



A Report of the Thirty-Seventh Statewide  
Investigating Grand Jury

*I only called him "Father"*

Statement of a victim of child sexual abuse  
From an exhibit of the Grand Jury

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SECTION I  
INTRODUCTION

The following report is based upon information which has been developed by the Office of Attorney General (OAG) under Grand Jury Notice of Submission 31 in conjunction with the efforts of the 37<sup>th</sup> Statewide Investigating Grand Jury and its inherent powers. In issuing this report the Grand Jury reviewed over 200 Grand Jury exhibits, took witness testimony and generated thousands of pages of Grand Jury testimony transcripts.

The investigation was initiated following a referral by the District Attorney of Cambria County, Kelly Callihan, to the OAG. Callihan had spoken about the related "Baker investigation" involving Bishop McCort Catholic High School on various occasions throughout 2013; the matter was referred in total to the OAG in early 2014. The initial concerns regarded a failure to report child abuse or related issues within the Diocese of Altoona-Johnstown, the Johnstown Police Department, and the Bishop McCort Catholic High School. In April 2014 this matter was accepted by the 37<sup>th</sup> Statewide Investigating Grand Jury for investigation.

This report contains the findings of the Grand Jury as they relate to the Diocese of Altoona-Johnstown. These findings are both staggering and sobering. Over many years hundreds of children have fallen victim to child predators wrapped in the authority and integrity of an honorable faith. As wolves disguised as the shepherds themselves – these men stole the innocence of children by sexually preying upon the most innocent and vulnerable members of our society and of the Catholic faith.

If these discoveries were not dreadful enough, this Grand Jury further found that the actions of Bishops James Hogan and Joseph Adamec failed to protect children entrusted to their care and guidance. Worse yet, these men took actions that further endangered children as they placed their desire to avoid public scandal over the wellbeing of innocent children. Priests were returned to ministry with full knowledge they were child predators.

This is not an indictment of the Catholic religion or the Catholic Church. Many who testified and spoke out regarding the horror of this abominable malfeasance are devout Catholics; as are members of this Grand Jury and OAG investigative personnel.

This is a finding of fact and an effort at transparency – not to slander a religion but to expose the truth about the men who hijacked it for their own grotesque desires.

#### **A. An Overview of the Diocese of Altoona-Johnstown**

As of July 31, 2015, the public website of the Diocese of Altoona-Johnstown stated the following information as it pertains to the history of that institution:

*“The Diocese of Altoona was established in 1901, with the Most Reverend Eugene A. Garvey as the first Bishop. It was renamed the Diocese of Altoona-Johnstown in 1957. Eight counties comprise the Diocese of Altoona-Johnstown -- Bedford, Blair, Cambria, Centre, Clinton, Fulton, Huntingdon and Somerset. The Diocese is divided into eight Deaneries, or geographic administrative units. As of 2010, the total Catholic population of the eight-county area was 94,284.*

*The Church of Altoona-Johnstown is home to 89 parishes, 74 active Diocesan priests and 36 permanent deacons. Two men are enrolled in seminaries in preparation for Ordination to the Diocesan Priesthood. The Diocese is further served by priests from various Religious orders, including the Third Order Regular Franciscans, the Conventual Franciscans, and the Order of Saint Benedict.*

*Communities of nuns and sisters have served locally since 1848, and today engage in a variety of ministries including Catholic education, healthcare, social services and contemplative lives of prayer.*

*There are two Cathedrals in the Diocese -- the Cathedral of the Blessed Sacrament in Altoona and Saint John Gualbert Cathedral in Johnstown -- as well as the Basilica of Saint Michael the Archangel in Loretto, which Pope John Paul II named a Minor Basilica in 1996. Additionally, the Diocese has three shrines -- the Prince Gallitzin Chapel House/Our Lady of the Alleghenies Shrine in Loretto, Saint Joseph Mission Church at Hart's Sleeping Place in Carrolltown, and Immaculate Conception Shrine in Bitumen.*

*Since its establishment in 1901, eight Bishops have led the Diocese of Altoona-Johnstown. The current Bishop, the Most Reverend Mark L. Bartchak, was ordained a Bishop on April 19, 2011, at the Cathedral of the Blessed Sacrament in Altoona, and installed as the eighth Bishop of the Diocese on that day.*

*The Diocesan Administration Center, located in Hollidaysburg, serves as the administrative offices to the Bishop and the majority of his staff. The Diocese also has a Vocations Office at the Prince Gallitzin Chapel House in Loretto; Catholic Charities offices in Altoona, Johnstown and Bellefonte; and a Family Life office in Lilly.*

*The Church of Altoona-Johnstown boasts a proud education tradition with 20 Catholic elementary schools and three independent Catholic high schools. A fourth high school is scheduled to open in State College in Fall 2011. Enrollment in the elementary schools for the 2010-2011 academic year is 2,978. There are 963 students enrolled in the three high schools this year. Religious Education programs at each parish serve approximately 9,800 students not enrolled in Catholic schools. There are two Catholic colleges/universities located in the Diocese and Diocesan-sponsored Catholic Campus Ministry at all colleges/universities in the Diocese."*

## **B. The Luddy Scandal**

Public scrutiny has fallen upon the Diocese of Altoona-Johnstown before. The Diocese found itself at the center of a child abuse scandal in the 1990's involving Diocesan Priest Francis Luddy. The press coverage of litigation surrounding allegations that Father Francis Luddy had molested children within the Diocese was relatively thorough. This coverage lasted past the trial and continued to appear in local papers into the 2000's. While there are many examples of press coverage of this very public ordeal, the following example by Susan Evans of the Tribune-Democrat, February 24, 2003, is representative of the type of investigative journalism that uncovered many alarming details buried within the Luddy litigation. Evans wrote in part:

*"A conspiracy of silence has deep roots in the Altoona-Johnstown Roman Catholic Diocese, and in church law itself, where "secret archives" are used to hide scandalous information, such as sex abuse by priests. And until recently, the conspiracy of silence often was aided and abetted by police and judges, who wanted the diocese to handle its problems internally. Locally, a mid-1990s lawsuit against the diocese and since-defrocked Francis Luddy, accused of sexually abusing young boys, saw the first cracks in the church's wall of silence. Nationally, the sex scandal that started in Boston and spread from coast to coast, has torn down that wall of silence. Now, everyone's talking, either in court or in the court of public opinion.*

*But in the eight-county Altoona-Johnstown diocese, during the past several decades, errant priests were kept secret from their parishioners, often with police and even a few judges helping out. Records gathered for the Luddy trial in 1994, and only being made public in light of the national scandal, along with publicity about church Roman canon law, tell the story. Documents have been withheld because they are believed to be protected under centuries-old religious doctrine, said the attorney who sued the diocese in the Luddy case. Priests accused of sexual misconduct have been counseled to "lay low" and have been tipped off to police surveillance, court records show. And in at least one case, a priest wasn't sent for psychiatric treatment because diocese officials feared it would be an admission of guilt, court records say."*

*In that February 24, 2003, article Evans interviewed Richard Serbin, Esq. Serbin, an Altoona attorney, has made a career of litigation allegations of child abuse within the Catholic Church. Serbin's website is entitled "[www.childsexabuseattorney.com](http://www.childsexabuseattorney.com)" and details his litigation in that area. In the aforementioned interview with Tribune-Democrat, Serbin discussed the "secret archives" of the Diocese which became central to the Luddy Litigation stating:*

*Canon law mandates "a secret archive" in each diocese, Serbin wrote. "Each year documents of criminal cases concerning moral matters are to be destroyed whenever the guilty parties have died, or 10 years have elapsed since a condemnatory sentence concluded the affair," Canon law says. Only the bishop is to have the key to the secret archive, says Canon 490. Serbin said documents also are often written in a sort of secret code. For example, the words 'sodomized, sexually molested and pedophilia' will not appear. Instead, you will probably see 'certain indiscretions, familiarities, complaints, etc.," [Serbin} wrote."*

While press accounts covered portions of the history of sexual child abuse, the Grand Jury was able to obtain a larger and clearer understanding of both the unpursued criminal activity and cover-up by members of the Diocese.

### **C. Uncovering the Documents**

In the Catholic Church, Canon law is the system of laws and legal principles made and enforced by the Church's hierarchical authorities to regulate its external organization and government and to order and direct the activities of Catholics toward the mission of the Church. The Grand Jury had a reasonable basis to believe that information relevant to this investigation would be maintained due to provisions of Canon Law which direct the maintenance of sensitive records as follows, in part:

*"Can. 486 §1. All documents which regard the diocese or parishes must be protected with the greatest care.*

*Can. 486 §2. In every curia there is to be erected in a safe place a diocesan archive, or record storage area, in which instruments and written documents which pertain to the spiritual and temporal affairs of the diocese are to be safeguarded after being properly filled and diligently secured.*

*Can. 486 §3. An inventory, or catalog, of the documents which are contained in the archive is to be kept with a brief synopsis of each written document.*

*Can. 487 §1. The archive must be locked and only the bishop and chancellor are to have its key. No one is permitted to enter except with the permission either of the bishop or of*

*both the moderator of the curia and the chancellor.*

*Can. 489 §1. In the diocesan curia there is also to be a secret archive, or at least in the common archive there is to be a safe or cabinet, completely closed and locked, which cannot be removed; in it documents to be kept secret are to be protected most securely.*

*Can. 489 §2. Each year documents of criminal cases in matters of morals, in which the accused parties have died or ten years have elapsed from the condemnatory sentence, are to be destroyed. A brief summary of what occurred along with the text of the definitive sentence is to be retained.*

*Can. 490 §1. Only the bishop is to have the key to the secret archive.*

*490 §3. Documents are not to be removed from the secret archive or safe."*

Because of The Code of Canon Law and information obtained through Grand Jury testimony, investigators believed the Roman Catholic Diocese of Altoona–Johnstown, located at 927 S Logan Blvd., Altoona, PA contained the diocesan archive and the secret archive. A search warrant was executed by the Office of Attorney General on August 7, 2015.

#### **D. The Files of the Diocese of Altoona-Johnstown**

In the administrative office of the Diocese of Altoona-Johnstown, across from the Bishop's Office was an unmarked door containing multiple filing cabinets and boxes. This unmarked door was between the large reverent portraits of Bishop James Hogan and Bishop Joseph Adamec. Some of the filing cabinets were marked "Priests Personal", "Deceased Clergy", "Priests who left the Clergy" and "Confidential Litigation Files". Some of the boxes were marked "Luddy Litigation" and "To Be Opened Only by the Bishop or Secretary of Temporalities".

Inside the filing cabinet marked "Confidential Litigation Files", Special Agents found files for Priests who were accused of sexual misconduct. The filing cabinet held four drawers, all four drawers had files. The "Secret Archive" was a safe contained in a cabinet in the Bishop's Office. This safe was under lock in which only the Bishop had the key. This safe contained one file pertaining to a Franciscan Friar, Brother Stephen Baker.

Another room contained a filing cabinet marked "Confidential Litigation Files". This filing cabinet was also four drawers and contained files labeled by the victim's



names. As Special Agents of the Office of Attorney General stood inside an organization devoted to the tenets of scripture and morality, they found themselves surrounded with evidence of an institutional crisis of child sexual abuse. Agents did not find a couple files in a drawer which alleged child molestation, but rather boxes and filing cabinets filled with the details of children being sexually violated by the institution's own members.

Numerous boxes of documents and items were removed from the administrative offices (Buildings A, B & C) of the Diocese. This includes two 4-drawer filing cabinets marked "Confidential Litigation Files". Approximately 115,042 documents were removed from the Diocese. This total does not include the electronic data seized pursuant to the warrants.

Within these documents were the hand written memoranda of Bishop James Hogan; letters and documents of Bishop Joseph Adamec; numerous sexual abuse victim statements; letters from sexual abuse victims; correspondence with offending priests and internal correspondence.

The Grand Jury notes that this physical material is almost entirely related to the individuals named in this report. The Diocese of Altoona-Johnstown was in possession of a massive amount of data detailing a dark and disturbing history. That history of child sexual abuse and the attempt to conceal that abuse from the public is detailed in this report.