

## The Case of Father Thomas Smith

### Known Assignments

06/16/1967 – 08/15/1967	Our Lady of Peace, Erie
09/15/1967 – 06/03/1970	Sacred Heart, Erie
06/03/1970 - 02/12/1971	St. Patrick, Franklin
02/12/1971 – 07/16/1972	Notre Dame, Hermitage
07/16/1972 – 06/23/1978	St John the Baptist, Erie
06/23/1978 – 06/01/1981	St. Cosmas and St. Damian, Punxsutawney
06/01/1981 – 10/23/1984	St. Mary of the Assumption, Frenchville
02/01/1984 – 10/01/1984	Health Leave
03/08/1984 – 03/08/1989	Presbyterian Council, Erie
10/23/1984 – 02/05/1985	St. Joseph, DuBois
02/05/1985 - 03/12/1985	St. Hippolyte, Guys Mills
08/08/1985 – 09/16/1985	St. Joseph, Mt. Jewett
09/16/1985 – 12/12/1986	St. Teresa, Union City
12/12/1986 – 04/22/1987	Health Leave, Girard, Ecclesia Center
04/22/1987 – 11/30/1987	Health Leave, Suitland, Maryland, St. Luke's Institute
12/01/1987 – 09/01/1992	St. Joseph, Warren
09/01/1992 – 05/01/1994	Holy Rosary, Erie
05/01/1994 -	Pleasant Ridge Manor, East Mercy Motherhouse
05/01/1994 -	Sisters of Mercy Motherhouse, Erie
05/01/1994 -	St. Patrick's, Erie, St. Hedwig Cluster

Father Thomas Smith was ordained in 1967. In 1981 he was assigned to Saint Mary of the Assumption. Bishop Michael Murphy was first told of child sexual abuse perpetrated by Smith against a 17-year-old boy in January 1984 while at Saint Mary's. Smith resigned on January 20, 1984.

From February 1984 to October 1984, Smith was placed on "health leave." In reality, he was in residential psychological therapy. In October, Smith was released and reassigned by Murphy to Saint Joseph's in DuBois, Pennsylvania until February 1985. In February 1985, Smith was transferred to Saint Hippolyte in Guys Mills, Pennsylvania for approximately one month. From March 1985 to August 1985, Murphy sent Smith to residential psychological therapy once again. Official Diocesan records obtained by the Grand Jury show this was designated as a leave

of absence. Upon his release, Smith was sent to Saint Joseph's in Mount Jewett in August 1985. After about one month at Saint Joseph's, Smith was transferred to Saint Teresa in Union City, Pennsylvania where he remained for approximately 10 months. In spite of Smith's history of child abuse, and his need for continued treatment, Murphy continued to permit Smith's contact with children. While at St. Teresa's, Smith sent a letter to Murphy describing his gifts and accomplishments in "working with young people."

In December 1986, Smith was placed on a leave of absence yet again. This leave of absence continued for almost a year while Smith was returned to residential psychological therapy. In January 1987, Diocesan records indicated that the treatment facility informed Murphy that Smith suffered from a "driven, compulsive, and long standing" obsession with sexually assaulting children. The facility warned that since his first treatment in 1984, Smith had not stopped sexually assaulting children and that interdiction was needed.

These secret Diocesan records obtained by the Grand Jury pursuant to a subpoena showed that, while in treatment, Smith admitted to sexually molesting at least fifteen children. Smith stated that all of his victims were boys, some as young as seven. Smith had raped them anally and orally. This information was provided to Murphy in November 1987. That same month, Smith was discharged from the facility.

In spite of Smith's confession to sexually violating at least fifteen prepubescent boys, Murphy assigned Smith to the parish of Saint Joseph's in Warren on December 7, 1987. Approximately three months later, in March 1988, Father Glenn Whitman wrote a letter to Smith and advised him of recent conduct that placed him in violation of his aftercare agreement with St. Luke's Institute. Regardless, Smith continued in ministry at Saint Joseph's with the approval of Murphy, and, beginning in 1990, Trautman.

On July 25, 1990, Whitman wrote a memo to Trautman and noted two known parishes affected by Smith's abuse. He also wrote that "The number of victims is not clearly known." The same day, Trautman wrote his own memo regarding Smith. In this document, Trautman wrote that he had met with Smith about his problems and that Smith was a person of "candor and sincerity." Trautman noted that after another year and a half he would consider a new assignment for Smith because he wanted Smith to complete his aftercare and was fearful of future litigation.

**Diocese of Erie**

**Office of Clergy Personnel**

**Bishop Trautman**

I was mistaken about the known occurrences of misbehavior on Tom's part. 2 parishes were affected:

- (1) ST. MARYS – FRENCHVILLE  
from which he went to therapy  
in Pittsburgh at Bethel Park
- (2) ST. TERESA – UNION CITY  
from which he went to  
therapy at St. Luke Institute

The number of victims is not clearly known.

Rev. Glenn R. Whitman  
Clergy Personnel Director

July 25, 1990

RCDErie 0008565



*Office of the Bishop*

*Diocese of Erie  
P.O. Box 10897  
Erie, Pennsylvania 16514-0897*

TO: Personnel File  
FROM: Most Rev. Donald W. Trautman, STD, SSL  
RE: Confidential (Rev. Thomas E. Smith)  
DATE: July 25, 1990

Today I met with Father Smith and discussed in detail past problems. I found him to be a person of candor and sincerity. I commended him for the progress he has made during the past two and one-half years in controlling his addiction. Our meeting was friendly.

In reference to the future, I told him that I would prefer that he would wait another year and one-half which would mark the end of his Aftercare program before he applied for a new assignment. He concurred with my thinking that since he is doing so well in Warren --- is happy, fulfilled, satisfied -- that we should continue in that same direction and not take a chance by trying a new assignment at this time.

I wanted to give him courage for the future, but at the same time, I clearly indicated that I would prefer him to wait another year and one-half and then have an evaluation at the end of the Aftercare program.

He asked for my blessing at the end of the meeting. We both recognized that there are serious difficulties and limitations regarding future ministry. There is also the fear of future litigation. Nevertheless, this man has made peace with God and has demonstrated for two and one-half years his ability to handle his addiction.

I carefully reviewed with him the steps that he takes on a daily and weekly basis to enforce his self-discipline. He will continue to meet with Father Glenn Whitman who will monitor his progress.

*+D.W.T.*

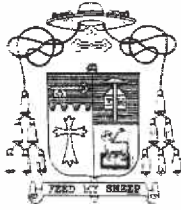
DWT/eg  
cc: Fr. Glenn Whitman

RCDErie 0008567

The July 25, 1990 Memos of Whitman and Trautman

Smith was so relieved to find a refuge in Trautman that he wrote to him on July 17, 1990 with respect to the aforementioned meeting. He thanked Trautman for truly caring about him. In reference to his desire to stay in active ministry, Smith wrote, "And so why did I worry?"

On July 20, 1992, Smith was transferred to the Holy Rosary Parish in Erie, Pennsylvania by Trautman. Smith was very active in the "Isaiah 43" ministry program, a program for Catholic children.



*Office of the Bishop*

*Diocese of Erie  
P.O. Box 10897  
Erie, Pennsylvania 16514-0897*

July 20, 1992

Reverend Thomas E. Smith  
Saint Joseph Church  
600 Pennsylvania Avenue, W.  
Warren, Pennsylvania 16365

Dear Father Smith:

Acting on the recommendation of the Personnel Board, and in response to your own request, I am pleased to appoint you Parochial Vicar at Holy Rosary Parish in Erie, effective September 1, 1992. The limitations placed on your ministry, as mutually understood, are to be observed with absolute fidelity. This assignment will continue as long as it is mutually agreeable and productive, as evaluated by yourself, myself and the Pastor, Very Reverend Richard D. Lynch, V.F.

I have been most pleased by the progress you have made in your continuing care program, in the contributions you have made at Saint Joseph Parish in Warren and in the interest you have shown in the Isaiah 43 program. I know I join you in profound gratitude to Very Reverend Sal Luzzi, V.F., Pastor of Saint Joseph for his generous and characteristic hospitality and fraternity extended to you after your discharge from Saint Luke Institute. It is just such a warm and supportive environment I am sure you will find at Holy Rosary Parish.

Continue to adhere to your aftercare plan, your support groups, the Jesus Caritas Fraternity and the enthusiasm you bring to the ministry. I am confident you will continue to make progress...progress in the Lord.

With every best wish, I remain

Fraternally yours in Christ,

Most Rev. Donald W. Trautman, STD, SSL  
Bishop of Erie

/nh

RCDErie 0008635

Trautman's Letter of Appointment to Holy Rosary

A little over a year after Smith was transferred to Holy Rosary, Trautman received a letter. Dated September 20, 1993, the letter was from the parents of one of Smith's victims. They described the abuse suffered by their son when he was only nine years old. Trautman wrote to St. Luke's Institute, one of Smith's treatment providers, and requested information as to the future ministry of Smith. Among other things, Trautman noted that he was "worried about appearances" and that "Father Smith does participate in the Isaiah 43 Program which takes him outside of the Diocese. I have no supervision of his activity away from the Diocese; it is an act of trust in him." Trautman explained his sudden interest in Smith's activities, stating, "The mother of this individual has raised concerns about Father Smith's involvement in Isaiah 43 since there are youth present for this type of retreat."

St. Luke's Institute responded on December 28, 1993. Trautman was informed that Smith had failed to report his involvement with the Isaiah 43 program as part of his continued aftercare. Trautman sent a letter to Smith and informed him that his duties at Holy Rosary would be altered. However, Trautman permitted Smith to remain in the Isaiah 43 program until he completed his duties there in March 1994.

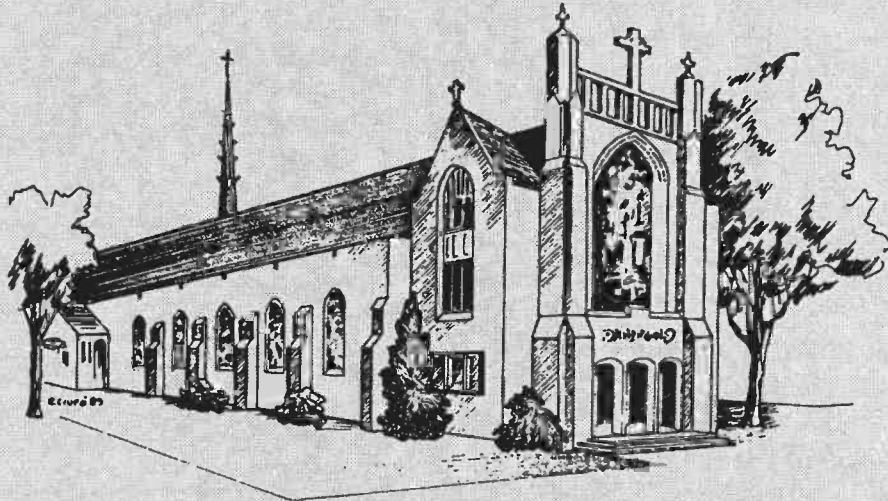
The church bulletin for the Holy Rosary Parish, January 1994, announced the assignment of Father Thomas Smith, Parochial Vicar, to several chaplaincy positions in the Erie area beginning at the end of March 1994 and noted that Smith would remain in residence at Holy Rosary with the title of Resident and Weekend Assistant. This assignment permitted Smith to roam freely about the Diocese, serving as a chaplain with all the authority and power of the priesthood. Moreover, he continued to be a friendly face in residence at the parish and a weekend assistant. Nowhere in the bulletin was it indicated that Trautman notified the parishioners that Smith had been in treatment since 1984 due to sexually abusing children, nor was it noted that Smith admitted



to such conduct with as many as fifteen boys in 1987. Nowhere did it warn that the Diocese was aware that he had re-offended and that the offenses included anal and oral sex with prepubescent boys. These warnings were conspicuously absent because Trautman failed to warn his own parishioners of the danger Smith posed to their children.

January 9, 1994

# Holy Rosary Church



2701 East Avenue, Erie, Pennsylvania 16504

**PARISH STAFF:**

Rev. Richard D. Lynch, V.F. *Pastor*  
Rev. Thomas Smith, *Parochial Vicar*  
Rev. Jeffery J. Noble, *Parochial Vicar*  
Msgr. James J. Gannon, *Weekend Celebrant*  
Pat Marshall, *Director of Elementary Rel. Ed. - RCIA*  
Jan Nicolla, *Director of High School Rel. Ed.*

**RECTORY OFFICE:**

Telephone - 456-4254

**SUNDAY LITURGY:**

Saturday Vigil 5:00 p.m.  
Sunday 7:30, 9:30, 11:30 a.m.

**SACRAMENT OF RECONCILIATION:**

Saturday 3:30-4:30 and by appointment

**BAPTISMS:**

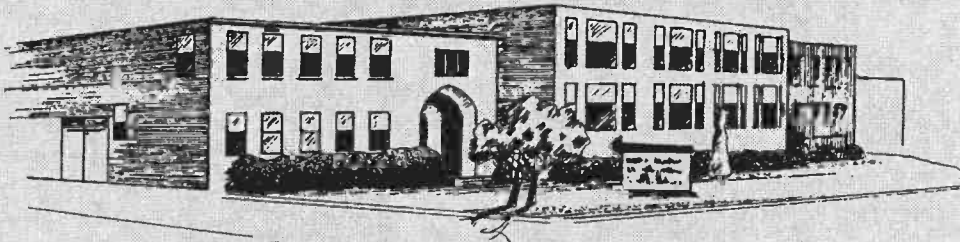
Parent sessions monthly

**MARRIAGES:**

Contact priest six months prior to wedding

**PRAYERLINE:**

Call Veronica 456-0989 or Mary 456-9788



**HOLY ROSARY SCHOOL**  
Pre-School through Eighth Grade  
1012 East 28th Street  
Telephone: 456-7212  
Mrs. Mary Lee Cook, *Principal*

RCDErie 0008648

**School News**

Wed., Jan. 12 - Hot Lunch  
 Mon., Jan. 17 - NO SCHOOL - Martin Luther King

**Campbells Labels, Quality & Giant Eagle Tapes**

Please save for benefit of Holy Rosary School students. Leave in boxes at church.

**January Confirmation Schedule**

Sun., Jan. 9 - NO CLASSES  
 Sun., Jan. 16 - 11th Gr. - 6-8p.m.; Saints Summary Due; Sacramental Sheets due for those who did not bring them in as yet.  
 Sun., Jan. 23 - Large Group Meeting - 9th, 10th and 11th - 6-8p.m. - in the Gym.  
 Sun., Jan. 30 - NO CLASSES - Superbowl Sunday.

**Rel. Ed. Resumes TODAY**

K-8 Religious Education resumes today, January 9 at regular times. Laura Drapcho, our new coordinator, invites any parent in to say hello. She is looking forward to meeting and knowing as many of you as possible. Let's welcome her warmly.

**Ham & Cheese Pretzels**

Sandwich Sale benefits the Boy Scouts, Pack 40. \$1.25 ea. - Delivery on Thursday, Jan. 27. Please call Liz at 456-7476 or Patty at 825-6314. Thank you for your support.

**H. R. Knights of Columbus****FREE THROW CHAMPIONSHIP**

ALL boys and girls ages 10 - 14 are invited to participate in this local level of competition, which will be held on Saturday, January 22, 1994 in the Holy Rosary Gym. Sign-ups for the event will be held on Sundays: Jan. 2, 9, and 16 in the new school section of the school from 10:30am to 1:00pm. For additional information contact: Matt Killion at 459-7107 or Bruce Eicher at 825-0061.

**Altar Rosary Society**

There will not be any meetings during January or February. See you in March.

**BAPTISMS:**

As a general rule, the season of Lent is a time to prepare for the Feast of Easter, when the Sacraments of Initiation are celebrated. Therefore, we are asking parents to schedule their Baptism before or after Lent...January 23, February 13 or at Eastertime.

**ANNOUNCEMENT:**

Bishop Donald Trautman is announcing the assignment of Fr. Thomas Smith, our Parochial Vicar, to several chaplaincy positions in the Erie area beginning at the end of March. Fr. Smith will remain in residence here at Holy Rosary with the title of Resident and Weekend Sacramental Assistant.

**Food Pantry**

REMINDER: The Pantry will be distributing every other Tuesday morning to any parishioner in need. Please call Irene (455-9467) or Charlotte (456-9556) if you have this need or with questions.

**Family Perspective**

Parents can sometimes focus on the wrong things children do that they begin to think that they are bad kids. Take a tip from heaven in today's Gospel—be sure to tell your children that you love them and that you are well pleased with them—and do it OFTEN!!!

**Pro-Life Media Campaign**

This weekend our church will participate in the Annual Pro-Life Media Campaign conducted by People for Life. By your donation you will be contributing to positive pro-life messages on television, radio and newspaper, as well as other areas of the media. Thank you for helping to spread the pro-life message throughout the community.

PLEASE JOIN US: The 16th Annual Greater Erie Area Ecumenical Prayer Breakfast & March/Motorcade for Life on Saturday, January 15 at 9:00am at Cauley Auditorium, 4th & Holland. Janet Folger, from the Ohio Right to Life Society, will be our featured speaker. Reservation requested by TODAY, Jan. 9. The March/Motorcade will begin at 12:00 noon and proceed to Perry Square. Bring your children, your banners and signs.

The 21st Annual National March for Life in Washington, D.C. will be on Friday, Jan. 21st. Friday allows us to visit our elected representatives. Buses leave St. George's parking lot at 11:45pm Thursday night, Jan 20. Cost: \$30. Reservations requested by Jan. 15 by calling Fran (833-7012), Mary (456-7364) or Carol (833-7105).

**Parish Appreciation Dinner**

An Appreciation Dinner Invitation went out to all the workers and volunteers of the parish. Sometimes someone is missed. If you or someone you know has been overlooked, PLEASE, call Fr. Smith right away. Thanks

Some people received invitation addressed to Mr. & Mrs. because both parties volunteer. Others were addressed to only one. If your spouse is not a volunteer and wishes to join you, they may do so. We ask that you cover the cost of \$10 for them. Please note it on the R.S.V.P. and pay that night.

**RING LOST**

At Christmas Midnight Mass: A man's gold ring with 5 diamonds inset. If you know the whereabouts of this item, please call the Rectory or drop off the item there. Thanks.

RCDErie 0008649

## Snowflakes

Snowflakes are one of nature's most fragile things, one not like the other, but look what they can do when they stick together!

## Christmas Cleanup

### HELP NEEDED!!

We will be removing the Christmas Tree and other decorations from the church TODAY, Sun., Jan. 9th at 2:00pm. PLEASE COME AND HELP! The more hands we have the sooner we will get done. Anyone still need service hours?

## MINISTRY WORKSHOP

Holy Rosary Parish has planned an afternoon for all its ministers on Sunday, February 5th. Bishop Murphy will be the Keynote Speaker, plus others. More information will follow next week. The following groups should reserve the date of Feb. 5th from 2 til 6pm: Lectors, Eucharistic Ministers, Ushers, Choir & Music Ministry, Coaches and anyone working with the youth, Religious Education Teachers, School Teachers, Long Range Planning Committee, Parish Council and Liturgical Committees. If anyone else in the parish is interested in coming, you are welcome. Perhaps you would like to join one of the above groups. This would be a good opportunity to do this.

## Workshop for Rite of Christian Initiation

The Diocese is offering a three-session workshop on January 13, 20, and 27 for those wishing to learn the basic skills of Breaking Open the Word, which follows the Rite of Dismissal, and for those interested in becoming parish sponsors for catechumens and candidates. The sessions will be held in the rectory basement at Blessed Sacrament Church from 7 to 8:30pm. Register by Jan. 10 by calling 454-0171 or 824-1272. No charge except for a workbook. Anyone from Holy Rosary who has any questions or is interested, please call Fr. Jeff at the rectory (456-4254).

## Thought for the New Year

Take time to work... It is the price of success.  
 Take time to think...It is the source of power.  
 Take time to play...It is the secret of perpetual youth.  
 Take time to read...It is the fountain of wisdom.  
 Take time to be friendly...It is the road to happiness.  
 Take time to be to laugh...It is the music of the soul.  
 Take time to dream...It is the road to greater vision.  
 Take time to give...The day is too short to be selfish.  
 Take time to love and be loved...It is the privilege of all God's children.  
 Take time to pray...It is the road to God.

## January 9, 1994 The Baptism of the Lord



"Then a voice came from the heavens: 'You are my beloved Son. On you my favor rests.'"  
 Mark 1:11

### Monday, January 10

7:00am Luigi Sansone (Laura & Michael DeSanctis)  
 8:00am Henry Konapka (Family)

### Tuesday, January 11

7:00am Marion Anthony (Family)  
 8:00am Kathleen Lynch (Helen Kloecker)

### Wednesday, January 12

7:00am Peter Krizmanick (Helen Krizmanick)  
 8:00am Stephen Nemerget (Judith Kirk)

### Thursday, January 13

7:00am Charles Clark (Estate)  
 8:00am Shirley Ann Hanlin (Ellen Rainey)

### Friday, January 14

7:00am Edward Nowak, Death Anniv.  
 (Andrew Savindi)  
 8:00am Marie Tenace (M/M Joseph Mikowski)

### Saturday, January 15

8:00am Mary Torelli, Birth Anniv.  
 (Harrick Grandchildren)  
 5:00pm VIGIL Paul Lipinski, Anniv.  
 (Wife & Family)

### SUNDAY, January 16

7:30am Parishioners of Holy Rosary  
 9:30am Patricia Bargielski (Fred & Kathy Weaver)  
 11:30am Ann Bernardini (Children)

## Sanctuary Candle

The candle in the Mother's Chapel will be lit the week of January 9 in memory of the birth of Avellino Duchini. If anyone wishes intentions for the Sanctuary candle in the Mothers Chapel please call the Rectory at (456-4254). Feb. 6 & 27 open.

## Readings for Sunday, January 16

1st Reading - 1 Sm 3:3-10, 19  
 2nd Reading - 1 Cor 6:13-15, 17-20  
 Gospel - John 1:35-42

RCDErie 0008650

That same month, all Pennsylvania Bishops received a confidential letter from the Most Reverend Joseph V. Adamec, Bishop of the Diocese of Altoona-Johnstown. Adamec and the Diocese of Altoona-Johnstown were involved in the high profile litigation of child sexual abuse offenses perpetrated by Father Francis Luddy. As discovered by the Thirty-Seventh Statewide Investigating Grand Jury in their investigation of the Diocese of Altoona-Johnstown, Adamec and the Diocese were aware of sexual offenses committed by Luddy. Documentation within their secret archives contained incriminating information regarding numerous priests who had molested children. In Adamec's letter to the other Bishops, he explained the steps he had taken to protect the secret archives from litigation. Notations on the document appear to indicate that Trautman took note of Diocesan records which Adamec was forced to disclose, and that the Diocese's motions in the case, such as seeking bifurcation, jury sequestration, and to dismiss based on a "time bar," were being denied.



## Diocese of Altoona-Johnstown

Office of The Bishop  
Box 126 Logan Boulevard  
Hollidaysburg, PA 16648

January 31, 1994

CONFIDENTIAL

His Excellency  
The Most Reverend Donald W. Trautman  
Bishop of Erie  
205 W. 9th Street  
Erie, PA 16501

Dear Don:

I write to inform you that jury selection begins today in the civil case of Michael Hutchison versus Francis Luddy, Bishop James Hogan, et al (which includes the Diocese of Altoona-Johnstown). The case is being heard by Judge Hiram Carpenter in Blair County. The allegation is that the Reverend Francis Luddy sexually molested the plaintiff (which he denies) and that the Diocese was negligent in protecting potential victims in this and other cases of alleged pedophilic behavior on the part of its priests (which we deny).

The court has ordered (and, we have complied) that the Diocese produce documents and information of any and all allegations of pedophilia relating to our priests between 1967 and 1984. This includes documentation which was in the Secret Archives. I refused to comply in the latter matter until it became evident that the Diocese could suffer sanctions and would lose its insurance coverage for non-compliance.

We have placed a number of motions before the Judge. These include the following: a - bifurcation (requiring plaintiff to first prove its case against Luddy and receive jury's verdict before expanding its litigation to other priests), b - sequestering of the jury (due to expected publicity), c - motion in limine (to exclude from trial allegations of child molestation against any other priest), and d - motion to time bar (given the statutes of limitations). However, all of these motions have been denied.

Defense for the Diocese continues to be provided by our underwriter insurance companies through the Pittsburgh firm of Meyer, Darragh, Buckler, Bebeneck and Eck; - being represented by Attorney Carl Eck and Attorney Julie Sweeney. Attorneys of both the United States Catholic Conference and the Pennsylvania Catholic Conference have been kept informed.

A "gag order" continues to be in place, preventing plaintiffs or defendants from speaking with the mass media. However, this was recently

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RCDErie 0002044

[Pennsylvania Bishops RE Luddy Case; 1/31/94]

breached; even though, not by us. This may or may not change when the trial begins.

The Presbyteral Council is unanimously supportive of the Diocesan position that no offer of settlement should even be considered. It is our position that the Diocese and its Bishop acted appropriately and thoroughly in each case of alleged pedophilia. Last Thursday, I met with the Presbyterate and Diaconate of this Diocesan Church in order to bring them up-to-date. I sensed the same support there, as well.

It would appear to me, given the facts of this case and the procedures allowed the attorney for the plaintiff, that this is another effort to discredit the Church. We have been viewing our situation within the context of our faith journey and are putting forth every effort to approach the matter in a positive way.

Please remember us in your conversations with the Lord.

May the gift of the Holy Spirit be a source of strength for you during 1994, bringing with it peace and joy for your journey to the Kingdom.

Fraternallly yours in the Lord,

  
(Most Rev.) Joseph V. Adamec  
Bishop of Altoona-Johnstown

SAME: Apostolic Pro-Nuncio  
Pennsylvania Bishops

CONFIDENTIAL

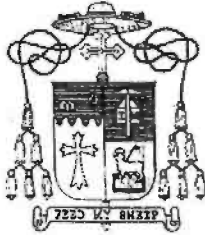
RCDErie 0002045

CONFIDENTIAL

Adamec's Letter Regarding Child Sexual Abuse Litigation

Meanwhile, Smith was unhappy with his new assignment and sought a reprieve from Murphy, his first enabler. Murphy, now retired, reached out to Trautman on behalf of Smith and another priest seeking greater leniency. Trautman responded by letter on May 6, 1994. Trautman explained that he had not been overly restrictive but that the Diocese could not adopt a “posture” less than what Pittsburgh had done. The Grand Jury noted that Trautman did not cite to the evils of child sexual abuse as the external pressure which warranted the restriction of offending priests. Rather, Trautman provided Murphy a copy of an article from Time Magazine on “this problem” and stated that “[t]he article is vicious and demonstrates, once again, the need for vigilance on the part of the church.”





*Office of the Bishop*

*Diocese of Erie  
P.O. Box 10897  
Erie, Pennsylvania 16514-0897*

May 6, 1994

Most Rev. Michael J. Murphy, DD, STL  
Retired Bishop of Erie  
St. Patrick Rectory  
130 East 4 Street  
Erie, Pennsylvania 16507

Dear Mike,

As a follow-up to our conversation regarding two of our brother priests with a past problem of sexual misconduct, may I share with you guidelines that are operative in the Diocese of Pittsburgh. I cite these only to demonstrate that the Diocese of Erie is not overly restrictive. I could cite other dioceses, Chicago, for example, which has a much more restrictive policy than even Pittsburgh. I believe it important for us to see what other Bishops have done to supervise priests in this predicament. I believe, also, these guidelines can be a model for us in forming a written policy. When that written policy has been composed, I would like, then, to present it to our two priests in question. I do not believe it will come as any surprise to them since we have already verbally discussed it. I emphasize, again, the Diocese of Erie is simply following the practice in other dioceses. Permit me to cite some of the guidelines from the Diocese of Pittsburgh:

"Ordinarily, a cleric against whom a serious accusation of sexual misconduct has been substantiated, will not be permitted to return to public ministry. If an exception were to be made, at least the following criteria must be met: 1. He has undergone extensive treatment; 2. He receives ongoing professional counseling and participates in a therapy group or life management support group on an ongoing basis, both such activities being subject to termination only with the written permission of the diocesan bishop; 3. It is possible to supervise adequately and monitor his contact with the public; 4. He is subject to special placement in a situation in which he will be monitored by an on-site supervisor, and appropriate diocesan official; 5. The cleric must be willing to disclose the nature of his problem with his coworkers; 6. He must demonstrate a spirit of repentance and goodwill.

RCDErie 0002033

*Diocese of Erie*  
*Office of the Bishop*

- 2 - May 6, 1994

Most Rev. Michael J. Murphy, DD, STL


Pittsburgh further states "the diocesan bishop reserves the right to modify or supplement these procedures to meet the needs of a particular case and commits himself to review them periodically for adequacy." In Pittsburgh, there is a full-time person called the 'process manager' who oversees these cases. The responsibilities of the 'process manager' are the following: review the actions taken in each case to insure that all diocesan policies and procedures are being followed; maintain regular contact with clerics with whom the diocese must exercise some degree of supervision; update the priest's personnel files of these same clerics noting particularly what steps the diocese has taken relative to allegations of sexual misconduct; administer the supervisory program; prepare reports for the clergy task force and serve as a liaison to the Assessment Board.

I do not believe the Diocese of Erie can adopt a posture less than what Pittsburgh has done or other dioceses. Therefore, I am suggesting that for our two priests to be in residence at St. Patrick's Rectory, that there be clearly defined in writing, guidelines, procedures, expectations. We've already discussed some of these with them, namely, reporting to the Diocesan Review Board, limitation of public ministry to the Nursing Home Apostolate, restriction of diocesan faculties to exclusively the Nursing Home Apostolate, and on-site supervision.

I am also enclosing a copy of this week's article in Time Magazine on this problem. The article is vicious and demonstrates, once again, the need for vigilance on the part of the Church. After Monsignor Smith and Monsignor Brugger have had a chance to come up with specific guidelines, perhaps we can all get together and discuss them. I certainly want to balance these guidelines with a reach-out in love and fraternal support. However, there is an obligation at this point to protect the flock as well as to go in search of those who have strayed.

Best wishes.

Faternally yours in Christ,

  
Most Rev. Donald W. Trautman, STD, SSL  
Bishop of Erie

DWT/nh

Enclosure

cc: Monsignor Robert J. Smith  
Monsignor Robert L. Brugger

RCDErie 0002034

Trautman Responds to Murphy

Ultimately, Smith served as a chaplain as described in the Holy Rosary church bulletin until his retirement in March 2002. In April 1996, Smith wrote to Trautman and asked to be appointed to the board of the local YMCA, as well as to be returned to the Isaiah 43 program. Trautman was aware that Smith continued to seek contact with children and elected not to warn anyone.

Due to the national coverage following the article about the Archdiocese of Boston, Trautman was forced to field letters from concerned parishioners and answer inquiries from the local press. On January 31, 2002, Trautman wrote to parents of one of Smith's victims and stated, "I believe appropriate action has been taken in the fact that there is no parish assignment and there is a definite curtailing of his ministry." On March 15, 2002, Trautman gave an interview to a news reporter and stated, "we have no priest or deacon or layperson that I know of that has, in any way, a pedophile background." Smith retired that same month and was still a Roman Catholic priest.

By April 2002, some victims had begun litigation in connection with their past abuse. In a letter dated April 24, 2002, from counsel for the Diocese to the attorney for one of Smith's victims, the following statement was made:

... it must be understood that we cannot simply write checks because an event occurred 20, 30, or 40 years ago, but we must limit our assistance to rehabilitation and encourage people such as your client to attempt to put the past behind them and move on with their lives.

By February 2003, it appeared that Smith had moved on with his own life. A February 26, 2003, memo by Trautman documented that Smith had obtained employment as a counselor at "Turning Point" and that Trautman had relied on Smith's word that he disclosed his past abuses to them.

Trautman wrote a memo on July 22, 2003, documenting that Turning Point had made a complaint. Smith had never disclosed his history of child sexual abuse offenses to them. Trautman documented that "I felt he had made a complete recovery from alcoholism and sexual abuse. He

had been faithful to his treatment program and gives every indication of having taken full responsibility for his actions.”

Under public pressure, Trautman submitted a formal request to the Vatican on November 10, 2004, and requested the laicization of Smith. Now that Trautman needed a basis to remove Smith from the priesthood he acted with candor. Contrary to nearly every one of Trautman’s previous statements regarding Smith, Trautman now disclosed his knowledge to the Vatican in a confidential letter. Trautman admitted that the Diocese of Erie had been aware of Smith’s abuses since at least 1987. Trautman disclosed that Smith abused boys between 7 and 12 years of age. He described Smith’s acts as chilling and noted that Smith used physical force to bring about the offenses and threats to secure the secrecy of his crimes. Trautman wrote that Smith invoked the name of God to justify his actions against his victims while using their faith and the priesthood to manipulate them and secure their silence. Trautman noted that, even after Smith was told to avoid any and all occasions that would place him in the company of minors, he continued to do so in a public manner. For example, he was photographed assisting high school students in the collection of food for the poor and the photograph was published in the local newspaper. Trautman summarized Smith’s worldview and stated that he saw his victims as objects rather than people.

The Vatican finally acted in 2006 and removed Smith from the priesthood. Smith’s former flock was never told the reason for his removal. On August 3, 2006, Trautman directed the pastor of St. Hippolyte to make the following notation in the record of the parish with respect to Smith: “Dismissed from the clerical state on June 10, 2006 by Pope Benedict XVI. Nothing else need be noted.”