

EXCERPTS FROM REPORTS ON SEXUAL ABUSE BY CATHOLIC CLERGY

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Sexual abuse by Catholic clergy has been known by the general public in the **United States** since 1984. It has existed as a problem in the worldwide Catholic Church since its earliest days but through most of its history, from the 2nd century up to and including most of the 20th century, it has been covered in deep secrecy. The fact of sexual abuse of minors by Catholic clergy came to public awareness because the local and national media covered the story of a notorious serial sexual predator from the Diocese of Lafayette, Louisiana in 1984.

In a sense the first report on sexual abuse by Catholic clergy is the Book of Gomorrah or Liber Gomorrhianus written by St. Peter Damian in approximately 1048 to 1054. The author had been a monastic Abbot in Italy, later an archbishop and cardinal and finally declared a saint. His short book was actually a report about several types of sexual excesses by the clergy, which Peter Damian prepared and submitted to the pope, Leo IX. Sexual abuse of the young ranks among the worst since which Peter exposed. He also included a short section condemning ecclesiastical superiors for tolerating sexual excesses of their subjects. (cf. Pierre Payer, translator and commentator, The Book of Gomorrah, Ottawa, Wilfred Laurier University Press, 1982).

The event that thrust clergy sexual abuse of minors into the public arena in **Canada** was the exposure of systemic sexual and physical abuse of young boys at Mount Cashel Orphanage in St. John's Newfoundland in 1989.

The next prominent series of revelations and societal reactions was in **Ireland** in 1994. In that year the public learned of the extensive sexual abuse by the late Fr. Brendan Smyth, a priest of the Norbertine Order, who was originally from Northern Ireland but who molested children in the North, in the Republic of Ireland and in the United States.

The bishops of each country were no longer able to contain the growing problem especially by maintaining the traditional secrecy, which had always kept it from the public and nearly all of the Catholic laity. As the revelations continued victims and their supporters accused the bishops of having known about the abusing priests but of remaining silent. Rather than report accusations of sexual molestation and child rape to civil law enforcement, bishops regularly transferred the accused to different assignments, always in total secrecy.

The official Catholic Church's systemic response to sexual abuse by clergy has been criticized as having been inadequate, dishonest and destructive. However many persons inside

and outside of the Catholic Church have persisted in denying the extent to which the bishops have been responsible.

My experience with the sexual abuse of minors by Catholic clergy includes direct involvement with individual cases and with investigations throughout the United States. I have also been directly involved with investigations in Canada, the Republic of Ireland, Northern Ireland, the United Kingdom, Australia, New Zealand, Mexico, Italy and Austria. Throughout the period between 1985 and the present, a number of official bodies, most of which have been government related, have conducted investigations and published detailed reports. The most important aspect of the reports has been the causality of the scandal. In every report, the fundamental cause has been the inadequate reaction of the bishops.

This document contains selections from 18 out of 30 different reports prepared in three countries: the United States, Canada and the Republic of Ireland. State or national governments in all three countries have conducted investigations and published the results in the form of reports. Several ecclesiastical bodies have also created bodies to conduct research and publish reports. The excerpts selected are taken from 14 government-mandated reports, one privately prepared report and two Church sponsored reports.

Church sponsored reports

From Pain to Hope, National Conference of Canadian Catholic Bishops, 1992

Report on the Crisis in the Catholic Church in the United States, National Review Board of the United States Conference of Catholic Bishops, 2004.

The Defenbaugh Report. Archdiocese of Chicago, 2006

The Causes and Context of Sexual Abuse of Minors by Catholic Clerics in the United States, 1950-2010. John Jay College of Criminal Justice, May 18, 2011,

Canada – Official reports

Report of the Winter Commission, St. John's Newfoundland, 1989

Report of the Hughes Inquiry, St. John's Newfoundland, 1989

Ireland – Official reports

Report of the Ferns Commission, Diocese of Ferns, June 2005.

Commission to Inquire into Child Abuse (Ryan Commission), Dublin, Ireland, May, 2009

Commission of Investigation: Report into the Catholic Archdiocese of Dublin (Murphy Commission), Dublin, Ireland, November, 2009.

United States – Official reports

Report of the Grand Jury, Westchester County, New York. New York City, June 2002.

Report of the Special Grand Jury, Suffolk, County, New York. Long Island, New York, February, 2003.

Report on the Investigation of the Diocese of Manchester, New Hampshire. Attorney General of the State of New Hampshire, January, 2003.

Report of the Massachusetts Attorney General. Boston, Massachusetts, June 2003.

Report of the Grand Jury, Maricopa County, Arizona, Phoenix, Arizona, 2003.

Report of the Attorney General of the State of Maine. Portland, Maine. February, 2004.

Report of the Philadelphia Grand Jury. Philadelphia, PA. September, 2005.

Report of the Philadelphia Grand Jury II. Philadelphia, PA. January 23, 2011

Private Organizations

The Holy See and the Convention on the Rights of the Child, Catholics For Free Choice, Geneva, Switzerland, 2002.

Report on Sexual Abuse in the Archdiocese of Milwaukee, Peter Isely, Jim Smith, 2004.

1. MASSACHUSETTS ATTORNEY GENERAL'S REPORT

July 23, 2003

Summary

The investigation did produce evidence that widespread sexual abuse of children was due to an institutional acceptance of abuse and a massive and pervasive failure of leadership.

A. Top Archdiocese officials knew of the extent of the abuse problem for many years before it became known to the public.

B. The Archdiocese's response to reports of the sexual abuse of children, including maintaining secrecy of reports, placed children at risk.

C. The Archdiocese did not notify law enforcement authorities of clergy sexual abuse allegations. Clergy were not mandated reporters until 2002. Archdiocese policy of 1993 did not require reporting.

D. Archdiocese officials did not provide all relevant information to law enforcement authorities during criminal investigations.

E. The Archdiocese failed to conduct thorough investigations of clergy sexual abuse allegations.

F. The Archdiocese placed children at risk by transferring abusive priests to other parishes.

G. The Archdiocese placed children at risk by accepting abusive priests from other dioceses.

2. THE WINTER COMMISSION

St. John's, Newfoundland, Canada
1989

Conclusions and Recommendations, pages 13 & 14

Within the Archdiocese and elsewhere, victims of child sexual abuse have been wrongly blamed for their own victimization. The offender often contrives to gain the victim's apparent co-operation, but this in no way mitigates the offence. There is evidence that alcohol was offered to many of the victims for this purpose, and in some instances the offender drank excessively. But even without such inducements an adolescent is particularly vulnerable because an offender takes advantage of an adolescent's confused sexual feelings and offers friendship during a difficult period. Offenders may use other tactics that boost the self-esteem of adolescents to make them feel privileged by the offender's friendship.

The Commission has determined that between 1975 and 1989 the Archdiocesan administration had heard rumours, reports or formal accusations of sexual misconduct between priests and children on many occasions. Nevertheless, neither the current nor the previous Archdiocesan administration took decisive or effective steps to investigate further, to halt the abuse, or to inform parishioners of the risk to their children.

The first disclosures ~were inadequately dealt with by the Archdiocesan administration. This allowed the threat of sexual abuse to continue, though the poor handling of the early accusations of abuse may be understandable in the context of the times, when most people were not aware of the prevalence and dynamics of child sexual abuse, or the damage that it causes.

During the mid 1980s, despite the heightened awareness within society about the problem of child sexual abuse, Archdiocesan authorities seem to have continued following a minimal response policy to what was, by this time, a continuing series of informal and formal complaints. This was the case even when an individual known to the Archbishop came forward and disclosed to him that he had been abused as a child by one of the Archdiocese's still...active priests.

While weak organizational structures and poor government within the Archdiocesan Church were not direct causes of the sexual abuse of children, they allowed the abuse to continue. Lack of leadership, combined with weak communications, increased some priests' sense of isolation and created a sense of confusion. And the offenders may have felt that no one was watching them. Serious management errors in response to the initial suspicions of wrongdoing in the 1970s were compounded by continuing inaction. This lack of action also raises questions about the appropriateness of Archbishop Penney's responses in light of the Child Welfare Act then in place. When the accusations could no longer be denied, the Archdiocesan response was weak, defensive and unworthy of the Church. The Commission thus concludes that the events which occurred in the Archdiocese cannot be passed off as the manifestation of a disease: both the offenders and the Church management must be held accountable. The Church administration in the Archdiocese chose to deny the abuses and discount the victims' disclosures of criminal activity. Rather than reporting the allegations to civil authorities, the Archdiocesan administration chose to accept repeated denials of the allegations and allowed the abuses to continue.

3. THE HOLY SEE AND THE (U.N.) CONVENTION ON THE RIGHTS OF THE CHILD.

Report of *Catholics for Free Choice*.

September, 2002

Executive Summary

The Holy See and the Convention on the Rights of the Child: A Shadow Report provides a review of the Holy See's activities regarding the implementation of the Convention on the Rights of the Child. Prepared for the Thirty first Session of the Committee on the Rights of the Child, it focuses on the sexual abuse and exploitation of children and adolescents by members of the Catholic clergy and religious, and the concealment of this abuse by members of the leadership of the Catholic Church. It shows that the Holy See had ultimate responsibility for oversight of these cases, that it knew the abuse was occurring, that it did not assist the children in question, and that it took steps, even issuing binding international legislation, to prevent information about these cases from becoming public. Clearly, these actions are in violation of the Convention on the Rights of the Child (the "Convention"), as is the Holy See's failure to report this information to the Committee on the Rights of the Child.

4. DEFENBAUGH REPORT

Archdiocese of Chicago, U.S.A.

2006

Executive Summary

The most significant finding of this audit was the failure of the various Archdiocesan departments involved with issues of allegations of clerical misconduct of minors to communicate with each other, both orally and in the recordation of facts known to each archdiocesan staff: respectively, .who are delegated a responsibility in handling these issues. The audit found that communication of information and facts known or in the possession of various individuals were not communicated amongst each other which caused a watershed effect into a slippery slope whereby the archdiocese could not recover once the information became misplaced or omitted.

The audit found the Archdiocese of Chicago to have policies and procedures in place in order to respond to allegations of clerical sexual abuse of a minor. The audit identified that the Archdiocese of Chicago is not in compliance with its own policies, procedures and protocols.

5. PHILADELPHIA GRAND JURY I

2003-2005

Report issued Sept. 15, 2005

This report contains the findings of the Grand Jury: how dozens of priests sexually abused hundreds of children; how Philadelphia Archdiocese officials -including Cardinal Bevilacqua and Cardinal Krol -excused and enabled the abuse; and how the law must be changed so that it doesn't happen again. Some may be tempted to describe these events as tragic. Tragedies such as tidal waves, however, are outside human control. What we found were not acts of God, but of men who acted in His name and defiled it.

But the biggest crime of all is this: it worked. The abuser priests, by choosing children as targets and trafficking on their trust, were able to prevent or delay reports of their sexual assaults, to the point where applicable statutes of limitations expired. And Archdiocese officials, by burying those reports they did receive and covering up the conduct, similarly managed to outlast any statutes of limitation. As a result, these priests and officials will necessarily escape criminal prosecution. We surely would have charged them if we could have done so. But the consequences are even worse than the avoidance of criminal penalties. Sexually abusive priests were either left quietly in place or "recycled" to unsuspecting new parishes -vastly expanding the number of children who were abused. It didn't have to be this way. Prompt action and a climate of compassion for the child victims could have significantly limited the damage done. But the Archdiocese chose a different path. (Introduction to the Grand Jury Report, p. 1)

The behavior of Archdiocese officials was perhaps not as lurid as that of the individual priest sex abusers. But in its callous, calculating manner, the Archdiocese's "handling" of the abuse scandal was at least as immoral as the abuse itself. The evidence before us established that Archdiocese officials at the highest levels received reports of abuse; that they chose not to conduct any meaningful investigation of those reports; that they left dangerous priests in place or transferred them to different parishes as a means of concealment; that they never alerted parents of the dangers posed by these offenders (who typically went out of their way to be friendly and helpful, especially with children);

that they intimidated and retaliated against victims and witnesses who came forward about abuse; that they manipulated "treatment" efforts in order to create a false impression of action; and that they did many of these things in a conscious effort simply to avoid civil liability.

In short, as abuse reports grew, the Archdiocese chose to call in the lawyers rather than confront the abusers. Indeed Cardinal Bevilacqua himself was a lawyer, with degrees from both a canon law school and an American law school. Documents and testimony left us with no doubt that he and Cardinal Krol were personally informed of almost all of the allegations of sexual abuse by priests, and personally decided or approved of how to handle those allegations. (Overview of the cover-up by archdiocese officials, p. 3)

6. PHILADELPHIA GRAND JURY II

2010-2011

Report issued January 21, 2011

(The citations from this 128-page report are more extensive than in others because the report is so recent. The conclusions and findings are especially shocking because the same archdiocese was subjected to a 2-year grand jury investigation (2003-05) just five years. The findings then were shocking and the recommendations made were substantial. Now, five years later another investigation has documented that the archdiocese did not change but in fact engaged in even more deceptive and harmful practices. This grand jury indicted 4 priests: 2 for sexual abuse and 2, who were high officials, for endangering children as a result of their negligence. If convicted the latter two could be sentenced to 40 years in prison.)

In September 2003, a grand jury of local citizens released a report detailing a sad history of sexual abuse by priests of the Archdiocese of Philadelphia. That abuse was known, tolerated, and hidden by high church officials, up to and including the Cardinal himself. The previous grand jury was frustrated that it could not charge either the abusers or their protectors in the church, because the successful cover-up of the abuse resulted in the expiration of the statute of limitations. Now, measures taken in response to the previous report have led to new information about more recent abuse, which this grand jury was empaneled to investigate. The fact that we received that information, and from the church itself, is some sign of progress; and this time there will be charges. The present grand jury, however, is frustrated to report that much has not changed. The rapist priests we accuse were well known to the Secretary of Clergy, but he

cloaked their conduct and put them in place to do it again. The procedures implemented by the Archdiocese to help victims are in fact designed to help the abusers, and the Archdiocese itself. Worst of all, apparent abusers – dozens of them, we believe – remain on duty in the Archdiocese, today, with open access to new young prey. (Overview, p. 1)

First, experience now demonstrates that programs for aiding victims of clergy sex abuse cannot be operated by the church itself. Victims should be assisted by the state Victim Compensation Board, or by a completely independent non-profit organization that is not subject to Archdiocesan control. In either case the church must provide the necessary funding. The church, through its lawyers, is of course entitled to defend itself against civil or criminal claims; but it can no longer try to play both sides of the fence with its victims. (Overview, p. 11)

Even after receiving such a striking missive from a priest with a history of inappropriate relationships with minors, Msgr. Lynn and Cardinal Bevilacqua did nothing to ensure that he would no longer be able to ensnare adolescents in his “filth and stench.” Instead, they allowed Father Brennan to enter an abbey for seven months in 2000 and 2001, and then welcomed him back to parish ministry, where he remained until Mark Bukowski came forward in 2006 to officially report the sexual abuse. (Overview, p. 40)

As Secretary for Clergy under Cardinal Bevilacqua, Msgr. Lynn was responsible for protecting the welfare of children entrusted to the Archdiocese’s care by ensuring that no priest with a history of sexual abuse of minors was put in a position to prey on them. It was Msgr. Lynn’s job to investigate any allegations of sexual abuse by priests, and to review the Archdiocese’s secret archive files, where complaints were recorded. He was in a position to make sure that no priest with a history of sexual abuse of minors was recommended for assignments, much less for assignments with continued access to children.

Yet, time after time, Msgr. Lynn abdicated this responsibility. He did so, moreover, not through negligence or simple incompetence, but purposefully. He did so, with Cardinal Bevilacqua’s knowledge and at the Cardinal’s direction, as part of a knowing practice – continued over decades – of placing sexual predators in positions where they would have easy access to trusting minors, just as long as the Archdiocese was spared public exposure or costly lawsuits.

Msgr. Lynn did more than passively allow the molesters to remain in positions where they could continue to prey on children. When victims complained or scandal

threatened, he recommended to the Cardinal that the abusers be transferred to new parishes, where the unsuspecting faithful would not know to be wary and vigilant, and where the abusive clergymen could go on exploiting their positions of trust and authority to pursue their criminal depravity. In this way, Msgr. Lynn effectively shielded the predator priests from accountability and ensured them a continuing supply of victims. The Secretary for Clergy could at any time have referred serious allegations to law enforcement officials, who could have conducted proper investigations. That is certainly what any of us, the Grand Jurors, would have done in Msgr. Lynn's position. Protecting children was his duty. It just was not his priority.

Based on the evidence before us, it is clear that the Secretary for Clergy was acutely interested in shielding abusive clergy from criminal detection, in shielding the Cardinal from scandal, and in shielding the Archdiocese from financial liability. He showed no interest at all in defending the Archdiocese's children. On the contrary, he consistently endangered them. (Overview, p. 43-44)

In 1996, a panel of pastors recommended Father Cudemo's removal as pastor due to "several grave causes." By that point, Msgr. Lynn was aware of at least 10 formal allegations against the priest involving sexual abuse of girls. Yet one year later, in 1997, the Secretary for Clergy presented Father Cudemo with a certificate declaring him a retired priest "in good standing" in the Archdiocese of Philadelphia, and asking that he be permitted to function as a priest in any other diocese in the country. In March 2003, Father Cudemo told one of his former victims that the certificate was allowing him to minister in Orlando, Florida, where he now lives part-time. (Fr. Lawrence Cudemo, p. 48).

The partial information we have received was enough to appall us. At least 10 priests who were accused of sexual abuse sometime before 2005 remain in ministry within the Philadelphia Archdiocese today. Another 10 priests remain in ministry today despite more recent accusations – ones made since January 2005. In addition, 4 priests accused since January 2005 were kept in their assignments after they had been accused, but have since either died, been transferred to another diocese, or been removed. And 17 priests are currently in ministry even though the Archdiocese is on notice of "inappropriate behavior with minors." That is 41 priests who have remained in active ministry in the past five years after the Archdiocese learned of accusations or reports of their inappropriate behavior or sexual abuse of minors. Only 2 of these 41 have been listed on the Archdiocese's website as credibly accused, which means the identity of most of these priests remains unknown even to their parishioners. (Section V, Predator Priests Still In Ministry, p. 55-56)

Often taking direction from its attorneys, Archdiocese officials historically engaged in a deliberate strategy to bully, mislead, and stonewall victims. Sometimes the church hierarchy would send out agents to investigate the victims, looking for harmful information. Under no circumstances would the Archdiocese help victims' recovery by expressing remorse and acknowledging the abuse they had suffered. Reporting the priests' crimes to law enforcement was never considered. Worst of all, after victims bravely came forward and told Archdiocese officials their wrenching stories of rape and sodomy, the church hierarchy left their attackers in assignments where they could continue to prey on youngsters. This not only endangered more children; it also left the victims who had reported their abuse feeling that they were not believed. The rejection by the church traumatized fragile survivors yet again. (Section VI, Inadequate Assistance to Victims, p. 75)

The Secretary for Clergy consulted closely with the Archdiocese's lawyers along the way. The basic strategy was to take detailed statements from the victims, gather information about the victims and the victims' families, share as little information as possible with the victims, and conduct no actual investigations. If the priest did not confess, the allegation was deemed not credible and the priest remained in ministry. Sometimes the Cardinal would send a priest to an Archdiocesan hospital for therapy and evaluation before returning him to ministry.

In 2003, the Philadelphia Archdiocese introduced victim assistance coordinators and an investigator as an alternative to the procedure formerly overseen by the Secretary for Clergy. The victim assistance coordinators, however, were coached, as the Secretary for Clergy had been, by attorneys. And the Archdiocese's law firm, Stradley, Ronon Stevens & Young, hired the investigator. (Ibid. p. 79)

The reason the Archdiocese promises confidentiality is obvious. Victims are much more likely to speak with victim assistance coordinators, and give a candid account of their abuse, if they believe that their privacy will be protected, and that the people they are speaking with have no interest other than to help them.

Yet, unbeknownst to the victims, all of the supposedly confidential information that they provide to the victim assistance coordinators is passed on to the Archdiocese's law firm, Stradley Ronon Stevens & Young. Stradley lawyers, in turn, pass on reports of abuse allegations to law enforcement. But while the letters from the lawyers to civil authorities include only the most basic information – the names and contact information

for the victims and the perpetrators, and the dates and locations of the alleged abuses – the lawyers receive all of the detailed information that the victim assistance coordinators have gathered from the victims. (Ibid., p. 84)

There are two basic problems with the archdiocese's policy. First, as we have already discussed, victims have no idea that their statements can be used against them by the Archdiocese in future litigation. The church leads them to believe that their statements will be used only for their own assistance, and to ensure that their abusers are held accountable.

Second, and related to the first, Archdiocese officials are undoubtedly aware that victims' first reports of sexual abuse are not always entirely accurate. Overwhelmed by shame and feeling somehow responsible for their own abuse, victims might, for example, report being younger at the time of the abuse than they actually were. Or they might say that a priest overpowered them. (Ibid, p. 89)

In our view, what the staff of the Archdiocese's Office of Child and Youth Protection did in Mark Bukowski's [Mark was one of the victims who testified to the grand jury] case represented a clear violation of the victim's trust, if not outright fraud. (Ibid, p. 94).

As part of the canonical trial process, Father Brennan's lawyer has been afforded access to the mental health and military records that Mark thought would be used to help him. The lawyer has also been given numerous detailed statements taken from Mark and his family members at different times, as well as transcripts of their testimony at the canonical trial. (Ibid, p. 106)

Most evidence and information concerning clergy sexual misconduct in the archdiocese remains unavailable because church authorities will not release documents and records. The cumulative evidence from the above sources indicates, however, that:

- The Catholic leadership of the archdiocese knew that the sexual abuse of children and minors was a criminal act that caused long-term psychological and emotional damage to its victims.*
- Sexual abuse by clergy was considered by church authorities to be a particularly grave and serious offense with serious spiritual consequences.*
- The Milwaukee Archdiocese and at least some of the major religious orders operating within it knew that criminal sexual abuse by members of the clergy was occurring, mostly within parishes, schools and other family-based church institutions.*
- When knowledge of criminal activity against children and minors was brought to the*

attention of church officials, these crimes were not reported to civil authorities.

- The archdiocese, under the direction of Archbishop Rembert Weakland and Bishop Richard Sklba, transferred to new church assignments clergy with a history of sexually victimizing children without notifying police, parishes, schools or communities of the criminal conduct of these priests and religious.*
- Against the position of mainstream treatment providers, the archbishop repeatedly placed offenders in church operated facilities or programs where sexually abusive clergy were routinely reassigned to parishes instead of being professionally disciplined or dismissed.*
- Parishes and communities were misled as to the true nature of both the transfer and the re-assignment of clergy sex offenders.*
- Sexually abusive clergy, subsequent to transfer, committed further acts of sexual abuse against children and minors.*

They [the victim's family] were interviewed over and over [in the canonical trial] about their most painful memories. Their family was dissected in testimony before the canonical tribunal without anyone to defend them. The most private details of their lives were exposed to Mark's abuser. And all the while they have been kept in the dark. They were told the canonical proceedings are "confidential." (Ibid. p. 108)

Yet, as terrible as all that criminal depravity was, the grand jurors were just as appalled by the cynical and callous handling of clergy abuse by the Philadelphia Archdiocese hierarchy, up to and including the Cardinal. The 2005 grand jury report described how church officials conducted non-investigations that predictably failed to establish priests' guilt; how they transferred known abusers to parishes where their reputations were not known; how they successfully avoided involvement by law enforcement; and how they used investigations and intimidation to silence victims and fend off lawsuits. (Section VII, The Grand Jury's Recommendations, p. 111)

Conduct the review process in a more open and transparent manner.

If the Archdiocese wants to change the public's perception and regain the trust of parishioners, it should be more honest and open with the public. We saw situations in which the Archdiocese told the public that it cannot conduct an investigation because it did not know the identity of a victim. Yet we saw in their documents that they did.

We believe the Archdiocese should make public its files on sexual abuse allegations, including any "secret archive files." This should be done in a way to protect the privacy of the victim. At the very least, parishioners deserve to know whenever an

allegation of abuse is made against their priest. If the priest is cleared following an investigation, the reasons, along with the evidence, should be shared with the parish.
(Ibid, p. 120)

7. REPORT ON SEXUAL ABUSE IN THE ARCHDIOCESE OF MILWAUKEE

Peter Isely & Jim Smith

Feb. 10, 2004

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- When knowledge of criminal activity against children and minors was brought to the attention of church officials, these crimes were not reported to civil authorities.*
- The archdiocese, under the direction of Archbishop Rembert Weakland and Bishop Richard Sklba, transferred to new church assignments clergy with a history of sexually victimizing children without notifying police, parishes, schools or communities of the criminal conduct of these priests and religious.*
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- Parishes and communities were misled as to the true nature of both the transfer and the re-assignment of clergy sex offenders.*
- Sexually abusive clergy, subsequent to transfer, committed further acts of sexual abuse against children and minors. (Summary, p. 5-6)*

8. THE REPORT OF THE FERNS COMMISSION

Dublin, Ireland
October 25, 2005

(The Ferns Commission was established by the Irish Government in 2004 and chaired by Mr. Justice Francis Murphy, formerly of the Irish Supreme Court. The investigation was prompted by revelations of widespread sexual abuse of children by a number of priests of the Catholic Diocese of Ferns, south of Dublin. As a result of the revelations in March, 2002, Bishop Brendan Cumisky resigned as bishop.

Bishop Comiskey complained that the priests of the Diocese were reluctant to inform him of information or suspicions which they had in relation to child sexual abuse by their colleagues. The Inquiry did hear evidence, which supported this concern. The failure to communicate with the Bishop was a particular problem as Bishop Comiskey was new to the Diocese and did not have the benefit of a network of informal contacts who might have briefed him on issues of importance to his ministry.

However, where complaints were made by either victims or parishioners, they were not handled in a sensitive or supportive manner, which led to further hurt and alienation for the complainant. (Report, p. 30).

9. REPORT INTO THE ARCHDIOCESE OF DUBLIN (*THE MURPHY REPORT*)

Dublin, Ireland
July, 2009

(The Murphy Report takes its name from Justice Yvonne Murphy, chairperson of the government appointed committee to investigate child sexual and physical abuse by priests of the Archdiocese of Dublin in Ireland. The airing of the RTE documentary Cardinal Secrets in October 2002 prompted the commission. This documentary is the work of Irish investigative journalist Mary Raftery.)

The Dublin Archdiocese's pre-occupations in dealing with cases of child sexual abuse, at least until the mid 1990s, were the maintenance of secrecy, the avoidance of scandal, the protection of the reputation of the Church, and the preservation of its assets. All other considerations, including the welfare of children and justice for victims, were

subordinated to these priorities. The Archdiocese did not implement its own canon law rules and did its best to avoid any application of the law of the State. (Overview, p. 4)

The authorities in the Archdiocese of Dublin and the religious orders who were dealing with complaints of child sexual abuse were all very well educated people. Many had qualifications in canon law and quite a few also had qualifications in civil law. This makes their claims of ignorance very difficult to accept. Child sexual abuse did not start in the 20th century. Since time immemorial it has been a “delict” under canon law, a sin in ordinary religious terms and a crime in the law of the State. Ignorance of the law is not a defense under the law of the State. It is difficult for the Commission to accept that ignorance of either the canon law or the civil law can be a defense for officials of the Church. (Ibid, p. 5)

A similar “culture of secrecy” was identified by the Attorney General for Massachusetts in his report on child sexual abuse in the Boston Archdiocese. In the case of that diocese, as in the case of Dublin, secrecy “protected the institution at the expense of children.” (Ibid. p. 8)

As can be seen clearly from the case histories, there is no doubt that the reaction of Church authorities to reports of clerical child sexual abuse in the early years of the Commission was to ensure that as few people as possible knew of the individual priest’s problem. There was little or no concern for the welfare of the abused child or for the welfare of other children who might come into contact with the priest. Complainants were often met with denial, arrogance and cover-up and with incompetence and incomprehension in some cases. Suspicions were rarely acted on. Typically complainants were not told that other instances of child sexual abuse by their abuser had been proved or admitted. The attitude to individual complainants was overbearing and in some cases underhanded (see Chapter 58). (Ibid, p. 10).

10. REPORT OF THE COMMISSION TO INQUIRE INTO CHILD ABUSE (THE RYAN REPORT)

Dublin, Ireland
November, 2009

(The Irish Television and Radio network RTE, aired a television series called States of Fear in April-May 1999. This series, produced by Mary Raftery, provided graphic and

chilling evidence of systemic physical and sexual abuse of boys and girls in residential schools in Ireland, all of which were run by the Catholic Church. The government appointed a commission chaired by Justice Sean Ryan in 1999. The commission finished its work in 2009 and published its report on May 20th that year)

Cases of sexual abuse were managed with a view to minimizing the risk of public disclosure and consequent damage to the institution and the Congregation. This policy resulted in the protection of the perpetrator. When lay people were discovered to have sexually abused, they were generally reported to the Gardai. When a member of a Congregation was found to be abusing, it was dealt with internally and was not reported to the Gardai'. The damage to the children affected and the danger to others were disregarded. The difference in treatment of lay and religious abusers points to an awareness on the part of Congregational authorities of the seriousness of the offence, yet there was a reluctance to confront religious who offended in this way. The desire to protect the reputation of the Congregation and institution was paramount. Congregations asserted that knowledge of sexual abuse was not available in society at the time and that it was seen as a moral failing on the part of the Brother or priest. This assertion, however, ignores the fact that sexual abuse of children was a criminal offence.

(Executive Summary, p. 21)

Sexual abuse was known to religious authorities to be a persistent problem in male religious organizations throughout the relevant period.

Nevertheless, each instance of sexual abuse was treated in isolation and in secrecy by the authorities and there was no attempt to address the underlying systemic nature of the problem. There were no protocols or guidelines put in place that would have protected children from predatory behavior. The management did not listen to or believe children when they complained of the activities of some of the men who had responsibility for their care. At best, the abusers were moved, but nothing was done about the harm done to the child. At worst, the child was blamed and seen as corrupted by the sexual activity, and was punished severely.

In the exceptional circumstances where opportunities for disclosing abuse arose, the number of sexual abusers identified increased significantly.

For a brief period in the 1940s, boys felt able to speak about sexual abuse in confidence at a sodality that met in one school. Brothers were identified by the boys as sexual abusers and were removed as a result. The sodality was discontinued. In another school, one Brother embarked on a campaign to uncover sexual activity in the school and identified a number of religious who were sexual abusers. This indicated that the level of sexual abuse in boys' institutions was much higher than was revealed by the records or

could be discovered by this investigation. Authoritarian management systems prevented disclosures by staff and served to perpetuate abuse.

The Congregational authorities did not listen to or believe people who complained of sexual abuse that occurred in the past, notwithstanding the extensive evidence that emerged from Garda investigations, criminal convictions and witness accounts. Some Congregations remained defensive and disbelieving of much of the evidence heard by the Investigation Committee in respect of sexual abuse in institutions, even in cases where men had been convicted in court and admitted to such behavior at the hearings.

In general, male religious Congregations were not prepared to accept their responsibility for the sexual abuse that their members perpetrated. Congregational loyalty enjoyed priority over other considerations including safety and protection of children. (Ibid, p. 22)

11. REPORT ON THE INVESTIGATION OF THE DIOCESE OF MANCHESTER, NEW HAMPSHIRE.

Peter Heed, Attorney General, State of New Hampshire
March 3, 2003

(The Attorney General caused a special investigation into sexual abuse of children by Catholic clergy shortly after the revelations of widespread sexual abuse and cover-up by the Cardinal and his assistant bishops in the Archdiocese of Boston in January 2002. One of Cardinal Law's close associates, responsible for a major role in the systematic cover-up in Boston was Msgr. John McCormack who became bishop of Manchester in 1998).

This report is the final product of an intense investigation conducted by the New Hampshire Attorney General's Office ("AGO") into the manner in which the Roman Catholic Diocese of Manchester (the "Diocese") handled allegations that priests committed sexual assaults against minors – an investigation that established that the Diocese endangered the welfare of children. (Introduction, p. 1)

The State intended to prove that the Diocese breached its duty when it learned of allegations of sexual assault and either did nothing to respond to the danger posed by the priest or took ineffective action, thereby permitting the priest to perpetrate subsequent assaults on children. (Legal analysis, p. 4)

The specific facts supporting a conclusion that the Diocese acted “knowingly” will be addressed in subsequent memoranda in the context of each case. However, at this juncture it is appropriate to address some generally applicable principles that will apply across the board to each of the charges. In some instances the Diocese took some steps to address complaints that a priest had molested children, including referring the priest to counseling. The State was prepared to prove that the steps taken by the Diocese were so ineffective that they did not negate the fact that the Diocese “knowingly” endangered the welfare of a minor. (Ibid, p. 6)

The Task Force obtained information that Diocesan officials may have secured confidentiality agreements from victims of sexual assaults in return for civil settlements and other benefits such as providing counseling to victims. This evidence demonstrates that the Diocese required confidentiality in return for remuneration. In at least one instance, the investigation revealed that one of the reasons for the Diocese’s insistence on a confidentiality agreement was to prevent the victim from speaking with law enforcement about the sexual offenses of the priest. Such conduct would support a charge that the Diocese engaged in compounding.

As discussed in the fact section of this report, the investigation uncovered instances where Diocesan officials made apparently false statements in the context of civil lawsuits and in the course of a presentencing investigation conducted by the Department of Corrections for the purpose of the sentencing of a Diocesan priest. This conduct may have constituted perjury, false swearing, or unsworn falsification. (Ibid. p. 13)

In this case, if Diocesan agents were acting in the scope of their actual or apparent authority at the time that they engaged in conduct that satisfies the elements of any of the offenses discussed above, the Diocese is equally responsible for the criminal offense.

Nonetheless, in the present case all of the decision making with respect to the handling of sexually abusive priests was made by the Bishop of Manchester based on recommendations from the Auxiliary Bishop, the Vicar General, or the Chancellor. These are the highest offices within the administration of the Diocese of Manchester. Therefore, the State would have had little difficulty attributing the decisions and actions of these officials to the Diocese itself. (Ibid. p. 15)

The Diocese should not be allowed to escape criminal responsibility because of Bishop A’s failure to memorialize his knowledge of the sexual misconduct of a particular priest, or to pass that knowledge on to his successor, or Bishop B’s failure to read the file to

learn of the danger posed by a priest. As an organization, the Diocese has an obligation to take steps to ensure that full information regarding the dangers of a particular priest are known to those officials who had the responsibility of assigning priests.

The State was also prepared to establish that in some instances the Diocese was willfully blind to the danger its priests posed to children. In certain instances, the priest admitted his sexual misconduct to the Bishop. The Bishop admonished a priest but took no action to restrict or otherwise monitor the priest's future activity to determine if the priest was reoffending. In other words, the Bishop made no effort to learn whether or not the priest posed a continuing danger to children. Thus, the Diocese exhibited a "flagrant indifference" to its obligations to protect children by engaging in a "conscious course of deliberate ignorance. (Ibid, p. 19)

12. REPORT OF THE GRAND JURY, SUFFOLK COUNTY, NEW YORK

Diocese of Rockville Center
May 6, 2002

The Grand Jury concludes that officials in the Diocese failed in their responsibility to protect children. They ignored credible complaints about the sexually abusive behaviors of priests. They failed to act on obvious warning signs of sexual abuse including instances where they were aware that priests had children in their private rooms in the rectory overnight, that priests were drinking alcohol with underage children and exposing them to pornography. Even where a priest disclosed sexually abusive behavior with children officials failed to act to remove him from ministry. (Conclusions, p. 152)

The Grand Jury concludes that the history of the Diocese of Rockville Centre demonstrates that as an institution they are incapable of properly handling issues relating to the sexual abuse of children by priests. The Grand Jury concludes that this was more than simple incompetence. The evidence before the Grand Jury clearly demonstrates that Diocesan officials agreed to engage in conduct that resulted in the prevention, hindrance and delay in the discovery of criminal conduct by priests. They conceived and agreed to a plan using deception and intimidation to prevent victims from seeking legal solutions to their problems. This included victims who were seeking compensation for their injuries in the civil courts. There, Diocesan officials pursued aggressive legal strategies to dismiss time barred claims and improperly named parties. They insisted upon confidentiality agreements in cases that were settled. This policy put

children at risk inasmuch as victims were prohibited by law from speaking out about the criminal conduct of sexually abusive priests. Absent the adoption of these recommendations, the Grand Jury does not believe that the Diocese of Rockville Centre has the demonstrated capability to properly handle the issues of clergy sexual abuse. (Ibid, p. 173)

Diocesan officials used the hollow promise of treatment and re-assignment for offenders and the inducement of monetary payments to victims to guarantee their silence. This had the further effect of concealing and preventing the discovery of heinous crimes committed by priests. The Grand Jury concludes that the conduct of certain Diocesan officials would have warranted criminal prosecution but for the fact that the existing statutes are inadequate. (Ibid, p. 174)

The Diocese of Rockville Centre acted in a manner that resulted in plaintiffs being deprived of their right to legal recourse based on their abuse as children by priests in the Diocese. To remedy this situation, the Grand Jury recommends that the New York State legislature should enact a statute similar to Section 340.1 of the Code of Civil Procedure for the State of California that revives civil actions for damages for a period of one year that are otherwise time barred solely because the applicable statute of limitations has or had expired. This statute would pertain only to actions for the recovery of damages suffered as a result of childhood sexual abuse. (Recommendation XX1, p. 179)

13. GRAND JURY REPORT OF WESTCHESTER COUNTY, NEW YORK

Archdiocese of New York
April, 2002

The overwhelming evidence demonstrated that sexual abuse and/or misconduct by a member of the clergy had shattering psychological effects on the victim-child. Indeed, the passage of time, in some instances more than thirty years, still had not provided relief from the psychological trauma of the crime. Although testifying years after the event, some victims broke down emotionally when describing the sexual abuse and misconduct. (Factual findings, p. 2)

This Grand Jury heard testimony from a distinguished psychologist specializing in cases of child sexual abuse, recognized as an expert by the court of New York, who described how children who are sexually abused often experience memory suppression, a condition customarily associated with Post Traumatic Stress Syndrome. Twenty to thirty years may

elapse before some child-victims are able to report their experiences of sexual abuse or misconduct for the first time. Others never report their victimization. (Ibid, p. 2)

Additionally, the religious institution, when it became aware of the abuse, rather than seeking to alleviate the trauma to the victim, increased it. The testimony of the expert witness revealed that child victims of sexual abuse and misconduct feel isolated. Many abused children believe that they are the only ones so singled out. In this regard the evidence demonstrated that, upon receipt of a complaint, the religious institution, rather than disclose similar allegations against a particular abuser, routinely asserted to the victim that no other such claims ever had been made against the particular clergy member, even when such an assertion was untrue. (Ibid, p. 5)

According to the institution's own records, subpoenaed and reviewed by the Grand Jury, the religious institution routinely questioned the veracity of the victims' claims, even in the face of substantial evidence of abuse including, in some cases, multiple allegations from different victims against a single offender. This practice was utilized by the religious institution to suppress the victims' resolve to come forward to law enforcement authorities. In addition, the religious institution most often supported the abusers' version of events and minimized the abuse claims by the child-victims. (Ibid, p. 6)

In the face of overwhelming evidence of sexual abuse and misconduct presented by victims, other minors and adults who witnessed the abuse, the religious institution never reported such allegations to law enforcement authorities. Further, in each and every one of these cases, the evidence demonstrated unequivocally that neither the victims nor their families ever were counseled by the religious institution to contact law enforcement authorities themselves. The Grand Jury infers that this was an orchestrated effort to protect abusing clergy members from investigation, arrest and prosecution by civil authorities. Likewise, the Grand Jury infers that this effort also protected the religious institution from adverse publicity that might have affected its economic welfare. (Ibid, p. 7).

In many instances, the religious institution's internal investigation of the allegations was primarily geared to delay, with the hope that the victim and his family would not persist in pursuing their claim. The religious institution usually failed to communicate with the victim's family after the initial complaint. The evidence presented clearly established that victims and their families were ignored. The Grand Jury heard testimony from victims that telephone calls to high-ranking officials at the religious institution were not returned. Further evidence indicated that letters written by victims outlining specific abuse allegations were not answered. Repeatedly, the evidence portrayed extremely frustrated families attempting to get information from the organization without success; but conflicted about whether to proceed further, viewing the organization as the ultimate arbiter on matters of morality. (Ibid, p. 9)

The Grand Jury also heard testimony and viewed evidence that, after an allegation of abuse became public by the filing of a lawsuit or otherwise, there was a concerted effort on the

part of the religious institution to mislead the community: defending the abuser while simultaneously attempting to humiliate victims and their families, even in the face of mounting credible evidence against a particular abuser. Congregants where the abuser was employed were lied to during religious services in their house of worship. Articles in newspapers sponsored by the religious institution questioned the victim and his family's motives; further, the religious institution used the media to lie about the past record of certain clergy members, thereby willfully misleading the public. (Ibid, p. 9)

Whenever an allegation of sexual abuse was made public false accusations were made by the religious institution to the community at large, such as that the victim "is only out for money," and "the allegation consists of one twenty-year-old unsubstantiated complaint." Clearly, the institution abdicated its responsibility to appropriately supervise employees who posed a danger to their own community as well as children in the public at large, and conducted a concerted campaign to marginalize and discredit victims.... By making confidentiality a condition of "free" counseling services, the religious institution used a coercive tactic to persuade the victim and his family to execute these contracts. In addition, the Grand Jury learned, the religious institution, while represented by counsel, urged victims in some cases to execute these legally binding confidentiality agreements without the advice of an attorney of their own. (Ibid, p. 10).

14. REPORT OF THE ATTORNEY GENERAL OF THE STATE OF MAINE

Portland, Maine
February 24, 2004

There are at least six instances from 1958 to 1993 in which a priest subject to a complaint of sex abuse was sent for treatment and then returned to his parish or transferred to another clerical assignment with restrictions. In 1997, the Diocese began a policy of informing the parish leaders or councils (the lay advisory bodies of the Church) of the allegations against the priests assigned to their parish. (The Diocese Response, p. 10).

The Diocese's failure to notify its parishioners of the allegations against some of the priests assigned to their parishes placed children and adolescents at risk of abuse. In at least one case, a priest (who died in 1990) was alleged to have continued to sexually abuse female children after the Diocese was on notice of allegations against the priest. Specifically, in 1958, the parents of a six-year-old girl reported that the priest had sexually abused her. As a result of the allegations, the Diocese reassigned the priest to another church, and barred him from any contact with the victim, his former parish and other minor girls. The Diocese notified the parish priest of the restrictions on the priest

subject to the allegations, but did not notify the parish of the past allegations. Notwithstanding the restrictions imposed on the priest by the Diocese, ten women came forward after the priest's death and reported that he had sexually abused them as children and adolescents from 1960 through 1972. The victims ranged from eight years to 13 years of age at the time of the abuse. (Ibid, p. 11).

15. REPORT ON THE CRISIS IN THE CATHOLIC CHURCH IN THE UNITED STATES

National Review Board of the U.S. Conference of Catholic Bishops.
February 24, 2004

(The United States Catholic Bishops established a national review board in June, 2002. The board, composed entirely of lay persons appointed by the president of the Bishops' Conference, was first charged with conducting research and preparing a report on sexual abuse by clergy in the United States. The review board was appointed in reaction to massive public response to extensive revelations of sexual abuse by priests and consequent cover-up by bishops in the Archdiocese of Boston. The first news story broke on January 6, 2002. The Boston Globe newspaper had established a special investigative team. In the course of the next several months the Globe published over 1000 stories about sex abuse by priests and cover-up by the Cardinal and his assistant bishops. These revelations prompted a massive crisis in the Catholic Church in the U.S. The research process and writing of the report was conducted by Mr. Robert Bennett, a civil attorney in Washington, D.C. The chairman of the Review Board at the time was Frank Keating, a retired FBI officer and a former governor of the State of Oklahoma). Mr. Bennett interviewed 85 individuals. The witnesses included sex abuse victims, cardinals, bishops, priests, psychologists, attorneys, theologians and parents of victims.)

Too many bishops in the United States failed to respond to this problem forthrightly and firmly. Their responses were characterized by moral laxity, excessive leniency, insensitivity, secrecy, and neglect. Aspects of the failure to respond properly to sexual abuse of minors by priests included: (i) inadequately dealing with victims of clergy sexual abuse, both pastorally and legally; (ii) allowing offending priests to remain in positions of risk; (iii) transferring offending priests to new parishes or other dioceses without informing others of their histories; (iv) failing to report instances of criminal

conduct by priests to secular law enforcement authorities, whether such a report was required by law or not; and (v) declining to take steps to laicize priests who clearly had violated canon law.

Most fundamentally, some bishops in the United States did not appreciate the gravity of the problem of sexual abuse of minors by clergy. Until recently, these bishops all too often treated victims of clerical sexual abuse as adversaries and threats to the well-being of the Church, not as injured parishioners in need of healing. (Chapter IV, "Findings," p. 92)

Certain bishops and other Church leaders in the United States were altogether too easy on their fellow clergy and too willing to take the easy way out them. All of the presumptions weighed in favor of the accused priest at the expense of the victim. This tilt is attributable in part to "clericalism" - an attitude that priests and bishops are apart from and superior to the laity - and in part to idiosyncrasies in canon law. In addition, the failure of some bishops to exercise proper governance, choosing instead to minimize or rationalize or forgive or just ignore misconduct, or else to pass along problems to other unsuspecting dioceses, 'has led to governmental intervention that could threaten the independence of the church in the United States. (Ibid, p. 93)

Church leaders failed to appreciate the harm suffered by victims of sexual abuse by priests, the seriousness of the underlying misconduct and the frequency of abuse.

As noted above, far too few bishops grasped the severity of the harm experienced by victims of clergy sexual abuse, particularly minors. Several victims have committed suicide. Others have struggled for decades with psychological complications of the abuse, including depression, drug dependency, and sexual dysfunction. These effects often do not manifest themselves for years. One victim told us that the "shame and the guilt" borne of clerical sexual abuse is "so strong that people keep it silent for years, well into adulthood. (Ibid, p. 97)

Many Church leaders refused to meet with victim support groups because they disagreed with the agendas of some of these groups. Although some members of victim support groups are not always fair to the bishops and are unwilling to give credit when it is due, disregarding these groups is shortsighted and contributes to the perception of a closed and secretive Church. Distaste for the messenger too often blinded Church leadership to the significance of the message. (Ibid, p. 97)

In sum, failure to meet with victims and their families prevented bishops from comprehending the nature and the scope of the problem. More importantly those Church

leaders who did not meet with victims and their families and did not endeavor to bring healing to them, failed in their pastoral duties. This failure of the Catholic clergy to attend to the pain of its parishioners is all the more egregious inasmuch as the underlying injury was inflicted by a member of the clergy itself. (Ibid, p. 100)

Canon Law has proven to be an inadequate method of dealing with cases of sexual abuse of minors for many reasons. First, the canonical tribunals in dioceses simply did not have the expertise to handle involuntary laicization cases. These tribunals dealt almost exclusively with annulment cases. The canonists in the tribunals had little training in the canons and procedures relating to punishment of clerics, including Canon 1395. (Ibid, p. 102)

Clericalism also can be blamed for the fact that, to a great degree, bishops and other Church leaders engaged in massive denial. Church leaders often were reluctant to acknowledge that a priest, a man ordained to be "another Christ," could have engaged in the horrific acts of which he was accused. Thus, some diocesan leaders were too willing to accept exculpatory explanations by priests even when it appeared that the accuser was credible. With the benefit of hindsight, it appears that many of the clerics charged with investigating accused priests were either incredibly naive or willing to look the other way. Indeed, Church officials seemed to want to keep information from themselves. One priest who tried to bring his concerns about clergy sexual abuse of minors to his bishop in a letter was chastised by the vicar general for doing so. "It was," the priest asserts, total denial."

Finally, the haughty attitude of some bishops, which has exacerbated the crisis, is a byproduct of clericalism. Just as priests are often placed on a pedestal far above the laity that they serve, certain bishops appear far removed from their priests. As several exemplary bishops have displayed in responding to the crisis, a bishop must lead with humility, not hubris and never forget that he is first and foremost a pastor to his people. (Ibid, p. 105)

16. GRAND JURY, MARICOPA COUNTY, ARIZONA

Phoenix, Arizona

June 2003

A grand jury was convened to investigate sexual abuse by priests of the Diocese of Phoenix. It did not produce a report. However the grand jury found sufficient evidence to indict the bishop, Thomas O'Brien, of obstructing justice. He originally offered to resign rather than be indicted and face a trial. The agreement reached with the District

Attorney required O'Brien to make a public admission that he had allowed known sexual perpetrators to remain in active ministry. The agreement also required that he relinquish significant authority over the management of reports of sexual abuse by priests and accept a panel of laypersons appointed by the civil authorities.

O'Brien issued a public statement on June 3, in which he admitted his actions. On June 8 he issued another statement denying any wrongdoing. On June 14 he hit a man with his car and killed him. He fled the scene and was arrested a day later. In February he was convicted and much to the outrage of many was not sentenced to prison but received 1000 hours of community service, probation and a fine. He resigned the day after he was arrested.

Though it was not announced in the press, Bishop O'Brien was legally intoxicated when he hit and killed the pedestrian.

17. FROM PAIN TO HOPE

National Conference of Catholic Bishops
June 1992

Another contributing factor to child sexual abuse is a Church that too readily shelters its ministers from having to account for their conduct; that is often tempted to settle moral problems behind a veil of secrecy which only encourages their growth; that has not yet fully developed a process of internal reform in which the values of familial communion would predominate. Challenges for personal conversion and institutional change are far from lacking. We would like to see our Church take firm steps which would leave no doubt as to its genuine desire to eradicate the phenomenon of child sexual abuse. (Section VI, p. 40)

18. THE CAUSES AND CONTEXT OF SEXUAL ABUSE OF MINORS BY CATHOLIC PRIESTS IN THE UNITED STATES, 1950-2010.

The John Jay College of Criminal Justice,

May 18, 2011

United States Conference of Catholic Bishops

This report was commissioned by the U.S. Conference of Catholic Bishops as part of their overall study of clergy sexual abuse. The first report was issued on February 24, 2004 and is referred to above.

The findings of the report are summarized in the “Executive Summary”, a five-page document that is found at the beginning of the 143 page report. The purpose of the report was to examine the reasons why *priest perpetrators* sexually abused minors. The investigators were not charged with researching the reasons why the institutional Church appeared to tolerate sexual abuse for such a long period of time. Nevertheless in the body of the report there are several statements that refer to the bishops:

The failure of some diocesan leaders to take responsibility for the harms of the abuse by priests was egregious in some cases. (p. 89)

Parishioners were not told, or were misled about the reason for the abuser's transfer (p. 89)

Diocesan leaders rarely provided information to local civil authorities and sometimes made concerted efforts to prevent reports of sexual abuse by priests from reaching law enforcement even before the statute of limitations expired. (p. 89)

Diocesan officials tried to keep their files devoid of incriminating evidence. (p. 89)

Diocesan leaders attempted to deflect personal liability for retaining abusers by relying on therapists' recommendations or employing legalistic arguments about the status of priests. (p. 89)

Dioceses, the interviewee reported, would intimidate priests who brought charges against other priests; he reported that the law firm hired by the diocese wiretapped his phone and went through his trash. (p. 90). The interviewee was a priest-victim who had come forward in 1991

A LIST OF OFFICIAL AND PRIVATE REPORTS: 1989-2011

The following is a complete list of all reports available as of May, 2011. This includes private reports as well as reports prepared by Catholic Church sources. The first two reports are not directly about sexual abuse. Rather, they concern the psychological state of American priests. This list does not represent a definitive listing of all reports on Catholic clergy sexual abuse. There may well be other reports from private sources as well as reports in other countries than those listed.

- 1971 **The Role of the Church in the Causation, Treatment and prevention of the Crisis in the Priesthood.** Dr. Conrad Baars, 1971.
- 1972: **The Catholic Priest in the United States: Psychological Investigations.** Eugene Kennedy and Victor Heckler. National Conference of Catholic Bishops. 1972.
- 1985: **The Problem of Sexual Molestation by Roman Catholic Clergy.** Thomas Doyle, F. Ray Mouton, Michael Peterson. May, 1986.
- 1990: **Report of the Hughes Inquiry.** St. John's Newfoundland, 1990.
- 1990: **Report of the Winter Commission.** St. Johns, Newfoundland, Canada. 1990.
- 1992: **The Bernardin Report.** Archdiocese of Chicago. June 1992.
- 1992: **From Pain to Hope.** Canadian Conference of Catholic Bishops. 1992.
- 1995: **Annual Reports of the Archbishop's delegate.** Archdiocese of Boston, Issued annually from 1995 to 2001.
- 2000: **Institutional Child Abuse in Canada.** Law Commission of Canada. 2000.
- 2001: **The Nolan Commission Report.** U.K., Nolan Commission. Sept. 2001.
- 2002: **Report of the Grand Jury, Westchester County, N.Y.** June 19, 2002.
- 2002: **The Holy See and the Convention on the Rights of the Child: A Shadow Report.** Catholics For Free Choice. September, 2002.
- 2002: **A Survey of Roman Catholic priests from the United States and Puerto Rico.** Los Angeles Times. June 27 to October 11, 2002.

- 2003: **Ten Year Report on Clerical Sexual Abuse of Minors in the Archdiocese of Chicago.** Archdiocese of Chicago. January 2003.
- 2003: **Report of Diocesan Task Force on Sexual Misconduct Policy.** Diocese of Manchester, NH. January 16, 2003.
- 2003: **Report of the Special Grand Jury, Suffolk County, NY.** Feb. 10, 2003.
- 2003: **Report on the Investigation of the Diocese of Manchester NH.** New Hampshire Attorney General. March 3, 2003.
- 2003: **Report of the Massachusetts Attorney General.** June 23, 2003.
- 2003: **Report of the Erwin Committee.** Archdiocese of Anchorage. October 14, 2003.
- 2004: **A Report on the Crisis in the Catholic Church in the United States.** National Review Board of the USCCB. Feb. 2004.
- 2004: **The Nature and Scope of the problem of Sexual Abuse of Minors by Priests and Deacons.** John Jay College of Criminal Justice. Feb. 2004.
- 2004: **Sexual Abuse in a Social Context: Catholic Clergy and Other Professionals.** Catholic League for Religious and Civil Rights. February 2004.
- 2004: **Report of the Attorney General of Maine.** February 24, 2004.
- 2005: **Report of the Philadelphia Grand Jury.** Philadelphia, PA. September 15, 2005
- 2005: **Report of the Ferns Commission.** The Ferns Commission, Dublin, Ireland. October 2005.
- 2006: **The Defenbaugh Report.** Archdiocese of Chicago. 2006.
- 2007: **Report on the Brothers of Charity in Galway.** Ireland, HSE. December, 2007.
- 2011: **Report of the Philadelphia Grand Jury.** Philadelphia PA. January 23, 2011
- 2011: **The Causes and Context of Sexual Abuse of Minors by Catholic Priests, 1950-2010.** The John Jay College of Criminal Justice. United States Conference of Catholic Bishops. May 18, 2011.

