IN THE COURT OF COMMON PLEAS ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:

: SUPREME COURT OF PENNSYLVANIA

: 2 W.D. MISC, DKT, 2016

THE FORTIETH STATEWIDE

ALLEGHENY COUNTY COMMON PLEAS

INVESTIGATING GRAND JURY

: CP-02-MD-571-2016

: NOTICE 1

INTRODUCTION

We, the members of the Fortieth Statewide Investigating Grand Jury, having received testimony and evidence pertaining to violations of the Crimes Code of Pennsylvania occurring in Clarion, Crawford and Jefferson Counties, Pennsylvania pursuant to Notice of Submission of Investigation No. 1, do hereby make the following findings of fact and recommendation of charges.

FINDINGS OF FACT

The Fortieth Statewide Investigating Grand Jury received evidence from the Diocese of Erie in connection with an ongoing investigation into child sexual abuse committed by members of the clergy and religious personnel. This evidence led to the discovery of young men who had been sexually assaulted by Father David Poulson ("Poulson") when they were minors. The assaults occurred at church rectories in Clarion and Crawford Counties, as well as at a remote, isolated hunting camp in Jefferson County.

David Poulson

Poulson was ordained a Roman Catholic priest on June 22, 1979 and was assigned to the Diocese of Erie in 1997. The Diocese of Erie consists of the counties of: Erie, Crawford, Mercer, Venango, Warren, Forest, Clarion, Jefferson, Elk, McKean, Clearfield, Cameron and Potter Counties. The Grand Jury learned that Poulson's assignments were as follows:

TITLE	ASSIGNMENT	<u>DATES</u>
Faculty	Bradford Central Christian High School Bradford, PA	7/5/1979 to 6/9/1982
Weekend Education	St. Francis of Assisi, Bradford, PA	7/5/1979 to 6/9/1982
Faculty	Gannon University, Erie, PA	6/9/1982 to 8/24/1997
Director, Parochial Administrator	Gannon University, Erie, PA	6/1/1991 to 8/24/1997
Administrator	St. Francis of Assisi, Clearfield, PA	8/24/1997 to 12/3/1997
Pastor	St. Agnes, Morrisdale, PA	12/3/1997 to 6/6/2000
Sp. Ministries/Catholic Chaplain	Clarion University, Clarion, PA	6/6/2000 to 7/24/2001
Pastor	St. Michael's, Fryburg, PA	6/7/2000 to 6/30/2006
Chaplain	Dio. Div. of World Apostolate of Fatima	8/8/2000
Pastor	St. Michael's, Fryburg, PA	7/1/2006 to 11/8/2010
Pastor	St. Anthony of Padua, Cambridge Springs, PA	11/8/2010 to 11/8/2016
Pastor	St. Bernadette, Cambridge Springs, PA	11/8/2010 to 11/8/2016
Dean	Meadville Deanery, Meadville, PA	1/13/2012 to 9/11/2014
Other	Bishop's Delegate to Mass In the Extraordinary	11/1/2013 to 10/31/2018
Other	Diocesan Liaison to the Catholic Charismatic Renewal	11/29/2013 to 11/28/2018
Dean	Meadville Deanery, Meadville, PA	9/12/2014 to 9/11/2019
Diocesan Board	Presbyteral Council, Erie, PA	9/12/2014 to 9/11/2019

Investigation

The Grand Jury reviewed a January 26, 2018 memorandum that was provided to the Pennsylvania Office of Attorney General ("OAG") by the Diocese of Brie. The memorandum was written by Father Chris Singer ("Father Singer") and addressed to the attention of Bishop Lawrence Persico ("Bishop Persico"). The memorandum recounted a telephone conversation that Father Singer had with Father Raymond Akeriwe ("Father Akeiwe"), a chaplain at Fort Hood, Texas, earlier that day. Father Akeiwe advised that a soldier (hereinafter "Victim 1") had disclosed that he had been sexually abused by Poulson when he was a child.

Subsequent to this telephone call, counsel for the Diocese of Erie interviewed Poulson on February 9, 2018. During the interview, Poulson advised that "a friend of mine and I have property near Clarion" with a "little cabin." The Grand Jury learned that Poulson's friend and co-owner of the property is Mark Bettwy ("Bettwy"), who is presently employed as a sergeant with the Pennsylvania State Police. Poulson explained that he met Bettwy at Gannon University when Bettwy was a student there and Poulson was a member of the faculty. They have been "friends ever since." Poulson stated that in the mid-2000s, Bettwy discovered a piece of property that was approximately 40 acres and "we bought it." He did not know whose name appeared on the deed, however. Shortly after they purchased the land, Poulson saw a one-room "Amish-type" log cabin and decided that he would buy a similar cabin for the property.

Poulson informed Diocesan counsel that he had not been to the property since he left Fryburg, Clarion County in 2010 to begin his assignment in Cambridge Springs, Crawford County. With respect to Bettwy, Paulson noted that Bettwy and his family did not use the

¹ On February 13, 2018, OAG Special Agent Jack Brickner located a deed for 40 acres of land owned by Mark Bettwy and David Poulson in the Jefferson County Register and Recorder of Deeds Office.

property as often as anticipated. Poulson stated that he and Bettwy were waiting for the timber to mature and were "getting ready" to sell the property.

Poulson estimated that he took 20 trips to the cabin and that approximately one-half of those trips were made in the company of minor boys. All of the trips with the boys required at least one overnight stay at the cabin. Poulson admitted that he was attracted to young men and had spent many hours, days and nights with several young men under the age of 18. He then provided the names of six children that he took to his cabin alone. Those names were provided to the OAG by counsel for the Diocese.

On February 28, 2018, Victim 1 was interviewed by OAG Special Agent Steve Adametz ("Agent Adametz"). Victim 1, who is presently 23-years old, was born in Wisconsin and his family moved to Pennsylvania when he was seven or eight years of age. Upon arrival in Pennsylvania, the Catholic Church played a major role in his family's life because they were new to the area. Victim 1 related that his parents believed that the local priest, a young man in his late 20s, would be a good role model for their children. That priest was Poulson. Victim 1 became very close with Poulson and viewed him as a friend who would take him places, buy him things, and go camping with him. Poulson was a welcomed and frequent visitor to his family's home.

Victim 1 informed Agent Adametz that Poulson began to sexually molest him when he was approximately eight-years-old. The abuse continued until he was 16. The abuse involved Poulson kissing Victim 1's lips, kissing his neck, and sucking on his ear lobes. Poulson also fondled Victim 1's genitals and penis, to include masturbation. Victim 1 reported that on several occasions he was made to reciprocate this behavior on Poulson. The abuse occurred on a biweekly basis from 2002 to 2010. Poulson made Victim 1 go to confession and confess the sexual abuse to Poulson in his capacity as a priest.

Victim 1 stated that his parents encouraged him to spend time with Poulson at the church rectory and at Poulson's camp. He revealed that he was sexually assaulted by Poulson at the rectories at St. Michael's in Fryberg and at St. Anthony's in Cambridge Springs. The abuse at the rectories usually occurred on Sundays, after the victim served as an altar boy at mass. When asked to estimate the number of times that he was assaulted at the rectories, Victim 1 stated that it occurred in excess of 20 occasions. With respect to Poulson's camp, Victim 1 advised Agent Adametz that he was assaulted at that location between five and 10 times. He described this hunting camp as being in a very remote location in either Clarion or Jefferson County and that it took approximately 10 minutes to reach it after turning off the road. According to Victim 1, the cabin was a small, one-room, one-floor structure that was approximately 16 feet long by eight feet wide. It was made of rough cut pine and had no heat, electricity or water. Victim 1 further described a rocky fire pit in the front of the structure and a covered front porch that could fit two rocking chairs. He advised Agent Adametz that the camp was always in good shape and "new looking."

Victim 1 advised that when he was taken to the camp, he was always alone with Poulson. There was no bed there, so Poulson would bring one air mattress for the two of them to share. Poulson also brought his laptop to watch DVDs. Victim 1 believes that the last time that he went to the camp and was sexually abused by Poulson was in the summer of 2010. He was 16-years-old at the time. Shortly afterwards, Victim 1 left Pennsylvania. He has not had any contact with Poulson since 2013.

On March 6, 2018, OAG agents executed a search warrant on Poulson and Bettwy's property. The plot of land contained a small, one-room cabin that was consistent with the

description provided by Victim 1. The Grand Jury had the opportunity to view photographs of the cabin.

During the week of March 12, 2018, the Grand Jury heard testimony from Bettwy who confirmed that he shared ownership of the property with Poulson. Bettwy stated that he was aware that Poulson frequented the camp with young boys. Bettwy then returned to the Grand Jury on April 16, 2018 and recounted a statement that Poulson had made when they purchased the property. Specifically, Poulson indicated his desire to see property ownership relinquished to the Bettwy family in the event that he [Poulson] was ever accused of molesting altar boys.

On March 15, 2018, the Grand Jury heard testimony from Victim 2 who revealed that he had contact with Poulson between 2003 and 2006 when he was 15 to 18 years of age. On several occasions over the course of those years, he went with Poulson alone to his hunting camp. He knew that Poulson co-owned the property with a policeman whom he met while he [Victim 2] was at the camp on an alter server retreat. The policeman was not wearing a uniform at that time, however.

Victim 2 disclosed to the Grand Jury that while they were at the camp, Poulson put his hand under his [Victim 2's] shirt and rubbed his stomach and chest. During this same incident, Poulson slid his hand down the Victim 2's pants, underneath his underwear and towards his genitals. Victim 2 was able to roll away and thus avoided further abuse. He stated that he froze when it was happening to him and worried that Poulson would be mad or offended if he stopped him.

During the course of his testimony, Victim 2 positively identified the cabin depicted in the photographs taken during the execution of the search warrant as the location where he was assaulted. Victim 2 noted that Poulson would use his laptop to watch movies while they were at the cabin.

The Grand Jury heard from nine other individuals who had contact with Poulson at the time when they were minors. The men described how Poulson would flirt and "wrestle" with them. One witness testified that he "joked" with Poulson about his sexual preference for little boys. Those who had visited the cabin explained that Poulson would bring a laptop computer and watch DVDs while they were there. They all noted that Poulson was neither an outdoorsman nor a hunter.

One witness testified that in early 1979, he was a student at Bradford Central Christian High School. At that time, Poulson had just started working as a teacher and soon became a trusted friend to him. Poulson took the witness to local chess matches and mentored him spiritually. However, the chess matches then turned into dinners. The dinners soon included dinner with alcohol. Poulson then began showering the witness with gifts and cash. The witness told the Grand Jury that Poulson liked to poke and tickle him. This activity then developed into rough-housing which, in turn, developed into wrestling. He added that Poulson would often grab him from behind to engage in horseplay. This activity occurred in either the rectory or the church. On at least one occasion, the witness recalled that Poulson had an erection while they were "wrestling."

The Grand Jury issued a subpoena to the Diocese of Erie that was served on September 1, 2016. The Diocese was required to produce any and all records related to child sexual abuse perpetrated by priests and religious leaders of the Diocese. In response, the Grand Jury received, inter alia, a confidential memorandum dated May 24, 2010. In that memorandum, Bishop Donald Trautman noted that complaints had been received regarding Poulson's contact with

minors. The memorandum revealed that during a recorded interview, Poulson admitted that his text messages with male minors were "suggestive to sexual advances." He also admitted to Trautman that during the course of tutoring a minor, he shared a book with the boy and was "aroused." He then admitted to hugging the boy. Trautman's memorandum indicated that he [Trautman] "admonished" Poulson and told him to "cease and desist" such behavior. He further noted that spending time alone with a minor was a violation of Diocesan policy. Poulson continued in active ministry within the Diocese of Erie until his resignation on February 12, 2018.

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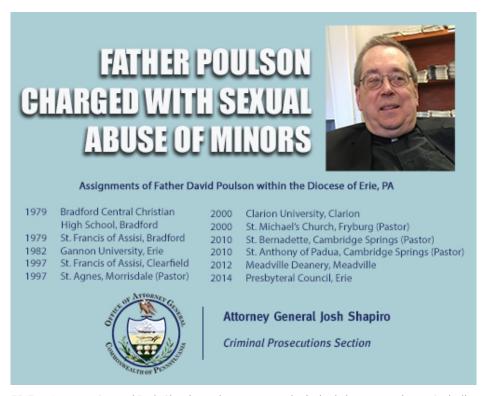
Attorney General Shapiro Charges Catholic Priest in Erie Diocese with Sexual Abuse of Two Boys

MAY 8, 2018 | TOPIC:

CRIMINAL

SHARE

Church Knew of Predator Priest's Behavior for Eight Years



ERIE — Attorney General Josh Shapiro today announced criminal charges against a Catholic priest in the Diocese of Erie for sexual abuse committed against two young boys over a period of many years. One of the victims was 8 years old when the priest began abusing him. The second victim was 15 when the abuse started.

Father David Poulson, 64, of Oil City, a Catholic priest in the Erie diocese for four decades until earlier this year, was arrested this morning and charged with indecent assault, endangering the welfare of children and corruption of minors. Three of the counts against Poulson are felonies. The charges were recommended by a statewide investigating grand jury, which found that Poulson sexually assaulted the boys while employed in active ministry as a priest by the Erie diocese.

"Poulson assaulted one of his victims repeatedly in church rectories," Attorney General Shapiro said at a news conference at the Erie County Courthouse where Poulson's arrest was announced. "He made that victim go to confession and confess the abuse – to Poulson. This was the ultimate betrayal and manipulation by Poulson. He used the tools of the priesthood to further his abuse."

According to the grand jury's presentment made public today:

Poulson sexually assaulted one victim repeatedly in church rectories at St. Michael's Catholic Church in Fryburg and Saint Anthony of Padua Catholic Church in Cambridge Springs. The abuse at the rectories usually happened on Sundays – after this victim served as an altar boy at Mass. These assaults took place more than 20 times.

Poulson required this victim to make confession in church and confess to the sexual assaults – to Poulson, who served as the priest receiving the boy's confession.

"This was the ultimate betrayal and manipulation by Poulson – he used the tools of the priesthood to further his abuse," Attorney General Shapiro said.

Poulson also assaulted this victim and a second victim at a remote hunting cabin that he owned with a friend in Jefferson County. The cabin was off-the-grid and was located 10 minutes off the main road in a rural location. It lacked electricity, heat or running water. Poulson would bring the youths to the cabin, watch horror movies with them on his laptop, and then assault them.

The Diocese of Erie knew since at least May, 2010, of Poulson's sexual predator tendencies – but did nothing to report him to authorities until September, 2016, in response to a subpoena from the grand jury. The diocese even produced a May 24, 2010 secret memorandum, in which diocesan leaders confirmed complaints had been made about Poulson's inappropriate contact with minors. In the memo – hidden in church archives for six years – Poulson admits being "aroused" by a boy, and sharing sexually suggestive texts with numerous other boys.

"The time of protecting powerful institutions over vulnerable children is over, and anyone who abuses kids will have to answer to my office," Attorney General Shapiro said.

"Children are targeted by predators because they are vulnerable, they are young and they struggle with shame, confusion, or fear," Shapiro said. "But once a victim finds the courage to come forward, law enforcement must take action. Poulson faces serious felony charges for the sexual abuse of a child. We will hold him accountable."

"These victims are remarkably brave young men – who have struggled with the trauma of Poulson's abuse for years," Attorney General Shapiro said. "It is no surprise the victims kept this secret for so long. They were attacked by the very person they were taught to respect and admire."

Earlier this year, the grand jury learned of the first victim's sexual abuse by Poulson, after a military chaplain at Fort Hood, Texas, phoned the Erie diocese and said the victim – now 23 years old – had disclosed he was sexually abused by Poulson when he was a child.

Diocese officials interviewed Poulson, who admitted he owned the hunting cabin and that he took an estimated 20 trips there – half of which were with young boys. He admitted he was attracted to young men and provided the names of the boys he took to the cabin. The diocese, by this point cooperating with the Office of Attorney General and the ongoing grand jury investigation, turned the boys' names over to investigators.

The grand jury heard from nine other men who had contact with Poulson when they were minors. The men told similar stories: Poulson was a "cool" young priest who befriended them, flirted with them, "wrestled" with them, and "joked" about his sexual preference for young boys. Poulson plied the boys with gifts, cash, dinners and alcohol. In at least one of these cases, prosecutors believed evidence of a sexual assault existed, but it was barred on statute of limitations grounds.

During the press conference, Attorney General Shapiro renewed his call for abolishing the criminal statute of limitations for sex crimes against children under Pennsylvania law.

"It is long past time to reform these arbitrary time frames and seek justice for our children," Attorney General Shapiro said. "In this case, our investigators uncovered evidence of other sexual assaults – but the statute of limitations prohibited us from filing those charges. This victim – all victims – are entitled to justice."

Poulson was assigned to various parishes during his tenure as a priest in the Diocese of Erie. Poulson's assignments included serving as Pastor of four different parish churches, including St. Agnes in Morrisdale, St. Michael's in Fryburg, St. Anthony of Padua in Cambridge Springs, and St. Bernadette, also in Cambridge Springs.

Attorney General Shapiro asked anyone with information about sexual abuse by Poulson or any priest to contact the Office of Attorney General's Clergy Abuse Hotline at 1-888-538-8541. The office's investigation into sexual abuse by priests and other clergy is ongoing.

Last week, Shapiro's office accepted pleas from two Franciscan Friar supervisors in Blair County, who are among the first clergy members in the United States to be held criminally liable for covering up sexual abuse of children by other clergy. They are the first members of a religious order in Pennsylvania to be sentenced for protecting clergy who abused children.

Last July, his office arrested another Catholic priest, Father John Sweeney, and charged him with sexually assaulting a 10-year-old boy in Westmoreland County. That case is pending.

"The victims we speak for today were abused by a man who was supposed to protect them," Shapiro said at the news conference's conclusion. "They were abused in sacred places where their families thought they were safe. We are committed to protecting every victim of sexual abuse. No one is above the law. We will pursue the facts and the evidence wherever we find it."

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CASE UPDATE: Priest Charged with Sexual Abuse of Two Boys Waives Preliminary Hearing and is Held for Trial

MAY 31, 2018 | TOPIC:

CRIMINAL

SHARE

HARRISBURG — Attorney General Josh Shapiro today announced that a former Catholic priest in the Diocese of Erie was held for trial after he waived his preliminary hearing on charges that he sexually abused two young boys over a period of many years.

The waiver by a defendant of his right to a preliminary hearing means that the prosecution can move forward and prepare its case for trial. David Poulson, 64, of Oil City, waived his right to such a hearing today, and all charges against him were held for court. Bail was set at \$300,000 cash, or 10 percent.

Poulson, a Catholic priest in the Erie diocese for four decades until earlier this year, was charged this month with indecent assault, endangering the welfare of children and corruption of minors. Three of those counts are felonies. The charges were recommended by a statewide investigating grand jury, which found that Poulson sexually assaulted the boys while employed in active ministry as a priest by the Erie diocese.

"Poulson assaulted one of his victims repeatedly in church rectories and in a secluded cabin off the grid in Jefferson County," Attorney General Josh Shapiro said. "He made that victim go to confession and confess the abuse – to Poulson. This was the ultimate betrayal and manipulation by Poulson. Now, thanks to the work of the grand jury and our prosecutors and agents, we're holding Poulson accountable for his crimes."

The case is being prosecuted by Senior Deputy Attorney General Daniel J. Dye. Attorney General Shapiro asked anyone with information about sexual abuse by Poulson or any priest to contact the Office of Attorney General's Clergy Abuse Hotline at 1-888-538-8541.

"The time of protecting powerful institutions over vulnerable children is over, and anyone who abuses kids will have to answer to my office," Attorney General Shapiro said. "We want to hear from you if you were abused by any priest or clergy member."

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Catholic priest sentenced to two and a half to fourteen years in prison for sexual abuse and attempted abuse of two boy

JANUARY 11, 2019 | TOPIC:

CRIMINAL

SHARE

BROOKVILLE, PA — A former Catholic priest for four decades in the Diocese of Erie, David Poulson, was sentenced today to two and a half to 14 years in prison for his repeated sexual assaults against one boy and the attempted assault of another boy. Poulson was sentenced by a Jefferson County Common Pleas Court judge for corruption of minors and endangering the welfare of children – both felony crimes. Poulson was taken immediately into custody after his sentencing.

The victims were eight and 15 years old at the time of the sexual offenses committed by Poulson against them.

"Poulson assaulted one of his victims more than 20 times in church rectories," said Attorney General Josh Shapiro, in a news conference following Poulson's sentencing at the Jefferson County courthouse in Brookville. "He made that victim go to confession and confess the abuse – to Poulson. He used the tools of the priesthood to further his abuse. Today, Poulson was held accountable and now faces a significant jail sentence."

Poulson was charged last May by a Statewide Investigating Grand Jury probing widespread sexual abuse by clergy against children in six Catholic dioceses in Pennsylvania, including the Diocese of Erie.

According to the grand jury's presentment:

Poulson sexually assaulted one victim repeatedly in church rectories at St. Michael's Catholic Church in Fryburg and Saint Anthony of Padua Catholic Church in Cambridge Springs. The abuse at the rectories usually happened on Sundays – after the victim served as an altar boy at Mass.

Poulson also assaulted this victim and attempted to assault a second victim at a remote hunting cabin that he owned with a friend in Jefferson County. In an effort to assault them, Poulson would bring the youths to the cabin and watch horror movies with them on his lanton

Since at least May 2010, the Diocese of Erie under Bishop Donald Trautman knew of Poulson's predatory tendencies – but did nothing to report him to authorities until September 2016, in response to a subpoena from the grand jury. Trautman himself interviewed Poulson in May 2010, and Poulson admitted to the bishop that he was aroused by boys. Despite knowing of Poulson's admission, the priest was allowed by the Diocese to remain in ministry until 2018, when he was finally suspended by Bishop Persico.

"For more than 7 years, the Diocese of Erie allowed Poulson to remain a priest, even though they knew he was a predator," Attorney General Shapiro said.

Poulson was assigned to various parishes during his tenure as a priest in the Erie Diocese. His assignments included serving as Pastor of St. Agnes in Morrisdale, St. Michael's in Fryburg, St. Anthony of Padua in Cambridge Springs, and St. Bernadette in Cambridge Springs.

"Two of Poulson's victims received justice today, and their courage continues to inspire me and every member of our prosecution team," Attorney General Shapiro said.

In a Victim Impact Statement read at today's sentencing by prosecutor Daniel Dye, Victim #2 of Poulson wrote: "I convinced myself that the road trips, gifts, dinners, etc. were just you being that friend. But it was all for an ulterior motive. You used your position as a man of the cloth as a way to manipulate young boys. I trusted you, and in return, you tried to take advantage of that trust."

Victim #1 of Poulson gave an Impact Statement to the court as well, also read by prosecutor Dye. "David Poulson affected my life in more ways than I can count. It has cost me my career and my marriage, and my daughter. Because of this man's actions, I have suffered for years from mental anguish. I ask that true justice be served on this day."

Attorney General Shapiro was joined at today's news conference by senior prosecutors in the Attorney General's Office and by Jim VanSickle, who was abused by Poulson as a young man, but whose case was barred by the criminal statute of limitations.

Today's sentencing is the second of a Catholic priest for sexually abusing children in Pennsylvania, based on the work of the 40th Statewide Investigating Grand Jury. Last month, Father John Sweeney of Westmoreland County was sentenced to prison, for sexually abusing a boy while serving as a parish priest.

In August, the Grand Jury's findings <u>were released</u> in a comprehensive 884-page report. It revealed pervasive abuse of children by priests in the Dioceses of Allentown, Erie, Harrisburg, Greensburg, Pittsburgh and Scranton, and a systematic cover up spanning decades by senior church leaders in Pennsylvania. The grand jury found:

301 Catholic priests identified as predator priests who sexually abused children.

Over 1,000 children abused by predator priests.

Senior church officials, including bishops, monsignors and others, knew about the abuse committed by priests, but covered it up to avoid scandal, criminal charges against priests, and monetary damages to the dioceses.

Priests committed acts of abuse upon children, and were routinely shuttled to other parishes – while parishioners were left unaware of predators in their midst.

The Grand Jury recommended reforming the criminal and civil statutes of limitations on sexual abuse in Pennsylvania, among four recommendations. Attorney General Josh Shapiro reinforced those recommendations today, calling on the Legislature and Governor Wolf to eliminate the criminal statute of limitations for sexually abusing children, create a "civil window" so older victims could sue for damages, clarify penalties for failing to report child abuse, and specify that civil confidentiality agreements do not cover communications with law enforcement

"I stand with every victim and survivor of child sexual abuse, and continue to support the passage of all four reforms recommended by the Grand Jury," Attorney General Shapiro said. Noting that the criminal statute of limitations prevented his office from charging all but two of the 301 priests identified as predators by the grand jury, Shapiro called on the legislature to renew its work on that specific reform now.

"Eliminating the criminal statute of limitations is absolutely essential," Shapiro said. "The state House and Senate have both approved its elimination at different times. I strongly recommend that the legislature work together to pass a bill eliminating the criminal statute of limitations. Governor Wolf will sign that bill into law immediately."

"The time of protecting powerful institutions over vulnerable children is over," Shapiro concluded. "Because of the work of our Pennsylvania grand jury, the men and women of my office, and the victims and survivors, we've sparked a movement across the country. We need to continue to spark change and reform through our work here in our Commonwealth. We owe it to every victim and survivor of sexual abuse anywhere."

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