

SECTION III

LEADERSHIP OF THE DIOCESE OF ALTOONA-JOHNSTOWN

A. Bishop James Hogan

The biography of the deceased Bishop James Hogan is a minor footnote on the public website of the Diocese of Altoona-Johnstown.

Bishop James J. Hogan (1966-1986)

Birth: October 17, 1911; Philadelphia, Pennsylvania

Priestly Ordination: December 8, 1937; Rome

Retired at age 75; Resided in Hollidaysburg, Pennsylvania, until his passing

Death: June 15, 2005; Hollidaysburg, Pennsylvania

However in life Bishop James Hogan was a powerful figure reflecting all the power and prestige of the Roman Catholic Diocese over which he presided. One of Hogan's underlings testified before the Grand Jury, in speaking of the power he wielded in Altoona, Monsignor Philip Saylor stated:

Monsignor Saylor: ... For example, in Johnstown I would basically pick the mayor; I would pick the chief of police. I would – you know, I became a very active citizen you might say and people trusted me.

All matters involving the misconduct of priests, affiliated religious, and deacons were handled by the Bishop or surrogates acting under and with his authority. In fact, Monsignor Saylor testified before the Grand Jury on November 18, 2014 that where priests were involved with misconduct the police and civil authorities would often defer to the Diocese. Such was the power of the Diocese of Altoona-Johnstown under Hogan's reign:

Mr. Dye: And I think that's maybe the crux of what I want to get to here today with you is there's – you've laid out, even in your own involvement, a lot of overlapping between police and government agencies –

Monsignor Saylor: That's right.

Mr. Dye: -- and the Diocese. When these officers would come to you tasked with enforcing the criminal law, investigating crimes, when they would come to you, the President Judge, this officer, the sheriff, are they saying to you, hey, you guys need to get this under control? Is that their message?

Monsignor Saylor: That was their message, yeah. Now remember, that included the President Judge of Blair County. (Thomas Peoples)

Mr. Dye: I understand. I understand.

Monsignor Saylor: It included the sheriff.

When questioned further at a later point that day Monsignor Saylor didn't distance himself from his earlier answers, Saylor embraced the idea that the Catholic Church was hand-picking community leaders. Saylor explained:

Mr. Dye: How would that happen though? Would the mayor call you up and say, what do you think of this candidate for chief?

Monsignor Saylor: Well, sometimes that would -- yeah. For example, in Johnstown I appointed the Chief of Police. I appointed the Fire Chief.

Mr. Dye: Now when you say "appointed" you don't mean --

Monsignor Saylor: The mayor would have them come to me and I would interview them and I would tell him which one I would pick.

Mr. Dye: Okay.

Monsignor Saylor: And that's -- he would pick that person. And that happened in Johnstown and in Altoona.

While such statements seem implausible in a free nation, former Altoona Police Chief Peter Starr was questioned on this point. Starr's response could not have been clearer:

Mr. Starr: And Monsignor Saylor was pushing for me. He was the author of the Altoona-Johnstown Diocese Catholic Church paper called the Register. And politicians of Blair County were afraid of Monsignor Saylor, and he apparently persuaded the mayor to appoint me as the Chief of Police.

With such overwhelming access and influence over influential and powerful people it might be expected that the Diocese and Bishop Hogan would use that influence to aggressively pursue those who would hurt the most innocent members of his flock. Yet Hogan saw no obligation of faith or law to the children of his parishioners. The following exchange occurred under oath on September 28, 1988 between a civil attorney for victims of sexual assault and Bishop James Hogan pursuant to a deposition in the course of the Luddy litigation.

Q: Did you not consider it a moral obligation after Father Luddy has admitted of sexually molesting this child from age 11 on to notify the police authorities?

Bishop Hogan: I saw no moral obligation to refer that to the police. No. Having checked with—

Hogan never finished his answer as he was instructed not to answer by his attorney. The depositions of Bishop James Hogan and related materials from the "Secret Archives" plainly show that Hogan had knowledge of priests who had molested children within the diocese or held a sexual interest in children. Hogan would send these individuals to unlicensed catholic treatment facilities then, in many cases, return these child molesters to ministry within the Diocese of Altoona-Johnstown. Hogan was questioned about the duty of a Bishop in that same deposition:

Q: Would you agree that any child within your parish would be a concern of yours in terms of the emotional and mental health of that child as part of the flock?

Bishop Hogan: Yes, of course.

A review of the depositions of Bishop James Hogan leaves the reader struggling with the complete disparity in statements indicating "concern" for his Church's children in contrast to his frank report of the minimal efforts taken to "treat" a child molesting priest prior to their prompt return to a role which almost guarantees the victimization of children. Children were molested in staggering numbers on Hogan's watch. Grand Jury exhibits of "Secret Archives" notes show that Hogan kept detailed notes on child molesting priests yet continued to leave such priests in some form of ministry. Bishop Hogan and the Altoona-Johnstown Diocese had specific knowledge that Father Francis Luddy had committed acts of pedophilia in the late 1960s. The Diocese had supervisory authority over Father Luddy and knowledge of his "propensity for

pedophilic behavior," they both had a duty to prevent foreseeable third party victims from being intentionally harmed by Father Luddy. Even the Pennsylvania Supreme Court has opined on this point in one of the many times the Pennsylvania Courts addressed the Luddy litigation stating:

They knew that placing him in a position in which he would have contact with children would afford Luddy ample opportunity to commit further acts of abuse, which would likely result in extreme harm to the children under his supervision. Knowing all of this, Bishop Hogan and the Diocese had a duty to take appropriate precautions to prevent Luddy from molesting any more children, e.g., by assigning him to a position in which he would not have any contact with children, by ensuring that he sought treatment for his disorder, or by terminating his employment altogether.

Hutchison v. Luddy, 742 A.2d 1052, 1059 (Pa. 1999).

B. Bishop Joseph Adamec

The public website lists the biography of Bishop-Emeritus Joseph Adamec as follows:

The Biography of Bishop-Emeritus Joseph V. Adamec

Joseph Victor Adamec was born on August 13, 1935, in Bannister, Michigan, and baptized in the village church of St. Cyril on September 1, 1935. His parents immigrated from Slovakia; - father Michal in 1913 and mother Alzbeta in 1921. As his father made his way to Michigan, he worked in various coal mines, including one at Scalp Level, PA. During that time, he attended Mass at SS. Cyril and Methodius Church in Windber, PA, within the Diocese of Altoona-Johnstown.

His early education took place at various public schools, starting with a one-room country school house. These included Ashley High School, during which time he served as president of his class for three of the four years and graduated Valedictorian in 1953. During his two-years at Michigan State University, studying journalism and foreign languages, he served as co-editor of the dormitory newspaper.

The decision to study for the priesthood was facilitated by his contact while at Michigan State University with the now Jozef Cardinal Tomko, Prefect of the Sacred Congregation for the Evangelization of Peoples, who at the time was Vice Rector/Economista of the Pontifical Nepomucene College in Rome. There he studied for six years, earning a Licentiate in Sacred Theology at the Pontifical Lateran University. He was ordained by Aloysius Cardinal Traglia in the Church of Saint Anselm in Rome on July 3, 1960, for the former diocese of his parents, the Diocese of Nitra in Slovakia.

Following the completion of his studies, Father Adamec returned to Michigan where he

served his home diocese of Saginaw in various capacities. He filled a number of positions under three Diocesan Bishops and one Bishop-Administrator. After serving as Assistant Pastor in three different parishes, he became a Notary of the Diocese of Saginaw under Bishop Stephen S. Woznicki in 1965, fulfilling responsibilities of Assistant Chancellor, Secretary to the Bishop, and Master of Ceremonies. He continued in that position under Auxiliary Bishop Aloysius A. Hickey (now Cardinal Archbishop of Washington D.C.). Bishop Francis F. Reh appointed him Secretary to the Bishop and Master of Ceremonies with residence at the Bishop's House in 1969. Two and one half years later, he became Chancellor of the Diocese, having charge of the diocesan offices, which position he held for six years.

In 1977, he was appointed Pastor of Saint Hyacinth Church in Bay City, Michigan, and served that 1300 family parish for almost 7 years. Besides being Pastor of the parish Catholic grade school of 400 students, he also served as Pastor of All Saints Catholic Central High School during his later years in Bay City. He assumed the pastorate of SS. Peter and Paul Parish with 1100 families in Saginaw, along with its Catholic grade school, in 1984.

In 1980 he was the recipient of the "Pro Ecclesia et Pontifice" medal. This decoration is awarded in recognition of service to the Church and Pope, dating back to 1888 and Pope Leo XIII. The Holy Father named him a Prelate of Honor with the title of Monsignor in 1985.

During his 9 year, two parish pastoral experience, he had worked with five associate pastors, along with other staff, and supervised four priest interns in their formation for the ordained ministry. Twice he was elected by the priests of the diocese to serve the six member Diocesan Personnel Board, having been associated with that body by appointment or election from its establishment. He served on the diocesan priests' committee advising the Diocesan Office of Education/Formation and served as coordinator of the diocesan celebrations commemorating the 50th priestly anniversary of retired Bishop Francis Reh.

Bishop Joseph was elected National President of the Slovak Catholic Federation by the Slovak Catholic community of United States and Canada in 1971, which position he held for seventeen years until his resignation. This organization, founded in 1911 in Wilkes-Barre, PA, federates major Slovak, Catholic fraternal societies, the Conference of Slovak Religious comprised of 13 religious communities, the Conference of Slovak Clergy in the United States, and numerous other organizations and individuals. He is currently its episcopal moderator. The organization has as its purpose the addressing of common religious/pastoral concerns of Slovak Catholics in the United States. He is also a member of the Slovak League of America and is a 4th Degree member of the Knights of Columbus.

Bishop Joseph's father died in 1984 on his 97th birthday and his mother in 1991 at the age of 97. His only brother is also deceased. He has numerous cousins of various degrees in the Republic of Slovakia.

Monsignor Joseph V. Adamec was named Bishop of Altoona-Johnstown on March 12, 1987. His Appointment was made public on March 17, 1987. He was consecrated on May 20, 1987, in the Cathedral of the Blessed Sacrament at Altoona, PA by Jozef Cardinal Tomko.

The Bishop is a former member of the National Conference of Catholic Bishops' Ad Hoc Committee for Aid to the Church in Central and Eastern Europe and the Soviet Union and served as a member of their Joint Committee of Orthodox and Roman Catholic Bishops.

Under Bishop Joseph's stewardship as the overseer of the Diocesan Church of Altoona-Johnstown, the following milestones occurred:

- *Liturgical renewal was adopted.*
- *The permanent diaconate was revitalized.*
- *A Lay Ministry Formation Office was established.*
- *Directives for marriage preparation were issued.*
- *Responsibilities of the diocesan administrative offices were adjusted.*
- *Guidelines for parish and finance councils were issued.*
- *A Diocesan Finance Council was established.*
- *The structure of the Diocesan Presbyteral Council was revised.*
- *Deaneries were restructured and the role of deans was redefined.*
- *The Foundation for the Roman Catholic Diocese of Altoona-Johnstown was established.*
- *A continued effort for a sound economic base affecting the three diocesan Catholic high schools has taken place.*
- *A diocesan office for youth ministry was established.*
- *Religious education programs are continually being strengthened.*
- *A process of preparation for the Sacrament of Confirmation at a later age has been put into effect.*

Among his pastoral activities, the Bishop made annual visitations within the Diocese not only to the parishes, but to the correctional institutions (six state and one federal), the seven college and university campuses, the three diocesan high schools, and a number of other institutions. He co-sponsored two annual ecumenical services Lutheran Bishop Gregory Pile and the late Metropolitan Nicholas Smisko of the Orthodox tradition. The three Bishops issued a document of expectations to assist pastors when they deal with individuals of different religious traditions who are preparing for marriage.

In 1994, Bishop Joseph began a process leading to parish reconfiguration and priest redistribution. After extensive consultation, decisions led to merging some parishes and clustering others.

Bishop Joseph is fluent in three languages: English, Slovak, and Italian, while understanding several others. Among his interests are photography, sailing, model trains, and writing.

Bishop Joseph served as Diocesan Bishop until January 14, 2011, when he was named Apostolic Administrator of the Diocese. On that date, Monsignor Mark L. Bartchak, of the Diocese of Erie, was appointed eighth Bishop of Altoona-Johnstown. Bishop Adamec served as Apostolic Administrator until Bishop-Elect Bartchak's ordination and installation on April 19, 2011.

In his retirement, Bishop Joseph resides in Hollidaysburg and assists at Saint Mary Parish in Hollidaysburg.

In contrast to the glowing biography of Adamec displayed to the public, his biography in the handling of sexual predators was abysmal. On November 4, 1993, Adamec was deposed in part as follows:

Q: Was there a point in time after you became bishop of this Diocese that you reviewed the personnel files of the Diocese?

Adamec: No, I have not.

And later in regards to the “secret archives” Adamec explains:

Q: At any time after May of 1987, did you review the secret archives?

Adamec: Yes.

Adamec goes on to explain the contents were reviewed in preparation for litigation, however, he then states when asked about the location of the “secret archives” that “I think what I said was I reviewed the contents *considerably* when I was ordered to produce them.” Much later in his deposition the “secret archives” are further defined in the following exchange:

Q: When you arrived in May of 1987, did you find that there was a “secret archive” in existence in the Diocese of Altoona-Johnstown?

Adamec: Yes, I did.

Q: What form was it, physically: a safe, a box, a room?

Adamec: It was a safe.

Adamec goes on to explain that he became aware of bills related to Luddy’s treatment for sexually assaulting children. Adamec explains he took no efforts to investigate the Luddy matter or ensure the safety and wellbeing of the flock relative to Luddy. Adamec explained “ I didn’t consider it necessary to do any further investigation” even though he was aware of Luddy’s admissions to sexually assaulting children. Adamec reviewed Luddy’s psychological evaluations and explained that these documents would have been maintained in the “secret archives” or in Luddy’s personnel file depending on the dictates of the sensitivity of the information. Adamec made no effort to identify Luddy’s victims

or their ages or identify the priest who molested Luddy as a young seminarian. Adamec testified that Hogan's handling of Luddy had been done "properly and effectively". On August 5, 1992, Adamec oversaw a press release regarding the withdrawal of a lawsuit against the Diocese and Luddy alleging sexual abuse. Adamec publically called the suit "frivolous and meritless" though he had reviewed Luddy's psychological evaluations and had read Luddy's admissions to molesting numerous children over his years of service as a priest. Adamec attempted to take cover in the concept that he was calling that single claim "frivolous and meritless". Adamec was additionally deceptive in court filings, signed by him, in which he asserted that the Diocese had no "inherently defective or deficient policies or customs" relative to the litigation of child sexual abuse and alleged cover up by the Diocese.

Adamec was asked: *Q: When you arrived and at some point reviewed these secret archives, isn't it true that you became aware that there were other priests other than Francis Luddy that sexually—* Adamec interrupted "Yes." The question was finished:

Q: Just to finish the question, who had sexual involvement with children?

Adamec: Male.

Q: Yes.

Adamec: Yes.

On January 6, 1994, Bishop Joseph Adamec's deposition continued. Adamec admitted to possessing knowledge of Father Dennis Coleman's sexual misconduct involving minor males. Adamec admitted to discovering the nature of Father William Kovach's sexual misconduct with a child. Adamec confessed to becoming aware of an allegation of sexual contact with a child against Father Joseph Bender. Adamec interviewed Bender, as he tended to do in these circumstances, and confirmed the allegation. Likewise in his capacity as Bishop, Adamec became aware of allegations against Monsignor McCaa, Fathers Leonard Inman and Robert Kelly. While Adamec implies his knowledge of Inman was only ministerial and after the fact, he acknowledges he returned Father Robert Kelly to service as parochial vicar at Our Lady of Victory Parish in State College, PA. While it does not appear that Adamec or Hogan ever bothered to report the sexual abuse of children to the police, Adamec did make clear he orally reported these matters to the Diocese's insurance company. Adamec goes on to note that some records were destroyed

noting "the bishop puts into the secret archives what he feels needs to be preserved".

Adamec tended to make his own summary notes of treatment reports and then destroyed the originals stating "I thought this was sufficient". Adamec's statement was in response to being questioned about the destruction of records related to admitted child molester and priest, William Kovach.

Perhaps Adamec viewed Luddy as Hogan's problem, but if so, Adamec had a Bender problem. Adamec received a letter regarding Bender's crimes dated August 29, 1991. Bender's victim explained that while Bender served at Immaculate Conception Catholic Church, Dudley, Pennsylvania from 1969-1971, Bender was molesting children by "fondling, foreplay, masturbation, and oral sex". Bender's victims were altar boys who he transported to his cottage in Cypher, PA. Bender would take these children to the west coast on vacation as well. The victim noted that Bender would engage in these acts until he orgasmed. Adamec left Bender in service at a Roman Catholic parish within the Diocese of Altoona-Johnstown knowing of his conduct. Adamec encouraged Bender to retire in March 1992. Adamec did not notify the police. Bender died in 2000.

Another example of how Bishop Adamec's reign placed institutional perception over children's protection was told to the Grand Jury by former Bishop McCort principal William Rushin. Rushin spoke of the case of Deacon Thomas Lemmon. Lemmon was born February 12, 1965 and committed suicide on March 5, 2003. Lemmon was ordained as a Deacon on May 27, 2000. From 1987 until 2003 Lemmon was employed at Bishop McCort Catholic High School as a Religion and Computer Science teacher. Between June 12, 2002 and March 5, 2003 Lemmon engaged in a sexual relationship with a minor female.

While not a Diocesan Priest, the sad handling of Deacon Thomas Lemmon's sexual interest in a minor is a chilling example of how far church leaders would go to protect the institution from scandal at the cost of the well-being of children. Rushin was able to provide another example of Adamec's priorities. In one incident where Rushin attempted to expel a student for misconduct he was contacted by the Bishop's office and told he was not permitted to expel the student because the student was the victim of sexual abuse at the hands of a priest. Rushin responded that the mother of the child had told him that the child was a victim of a priest, but that he had to maintain order in the

school. The representative of the Bishop's office became irate stating "they're under a confidentiality agreement; they're not supposed to be telling anyone that!"

Rushin had observed Lemmon having contact with female students that seemed unprofessional. Lemmon's behavior seemed to be unusually friendly and as though he was interacting with peers rather than his students. Rushin planned to fire Lemmon due to Lemmon's continual violations of Rushin's orders to stop fraternizing with female students. Rushin got a call from the Bishop's office. He was not to fire Lemmon. Lemmon was going to be ordained as a Deacon.

In 2003 Lemmon absconded to Canada with a minor female student with whom he was having sexual contact. Lemmon invited the girl to commit suicide with him. On March 5, 2003 Lemmon killed himself by jumping off a hotel balcony.

Challenging the Bishop: A victim

To better understand the efforts to which Joseph Adamec would go to protect his public image and as well as the image of the institution, the Grand Jury would note the case of Martin Brady.

The Reverend Martin Brady operated within the Diocese with the permission of Bishop Hogan and was a member of the Franciscan Friars Third Order Regulars. Documentation from the Third Order Regulars obtained by search warrant identified Brady as a known child predator. This was confirmed by one of his victims before the Grand Jury on November 14, 2014. That witness is also a priest and is identified as "Brady Victim" for purposes of this document. A former open critic of the Diocese, he testified:

Mr. Dye: Now, let's get to sort of the most disturbing part, or one of the many disturbing parts of this, is that you indicated that you were actually a victim of sexual abuse within the church, correct?

Brady Victim: That's correct.

Mr. Dye: When did that occur?

Brady Victim: It was during my four years at Bishop Carroll High School in Ebensburg.

Mr. Dye: How old were you then?

Brady Victim: Well, I was high school age, between the ages -- you know, 13 to 17.

Mr. Dye: And roughly what years would that have been?

Brady Victim: That was 1976 to 1980, yeah.

Mr. Dye: And what happened?

Brady Victim: Well, you know, Father Brady, he's a rather big man, but he befriended me, just was real friendly with me, and he would always want to come up and hug me. And then the hug would become the hands wandering over it and squeezing my butt and my thighs and whatever. And, you know, at first I'm thinking what's wrong with this guy? I just want to keep away from him; but it was every time he -- you know, every time he saw me he wanted to give me a hug and start touching and feeling me and stuff. And that went on pretty much all through high school. And then I know -- the one occasion that I brought up with the Diocese in particular was he invited me to the rectory and we had some alcohol, because I thought it was cool to drink. I was 16, you know, and it's a real cool thing to have a glass of whiskey with Father. And then he's sitting on the couch, and before I know it he's got his hands in my pants, you know, grabbing me and fondling me and stuff. So I jumped up and said, you know, I don't like that, and kind of put a stop to it there. But I really find these things distasteful to talk about. But still he would continue the hugging and the groping and things. And he said, well, you don't like that? And I said, no, not really; you know, because he'd come up and hug me. The guy was like six-foot-five and 300 pounds, so it was like being given a bear hug. And I would just go limp. I would just go limp when he did it. And I just kind of hoped he would leave me alone. That's all I really feel comfortable talking about now.

Mr. Dye: I understand. Can you tell the Grand Jury whether or not it went further or did he become more aggressive in his advances?

Brady Victim: No, I think it just kind of stopped at that level.

Mr. Dye: Okay. Was this a one-time incident or did it continue over years?

Brady Victim: You know, the hugs and the touching and feeling and all that, that was all through high school.

This witness also explained that he believed the problems of predatory priests were not limited to the Diocese of Altoona-Johnstown but existed throughout the Catholic Church and noted his own experiences as a Catholic priest. While the witness acknowledged that priests would often discuss or joke about another priest's sexual interest in young boys, the witness spoke at length regarding the near total authority of the Bishop and Bishop Joseph Adamec's efforts to quell dissent.

The witness detailed a conference in which Adamec chastised priests for speaking out publically. Additionally, Bishop Adamec was described as "angry" when the witness informed Adamec in 2002 that he had considered suing the Diocese himself due to his own experiences with abuse.

Mr. Dye: Now within the --I'm sure there are some Catholics amongst the Grand Jurors, but obviously not everybody here is Catholic. Within the Catholic Church, what does the threat or does the act of excommunication mean to a Catholic?

Brady Victim: Well, it means you're kicked out of the church, and as many Catholics believe, being in the church is a necessary part of salvation. So if you're excommunicated and kicked out of the church, it follows that you're going to go to hell.

Mr. Dye: Who has the power to excommunicate somebody?

Brady Victim: Well, generally the Bishop does in his Diocese, and people above him. The Pope could excommunicate someone.

Mr. Dye: So in function and process then, the Bishop of a Diocese has the power to damn a person to hell by excommunicating them?

Brady Victim: Yeah; essentially, yeah.

Mr. Dye: Were you threatened with excommunication?

Brady Victim: Yes, I was.

Mr. Dye: Tell the Grand Jury about that.

Brady Victim: I went to seek legal counsel, because I was abused in high school, and seeing how the Diocese had treated these cases and covered them up, I wanted to have it all brought out. I wanted it brought out in the open to see how the Diocese handles with sexual abusers and victims, and so I hired an attorney. And right after I hired the attorney, he filed some papers. Right after those papers

were filed the Bishop learned about it, and the Bishop called me into his office, and he had the number two man in line read me the penalties for suing the Diocese. And he was reading me the penalties, and he was saying the penalties are up to and including excommunication. And so I'm sitting in a chair and I'm thinking, oh, great, now I'm excommunicated from the church. So I'm thinking -- I was just sitting there in shock. Well, now I've done it, you know, I've gotten myself kicked out -- not just kicked out of the priesthood, kicked out of the church, and I'm going to be excommunicated. And so I'm sitting there in shock. And I think -- I said, oh, Monsignor, by the way, those other people that sued the church, were they excommunicated? And he laughed and he said, no, (REDACTED). I was reading the 1917 Code of Law to you. Those penalties no longer apply. So he was telling me that I was excommunicated and that was from the old 1917 Code of Catholic Canon Law. Those penalties had since been changed, but I think he just did it to scare the crap out of me so that I would drop it all. But I was under the impression that I was excommunicated and I was sitting in the chair in shock thinking, boy, now I've done it you know.

Mr. Dye: So this is -- I'm sure it is jarring for many people in the room, but you have a scenario where you have -- you're previously abused and sought counsel and have taken action under your rights as a US citizen, and the very first initial discussion is a threat of excommunication-- which by extension would send you to hell?

Brady Victim: Uh-huh.

Mr. Dye: Is that -- That's a yes?

Brady Victim: That is a yes. Yes.

Mr. Dye: So let's back up a little bit. When you brought it to the attention of the Diocese, hey, listen, Bishop Adamec -- and whether you brought it up in the form I'm bringing it up in or through your retainment of counsel, you basically put the Diocese on notice that I'm a priest here, but I've also been a victim of abuse within the Catholic Church, correct?

Brady Victim: That is correct, yes.

Mr. Dye: How did they respond to that?

Brady Victim: They -- he was very angry that I had hired a lawyer. He was extremely angry. And after they read me the penalty and I had that little discussion with Monsignor Servinsky, the Bishop came in and said, well -- he was very angry and he said, you're not going to get anything out of this, you're not getting anything, and he just left the room in a huff.

The witness explained he was accused in 2003 of improper contact with a child himself and transferred to another parish. Thus the witness's experiences include that of victim, advocate and accused. He is currently suspended.

Challenging the Bishop: A layperson

In the earliest stages of the Grand Jury's investigation, the Grand Jury heard from Mr. George Foster. Foster is a businessman in the billboard advertising business and a devout Catholic who attends a church within the Diocese of Altoona-Johnstown. George is a proud father and concerned Catholic. His efforts to expose the conspiracy of silence within the Diocese are nothing short of heroic.

Foster explained that he was initially concerned about what he saw as immorality occurring amongst the priests. Foster felt that rather than being good examples to the congregations they served, they were public embarrassments to an ancient and sacred religion. Foster was aware of reports of sexual activity, alcoholism, embezzlement and other types of misconduct that caused him concern for the wellbeing of the Church. Foster's mantra was simple, if a priest was unfit for ministry they should not be permitted to minister.

Over time Foster's concerns narrowed to a specific issue. Foster's discussion with other concerned Catholics and his brother in the clergy led him to conclude that there was a shocking secret sitting in broad daylight but hidden by the shadow of the Bishops. Foster discovered that priests were molesting children and the Bishops were doing nothing, or worse yet, hiding the conduct from exposure.

After writing an editorial in a local paper Foster began to receive telephone calls stating that certain priests in the Diocese were pedophiles. One victim of sexual child abuse perpetrated by a priest even came to see George personally to report his abuse at

the hands of Father Bernard Grattan. Other family members and victims soon followed. George found himself in an avalanche of humanity all claiming that priests were molesting young boys in the Diocese.

George asked one victim "why are people coming to me?" The victim explained that people had read George's editorial and that he had stood up to the Bishop in public. George's fellow Catholics had decided he wasn't afraid of the Bishop. Foster explained to the Grand Jury that at that time he couldn't understand why people would think that. George noted, "I only answer to God... Bishops don't bother me." Victims provided Foster with letters they had written the Diocese year after year reporting child abuse or requesting that an offending priest be removed from ministry. Foster even went to the Blair County Courthouse and reviewed the documents admitted in the Luddy case. Foster told the Grand Jury they were "eye-opening." Yet, nothing was done. Foster explained how outraged he became upon learning the Bishops had taken no action, stating:

"The reason I became so involved is this, it made me mad. And I believe at Bishop Hogan's time there were a lot of child molesters running around, should have called the police, should have gone to jail, should have thrown them out. There's no discussion about this. He was terribly wrong, ignorant, I don't care what the excuse is

So here we were x number of years later and I'm like, well, wait a second. Why didn't he (Adamec) address any of these other names? Why didn't he ever address some of these other problems that are going on? You saw what they did, how they devastated the Diocese. Why didn't - The comments or how stuff was handled casually was a bit much for me."

Foster again and again found evidence that jarred him. When reviewing the letters of victims, as well as the courthouse's Luddy files, he found clear and credible allegations of sexual child abuse were made against various priests. Foster couldn't believe no one had done anything. Foster wondered, "Where were the police and the Bishops? He noted the files were accessible to the authorities, "they're unsealed." Foster became aware that the Bishop even attended the trial. Luddy's civil trial happened in the open and in daylight. Foster was baffled as to why no one acted. Foster testified that he read Luddy's confession to molesting numerous boys and saying one in particular he

didn't molest because he was "too ugly." George Foster complained that he couldn't imagine why the Diocese was fighting so hard for a priest that had admitted to molesting children. Foster concluded something was terribly and dangerously wrong. Foster detailed that the violation of trust that was occurring, stating:

"What if you're a teacher and you're a child molester? We're a little bit emphatic on it because here's someone that we've given our kids to that's violated that trust. What if you're a doctor and you're sleeping with your patients? You have violated that trust. What if you're a psychologist and you're sleeping with your patients? Well, in many ways a priest is also like a psychologist. They're a spiritual counselor. You go to them with your problems. You go to them with your issues. Likewise if you're Catholic you go to them with your confessions."

George Foster slowly became a novice detective. He decided he wasn't going to make a claim to the Bishop if it wasn't true. Citing scripture, George told the Grand Jury he wasn't going to "bear false witness." George took more calls. He interviewed more people. Over time Foster began keeping files on individual priests. As word got out that George Foster, the man that has billboards was investigating some Diocesan leaders and priests began to get nervous. As Foster testified, they "Thought I was crazy" and explained that they believed he might just start putting what he knew on billboards. Things took a strange turn for Foster the more he investigated. He began to get calls from police officers providing him information. The officers told him he was on the right track. The officers said that people knew, but it was being covered-up.

In the course of his investigation Foster identified Fathers Bunn, McCamley, Grattan, Kelly, and Carroll as child molesters. The Grand Jury finds George Foster was right. A concerned Catholic businessman had done what so many hadn't; he built cases against monsters to protect children.

Foster's efforts came at a price. He was told his family might be in danger. He knew that Adamec had threatened others with excommunication to silence them. But George was undeterred. He explained his strength of conviction to the Grand Jury:

"The Catholic Church, and I don't know if any of you guys are Catholic, but the laity which is me, are the church militants. That's who we are. We have the responsibility to take those matters into our hands that deal with us. And I said, you know, I'm not commenting on priests. The priests are the sewers of the world. The suck

away the sin and that dirt gets left on them. Lots of good priests. Lots of good people, terrible, hard life, loneliness. I'm not making excuses, there are some things you just don't do, but those priests are living that life. So I'm always sensitive to what they have to go through.

But as a Church militant, we have something that they don't know about. Now people talk about simple stuff. Oh, they don't know what it's like to have sex. Well, they obviously do here, but I'm saying, they don't know what it's like to raise children. When you're a parent, you know what's right and wrong. We bring that to the Church. There is not a lay parent that I talked to that had a question of what you do with a child molester. No one, no one sat there and said, oh, I'd just be real confused on how to handle this. Every parent knew the answer, and that's the gift we bring. But we're the Church militants. We're supposed to help get things done."

On or about June 21, 2002, Foster took his concerns to Bishop Joseph Adamec. Adamec acknowledged that he knew of the allegations and priests Foster named. Foster laid out the admissions of the priests, the letters of the victims, and accused priests that were still in ministry. Foster specifically noted accounts that priests had gone on trips with children and had slept in the same bed as the child. Adamec remarked, "haven't you ever slept in a bed with your child?" Following the meeting Foster sent Adamec a letter memorializing their conversation. Line by line George Foster explains that there have been and may be child predators in the Diocese of Altoona-Johnstown. He invited the Bishop to "correct any inconsistencies." The Bishop responded in his own letter but he neither acknowledged nor denied the contents of Foster's letter. He corrected minor and irrelevant details. One error was that Foster had said the Bishop had called the priests his "boys." Adamec believed he had said "my guys." George Foster had made his great push with the victims support at this back. Adamec didn't budge. Nothing changed.

George Foster was contacted by the Office of Attorney General in late 2014. Meeting with the investigating team at a hotel in Pittsburgh, Pennsylvania, Foster turned over his files and laid it all out. Foster smiled, "I'm glad someone is finally doing something."

George Foster came to the Bishop to seek redress for what he saw as an epidemic within the Church. The Bishop chose to respond with threats and attempted to silence a critic. However, behind closed doors Adamec took steps that showed the widespread nature of the problem. Adamec created a pay-out chart. A guide used to direct the

judgments of the Diocese in the payment of claims and in the purchase of silence. The chart appears as follows:

<u>LEVEL OF ABUSE</u>	<u>RANGE OF PAYMENT</u>
I. Above clothing, genital fondling	\$10,000 - \$25,000
II. Fondling under clothes; masturbation	\$15,000 - \$40,000
III. Oral sex	\$25,000 - \$75,000
IV. Sodomy; Intercourse	\$50,000 - \$175,000

The chart is footnoted with “Factors to consider for valuation within a range.” Those “factors” are: number of occurrences; duration of abuse over time; age of victim; use of alcohol or drugs; apparent effect of abuse on victims (psychosis); and other aggravating circumstances.

The Grand Jury notes the cold bureaucracy of this chart. The problem Bishop Adamec denied in public was a problem he secretly acknowledged to himself and the Diocesan insurance. The epidemic of priests offending on children was so significant that the Bishop privately perceived a need for a scale of “payments” to the victims of child sexual abuse.

The Grand Jury predicts that interested parties to whom this report is adverse will claim that many times payments occurred after the civil statute for suit had expired. The Diocese will likely claim this is demonstrative of their goodwill to those who were abused by their priests. The Grand Jury has observed another function. With these payouts came a onslaught of confidentiality agreements or waivers of liability releases. Those who find themselves exposed by this report were not gifting money to the abused; they were buying silence and protection from public scrutiny. The Grand Jury finds this was the primary interest of Bishop Joseph Adamec.

The Grand Jury took testimony from Bishop Mark Bartchak. Bishop Barchak succeeded Bishop Adamec as head of the Diocese of Altoona-Johnstown. For all the tragedy and evil in the files of the archives, Adamec had a brief conversation in his living room with Bartchak on the subject during the transition. No detailed briefing was had. Adamec left Bartchak to figure it out on his own.

Bishop Joseph Adamec was given the opportunity to explain his actions to the Grand Jury on November 18, 2015. The following exchange occurred:

Mr. Dye: Now I see that you're here in the trappings of a priest, and I would just ask, are you now or have you ever been a Bishop of the Roman Catholic Diocese of Altoona-Johnstown?

Bishop Adamec: Yes, I –

The Bishop's counsel conferred with the Bishop. The Bishop Emeritus of the Diocese of Altoona-Johnstown exercised his right to refuse to answer questions on the grounds of incriminating himself.

C. Bishop Mark Bartchak

Bishop Mark Bartchak's term as Bishop of the Diocese of Altoona-Johnstown is relatively young. The power of the Bishop in the Diocese is nearly absolute. Bishop Bartchak acknowledged the responsibility of any Bishop to protect the welfare of the public. The Grand Jury commends Bishop Bartchak for the cases in which it has identified action in reporting allegations of child molestation to authorities and removing accused child predators from ministry. Bartchak's removal of George Koharchik, Martin Cingle, Robert Kelly, and Anthony Little were positive steps in the direction of securing the children of the Diocese. The Grand Jury thanks Bishop Bartchak for his response in the Cingle matter to the Deputy Attorney General's request.

The Grand Jury is concerned the purge of predators is taking too long. However, Bishop Bartchak explained he has attempted to prioritize his review of Diocese materials and remove active or current priests. He was unaware of the number of historical predators in the Diocese when he appeared before the Grand Jury. Bartchak explained that this was due to an ongoing review in which he has involved legal counsel in the review of Diocesan files. We conditionally accept this explanation in hopes that an earnest review prioritizing protecting the children over the institution is in effect.

Bishop Bartchak is not Bishop Hogan or Adamec. Those men wrote their legacy in the tears of children. The Bishop must continue, as he says he is, reporting allegations of child abuse to law enforcement immediately. We encourage the current Bishop to create a real and meaningful victim assistance program. Provide real confidentiality and

involve qualified experts in the review of allegations.

The legacy of Bishop Bartchak has yet to be written. The onslaught of attorneys the Grand Jury had to wade through in obtaining its evidence is concerning. There are certainly signs that the institution could revert to the protection of image over truth. The Grand Jury encourages Bishop Mark Bartchak to take bold action in correcting and rectifying the wrongs exposed in this report. The current Bishop has a choice. We pray he chooses wisely.

D. Monsignors George Flinn & Michael Servinsky

Reverend Monsignor George B. Flinn was ordained December 17, 1966 at Saint Peter Basilica, Vatican City. He was appointed the Assistant Chancellor on August 1, 1972. Bishop Hogan appointed Msgr. Flinn the "Assistant Bishop's Representative" to the Pennsylvania Catholic Conference on December 31, 1981. He served more than 22 years as the representative for both Bishop Hogan and Bishop Adamec.

He became the Chamberlain to His Holiness on December 10, 1982. He was the Chancellor from August 3, 1987 to September 1, 1992. He was appointed the Vicar General for Pastoral Life by Bishop Adamec on September 1, 1992. He was also the Chair of the Priest Personnel Board for the Diocese of Altoona-Johnstown.

The Grand Jury found that Monsignor Flinn was a primary operative of Bishops Hogan and Adamec. Flinn's notes within the Diocesan files show that Flinn often operated as the primary "investigator" into allegations of sexual child abuse for or with the Bishops. Flinn would often play the role of the Bishop's enforcer making sure accused priests kept a low profile. Often Flinn would take a report of abuse from a sexual abuse victim and assure the victim it would be "addressed." In reality Flinn was simply the arm of the Bishop carrying out the Bishop's will. More often than not that mission was cover-up.

On April 20, 2005, Msgr. Flinn gave the Invocation to the United States Congress. Msgr. Flinn died September 6, 2009.

Msgr. Michael Servinsky was ordained in 1970. Servinsky spent the majority of his service to the Diocese as a member of the Bishop's Office. He was first appointed to the Bishop's office by Bishop Hogan, reappointed by Bishop Adamec and Bishop

Bartchak. He began as a Notary and eventually acted in the capacity as tribunal judge. He was appointed the Judicial Vicar in 1989. Servinsky worked closely with George Flinn as his assistant. Following Flinn's death Servinsky replaced Flinn as Vicar General. Servinsky was involved in the investigation of numerous allegations of child abuse by Diocesan priests.

Bishop Bartchak relieved Msgr. Servinsky of his duty as Vicar General on September 4, 2015. Servinsky was given the opportunity to explain his role before the Grand Jury in December 2015. Servinsky elected to exercise his right against providing testimony which may be incriminating.

SECTION IV

THE ALLEGATION REVIEW BOARD

The Grand Jury report has already touched upon the payouts devised by Bishop Adamec to quiet the outrage of the abused. Bishop Adamec created an additional protocol within the Diocese. A board of hand selected operatives who answer to the Bishop. This group is called the Allegation Review Board.

The Allegation Review Board was launched in an effort to convince the public and sexual child abuse victims that the days of a mysterious Bishop deciding how to handle a scandalous and heinous report of child molestation and sodomy were over. The Allegation Review Board claims to determine the credibility of an "allegation of abuse." In reality, the Bishop still exclusively makes the decision how or what to do with a report of child molestation. Nothing has changed but the trappings of how a report is procedurally made.

Victims of child sexual abuse who believe they are reporting to a board of unbiased or neutral observers would be sadly mistaken. Investigations into victims are commonplace. Unbeknownst to the victim the investigation is often initiated by the "victim advocate" whose reports read more like police reports than the compassionate aid of anything that would remotely resemble advocacy. Victims must endure questions as to whether there are witnesses, mental health problems, or other personal issues. Additionally, the priest's assignments are investigated by the "advocate" once she gleans details of the assault from the victim. If the victim reported an assault in a particular year at a particular parish, the "advocate" will then look to see if the priest was assigned to