

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

that parish in that year. The “advocate” points any error out in her report - even in cases where the discrepancy is mere months. These investigations also seek personal or compromising or damaging information on victims. In one case the Allegation Review Board sought the gynecological records of a victim following the victim’s testimony.

If the intrusion into privacy wasn’t enough to deter a victim from reporting, one only needs to realize the so-called process of verbal reports followed by written reports followed by whatever additional inquiry the Board sees fit. A victim of sexual abuse or sexual violence may recount the traumatic events to a panel of unqualified fellow Catholics as many times as this Board or the Bishop feels is appropriate. If the victim fails to do so, compensation and a finding of “credibility” can be withheld. By contrast the accused priest need only deny the events and have a glance taken at his personnel file. The imbalance in favor of the Diocese and the accused priest is total.

The Board members are selected on ambiguous “qualifications.” The Grand Jury learned they are often selected on who the Bishop “likes” or if they are “good Catholics.” Medical background might be a basis for appointment. However no specific qualifications are required other than the presence of a member-priest. The Grand Jury learned that one member must be an active priest, and the Bishop may sit in to observe. In fact, the Allegation Review Board never met without Bishop Adamec personally present.

The Diocese will not apologize or take responsibility for its dark history. The Diocese blames the men and avoids institutional responsibility for a failure to act and protect. When darkest moments of a victim’s life are laid bare before the Allegation Review Board those details are forwarded to lawyers whose interest is solely protecting the Diocese. Exact details are sought from victims, sometimes details from decades prior to the appearance before the Board. And while that Board’s record for recommending payments to victims is robust, the alternative for the Diocese is public exposure of yet another predator priest or possibly the attention of additional victims coming forward. The Allegation Review Board is fact-finding for litigation, *not* a victim service function of the Diocese.

In reality the Allegation Review Board is only as real as any Bishop may want it to be. There is no confidentiality or privacy and no right to see what documentation the

Diocese may have in support of the allegation. The Diocese takes significant direction from attorneys retained to protect the Diocese from criminal and civil liability. Reporting to police in the modern Diocese may occur, but rest assured Diocese attorneys have vetted any Diocese action first. In the course of this investigation, witness after witness appeared with a Diocese approved attorney. One witness had an attorney appear to “represent” him before the Grand Jury, over his own objection. That matter had to be resolved by the Supervising Judge.

The Grand Jury credits the Diocese for offering \$10,000.00 in counseling for victims with that cap possibly removed in certain circumstances. However, numerous Diocesan records show that the Diocese encourages the use of Diocese approved counselors. Secular counselors are not preferred.

Real change will come to the Diocese when the institution engages in transparency and acknowledges its failure. The victims of sexual child abuse need to hear the Diocese apologize, admit to the past, and confess it was wrong. Only then can true healing begin. The Diocese’s response to this report will be a telling moment in whether the Diocese is moving in the right direction. The Grand Jury attempted to seek information regarding how reports by the Allegation Review Board are handled, and in particular how one report was handled when it was reported to Allegation Review Board member Father John Byrnes. Father Byrnes was called to the Grand Jury to testify but elected to exercise his 5<sup>th</sup> Amendment protections against testifying.

## SECTION V BEHAVIORAL ANALYSIS

In July 2015, the Federal Bureau of Investigation (FBI) graciously agreed to aid the Office of Attorney General and the 37<sup>th</sup> Statewide Investigating Grand Jury with additional analysis. The FBI’s Critical Incident Response Group (CIRG) at the National Center for the Analysis of Violent Crime was provided thousands of pages of Grand Jury transcripts and evidence. On November 2, 2015 Deputy Attorney General Daniel J. Dye and Special Agent Jessica Eger met with FBI analysts and agents for a briefing at a CIRG facility in Quantico, Virginia. The FBI’s exceptional devotion to this case is noted by the