

40th Statewide Investigating Grand Jury
REPORT 1
Redacted

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I. Introduction

We, the members of this grand jury, need you to hear this. We know some of you have heard some of it before. There have been other reports about child sex abuse within the Catholic Church. But never on this scale. For many of us, those earlier stories happened someplace else, someplace away. Now we know the truth: it happened everywhere.

We were given the job of investigating child sex abuse in *six* dioceses – every diocese in the state except Philadelphia and Altoona-Johnstown, which were the subject of previous grand juries. These six dioceses account for 54 of Pennsylvania’s 67 counties. We heard the testimony of dozens of witnesses concerning clergy sex abuse. We subpoenaed, and reviewed, half a million pages of internal diocesan documents. They contained credible allegations against over *three hundred* predator priests. Over *one thousand* child victims were identifiable, from the church’s own records. We believe that the real number – of children whose records were lost, or who were afraid ever to come forward – is in the thousands.

Most of the victims were boys; but there were girls too. Some were teens; many were pre-pubescent. Some were manipulated with alcohol or pornography. Some were made to masturbate their assailants, or were groped by them. Some were raped orally, some vaginally, some anally. But all of them were brushed aside, in every part of the state, by church leaders who preferred to protect the abusers and their institution above all

As a consequence of the coverup, almost every instance of abuse we found is too old to be prosecuted. But that is not to say there are no more predators. This grand jury has issued presentments against a priest in the Greensburg diocese and a priest in the Erie Diocese, who has been sexually assaulting children within the last decade. We learned of these abusers directly from

their dioceses – which we hope is a sign that the church is finally changing its ways. And there may be more indictments in the future; investigation continues.

But we are not satisfied by the few charges we can bring, which represent only a tiny percentage of all the child abusers we saw. We are sick over all the crimes that will go unpunished and uncompensated. This report is our only recourse. We are going to name their names, and describe what they did – both the sex offenders and those who concealed them. We are going to shine a light on their conduct, because that is what the victims deserve. And we are going to make our recommendations for how the laws should change so that maybe no one will have to conduct another inquiry like this one. We hereby exercise our historical and statutory right as grand jurors to inform the public of our findings.

This introduction will briefly describe the sections of the report that follow. We know it is very long. But the only way to fix these problems is to appreciate their scope.

The dioceses

This section of the report addresses each diocese individually, through two or more case studies that provide examples of the abuse that occurred and the manner in which diocesan leaders “managed” it. While each church district had its idiosyncrasies, the pattern was pretty much the same. The main thing was not to help children, but to avoid “scandal.” That is not our word, but theirs; it appears over and over again in the documents we recovered. Abuse complaints were kept locked up in a “secret archive.” That is not our word, but theirs; the church’s Code of Canon Law specifically requires the diocese to maintain such an archive. Only the bishop can have the key.

The strategies were so common that they were susceptible to behavioral analysis by the Federal Bureau of Investigation. For our benefit, the FBI agreed to assign members of its National Center for the Analysis of Violent Crime to review a significant portion of the evidence received

by the grand jury. Special agents testified before us that they had identified a series of practices that regularly appeared, in various configurations, in the diocesan files they had analyzed. It's like a playbook for concealing the truth:

First, make sure to use euphemisms rather than real words to describe the sexual assaults in diocese documents. Never say "rape"; say "inappropriate contact" or "boundary issues."

Second, don't conduct genuine investigations with properly trained personnel. Instead, assign fellow clergy members to ask inadequate questions and then make credibility determinations about the colleagues with whom they live and work.

Third, for an appearance of integrity, send priests for "evaluation" at church-run psychiatric treatment centers. Allow these experts to "diagnose" whether the priest was a pedophile, based largely on the priest's "self-reports," and regardless of whether the priest had actually engaged in sexual contact with a child.

Fourth, when a priest does have to be removed, don't say why. Tell his parishioners that he is on "sick leave," or suffering from "nervous exhaustion." Or say nothing at all.

Fifth, even if a priest is raping children, keep providing him housing and living expenses, although he may be using these resources to facilitate more sexual assaults.

Sixth, if a predator's conduct becomes known to the community, don't remove him from the priesthood to ensure that no more children will be victimized. Instead, transfer him to a new location where no one will know he is a child abuser.

Finally and above all, don't tell the police. Child sexual abuse, even short of actual penetration, is and has for all relevant times been a crime. But don't treat it that way; handle it like a personnel matter, "in house."

To be sure, we did come across some cases in which members of law enforcement, despite what may have been the dioceses' best efforts, learned of clergy sex abuse allegations. Some of these were many decades ago, and police or prosecutors at the time simply deferred to church officials. Other reports arose more recently, but involved old conduct, and so were quickly rejected on statute of limitations grounds without looking into larger patterns and potential continuing risks. We recognize that victims in these circumstances were understandably disappointed there was no place they could go to be heard.

But we have heard them, and will tell their stories, using the church's own records, which we reproduce in the body of the report where appropriate. In the Diocese of Allentown, for example, documents show that a priest was confronted about an abuse complaint. He admitted, "Please help me. I sexually molested a boy." The diocese concluded that "the experience will not necessarily be a horrendous trauma" for the victim, and that the family should just be given "an opportunity to ventilate." The priest was left in unrestricted ministry for several more years, despite his own confession.

Similarly in the Diocese of Erie, despite a priest's admission to assaulting at least a dozen young boys, the bishop wrote to thank him for "all that you have done for God's people.... The Lord, who sees in private, will reward." Another priest confessed to anal and oral rape of at least 15 boys, as young as seven years old. The bishop later met with the abuser to commend him as "a person of candor and sincerity," and to compliment him "for the progress he has made" in controlling his "addiction." When the abuser was finally removed from the priesthood years later, the bishop ordered the parish not to say why; "nothing else need be noted."

In the Diocese of Greensburg, a priest impregnated a 17-year-old, forged the head pastor's signature on a marriage certificate, then divorced the girl months later. Despite having sex with a

minor, despite fathering a child, despite being married *and* being divorced, the priest was permitted to stay in ministry thanks to the diocese's efforts to find a "benevolent bishop" in another state willing to take him on. Another priest, grooming his middle school students for oral sex, taught them how Mary had to "bite off the cord" and "lick" Jesus clean after he was born. It took another 15 years, and numerous additional reports of abuse, before the diocese finally removed the priest from ministry.

A priest in the Diocese of Harrisburg abused five sisters in a single family, despite prior reports that were never acted on. In addition to sex acts, the priest collected samples of the girls' urine, pubic hair, and menstrual blood. Eventually, his house was searched and his collection was found. Without that kind of incontrovertible evidence, apparently, the diocese remained unwilling to err on the side of children even in the face of multiple reports of abuse. As a high-ranking official said about one suspect priest: "At this point we are at impasse – allegations and no admission." Years later, the abuser did admit what he had done, but by then it was too late.

Elsewhere we saw the same sort of disturbing disdain for victims. In the Diocese of Pittsburgh, church officials dismissed an incident of abuse on the ground that the 15-year-old had "pursued" the priest and "literally seduced" him into a relationship. After the priest was arrested, the church submitted an evaluation on his behalf to the court. The evaluation acknowledged that the priest had admitted to "sado-masochistic" activities with several boys – but the sado-masochism was only "mild," and at least the priest was not "psychotic."

The Diocese of Scranton also chose to defend its clergy abusers over its children. A diocese priest was arrested and convicted after decades of abuse reports that had been ignored by the church. The bishop finally took action only as the sentencing date approached. He wrote a letter to the judge, with a copy to a state senator, urging the court to release the defendant to a Catholic

treatment center. He emphasized the high cost of incarceration. In another case, a priest raped a girl, got her pregnant, and arranged an abortion. The bishop expressed his feelings in a letter: “This is a very difficult time in your life, and I realize how upset you are. I too share your grief.” But the letter was not for the girl. It was addressed to the rapist.

The church and child abuse, past and present

We know that the bulk of the discussion in this report concerns events that occurred before the early 2000’s. That is simply because the bulk of the material we received from the dioceses concerned those events. The information in these documents was previously kept hidden from those whom it most affected. It is exposed now only because of the existence of this grand jury.

That historical record is highly important, for present and future purposes. The thousands of victims of clergy child sex abuse in Pennsylvania deserve an accounting, to use as best they can to try to move on with their lives. And the citizens of Pennsylvania deserve an accounting as well, to help determine how best to make appropriate improvements in the law.

At the same time, we recognize that much has changed over the last fifteen years. We agreed to hear from each of the six dioceses we investigated, so that they could inform us about recent developments in their jurisdictions. In response, five of the bishops submitted statements to us, and the sixth, the bishop of Erie, appeared before us in person. His testimony impressed us as forthright and heartfelt. It appears that the church is now advising law enforcement of abuse reports more promptly. Internal review processes have been established. Victims are no longer quite so invisible.

But the full picture is not yet clear. We know that child abuse in the church has not yet disappeared, because we are charging two priests, in two different dioceses, with crimes that fall within the statute of limitations. One of these priests ejaculated in the mouth of a seven-year-old.

The other assaulted two different boys, on a monthly basis, for a period of years that ended only in 2010.

And we know there might be many additional recent victims, who have not yet developed the resources to come forward either to police or to the church. As we have learned from the experiences of the victims who we saw, it takes time. We hope this report will encourage others to speak.

What we can say, though, is that despite some institutional reform, individual leaders of the church have largely escaped public accountability. Priests were raping little boys and girls, and the men of God who were responsible for them not only did nothing; they hid it all. For decades. Monsignors, auxiliary bishops, bishops, archbishops, cardinals have mostly been protected; many, including some named in this report, have been promoted. Until that changes, we think it is too early to close the book on the Catholic Church sex scandal.

Recommendations

Grand jurors are just regular people who are randomly selected for service. We don't get paid much, the hours are bad, and the work can be heartbreaking. What makes it worthwhile is knowing we can do some kind of justice. We spent 24 months dredging up the most depraved behavior, only to find that the laws protect most of its perpetrators, and leave its victims with nothing. We say laws that do that need to change.

First, we ask the Pennsylvania legislature to stop shielding child sexual predators behind the criminal statute of limitations. Thanks to a recent amendment, the current law permits victims to come forward until age 50. That's better than it was before, but still not good enough; we should just get rid of it. We heard from plenty of victims who are now in their 50's, 60's, 70's, and even one who was 83 years old. We want future victims to know they will always have the force of the

criminal law behind them, no matter how long they live. And we want future child predators to know they should always be looking over their shoulder – no matter how long they live.

Second, we call for a “civil window” law, which would let older victims sue the diocese for the damage inflicted on their lives when they were kids. We saw these victims; they are marked for life. Many of them wind up addicted, or impaired, or dead before their time. The law in force right now gives child sex abuse victims twelve years to sue, once they turn 18. But victims who are already in their 30’s and older fell under a different law; they only got *two* years. For victims in this age range, the short two-year period would have expired back in the 1990’s or even earlier – long before revelations about the institutional nature of clergy sex abuse. We think that’s unacceptable. These victims ran out of time to sue before they even knew they had a case; the church was still successfully hiding its complicity. Our proposal would open a limited “window” offering them a chance, finally, to be heard in court. All we’re asking is to give those two years back.

Third, we want improvement to the law for mandated reporting of abuse. We saw from diocesan records that church officials, going back decades, were insisting they had no duty to report to the government when they learned of child abuse in their parishes. New laws make it harder to take that position; but we want them tighter. The law penalizes a “continuing” failure to report, but only if the abuse of “the child” is “active.” We’re not sure what that means and we don’t want any wiggle room. Make it clear that the duty to report a child abuser continues as long as there’s reason to believe he will do it again – whether or not he’s “active” on any particular day, and whether or not he may pick a different kid next time.

Fourth, we need a law concerning confidentiality agreements. They’ve become a hot topic in recent months in sexual harassment cases – but it turns out the church has been using them for

a long time. The subpoenaed records contained quite a few confidentiality agreements, going back decades: payouts sealed by silence. There are arguments on both sides about whether it's proper to use these agreements in securing lawsuit settlements. But there should be no room for debate on one point: no non-disclosure agreement can or should apply to criminal investigations. If the subject of a civil lawsuit happens also to concern criminal activity, then a confidentiality agreement gives neither party either the right or the obligation to decline cooperation with law enforcement. All future agreements should have to say that in big bold letters. And all this should be enacted into a law.

We believe these proposals will assist in the exposure and prosecution of child sexual abuse, and so it is within the scope of our duty to make them. But to be honest it's not enough. We don't just want this abuse punished by criminal and civil penalties. We want it not to happen at all. We think it's reasonable to expect one of the world's great religions, dedicated to the spiritual well-being of over a billion people, to find ways to organize itself so that the shepherds stop preying upon the flock. If it does nothing else, this report removes any remaining doubt that the failure to prevent abuse was a systemic failure, an institutional failure. There are things that the government can do to help. But we hope there will also be self-reflection within the church, and a deep commitment to creating a safer environment for its children.

Profiles

This final section of the report is possibly the most important. It contains profiles of more than 300 clergy members, from all six dioceses we investigated. By comparison, estimates of the number of abusive priests identified since 2002 in the Boston, Massachusetts archdiocese range from about 150 to 250. The 2005 Philadelphia archdiocese grand jury report identified over 60

priests. The 2016 Altoona-Johnstown report named about 50 abusers. We believe ours is the largest grand jury report of its kind to date.

Each of the profiles is a summary of the abuse allegations against individual priests and of the church's response over time to those allegations. The profiles are based largely on the wealth of internal documents surrendered by the dioceses. In many cases, we also received testimony from the victims. And, on over a dozen occasions, the priests themselves appeared before us. Most of them admitted what they had done.

Even out of these hundreds of odious stories, some stood out. There was the priest, for example, who raped a seven-year-old girl – while he was visiting her in the hospital after she'd had her tonsils out. Or the priest who made a nine-year-old give him oral sex, then rinsed out the boy's mouth with holy water to purify him. Or the boy who drank some juice at his priest's house, and woke up the next morning bleeding from his rectum, unable to remember anything from the night before. Or the priest, a registered psychologist, who "treated" a young parishioner with depression by attempting to hypnotize her and directing her to take off her clothes, piece by piece.

One priest was willing to admit to molesting boys, but denied reports from two girls who had been abused; "they don't have a penis," he explained. Another priest, asked about abusing his parishioners, refused to commit: "with my history," he said, "anything is possible." Yet another priest finally decided to quit after years of child abuse complaints, but asked for, and received, a letter of reference for his next job – at Walt Disney World.

We came across a file in which the diocese candidly conceded that "this is one of our worst ones" – but of course told no one about him. Actually we came across the same statement in the files of several other priests. Then there was the file with a simple celebratory notation: "bad abuse

case. [Victim] sued us ... we won.” And this happy note, in a case in which a seven-year-old girl was molested by a priest from outside the diocese: [REDACTED]

In addition to describing the abuse and its handling, each of the profiles also includes a list, as complete as we could make it, of the subject priest’s places of assignment over the course of his career. That doesn’t mean we received abuse reports associated with each of those assignments. But the assignment list should provide parishioners with a way to determine whether priests who were credibly accused of abuse ever served in their area.

We should emphasize that, while the list of priests is long, we don’t think we got them all. We feel certain that many victims never came forward, and that the dioceses did not create written records every single time they heard something about abuse. We also couldn’t fully account for out-of-state travel. Many priests who served in Pennsylvania also spent some of their careers in other parts of the country. If they abused children elsewhere, reports might have made their way back to diocesan files here. But we suspect that a lot did not.

Although this section of our report is as comprehensive as we could make it, we did not automatically name every priest who was mentioned in the documents. We actually received files on over 400 priests from the dioceses. Some of these are not presented here because the information contained in the file was too scanty to make a reasonable determination about what had happened. On other occasions, we present a profile anonymously, because the case reveals a lot about the diocese’s behavior, but nothing significant about the priest’s. And in numerous other cases, the evidence contained in the file was clear, but the misconduct was outside the purpose of this investigation, which focused on criminal child sex abuse. As a result, we do not include files involving sex between priests and adults, substance abuse, or financial wrongdoing, unless these relate directly to abuse of children.

Many of the priests who we profile here are dead. We decided it was crucial to include them anyway, because we suspect that many of their victims may still be alive – including unreported victims who may have thought they were the only one. Those victims deserve to know they were not alone. It was not their fault.

We need to end with this note. During our deliberations, one of the victims who had appeared before us tried to kill herself. From her hospital bed, she asked for one thing: that we finish our work and tell the world what really happened. We feel a debt to this woman, and to the many other victims who so exposed themselves by giving us their stories. We hope this report will make good on what we owe.