

**DIOCESE OF  
GREENSBURG**

**THE DIOCESE OF GREENSBURG**

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June 20, 2018

**VIA FEDERAL EXPRESS**

The Honorable Norman A. Krumenacker, III  
Supervising Judge  
Fortieth Statewide Investigating Grand Jury  
200 South Center Street  
Ebensburg, PA 15931

**RE: RESPONSE OF DIOCESE OF GREENSBURG TO REPORT NO. 1 OF THE  
FORTIETH STATEWIDE INVESTIGATING GRAND JURY**

Dear Judge Krumenacker:

In accordance with your May 22, 2018 Order, and on behalf of the Diocese of Greensburg ("the Diocese"), I am attaching the Statement that I previously submitted to the Fortieth Statewide Investigating Grand Jury as the Diocese's response to Report No. 1. In doing so, I respectfully request that this letter and my Statement be attached and appended to Report No. 1 before it is made part of the public record.

My Statement and the Diocese's Response to Report No. 1 can be summarized in five words: *This is not today's Church*. As Report No. 1 sets forth in heartbreaking detail, there have been occasions where the Church and the Diocese have faltered in their protection of children, young people and vulnerable adults, and for those the Diocese apologizes to the survivors and their families and continually offers assistance to help them heal. But, while Report No. 1 undertakes an extensive historical analysis of the Diocese's past failures, what Report No. 1 does not do in the same exhaustive detail is highlight, as my Statement does, how the Church and the Diocese have progressed, evolved and dramatically reformed over the last thirty years to the point that today's Church now does more than any other organization to protect children and help survivors of child abuse. Indeed, the vast and expansive child protection policies, procedures and practices currently in place in the Diocese, as set forth in my Statement, ensure that what may have happened in the past is not happening now, and will not be repeated, in today's Church.

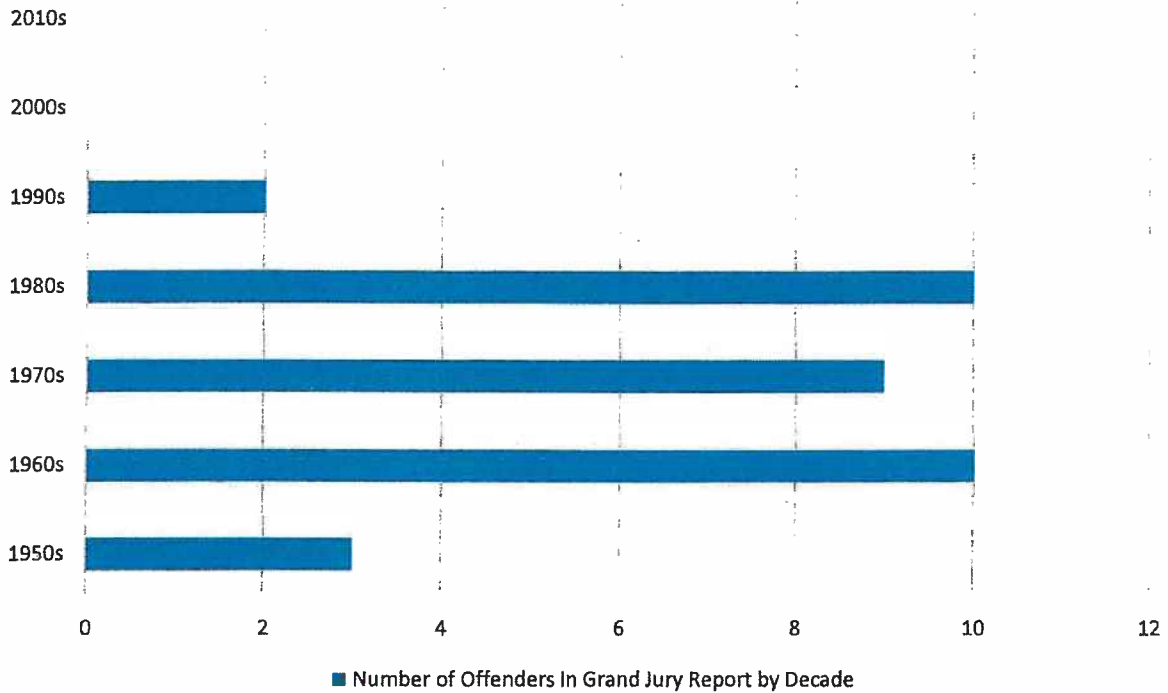
Respectfully,

*Edward C. Malesic*

The Most Reverend Edward C. Malesic, JCL  
Bishop of Greensburg

Enclosure  
cc: Daniel J. Dye, Esquire  
{01425257;v2 }

### Number of Offenders in Grand Jury Report by Decade



**METHODOLOGY:** The Grand Jury Report identifies 20 “offenders” from the Diocese of Greensburg (pages 115-116). The above chart tracks the number of “offenders” by decade. An “offender” was listed in a decade based on when the alleged offense occurred, and not when the report of the offense was made. A single “offender” may appear in multiple decades based on offenses occurring in different decades; e.g., if Priest A offended in the 1980s and the 1990s, he is listed in each decade. Thus, the totals by decade added together exceeds 20 “offenders.”

For purposes of this chart only, the Diocese charted all “offenders” listed in the Report who were associated with the Diocese of Greensburg.

## **Statement of Bishop Edward C. Malesic of the Diocese of Greensburg, Pa.**

### **Introduction**

I am grateful for the opportunity to present this information to the Office of the Attorney General for use by the 40th Statewide Investigating Grand Jury, and to show how the Diocese of Greensburg constantly rededicates itself to the care and protection of the children, youth and vulnerable adults in our care. This commitment by the Diocese is one of continued progress and improvement as society has learned more about the causes of abuse and the impact it has on survivors. Yes, there have been occasions where we have faltered, and for those the Diocese apologizes to the survivors and their families and continually offers assistance to help them heal.

From the beginning of my priestly ministry in 1987, and through my episcopal ordination and installation as the fifth Bishop of the Diocese of Greensburg on July 13, 2015, the protection of *all* children, young adults and vulnerable adults has been of the utmost importance to me, whether those individuals are under the supervision of the Diocese or some other organization.

When I was ordained a priest more than 30 years ago, like all people of good will, I was already committed to the protection of all children and youth. As I have said in homilies and other public addresses, the Church must be held to higher standards because of what we believe, what we teach and who we are.

We pray for all the survivors of abuse — no matter when it occurred, where it occurred or to whom it occurred. I applaud and support all the survivors of abuse who have come forward to report what happened to them. It doesn't matter what the circumstances were or who the abuser was; the survivors' scars run deep, and their pain never goes away. But we do more than pray. They need our help, and we stand ready to assist them with counseling, love and our sincere apologies for any failures on the part of the Diocese.

While I am not proud of the Diocese's past failures in this regard, I am proud of our ongoing and continually evolving response, our efforts to protect and our efforts to help survivors heal. I am proud to be a Catholic priest; I am proud to be the Bishop of Greensburg; and I am proud of the many faithful, generous and hardworking Catholics who make up our Diocese. Our parishioners can be proud of the processes and procedures we have in place today to protect children and report any abuses of which we are aware. We are a strong community of Christian believers who have accepted responsibility and apologized for the long-ago actions of a few clergy and laypeople in this Diocese.

The John Jay study presented to the United States Conference of Catholic Bishops in 2011, "The Causes and Context of Sexual Abuse of Minors by Catholic Priests in the United States, 1950-2010," showed that the incidents of sexual abuse by Catholic priests rose from the mid-1960s through the late 1970s, then declined in the 1980s. The John Jay report also noted that, at that time, there was a substantial increase in knowledge and understanding in American society about victimization and the harm of child sexual abuse. The understanding of the causes of sexual offending have advanced, and the research related to the treatment of sexual abusers has expanded. All of society has learned much from the research referenced in the John Jay report.

The most recent national annual audit on diocesan compliance with the U.S. Conference of Catholic Bishops' "Charter for the Protection of Children and Young People" — conducted in every Catholic diocese in the U.S. by independent investigators, compiled in 2017, and covering the audit year from July 1, 2015, to June 30, 2016 — shows significant progress in the Church's work to help survivors of clergy sexual abuse find healing and the Church's efforts to ensure that abuse does not happen in the future.

As a Church, we know that sexual predators will never go away so we must focus daily on our vigilance to protect our children and eradicate this horrendous crime. To be clear, this vigilance must be extended to all aspects of society, as no organization is immune from this evil.

We all recognize that our children must be protected both within and outside of the Church. We must continue to educate ourselves and our children to know the signs of abuse and how to report it. I think we in the Diocese of Greensburg are doing an outstanding job of protecting our children — in fact, I think we are second to none.

The Diocese works diligently to make sure that our children are safe with all of our priests, seminarians, deacons, employees and volunteers. We continue to do our best to form healthy and holy men who will serve us as good and faithful priests and deacons in the future. We fully vet everyone who ministers, works or volunteers within the Diocese to the best of our ability with no less than three Pennsylvania-mandated background checks: (1) Pennsylvania Act 33 (child abuse clearances); (2) Act 34 (criminal background checks); and (3) FBI fingerprinting, or a signed affidavit affirming that the person has not committed any crime that would prevent them from working with children or youth (if the person has lived in Pennsylvania for at least 10 years). And we require that all clergy, staff and volunteers have mandated reporter and child abuse awareness training. That includes me, the Diocesan Bishop.

Everyone serving or working for the Diocese in any capacity must be proactive in reporting any suspicion of child abuse, which is why we routinely explain how to do this in our Diocesan newspaper, on the Diocesan website and in our parishes and schools.

Of course, we are human. We recognize that there are people who will want to take advantage of our goodness and innocence. We also recognize that, despite checks and rechecks, no organization is infallible. This is why we need to ensure that our parishes and schools are the safest places possible for our young children and teenagers to pray, play and grow in the practice of their faith in God.

We regret that other organizations have not benefitted by following the strong example that our Diocese and other dioceses have set in combatting abuse. We recently have learned of widespread abuses in sports and entertainment and are reminded how organizational behaviors can allow this to begin in the first place and to continue happening for years. People are learning now what we came to understand years ago — no institution is immune from this crime and every single member of society must constantly be vigilant to protect our children and the most vulnerable members of our communities.

#### **Our Commitment to Child Protection**

The Diocese of Greensburg requires that every report of suspected abuse of a child, young person or vulnerable adult — sexual, physical or emotional — that is made to the Diocese be immediately reported to PA ChildLine and law enforcement.

We ask that if anyone suspects that a child, young person or vulnerable adult has been abused by any person at any time, the person should call PA ChildLine at 1-800-932-0313, no matter when or where the suspected incident might have occurred. We do this in our parish communications. Notices to this effect are regularly published in parish bulletins and the Diocesan newspaper, *The Catholic Accent*.

The diocese treats its employees as mandated reporters and these same employees are therefore required to contact PA ChildLine if they have any suspicions whatsoever of abuse of a minor, whether by Diocesan clergy, an employee or a volunteer. And the Diocese continues to educate and train the children and adults in the Diocese on how to spot and report abuse.

As Bishop of Greensburg, I openly invite survivors to meet with me to pursue healing and reconciliation as part of the Diocese's commitment to work closely with victims and their families for wholeness and healing. The Diocese also oversees the provision of free counseling, including the offer of independent outside counseling services and contact with support groups and other social service assistance, regardless of when the alleged abuse occurred and whether or not the alleged abuse occurred within the Diocese of Greensburg.

In the relatively short time that I have served the Diocese of Greensburg, I have directed that there be two separate reviews of the Diocesan clergy personnel files to ensure that no one who is or was the subject of a credible or substantiated allegation of improper conduct with a child or young adult is currently serving in any ministerial capacity in the Diocese. One of these independent reviews was conducted by retired Westmoreland County Judge John Driscoll. Neither of the independent file reviews revealed credible or substantiated allegations of prior sexual misconduct by a priest currently serving in the Diocese of Greensburg. The reviews were not undertaken because of an order from an outside agency.

### **The USCCB and the Charter**

The "Charter for the Protection of Children and Young People" and the "Essential Norms" are two documents that were approved by the United States Conference of Catholic Bishops (USCCB) at its national meeting in 2002 in the wake of the national sexual abuse scandal that came to light earlier that year. The Charter created a national policy that put in place structures at the Conference level and required more comprehensive Diocesan structures to be established to create safe environments for children and young people, to reach out to victims and assist them, to end secrecy, to immediately report abusers to law enforcement and cooperate in all law enforcement investigations, and to permanently remove abusers from all ministries.

The USCCB policies established "zero tolerance," which requires that any cleric credibly accused of abusing a child is to be immediately removed from ministry pending a complete and independent investigation. In the event that the allegation is substantiated, the priest is never to be reassigned to ministry. The Norms require all Bishops to adhere to this national policy. The Charter and Norms also require annual independent audits to ensure that each Diocese is in compliance.

### **The Diocese's Charter Compliance**

The Diocese of Greensburg has been determined to be in compliance with the Charter and Norms in every one of its external audits conducted from 2003 to the present. The audits

from 2003 until 2011 were conducted by the Gavin Group and from 2012 until the present by StoneBridge Business Partners. Both audit firms are independent from the Diocese and hired by the USCCB to monitor the compliance of the Diocese with the Charter. The Diocese of Greensburg is firmly committed to continuing all of the measures mandated by the Charter to prevent the sexual abuse of children and young people.

### **The Diocese's Policy Growth and Development**

The Diocese of Greensburg has had policies on clergy sexual misconduct in place since at least 1985, two years before I was ordained a priest. The policies have evolved and been updated as evidenced-based best practices dealing with the mental health issues of abusers and their victims and the short-term and long-term trauma of the survivors of the abuse have evolved. Current policies also emphasize the absolute necessity of letting law enforcement use their professional expertise to complete their investigation of allegations before the Diocese begins its internal canonical review. At all times, the Diocese defers to law enforcement's investigation and directives.

In April 1985, Bishop William G. Connare, the second Bishop of Greensburg, established the Diocese of Greensburg's first written policy on Clergy Sexual Misconduct.

In September 1994, a more detailed policy on Clergy Sexual Misconduct was promulgated by Bishop Anthony G. Bosco. In that policy, Bishop Bosco established a Clergy Sexual Misconduct Review Board consisting of one priest and five independent laypeople from the legal, counseling and child psychology professions who serve for five-year terms.

In 2002, in line with the charter, the Diocesan Review Board was created to replace the Clergy Sexual Misconduct Review Board. The Diocesan Review Board is an advisory group to the Diocesan Bishop and serves as a confidential review body. This group is convened by the Bishop's Delegate. The Bishop's Delegate, appointed by the Diocesan Bishop, is the person in charge of overseeing investigations of clergy sexual misconduct and recommending subsequent interventions, related to the cleric in question, to the Vicar General and the Diocesan Bishop. The Review Board develops those reports and recommendations for the Bishop's Delegate and provides the Delegate advice and recommendations regarding a pastoral response to victims and a comprehensive response plan for an affected parish or institution. The Diocesan Review Board's work is completely independent from the investigation that is conducted by law enforcement. On the part of the Diocese, nothing is ever done to compromise or obstruct any law enforcement investigation.

The Diocese's Clergy Sexual Misconduct Policy was further revised as a result of the Charter with the addition of a Victims Assistance Coordinator who is appointed by the Diocesan Bishop to provide appropriate spiritual and psychological help to families, parishes and church institutions impacted by an abuse allegation.

In 2002, the Diocese of Greensburg also thoroughly reviewed the personnel files of every Diocesan priest who had served in the Diocese since its formation in 1951. This review found indications of possible improper conduct on the part of some priests dating from 1962-1982. Information on all of these cases was forwarded to the Westmoreland County District Attorney. The Diocesan Review Board reviewed all the cases, and the Diocesan Bishop accepted the recommendations of the Board. As a result, some of the priests were banned from public ministry. The District Attorney never filed charges in any of the cases referred to him.



Also beginning in 2002, all Diocesan priests and Religious Order priests with a diocesan assignment were required to comply with Pennsylvania Act 33 (child abuse clearances) and Act 34 (criminal background checks). Before a cleric from outside the Diocese receives permission to minister in the Diocese of Greensburg, he must have the above mentioned state clearances and is required to submit to an FBI fingerprint clearance search, as well as present a current letter of suitability for ministry from his Diocesan Bishop or religious superior that documents the cleric's good standing.

In April 2003, the Diocese promulgated its Policy to Protect Minors, which was a consolidation of all of its existing personnel policy requirements governing Diocesan employees and volunteers who have significant contact with minors. These requirements include the Acts 33 and 34 background checks and clearances. This policy was further refined in September 2003 with the additional mandate that all lay employees and volunteers, in addition to clergy, who have significant contact with minors, receive child protection training.

In September 2012, Bishop Lawrence E. Brandt, my immediate predecessor, promulgated the "Code of Pastoral Conduct," which brought all earlier Diocesan policies into one document and clearly set forth standards and expectations for all people who act in the name of the Diocese. It applies to all bishops, priests, deacons, religious and lay members of the faithful — including all employees and volunteers — who assist in providing pastoral care in the Diocese of Greensburg, including its parishes, schools, programs and other Diocesan entities. The "Code of Pastoral Conduct" provides a new level of protection by including in Diocesan Policy the protection of vulnerable adults and by defining boundary issues.

I reaffirmed this same "Code of Pastoral Conduct" on July 14, 2015, the day following my episcopal ordination and installation as the fifth Bishop of the Diocese of Greensburg. The "Code of Pastoral Conduct" is posted on the Diocesan website.

#### **Diocesan Outreach to Protect Children**

The Diocesan website, [www.dioceseofgreensburg.org](http://www.dioceseofgreensburg.org), has a link on its homepage that provides people an accessible way to report any concern about clergy, employee or volunteer sexual misconduct. Here, anyone can readily access the Diocesan "Code of Pastoral Conduct," and the USCCB Charter and Norms.

The Diocesan newspaper, *The Catholic Accent*, regularly publishes the contact information for PA ChildLine and for reaching the Bishop's Delegate regarding matters of sexual misconduct. Every parish receives contact information for PA ChildLine and the Bishop's Delegate in a regularly-scheduled reminder published in their weekly bulletins, as well as informational posters that are required to be displayed prominently in every Diocesan parish, school or other Diocesan entity. Mandatory and regular publication of this information in the Catholic newspaper, the parish bulletins and on the Diocese website is the Diocese's way of reaching out to victims and encouraging them to come forward.

In 2003, the Diocese established a victim's abuse reporting line. This telephone number allows anyone to report suspected child abuse to the Diocese after they have contacted PA's ChildLine. To our knowledge, no other private or public institution undertakes this extensive outreach to protect children, which is an indication of just how seriously the Diocese takes this issue.

### **Child Protection Training**

As of the end of the 2016-17 fiscal year, the Diocese of Greensburg has provided VIRTUS, Protecting God's Children, training to more than 12,000 adults — employees and volunteers — since instituting the program in 2003. VIRTUS is the brand name of a best practices program designed to help recognize and prevent misconduct within religious organizations, primarily in the areas of child sexual abuse and other inappropriate sexual behavior. This type of training, or its equivalent, was mandated by the USCCB Charter and Norms. As of June 30, 2017, the Diocese has invested more than \$150,000 in training and educating people through the VIRTUS child protection program. VIRTUS training, or its equivalent, is now required of everyone who volunteers or works in the Diocese. That includes me, all clergy, school employees, parish-based employees and all volunteers.

The Diocese also requires mandated reporting training for all clergy and employees, educating them about the legal requirements for reporting suspected child abuse under the Pennsylvania Child Protective Services Law that went into effect in May 2007 and was updated in December 2014. Moreover, in this past year alone, nearly 10,000 children in our Catholic schools and parish-based religious education programs in the Diocese have received age-appropriate abuse prevention education.

The Commonwealth of Pennsylvania enacted new legislation, which went into effect in December of 2014, that updated, among other items, the Child Protective Services Law related to the reporting of suspected child abuse and background checks. The Diocese of Greensburg, taking the broadest interpretation of those requirements, requires all of its employees and all of its volunteers, whether or not they work directly with children and teens, to go through the state-mandated background checks and to adhere to the new reporting laws. That includes *every* member of the clergy, including me, and *every* employee and *every* volunteer working in any Diocesan entity, including in the parishes and Catholic schools, whether they work directly with children or not.

### **The Diocese's Policies in Practice**

The recent case of Father John T. Sweeney is an example of how effective and efficient the Diocese's current child protection policies and procedures are in practice and how they should serve as a model to be replicated by others.

The Diocese of Greensburg was informed by the Westmoreland County District Attorney's Office on Sept. 20, 2016 that a report of alleged sexual abuse of a child involving Father Sweeney dating back to the early 1990s was made to PA ChildLine. This news was surprising to the Diocese, because the Diocese had uncovered no information raising concerns about Father Sweeney's conduct with children during the multiple independent reviews of his clergy personnel file. Indeed, Father Sweeney's file did not contain a single prior allegation of sexual misconduct, whether credible or not. Nevertheless, the Diocese moved immediately to respond to the PA ChildLine report.

In accordance with Diocesan policy, as soon as the Diocese was made aware of the allegation, Father Sweeney was removed from Holy Family Parish, West Newton, where he had been serving as pastor since Oct. 30, 2008. His priestly faculties were immediately suspended and he was placed on administrative leave effective Sept. 21, 2016, pending an investigation by law enforcement. At that time he was prohibited from presenting himself as a priest in public,

and his residence was transferred to the retired priest facilities at the Bishop Connare Center. He was required to avoid any unsupervised contact with minors.

A few days later, all of the information related to the allegation against Father Sweeney, along with his entire personnel file, was provided to the Office of Attorney General.

At the request of law enforcement officials, the Diocese of Greensburg did not publicize the allegation, even though the canonical precept entered against Father Sweeney on Sept. 21, 2016 made clear to him that he was being removed from ministry for allegedly offending a minor. The Diocese fully cooperated with law enforcement's investigation of the allegation and, at the same time, continued to cooperate with the Grand Jury's ongoing investigation of sexual abuse of minors.

More than ten months after removing Father Sweeney from ministry, on July 24, 2017, Father Sweeney was arrested and charged with one felony count of sexual abuse of a minor.

In response to Father Sweeney's arrest, I sent a letter to every parish in the Diocese to be disseminated to parishioners at the weekend Masses of July 28-29, 2017. Each parish where he had served received a letter specific to them. The letter included the list of his assignments, and a request for anyone who had information pertaining to Father Sweeney to call the Pennsylvania Office of Attorney General's hotline number, which was included in the letter.

The letter also included the fact that the Diocese offers free counseling through Catholic Charities to anyone who has been impacted by sexual abuse by church personnel, even if the abuse occurred in another Diocese.

Parishioners were reminded in the letter that every report made to the Diocese involving the suspected abuse of a child, young person or vulnerable adult — whether the abuse is sexual, physical or emotional — is immediately reported to PA ChildLine *and* the appropriate District Attorney.

I attended the three weekend Masses at the parish where Father Sweeney's alleged abuse took place. I delivered the homily, reminded parishioners of the Diocesan commitment to protect children and assured them that the Diocese took immediate action to remove Father Sweeney from his assignment as soon as it learned of the report. I invited anyone who had a question or concern to talk with me or a diocesan counselor, who was also present at all three Masses, immediately after Mass.

Despite the Diocese's full cooperation with the Office of the Attorney General's investigation into the allegations made against Father Sweeney, the Presentment recommending charges be filed against Father Sweeney omitted any notation of such cooperation. Moreover, when Father Sweeney's arrest was unexpectedly announced at a press conference outside of the parish where he had served, many of the parishioners mistakenly believed that one of the current priests at the parish had been implicated. And, even more concerning, the graphic nature of the charging document filed against Father Sweeney directly implicated a long-time and well-respected employee of the parish who is deceased, suggesting, without any evidence whatsoever, that she may have been complicit in the alleged misconduct attributed to Father Sweeney. This was not only traumatic for the woman's family and parishioners, but it also was unfair to the deceased woman who was unable to defend herself against such scandalous accusations.

### **The Diocese's Other Good Works**

Unfortunately, all too often lost in talk of the Catholic Church and child sexual abuse is all of the good work that the Diocese of Greensburg does for parishioners and the community in the realm of education and social services. The Diocese is the second smallest Catholic Diocese in Pennsylvania, consisting of four counties — Armstrong, Fayette, Indiana and Westmoreland — that are primarily rural with areas of high poverty rates. Three of the four counties are among the poorest 10 in the Commonwealth of Pennsylvania. There are approximately 137,000 registered Catholics in a geographic territory of 3,334 square miles. Although we are small, we have big hearts.

But despite its small size and limited resources, the Diocese provides a wide range of ministries, including Catholic schools, faith formation, and social services and charitable support, primarily through Catholic Charities of the Diocese of Greensburg. Catholic Charities was established in 1954 as the primary social service arm of the Catholic Church in the Diocese. Rooted in the Gospel and social teaching of the Church, its mission is to serve the human needs of individuals and families, regardless of their religious affiliation, and to provide leadership in building collaborative efforts with parishes and communities in addressing these needs.

Catholic Charities provides adoption and foster care services; counseling services; emergency assistance such as food and utilities; natural family planning and the Diocesan Poverty Relief Fund Grant program. Recently, Catholic Charities began coordinating the Diocese's outreach to help communities suffering from the ravages of the opioid epidemic.

Due to the support of the people of the Diocese, Catholic Charities has raised \$1.2 million through its annual Communities of Salt and Light Award Dinner, which started in 1999. All of those funds have been used to help people in need within the four counties of the Diocese in the form of temporary emergency financial assistance with food, utilities and other essentials. And, with the support of the people of the Diocese, Catholic Charities has administered the awarding of nearly \$364,000 in grants through the Diocesan Poverty Relief Fund program since it was established by Bishop Lawrence E. Brandt in 2009 to help support the organizations around the Diocese that also serve people in need.

Through a combination of special collections and Diocesan funds, the Diocese of Greensburg provided \$185,000 to help with relief after flash floods hit the city of Connellsville and surrounding communities in 2016. An agency staff member helped coordinate the effort that assisted 61 families with new furnaces, water heaters and oils tanks and repairs to furnaces and air conditioning systems. That same staff person is now helping the city of Uniontown recover from a tornado that hit the community in February 2018, destroying 47 homes and damaging another 200.

The parishioners of the Diocese repeatedly respond with generosity to calls for assistance to people around the country and throughout the world who are suffering from disasters. In September, parishioners contributed \$351,710 to a special collection to help victims of last summer's major hurricanes. The most remarkable example of generosity on the part of the parishioners of the Diocese occurred in 2005 when they donated more than \$1 million to aid victims of the December 2004 tsunami in southeastern Asia and Hurricane Katrina, which devastated New Orleans and much of the Mississippi Gulf Coast in August 2005.

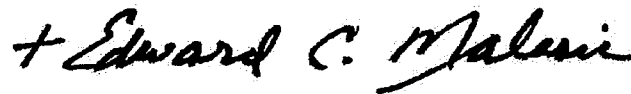
## Conclusion

In closing, I again extend my appreciation for this opportunity to explain the history of our Diocesan efforts to protect the young and vulnerable people in our care. I am saddened by our past failures — grievous failures and conduct I would have never condoned committed by men who, in many cases, I have never known — but I am proud of this Diocese's history in combatting this evil and I am proud of my predecessors' work to establish a safe environment for children and youth in the Diocese of Greensburg. And I am thankful for our faithful, who remain devoted through trying times.

We must all learn from our past mistakes — and we have. We must continue to move forward to help our brothers and sisters who are survivors of abuse heal and move forward with their lives. My heart goes out to all survivors, and I have come to appreciate the depth of their pain because of listening to them. We will remain ever vigilant, transparent in our actions and committed to our 'zero tolerance' policy.

Current Diocesan policies, procedures and processes should serve as a model for child protection programs to be replicated and emulated elsewhere — in schools, nursing homes, foster care programs, special education programs, youth sports and youth service organizations. All children in every situation must be protected.

We will work with every valued institution in our society to address this evil, prevent this crime, and help those survivors heal and move forward, too.

A handwritten signature in black ink that reads "Edward C. Malesic". The signature is written in a cursive style with a cross at the beginning.

The Most Reverend Edward C. Malesic, JCL  
Bishop of Greensburg



**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 NO. 1**

**RESPONSE OF MONSIGNOR THOMAS KLINZING, PURSUANT  
TO 42 PA.C.S. § 4552(E) TO THE GRAND JURY REPORT**

TO THE HONORABLE NORMAN A. KRUMENACKER:

Monsignor Thomas Klinzing, by and through its undersigned counsel, Schnader Harrison Segal & Lewis LLP, hereby submits this Response to portions of the Grand Jury Report (the "Report") received by Monsignor Klinzing on Monday, May 7, 2018 and Tuesday, May 29, 2018,<sup>1</sup> to be attached to and made part of the report before the report becomes public record, pursuant to 42 Pa.C.S. § 4552(e). We appreciate the opportunity to provide this Response to address factual allegations and conclusions that are incomplete or ignore evidence available to the Grand Jury.

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<sup>11</sup> Undersigned counsel received a copy of 9 non-consecutive and redacted pages of the Report from Monsignor Klinzing on May 10, 2018. The Court provided thirty days to provide a response to be appended to the report pursuant to 42 Pa.C.S. § 4552(e). Next, on May 29, 2018, Monsignor Klinzing received additional excerpts from the Report and an Order of Court granting him until June 22, 2018 to respond.

## PERSONAL HISTORY AND BACKGROUND INFORMATION

Monsignor Thomas J. Klinzing, J.C.L. was ordained on May 8, 1971. He holds a Bachelor of Science in Chemistry from the University of Pittsburgh, a Bachelor of Arts in Philosophy from St. Mary's Seminary and University in Baltimore, a Master's degree in Divinity from St. Vincent Seminary, and a Licentiate in Canon Law from The Catholic University of America. In February 1986, Pope John Paul II named Monsignor Klinzing Domestic Prelate.

Monsignor Klinzing served as pastor or administrator in several parishes within the Roman Catholic Diocese of Greensburg. In 1978, Monsignor Klinzing was appointed Diocesan Secretary and Assistant Chancellor. As Diocesan Secretary between 1978 and 1983, Monsignor Klinzing did not have access to Diocesan files or confidential information. Between 1984 and 1988, Monsignor Klinzing served the Diocese as Chancellor and Vicar General. As Chancellor and Vicar General, Monsignor Klinzing had limited access to files or confidential information and no decision-making authority. The Bishops had the sole authority to restrict the ministry of priests and routinely ignored Monsignor Klinzing's counsel.

Presently, Monsignor Klinzing is a priest of the Diocese of Palm Beach Florida, serving as a pastor and as an ex officio member of various boards and committees within the Diocese.

The Grand Jury Report notes that Monsignor Thomas Klinzing "played an important role in the Diocese of Greensburg's handling of allegations of priest sexual abuse" and yet the Grand Jury was deprived of his testimony. Since the inception of the Grand Jury's investigation, Monsignor Klinzing has remained willing and available to appear before the Fortieth Statewide Investigating Grand Jury to provide testimony. Undersigned counsel contacted the Pennsylvania Office of Attorney General, identified the important role Monsignor Klinzing played in the



investigation of and response to child sexual abuse in the Roman Catholic Diocese of Greensburg, and expressed Monsignor Klinzing's willingness to travel from Florida to provide testimony.

Despite these efforts, Monsignor Klinzing was never asked to provide testimony and as a result, the excerpts of the Report provide are incomplete and in some instances, inaccurate. Had he been given the opportunity to testify, Monsignor Klinzing would have corroborated many of the Grand Jury's findings, provided significant additional details regarding the handling of child abuse cases within the Diocese of Greensburg, and discussed his documentation of significant events, several of which have been attached to this Response.

#### **THE MATTER OF FATHER EDWARD PARRAKOW**

In February of 1985, the Archdiocese of New York requested that Father Edward Parrakow ("Parrakow") be accepted in to the Diocese of Greensburg for 3-4 months. During the initial request, the Archdiocese of New York disclosed that Parrakow was undergoing counseling and failed to disclose the existence of sexual abuse allegations involving minors. Monsignor Klinzing's testimony before the Grand Jury would have disclosed that the Archdiocese of New York covered up and actively hid the abuse allegations pending against Parrakow.

Further, Monsignor Klinzing would have recounted a telephone conversation between the Archdiocese of New York and Bishop Connare, during which the Archdiocese explained that Parrakow was in counseling because "he was worn out from teaching at a girl's school." Monsignor Klinzing was not informed that during this telephone conversation it was disclosed to Bishop Connare that "the reason Parrakow was dispatched to New Mexico was a complaint of sexual abuse committed by Parrakow on a teenage boy fifteen years prior." Had the Archdiocese or Bishop Connare disclosed the allegations concerning the sexual abuse of minors, Monsignor

Klinzing would not recommend that he be accepted into the Diocese of Greensburg and would have counseled Bishop William Connare accordingly.

Parrakow received treatment at the Foundation House, at least through early 1986. Despite significant disclosures concerning the abuse of children during his treatment, the treatment and report of the doctor regarding Parrakow's time at the Foundation House was never shared with Monsignor Klinzing. Disclosure of the sexual abuse of children, Parrakow's acknowledgement of the abuse, and the decision to accept Parrakow into the Diocese rested with Bishop Connare. A letter dated December 11, 1985 to Parrakow from the Bishop of Greensburg, and provided to the grand jury, supports this notion. The Bishop notes that he returned the copy of the confidential report that the Foundation House shared with the Archdiocese of New York. The Bishop went on to report that "I have reviewed it carefully and feel that I am well aware of the information contained. I note a desire that this copy be destroyed. I agree with this and I felt that you would feel more comfortable having the copy so that you could destroy it yourself." (Attached as Ex. A).

Monsignor Klinzing did not become aware of the sexual abuse of minors while Parrakow was a priest of the Archdiocese of New York until 1989, after he was replaced as Vicar General. The Diocese of Greensburg inquired of Parrakow about his intentions to be incardinated in the Diocese. During that process, Parrakow signed a release form for the release of personnel records from the Archdiocese of New York. On January 30, 1989, information was requested from the Vice Chancellor for Priest Personnel of the Archdiocese of New York.

Had Monsignor Klinzing been called to testify before the Grand Jury, he would have provided testimony that he authored additional memoranda recommending to Bishop Bosco that he inquire further of Parrakow's past history and that if there are concerns, Parrakow should be

relieved of his duties and placed on administrative leave. Monsignor Klinzing also recalls advising Bishop Bosco to write a letter to the Archdiocese of New York informing them that Parrakow will be withdrawn from his assignment and that he is under their jurisdiction. Klinzing further recommended that Parrakow be told clearly not to have any contact with Victim Two or anyone in the parish. Monsignor Klinzing never received a response to his counsel of Bishop Bosco.

The excerpts of the Report provided to Monsignor Klinzing are inaccurate and incomplete in that they: (1) largely ignore the active cover up on the part of the Archdiocese of New York; (2) suggest that Monsignor Klinzing was privy to information closely held and ultimately destroyed by Bishop Connare; and (3) disregard Monsignor Klinzing's repeated efforts to have Parrakow placed on administrative leave and ejected from the Diocese of Greensburg.

#### **THE MATTER OF FATHER ROBERT MOSLENER**

The Report excerpts provided to Monsignor Klinzing summarize only a small portion of Monsignor Klinzing's involvement in the Moslener matter. Monsignor Klinzing's testimony before the Grand Jury would have revealed a concerted effort on the part of Bishop Connare to hide or destroy evidence of abuse and protect priests.

Monsignor Klinzing began alerting Bishop Connare to his concerns about Moslener in April of 1986, if not before. Had Monsignor been called to testify before the Grand Jury he would have described advice given to Bishop Connare regarding police reports received from the North Huntingdon Police Department. As a result of information provided by law enforcement, Klinzing counseled that the Bishop should speak to Moslener as soon as possible and remove him from his pastoral assignment immediately. Monsignor Klinzing did not receive a response

to his clear counsel. Instead, Bishop Connare instructed Monsignor Klinzing to destroy the police record. When Monsignor Klinzing informed the Bishop that he could not destroy a police report, Bishop Connare said that he “would take care” of the matter. Thereafter, Klinzing’s advice went unanswered and ignored.

On April 28, 1986, Monsignor Klinzing issued a confidential memorandum to Bishop Connare regarding Moslener’s use of inappropriate discussion of sexual matters in a school setting. Klinzing reported that he “told her [the religious principal of the parish school] not to allow Father Moslener in the classrooms until we can resolve this matter and advised the Bishop that “it is absolutely necessary to remove Father Moslener immediately and send him for psychological evaluation, or let him sit at St. Joseph Hall until some determination can be made.” (Attached as Exhibit B). A confidential memorandum dated April 29, 1986, confirms that Monsignor Klinzing ordered that Moslener be kept out of the school until the Bishop took further action.

On April 30, 1986, Monsignor Klinzing met with Moslener and told him to leave the parish and take up residence elsewhere. Moslener refused and said he would appeal to the Bishop. Klinzing, however, remained insistent and documented his efforts to get the Bishop’s attention. By way of example, in a memorandum dated September 18, 1986, Monsignor Klinzing reminds Bishop Connare that he “believe[s] it is absolutely necessary, pending this report, that we again reiterate to Father to stay out of any schools. This includes Natrona.” (Attached as Exhibit C).

Despite Monsignor Klinzing’s well documented and dogged efforts to get the attention and cooperation of Bishop Connare, the Report references one memorandum and ignores Klinzing’s repeated counsel to remove Moslener from ministry.

## THE MATTER OF FATHER ROGER SINCLAIR

In August of 1981, Monsignor Klinzing served the Diocese of Greensburg as the Bishop's secretary. While in this role, Monsignor Klinzing would have explained to the grand jury that the Bishops shared very little information with him. The meeting referenced and roughly summarized in the report was Monsignor Klinzing's only involvement in the matter. Monsignor Klinzing would have testified that on August 4, 1981, the first victim and his mother came to the Chancery office in Greensburg to see either Bishop Connare or Bishop Gaughan. Both Bishops were unavailable, so Monsignor Klinzing met with the mother and her child.

Monsignor Klinzing noted in his August 5, 1981 memorandum to Bishop Gaughan regarding the meeting that the child was physically upset and crying during the meeting. The child expressed a fear of Sinclair and a belief that Sinclair tells his Father things that get him in trouble. The memorandum notes that Sinclair drank to excess with the child's Father. During the meeting, the child also explained that his father yelled at him for "making up stories about Father Sinclair."

Following his meeting with the complainant, Monsignor Klinzing spoke with Bishop Gaughan by telephone. Bishop Gaughan directed Monsignor Klinzing to inform Father Bertolina of the situation and the mother of the victim that he would speak with her on Friday, August 7, 1981. Monsignor Klinzing complied with these directives. Based upon the documented conversation between Bertolina and Klinzing, it appears that both priests were focused on calming the parents down so that the child would be safe. The memorandum also noted that Sinclair left the Diocese to stay with his mother for a short period of time. Monsignor Klinzing also encouraged the mother of the victim to speak further with Father Bertolina.

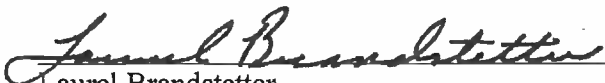
This more complete and accurate summary of the matter of Father Roger Sinclair demonstrates that despite Monsignor Klinzing's relatively minor role he took steps to document the reports made to him, took efforts to see that the child's father would not retaliate against him, informed those with authority within the Diocese of the matter, and went out of his way to see that a child was not unnecessarily caught in the middle of a brewing custody dispute.

### CONCLUSION

Throughout his lifetime as a priest, Monsignor Klinzing has remained steadfast in his desire to protect children and see that Diocesan policies for the protection of children are strictly followed. He has done so in the face of criticism and ostracization by the Bishops of the past. The Grand Jury's Report unfairly treats Monsignor Klinzing as a yet another individual who failed the children of the Church and more significantly, the Grand Jury lost the privilege of considering the testimony of an honest and direct advocate for the protection of children.

Respectfully submitted,

**SCHNADER HARRISON SEGAL & LEWIS LLP**

By:   
Laurel Brandstetter  
PA I.D. No. 87115

120 Fifth Avenue, Suite 2700  
Pittsburgh, PA 15219  
(412) 577-5115  
[lbrandstetter@schnader.com](mailto:lbrandstetter@schnader.com)

December 11, 1985

Reverend Edmond Parrakow  
315 Maryland Avenue  
Greensburg, Pennsylvania 15601

Dear Father Ed:

I am returning to you the copy of the confidential report which Father Perri shared with Father Mansell. I have reviewed it carefully and feel that I am well aware of the information contained. I note a desire that this copy be destroyed. I agree with this and I felt that you would feel more comfortable having the copy so you could destroy it yourself.

I was delighted with our interview the other day. Father Kilzling is following through on the arrangement with Father Ott for the holidays and Father Mackiewicz for the beginning of the new year. I assure you we are delighted to be able to help in any way we can. I am sure your presence among us will be a real blessing.

With all prayerful good wishes for you and your mother in these blessed days of Christmas, I am

Devotedly In the Lord,

Bishop of Greensburg

Enclosure



DG0004410



CONFIDENTIAL MEMORANDUM

TO: Bishop Connare  
FROM: Monsignor Klinzing  
DATE: April 28, 1986  
RE: THE ATTACHED

I met with Father Marcinek and Sister Joan Francis on separate occasions, on Sunday, April 27, 1986. Father Marcinek was upset about the letters and Father Moslener's actions in the classroom. He informed me that Father teaches one day a week in the 5th through 8th grades. After receiving this information he said he doesn't know how Father can stay in the parish.

Father Marcinek also told me that Father Moslener stated that the reason he came to see you last week was because of a past incident in his life, which he has to live with, and as a result he cannot teach in the high school or grade school. (Bishop, Father Marcinek is not stupid and he already has figured out Father Moslener's problem. He discussed the matter with Monsignor Charnoki, and he also discussed the problem with Father Joyce that day.)

By accident, I saw Sister Joan Francis, the principal of the school, who was able to give me much more detailed information. She stated that the problem started about three months ago and the teachers brought it to her attention within the last month. She stated that she tried to keep it in perspective and not create

DG0001897





MEMORANDUM

TO: Bishop Connare  
FROM: Monsignor Klinzing  
DATE: September 18, 1986  
RE: FATHER ROBERT MOSLENER

On August 4, we received a note from Father Moslener stating that he is now in therapy with a Russell H. Scott, Ph.D. Even though he's only been seeing the man for a month and a half, I think we should ask for a report from Dr. Scott in light of Father's request for a transfer..

Secondly, I believe it is absolutely necessary, pending this report, that we again reiterate to Father to stay out of any schools. This includes Natrona.

---

Chancellor



DG0001865

**CERTIFICATE OF SERVICE**


I hereby certify that on this 18th day of June, 2018, I served the within Response Of Monsignor Thomas Klinzing, Pursuant To 42 PA.C.S. § 4552(E) To The Grand Jury Report on the following persons and in the following manner. Such service satisfies the requirements of Rule 114 of the Pennsylvania Rules of Criminal Procedure:

*Via electronic and first-class mail addressed as follows:*

The Honorable Norman A. Krumenacker, III  
[nakadmin@co.cambria.pa.us](mailto:nakadmin@co.cambria.pa.us)  
Supervising Judge, 40<sup>th</sup> Statewide Investigating Grand Jury  
Cambria County Court of Common Pleas  
Cambria County Courthouse  
200 South Center Street  
Ebensburg, PA 15931

Daniel Dye  
[ddye@attorneygeneral.gov](mailto:ddye@attorneygeneral.gov)  
Senior Deputy Attorney General  
Criminal Prosecution Section  
1600 Strawberry Square  
Harrisburg, PA 17120

Julie L. Horst  
[jhorst@attorneygeneral.gov](mailto:jhorst@attorneygeneral.gov)  
Grand Jury Executive Secretary  
Criminal Law Division  
1600 Strawberry Square  
Harrisburg, PA 17120

  
Laurel Brandstetter  
Pa. I.D. No. 87155

Schnader Harrison Segal & Lewis LLP  
120 Fifth Avenue, Suite 2700  
Pittsburgh, PA 15222  
(412) 577-5115  
[lbrandstetter@schnader.com](mailto:lbrandstetter@schnader.com)



IN THE COURT OF COMMON PLEAS OF  
ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:	:	SUPREME COURT OF PENNSYLVANIA 2 W.D. MISC. DKT. 2016
THE FORTIETH STATEWIDE INVESTIGATING GRAND JURY	:	ALLEGHENY COUNTY COMMON PLEAS CP-02-MD-571-2016
	:	NOTICE NO. 1

**MONSIGNOR ROGER STATNICK'S RESPONSE TO REPORT NO. 1 OF THE 40<sup>TH</sup>  
STATEWIDE GRAND JURY**

Monsignor Statnick served in the Chancery of the Diocese of Greensburg for sixteen years (1989 to 2005) and in that capacity had a role in addressing allegations of sexual abuse. He helped handle dozens of allegations of abuse during his time in the Chancery. In his role, he consistently endeavored to put the need for pastoral care of victims of abuse and their rights first. He believes he did so with the best of intentions and his abilities and that his work in the Chancery reflects that fact.

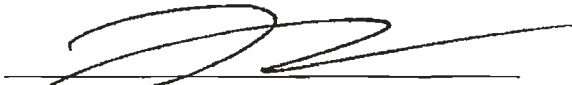
The Grand Jury Report appears to concur with this assessment. Despite his long tenure in the Chancery, his having been involved in handling dozens of allegations, and the Report indicating that "he played an important role in the Diocese of Greensburg's handling of allegations of priest sexual abuse," the Report mentions Monsignor Statnick by name only in four places based on the materials disclosed to him. Most of these concern Monsignor Statnick simply being involved in the processing of an allegation of abuse or trying to pastorally provide for a victim (*see* pages 482, 493, and 504). A plain reading of the Report reveals that no allegations of misconduct

or efforts to hide allegations of abuse are directly levied against him.<sup>1</sup> Monsignor Statnick files this Response for the limited purpose of clarifying one point.

On page 482 of the Report, Monsignor Statnick's name is mentioned in a broader discussion of Father Charles B. Guth, who died in 1986. When an email from a victim of abuse was received by the Chancery on July 31, 2005, Monsignor Statnick forwarded the email to then Monsignor (now Bishop) Lawrence Persico. This was not a disregard for his role in the Chancery, nor should it be viewed as showing any lack of respect or compassion for this victim. Rather, at the time this email arrived, Monsignor Statnick was in the process of transitioning out of his position in the Chancery to a new role as pastor of a local parish, which position he assumed in August 2015. Because he was no longer going to be working in the Chancery and involved in addressing allegations of abuse, Monsignor Statnick forwarded this email to Rev. Persico, who was stepping into that role in the Chancery.

Monsignor Statnick sends his prayerful support to all victims of abuse.

Respectfully submitted



David J. Berardinelli, Esq., Pa. ID 79204  
DeForest Koscelnik Yokitis & Berardinelli  
436 Seventh Avenue, 30th Floor  
Pittsburgh, PA 15219  
*Attorney for Monsignor Roger Statnick*

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<sup>1</sup> Monsignor Statnick was not in the Chancery, and therefore had no involvement, at the time the Report's factual rendition of events concerning Edmond Parrakow and Raymond Lukac occurred. The Report does not reflect the involvement of Monsignor Statnick with any decision related to Robert Moslener.

IN THE COURT OF COMMON PLEAS OF  
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 NO. 1

CERTIFICATE OF SERVICE

I, David J. Berardinelli, Esquire, hereby certify that a copy of the foregoing RESPONSE TO REPORT NO. 1 OF THE 40<sup>TH</sup> STATEWIDE GRAND JURY was served on June 11, 2018 via overnight mail upon the following individuals:

The Honorable Norman A. Krumenacker, III  
Supervising Judge, 40<sup>th</sup> Statewide Investigating Grand Jury  
Cambria County Court of Common Pleas  
Cambria County Courthouse  
200 South Center Street  
Ebensburg, PA 15931

Daniel J. Dye  
Senior Deputy Attorney General  
Criminal Law Division  
1600 Strawberry Square  
Harrisburg, PA 17120

By:   
David J. Berardinelli, PA I.D. No. 79204  
DEFOREST KOSCELNIK YOKITIS & BERARDINELLI  
436 Seventh Ave., 30<sup>th</sup> Fl.  
Pittsburgh, PA 15219  
Phone: 412-227-3135  
Fax: 412-227-3130  
Email: berardinelli@deforestlawfirm.com

*Counsel for Monsignor Roger Statnick*