

Fr. R

533. *Fr. R* was ordained in 1965.⁴¹ As early as 1978, the Diocesan Corporation was on notice of a substantial likelihood that *Fr. R* had sexually abused minors. Years later, instead of applying the *Charter* and the *Essential Norms*, the Diocesan Corporation allowed him to retire. The Diocesan Corporation also failed to sufficiently conduct investigations into allegations that *Fr. R* had sexually abused minors; failed to seek the DRB's assessment of sexual abuse allegations against *Fr. R*; and failed to refer *Fr. R* to the CDF. Further, the Diocesan Corporation engaged in other improper conduct by (a) disregarding the risk of sexual abuse; (b) making false or misleading statements to its beneficiaries; (c) preparing false or misleading records to establish a purported, legitimate basis for *Fr. R*'s retirement and eligibility for associated benefits; (d) providing these benefits and other compensation to *Fr. R* even though his laicization would have relieved the Diocesan Corporation of its duty to financially support him; and (e) failing to reasonably monitor *Fr. R*, exposing itself and minors to unnecessary risks.

Pre-2002 Notice of and Response to Sexual Abuse Allegations

534. *Fr. R* served in parish ministry until 1988 when he began serving as a chaplain at medical facilities. Prior to 2002, the Diocesan Corporation received at least four complaints against him for alleged sexual abuse.

535. *Fr. R*'s file contains an undated, one-page, typed note from a parish to a "Msgr. McLaughlin"; Bernard McLaughlin served as an auxiliary bishop in the Diocese between 1969

⁴¹ Unless otherwise noted, the allegations against *Fr. R* are based exclusively on documents that were obtained from public sources or produced from diocesan files for Attorney General review. The allegations against *Fr. R* have not been independently investigated by the Attorney General and are recited only to establish the information provided to, and decisions taken by, the Diocesan Corporation in connection with its response to reports of alleged sexual abuse.

and 1988. The one-page note begins: “The following is the information you asked me to obtain.”

The “information” consists of two brief paragraphs preceded by the following introductory points:

Date: Sunday, July 7, 1968.

Time: approximately 10:15 P.M.

Place: Twin Drive-in Theater

Names: [Complainant 1] . . . age 14

[Complainant 1’s friend] . . . age 16

536. The first paragraph of the undated, one-page, typed note states: “On a previous occasion, [Complainant 2], age 15 was involved. I could not contact him for the actual facts because he is away with his family on vacation, but the word going around is that the same actions took place.”

537. The second paragraph of the typed note states: “Enclosed is the factual detail written by [Complainant 1] and his father.” Immediately following the typed note, *Fr. R*’s file contains an undated handwritten letter, drafted by Complainant 1, that begins: “On July 7th, *Fr. R* invited [my friend] and me to go to [a] Raceway.” Complainant 1, fourteen years old at the time, went on to allege that *Fr. R* had provided alcohol to him and another minor and took them to a drive-in theater. Complainant 1 further alleged that at the drive-in, *Fr. R* had kissed and rubbed him; put his hand between the teen’s legs; and opened the teen’s pants.

538. In December 1978, Vicar General Trautman prepared a memo to the file, which reported that a few days earlier, *Fr. R* had gone out with Complainant 3, a minor at the time, provided him with beer, took him back to a cabin where *Fr. R* gave him more alcohol, and then allegedly engaged in sexual misconduct:

[At the cabin, *Fr. R*] then made a homosexual advance towards the boy. A homosexual action was committed. The young man immediately responded, ‘Leave me alone’. . . . I talked to [*Fr. R*] about the incident described in this confidential memo. He admitted his guilt and said this was the first time in over

six years that this problem has occurred. [Fr. R] has had a difficulty of this nature in the past. He has been to the Monsignor Carr Clinic for treatment of a similar difficulty years ago.

539. Sixteen years later, in 1994, diocesan attorneys learned from a reporter about allegations that Fr. R had attempted inappropriate sexual conduct with two children in 1968. Vicar General Cunningham met with Fr. R to discuss the allegation. In his memo documenting this meeting, Cunningham recorded that “[a]pparently something did happen in 1968, and Father [R] was transferred from [his] Parish.” Cunningham also wrote that “[Fr. R] assured me that nothing at all has happened since his return from Southdown and that the past six years have been the best years of his life as a priest.”

540. In October 1997, Vicar General Cunningham drafted a memo regarding allegations made by Complainant 4 to a parish. According to the memo, the Complainant and the parish discussed “inappropriate action” by a priest in about 1977. Subsequently, Cunningham discussed the matter with the “priest in question,” who recalled that in mid-1978, he had in fact traveled to a property with three teenagers. The memo recounts that “[a]t that time there was some alcohol abuse and other inappropriate activity.” The memo, contained in Fr. R’s file, does not identify the following: Fr. R or any priest as the accused; Complainant 4’s age at the time of the abuse; or any details of the “inappropriate activity.”

Defendants’ Violations of Sexual Abuse Policies and Secular Fiduciary Duties

541. In December 2002, within months of the *Charter*’s adoption, Bishop Mansell recommended Fr. R for recertification by the National Association of Catholic Chaplains.

542. On August 20, 2003, Vicar General Cunningham prepared a brief memo about his meeting with Fr. R of the same day: “I met today with Father [R] and discussed with him historical concerns. In light of our discussions, Father [R] submitted his resignation from priestly

ministry and was suspended. He will receive the benefits of a retired priest of the Diocese, including health and automobile insurance.”

543. On August 20, 2003, pursuant to the *Essential Norms*, Bishop Mansell issued a Decree of Suspension to *Fr. R*. The decree revoked *Fr. R*'s faculties and barred him from publicly officiating Mass, administering the sacraments, wearing clerical attire, and holding himself out as a priest. *Fr. R*'s file lacks any indication that the Diocesan Corporation publicly disclosed this decree.

544. Internal diocesan documents maintained to record a priest's status falsely reflect that *Fr. R* retired on August 31, 2003, when he actually was removed from ministry for sexual abuse allegations.

545. Complaints continued after *Fr. R*'s retirement. In June 2008, Complainant 5 filed a complaint with the Diocesan Corporation, alleging that in 1963, *Fr. R* had sexually abused him when he was thirteen or fourteen years old. Complainant 5 also alleged that *Fr. R* had sexually abused his brother. *Fr. R*'s file does not contain any decrees opening or closing a diocesan investigation into Complainant 5's claims. The Diocesan Corporation failed to sufficiently investigate Complainant 5's allegations pursuant to the *Charter* and the *Essential Norms*.

546. In June 2010, Complainant 6 filed a complaint with the Diocesan Corporation, alleging that between 1965 and 1966, *Fr. R* had raped him when he was approximately sixteen or seventeen years old. *Fr. R*'s file does not contain any decrees opening or closing a diocesan investigation into Complainant 6's claims. The Diocesan Corporation failed to sufficiently investigate Complainant 6's allegations pursuant to the *Charter* and the *Essential Norms*.

547. In a memo to Auxiliary Bishop Grosz regarding Complainant 6, diocesan attorneys dedicated one sentence to the DRB: “This matter was reported to the [DRB] for a final

time on December 9, 2010.” *Fr. R*’s file does not contain this report to the DRB.

548. In about August 2012, less than two weeks after Bishop Malone’s installation, the Diocesan Corporation received Complainant 7’s allegations that between 1966 and 1969, when he was a candidate for a religious order, he was sexually abused by three priests, including *Fr. R*. The next month, Auxiliary Bishop Grosz called *Fr. R* to discuss Complainant 7’s allegations. Grosz confronted *Fr. R* with the allegations and documented *Fr. R*’s purported admission: “[*Fr. R*] noted that he would say ‘It is true.’ He indicated as far as the incident as reported, it was only one incident which took place”

549. In May 2017, Complainant 8 filed a complaint with the Diocesan Corporation, alleging that in approximately 1979 or 1980, *Fr. R* groped him when he was fourteen or fifteen years old. The Complainant also asserted that *Fr. R* had molested his friend. *Fr. R*’s file does not contain any decrees opening or closing a diocesan investigation into Complainant 8’s claims. The Diocesan Corporation failed to sufficiently investigate Complainant 8’s allegations pursuant to the *Charter* and the *Essential Norms*.

550. In February 2018, a media outlet reported that *Fr. R* purportedly admitted to its reporter that he had sexually abused probably dozens of minors in the 1970s and 1980s.

551. On March 2, 2018, Bishop Malone sent a letter to parishioners about *Fr. R*. The letter states that “[*Fr. R*] was removed from ministry in 2003.” Within a few weeks of Malone’s letter, the Diocesan Corporation publicly identified *Fr. R* on a list of “diocesan priests who were removed from ministry, were retired, or left ministry after allegations of sexual abuse of a minor.” After these events, the Diocesan Corporation received at least seven other complaints alleging that *Fr. R* had sexually abused minors between 1966 and 1982.

552. Among other things, the lack of documentation in *Fr. R*’s file indicating that the

Diocesan Corporation regularly supervised him shows that it failed to reasonably monitor *Fr. R*.

553. In about November 2019, the Diocesan Corporation, in a disclosure on its website, indicated that it would refer *Fr. R* to the CDF, confirming that Bishop Malone had not done so prior to that time.

554. The Diocesan Corporation repeatedly violated the *Charter* and the *Essential Norms* by failing to sufficiently conduct investigations into allegations that *Fr. R* had sexually abused minors; failing to seek the DRB's assessment of sexual abuse allegations against *Fr. R*; and failing to refer *Fr. R* to the CDF. Instead, it made false or misleading statements to its beneficiaries; prepared false or misleading business records; failed to reasonably monitor *Fr. R*; and disregarded the risk that *Fr. R* could sexually abuse minors. The Diocesan Corporation's actions concealed *Fr. R*'s conduct from the public and placed its beneficiaries at risk.