

Section V

Predator Priests Still In Ministry

Part way through the Grand Jury's investigation of the rape and molestation allegations brought by Billy and Mark, we learned something that surprised us. Karen Becker, the director of the Office of Child and Youth Protection, testified that the Archdiocese does not always remove priests from their assignments, pending investigation, when they are accused of sexually assaulting minors.

That revelation led to a question: How many priests have been left in ministry – either temporarily or permanently – after the Philadelphia Archdiocese received allegations that they had sexually abused children?

Ms. Becker did not know off-hand how many accused priests have stayed in ministry, but she assured us she could get that information for the Grand Jury. After Ms. Becker testified, the Grand Jury issued a subpoena asking the Archdiocese for the names of all priests who remained in ministry after January 1, 2005, *after* being accused of improper behavior with minors. In addition, the subpoena requested that the Archdiocese provide all abuse reports against those priests. Ms. Becker testified more than four months ago, on September 3, 2010. Yet the Archdiocese still has not fully complied with the Grand Jury's subpoena.

The partial information we have received was enough to appall us. At least 10 priests who were accused of sexual abuse sometime before 2005 remain in ministry within the Philadelphia Archdiocese today. *Another* 10 priests remain in ministry today

despite more recent accusations – ones made since January 2005. In addition, 4 priests accused since January 2005 were kept in their assignments after they had been accused, but have since either died, been transferred to another diocese, or been removed. And 17 priests are currently in ministry even though the Archdiocese is on notice of “inappropriate behavior with minors.”

That is **41 priests** who have remained in active ministry in the past five years *after* the Archdiocese learned of accusations or reports of their inappropriate behavior or sexual abuse of minors. Only 2 of these 41 have been listed on the Archdiocese’s website as credibly accused, which means the identity of most of these priests remains unknown even to their parishioners.

An accusation, of course, does not mean that a priest is guilty of abusing minors. Perhaps none of the 39 accused priests who have not been listed on the website did anything wrong. The Archdiocese now has an official-sounding review process, involving a Review Board and supposedly experienced and independent investigators. Surely, church officials nowadays would remove priests if they were credibly accused. Right?

Wrong. Our review of just some of these priests’ files shows that the Review Board finds allegations “unsubstantiated” even when there is very convincing evidence that the accusations are true – evidence certainly alarming enough to prompt removal of priests from positions in which they pose a danger to children.

Even though the Review Board merely advises Cardinal Rigali, he has accepted its recommendations in all of the cases we reviewed. Thus, six years after an earlier grand

jury documented sexual abuse by priests whom church officials shielded for decades, and in the face of current assurances that Archdiocese procedures now protect families, credibly accused priests have routinely been permitted to stay in ministry.

Below are a few examples of allegations that the Archdiocesan Review Board declared “unsubstantiated.”

Rev. Joseph J. Gallagher

On October 15, 2007, 36-year-old “Ben” reported to an Archdiocese victim assistance coordinator, Louise Hagner, that Rev. Joseph J. Gallagher had repeatedly fondled him when he served as an altar boy at St. Mark Parish in Bristol, Pennsylvania. Ben told Ms. Hagner that Father Gallagher discussed masturbation during confession. He fondled the boy during outings in the priest’s car, at the priest’s mother’s house, upstairs in the rectory, in a utility room in the sacristy, and in a loft in the church. The priest also hit the boy. Ben provided the names of other altar boys who could confirm some of what he told Ms. Hagner.

To Archdiocese officials, this allegation should have had the ring of truth. A year earlier, the same victim assistance coordinator had received another allegation about Father Gallagher. That one was from a 44-year-old man who said that Father Gallagher had touched his penis during a school trip when the boy was in second grade. That victim also told Ms. Hagner that Father Gallagher questioned him about masturbation during confession. The Review Board, however, had found the 44-year-old’s allegation unsubstantiated because: “The victim alleges that Reverend Gallagher abused him during

a bus trip in 1968 or 1969 but Reverend Gallagher did not arrive at that parish until 1970.”

This discrepancy about dates – which could have amounted to mere months – was based on the victim’s belief that he was 7 or 8 years old when the abuse occurred. Nevertheless, that was sufficient to convince the Review Board that the abuse did not happen.

When Ben’s allegation came in a year later, Ms. Hagner interviewed the victim twice – once by phone and once in person. The Archdiocese investigator questioned him three times. Ben patiently repeated the details of his abuse.

The first time he was molested was when Father Gallagher took the boy to buy supplies for a St. Patrick’s Day party at school. After buying a disco ball, green party vests, plates, and cups, the priest stopped at his mother’s house. There he took the boy upstairs to a pink, frilly bedroom. The priest unbuckled the boy’s belt, pulled down his pants, and fondled his genitals. After less than two minutes, Gallagher pulled up the boy’s pants and started to leave the room. But as Ben was refastening his pants, Gallagher returned, pulled the child’s pants down again, bent him over at the waist, and stuck his finger in the boy’s anus.

Ben not only related the abuse in detail, he described the house and the priest’s sister who he met at the house. He said that she was mentally retarded – which was true. He related his entire conversation with the sister.

After the initial incident, Father Gallagher began to fondle Ben in the church when he served as an altar boy. Ben told the Archdiocese investigator that Father

Gallagher always insisted on hearing the altar boy's confession before Mass, and that the priest would ask during confession if the child had a problem with masturbation. Ben told the investigator that he saw Father Gallagher take other boys off for confession as well. The victim provided the names of other former altar boys for the investigator to question.

The priest once taught Ben what a "blow job" was. But when the boy looked horrified, Father Gallagher told him to leave. Later, he punched Ben in the sacristy after the boy refused the priest's instructions to fondle his genitals.

The investigator questioned several of the other former altar boys. While none of them said they were molested by Father Gallagher, one confirmed seeing the priest shake Ben until he cried. (This information was volunteered even though the person being questioned was unaware that Ben had made an allegation.) Several others confirmed that Father Gallagher always asked boys during confession if they had a problem with masturbation. One former altar boy refused to be interviewed, but told the investigator: "there were improper relationships" between Father Gallagher and St. Mark's students. Another confirmed that Ben had told him – back when they were in school – about going to the priest's mother's house.

When the investigator interviewed Father Gallagher, the priest denied ever hearing confessions in the sacristy or the loft, even though several former altar boys confirmed that he did. At first, he flatly denied Ben's allegations. By the end of the interview, however, his answers were more evasive: "I have no picture of that" and "I can't say it happened" and "I'm right to the best of my knowledge."

Despite Ben's obvious credibility, the corroboration of other witnesses, the allegation the year before by someone with no connection to Ben, and the lies of Father Gallagher, the Archdiocesan Review Board found Ben's allegations unsubstantiated. Bishop Timothy Senior, then Vicar for Clergy, concurred with the Review Board's recommendation, as did Auxiliary Bishop Daniel Thomas. Cardinal Rigali accepted the recommendation on July 3, 2008.

Even though almost every former altar boy told the investigator that Father Gallagher always brought up masturbation with children in the confessional, only three Review Board members thought it necessary to restrict him from hearing children's confessions.

On July 24, 2008, Ms. Hagner notified Ben that the Review Board could not substantiate his allegation. Less than a year later, Ben committed suicide.

Ms. Hagner's notes from a June 15, 2009, telephone call with Ben's mother record: "She is doing as well as she can. She keeps questioning why. He was really hurt when the AOP [Archdiocese of Philadelphia] did not substantiate the charges. He had so many disappointments in his life. She wants to meet with Father Mooney because he did not respond to Ben's emails of several years ago telling him about the abuse."

There is no indication that the victim assistance coordinator did anything to facilitate such a meeting.

Father Gallagher is retired now, but has been a regular assistant at St. Jerome, and at St. Timothy in Philadelphia, and at St. Thomas Aquinas in Croyden. He is not listed on

the Archdiocese website, and parishioners have not been notified of the allegations against him.

Rev. Stephen Perzan

The Archdiocese received two separate complaints from young men who reported that, as boys, they had been fondled on numerous occasions by Father Stephen Perzan when he was assigned as Chaplain at St. Gabriel's Hall, a residential program for delinquent youth. Despite two similar allegations from two unrelated individuals, despite corroborating evidence from Father Perzan's superior and from other staff members at St. Gabriel's, and despite a finding of deception when Father Perzan submitted to a polygraph test, the Archdiocesan Review Board found both allegations "unsubstantiated."

The first complaint was received in July 2004. A 27-year-old man, "Jason," wrote to Martin Frick, an Archdiocese victim assistance coordinator, and reported that he had been "forced to perform sexual acts by a priest at St. Gabriel's Hall." After consulting with legal counsel, Mr. Frick wrote back to the victim, who was incarcerated at the time. In his letter, dated July 20, 2004, the victim assistance coordinator asked Jason to provide specifics of his abuse. He warned the victim that the Archdiocese would "report the specifics of that allegation" to the District attorney and to the Philadelphia grand jury that was then investigating sexual abuse by clergy.

Mr. Frick told Jason that *in order to pass along the information to the authorities*, the Archdiocese would need him to provide the following:

1. Name of the person or persons who abused you and the position(s) they held at St. Gabriel's Hall.

2. Your best estimate of the dates the abuse started and ended and your age at those times.
3. Where the abuse occurred
 - a. The general location (I assume it was on the grounds of St. Gabriel's Hall)
 - b. Any more specifics you could provide (buildings, rooms, etc.)
4. Description of the abuse acts themselves and how frequently you were forced to engage in these acts with the abuser(s).
5. If you told anyone about the abuse, the name(s) of those people you told and where we could contact them, if you know.

Jason wrote back to Mr. Frick on October 21, 2004. He provided all the details of his abuse, as requested.

Despite Mr. Frick's assertion that the "specifics" were needed in order to inform authorities, a December 14, 2004, letter to the Montgomery County District Attorney, written by Stradley Ronon lawyer C. Clark Hodgson, contained none of the specifics provided by Jason – just the name, age, and contact information for the victim, and that Jason had accused Father Perzan of abusing him at St. Gabriel's in 1991. Both the Archdiocese and Mr. Hodgson withheld from the grand jury documents related to Jason's case. They did so despite the existence of an ongoing grand jury subpoena at the time, and despite Mr. Frick's assurance to the victim that the information would be turned over.

The information not turned over to the previous grand jury, which we have reviewed, included several letters from Jason to the Archdiocese and to Mr. Hodgson. In the letters and subsequent interviews, Jason informed the Archdiocese that he had been a

14-year-old altar boy at St. Gabriel's in 1991. He said that Father Perzan befriended him and became a mentor.

Jason would hang out in Father Perzan's room a couple of nights a week. The priest would show him pornographic movies on television and would masturbate the boy and himself. Jason said this happened four or five times. The priest tried to get Jason to masturbate him, but Jason refused. Jason described and drew a plan of Father Perzan's room.

One staff member at St. Gabriel's confirmed that Father Perzan had boys in his room and that a couple of boys were there regularly. She also remembered Jason. She said that she accused Jason of taking a juice from the kitchen and Jason responded that he was coming from Father Perzan's room. She also remembered that Jason had been one of Father Perzan's helpers when he set up chairs, but that the boy had announced to her that he did not want to help anymore.

Already in Father Perzan's Archdiocese file was a 1998 letter to Msgr. Lynn from the pastor at St. Hugh of Cluny parish, where Father Perzan was assigned. In it the pastor complained that Father Perzan allowed young children and street people into the rectory without proper supervision. The pastor wrote that Father Perzan's behavior was troublesome and that he worried it might reflect deeper problems. The pastor expressed concern that Father Perzan spent 25 to 30 minutes in the confessional with young children. He said that the school principal and the director of religious education had both noticed this odd behavior.

On May 13, 2005, the Review Board concluded that the first allegation against Father Perzan could not be substantiated. This was two months after the Archdiocese had received a second allegation.

The second man, 26-year-old “Frank,” said that he had been at St. Gabriel’s from June 1993 to March 1994. During that time, Father Perzan put his hands down Frank’s pants and fondled his genitals on several occasions. The abuse occurred in Father Perzan’s car, in the church, in a room off a hallway near the church, and in the bathroom of a shelter in Norristown where “Father Steve” sometimes took the students.

During the investigation of the second allegation, John Rossiter, an Archdiocese investigator, gathered evidence that corroborated the first allegation. One of the Brothers that Father Perzan worked with at St. Gabriel’s reported that the priest had to be reminded not to have children in private areas. Another Brother told Mr. Rossiter that he thought Father Perzan was too friendly with the kids and that he wondered why Father Perzan always hung out with them. He said that the priest would have the young students in his room with the door closed.

Father Perzan’s superior at St. Gabriel’s told Mr. Rossiter that she recalled going to Father Perzan’s room at 9:00 or 10:00 a.m. and finding the priest sitting on his sofa with a boy standing in front of him. Mr. Rossiter reported that she remarked on the “nuance he used when telling the boy to ‘come over closer so I can read to you.’”

The supervisor told the investigator that Father Perzan had access to a VCR. This was significant because it corroborated Jason’s allegation, and because the Review Board’s belief that Father Perzan did not have a VCR was, apparently, a significant factor

in finding Jason's allegation unsubstantiated. The supervisor also told Mr. Rossiter that she had heard from other employees that Father Perzan showed the boys pornographic movies.

As part of the second investigation, Father Perzan was given a polygraph test. He was asked if he touched the genitals of any minors at St. Gabriel's, whether he fondled himself in front of minors, and whether he showed pornographic movies to minors. The tester concluded that Father Perzan was being deceptive when he answered "no" to those questions.

In March 2006, the Review Board, unanimously, again found that the allegations against Father Perzan were not substantiated. With respect to Jason's allegation, the board announced the basis for its decision:

The initial allegations were received from one victim and interviews were conducted with staff who were at the facility at the same time as Reverend Perzan as well as other youth who could be located. None were able to corroborate the allegations made and most did not remember that Reverend Perzan dressed in the manner reported by the victim [in a jumpsuit] or that he had possessions [a VCR] described by the victim.

The board explained its finding that the second allegation was not substantiated as follows:

Again, neither staff nor other youth could corroborate enough of the information provided by the victim to permit the Review Board to reasonably conclude that the incidents were more likely than not to have occurred and that their purpose was sexual in nature.

Despite finding both allegations unsubstantiated, the Review Board recommended that the Archdiocese develop a “safety plan” for Father Perzan. Bishop Senior assured the Grand Jury that a safety plan was in effect for Father Perzan, who now is parochial vicar at St. Helena in Philadelphia. Yet, when the Bishop was asked if it was true that Father Perzan was in charge of the CYO (Catholic Youth Organization), he said he did not know.

Bishop Senior and Cardinal Rigali approved the Review Board’s recommendation and permitted Father Perzan to remain the parochial vicar at a parish with a school. Auxiliary Bishop Michael Burbidge and Bishop Joseph Cistone were given the opportunity to review the recommendation before Cardinal Rigali approved it. None of these officials, apparently, saw anything wrong with the Review Board’s findings.

Rev. Joseph DiGregorio

Father Perzan was not the only priest to stay in ministry after flunking a lie detector test. Father Joseph DiGregorio remains a parochial vicar, more than five years after he was credibly accused of sexually assaulting a 16-year-old girl in 1967 or 1968.

On October 11, 2005, “Donna” reported to Louise Hagner, the victim assistance coordinator, that she had been sexually abused by two priests in the rectory of Our Lady of Loreto Parish in Philadelphia. She told Mr. Rossiter, the Archdiocese investigator, that Father DiGregorio molested her on four occasions – kissing her, removing her bra, lying on top of her, and fondling her breasts. The abuse occurred in the rectory and in the priest’s car, while parked near the airport.

At the same time, Donna reported that she was also abused by former priest William Santry, who was stationed with Father DiGregorio at Our Lady of Loreto. Father Santry kissed and fondled Donna's breasts and made her masturbate him. The priest admitted to the Archdiocese investigator that Donna's accusations against him were true. He also informed the investigator that he recalled Donna telling him that she had been in Father DiGregorio's room, and he believed something such as fondling was going on between Donna and Father DiGregorio.

Father DiGregorio denied that Donna was ever in his room and denied driving her anywhere. He did admit, though, that he sometimes went to the airport area for target practice. He told the investigator that he had many guns, including a Smith & Wesson revolver. A lie detector test indicated that Father DiGregorio was being deceptive when he said that he did not fondle Donna in his car and his bedroom.

On March 3, 2006, the Review Board found Donna's allegation to be "credible." The reasons stated were that: the victim's account had remained consistent for a long period of time, including reports to others years earlier; she had accused two priests and one had admitted the truth of her accusation; and DiGregorio had submitted to a polygraph, which the Review Board described as inconclusive.

On May 23, 2006, however, the Review Board reversed itself, finding "insufficient conclusive evidence to support the allegation." The basis for the reversal was vaguely stated:

At the time of the initial decision, all Board members with expertise relevant to this case were not present because of inclement weather The Review Board determined that a reversal of its initial decision was warranted because the

evidence obtained through the investigative process was not sufficient to substantiate the allegation. As a result of the finding that no violation occurred, it is no longer necessary to implement a safety plan with respect to Reverend DiGregorio.

Father DiGregorio today retains full faculties to minister in the Archdiocese of Philadelphia.

We emphasize that these are only examples. Late in our investigation, we received documents related to several accused priests. As in the examples we have cited, the Review Board's findings – that allegations were not substantiated – are inexplicable.

Even more troubling was the file of one priest whose bizarre behavior was not deemed serious enough to warrant Review Board attention. Archdiocese officials only recently – in November 2010 – removed Father William Ayres from ministry in response to a formal allegation that he abused a minor.

Before that allegation was made, however, Archdiocese officials were aware of Father Ayres's wildly inappropriate relationships with three boys. Memos in his file from 2007 detail: "invitations to come to Father's rooms" and "Fr. going into boy(s) rooms while parents away"; "patterns of offering massages so prevalent" that boys joked about them; "overnights at hotels"; "inappropriate massages that started w/ the feet, up legs, shoulders and back"; "incidents of wrestling, horse play, touch, and massage"; one boy being "the favorite for movies and dinners"; paying one boy's cell phone bill; "touching private parts over the clothing more than once"; "invitation to bedroom for computer gift while being offered massage, a request to take off shirt, and Fr. holding body oils in hand."

After hearing these astonishing reports, Archdiocese officials allowed Father Ayres to remain as pastor at St. Michael Parish in North Philadelphia and as parochial administrator of the Immaculate Conception parish.

Lax practices by school principals allowed Shero to harass students for years.

Archdiocese practices that pose a danger to children extend beyond the deeply flawed policies regarding priests in ministry. We found evidence of lax procedures in parish schools as well.

After hearing so much about “safe environment” programs and all that the Archdiocese is purportedly doing to assure that children will be safe in its churches and schools, we were disheartened to discover how passive the principals who supervised Bernard Shero were in the face of multiple complaints and obvious issues.

The only evident action taken was to protect *the teacher* from a vigilant parent. Msgr. Richard Powers, at the time pastor at St. Michael the Archangel School in Levittown, went out of his way to intimidate and humiliate a mother who, frustrated with the failure of the school to curb Shero’s inappropriate behavior with children, reported the teacher to police.

Shero had left St. Jerome almost immediately after raping Billy during the 1999-2000 school year. By June 2000, he had applied for a position as a resource teacher at St. Michael the Archangel. As a reference he chose not to rely on his then-principal, Sharon Nendza, but on a previous principal, Mary Rochford, now Secretary for Catholic education. Ms. Nendza knew that a girl had complained about Shero touching her in a

way that made her uncomfortable. As it happened, the principal had not documented the complaint in Shero's file or referred to it in any evaluation she had prepared for the teacher. In any case, information about the complaint was never conveyed to Shero's new employer.

We do not think Ms. Nendza did anything wrong in this case, but it wasn't clear to us that she had received adequate training regarding the importance of documenting inappropriate behavior. She repeatedly told the Grand Jury that St. Jerome had never had any kind of problem with sexual abuse complaints. When asked if there were protocols she followed when complaints of inappropriate touching were made, she answered that the girl who complained about Shero was the only such incident in her 33 years at St. Jerome. There were no protocols, she said, because "protocol seems to me like something you would do on a normal basis, and this doesn't occur on a normal basis."

The principal must have been shocked by our questions about Father Avery and Father Brennan, both of whom had been assigned to St. Jerome. She had to admit that no one had ever told her that these two priests had a history of inappropriate behavior with minors, or that she should watch the schoolchildren carefully when they went to confession or served Masses with these two known sexual predators.

Ms. Nendza testified that she did not recall the school providing training for teachers on how to deal with sexual assault complaints. And even though she testified that it would have been helpful if someone had informed her about Father Avery's history, she herself had done nothing to document the complaint against Shero. The next principal had to find out about Shero for herself.

Had Ms. Nendza documented the complaint against Shero, Susan Gallagher, the principal at St. Michael the Archangel, might have taken stronger action when a group of girls complained that Shero was always touching them and hovering so close that they had to bend over backwards to avoid contact with him. She might have been more skeptical when Shero told her that he had to stand close to hear the students because he had a sinus infection.

Ms. Gallagher testified, however, that she did not expect to find such complaints in a teacher's file because "we're supposed to take those out. Any negative thing you put in a file, we don't transfer." And that is the rule she followed when Shero left St. Michael Archangel eight years later – after several student complaints and one police report by a mother.

Ms. Gallagher testified that she did document complaints about Shero twice. Once was when the group of students came to her to complain. The other occasion was a report from a mother about behavior that was inappropriate for a teacher. The mother complained that Shero continued to inappropriately touch students, that he cornered them alone and stood uncomfortably close to them, that he took their photographs, that he encouraged them to touch his belt buckle, and that he over-enthusiastically plastered stickers on girls' chests. Meanwhile, he was mean and angry with the boys.

On May 30, 2006, in response to the mother's complaint, Ms. Gallagher typed up a warning to Shero. In it she wrote:

In light of the fact that a parent has accused Mr. Shero of a familiarity with children that makes her uncomfortable, the following points were discussed with him:

He may not be alone with any child at any time.
He may not take photographs of the children for any purpose.
He may not touch a child in any way.
He may not offer to tutor a child at his home.

These points are for the protection of both Mr. Shero and the children. If Mr. Shero fails to observe any of the above it will result in his dismissal.

When she testified before the Grand Jury, Ms. Gallagher failed to mention that the mother who complained about Shero also notified the police when she felt the school had failed to respond. The mother told the Grand Jury that, after she called the police, she was summoned by the pastor to come to the rectory. The pastor did not tell her the purpose of the meeting. She thought he might want to thank her for all of the work she did around the parish.

Instead, she said, when she entered the rectory, Shero was there. In front of Shero and Ms. Gallagher, and with no warning, the pastor confronted the parent and asked if she had been the one to call the police. She was angry and hurt at the priest's stunt, but took the occasion to tell the pastor, Ms. Gallagher, and Shero all of her concerns. She said she felt ambushed. Had she known the purpose of the meeting, she could have brought with her other parents who had similar complaints.

The next year, Shero changed schools again. This time, the new principal hired Shero without calling for references at all, or requesting the teacher's file. Instead of having Shero's records transferred officially, Colleen Noone, the principal at St. Thomas Aquinas in Croyden, allowed Shero to retrieve a copy of his file from Ms. Gallagher and bring it with him.

In accordance with how she said she was trained, Ms. Gallagher removed all negative information about Shero from his file. Ms. Gallagher explained that she could not warn the next principal about Shero's history because she did not know where he was teaching. Ms. Gallagher testified that, sometime well into the next school year, Ms. Noone called to ask her if there had been any problems with Shero when he was at St. Michael. Ms. Gallagher did not know what had prompted the call.