

DECLARATION
of
Richard Sipe
In the Case Number 2010CV561
JOHN DOE NO.24 v. BISHOP OF PUEBLO

**Understanding Seminary Records of Roman Catholic Clergy
Who Subsequently Sexually Abuse**

I. Identification

I, A.W. Richard Sipe, do declare and state that if called as a witness in this case I would testify as follows:

1. My name is A. W. Richard (Aquinas Walter Richard) Sipe. I have been asked to render an opinion on what indications if any can be found in seminary records of priests who subsequently become involved in sexually abusive behavior. First, these facts are usually recorded in coded language. I was trained specifically to serve as a counselor/psychotherapist to deal with the mental health problems of Roman Catholic clergy and Religious.
2. My area of expertise is the sexual/celebrate behaviors of men who profess “perfect and perpetual (chastity) celibacy”¹ and are presented to the public by their sponsoring organization as sexually safe. I have authored seven books on the subject. My study of *Code Words to Hide Abuse* is supplied as Attachment A.² Research conducted at the hospital where I trained and served on the staff shows that over seventy percent (70%) of priests who are hospitalized for mental health concerns demonstrated problems in the seminary.³
3. Previously I have consulted or provided expert witness in over 200 cases of abuse of minors by Roman Catholic priests and bishops and reviewed documents from over 1,500 cases of sexual abuse by Roman Catholic priests.. A complete, accurate, and current copy of my CV is submitted as Attachment D.

¹ This vow or promise is a requirement prior to ordination in the Roman Catholic priesthood of the Roman rite. It is stipulated in canon 277 of the Code of Canon Law.

² Documents from the Superior Court of Delaware (ORDER) Nov. 6, 2009; and Sheehan Appeal before the Supreme Court of Delaware Feb. 22, 11, P.3; deal with the relevancy of code words in understanding the records of religious records. Copies of both documents are appear as Attachments B & C.

³ The study conducted by Dr. Robert J. McAllister and Fr. Albert J. VanderVeldt was published in 1965 under the Title *Psychiatric Illness in Hospitalized Catholic Religious*. It reported on 100 sequentially admitted Catholic priests treated the Seton Institute. It concluded that 77 had serious emotional problems as seminarians; 32 ultimately became alcoholics. (Am J Psychiatry March 1965) Reviewed April 2, 1965 in TIME.

II. Materials Reviewed

As of the date signed below I have received and reviewed the following documents regarding Father Daniel Maio.

- Father Daniel Maio's academic records from 1957 to 1966;
- Seminary Rector's Reports regarding Maio;
- Correspondence between the Seminary Rector and the Bishop of Pueblo re: Maio;
- Numerous correspondence between Maio, bishop and church officials;
- Declaration of Cardinal Norberto Rivera-Carrera, March 26, 2007;

III. Background and Experience

4. I was educated in Roman Catholic institutions from grade school through seminary training in the U.S. and Rome, Italy. I was ordained a RC priest in 1959 and served until dispensed from my vows by the Vatican in 1970. I was married in the Roman Catholic Church and continue as a member in good standing.

5. My formal training as a counselor occurred between 1964 and 1971 and was supported with grants from the NIMH, the Danforth Foundation, and The Seton Psychiatric Institute where I was also employed as a staff member for 3 years.

6. I have been on the staff and taught at various Roman Catholic seminaries, universities, and colleges from 1967 until 1996; at a Pontifical Seminary and University (St. Mary's Seminary and University, Roland Park, MD) for 12 years.

7. I have served on the staff of a psychiatric hospital that treated numerous priests, some of them for the sexual abuse of minors; and held a part-time appointment in the division of child and adolescent psychiatry in a medical school for 25 years (Johns Hopkins).

8. I have served as a consultant or counseled several hundred priests and also counseled several hundred victims of RC clergy sexual abuse and reviewed the case histories of several hundred sexually offending clergy and clergy victims over a period of 40 years.

9. I have been qualified in both State and Federal courts as an expert witness and testified before numerous juries and Grand Juries on the issue of sexual abuse of minors and by Roman Catholic clergy.

10. I conducted a 25-year ethnological study (1960-85) of the celibate/sexual behaviors of RC clergy in the United States and in 1986 rendered the opinion that six (6) percent of Catholic clergy get involved sexually with minors; these figures were

published in 1990 in *A Secret World: Sexuality and the Search for Celibacy*. My figures correlate with the *John Jay College of Criminal Justice Survey* commissioned by the U.S. bishops and based on their records; it concluded that six and one-half (6.5) percent of priests ordained during the same period were reported for sexually abusing minors.⁴

11. As an expert witness or consultant, I have reviewed several hundred thousand pages of documents from over two-hundred-and-fifty cases of men and women alleging sexual abuse by Roman Catholic clergy. For purposes of research I have reviewed an additional 441 case history documents from the archives of ten Roman Catholic dioceses. (Cf. *A Review of Clergy Abuse from Church Archives* Attachment E)

12. As a priest, I have served as teacher and counselor in a Catholic high school; a resident and staff member of a mental hospital specializing in the treatment of clergy; Personnel Director of a religious community of 360 Catholic priests and brothers; a Professor in three seminaries; Consultant about the mental health of Catholic clergy, and as counselor/psychotherapist for Roman Catholic clergy and religious for over forty years. I am equipped to read and interpret reports and statements that indicate concern—usually coded—about the sexual behaviors of Roman Catholic priests and religious.

13. I am personally aware of the general level of information bishops had about sexual activity of Catholic clergy including sex with minors, and the mental health treatments available to bishops and superiors for these problems from 1952 and before.

14. I personally witnessed the pattern and practice of Dioceses regarding the sexual activity of their clergy during the years I trained as a Benedictine monk, consulted with religious superiors, taught in seminaries, trained and worked at Seton Psychiatric Institute and served on the board of directors of St. Luke Institute. These institutions have treated thousands of priests with mental health problems including sexual involvements with minors. It was clear by the 1950s and 60s that mental health problems of priests could be traced and identified even during the seminary years and the rate of sexual problems were higher in clergy than in groups of comparable professionals.⁵ Mental hospitals were established exclusively for the treatment of Roman Catholic priests. Prominent among them were St. John Vianney in Pennsylvania, 1946; Via Coeli in New Mexico 1947; St. Luke's in Maryland 1981; to mention only a few.

⁴ Cf. John-Jay College Report on the Clergy Crisis, February 27, 2004. Pp. 30-7. The pattern and practice of U.S. Dioceses in dealing with sexual abuse of minors and the vulnerable are starkly recorded in the February 27, 2004 *Report of the National Review Board* set up the American bishops and the corresponding *Report of the John Jay College of Criminal Justice* that used diocesan files to determine the numbers of complaints and reports registered between 1950 and 2002. [Currently over 6,500 Catholic clergy have been reported to church officials for sexual abuse and are recorded in diocesan files.]

⁵ 1936 *The Ecclesiastical Review*. Vol. 95. Fr. T.V. Moore. RATE OF INSANITY IN PRIESTS
1961 *Journal of Nervous & Mental Disease*: January Vol. 132-1. FACTORS IN MENTAL ILLNESS AMONG HOSPITALIZED CLERGY
1969 *The British Journal of Psychiatry* Vol. 115 PSYCHIATRIC ILLNESS IN THE CLERGY

IV. Opinions to be Offered

15. The following constitute some of my opinions in this case:

- Daniel Maio was a questionable candidate for the priesthood *ab initio*.
- He remained a candidate of concern to faculty and bishop throughout his training.
- His acceptance for ordination was deferred, a clear sign of trouble.
- His studies for the priesthood were interrupted because of questions of his qualifications and readiness.
- Qualities of his character repeatedly indicated his unsuitability for the priesthood and his possibility of observing responsible practice and sexual restraint.

V. Facts On Which The Opinions Are Based

16. Documents show that the bishop had reservations about Maio from the beginning of this training in 1957. (1957 Letter from bishop to seminary citing “for observation.”)

17. The 1958 Rectors’ Report records an “average” student whose “scholastic record has not been too good during the past year” and reveals “a certain immaturity.” (DMO18) Bishop Buswell was warned that in 1959 there was serious faculty “discussion about the advisability of letting him go on” and in 1961 he was again advised about too much “involvement with extracurricular activities.” (BISH_0027)

18. In 1963 Rector Danagher wrote the bishop about Maio’s behavior “which raises grave doubts about his suitability for the Priesthood”. (BISH_0036)

19. In 1964 Bishop Boswell wrote Rector Danagher to concur that Maio “has not shown himself in a light which would warrant him being promoted to Orders at this time” and he should be observed for some impediment (health or general attitude) to the exercise of “a vigorous priestly life.” (BISH_0051) Withholding Orders is a severe measure of reprimand second only to being dismissed from the seminary.

20. That same month another priest, Very Rev. Msgr. Elwood C. Voss, wrote the bishop to mention “doubts about Dan’s physical qualifications for the Priesthood.” (BISH_0049)

21. In May 1964 Rector Danagher wrote a long report to Bishop Buswell in which he pointed out 1) that Maio demonstrated “questionable judgment” 2) that the faculty did not support his promotion to Orders—“There were no favorable votes”— 3) he should leave the seminary for a time. (BISH_0052/53)

22. In 1961 Maio’s academic record showed a GPR of .99—the bottom of his class.

VI. Conclusions

23. Despite clear long term documentation from seminary faculty and others professional judgment that Daniel Maio was spiritually, academically, and emotionally unfit to be a Catholic priest, Bishop Buswell disregarded all evidence of the dangerous personality Maio presented. “Immaturity,” “questionable judgment,” unanimous faculty doubt of fitness for promotion, and repeated “behavior” over a six-year period gave evidence of Maio’s inability to conform physically and emotionally to a seminary regime. These are classic examples of the coded words used to describe seminary students who subsequently violate sexual norms especially with minors. They are clear coded indicators about his inability to conform to the (sexual) restrictions of “perfect and perpetual chastity” required of clerical commitment. The picture of immaturity compounded by the interest in minors that Miao demonstrated in his ministry (Diocesan Director of Youth) reinforce the profile of a man who is a danger to children. Explicit revelations of sexual practices of seminarians are confided to the secrecy of the sacramental seal of confession or a counseling relationship. Unless a seminary student is caught in some direct sexual violation, his practice of celibacy and his capacity to restrain his sexual instincts are determined in the derivative ways expressed as in the record of Daniel Maio—he was not a man to be depended upon to practice celibacy. These records contain codes that constitute red flag warnings of potential sexual misconduct. The bishop despite clear and repeated warnings of danger ignored the record.

I hereby declare that the above statement is true to the best of my knowledge and belief, and I understand that it is made for use as evidence in court and is subject to penalty for perjury.

A.W. RICHARD SIPE

Dated: _____