier – which would have been September 1971. There was a letter from Dr. Zanni to Fr. Walsh, dated September 12, 1972, informing the Vice Chancellor that Fr. Mulholland "never contacted my office for the purpose of making an appointment as you had informed me he would." Records do not indicate what prompted Archdiocese officials to ask Fr. Mulholland to see the therapist again. Apparently no action was taken either in response to whatever the pastor and Fr. Shield had reported or to Fr. Mulholland's refusal to get psychiatric help.

Despite the vague and seemingly meaningless way in which Fr. Walsh and Msgr. Statkus recorded complaints about Fr. Mulholland, Archdiocese officials were aware, ever since receiving Fr. Mulholland's letters in 1968, of the danger he posed to his "special" boys. They knew that the criticism that Fr. Mulholland had "not been effective with the CYO" could well have meant that he was lying on top of his favorite boys or spending meeting time with one behind the stage. They knew that ministering "only to a certain few" meant spending all his time with teenage boys. And they knew that the "strangeness" of his ministry to these boys might have involved, according to the priest's own letters, binding, hanging, beating, punishing, molesting, and torturing.

Even in the face of continued complaints from the clerics at Saint Anastasia, Fr. Mulholland might have remained in the assignment were it not for Cardinal Krol's policy of moving associate pastors every five years. On March 20, 1973, Fr. Walsh wrote to Dr. Zanni, informing him that Fr. Mulholland was being transferred. Father Walsh said he hoped Fr. Mulholland would see the doctor and expressed concern, not that boys in the new parish would be subjected to the abuses of a demented priest, but that the new parish might not tolerate Fr. Mulholland's behavior as well as the parishioners at Saint Anastasia had. Father Walsh wrote to Dr. Zanni:

> At your home on Saturday, we discussed the fact that the people in [Fr. Mulholland's] present parish have more or less

> accepted his way of going about the priesthood; however, the parishioners in the parish to which he might be assigned might find his ministry somewhat different, since he tends to spend his time with a small group of people, especially teenagers.

Without any record of treatment, restrictions, or even warnings to Fr. Mulholland, Cardinal Krol reassigned the priest to be associate pastor at Blessed Virgin Mary Church in Darby, beginning June 5, 1973.

Father Mulholland remains in active ministry for 30 more years.

Knowing that this sick and dangerous priest had never been sent for treatment, Cardinal Krol kept reassigning Fr. Mulholland, with no restrictions on his faculties, to one parish after another. Father Mulholland served as associate pastor at Blessed Virgin Mary Church in Darby (6/73-9/77); Holy Child Church in North Philadelphia (9/77-9/82); Stella Maris Church in South Philadelphia (9/82-6/87); and Saint Francis Assisi Church in Norristown (6/87-6/96). Each of these parishes had a school.

When Archbishop Bevilacqua took over the Archdiocese, Fr. Mulholland began to ask to be a pastor. He asked repeatedly, beginning in 1990. He pointed out that most of those in his ordination class had become pastors. Despite his requests, Fr. Mulholland was passed over each year. Finally, in March 1995, Cardinal Bevilacqua's Secretary for Clergy, William J. Lynn, had his assistant tell Fr. Mulholland he would not be made a pastor.

The fact that Cardinal Bevilacqua refused Fr. Mulholland's request strongly suggests that Archdiocese officials were well aware of his past predations, and that those abuses were the reason he would never advance. Presumably, Msgr. Lynn had reviewed the priest's file and consulted Cardinal Bevilacqua, who had sole authority to make decisions about pastorates. Prominent within Fr. Mulholland's file are the handwritten, multi-page letters illustrated with pictures of chains, nooses, and people hanging from chains in prison cells. The words "burning," "torturing," and "killing" are triple-sized on the front of one

letter. Yet Cardinal Bevilacqua for years continued to grant Fr. Mulholland access to parish children.

Despite all the evidence of severe and dangerous mental illness and abuse of adolescents in his file, and after Fr. Mulholland had complained to Msgr. Lynn that his pastor at Saint Francis Assisi had removed him from supervising altar boys, Cardinal Bevilacqua nevertheless in May 1996 assigned Fr. Mulholland to be associate pastor at Immaculate Conception Church in Levittown. As with all his other assignments, this one afforded Fr. Mulholland easy access to the parish school's children. And there is no indication that his new pastor was told of his problems. Without such notice, he could not know what the previous pastor apparently discovered for himself – the need to keep Fr. Mulholland away from altar boys.

Had he been informed about Fr. Mulholland, the pastor, Joseph L. Logrip, surely would not have put the priest in charge of the parish CYO – a post that Fr. Mulholland had held and abused in other parishes. Father Mulholland remained at Immaculate Conception until June 2002, when, in response to the pastor's request, he was removed. Father Logrip by then had discovered for himself that Fr. Mulholland was a problem. In addition to complaining that the associate pastor was rarely present, Fr. Logrip told Msgr. Lynn: "Father Mulholland is supposed to be in charge of the CYO. He does attend meetings, but it might be better if he did not." The pastor, according to Msgr. Lynn's notes, had also noticed what was a pattern in Fr. Mulholland's abusive behavior – he had a "small following in the parish."

On June 17, 2002, Cardinal Bevilacqua named Fr. Mulholland Chaplain at Immaculate Mary Nursing Home in Philadelphia, and assigned him to live at the rectory of Saint Dominic, a North Philadelphia parish with a grade school. Archdiocese documents do not indicate where the priest has resided since December 2, 2002, when the pastor at Saint Dominic, Fr. John D. Gabin, wrote Msgr. Lynn a one-sentence letter: "Father John H. Mulholland does not live at St. Dominic rectory."

The Archdiocesan Review Board investigates.

On March 10, 2004, the Archdiocesan Review Board concluded that Fr. Mulholland's was "not in violation of the *Essential Norms* defining sexual abuse of a minor contained in *The Charter for Protection of Children and Young People* adopted by the United States Conference of Catholic Bishops." The board made that determination despite finding that "Reverend Mulholland's letter to a young boy in his parish indicates that he is a disturbed individual in need of mental health intervention."

That letter included explicit language describing sexual abuse, such as the priest's promise "never to jump or molest" the boy so long as he continued his "daily punishments" of the priest. In addition, the boy, according to a memo written by Fr. Walsh in 1970s Archdiocese-style language, "confessed a relationship with Father." The Review Board investigator reported that one suspected victim "declined to discuss the nature of his relationship with Reverend Mulholland . . . stating that the only other person who knew what happened between him and Reverend Mulholland was his wife." And finally, Msgr. Lynn reported to therapists in June 2004 that many of the victims admitted to the investigator that, "in retrospect," Fr. Mulholland's behavior with them would have to be considered "sexual."

Although it did not find sexual abuse, the Review Board did not treat the reports of Fr. Mulholland's dangerous behavior as Cardinal Bevilacqua had. Having labeled the behavior as something other than sexual abuse, the Review Board did not simply ignore it. Board members were troubled by the fact that Fr. Mulholland had never received a mental health evaluation or treatment. The board's recommendations stated: "This raises concern in that the letter gives evidence of serious mental health problems that have gone undiagnosed and untreated for many years. As a result, the vulnerable populations with whom Reverend Mulholland comes in contact may be at risk."

The Review Board called for "prompt mental health intervention." It recommended that Fr. Mulholland's ministry not include youth. Board members also recognized that one does not have to be diagnosed a pedophile to be dangerous to children and other vulnerable populations. In Fr. Mulholland's case, they recommended that his evaluation "should address risk related factors in Reverend Mulholland's continued ministry with the elderly."

As of the Archdiocese's last report to the Grand Jury, Fr. Mulholland was still a priest with full faculties, still ministering to the elderly at Immaculate Mary Nursing Home. His residence was unrecorded.

Father Mulholland appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Monsignor John E. Gillespie

Church officials in 2000 considered Msgr. John E. Gillespie a risk. He had admitted molesting several boys over his many years as a priest. But what appeared to worry Archdiocese leaders and therapists more than the danger Msgr. Gillespie posed to parishioners was his stated desire to "make amends" to his victims. An apology might have helped the victims heal and the priest find peace. But it might also expose the Church to scandal or liability. Archdiocese officials were determined to prevent such an admission of guilt

In 1994, two brothers – now middle-aged men – confronted Msgr. Gillespie and accused him of repeatedly fondling their genitals nearly 40 years earlier at Immaculate Conception parish in Levittown. Monsignor Gillespie, pastor at Our Lady of Calvary in 1994, informed Secretary for Clergy William J. Lynn. He also showed Msgr. Lynn letters he had written to his victims, apologizing, explaining, and trying to persuade them that events had not happened precisely as the victims remembered. The Secretary for Clergy instructed the priest not to write to the victims again.

The Archdiocese received more allegations against Msgr. Gillespie in 1997 and January 2000. In February 2000, after the priest admitted inappropriately touching several boys, Archdiocese-affiliated therapists concluded that Msgr. Gillespie "would be a risk to have in parish work," not only because of the sexual abuse and its impact on the victims, but also because of his "drivenness to make amends." Again, he was ordered not to apologize to his victims.

Monsignor Gillespie was still pastor at Our Lady of Calvary in February 2000 because Cardinal Bevilacqua had ordered no further investigation or action in response to the earlier allegations. The Cardinal asked for Msgr. Gillespie's resignation as pastor only after learning that the priest had admitted victimizing two current parishioners at Our Lady of Calvary and wanted to "make amends" to them. Archdiocesan therapists warned: "If he pursues making amends with others, he could bring forth difficulty for himself and legal jeopardy."

Upon Msgr. Gillespie's resignation as pastor, the Cardinal bestowed on the 73year-old priest the title of Pastor Emeritus *of Our Lady of Calvary. Monsignor Gillespie continued to minister, including hearing confessions of schoolchildren. It wasn't until Msgr. Lynn received a report, in November 2001, of yet another victim that the Secretary for Clergy wrote: "I told Monsignor Gillespie that because of these rumors, and in order to preserve his reputation and the reputation of the Church, I thought it might be best if he retire."*

Cardinal Bevilacqua keeps Monsignor Gillespie as a pastor after receiving allegations in 1994 and 1997.

- **"Mark" and "Andrew"**

On January 10, 1994, Monsignor John Gillespie, ordained in 1953, and then pastor at Our Lady of Calvary in Northeast Philadelphia, visited Msgr. Lynn, having recently received two troubling phone calls. The first, on December 15, 1993, was from the mother of two former altar boys, Mark and Andrew. They had been at Immaculate Conception in Levittown during Msgr. Gillespie's tenure as assistant pastor between 1954 and 1962. Monsignor Lynn recorded that the mother accused Msgr. Gillespie of "molesting her boys." She said that one son, Mark, had told her about his abuse after entering therapy. The second call Msgr. Gillespie received was from Mark himself a few weeks later, accusing the priest of repeatedly putting his hands down the boy's trousers and touching his genitals. Monsignor Gillespie told Msgr. Lynn that he had been close to the boys' family, which he said "was split for a while" because the father was an alcoholic. Before the abuse was alleged, the priest had married the boys and buried their father. In 1985, Msgr.
Gillespie had loaned Mark $2,500.

The priest gave Msgr. Lynn copies of letters he had written to the victims. To Mark, Msgr. Gillespie wrote:

> As a young and perhaps immature priest, I was exuberant in reaching out, embracing, and touching people for whom I had affection. This may have caused discomfort for you and [Andrew] and for that I apologize. You mentioned or stated in our brief conversation that I reached down your trousers and touched you sexually. To this I respond in all honesty, I did at times touch your belly and kidded you about gaining a few pounds, but again I say, <u>I was extremely careful to avoid touching your sexual parts</u>.

Monsignor Gillespie begged Mark "[i]n remembrance of the many good times we had together," to give him the "benefit of the doubt" and allow him to finish out his remaining years as pastor without scandal. His letter to Andrew was similar.

Monsignor Lynn took the copies of the letters from Msgr. Gillespie and told him not to write to the victims again. Monsignor Lynn forwarded them to Cardinal Bevilacqua the same day, with a memo explaining the allegations Msgr. Gillespie had reported. Although Msgr. Lynn informed the Cardinal that "Mark did not threaten anything or make any

demands for money," the Secretary for Clergy said he would consult legal counsel as to precautions that should be taken.

Cardinal Bevilacqua told the Grand Jury that, even at the time, he found Msgr. Gillespie's denials odd and that the priest's language concerned him. But, despite his misgivings, the Cardinal did not request an investigation.

On January 11, 1994, the day after Msgr. Gillespie first came to Msgr. Lynn, Archdiocese officials made their decision. They had conducted no investigation and had not contacted any of the victims; Msgr. Lynn's sole effort was to consult with counsel. Yet, without the benefit of investigation, Cardinal Bevilacqua wrote on Msgr. Lynn's memo: "I believe Msgr. Gillespie." Describing the priest's alleged experience of "false accusations," the Cardinal added: "What a heavy cross." He left Msgr. Gillespie as pastor at Our Lady of Calvary.

- **"Neil"**

Three years later, in November 1997, the mother of Neil wrote the Cardinal, threatening to go to the police because of a "situation . . . between one of your priests and my 12 year old son." The situation involved questions her son was asked in the confessional at Our Lady of Calvary. Monsignor Gillespie admitted to Msgr. Lynn that he was the priest in the confessional at the time of the incident. According to Neil's mother, the questions the priest asked the 12-year-old were: "Are you married? How old are you? Do you touch yourself? Did you ever sexually hurt yourself? Did you ever sexually hurt someone else?" The Archdiocese declined to ask Msgr. Gillespie about what he had said to the boy in the confessional. In a meeting with Neil's mother and grandmother, the Secretary for Clergy led them to believe that he could not question Msgr. Gillespie about the incident. Father Francis W. Beach, the Vicar for Northeast Philadelphia, accompanied Msgr. Lynn on the interview and wrote: "Many times during the conversation, Father Lynn and I spoke about the seal of confession. [Neil's mother] and her mother understood . . . that we could not question [Neil] or Monsignor Gillespie on what was said in the confessional."

Cardinal Bevilacqua, likewise, used the seal of confession to excuse his and Msgr.

Lynn's failure to take any action against Msgr. Gillespie in 1997. Despite the multiple allegations against the priest, the Cardinal permitted Msgr. Gillespie to continue as pastor with no restrictions on his faculties and no supervision of his access to parish children.

Monsignor Gillespie is again accused of sexual abuse and, again, makes a qualified admission.

After two more years as pastor at Our Lady of Calvary, Msgr. Gillespie was again accused of molesting an adolescent – this time, a former altar boy at the parish where he still presided. On January 21, 2000, the victim, "Gabriel," now a 29-year-old policeman, told Msgr. Lynn and his assistant, Fr. Vincent Welsh, that Msgr. Gillespie had molested him from his freshman until his senior year of high school. Father Welsh recorded the interview in a memo.

Gabriel told the Church officials that Msgr. Gillespie touched him, over a period of two to three years, every time he assisted with Mass. Gabriel said Msgr. Gillespie summoned him, complimented him on his athletic build, touched his stomach and chest and reached into the boy's pants, usually fondling the boy's genitals, and on occasion grabbing and pulling his penis. Gabriel came forward on the advice of a therapist. He told the Church officials "he did not want this type of situation to happen to anyone else…." Monsignor Lynn and Fr. Welsh interviewed Msgr. Gillespie three days later. According to a memo recording that meeting, Msgr. Gillespie admitted touching Gabriel inappropriately on "a number of occasions." Specifically, Msgr. Gillespie admitted that he "touched [Gabriel's] stomach and reached into his pants and touched his pubic area," but denied touching his penis.

When Msgr. Lynn reminded Msgr. Gillespie of the Mark's and Andrew's accusations, which also included genital fondling, the priest again protested that he never touched anyone's genitals. Father Welsh wrote: "He also stated that he was more sure that he had 'never gone that far' with the . . . brothers than [Gabriel], because the . . . brothers were usually together." This was certainly an unusual form of denial for someone accused of abuse, and one that should have caused concern and inquiry.

Monsignor Gillespie told the Archdiocese officials that he thought Gabriel, 14 years earlier, had been his last victim. He would subsequently tell Msgr. Lynn that he had not molested anyone for 10 years. Another time he said it was seven.

Monsignor Gillespie is sent for evaluation and treatment; Archdiocese therapists offer opinions on the legal ramifications of returning the priest to his parish.

Archdiocese managers sent the priest to Saint John Vianney in February 2000 for a four-day evaluation. Monsignor Lynn explained to Msgr. Gillespie that "since the allegation was presented by [Gabriel] to the Archdiocese, it had to be properly addressed." The contrast here is stark: notwithstanding the seriousness of Mark's and Andrew's 1994 allegations, the Archdiocese managers perceived no need to respond in any way because the victims did not complain directly to them (even though the accused priest brought them the allegations). Thus, on the referral form to Vianney, Msgr. Lynn wrote: "Since they [the brothers] did not come to us, there was no previous history or concerns, & Msgr. G. [Gillespie] brought this to our attention himself, no further action was taken." The referral made no mention of the 1997 incident in the confessional with Neil.

While at Saint John Vianney, Msgr. Gillespie told Msgr. Lynn that he had abused two other boys at Our Lady of Calvary, also several years earlier. He said that these victims, now adults, still attended services at the parish and that he still spoke to them. He expressed a strong desire to apologize to these victims and to try to "make amends."

The diagnoses that resulted from Msgr. Gillespie's outpatient evaluation included: "Sexual Abuse of a Child," "History of Sexual Misconduct," "Sexual Disorder," and "Personality Disorder with Obsessive Compulsive Features." The therapists concluded that his "history of relationships" and "his lack of appreciation of the impact he had on others makes Monsignor dangerous to others."

But the Church-affiliated therapists did not limit their assessment to the risk Msgr. Gillespie posed to minors. They also proffered their opinion that "return to his parish does carry potential for further scandal and a possible lawsuit." They concluded that he was a risk, not only because of his abusive behavior, but also because of "his drivenness to make

amends." "If he pursues making amends," the report of Saint John Vianney stated, "he could bring forth both difficulty for himself and legal jeopardy."

After receiving the hospital's report and a recommendation from Msgr. Lynn on March 3, 2000, Cardinal Bevilacqua decided that Msgr. Gillespie should be asked to resign as pastor of Our Lady of Calvary. In a note to Msgr. Lynn, the Cardinal suggested that the priest be offered "Senior Priest status" or that he resign "for health reasons." Monsignor Gillespie acceded to Cardinal Bevilacqua's wishes and was permitted to continue as pastor for three more months until a new pastor was named in June 2000.

When asked by the Grand Jury why he allowed a pastor labeled "dangerous" by his therapists to continue in his parish for three months, the Cardinal blamed his Secretary for Clergy. He told the Grand Jury: "That was a judgment by Monsignor Lynn."

Knowing of Monsignor Gillespie's abuses, Cardinal Bevilacqua nevertheless names him Pastor Emeritus, and asks him to retire only after receiving another complaint.

When Msgr. Gillespie resigned as the active pastor at Our Lady of Calvary in June 2000, Cardinal Bevilacqua named him as its Pastor Emeritus. By not forcing a quick removal of the priest, and then honoring him with this title, Cardinal Bevilacqua helped the sexual offender preserve his reputation and cover as a respected senior priest. The Cardinal also allowed Msgr. Gillespie to continue ministering, assigning him to live and minister at the Motherhouse of the Grey Nuns of the Sacred Heart in Yardley. There, Msgr. Gillespie served as Chaplain to the sisters. He also regularly heard the confessions of children at Grey Nun Academy, a private school serving Kindergarten through 8th grade that was located on the convent grounds.

The 73-year-old Msgr. Gillespie finally retired after the Office for Clergy, in November 2001, received yet another report that the priest had molested a 15-year-old boy years earlier. The report came from a priest at Saint Ignatius in Yardley, Father Alan Okon. He told Msgr. Lynn's assistant, Father Welsh, that a woman had come to him because she had seen Msgr. Gillespie at the Motherhouse of the Grey Nuns and was afraid he was interacting with the students at Grey Nun Academy. The woman, he said, had heard from a

friend that Msgr. Gillespie had abused the friend's brother, "Charles," 25 years earlier at Mother of the Divine Providence parish in King of Prussia, where Msgr. Gillespie assisted in the 1970s. The described abuse fit Msgr. Gillespie's pattern, with the priest telling the boy how handsome he was, putting his hands down the boy's pants, and touching his genitals.

On December 10, 2001, Msgr. Lynn wrote that he told Msgr. Gillespie "because of these rumors, and in order to preserve his reputation and the reputation of the Church, I thought it might be best if he retire." Monsignor Gillespie was asked to stop his public ministry in February 2002, along with several other priests who had admitted sexually abusing minors.

Meanwhile, Msgr. Gillespie's victims, denied the apology that might have helped them move on, have continued to suffer. In an e-mail forwarded to Msgr. Lynn in March 2002, Gabriel revealed his unredeemed sense of betrayal. After finding out that Msgr. Gillespie continued to give communion to children, even after he had told Msgr. Lynn of the priest's offenses, Gabriel wrote: "Basically I was lied to by Fr. Lynn who said that the pastor would never be around children anymore."

Since April 2002, Msgr. Gillespie has lived at the Archdiocese retirement home, Villa Saint Joseph, in Darby. Cardinal Bevilacqua testified that he did not know what type of supervision, if any, the home provided for known sexual abusers. Given his predecessor's lack of attention to the supervision of molesters in retirement, it is not surprising that the Archdiocese learned in October 2004 that Msgr. Gillespie was still hearing confessions despite the supposed restrictions on his faculties.

Secretary for Clergy, Msgr. Timothy Senior, promptly informed the retired priest that he was not permitted to hear confessions of any lay people in the future. Monsignor Gillespie has agreed to live "a supervised life of prayer and penance" at Villa Saint Joseph, a retirement home for priests. In return, the Archdiocese will not to seek his laicization, but will allow Msgr. Gillespie to remain a priest.

Monsignor Gillespie was subpoenaed to appear before the Grand Jury in order to afford him an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Monsignor Leonard A. Furmanski

Monsignor Leonard A. Furmanski, ordained in 1959, sexually abused children throughout his 44 years as a teacher, principal, and pastor in the Archdiocese of Philadelphia. As pastor during the 1980s at Sacred Heart parish in Swedesburg, Msgr. Furmanski started a sex education class for grade schoolers. He lay on top of a 12-yearold girl and rubbed his erect penis against her under the pretense of "instructing" her in sex education. He also arranged sexual encounters between the girl and an altar boy. Monsignor Furmanski later admitted to "fondling" boys in the 1980s. He was accused by one altar boy of forcing him to perform oral sex.

Cardinal Bevilacqua left Msgr. Furmanski in ministry following an allegation in 1999 that the priest had instructed an 11-year-old altar boy to, as the boy described it, "massage Monsignor's leg." Despite evidence suggesting that sexual abuse had occurred, Secretary for Clergy William J. Lynn wrote to the Cardinal that "there is no reason for Furmanski not to return to the parish."

In 2002, Cardinal Bevilacqua left Msgr. Furmanski in ministry after learning that, as a teacher at Cardinal O'Hara High School in 1964, Msgr. Furmanski had sexually abused a freshman student after the boy confided to him about being raped by his algebra teacher in a janitor's closet at school. The victim told Msgr. Lynn that Msgr. Furmanski abused him for months, fondling the boy naked and having him do the same in return.

Still ashamed 38 years later, the victim asked if Msgr. Furmanski had been involved with other boys. The Secretary for Clergy, having personally handled the allegations of the 11-year-old altar boy three years earlier, told the victim he knew of no others. In 2003, an investigator hired by the Archdiocese's law firm accused Msgr. Furmanski's 1964 victim of lying. The investigator suggested that if the victim did not drop the matter, his wife might lose her job.

Monsignor Furmanski abuses a Cardinal O'Hara High School student in 1964.

On March 10, 2002, "Alex" wrote to Cardinal Bevilacqua telling the Cardinal that he had been abused as a young teen at Cardinal O'Hara High School 38 years earlier – by his algebra teacher and then his religion teacher, Msgr. Leonard Furmanski. Alex asked to speak to someone about it.

On June 18, 2002, Alex met with the Secretary for Clergy, William J. Lynn, and his assistant, Fr. Vincent Welsh. Alex related that his ordeal began freshman year – 1964 – at O'Hara when his 6'6", 370-380 pound algebra teacher asked him to stay after school, took him to the cafeteria, bought him a soda, talked with him about his grades and problems at home between his parents, then bent him over a chair in a closet and raped him. The

teacher fondled him in the closet on several other occasions. Alex told the Grand Jury that on one occasion his teacher suspended him by his wrists with a belt and groped his genitals, demanding, while squeezing the boy's genitals, that the boy keep the abuse secret. The teacher also told Alex, "this just stays between us, and you keep your nose clean and you'll graduate and get out of my class."

Alex explained to Msgr. Lynn and Fr. Welsh that he could not bring himself to tell his father or his mother, who had previously suffered a nervous breakdown, so he confided in Msgr. Furmanski, the priest who taught his religion class. To his dismay, Msgr. Furmanski responded by touching and fondling the boy's genitals, asking whether this was what the algebra teacher had done. Monsignor Furmanski told Alex that his, Msgr. Furmanski's, conduct was proper because he loved Alex.

Alex further told Msgr. Lynn and Fr. Welsh that he became a regular helper at a bookstore that Msgr. Furmanski ran at the school. There, once or twice a week, the priest had Alex take his pants down and he fondled the boy's genitals. The priest took down his own pants as well and had the student masturbate him. Monsignor Furmanski continued to abuse Alex throughout the semester until one day when he told him he was no longer needed because he had been replaced by other boys.

Alex confided in the Archdiocese managers that he never told anyone – not even his wife of 30 years – until stories of priest abuse hit the newspapers in 2002. He said he was embarrassed because he felt what Msgr. Furmanski had done was his fault. He related that he had dropped out of college after one year and began drinking heavily.

Monsignor Furmanski abuses an 11-year-old girl for almost two years, beginning in 1977.

"Regina" told the Grand Jury that she met Msgr. Furmanski in 1977 when he became pastor at Sacred Heart Church in Swedesburg and she was a 6th grader. The "boisterous," "outgoing," "always laughing" Msgr. Furmanski was well liked in the parish, leading to an increase in collections. Regina was happy when Msgr. Furmanski started a

youth group for girls, and she became an enthusiastic member. Monsignor Furmanski initiated and began teaching a somewhat graphic sex education to her 6th grade class, including his frequent drawing of diagrams of male genitalia on the blackboard. Monsignor Furmanski began asking Regina to do clerical work around the rectory, where he also employed numerous altar boys. No other priests lived in the rectory. As one of the students chosen to help the popular priest, she felt special. She believed it gave her a certain status among the other students, and she knew her family was pleased as well. Monsignor Furmanski was aware of and attentive to her vulnerability; he knew she came from a broken home, with no father and a sick mother, and talked with her about her family. Subtly, he moved the conversation to asking the girl whether she understood everything he was teaching in his sex education class. He asked whether she had a boyfriend, and whether she had ever been kissed. He pulled out a manual with pictures of male anatomy and explained to her that the penis went into the vagina – and not elsewhere. These private instructions in sex education were even more explicit and graphic than what Msgr. Furmanski taught in class. Regina told the Grand Jury that she felt a little embarrassed, but that she still trusted the priest at that point.

She began to feel less comfortable when, during 7th grade, Msgr. Furmanski asked whether she was a virgin and, upon hearing that she was, told her it was important for her to "feel what a man's erection is like." When they were alone he instructed Regina to lie on the floor. He then proceeded to lie, still clothed, on top of the 12- or 13-year-old girl and simulate intercourse, rubbing his erect penis against her. She told the Grand Jury that this so-called sex education continued for two years, three or four times a month. Regina told no one, fearing they would not believe her and that she would get in trouble. She said the priest told her that, if she did try to report the abuse, he would say that she had seduced him.

After a year and a half of the "sex education," Msgr. Furmanski added a new dimension – a 7th-grade altar boy, "Gregory." Regina told how Msgr. Furmanski called her to the rectory – to do clerical work, she thought – and then said, "Someone's waiting for you in the other room." There, in the dark, with music playing, she found Gregory. She

described how he kissed her, touched her breasts, and put his hands down her pants and his fingers into her vagina. She explained how Msgr. Furmanski prepared her for these actions ahead of time. He told her what boys like to do and instructed her that she should let them, for example, put their fingers in her pants because "it only makes more frustration if you don't, if you stop and you say no…."

She told the Grand Jury that because Msgr. Furmanski was orchestrating this behavior, she felt she could not say no. The priest questioned her about what happened with Gregory after their encounters – although she suspected he might have been watching because he seemed already to know.

Only when Msgr. Furmanski began to pressure her to have sexual intercourse with Gregory did Regina finally escape her abuse. She told the Grand Jury that she became scared because the priest would get angry when she refused to have intercourse. One night while Gregory was making his unwelcome sexual advances, Regina broke away and ran from the rectory with her pants undone.

Monsignor Furmanski's abuse of Regina continued. Finally, one night when she was in 8th grade, she had had all she could take. The priest had waited until the housekeeper was gone for the day and locked the door as he routinely did before molesting the girl. As he was lying on top of her, grinding his penis against her, she told him that if he did not get off she would scream until someone heard her. The priest got up and allowed her to leave.

Monsignor Furmanski continued to pursue Regina. He called her house and told her mother that Regina should have been at the rectory working. For the most part, Regina said, she was able to avoid the priest, seeing him only at family functions such as funerals. Once she entered high school, she had very little contact with Msgr. Furmanski. Regina testified that she told no one about her abuse at the time except a boy she dated in high school, "Martin," and his mother. She told them, she explained, because she had an extreme reaction when Martin, "just goofing around," lay on top of her. She said she "flipped out," "threw him off," and told him not to come near her. She said she

“crumbled so bad there that he went and got his mother.” Regina testified that she told Martin’s mother the story but extracted her promise not to tell anyone.

Twenty-four years later, Regina testified that she still considered herself a Catholic but could not go into a church. The smells, the atmosphere, brought back all her horrifying memories of Msgr. Furmanski. She said that her marriage fell apart and ended in divorce because she “couldn’t . . . make love with my husband because, you know, I didn’t – I felt dirty, and he just said he couldn’t – ‘I can’t fight that ghost forever.’”

Regina said she testified to the Grand Jury mainly because she wanted to tell what Msgr. Furmanski had done and to show him she was no longer afraid. She said he had ruined her life yet felt no remorse. She hoped by telling her story, she could do her part to “just help all this go away” so that she could trust the church with her 8-year-old daughter.

Monsignor Furmanski abuses boys at Sacred Heart in the 1980s.

In 2003, Archdiocese managers learned that Msgr. Furmanski had abused boys during the 1980s while pastor of Sacred Heart in Swedesburg. On September 9, 2003, victim coordinator Martin Frick received a phone call from a therapist named Sherry Rex. She reported that a client of hers – a male in his 30s – had revealed being abused by Msgr. Furmanski while an altar boy at Sacred Heart about 20 years earlier. The client told his therapist that Msgr. Furmanski had taken him into the rectory, shown him pornography, and forced him to perform oral sex on the priest.

Monsignor Furmanski admitted to abusing minors. In an October 27, 2003, memo, Msgr. Lynn wrote that Msgr. Furmanski, when confronted, had admitted to fondling “boys” in the 1980s (while he was serving as pastor at Sacred Heart). In her testimony before the Grand Jury, Regina named several altar boys from her years at Sacred Heart – the late 1970s – who were also particularly close to Msgr. Furmanski and spent a lot of time in the rectory.

In 1999, Monsignor Furmanski has inappropriate contact with an 11-year-old boy.

Between 1989 and 1999, Msgr. Furmanski was assigned to four pastorates, the last, in 1998, being Saint Elizabeth Seton, Bensalem. On June 21, 1999, "Louisa," the mother of an 11-year-old altar boy at Saint Elizabeth Seton, met with Secretary for Clergy Lynn and his assistant, Fr. Welsh. She accused Msgr. Furmanski of what was recorded as "inappropriate behavior" with her son "Ernie." She had been referred to Msgr. Lynn by Catholic Social Services.

Louisa had taken Ernie to see a counselor at the suggestion of his teacher at Saint Charles Borromeo grade school. The teacher had told his mother that she had observed problems with Ernie for a few months. She showed Louisa a book Ernie had destroyed by scribbling sexual-type doodles in it. In addition, his grades were failing. The teacher recommended he see a counselor.

Louisa told the Archdiocese managers that, about a month earlier, when she picked Ernie up from his job doing yard work at the rectory for Msgr. Furmanski, her son seemed strange. She told them she could tell from his eyes that something had happened. When she asked Ernie what was wrong, he told her that Msgr. Furmanski had had him massage the priest's leg. She thought it suspicious that the priest had changed his pants – from sweatpants to shorts – since she had dropped Ernie off earlier.

On June 17, 1999, Ernie's parents took him to Catholic Social Services where they met with a counselor, Anne Karmilowicz. They described Ernie's recent moodiness and failing grades. The counselor then met privately with Ernie. The counselor asked, as a routine question, whether he had ever been sexually abused. In response, Ernie mentioned several incidents of massaging with Msgr. Furmanski, the pastor of his family's parish. He told the counselor that he had told his mother about these episodes.

On June 18, 1999, Msgr. Lynn received a phone call from Maryann Adams, a clinical supervisor at Catholic Social Services. Monsignor Lynn's notes from that conversation record that Adams referred to 11-year-old Ernie's allegation regarding Msgr. Furmanski as "abu[se] w/one of priests."

On June 21, 1999, Louisa explained to Msgr. Lynn and Fr. Welsh why she felt sure that more than an innocent massage had taken place. She said that Msgr. Furmanski had instructed Ernie not to tell anyone about the massage – a fact later confirmed by Msgr. Furmanski – and that the boy had felt extremely guilty for breaking his silence. Ernie had told her that the massaging had begun in the rectory kitchen but that Msgr. Furmanski had said: "This doesn't look too good; let's go upstairs." Ernie reported that, once upstairs, Msgr. Furmanski lay on the floor while the boy massaged him. Louisa asked her son whether the priest had said anything during the massage. Ernie replied: "He mumbled something like, 'one of these days I'm going to get you down.' But I didn't understand what he was saying." Over the next several weeks, between this incident and her meeting with Msgr. Lynn, Louisa learned there had been other "massage" sessions – one in a shed on church property, another in a garage attached to the kitchen.

Monsignor Lynn reported all this information to Cardinal Bevilacqua on June 24, 1999, along with Msgr. Furmanski's admission that what was reported was true. Monsignor Lynn told the Cardinal that, "[I]t was obvious [Ernie's mother] believes more happened" and that she mentioned the possibility of going to the police.

The Archdiocese decides not to return Monsignor Furmanski to his position as pastor only after a parent threatens to cause scandal.

The Archdiocese responded to the reports by Ernie and his mother in its usual way: Msgr. Furmanski was sent for a 10-day inpatient evaluation at Saint John Vianney Hospital. Also "usual" was that the information contained in the referral was incomplete, omitting crucial facts and thus making it likely that Msgr. Furmanski's diagnosis would not be accurate. In his referral, Msgr. Lynn wrote that the priest was being sent for evaluation because he had asked an 11-year-old boy to massage his leg twice. Monsignor Lynn *failed* to mention that Msgr. Furmanski had reportedly said, "one of these days I'm going to get you down;" that the priest had ordered the boy to keep the massages a secret; and that the boy related the incidents to a counselor asking about sexual abuse. On

July 7, 1999, Msgr. Lynn announced to Louisa that "after a rigorous two week evaluation by a panel of psychologists, psychiatrists, and other experts, it was determined that Msgr. Furmanski shows no signs of any sexual disorder." As revealed in his memo of that day's meeting with the victim's mother, Msgr. Lynn intended, with Cardinal Bevilacqua's approval, to return Msgr. Furmanski to the parish.

Within the span of a few weeks, Louisa learned more from her son that caused her to change her mind about the suitability of Msgr. Furmanski's return to the parish and to threaten to raise a public scandal; her threat changed the Archdiocese's plans. Monsignor Lynn wrote on July 28, 1999, that Ernie had told Louisa about "another incident that happened in a hall" and that he was "afraid to have any contact with Msgr. Furmanski." That day, Msgr. Lynn reported to Cardinal Bevilacqua that Louisa was "very anxious and upset and said she could not understand how we could leave him there at the parish." Monsignor Lynn warned the Cardinal that the mother "clearly stated that, if Msgr. Furmanski did not leave the parish, she would do whatever was necessary, including informing parishioners and teachers about the incidents or going to other 'authorities' to see that he was removed."

On August 17, 1999, Cardinal Bevilacqua accepted Msgr. Furmanski's resignation as pastor of Saint Elizabeth Seton. Monsignor Lynn assured the priest that this "does not rule out the possibility of a pastorate in the future." The parish newsletter contained a short message from Msgr. Furmanski:

Dear Parishioners,

Due to illness, I have resigned as Pastor of the Parish. Your new Pastor will be assigned around the middle of September. I thank you for your many kindnesses to me.

God Bless You All,

Monsignor Leonard

In the fall of 1999, Msgr. Furmanski was assigned as Chaplain to Nazareth Hospital. He was left in that position even after Alex told the Archdiocese in the spring of 2002 about Msgr. Furmanski's abuse of him when he was a student at Cardinal O'Hara High School.

Saint John Vianney Hospital issues a favorable diagnosis by claiming to disbelieve one allegation and discounting another as a mere "boundary violation."

By keeping Msgr. Furmanski as an active priest, the Archdiocese managers ignored the obvious implication of Alex's allegations – that Msgr. Furmanski had sexually abused boys in the past, and that he was still preying on them in 1999 when Ernie's mother alerted Msgr. Lynn and Cardinal Bevilacqua about the priest's behavior. Instead, Msgr. Lynn told Alex in 2002 that he knew of no other boys with whom Msgr. Furmanski had been involved.

The Archdiocese, once again, sent the priest for an evaluation at Saint John Vianney Hospital. Despite a detailed allegation of abuse, made by a man who was not threatening to sue the Archdiocese and was clearly still ashamed about what he was reporting, Saint John Vianney's staff concluded: "[T]here was no data to suggest that Father Furmanski had sexually abused [Alex]." The October 17, 2002, report from the hospital also stated: "To our knowledge, there have been no other allegations of sexual misconduct against Father Furmanski in his ministry career." It discounted the 1999 allegation as "an instance of poor boundaries and judgment…."

Thus, by inexplicably dismissing one report of abuse and discounting another, the Archdiocese hospital gave the offender a clean bill of health. Monsignor Furmanski remained in his assignment, with the full status, faculties, and authority of a priest. Alex, having reported his story, made no further contact with the Archdiocese.

The priest's victim is bullied and threatened.

In the summer of 2003, however, Alex was contacted by John Rossiter, an investigator hired by the Archdiocese's law firm, Stradley Ronon. The victim was asked to repeat his story.

At their first meeting, Alex testified, "Rossiter seemed to be extremely sympathetic and told me that I was not the only one to have complained about Msgr. Furmanski." When the investigator called him back later, however, he accused the victim of being motivated by money. Rossiter said he did not believe Alex and was going to "finalize the report and have the matter against Furmanski dropped."

Alex told the Grand Jury that he had never contacted a lawyer and never contemplated suing the Archdiocese. He said he believed that any claim he might once have had was barred by the statute of limitations. After his initial report to Archdiocese managers, informing them that one of their still active priests had sexually assaulted him as an adolescent, he never contacted the Archdiocese again.

Whether Rossiter really disbelieved Alex or not (Rossiter testified: "I don't think there's been but one or two [victims] where I didn't believe their allegation, at least their perception of it"), he had obtained information that could be used to intimidate and pressure the victim. Alex, who had years before worked as an insurance adjuster, had been prosecuted for using funds he was holding in escrow to pay some hospital bills. He had received a work-release sentence and repaid the escrow fund.

Nevertheless, on behalf of the Archdiocese's lawyers, Rossiter called Alex's wife and asked her whether her employer – the juvenile court system in Delaware County – knew of her husband's conviction. Alex testified that Rossiter suggested to his wife that if the victim continued with his allegation, the wife's employer would find out about his conviction. Rossiter told her it could affect her employment.

Alex reiterated to Rossiter and the Grand Jury that he didn't understand why he was being treated this way. He had never threatened to sue the Archdiocese – he had merely told its managers that one of its current priests had abused him.

On September 9, 2003, before Rossiter was able to "finalize his report" *exonerating* Msgr. Furmanski, the Archdiocese received therapist Sherry Rex's report that a client of hers had been abused by Msgr. Furmanski in the 1980s. Rossiter was sent to question Msgr. Furmanski about this new allegation, as well as Alex's.

Monsignor Furmanski is sent for treatment a third time and is eventually recommended for removal by the Archdiocesan Review Board.

On October 27, 2003, Msgr. Lynn wrote in a memo that Msgr. Furmanski, in his interview with Rossiter, had denied Alex's allegation, "but admitted to fondling boys in the 1980s." Monsignor Lynn noted that Rossiter "did not push for more information at that time but immediately called James Bock, Associate to the Vicar for Administration…."

The interview with Msgr. Furmanski was continued by Msgr. Lynn's assistant, Fr. Vincent Welsh. As reported by Msgr. Lynn, Msgr. Furmanski's admission to Fr. Welsh was "that he fondled a minor in the 1980s." There is no further mention in Msgr. Lynn's memo of the additional victims indicated by Msgr. Furmanski's use of the plural – boys – in his admission to Rossiter. Nor is there any recording of the number or names of the abused minors or precisely what type of abuse they suffered.

Msgr. Furmanski was sent on October 23, 2003, to Saint John Vianney for the third time. On December 17, 2003, the Archdiocesan Review Board found Msgr. Furmanski in violation of the Church's "Essential Norms" defining sexual abuse of a minor and recommended that he be removed from ministry. His name was made public, along with those of three other priests removed that day.

In the course of its investigation of known allegations against the priest, the Review Board stated that Msgr. Furmanski confessed to two "incidents of sexual abuse of minors regarding children about whom we had not previously received allegations." The Review Board did not identify these two victims or describe their abuse, but the board did suggest that the Archdiocese's "victim's services staff should consider what, if any, outreach would be appropriate to the victims identified in Msgr. Furmanski's admissions since they have not come forward themselves." There is no indication in records turned over by the Archdiocese that these known victims were ever contacted or that Msgr. Furmanski's crimes against them were reported to the appropriate civil authorities.

Monsignor Furmanski was released from Saint John Vianney on January 31, 2004. He was permitted to retire – still a priest – to his home on the New Jersey Shore.

On October 15, 2004, faced with the possibility of involuntary laicization, Msgr. Furmanski agreed to live “a supervised life of prayer and penance” at Villa Saint Joseph, a retirement home for priests.

Monsignor Furmanski appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Father John J. Delli Carpini

In 1998, Fr. John J. Delli Carpini began writing homilies and speeches for Cardinal Bevilacqua. He also became a writer in the Cardinal's Communications Office, working for its director, Catherine Rossi, and helping to represent Archdiocese views during a time that sexually abusive priests were becoming a national scandal. He did so even though, as Cardinal Bevilacqua well knew, Fr. Delli Carpini had just a few months before admitted to molesting a 13-year-old boy from his first assignment at Saint Luke the Evangelist in Glenside. Cardinal Bevilacqua tried to conceal his association with Fr. Delli Carpini and also made sure that the priest kept quiet his authorship of the Cardinal's homilies and pronouncements. This arrangement continued until March 2002.

Before writing for Cardinal Bevilacqua, Fr. Delli Carpini taught at Roman Catholic High School and was a dean at Saint Charles Borromeo Seminary for 12 years. The molestation he admitted began in 1977 when the boy was an 8th-grader in Saint Luke's parish; it continued for seven years. When the victim informed the Archdiocese of his abuse in 1998, he also reported that he had seen Fr. Delli Carpini in the act of molesting a 15-year-old, and had walked in on the priest as he appeared to be preparing to abuse an 8-year-old boy.

Cardinal Bevilacqua permitted Fr. Delli Carpini to continue in ministry anyway, and to live in a parish rectory. He did so after receiving a psychological evaluation reporting "a sexual disorder and a severe personality disorder." Attempting to justify these decisions to the Grand Jury, the Cardinal testified that he generally relied on the advice of therapists to decide whether a priest guilty of abuse should be given an assignment. The documents in Fr. Delli Carpini's file, however, show that it was Cardinal Bevilacqua who made the initial determination to keep him in ministry. The therapists, who worked for the Archdiocese, then tailored the priest's treatment to fit the Cardinal's decision.

Father Delli Carpini sexually abuses a 13-year-old boy at Saint Luke the Evangelist Church in Glenside.

Thirteen-year-old "Cliff" met Fr. John Delli Carpini shortly after the priest had been ordained in 1976, and when he began his career as an associate pastor at Saint Luke parish. Within six months, the priest had befriended the boy's family and hired him to work in the rectory. Around the same time, the priest began to invite Cliff on trips. He also began to molest the boy.

In March 1998, Cliff described the molestation to Secretary for Clergy William J. Lynn and his assistant, Fr. Gerald C. Mesure. Father Delli Carpini, Cliff recalled, fondled the boy's genitals. This happened sometimes when he was dressed, but also in underwear.

Father Delli Carpini also tried to get the boy to touch the priest's genitals. The abuse continued for seven years.

When Cliff came to the Archdiocese headquarters to report his abuse to officials, he was 34 years old. He was suffering severe emotional problems, which he attributed to Fr. Delli Carpini's abuse. He told Msgr. Lynn and Fr. Mesure that "for many years he felt a great deal of guilt." He explained that he felt trapped and unable to escape the relationship because of the priest's friendship with his whole family. Even after the abuse ended, he often encountered Fr. Delli Carpini when the priest performed weddings and baptisms for members of Cliff's extended family.

Cliff said that his condition became worse in October 1997 as a result of seeing Fr. Delli Carpini. In that month, after living for years in Seattle, he visited Philadelphia for his brother's wedding at which Fr. Delli Carpini officiated. Monsignor Lynn and Fr. Mesure recorded that, following this event, he used drugs for several months "to escape his emotional pain." He said he considered suicide. After the wedding he told his parents of his abuse at the hands of their priest friend. They went into counseling. He confronted Fr. Delli Carpini, and the priest admitted his wrongdoing and promised to seek help.

On March 13, 1998, Msgr. Lynn informed Cardinal Bevilacqua of Cliff's allegations. He told the Cardinal that Fr. Delli Carpini in an interview had admitted the crime to Archdiocese managers.

Father Delli Carpini's evaluation and treatment are hampered because he minimizes the number of his abuse victims.

Because Fr. Delli Carpini readily admitted his long-term abuse of Cliff, he was sent to the Archdiocese's hospital, Saint John Vianney, for evaluation. On April 4, 1998, Msgr. Lynn reported to Cardinal Bevilacqua that therapists at Saint John Vianney had diagnosed Fr. Delli Carpini with "a sexual disorder and a severe personality disorder." Monsignor Lynn wrote that "[n]o exact label was able to be placed on the sexual disorder at this time." Cardinal Bevilacqua approved the therapists' recommendation that the priest receive inpatient treatment for his disorders.

On May 27, 1998, Cliff returned to Msgr. Lynn's office to find out what action the Archdiocese had taken in response to his complaint. Monsignor Lynn told him that Fr. Delli Carpini was undergoing treatment, that the priest had not been diagnosed as a pedophile, and that he was denying that he had ever abused anyone other than Cliff. Cliff informed the Secretary for Clergy that he had witnessed two incidents that contradicted the priest's claim. Both involved Cliff's relatives.

Cliff told Msgr. Lynn that on one occasion, while on a trip with the priest, he had walked into a room "to find Father Delli Carpini with his pants unbuckled and his hands touching a fifteen (or sixteen)-year-old's lap." Another time he walked in on the priest alone in a room with an 8-year-old, also a relative of Cliff's. Knowing Fr. Delli Carpini's methods first-hand, he said that it looked as if the priest were preparing to molest the boy. Cliff recalled that, when he entered the room, Fr. Delli Carpini "appeared shocked and the boy ran out of the room." Monsignor Lynn did not ask the identity of the teenager or the 8year-old.

At his meeting with Cliff, Msgr. Lynn promised that he would "make sure that Father Delli Carpini is confronted with [the allegation concerning the other two boys]." However, Msgr. Lynn's notes from his next meeting, on June 26, 1998, with Fr. Delli Carpini and his Saint John Vianney treatment team made no mention of any such confrontation. There is no indication that the therapists were ever informed of the other allegations, even though their initial reluctance to diagnose Fr. Delli Carpini with a specific disorder – for example, pedophilia or ephebophilia – may have been predicated on their belief that there was only one alleged victim. Monsignor Lynn appears not to have corrected this critical misperception.

The Archdiocese tells Vianney that it plans to return Father Delli Carpini to ministry.

On June 23, 1998, nearly three months before Saint John Vianney found Fr. Delli Carpini ready for discharge, Cardinal Bevilacqua approved a recommendation by Msgr. Lynn that the admitted molester be permitted to continue in a "limited" ministry. Although the recommendation purported to depend upon the outcome of the priest's treatment, Msgr.

Lynn's memo to the Cardinal indicated that Cardinal Bevilacqua's decision came first. The course of treatment was then tailored to the Cardinal's determination to permit Fr. Delli Carpini's return to ministry. Monsignor Lynn wrote:

> One of the issues which must be dealt with in therapy is whether or not he will be permitted active ministry again. If a priest is not going to be permitted to return to ministry, they deal with the loss of ministry in the course of therapy and all the psychological ramifications that brings. If he is going to return to some form of ministry, the treatment is geared in that direction. At this stage in the treatment program, it is important to address this issue.

To assist the Cardinal in making a decision, Msgr. Lynn attached a March 30, 1998, psychological report from Saint John Vianney's original two-week evaluation. This was the evaluation that, as summarized by Msgr. Lynn in an April 1998 memo to the Cardinal, "showed a sexual disorder and a severe personality disorder." It did not endorse or recommend a return to ministry. The evaluation was also conducted before Cliff informed Msgr. Lynn of the incidents he witnessed involving his 8- and 15-year-old relatives. Nevertheless, based on this evaluation, Cardinal Bevilacqua decided to allow Fr. Delli Carpini to continue in ministry.

After Msgr. Lynn communicated Cardinal Bevilacqua's decision to the doctors at Saint John Vianney, the Secretary for Clergy wrote: "the treatment team was happy to have this information so they know how to direct their treatment with Father Delli Carpini." The order of events in this case belies Cardinal Bevilacqua's claim that he relied on the advice of professionals to determine whether a priest should return to ministry.

The Archdiocese gives Father Delli Carpini a position of honor writing speeches and sermons for the Cardinal.

On September 28, 1998, following Fr. Delli Carpini's discharge from Saint John Vianney, Cardinal Bevilacqua appointed the priest to the part-time job of Chaplain at Saint Cabrini Home, a retirement residence for the Cabrini Sisters. In addition, he was assigned to work part-time in the Archdiocese headquarters.

From 1998 until 2000, although ostensibly supervised by Chancellor Alexander J. Palmieri, Fr. Delli Carpini did a great deal of writing for Catherine Rossi, the director of the Office of Communications, and wrote many homilies and talks for the Cardinal himself. On March 21, 2000, Vicar for Administration Joseph R. Cistone proposed in a memo to the Cardinal that Fr. Delli Carpini be assigned on a more full-time basis as a writer for the Office of Communications and for the Cardinal, but that this assignment be concealed from the public by keeping him under Chancellor Palmieri's supervision "for purposes of his 'personal' issues." Monsignor Cistone then added parenthetically: "(Regarding your previous concern about his mentioning that he writes for you, we were able to address this matter with Father Delli Carpini discreetly, without any reference to your having raised the issue.)" (Appendix D-26)

Father Delli Carpini remained in these assignments until February 2002, when Cardinal Bevilacqua removed him from ministry along with several other priests. All had been known for many years to have sexually abused minors. He is currently on administrative leave, prohibited from exercising his faculties except to celebrate Mass alone.

Father Delli Carpini appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Father Thomas J. Wisniewski

In July 1992, Cardinal Bevilaqua's newly appointed Secretary for Clergy, William J. Lynn, documented allegations that Fr. Thomas J. Wisniewski had abused a 15year-old boy in Nativity B.V.M. parish for three years, beginning in 1984, engaging in "everything sexually two men can do."

The documents in Fr. Wisniewski's file shed light on Cardinal Bevilacqua's policies and practices in dealing with priests accused of sexual crimes. According to these procedures, the Cardinal was made knowledgeable of the case from the start. The procedures emphasized consideration of legal liability and scandal over public safety. They sought to conceal information and avoid law enforcement. They failed to heed recommendations for supervising and monitoring the priest. The procedures enabled Fr. Wisniewski, ordained in 1974, to continue acting as a priest for six years after he admitted sexually abusing a minor.

Monsignor Lynn's memos about Fr. Wisniewski describe a process whereby sexual abuse allegations were to be immediately reported, verbally, to Cardinal Bevilacqua and his Vicar for Administration. The Cardinal wanted his Secretary for Clergy to "act quickly" to remove any admitted molester from his assignment and to have the priest evaluated at the Archdiocese's hospital, Saint John Vianney. But the purpose of acting quickly, Msgr. Lynn noted, was to minimize "legal ramifications." Known victims who did not themselves come forward were not to be sought out or interviewed. The Archdiocesan Personnel Board charged with recommending priests' assignments was not to be informed of "such matters" as sexual abuse allegations and admissions.

Also in Fr. Wisniewski's file was a description by Saint John Vianney therapists of the aftercare and supervision that the Archdiocese would need to put in place if it was to consider permitting abusers to continue in what Cardinal Bevilacqua termed "limited ministry." These recommendations called for, among other things, a resident supervisor who kept a daily log of the priest's comings and goings. In Fr. Wisniewski's case, as in others, the ministry was permitted, but the supervision and aftercare were lacking.

In 1992, Father Wisniewski admits to abusing "Kenneth."

On July 7, 1992, "Susan" reported to Archdiocese managers that her exboyfriend, Kenneth, had been abused for three years by Fr. Thomas Wisniewski, beginning in 1984 when the priest was an assistant pastor at Nativity B.V.M. in Media. Father Paul Dougherty, who also knew from Kenneth of his abuse, accompanied Susan to the Archdiocese headquarters, where they met with Cardinal Bevilacqua's Assistant Vicar for Administration, James E. Molloy, and his newly assigned Secretary for Clergy, William J. Lynn.

Monsignor Lynn's notes show that the Archdiocese was informed by Susan that

Kenneth had been a 15-year-old student at Cardinal O'Hara High School in 1984 when Fr. Wisniewski began his three-year course of sexually abusing the boy. In October 1991, Kenneth confided in Susan and Fr. Dougherty, whom the couple had consulted to discuss marriage plans. Kenneth described to Susan a relationship he thought was "special." Father Wisniewski had given Kenneth expensive gifts, including a VCR and a car. During the course of this sexually abusive relationship, from Kenneth's sophomore year in high school through the beginning of college, Fr. Wisniewski had oral sex with him and attempted to penetrate him anally. The abuse sometimes took place at the Nativity rectory, where Kenneth worked. The priest also took trips alone with the teen to the New Jersey Shore and to Canada.

Father Dougherty told Msgrs. Lynn and Molloy that Kenneth "felt angry and guilty about the relationship." Kenneth was not sure, however, whether he wanted to tell authorities about it. Perhaps most significantly for the Archdiocese, there was reason to believe that Fr. Wisniewski might be abusing another boy. The priest told the Archdiocese managers that, in December 1991, Kenneth "was convinced there were other victims." Monsignor Lynn recorded that Susan also warned that Fr. Wisniewski had been seen recently dining out with a 14- or 15-year-old from Saint Pius X parish in Broomall, to which the priest had been transferred in June 1991.

Susan told Msgrs. Molloy and Lynn that she thought Kenneth might tell the officials what happened if they approached him and told him what they already knew. Father Dougherty noted that Kenneth had been "glad to share his story." Despite these indications that the victim might be willing to speak with them, the Archdiocese managers declined to contact him. In response to an explicit request by Susan that the managers question Kenneth, Msgr. Molloy was evasive, saying that "he would explore that possibility, but that it might violate civil law," a dubious proposition he did not explain.

Later that same day, Fr. Wisniewski admitted the truth of the allegations when confronted by Msgrs. Molloy and Lynn.

The Archdiocese's memos outline procedures for handling abuse cases and reveal Church leaders' misplaced priorities.

Monsignor Lynn kept detailed memos recording the handling of Fr. Wisniewski's case, one of his first as Secretary for Clergy. His memos from this case are informative

because, as he learned the job, he explained the Cardinal's policies, and the rationales behind them, in a way that he did not as the process became more familiar.

The first step after receiving the allegation was to interview the accused priest. The next step was to immediately inform Cardinal Bevilacqua – orally. A written report to the Cardinal – for the record – would follow later. After procuring Fr. Wisniewski's admission, Msgr. Lynn noted, he "immediately informed [Vicar for Administration Edward P.] Cullen who verbally informed Cardinal Bevilacqua."

The Cardinal's protocols apparently did not entail informing the police about a sexually abusive priest. Monsignor Lynn wrote that the usual process – that is, when the priest admitted to abusing a minor –called for "immediate removal from the rectory, a full evaluation and a follow-up recommendation." This speed was less attributable to a concern for victims than to the Archdiocese's legal exposure: "there is less legal ramifications," Msgr. Lynn noted, "if they [Archdiocese managers] act quickly." Similarly, inpatient evaluation at a Church-affiliated institution was designed to serve the Archdiocese. Monsignor Lynn recorded that Fr. Wisniewski was told: "legally, they [the Archdiocese managers] have to cover all possibilities." Accordingly, Fr. Wisniewski was sent to Saint John Vianney for evaluation on July 14, 1992.

It was not procedure to try to interview victims if their abuse had been reported by a third party and they had not come forward themselves. Despite Susan's request, supported by Fr. Dougherty's belief that Kenneth needed counseling, Archdiocese managers made no apparent attempt to talk to Kenneth. Questioned by the Grand Jury, Msgr. Lynn abandoned the untenable excuse, given by Msgr. Molloy to Susan, that the Archdiocese feared civil consequences and, instead, asserted the dubious claim that they avoided contacting victims in order not to traumatize them.

The Cardinal's procedures also prevented the Priest Personnel Board, responsible for recommending priest assignments, from learning about abuse allegations; the Church officials informed Fr. Wisniewski "that such matters are not brought to the personnel board…." Nor was Fr. Wisniewski's parish to be informed of the reason for his absence when he went to Saint John Vianney for evaluation. Monsignor Lynn wrote: "Father Wisniewski was told that the pastor should tell the parishioners that he is on vacation."

Father Wisniewski's Secret Archives file also sheds light on Cardinal

Bevilacqua's procedure for deciding whether to return an abusive priest to ministry. Monsignor Lynn initially proposed, in a September 1, 1992, memo, that "consideration to future ministry assignment in the Archdiocese of Philadelphia be based on the results of the recommended treatment at Saint John Vianney Hospital," the treatment facility where Fr. Wisniewski was sent for evaluation. Monsignors Molloy and Cullen amended the proposal, suggesting that the Cardinal base his decision only "in part" on the therapists' advice. Cardinal Bevilacqua approved the memo's recommendation, expressly noting the amendment.

On May 14, 1993, Msgr. Lynn recommended Fr. Wisniewski's return to ministry despite his admissions to sexual abuse of a boy. The reasons he gave enumerated the other factors Cardinal Bevilacqua thought were important to consider beyond Saint John Vianney's recommendation. Monsignor Lynn noted that the victim "has never come forward" and "[t]here has never been any threat of legal action." Absent any warnings of possible scandal or lawsuits, Cardinal Bevilacqua approved Fr. Wisniewski's return to ministry.

The inadequacy of procedures is exemplified in the limited supervision of Father Wisniewski.

Cardinal Bevilacqua told the Grand Jury that the return of abusive priests to ministry was justified because their ministry was "limited" and "supervised." The documents in Fr. Wisniewski's file demonstrate that that was simply untrue. Father Wisniewski and other sexually abusive priests were returned to ministry without sufficient supervision or enforced limitations.

On March 11, 1993, several weeks before Fr. Wisniewski's discharge from Saint John Vianney, Fr. Wisniewski's therapist wrote to Msgr. Lynn that Fr. Wisniewski was not a pedophile, but referred to his "ephebophilic behavior." The therapist also outlined in great detail the type of supervision and treatment necessary to make Fr. Wisniewski a viable candidate for "ministry-supervision."

The therapist's conditions were extensive and designed to prevent Fr. Wisniewski from having the opportunity to abuse other children. He recommended an assignment that would prohibit "face to face or other unsupervised ministerial involvement with male

adolescents…." He also called for the priest to have a resident "ministry supervisor," and stated that Fr. Wisniewski should be required to sign in and out on a "daily log indicating where he is going and when he is expected to return and with whom he will be visiting." The supervisor would be expected to countersign the log. As for continued therapy, the therapist recommended that Fr. Wisniewski attend sexual addiction support group meetings daily for the first three months following discharge, that he continue in individual psychotherapy for at least four years, and that he have a "comprehensive psychological assessment annually."

An integral part of the necessary aftercare program outlined by the therapist was the "Ministry Supervision Team," to include the resident ministry supervisor, the Secretary for Clergy, Fr. Wisniewski's therapist, and a peer of Fr. Wisniewski. The therapist advised that this group meet weekly for the first few months, then monthly. He emphasized that the supervision and therapy would need to be sustained for a long time. "The team should be mindful," he warned, "that current developmental resources indicate a full developmental era may be required to effect the behavioral changes needed to develop a healthy, adult style of interpersonal relating."

Monsignor Lynn forwarded the therapist's outline for ministry supervision to Cardinal Bevilacqua on May 14, 1993, and again on July 13, 1993. In his July memo, Msgr. Lynn recommended that Fr. Wisniewski, who was still at Saint John Vianney, be assigned to work as an advocate to the Metropolitan Tribunal, the ecclesiastical court of the Archdiocese, and to live in a parish rectory.

On July 20, 1993, Cardinal Bevilacqua approved continued ministry for Fr. Wisniewski, including his work and residence assignments. The Cardinal's acknowledgement of the importance of supervision was well documented in notes from that date's issues meeting. But the acknowledgement recorded for the file was not reflected in practice. A month later, a priest came to the Secretary for Clergy's office to warn that the pastor at the rectory where Fr. Wisniewski was to be assigned, Fr. John DeMayo, was often absent, and would not make a good supervisor. The warning was ignored.

On September 16, 1993, Fr. Wisniewski began work at the Metropolitan Tribunal and took up residence at Saint Justin Martyr Rectory, in Penn Valley, where Fr. DeMayo

was pastor. There the lack of supervision of the admitted child molester became glaringly obvious. Over the next three years, the Archdiocese recorded only two meetings of Fr. Wisniewski's so-called ministry supervision team. No "annual" psychological evaluations were conducted. There is no record of Fr. Wisniewski's participation in any sexual addiction support groups. There is no indication that he ever signed in or out of his rectory or explained his whereabouts and associations.

In May 1995, Cardinal Bevilacqua appointed Fr. Wisniewski Chaplain at Immaculate Mary Home in Philadelphia, to begin in June. His residence remained the same. Seeking to discontinue therapy altogether, Fr. Wisniewski underwent a "followup" psychological assessment in November 1996 – three and a half years after his discharge from Saint John Vianney.

Although the therapist wrote that Fr. Wisniewski had made progress and "done good work," he concluded that continued therapy was desirable. He noted, among other things, that "[c]ontinued confusions are apparent with regard to sexual identity," and that "[h]e tends to deny sexual feelings and impulses to a point where they are physically occurring." He attributed Fr. Wisniewski's feeling that therapy had become redundant to the priest's difficulty in probing his problems deeply.

Despite this conclusion that Fr. Wisniewski still had significant issues and should not discontinue therapy, the priest was released from even the semblance of ministry supervision, according to his canon lawyer. On March 11, 2002, Joseph C. Dieckhaus, J.C.L., wrote to Cardinal Bevilacqua:

> It must … be noted that the "end of supervised ministry" was celebrated with a dinner provided by Rev. John DeMayo, then Pastor of Saint Justin Martyr Parish, Narberth, PA soon after the above noted [psychological evaluation].

Dieckhaus noted that Msgr. Lynn was present at the 1996 dinner, but that the event was "not noted in Father Wisniewski's file."

Dieckhaus went on to say: "none of the last three pastors [after Fr. DeMayo] connected with Fr. Wisniewski's residences at Saint Justin and Saint Callistus [where he moved in June 2001] were informed of any supervised ministry. Neither was this noted to any personnel at Mary Immaculate Home. Furthermore, Fr. Wisniewski was permitted to live totally alone in Saint Justin Rectory for an entire year, with the full knowledge of the

Office of Clergy….”

Father Wisniewski’s lawyer correctly noted that the lifting of supervision was never recorded in Archdiocese files. Yet, when Cardinal Bevilacqua in June 2001 assigned Fr. Wisniewski to a new parish rectory, the Cardinal encouraged the priest to “offer assistance at Saint Callistus Parish to the extent that time and circumstances of your primary assignment allow.”

Father Wisniewski is removed from ministry as a result of the national clergy abuse scandal, but the removal is inadequate to protect parishioners.

In February 2002, six years after Msgr. Lynn helped celebrate an end to Fr. Wisniewski’s purported “supervision” – and shortly after the story of abusive priests had become a national scandal – Cardinal Bevilacqua had the Secretary for Clergy explain to Fr. Wisniewski that the Archdiocese could no longer “provide and sustain an adequate level of supervision for Wisniewski and other priests in limited ministry who have abused minors in the past.” The priest was asked to refrain from any public ministry and to move out of his residence at Saint Callistus. No event, such as an increase in new accusations, occurred to explain the sudden shift in the way the Archdiocese dealt with abusive priests, leading us to conclude that the change was motivated solely by Archdiocese managers’ increased sensitivity to the political consequences of continuing to employ known child abusers.

Even after claiming to remove Fr. Wisniewski from ministry, however, the Cardinal followed practices that facilitated continued endangerment of the public. Cardinal Bevilacqua chose not to name the priest or to inform parishioners of the reason for his departure, even though disclosure of this information would have allowed parishioners and future victims to protect themselves and might have encouraged other past victims to come forward. Archdiocese managers put the avoidance of scandal and lawsuits ahead of their duty to protect the public and to end a sexual offender’s misuse of his priestly status.

At least twice after “removing” him, Cardinal Bevilacqua was informed that Fr. Wisniewski was continuing to celebrate Mass and to present himself as a practicing priest. In November 2002, Msgr. Lynn was even warned ahead of time that Fr. Wisniewski

planned on saying Mass for a Knights of Columbus group. Monsignor Lynn was told by another priest, Fr. Jim Whalen, that a member of the group had referred to Fr. Wisniewski as their Chaplain. As recorded in a memo, Msgr. Lynn chose to let the known abuser continue to minister rather than risk alerting anyone to his status. The Secretary for Clergy instructed Fr. Whalen "not to create a scene and to let Tom have the Mass if he insisted…."

Father Wisniewski, as of October 2004, was 56 years old. He was living with his mother and had requested permission to continue to do so as part of his "supervised life of prayer and penance."

Father Wisniewski appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Father Thomas J. Smith

Father Thomas J. Smith, who engaged in depraved and sadistic behavior with many boys in previous parishes, lived until December 2004 at the rectory of Saint Francis of Assisi, a parish with a grade school in Springfield. He was permitted to celebrate daily and Sunday Masses and hear confessions.

On March 12, 2004, the Archdiocesan Review Board unanimously found credible allegations that "Smith took at least three boys playing the role of Jesus in the parish Passion play into a private room, required them to disrobe completely," pinned loincloths around them, and then, during the play, encouraged "other boys in the play to whip the Jesus character to the point where some of the boys had cuts, bruises and welts." These actions, the Review Board found, "occurred in multiple parish assignments with a number of different boys over a number of years." The board also credited reports that Fr. Smith had told boys that the rules of a club where he took them required that the boys and priest be nude to enter the club's hot tub.

Also contained in the priest's Secret Archives file were reports that Fr. Smith regularly took boys camping and that he had fondled the genitals of at least one of those boys with whom he shared a tent. There were details from one of the victims who played Jesus in the Passion play, describing Fr. Smith, with pins in his mouth, kneeling in front of, and very close to, the boy's genitals. The victim said that Fr. Smith would sometimes prick him with the pins until he bled.

When Cardinal Bevilacqua learned of these accusations in May 2002, he chose to leave Fr. Smith in residence, and ministering, at Saint Francis of Assisi parish. Two and a half years later, after receiving additional reports that Fr. Smith had abused other boys, the Archdiocese removed the priest from active ministry.

The Archdiocese minimizes the allegations of "Ian" and "Peter."

The Grand Jury heard that on May 10, 2002, 29-year-old Ian reported to the Delaware County District Attorney's Office and to the Archdiocese the abuse he suffered as a 13-year-old at the hands of his parish priest, Fr. Thomas J. Smith, who had been ordained in 1973. In 1986, when the abuse occurred, Fr. Smith was assistant pastor at Annunciation B.V.M. Church in Havertown. (Cardinal Bevilacqua promoted him in 1996 to become pastor at Good Shepherd Church in Philadelphia, and in 1998 named him Regional Vicar for Delaware County with a residence at Saint Francis of Assisi's rectory in Springfield.)

Ian described to Archdiocese and law enforcement officials how, in 1986, he had felt honored when his classmates at the parish grade school elected him to play the part of Jesus in the parish's Passion play. He told how the experience became such a nightmare that he, unsuccessfully, begged his parents' permission to quit.

Father Smith, who was director of the church play, subjected Ian to humiliating and sadistic torments for two months during the boy's 8th-grade year. Before every practice and every performance, while the other children dressed in the church basement with their teachers, Fr. Smith took Ian by himself to the sacristy, locked the door, and ordered the boy to undress. The priest then took what Ian estimated to be 20 minutes to pin a costume – a loincloth and a cloak – on the boy. The ritual, according to Ian, was for the priest to kneel in front of the naked boy, uncomfortably close to his genitals. In his mouth, the priest had the pins he would use to fasten the costume. Ian said that Fr. Smith sometimes touched his penis through the cloth and would "very often . . . poke me with these pins until I would bleed."

During the play itself, Fr. Smith directed boys playing the parts of guards to whip "Jesus" with real leather straps. Ian said that these whippings gave him bruises, welts, and cuts. Father Smith directed his plays in this fashion for years in several different parishes. He later explained that he wanted the boys to "live the part" of Jesus. Ian told a Delaware County detective that he felt degraded by what Fr. Smith did to him and by what the priest directed others to do. He said that he began to drink alcohol after the practices and performances. When he came forward in 2002, he had been recovering from alcoholism for 10 years.

Ian also reported that Fr. Smith took boys to a hot tub at the Springton Racquet Club where the priest was a member. Father Smith told the boys that it was a club rule that they had to be nude to use the tub, and the boys complied. Ian described how the priest paraded to the hot tub in front of the boys, without even a towel around his waist. In the tub, Ian said, the priest constantly shifted around to try to get closer to the boys who were trying to move further away. An investigator for the Archdiocese Review Board found that there was no club rule – at least not in 2003 – requiring nudity to enter their hot tub. Ian named four boys who shared this hot tub experience – "Vincent," "Charley," "Matt," and, Ian thought, "Dylan."

Ian's mother, who accompanied him to the interviews, told the county detective, Roger Rozsas, and Office for Clergy officials, Msgr. Lynn and Fr. Vincent Welsh, of another victim. She said that the mother of "Peter," a boy who, a few years earlier, had played Jesus in the Passion play, told her that Fr. Smith had done exactly the same things to her son. She said that Peter had told his parents at the time, but that he was hysterical and did not want his parents to confront Fr. Smith. Peter's mother told Ian's that she regretted not doing anything then – three years before Ian played the Jesus character.

Peter's father called Msgr. Lynn on June 18, 2002, confirming Ian's and his mother's allegations. According to Msgr. Lynn's notes, Peter's father and some other parents had finally confronted Fr. Smith in 1991, and the priest had acknowledged that he had used bad judgment in how he conducted the Passion play. Monsignor Lynn's notes record Peter's father complaining that "there are potential victims and the Church is not owning up to this." Archdiocese records indicate that still no effort was made to contact the other potential victims named by Ian and his mother.

Ian's mother told Msgr. Lynn and Fr. Welsh that she knew of two families who had questioned Fr. Smith about camping trips he took with their sons.

Ian also told the detective and Msgr. Lynn and Fr. Welsh that his older brother Arthur had confided in him that Fr. Smith had molested him during a rafting and camping trip in 1984, when Arthur was 13 years old. Ian said that Arthur had become very close to Fr. Smith at that time, and that in 2002 he still did not want to come forward because he feared embarrassment. Arthur had told Ian, though, that while sleeping in the same tent with Fr. Smith, the priest had "touched" and "grabbed" the boy's genitals.

The Archdiocese interviews Father Smith but does not act.

When the Archdiocese managers interviewed Fr. Smith later in the day on May 10, 2002, Fr. Welsh recorded that they explained the difference between "inappropriate" behavior and "sexual abuse." Apparently understanding this to mean that only genital contact was considered abuse by the Archdiocese, Fr. Smith readily admitted the numerous incidents in which he humiliated boys by forcing them to undress in front of him, but he denied any touching of genitals. According to Fr. Welsh's notes, the managers did not even question Fr. Smith about his sadistic behavior in poking the boys with pins or directing other boys to whip "Jesus" with leather straps during play rehearsals and performances.

Having heard admissions from the priest that he had, for years, made boys strip in front of him behind locked doors and in hot tubs, as well as unaddressed allegations that he poked naked boys with pins and directed others to whip them with leather straps, Msgr. Lynn asked Fr. Smith whether there were "inappropriate things [we] need to worry about." Father Welsh's notes record Msgr. Lynn telling Fr. Smith that they had names of other boys and that they needed to assure the Cardinal that there was nothing to worry about.

Cardinal Bevilacqua apparently was assured enough to leave Fr. Smith as Vicar of Delaware County and resident priest at Saint Francis of Assisi. On the recommendation of Msgr. Lynn and the Cardinal's Vicar for Administration, Joseph Cistone, Cardinal Bevilacqua expressly permitted Fr. Smith to continue performing parish duties, including saying Mass and hearing confession. Father Smith resigned his position as Vicar seven months later, according to Archdiocese records, at his own request, in order to care for his sick parents.

Church officials send Father Smith for a psychological evaluation that employs inadequate and outdated methods.

On June 1, 2002, a private counseling and consulting company performed a oneday evaluation of Fr. Smith at the request of the Archdiocese. The report found a possible "failure to attend to necessary limits and boundaries that offer safety and predictability in the social environment" and a "tendency towards compulsivity," but it

offered no concrete diagnosis. It “strongly” recommended against any assignments that involved working with children. Father Smith himself provided the only facts alluded to in the report.

Thus, although the evaluators knew that Fr. Smith asked the students who played Jesus to fully undress, there is no indication that they knew that he took the boys to a private room, locked the door, knelt in front of their genitals with pins in his mouth, and pricked at least one of them until he bled. There is no mention of his directing other boys to beat the Jesus character until cuts, welts, and bruises resulted. Nor are the allegations that he handled any boy’s genitals on camping trips mentioned. Father Smith also failed to explain that he manipulated boys into being naked in the hot tub by telling them that club rules demanded it.

The Grand Jury heard that the absence of relevant facts was not the only problem with Fr. Smith’s evaluation. A critique of the private counseling and consulting evaluation by Leslie M. Lothstein, Ph.D. ABPP, the Director of Psychology at The Institute for Living in Hartford, Connecticut, found that the report “was flawed and failed to meet standards of care in evaluating sex offenders. Of particular concern,” he wrote, “was the failure to use specialized sex offender tests and actuarial risk assessment tools that are part of a national standard of practice to evaluate sex offenders.” He criticized the the counseling and consulting group’s use of outdated tests and a failure to choose tests tailored to the reasons for Fr. Smith’s referral. He commented that the report “seemed almost written in code,” thus obscuring its meaning.

In his analysis prepared for the Grand Jury in 2003, Dr. Lothstein said that one day was not sufficient to perform a thorough evaluation. He noted that “it is not within the area of expertise for a psychologist or psychiatrist to perform a police inquiry,” but said it was important nonetheless for an evaluation to incorporate witness and victim statements and not to rely solely on the priest’s self-reports.

Dr. Lothstein testified that the evidence he read suggested that Fr. Smith “is thought disordered, impulsive and engages in bizarre ritualized sexually sadistic behavior and he has probably acted out inappropriately with many minors while using religious justification for his bizarre behavior.”

Dr. Lothstein found it unusual that the counseling and consulting group failed to assert that Fr. Smith was at risk of harming children, even though that was the clear implication of its recommendation that he not be placed in an assignment where he would work directly with children or teenagers. To then allow Fr. Smith to be assigned to a parish, Dr. Lothstein said, would constitute "a serious error in judgment."

Father Smith continues at Saint Francis of Assisi parish.

In January 2003, seven months after Fr. Smith's one-day psychological test, Msgr. Lynn recommended to Cardinal Bevilacqua that the priest be permitted to continue residing, saying Mass, and hearing confession at Saint Francis of Assisi parish. Without explanation, Msgr. Lynn asserted that the therapists had recommended against Fr. Smith's working with children "not for fear of his acting out but more as a matter of prudence." Monsignor Lynn informed the Cardinal that the Archdiocese's legal counsel had met with the Delaware County District Attorney and that that office's investigation was closed. Monsignor Cistone concurred with Msgr. Lynn's recommendation to leave Fr. Smith in his parish assignment and Cardinal Bevilacqua approved it.

The Archdiocese leaders left Fr. Smith in his parish assignment despite reports, found to be credible, of sadistic behavior and manipulative efforts to see boys' genitals, as well as reports of genital fondling of a victim still too embarrassed to come forward publicly. Instead of ordering meaningful psychological testing that could well indicate otherwise, Cardinal Bevilacqua and his managers apparently chose to accept Fr. Smith's assertions that the whippings he directed, the pricking of naked boys with pins, and his manipulations to bathe nude with the grade school children in his parishes, served some purpose other than sexual gratification.

The Archdiocese receives two more reports that Father Smith sexually abused boys.

Father Smith remained at Saint Francis of Assisi until December 2004, when another victim came forward. The Archdiocese did not provide the Grand Jury with the report made by the victim, "Dale," but a letter from Fr. Smith denying the allegations suggests the general nature of the incident. In a December 15 letter to the Archdiocesan

Review Board, Fr. Smith discussed a trip he took to Europe in the 1970s with the victim, "another student," "Aaron," and Fr. Francis Beach (now the Regional Vicar for North Philadelphia). Father Smith told the Review Board that the four travelers shared one bedroom at a German bed and breakfast for most of the trip, but that on at least one night he shared a bedroom with only Dale. He insisted that he did not share the same bed with any of his traveling companions and that he did not "ever commit an offensive touching of any kind let alone one of a sexual nature." Three days after Fr. Smith wrote to the Review Board, he was placed on administrative leave.

In February 2005, yet another victim reported to the Archdiocese that Fr. Smith had abused him when he was 12 or 13 years old. According to a summary of the allegation prepared by Archdiocese officials for its lawyers, "Brent" reported that, in 1975 or 1976, he and his younger brother accompanied Fr. Smith on what they thought was to be a trip to Hershey Park. Instead, the priest took them to a motel near the King of Prussia Mall, plied them with Southern Comfort, chased them around the motel room, and put ice cubes in their underwear. Father Smith then instructed the boys to remove their underwear in order to allow it to dry overnight. The victim told the Archdiocese's victim assistance coordinator, Martin Frick, that when he awoke in the middle of the night, he was lying naked on top of Fr. Smith. Both the priest and the boy had erections. Brent told a Review Board investigator that Fr. Smith was rubbing his body against the boy's. He said that Fr. Smith did the same thing another time.

The Archdiocesan Review Board found Brent's allegations credible. The board further acknowledged that, in light of the subsequent allegations, it now found "the earlier incidents regarding the passion play were more likely than not to have been motivated by a desire for sexual gratification on the part of Reverend Smith."

On March 15, 2005, the Archdiocese restricted Fr. Smith's faculties. His current residence was undisclosed.

Father Smith appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Father Francis J. Gallagher

Father Francis J. Gallagher was arrested in Sea Isle City, New Jersey, on December 28, 1989, for soliciting sex with two young men – ages 18 and 20 years old. He later admitted to sexually abusing two adolescent brothers.

With information about the priest's abuse of minors in Archdiocese files, Archbishop Bevilacqua appointed Fr. Gallagher, in May 1991, as parochial vicar at Immaculate Conception, a parish with a school in Jenkintown. In 2000, Fr. Gallagher was transferred to another parish with a school – Mary, Mother of the Redeemer in North Wales. In choosing this parish for Fr. Gallagher, Secretary for Clergy William Lynn noted that "because of past difficulties, he needs to be in Montgomery or Bucks County."

Cardinal Bevilacqua never limited Fr. Gallagher's ministry or restricted the priest's access to minors. Not only were parishioners not warned about Fr. Gallagher's past, but deliberate efforts were made to place him among unsuspecting families.

As with other priests, the Archdiocese did not act in the absence of pressure from parents or fear of scandal. Church officials did not act even when the priest's abuse of minors was admitted and possibly ongoing. There is no indication in Archdiocese records that efforts were ever made to identify Fr. Gallagher's known victims, to ascertain if their abuse was continuing, or to notify their parents.

Father Gallagher, ordained in 1973, remained an active parish priest until March 2002 when publicity from the scandal in Boston prompted the Cardinal to remove several priests still ministering despite histories of abusing minors.

Father Gallagher is arrested and sent for treatment.

In 1989, Fr. Francis Gallagher was a teacher at Cardinal Dougherty High School in Philadelphia, where he had been transferred after teaching for 13 years at Cardinal O'Hara High School in Springfield. Two weeks after resigning his job at Cardinal Dougherty, Fr. Gallagher was arrested on December 28, 1989, in Sea Isle City, New Jersey, for offering money in exchange for sex to two young men, ages 18 and 20. On January 5, 1990, then-Secretary for Clergy John J. Jagodzinski learned that a news reporter was calling the Archdiocese to inquire about the arrest.

The Secretary for Clergy arranged for Fr. Gallagher to go to Saint John Vianney Hospital that same day. After an evaluation there, he was transferred on February 5 for treatment to Saint Luke Institute in Suitland, Maryland. He remained at Saint Luke for nine months.

On February 22, 1990, while Fr. Gallagher was at Saint Luke, his attorney succeeded in having the criminal charges against him dismissed. The attorney informed the New Jersey court that his client was already engaged in an extensive rehabilitation program. It was agreed that if Fr. Gallagher completed the program, he could file for expungement of his record.

Upon his release from Saint Luke on October 23, 1990, Fr. Gallagher resided at Immaculate Conception, a Philadelphia rectory used by the Archdiocese to house recovering priests. He reported that he attended AA meetings, meetings for sex addicts, and individual and group therapy sessions as mandated by Saint Luke's continuing care program. He assisted part-time at Saint Cecilia in North Philadelphia**.**

Father Gallagher returns to parish ministry without any restrictions.

On May 24, 1991, Archbishop Bevilacqua welcomed Fr. Gallagher back to active ministry and appointed him as parochial vicar at Immaculate Conception Church in Jenkintown. Four days later, Archbishop Bevilacqua wrote, on a note attached to a report from Saint Luke, that he was "deeply concerned about [Fr. Gallagher's] move." The Archbishop was concerned, apparently, because he was aware that in addition to being arrested for solicitation, Fr. Gallagher had admitted to abusing two adolescent brothers (an admission he repeated years later to Msgr. Lynn). Despite Archbishop Bevilacqua's expressed concern, however, there is no indication that Archdiocese managers made any effort to determine if that abuse was ongoing, or to warn the boys' parents. Nor did the Archbishop restrict Fr. Gallagher's faculties even though his new parish had a grade school.

Father Gallagher remained at Immaculate Conception for nine years with free access to parish children. The only thought given to removing him was to place him in a bigger parish with *more* families. A note dated November 30, 1993, from Msgr. Lynn to his assistant Fr. James Beisel suggested: "I think we should interview [Fr. Gallagher and] see if he is ready for assignment elsewhere – Less families in Jenkintown."

On January 18, 1996, the Office for Clergy again took up the subject of moving Fr. Gallagher. Another assistant of Msgr. Lynn, Msgr. Michael T. McCulken, interviewed Fr. Gallagher and wrote that the priest "reminded me that he had been arrested one time

in Sea Isle City and that an assignment in Delaware County probably would not be prudent." Father Gallagher was left in place.

Three years later, on June 2, 1999, Msgr. Lynn met with Fr. Gallagher to discuss the priest's future. Archdiocese officials had determined that Immaculate Conception no longer needed a parochial vicar, and Msgr. Lynn was considering what would be a suitable assignment for the priest. Father Gallagher expressed an interest in becoming a pastor. Monsignor Lynn recorded in a memo of their meeting that as they were discussing Fr. Gallagher's career, "I remembered in my own mind that Father Gallagher had some kind of difficulty with sexually acting out." Monsignor Lynn wrote that Fr. Gallagher brought the subject up himself, stating that he "lived in fear every day" that something from his past would "come back to haunt him or the Archdiocese." According to Msgr. Lynn's notes, Fr. Gallagher "said it would be best for him to stay away from Cardinal O'Hara territory," meaning the high school where the priest had taught from 1976 to 1989.

Father Gallagher told again of his sexual abuse of two young brothers. Monsignor Lynn did not record, if he even asked, the names of these boys or when or where the abuse occurred. Even though Msgr. Lynn had been Secretary for Clergy for six years, and his office had considered reassigning Fr. Gallagher several times during that period, Msgr. Lynn wrote in his memo for the file that he had not been aware of Fr. Gallagher's abuse of the two minor brothers. Father Gallagher's prior admission that he abused those boys had been in his Secret Archives file since February 23, 1990. Monsignor Lynn was claiming in effect that, for six years, while stories about priests' abuses of minors were erupting around the country, he knew that Fr. Gallagher had "some kind of difficulty with sexually acting out," but had failed to look at the priest's Secret Archives file, even when considering assignments, to find out whether his "difficulty" involved children. Even when Msgr. Lynn undeniably had the information that Fr. Gallagher had a history of abusing minors, the Secretary for Clergy did not act immediately to remove the priest from his parish assignment or to restrict his access to the children at Immaculate Conception or its grade school. It was not until March 6, 2000 – nine months later – that Msgr. Lynn met with Fr. Gallagher "as a follow up to our June 2, 1999, meeting."

Monsignor Lynn did inform the admitted child molester that he "would not be considered a viable candidate for a pastorate," but he entertained the priest's request for a parochial vicar position "commensurate with his skills and education." This is when Msgr. Lynn noted that "[b]ecause of past difficulties, he needs to be in Montgomery or Bucks County."

On May 26, 2000, Cardinal Bevilacqua appointed Fr. Gallagher parochial vicar at Mary, Mother of the Redeemer, in North Wales, Montgomery County – another parish with a school. There is no indication on record that the Cardinal placed any limitations on Fr. Gallagher's faculties or even notified the parish pastor or school principal about his past.

Cardinal Bevilacqua asks Father Gallagher to resign only under pressure from the Boston abuse scandal.

Finally, on February 13, 2002, in response to the scandal in Boston, Cardinal Bevilacqua removed Fr. Gallagher from ministry. Monsignor Lynn met with Fr. Gallagher on that day and followed up with a letter explaining that the Archdiocese had changed its "policy" of allowing limited and supervised ministry by priests who had abused minors. According to notes recorded for the file, Msgr. Lynn told the priest that the Archdiocese was prompted by events in Boston now to remove such priests from ministry altogether.

Father Gallagher must have been baffled by Msgr. Lynn's description of the supposed "old" policy, since his ministry had been neither limited nor supervised following his admission that he sexually molested two boys. Nevertheless, Fr. Gallagher informed the Archdiocese that he would comply with the Cardinal's request that he petition for laicization.

In discussing the priest's future, Msgr. Lynn suggested that Fr. Gallagher's skills and degree in education would be useful in finding another job. Assuming that Fr. Gallagher were to have followed this suggestion, because of the Archdiocese managers' failure to report the priest's criminal behavior, a background check by potential employers in the field of education would not have alerted them to the risk he posed to children.

According to the most recent documents presented to the Grand Jury, Fr. Gallagher has been teaching undergraduates and graduate students at two local "institutions of higher learning." As of September 2004, he was still considering requesting voluntary laicization.

Father Gallagher appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Father Thomas F. Shea

It was a victim's lawyer who, on October 26, 1994, brought the first recorded sexual abuse allegation against Fr. Thomas Shea to the attention of the Archdiocese. By November 2, 1994, the accused priest was at Saint John Vianney Hospital for evaluation, never to return to his Philadelphia parish, Saint Clement, or to active ministry. The Grand Jury would commend this prompt handling of a sexually abusive priest, except that it merely illustrates what Cardinal Bevilacqua did when a victim's lawyer was involved – and what he did not do in other cases.

Documents in the Secret Archives file of Fr. Shea, who was ordained in 1964, reveal why Archdiocese officials acted promptly in this case. They clearly did so not to protect the children of the Church, but only because legal action was threatened. A contemporaneous case – that of Fr. Stanley Gana, who was sent for evaluation as a sexual offender at the same time as Fr. Shea – demonstrates how differently cases that did not immediately threaten the Archdiocese with public scandal or legal liability were handled. Cardinal Bevilacqua had received reports four years earlier that Fr. Gana had molested and anally sodomized an altar boy for years, beginning when the victim was 13 years old. Yet the Cardinal did not remove Fr. Gana from ministry until 2002, seven years after Fr. Shea's forced retirement.

A lawyer reports to Archdiocesan legal counsel in 1994 that his client was sexually abused by Father Shea for several years in the mid-1970s.

On October 26, 1994, Secretary for Clergy William J. Lynn learned from John O'Dea, the Archdiocese's lawyer, that Fr. Thomas Shea had been accused of sexually abusing one, and maybe two, boys when he was assigned as assistant pastor at Saint Helena parish in Philadelphia from 1969 until 1975. It was a lawyer representing a man named "Scott" who informed O'Dea of the abuse. The lawyer told O'Dea that Fr. Shea had abused Scott when he was an altar boy, that the abuse lasted several years, and that it took place in the rectory and at a motel in Cape May, New Jersey. The lawyer said that he had been in contact with another man who said that Fr. Shea had also abused him.

Monsignor Lynn, accompanied by his assistant, Msgr. Michael T. McCulken, interviewed Fr. Shea the next day. According to a memo recording the meeting, Fr. Shea admitted having "genital contact" with Scott and another boy – "Alfred." He said that he did not know if Alfred was the other victim that Scott's lawyer referred to. Father Shea told Msgr. Lynn that he did not know how many times he had genital contact with Scott and did not remember abusing any others.

Father McCulken's October 27, 1994, memo describes the Secretary for Clergy assessing for Fr. Shea the likelihood of a lawsuit or adverse publicity. It records Msgr. Lynn explaining that the reason for psychological treatment "right away" is to "show responsibility by Father Shea and by the Church in this situation." Finally, after Fr. Shea claimed he was not Scott's first sexual experience, Msgr. Lynn suggested to the accused priest that perhaps he "was seduced into it" by the altar boy. (Appendix D-27) The same day that he met with Fr. Shea, Msgr. Lynn sent Cardinal Bevilacqua a memo describing the allegations against Fr. Shea, as well as the priest's admission that he had sexually abused at least two minors at Saint Helena parish. The Secretary for Clergy recommended that Fr. Shea be sent to Saint John Vianney Hospital for inpatient treatment. The Cardinal approved sending the priest to the hospital, but questioned whether the usual procedure wasn't to have the hospital evaluate the priest before deciding whether inpatient treatment was called for.

On November 2, 1994, Fr. Shea was sent to Saint John Vianney.

Monsignor Lynn reports to the Cardinal that Father Shea has admitted many more acts of pedophilia to therapists.

On December 27, 1994, Msgr. Lynn forwarded to Cardinal Bevilacqua a letter from a therapist outlining his diagnosis. In Msgr. Lynn's accompanying memo, the Secretary for Clergy informed the Cardinal that the therapist had told Msgr. Lynn that he thought pedophilia would be the diagnosis, based on many more acts of sexual contact with children. The letter was in response to Msgr. Lynn's request that the therapist put his diagnosis in writing as soon as it was determined.

Cardinal Bevilacqua discussed Fr. Shea's situation with his top aides at an issues meeting on January 3, 1995. According to a January 13 memo to Msgr. Lynn from Msgr. Joseph R. Cistone, then Assistant to the Vicar for Administration, the Cardinal had several questions he wanted answered before deciding what to do with Fr. Shea. His first question, as recorded by Msgr. Cistone, was: "When was the last act of pedophilia? Are we within the statute of limitation on any one of these acts?" The Cardinal also wanted to know if the victims were now older than 28, a factor relevant to the statute of limitations. He wondered if Fr. Shea would willingly seek laicization.

On January 20, 1995, Msgr. Lynn met with Fr. Shea and a therapist. Monsignor McCulken recorded the meeting in a memo dated January 24, 1995. According to that memo, the Secretary for Clergy tried to get the answers Cardinal Bevilacqua sought. Father Shea, however, was not forthcoming and refused to admit even relationships that he had previously acknowledged. He would not repeat the admission made to the therapist that there had been many more acts of pedophilia. He denied any victims other than Scott, even though he had told Msgrs. Lynn and McCulken in October that he had sexually abused a boy named Alfred as well.

Uncharacteristically, the Secretary for Clergy pushed Fr. Shea to reveal the existence, if not necessarily the names, of other victims. Monsignor Lynn told the priest that based on "the evidence of the medical profession," it was "very unusual for such instances to be with only one youngster." Monsignor Lynn asked Fr. Shea to "seriously reflect on this question." According to Msgr. McCulken's handwritten notes (but not transcribed into the typed version), the Secretary for Clergy even told the priest that if there were "other times," that "probably won't change status." The therapist counseled his patient "that if there are other occurrences, not brought out into the open, then the pain of shame is a very heavy cross." According to Msgr. McCulken's memo, Fr. Shea said "that he will really have to think about this."

Had Fr. Shea confessed to recent acts of pedophilia, the Archdiocese could have proceeded to laicize the priest without his consent. As was detailed in documents in the file of Fr. Peter Dunne, another diagnosed pedophile that the Cardinal was dealing with at this time, the Archdiocese could only laicize a priest against his will for an offense committed within five years. (Handwritten notes kept by Msgr. McCulken record Msgr. Lynn telling Fr. Shea, incorrectly, that the Cardinal "can't impose laicization" unless there were incidents "last week;" Msgr. McCulken changed this to "unless misconduct was recent" in his typed memo.) The documents in Fr. Dunne's file also reveal that the Cardinal's aides and lawyers were advising him at this time that laicization could protect the Archdiocese from liability for future acts of sexual abuse by an accused priest. Accordingly, Msgr. Lynn told Fr. Shea that it would be problematic for him to remain a priest and live at home with his mother, even with no ministry, because "[t]he Archdiocese continues to be legally responsible."

Monsignor McCulken recorded that after Fr. Shea left the room, the therapist and Msgr. Lynn continued to discuss the case. Monsignor Lynn's assistant wrote: "It is believed that there are more incidents than what has so far been reported by TFS. The diagnosis is pedophilia with the strength of the diagnosis being very strong because TFS was in a relationship with the boy, rather than just anonymously acting out."

Father Shea refuses to seek laicization and is permitted to retire in 1995.

On May 20, 1995, Msgr. Lynn sent a memo to the Cardinal about the January meeting at which Fr. Shea refused to admit to more than one victim – Scott. The Secretary for Clergy reported that on May 5, 1995, the priest, still at Saint John Vianney, had admitted to having one more victim, who had since died in a motorcycle accident. According to Msgr. Lynn's memo, Fr. Shea had been paying the victim to remain silent. Monsignor Lynn answered the Cardinal's questions concerning the statute of limitations, writing: "The known acts of pedophilia in this case are beyond the statute of limitations. The first known act occurred over ten years ago. The one known living victim is in his thirties." Monsignor Lynn also informed Cardinal Bevilaqua that Fr. Shea "will not seek laicization." Having failed to elicit evidence of a more recent incident that could support involuntary laicization of the priest, the Secretary for Clergy recommended that Fr. Shea be permitted to retire and live at Villa Saint Joseph, a home for retired priests.

Although Fr. Shea was only 59 years old, Cardinal Bevilacqua in June 1995 permitted him to retire, and expressly allowed him to participate in "celebrations with permission of Secretary of Clergy." Father Shea has lived at Villa Saint Joseph ever since. For nearly 10 years, he was without apparent supervision. The Archdiocese has never made public that he retired early because he sexually abused minors.

In July 2002 Cardinal Bevilacqua receives allegations against Father Shea from his assignment at Saint Joseph in Collingdale in the late 1970s.

On July 25, 2002, Cardinal Bevilacqua received a letter alleging that Fr. Shea had sexually abused minors at Saint Joseph parish, in Collingdale, where he was assistant pastor from June 1975 until February 1979. The letter was anonymous, but came from someone who said he or she was "privy" to abuse perpetrated by Fr. Shea on a "male family member." The author, who explained that he/she could not break the victim's trust

by revealing names, said that the victim "can not to this day stop running away from his life."

The writer told Cardinal Bevilacqua that the victim's mother had relied heavily on Fr. Shea to guide her son because the boy's father was absent. The priest betrayed this trust, according to the letter, by providing alcohol to the boy and sexually abusing him "from an early age, well through adulthood." The writer said that Fr. Shea had paid the victim money "at first to continue with this misconduct and later to ensure its secrecy." These payments were said to continue until just a few years before the letter was written. The writer encouraged the Archdiocese to investigate the payments, saying that they were made with checks. The writer also claimed to know that Fr. Shea had been "affiliated with" at least three altar boys from Saint Joseph parish.

Father Shea was living at the Villa Saint Joseph retirement home when this letter was received. The only response documented in Archdiocese files is that the letter was forwarded to legal counsel.

Church officials' strategy for handling Father Shea's case reflects their priorities.

Father Shea's case demonstrates how the Archdiocese molded its strategy for handling abuse allegations to fit its exposure to legal liability. This case was different because it was a client's lawyer who brought forward the allegation. For this reason, it could not be ignored for four years, like the allegation against Fr. Gana, which was brought by a seminarian who could be intimidated and silenced. And because Fr. Shea admitted the sexual abuse, there was no benefit in attacking or questioning the victim's credibility. The Archdiocese's therapist had expressly diagnosed the priest as a pedophile, so that made him ineligible for the usual response in such cases: reassignment.

The only option left was to try to distance the Archdiocese from its priest in order to avoid liability for his crimes. This could explain why the Secretary for Clergy would so uncharacteristically seek evidence of more recent misconduct, and why he would note that, according to medical evidence, it would be "very unusual" for an abuser of minors to have just one victim. An admission to the existence of recent victims, particularly if unnamed, could serve the Archdiocese's legal purposes by providing grounds for involuntary laicization. The case of Fr. Shea was not about actually looking for victims,

much less helping or protecting them. It was about cynical legal maneuvers intended to shield the Archdiocese from responsibility.

On October 8, 2004, Fr. Shea agreed to live “a supervised life of prayer and penance.”

Father Shea appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Father John A. Cannon

Father John A. Cannon, ordained in 1948, molested teenage boys at a Church summer camp from 1959 through 1964. Eight boys reported the sexual abuse in 1964. Father Cannon admitted to some, but not all, of the sexual abuse. The Archdiocese responded by ordering the priest to "desist" and by transferring him to a different parish, with no restrictions on his conduct. In 1992, one of the priest's victims contacted Archdiocese officials to report the continuing effect of Fr. Cannon's abuse. The victim was assured that in cases such as Fr. Cannon's, sexually abusive priests are removed from their present situation, evaluated and treated, and not allowed again to work with children.

That was not true in the case of Fr. Cannon. He failed to undergo treatment, yet Cardinal Bevilacqua allowed him to continue teaching at a girls' school in Holland, Pa., until he retired in February 2004. In March 2004, following an Archdiocesan Review Board inquiry that found the reports of Fr. Cannon's victims credible, the priest's faculties were restricted.

The Archdiocese responds to Father Cannon's abuse of teenage boys at a summer camp by transferring his residence.

On July 5, 1964, five boys – "Harry," "Mario," "Frank," " Ralph," and "Ted" – reported to priests at Saint Monica's Church in Philadelphia that Fr. John Cannon had, a week earlier, sexually abused them in their cabin at a summer camp run by the church. The boys were 16 and 17 years old. They said that Fr. Cannon had come into the cabin in the middle of the night and "touched them sexually." He molested one of them a second time on a different night. According to a report by Fr. Joseph Curran to the Chancery office, the boys told the priests that "such things have been happening for the past two to three years." Father Curran wrote that he felt "many questions are left unanswered," but that he did not want to "probe too deeply until seeking further counsel." He stated that he and another priest who received the complaints, both of whom lived at Saint Monica's rectory with Fr. Cannon, "believe entirely the statements of these boys." Also in July 1964, another priest living at Saint Monica, Fr. John Murphy, provided Chancery officials with a list of other boys who had reported being molested by Fr. Cannon at the church-run camp near Harrisburg. It was recorded that one boy, "Herbert," had "sinned once and been solicited 15 times" in the summer of 1962. Another, "Arthur," had been "solicited and sinned" during the summers of 1959, 1960,

1961, and 1962. A third, "Emmanuel," was said to have stopped the priest's "advances." The boys reported that Fr. Cannon sometimes brought another priest, an order priest who taught at Reading Central High School, to the camp and that that priest "also has the same problem." (Appendix D-28)

Father Cannon was questioned by then-Chancellor John Noone and, according to notes from the meeting, admitted "two incidents but only of masturbation." An August 19, 1964, note in Archdiocese files records Fr. Cannon's pastor, Msgr. Aloysius X. Farrell, reporting that "Fr. Cannon is still going to the camp," and the Vice Chancellor, Thomas Welsh, ordering Fr. Cannon to "desist." Monsignor Farrell asked that Fr. Cannon be moved to a different residence. In September 1964, Cardinal Krol assigned the priest to the rectory of Saint Gertrude in West Conshohocken.

Nine months later, Fr. Cannon was named assistant pastor at Saint Eugene parish in Primos. In 1966, he began teaching at Cardinal O'Hara High School in Springfield. Father Cannon was reassigned to become Chaplain at Villa Joseph Marie High School for
Girls in Holland, and at Saint Joseph Home for the Aged in November 1985.

In 1992 a victim who first reported his abuse in 1964 again complains to the Archdiocese and receives false assurances.

On October 28, 1992, Herbert, one of the victims whose name had been in Fr. Cannon's Secret Archives file since 1964, wrote to Cardinal Bevilacqua telling the Cardinal of his abuse and his years of suffering as a result. According to notes from a subsequent meeting with Secretary for Clergy William J. Lynn, Herbert said that Fr. Cannon had molested him and asked for "sexual favors" during the boy's 7th- through his 9th-grade years. Monsignor Lynn told Herbert "that such priests are immediately removed from the situation and sent for evaluation and treatment." He further promised Herbert that "they are never assigned where children are involved."

Despite these assurances, Fr. Cannon never underwent treatment, even though, as Msgr. Lynn informed Cardinal Bevilacqua, an evaluation performed at Saint John Vianney Hospital in February 1993 called for "inpatient hospitalization." Cardinal Bevilacqua, nevertheless, permitted Fr. Cannon to remain the chaplain at a girls' high

school for 10 more years. The report from Saint John Vianney stated: “He has a small house on the property and enjoys the privacy it affords him. Although teaching was not a part of his assignment there, he has become involved with teaching three classes and doing some tutoring at the Girls’ Academy on the grounds.”

Feeling that Msgr. Lynn had not believed his allegations in 1992, Herbert, in July 2002, sought help from the Bishop of Harrisburg, Nicholas Dattilo. Herbert now lived within that diocese, and Saint Monica’s summer camp was located in the Harrisburg diocese as well. Bishop Dattilo called Msgr. Lynn on Herbert’s behalf and the Secretary for Clergy promised to review the file again. Monsignor Lynn informed Cardinal Bevilacqua of Bishop Dattilo’s call. He reported that legal counsel advised that there was “no legal liability in this situation,” and offered his own opinion that there was not “enough evidence to restrict [Fr. Cannon’s] priestly service….” (Appendix D-29) Monsignor Lynn reached this conclusion despite Fr. Cannon’s 1964 admission to two incidents of “masturbation” with boys and despite the fact that Herbert’s 1992 allegation was corroborated by the 1964 report naming him as a victim. Cardinal Bevilacqua allowed Fr. Cannon to continue to minister at the school as well as the home for the aged.

In 2004, based on adverse findings by the Review Board, the Archdiocese finally restricts the faculties of Father Cannon, who has by then retired.

In November 2003, an investigator with the Archdiocese Review Board interviewed Herbert and found him “extremely credible.” Father Cannon repeated to the investigator the admission he originally made in 1964 – that he had molested boys at the camp. Elaborating on his 1964 admission, he told the investigator and Msgr. Lynn that he had abused three boys on two occasions, fondling their genitals when he thought they were sleeping. The Review Board also unanimously concluded that after fondling the boys Fr. Cannon guided their hands to his own genitals to have them masturbate him. Father Cannon retired in February 2004. On March 5, 2004, the Archdiocese restricted his faculties. The priest agreed in October 2004 to live “a supervised life of prayer and penance” at Villa Saint Joseph, a retirement home for priests.

Father Cannon appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Father Michael C. Bolesta

The case of Fr. Michael C. Bolesta, who was ordained in 1989, might at first seem distinctive: the Archdiocese hierarchy appeared unusually responsive to the allegations against him. The Grand Jury finds, however, that its intent – as usual – was to shield a sexually abusive priest from criminal prosecution. And the effect – once again – was to facilitate the priest's continued predations.

When a group of parents in July 1991 accused Fr. Bolesta of improper sexual behavior with as many as 10 teenage boys, Cardinal Bevilacqua's delegates, Msgrs. James E. Molloy and William J. Lynn, were immediately dispatched to interview the complaining parishioners at Saint Philip-Saint James Church in Exton. In response to a separate request by the parents of grade school children in the parish, the Archdiocese sent a counselor to talk with the 7th- and 8th-graders, some of whom had been involved with Fr. Bolesta as altar boys.

The reason for this unusual show of concern? The parents had taken their complaints to the Chester County District Attorney, and county detectives had arrived unannounced at the church rectory. The detectives informed Pastor John Caulfield that the accusations against Fr. Bolesta were numerous, including "a lot of touching" and grabbing at least one boy's genitals. They asked pointedly what the Archdiocese was going to do about it. The pastor immediately notified the Secretary for Clergy, John J. Jagodzinski, and offered his opinion that the parents would drop the criminal charges if the Archdiocese acted.

In contrast with their normal practice, Church officials this time sought out the names of victims. But the victims whom Msgrs. Lynn and Molloy sought out were those whose parents had gone to the District Attorney. In conducting their interviews, they did not press reluctant victims for the details of their encounters, but did ask what the parents wanted the Archdiocese to do. Their purpose, clearly, was not to discover or prevent criminality. It was to stop a criminal investigation from going forward.

The parents told Msgr. Molloy they wanted to be sure that Fr. Bolesta would never again be assigned where he would have access to children. The Cardinal's delegate repeatedly assured that "the practice is when there is doubt, we err on the side of caution." Apparently reassured, the parents did not pursue their criminal charges. Meanwhile, Msgrs. Molloy and Lynn kept Fr. Bolesta apprised of the families' intentions and the Archdiocese's efforts to avert legal action, informing him at one point: "we are not completely out of the woods yet as far as a lawsuit is concerned."

The true extent of Church officials' concern for Fr. Bolesta's victims – past and potential – became clear when assignments were made the next spring (in 1992). After his delegates had reassured victims' parents that "every caution will be exercised" in future assignments, Cardinal Bevilacqua appointed Fr. Bolesta parochial vicar at Saint Agatha–Saint James, a parish in West Philadelphia. Among his pastoral duties was to minister at Children's Hospital of Pennsylvania.

The Archdiocese investigates complaints, previously ignored, because parents report Father Bolesta's behavior to law enforcement.

On July 17, 1991, just hours before Cardinal Bevilacqua was to celebrate 7:00 p.m. Mass at Saints Philip and James Church in Exton, two county detectives came to the rectory to investigate allegations of sexual abuse brought against the parish's associate pastor, Fr. Michael Bolesta. The detectives, Steven Mills and Donna Carroll, interviewed the pastor, Fr. John Caulfield. The detectives told Fr. Caulfield that parents of parish children had reported "a lot of touching going on." One boy had said Fr. Bolesta had "grabbed him by the balls." The detectives wanted to know what the Archdiocese was going to do about it.

Father Caulfield had, in fact, received similar complaints from parents 10 months earlier. He had done nothing in response. Now, with the police at his door, he immediately reported the detectives' visit to Cardinal Bevilacqua's Secretary for Clergy at the time, Msgr. John J. Jagodzinski, who, in turn, forwarded the information to Msgr. James E. Molloy, an assistant to the Vicar for Administration "for [his] urgent attention." In a memo, Msgr. Jagodzinski emphasized and seconded Fr. Caulfield's opinion that "if the Church acts on this, the matter is likely to be dropped by the parents."

Monsignor Molloy, assisted by Msgr. William J. Lynn, conducted a prompt investigation. They initially interviewed the families of five boys who had told their parents about Fr. Bolesta's unwelcome touching and his persistent efforts to see the boys undressed. Four of these boys – "Nicholas" (age not recorded), "Chuck" (16 years old), "Jamie" (age not recorded), and "Jason" (16 years old) – worked at the parish grade school, painting, cleaning, and performing other maintenance jobs. One – "Dave" (13 years old) – was a younger brother. In interviews with these boys' families, Msgrs. Molloy and Lynn learned of at least five other boys who were said to have had similar experiences with Fr. Bolesta in the previous two years: "Gerry," "Luis," "Noah," "Nate," and "Eric."

The interviews, recorded in memos by Msgrs. Lynn and Molloy, seemed designed to let the parents have their say and to find out what they knew and what they wanted the Archdiocese to do, not to get at the entire truth. The interviews with boys were all conducted in the presence of their parents. Sometimes only the parents were interviewed.

One parent, whose child had been mentioned by the other boys, said she was grateful for the opportunities Fr. Bolesta had offered her son – baseball games and swimming – and had no complaints. The Archdiocesan managers did not ask to interview her son. When another parent told them that her son did not want to ruin Fr. Bolesta's reputation – and worried what other boys would think because he had spent more time with the priest than had other boys – Msgr. Molloy suggested to the mother that "if others ask questions, it is important to tell the truth but not necessarily all the details."

What came out was that the boys had discovered they were all experiencing the same things, but always one-on-one with Fr. Bolesta – constant invitations to go swimming, suggestions by the priest that they swim in the nude and shower with him, games of one-on-one basketball in the pool in which Fr. Bolesta touched them all over, the priest's pulling towels off them after they showered and throwing them back in the pool nude, and inappropriate conversations about masturbation. When the boys began to hear each other's stories as they worked at the parish school, they realized that Fr. Bolesta's actions were purposeful and not innocent.

Two boys discovered that they both had been asked to try on shorts and shirts in front of the priest in his bedroom. One was told that the clothes were for Fr. Bolesta's cousin; the other that they were for the poor. As the boys compared notes, they discovered they had been trying on the same clothes.

Father Bolesta manipulated the boys into swimming with him even when they did not want to do so. He told one boy that he needed him to work, but when the boy arrived at the church, the priest told him there was no work to do, that they were going swimming. Father Bolesta offered one boy a ride home after work, then insisted on taking him swimming at the indoor pool of a parishioner who was away. Both boys protested that they did not want to swim because they did not have their bathing suits. The priest then tried to get them to swim nude. He lured one reluctant boy to swim by telling him that a whole group was going. It ended up being just Fr. Bolesta.

One boy reported that, while standing in the church, Fr. Bolesta reached between the boy's legs and grabbed his genitals. Archdiocese memos record that another boy was touched "on his butt" as he fixed an air conditioner. To an adolescent whose mother was in the hospital, Fr. Bolesta recommended masturbation as a good way to relieve stress.

Yet another boy he invited to go overnight with him to Canada to pick up vestments. When the boy declined, Fr. Bolesta had the vestments mailed.

Eventually, the boys shared their concerns about Fr. Bolesta with Richard Mitch, a man who supervised their work at the grade school. Alarmed, Mitch advised them to tell their parents what the priest was doing. Several of the parents, knowing that Pastor Caulfield had failed to act on earlier allegations, reported Fr. Bolesta's behavior directly to the Chester County District Attorney.

Archdiocese officials work to keep outraged parents from pressing charges.

With Fr. Caulfield, Msgr. Jagodzinski, and the Vicar for Chester County, Msgr. James McDonough, all advising that the Exton parents would likely drop their criminal complaint if the Archdiocese acted, Msgrs. Molloy and Lynn conducted unusually extensive interviews. They also showed particular interest in finding out which parents were talking to the District Attorney. Monsignor Molloy told one of the families, the parents of Nicholas, that "the Archdiocese is attempting to make contact with all the parties affected by this situation and that it would help to know if anyone who may have contacted the District Attorney's office was from a family whose name had not yet been brought to us."

Monsignors Lynn and Molloy asked the families what they wanted the Archdiocese to do. Several sought guarantees that Fr. Bolesta would never work with children again. Monsignor Molloy assured them that Cardinal Bevilacqua would be fully informed of their concerns. When pushed by one parent what would happen if an evaluation showed even a minimal "ten percent chance of Father Bolesta acting out," Msgr. Molloy wrote: "I stated that when there is so much at stake, if there is any doubt, it is best to err on the side of caution. I assured her that every caution will be exercised."

Father Bolesta left the parish shortly after the detectives showed up at the church in July 1991, but the possibility of criminal charges remained. Throughout the summer and fall of that year, Archdiocese managers made considerable efforts to mollify the families at the Exton parish. When informed in September that boys in the grade school who had had encounters with Fr. Bolesta were still upset, the Archdiocese sent a counselor to the school to meet with them. When the mother of one of Fr. Bolesta's

victims was hospitalized with emotional problems which she attributed to the priest's abuse of her child, the Archdiocese offered to pay her medical bills.

Denying or excusing his own actions, Father Bolesta is sent to Saint Luke Institute for evaluation.

Meanwhile, in an August 1, 1991, interview with Msgrs. Molloy and Lynn, Fr. Bolesta made excuses for, or denied, his predatory activities. Monsignor Molloy, apparently more concerned with avoiding legal action than with the danger the priest posed to parishioners, cautioned Fr. Bolesta "that we are not completely out of the woods yet as far as a lawsuit is concerned." Monsignor Molloy informed Fr. Bolesta that the families interviewed had demanded that Fr. Bolesta "should not be assigned to a place where he would be working with children." The Archdiocese managers asked the priest to go for a one-week evaluation at Saint Luke Institute in Suitland, Maryland. Father Bolesta agreed.

The Archdiocese sought to mislead parishioners about the reason for Fr. Bolesta's absence. According to a memo written by Msgr. Molloy, the priest "agreed that if he were questioned, he could say he was taking time off for health considerations because he has been under stress and needs an assignment that would be less demanding." On the same day that Fr. Caulfield announced Fr. Bolesta's departure from the parish, he informed the parishioners that he – Fr. Caulfield – had been made a Monsignor. On this pastor who had silently ignored allegations of improper behavior by Fr. Bolesta for 10 months – while the priest continued to abuse numerous boys – Cardinal Bevilacqua chose to bestow an honor rather than a reprimand.

When Fr. Bolesta returned from his one week at Saint Luke, he was assigned to live in the rectory of Immaculate Conception in Philadelphia. A Philadelphia therapist, Phillip J. Miraglia, Ph.D., told Archdiocese managers that he agreed with Saint Luke's recommendation that Fr. Bolesta should "be enjoined from any one-on-one contact with youths under the age of eighteen." On April 21, 1992, Msgr. Molloy forwarded this recommendation to the Vicar for Administration, Edward P. Cullen.

Cardinal Bevilacqua ignores recommendations regarding Father Bolesta and the danger he presents to young people.

Despite Dr. Miraglia's explicit warning, and Msgr. Molloy's assurances to the Exton parish families that "the practice is when there is doubt, we err on the side of caution . . . we cannot take chances," Cardinal Bevilacqua appointed Fr. Bolesta as an associate pastor at Saint Agatha-Saint James Church in West Philadelphia on May 22, 1992. In his appointment letter, Cardinal Bevilacqua instructed Fr. Bolesta "*to teach the youth*" (emphasis supplied). One of the priest's primary duties in his new assignment was to minister to sick children at Children's Hospital of Pennsylvania.

Even grade school children knew it was wrong to appoint Fr. Bolesta to another parish less than a year after he had left Exton. Father Thomas F. O'Brien, the counselor who had been asked to meet with 7th and 8th graders in Exton in November 1991, was called back to the school on October 8, 1992. He wrote to Msgr. Molloy that there was "much anger among eighth grade boys" when they learned that "Father Mike" had been reassigned to a parish. Father O'Brien said that the boys "related in detail what he had tried to do with some of them." He told Msgr. Molloy that "the reassignment was perceived as a disregard for what he had done as a priest and a blatant insensitivity or concern for the welfare of other children in other parishes." The 8th graders thought that the children at Fr. Bolesta's new parish should be told "to be more cautious and careful around him."

Father O'Brien said that he assured the students "that the Archdiocese of Philadelphia . . . and indeed every decent moral person is concerned for their welfare and those who would be victimized." As a word of caution to the Archdiocese hierarchy, Fr. O'Brien wrote: "The published reassignment of Father Michael Bolesta in the Catholic Standard and Times was the cause of this issue resurfacing . . . ."

Monsignor Lynn, now Secretary for Clergy, responded to O'Brien. Focusing on the mistake of *publishing*, rather than that of reassigning, Msgr.Lynn thanked O'Brien "for your note of caution regarding the publishing of reassignments of priests accused of such actions . . . ." Father Bolesta was left in his new assignment.

It was not until July 1994 that some Exton parents discovered that Fr. Bolesta's new assignment included ministering at Children's Hospital, and it was not until they complained that action was taken. A father, whose 7th-grade son had been taken

swimming by Fr. Bolesta, called Msgr. Molloy on July 1. He said he was calling on behalf of "parents whose children were in Children's Hospital (CHOP) and were outraged that Fr. Bolesta was assigned to a parish responsible for a children's hospital." He said he wanted to be able to tell the parents that Fr. Bolesta would not return to CHOP.

On September 15, 1994, Cardinal Bevilacqua reassigned Fr. Bolesta to be Chaplain at Holy Redeemer Health System in Huntingdon Valley. Father Bolesta remained in that assignment until January 2, 2004, when he died at the age of 42.

404 **Father Robert L. Brennan**

Father Robert L. Brennan, ordained in 1964, was made a pastor by Archbishop Bevilacqua in 1988. Since that time, the Archdiocese has learned of inappropriate or suspicious behavior by Fr. Brennan with more than 20 boys from four different parishes. He was psychologically evaluated or "treated" four times. Depending on the level of scandal threatened by various incidents, Cardinal Bevilacqua either transferred Fr. Brennan to another parish with unsuspecting families or ignored the reports and left the priest in the parish with his current victims. The Cardinal's managers advised Fr. Brennan to "keep a low profile," but never restricted or supervised his access to the youth of his various parishes.

When Cardinal Bevilacqua retired, Fr. Brennan was still a parochial vicar at Resurrection parish in Philadelphia, despite reports from parish staff that he had inappropriate contact with several students from Resurrection's grade school. In June 2004, Fr. Brennan was appointed Chaplain at Camilla Hall, a retirement home for nuns.

Cardinal Bevilacqua responds to parental pressure while ignoring children whose parents remain unaware.

Archbishop Bevilacqua made Fr. Robert L. Brennan a pastor, appointing him in June 1988 to Saint Ignatius Parish in Yardley. In November of that year, the assistant pastor, Fr. John C. Marine, reported his concerns about Fr. Brennan to then-Chancellor Samuel E. Shoemaker. According to Msgr. Shoemaker's notes, "from the first day Father Brennan appeared as pastor, his actions with young boys and teenagers caused Father Marine to feel very ill at ease." The Archdiocese's response to these reports, and far more explicit ones, was to measure whether the reports would lead to scandal, not to take action against Fr. Brennan.

Testifying before the Grand Jury, Msgr. Marine, now Regional Vicar for Montgomery County, claimed that the behavior he reported to Chancery in 1988 was that Fr. Brennan was occasionally "very warm and welcoming of [the altar servers] and basically giving them a hug" when they came into the sacristy. He added that Fr. Brennan was just "always warm and affectionate with all the parishioners," and that his behavior with children was no different.

Monsignor Marine's Grand Jury testimony is undermined by documentary evidence in the Archdiocese's files. In 1988, according to Msgr. Shoemaker, Fr. Marine described Fr. Brennan's interest in boys as "extreme." Father Marine told the Chancellor

how “Father Brennan touched, rubbed the boys front and back, hugged them and kissed them in an inappropriate manner.” Father Marine told the Assistant Chancellor, John W. Graf, that Fr. Brennan forced the grade-school boys who worked in the rectory to sit on his lap. He was seen kissing one boy “on the face.” Father Marine said boys from Fr. Brennan’s prior assignment at Saint Helena’s were frequent visitors at the rectory, and he confirmed reports from the rectory cook and secretary that a college-age youth and a 13year-old boy spent nights at the rectory.

Father Marine told Msgr. Shoemaker that he had observed this behavior since the beginning of Fr. Brennan’s assignment, that he was concerned something more might be happening, and that he had expressed his concerns to his friends, Msgrs. William J. Lynn and Alexander J. Palmieri, yet “he kept denying the obvious until Mrs. [M] confronted [him] on the issue concerning her son and insisted on some action.”

Mrs. M’s son, “Luke,” was a 13-year-old 8th grader at the parish school. Described by Fr. Marine as quiet and “handsome,” Luke was an altar boy and worked at the rectory answering phones in the evenings. Father Marine told the Chancery officials that Fr. Brennan had been observed engaging in “extreme hugging and forcing [Luke] to sit on his lap.” The cook, Ruth Wilson, had seen the boy “very embarrassed” with his head held down while Fr. Brennan held him tightly on his lap. Father Marine said that Luke was frightened of Fr. Brennan and asked not to work in the rectory when the priest was present.

Notes made by Chancellor Shoemaker of a November 13, 1988, meeting with Luke and his parents record that Luke told Msgr. Shoemaker that Fr. Brennan regularly held him tightly on his lap, so that the boy could not escape, and rubbed his “belly” and touched his “butt.” Luke said that this happened every time he worked at the rectory, and that it happened to other boys who worked there as well.

In response to the parents’ complaint, the Archdiocese sent Fr. Brennan for psychological evaluation. From their interviews with Luke’s parents, Fr. Marine, the rectory secretary, and the cook, the Archdiocese managers learned the names of six boys from Saint Ignatius with whom Fr. Brennan had been acting, at the very least, “inappropriately” (to use Fr. Marine’s term) — Luke, “Will,” “Jonathan,” “Colin,” “Archie,” and “Micky.” In addition, there were the two unnamed boys — the college

(Ursinus) student and the 13-year-old – who spent nights at the rectory. Father Marine mentioned a Cardinal Dougherty High School student who went out to dinner alone with Fr. Brennan when the priest was supposed to be at an important parish meeting. Father Marine also noted there were many families with boys that Fr. Brennan visited often – including a family named "Quinn," with two teen-aged boys, who invited Fr. Brennan to stay at the shore. Three or four boys from Saint Helena's parish were also known to be frequent visitors at the rectory.

Father Marine made a point of telling Msgr. Shoemaker that, aside from Luke's, "the parents of the boys are unaware of Father's behavior and no contact has been made by the parish to inform them." The concern, then, was in keeping the information away from parishioners, not with protecting them.

On December 13, 1988, six months into his new job, Archbishop Bevilacqua met with Luke's parents. According to notes kept by Msgr. Shoemaker, the Archbishop gave Luke's parents an autographed photograph of himself and told them "several times that the welfare of their son was paramount in his mind." The Chancellor also noted that the parents "intend no publicity or financial remuneration for damages."

Archbishop Bevilacqua offered to pay for counseling for their son. There is no evidence in the Secret Archives file or elsewhere that he did anything about the boys whose parents were unaware of the harm Fr. Brennan was doing to their children.

Father Brennan resigns from Saint Ignatius; the Archdiocese sends him for treatment, but fails to provide his therapist with information necessary to assess the danger he presents to children.

On November 12, 1988, the day after Luke's mother came forward and demanded action of Fr. Marine, Fr. Brennan was sent to Saint John Vianney Hospital in Downingtown. He remained there for 30 days. The Archdiocese instructed Fr. Marine to tell the parishioners of Saint Ignatius that Fr. Brennan was "on retreat." Monsignor Edward P. Cullen, the Archdiocese's Vicar for Administration, testified that Cardinal Bevilacqua was firm that, in all cases involving sexual abuse, parishioners were not to be told the true reason for removal.

On December 24, 1988, Fr. Brennan tendered his resignation as pastor of Saint Ignatius. He was living at that time at Saint Eleanor Church in Collegeville, where he remained as resident priest, with full faculties, until September 1989.

During the nine months Fr. Brennan was without formal assignment, Msgr. Shoemaker arranged for a second psychological evaluation by a therapist. The results of that outpatient evaluation were sent to Archbishop Bevilacqua on May 5, 1989. In stating that his "evaluation of Fr. Brennan does not indicate any history of sexual acting out or homosexuality," The therapist relied on Fr. Brennan's denials of any improper behavior, even having a child sit on his lap. Archdiocese managers, however, knew from Fr. Marine that such denials were suspect. Several people from the Saint Ignatius rectory told of Fr. Brennan's habit of forcing young boys to sit on his lap. The therapist did not know any of this, however, because Fr. Marine refused to talk to the therapist. The therapist, therefore, qualified his opinion, stating: "However, I have not had an opportunity to talk to those who have made the allegations. . . ."

After getting the therapist's report on the record, Archbishop Bevilacqua met on July 17, 1989, with Fr. Brennan to discuss his future. In a memo to the Secretary for Clergy, John J. Jagodzinski, Archbishop Bevilacqua wrote: "I assured him that he would be given a pastorate. I told him, however, that it might take several months before a parish adequate for his abilities would be available."

Cardinal Bevilacqua appoints Father Brennan pastor of Saint Mary's Parish – and begins receiving new complaints.

In September 1989, Archbishop Bevilacqua appointed Fr. Brennan the parochial administrator of Saint Mary's parish in Schwenksville. In June 1990, he became the parish pastor.

From the start at Saint Mary's, Fr. Brennan continued his inappropriate behavior with boys, often at Saint Pius X, a high school associated with the parish. On December 13, 1990, Fr. Gerald J. Hoffman, the principal at Saint Pius X, contacted Msgr. James E. Molloy, an assistant to the Vicar for Administration, to report that Fr. Brennan was, against rules, taking students out of classes. Although Fr. Hoffman had been told nothing

of Fr. Brennan's history, he was suspicious because all of the students were boys and because the priest was arranging meetings with them furtively rather than following established procedure. The principal also reported that faculty members were concerned because a "cult" of students would "flock around" Fr. Brennan when he came to the school.

On March 18, 1991, five 7th-grade boys from Saint Mary's grade school went to their principal, Karen Coldwell, to tell her they were having problems with Fr. Brennan touching them in inappropriate ways. The youths were altar boys or worked in the rectory answering the phone. Coldwell told the Grand Jury that she was unsure how to handle a sexual-abuse complaint against a priest and whether she was required by law to report it to civil authorities. The principal called the Archdiocese Office for Clergy for guidance. Monsignor Molloy assured her that she had done the right thing in bringing the information to the Archdiocese and proceeded to listen to her account of the meeting with the boys.

Monsignor Molloy recorded, third-hand, that the boys complained of Fr. Brennan's "wrestling them in some fashion." One boy, "Geoff," reportedly was visibly upset and told of an occasion when Fr. Brennan had grabbed the boy's hands and forced them toward his genitals (in a report sent to Archbishop Bevilacqua, Msgr. Molloy said that it was unclear whose genitals). Another boy reported fainting and waking to find Fr. Brennan rubbing his leg "up high" on the thigh.

Had Archdiocese managers questioned Geoff or any of the other students, they could have learned more alarming information. Geoff testified before the Grand Jury that, in addition to what he reported to the principal, Fr. Brennan touched his genitals sometimes when the priest "wrestled" with him. Fr. Brennan also once summoned the boy into the rectory sitting room where the priest was watching a pornographic movie on television.

Geoff also testified that high school boys from Saint Pius X were all over the rectory, including upstairs where Fr. Brennan's bedroom was. The high school students were at the rectory when the boy arrived to work at 5:00 p.m. and were still there when he left at 9:00 p.m. He knew the names of two of the high school boys — "Ray" and

"Graham."

Geoff told the Grand Jury that another boy, "Conner," had been so "freaked out" by what Fr. Brennan had done to him (Geoff could not remember specifically what the priest was said to have done), that he left the rectory and never came back. Geoff also provided to the Grand Jury the names of other 7th graders who he knew had complained among friends about Fr. Brennan's behavior — "Bob," "Arnold," "Gus," "Dimitri," and "Josh."

Immediately after hearing the principal's report, Msgr. Molloy informed Msgr. Cullen as the Vicar General headed to a meeting with Archbishop Bevilacqua on March 18, 1991. Monsignor Molloy also called Fr. Joseph F. Rymdeika, a teacher at Saint Pius X High School who, months before, had complained to the principal about Fr. Brennan's suspect behavior with students. Father Rymdeika testified before the Grand Jury that in their phone conversation he told Msgr. Molloy about behavior he found "very alarming." Monsignor Molloy's reaction, according to Fr. Rymdeika, was disgust.

Church officials fail to probe new allegations or monitor Father Brennan.

Yet, after hearing from both the high school and the grade school, the Archdiocese took no action either to investigate the new allegations or to remove Fr. Brennan. Church officials did track the progress of a report that Geoff's parents made to the Montgomery County Office of Children and Youth, but the Grand Jury finds no evidence of Archdiocese concern for the welfare of the five 7th-grade boys or curiosity about what one of its priests had done to them. Monsignor Molloy's reports do not record the boys' names, other than Geoff's. Monsignor Molloy notified both Msgr. Cullen and Archbishop Bevilacqua about the grade-school boys on March 18, 1991, when the principal came forward. He sent another memo to them on April 3, 1991, including a report about the complaints from the principal at Saint Pius X. Still the Archbishop ordered no action.

There is nothing in the files to suggest that Archdiocesan managers shared what they knew about Fr. Brennan's behavior at Saint Ignatius, which he had been forced to leave in 1989, with either the grade school and high school principals or the civil

authorities investigating Geoff's family's complaint. Working without benefit of what the Archdiocese knew – that Fr. Brennan had reportedly inappropriately touched numerous boys, some of whom he invited to stay overnight with him at the rectory – the Montgomery County officials found the behavior toward Geoff alone insufficient to pursue charges.

Once the threat of legal action subsided, nothing more appears in the Archdiocese file. According to the Saint Mary's principal, Karen Coldwell, Fr. Brennan continued with full access to the altar boys and those who worked in the rectory. She could not understand why the Archdiocese did nothing to supervise Fr. Brennan and said she took it upon herself to go over to the rectory occasionally to check on him. She was surprised that no one ever came to interview the boys.

Principal Coldwell explained that, rather than report to the civil authorities herself, she accepted Msgr. Molloy's assurance that she had brought the allegations to the right place. She assumed the Archdiocese would report to the authorities.

Principal Coldwell testified that she was exasperated with the Church hierarchy in 1992 when she learned that, because of its inaction, another boy from her school, "Hal," was subjected to Fr. Brennan's unwelcome and inappropriate touches. Hal was a 7thgrade student and altar boy at Saint Mary's when his mother complained to Archdiocese managers. On June 10, 1992, the boy told Msgrs. Molloy and Lynn that Fr. Brennan, while offering "private lessons" on serving First Communion, hugged Hal, "put his hand on [the boy's] butt," and forced Hal onto his lap. The boy also described how Fr. Brennan caressed his fingers as he held the sacramentary book during Mass. Hal said he knew Fr. Brennan did these things to other boys as well. His mother, who accompanied him to the interview, reported that Fr. Brennan took high school boys out to dinner and movies. Hal told Church managers that Geoff had been victimized by Fr. Brennan and said that, even after Geoff's molestation had been reported to civil authorities the year before, Fr. Brennan had tried to "touch" the boy again. Hal described what Fr. Brennan had done to Geoff as "weird things . . . touching him and stuff."

After talking with Hal and his mother, Msgr. Molloy spoke to a nun who worked at Saint Mary's rectory. She confirmed that Fr. Brennan grabbed at and wrestled with

altar boys and high school students. She said he had "special ones," including one whom she described as a "disturbed" boy named "Ricky" in the youth education program, "CCD" (Confraternity of Christian Doctrine). She told Msgr. Molloy she had seen Fr. Brennan with his hand up Ricky's back, underneath his shirt.

On June 10, 1992, Msgrs. Lynn and Molloy questioned Fr. Brennan about Hal's and his mother's allegations. He denied the allegations and suggested that Hal's mother was angry that she had not been chosen as a soloist for Saturday Masses. The Archdiocese managers advised Fr. Brennan to "keep a low profile in the parish" where he was pastor until they "receive[d] further direction on the matter."

Pressured by complaints and gossip, the Archdiocese again sends Father Brennan for treatment and, despite therapists' warnings, Cardinal Bevilacqua reassigns him to a parish with a grade school.

On July 22, 1992, a month and a half after Hal's mother brought allegations to the Archdiocese, Cardinal Bevilacqua removed Fr. Brennan from his parish and sent him for a third psychological evaluation. Father Brennan began a four-day outpatient evaluation at Saint John Vianney on July 27, 1992. One of the questions Msgr. Lynn asked the treatment center to answer was: "Should Father remain in his present assignment since there seems to be much gossip throughout the parish about his behavior?" This question is remarkable: its focus is on the alleged gossip rather than on the serious allegations that Fr. Brennan was having inappropriate physical contact with pubescent boys. Monsignor Lynn's focus suggests that the protection of children was subservient to other interests, notwithstanding the Archdiocese's claims to the contrary.

The therapists at Saint John Vianney recommended inpatient treatment. On August 6, 1992, Fr. Brennan resigned as pastor of Saint Mary's, citing "reasons of health." (One parishioner remembers being told to pray for Fr. Brennan, who was "being treated for Lyme Disease.") On August 25, 1992, he returned to Saint John Vianney for treatment for the second time. This time, he stayed in treatment for nearly 10 months. The therapists at Saint John Vianney, while praising his hard work and personal growth, warned that Fr. Brennan, like "anyone with a recurring problematic behavior pattern

presents future risk." The therapists did not opine as to whether he could be safely returned to ministry, but said that if he was reassigned, it was important to have a strong accountability system in place. They recommended that a ministry supervision team include the pastor of the rectory where Fr. Brennan would reside.

In the months following Fr. Brennan's June 14, 1993, release from Saint John Vianney, but before he received a permanent assignment, the Archdiocese managers placed no restrictions on Fr. Brennan's faculties to minister throughout the diocese. They received a letter from a parishioner reporting that he was engaged in ministry. In November 1993, five months after Fr. Brennan was released, one of the therapists from Saint John Vianney wrote to Msgr. Lynn that "it is a grave concern to the treatment team that Fr. Brennan does not have a functional ministry supervision team."

On November 23, 1993, Msgr. Lynn sent a memo to Cardinal Bevilacqua recommending that Fr. Brennan be assigned as assistant pastor at Resurrection of Our Lord Parish in Philadelphia. In recommending Fr. Brennan for an assignment to a parish with a grade school attached, Msgr. Lynn stated carefully that "Father Brennan is not clinically diagnosed as a pedophile or a homosexual." Monsignor Lynn never talked to 10 of the 11 boys whose names were registered in the Archdiocese's files as victims of Fr. Brennan. (He could have had the names of nine more had he asked rectory staff or the principal at Saint Mary's.) Yet Msgr. Lynn stated: "It should be noted there was never any genital contact between Fr. Brennan and the adolescents." The Secretary for Clergy named members of a "ministry supervision team," some of whom would never know they were on such a team.

Monsignor Molloy told the Grand Jury that he disagreed with Msgr. Lynn's recommendation. In an effort to fully inform the Cardinal of the risk that he believed Fr. Brennan's reassignment would present to teenaged boys, Msgr. Molloy forwarded four reports on the priest's mental health to the Cardinal. He also sent copies to Msgr. Cullen. Included in the packet was the Assessment Report from Saint John Vianney (July 27-30, 1992) from which Msgr. Lynn had reported that Fr. Brennan was "not diagnosed" a pedophile. The oddly worded diagnosis in the report was "rule out pedophilia"; what this diagnosis actually meant, as the Assessment indicated and as Msgr. Molloy explained,

was that there were *in fact* indications of pedophilia, but that the therapists could not come to a *conclusive* determination on the diagnosis. Nowhere did they conclude that he was not a pedophile. Monsignor Molloy included a May 26, 1993, letter from another of Fr. Brennan's therapists at Saint John Vianney, which noted that "anyone with a recurring problematic behavior pattern presents future risk."

Monsignor Molloy also included a letter, dated August 20, 1992, to Msgr. Cullen from the therapist who had evaluated Fr. Brennan in 1989 for the Archdiocese. The therapist wrote that at the time he had only "scanty historical information." The allegations, he said, "as far as [he] knew, were limited solely to having children sit on his [Fr. Brennan's] lap." The therapist said that after he submitted his evaluation, he "called Msgr. Father Jagodzinski and told him that I had strong suspicions that Fr. Brennan might have significant problems but that I had no clinical proof." His letter said that he had spoken recently with Msgr. Lynn "and informed him also of the limitations of my evaluation, my views, and conversations with Msgr. Father Jagodzinski." The therapist in his letter warned Msgr. Cullen that in view of the recent allegations, his clinical opinion was that Fr. Brennan has very serious problems which might predispose this Archdiocese to major scandal and, possibly, litigation in the future. He also asserted that he believed that had he had the opportunity to speak to the parents of the children from Yardley [St. Ignatius parishioners] or with the associate pastor that the conclusions he reached in 1991 would have been very different.

This letter, too, was given to Cardinal Bevilacqua. Yet, despite one therapist's assessment that Fr. Brennan "presents future risk" and another's dire predictions, Cardinal Bevilacqua appointed Fr. Brennan assistant pastor at Resurrection parish, effective December 15, 1993. In approving the appointment, Cardinal Bevilacqua created an extraordinary series of instructions that he directed Msgr. Lynn to pass on to Fr. Brennan, confirming that the Cardinal was well aware of the danger posed by the priest. According to the Cardinal's instructions recorded in Archdiocese files, Msgr. Lynn was to inform the pastor at Resurrection, Fr. Thomas C. Scanlon, of Fr. Brennan's background and direct the pastor to supervise the priest closely, and to report any suspicious incident. Father Brennan, moreover, was to "be kept as much as possible away

from youth." Most strikingly, Fr. Brennan was "to be told to keep his hands off everyone…. He is not even to put his hand on someone's shoulder as a sign of congratulations or anything."

Finally, Msgr. Lynn was to check with legal counsel and ask, in the event of a "public relations crisis in this case, can we say that Fr. Brennan had been sent away and can we have a statement that he is not a pedophile?" The expression of such a concern and the advance plans to minimize liability for Fr. Brennan's anticipated future misconduct speak for themselves about whether the Cardinal himself saw a risk in returning Fr. Brennan to active ministry.

Father Brennan remains an assistant pastor with full and unsupervised access to children for more than 10 years despite continuing complaints of inappropriate touching of boys.

Father Brennan began as assistant pastor at Resurrection on December 15, 1993. Despite the strict-sounding instructions officially recorded in the Archdiocese files, none of the restrictions was implemented. Monsignor Lynn did not make the pastor, Fr. Scanlon, aware of Fr. Brennan's history. Nor was the pastor asked to supervise carefully or report suspicious behavior. Father Scanlon was never told to keep Fr. Brennan away from youth. And so, as assistant pastor, Fr. Brennan did all the usual things. He celebrated Mass, visited schools, provided counseling, and heard confession – even in the grade school – all the while socializing as a priest with the parish's children.

Father Scanlon was never told he was a member of a "ministry supervision team." He was not even aware there was supposed to be such a team. The "team" apparently never met, despite the therapists' insistence that a supervisory group was crucial if Fr. Brennan was to continue ministering. Even the therapists' repeated entreaties to Msgr. Lynn (in letters by one therapist in May and June 1994, and by another in November 1994) to meet just once with the alleged team, in order to explain each member's role, went unheeded.

In the absence of any instruction to report suspicious behavior immediately, Fr. Scanlon ignored, for months, reports of Fr. Brennan's inappropriate and sexual behavior

with adolescent boys. The social minister at Resurrection, Marie McGuirl, testified that she repeatedly reported the priest's inappropriate actions to the pastor and begged him to do something. Her entreaties were so persistent, she said, that the usually polite and gentlemanly pastor told her to "shut up" more than once. McGuirl told the Grand Jury what she had reported to Fr. Scanlon. At least as early as the fall of 1995, McGuirl began to observe Fr. Brennan's improper, and sometimes bizarre, behavior. That fall, she saw Fr. Brennan grabbing a 15-year-old boy from behind and "wrestling" with him. The boy, "Stuart," was a sophomore at Father Judge High School and worked in the rectory. McGuirl described another occasion when she overheard Fr. Brennan speaking to Stuart in a "very seductive" manner, "like how a woman would flirt with a man."

McGuirl testified that Fr. Brennan had two 8th-grade boys – "Walt" and "Robbie" – in the rectory with him at times when they should have been in school. She said he took them on outings – to the mall, for ice cream, to a bookstore. She described in particular Fr. Brennan's enthusiasm as he prepared to take boys out in his car.

McGuirl also testified that she thought the church organist, Tina Nase, had reported to Fr. Scanlon that she had seen Fr. Brennan on top of a boy in the sacristy. Father Scanlon finally reported these incidents to Msgr. Lynn and his assistant, Msgr. Michael T. McCulken, on June 11, 1996. The pastor said he was aware that Fr. Brennan had had some difficulties in the past, but was unaware exactly what they were. Even at this point, when it had become clear that Fr. Brennan was acting out again and that Fr. Scanlon did not know what he was dealing with, Msgr. Lynn was not forthcoming with information that might have helped protect the children he was being warned were at risk.

Monsignor Lynn began the meeting with Fr. Scanlon by describing Fr. Brennan's problems as merely "boundary issues." The Secretary for Clergy reiterated his carefully worded assurance that Fr. Brennan was "not diagnosed" a pedophile. Monsignor Lynn told Fr. Scanlon that the accusation of inappropriate behavior at Saint Mary's — which included at least seven children Msgr. Lynn knew of and multiple complaints — "was simply that he touched the altar boy's hand who was holding the book during Mass." Even after this meeting, Fr. Scanlon said he did not fully understand the extent of Fr.

Brennan's problems or the danger that he posed to the children of the parish.

Although Msgr. McCulken's handwritten notes from the meeting include Walt's last name next to the description "very vulnerable," the typewritten memo to the official Archdiocese file omitted this. Also omitted was Msgr. McCulken's handwritten recording of Msgr. Lynn's comments: "may want to move but maybe shouldn't" and "powder-keg situation I believe." Father Scanlon reassured the Archdiocese managers that he did not believe there was "any parish-wide concern, just among rectory staff."

Perhaps because of this assurance that parishioners were not aware of the priest's continuing misconduct with boys, Fr. Brennan was never moved or sent for another evaluation. Monsignors Lynn and McCulken met with Frs. Brennan and Scanlon on June 13, 1996. At this meeting, Msgr. Lynn belatedly passed on the Cardinal's instructions to Fr. Brennan never to touch a child. Monsignor Lynn acknowledged that he had never "fully" informed Fr. Scanlon about Fr. Brennan's history. But Msgr. Lynn still did not tell Fr. Brennan or his pastor that Fr. Brennan was not to work with the youth of the parish.

Monsignor McCulken's handwritten notes from the meeting used the initials "BC" to identify another boy whom Fr. Brennan was seen "touching" in the sacristy. Again, this identifying information was excluded from the typed memo to the official file.

A week after Fr. Scanlon's allegations were brought to the Archdiocese, Fr. Brennan's therapist reported to Msgr. Lynn, as he'd been doing for years, on Fr. Brennan's supposed progress in therapy. In his letter, the therapist stated that Fr. Brennan had "shown positive growth in being able to establish and maintain boundaries." Monsignor Lynn, a member of the phantom "ministry supervision team," wrote back on June 28, 1996, thanking the therapist for his report, never mentioning the many "boundary" violations of which Msgr. Lynn had recently learned.

Cardinal Bevilacqua allowed Fr. Brennan to remain at Resurrection with no restrictions on his ministry or his access to children. Father Scanlon and Marie McGuirl, both of whom had complained to the Archdiocese about Fr. Brennan's misconduct with boys, however, were both removed. The pastor appointed by Cardinal Bevilacqua to

replace Fr. Scanlon, Fr. Michael J. Ryan, told the Grand Jury that he was told nothing about Fr. Brennan's history. The new pastor further said that, as a result, he permitted Fr. Brennan full access to the parish youth.

Ignoring the therapists' warnings of "risk," of "serious problems which might predispose [the] Archdiocese to major scandal," and of indications of pedophilia, Cardinal Bevilacqua told the Grand Jury that he viewed Fr. Brennan's problems as innocuous-sounding "boundary issues," which "he has to take up with . . . himself." The Cardinal expressed satisfaction with his administration's actions that left Fr. Brennan in place with full faculties and access to parish youth despite complaints about his behavior with more than 20 boys from four parishes.

The Cardinal testified he did not recall being told of the 1996 complaints from Resurrection, and would not be concerned, in any case, if he had not been notified. He explained that only "serious matters" needed to come to his attention. Father Brennan's behavior, including being caught on top of a boy in the sacristy, was merely a matter of "boundary issues."

Monsignor Cullen told the Grand Jury that assigning Fr. Brennan to Resurrection and leaving him there, without restrictions, endangered the children of the parish. Nevertheless, Fr. Brennan remained an assistant pastor at the parish until June 2004.

Father Brennan is appointed Chaplain at Camilla Hall, a retirement home for nuns.

On June 28, 2004, Fr. Brennan was appointed Chaplain at Camilla Hall, a retirement home for the Sister Servants of the Immaculate Heart of Mary. The reassignment followed a finding by the Archdiocesan Review Board that Fr. Brennan's actions did not violate the "Essential Norms" defining sexual abuse of a minor contained in the *Charter for the Protection of Children and Young People* adopted in 2002 by the United States Conference of Catholic Bishops. Despite this finding, Msgr. Lynn acknowledged in a letter to Fr. Brennan on June 10, 2004, that "there is convincing evidence that over a number of years, you have engaged in behavior that is entirely inappropriate and unacceptable for a priest."

According to a September 23, 2004, memo from Msgr. Timothy Senior, who succeeded Msgr. Lynn as Secretary for Clergy in July 2004, Fr. Brennan does not now minister outside of the retirement home "on any regular basis," although he is not precluded from doing so in the future. Monsignor Senior wrote that Fr. Brennan's supervisor is aware of his situation. The priest has been warned that if his inappropriate behavior is ever repeated, he will be removed from ministry.

Father Brennan appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.