

Father David C. Sicoli

In 1999, Fr. David C. Sicoli had in his Secret Archives file a long history of abusive and manipulative relationships with adolescents, as well as numerous reports from other priests about these relationships. Cardinal Bevilacqua, Secretary for Clergy William J. Lynn, and other members of the Cardinal's Priest Personnel Board were considering where Fr. Sicoli should be assigned, and some of them were concerned, but not because of the threat he posed to children. They worried aloud that Fr. Sicoli would be disappointed if his parish did not include a school. According to notes of their meeting, they also believed that Fr. Sicoli should be in a parish that had no other priests--even though that meant he would run all the youth programs and would avoid any other priests' observing him. Accordingly, Cardinal Bevilacqua appointed Fr. Sicoli pastor at Holy Spirit Church in South Philadelphia.

Four witnesses testified before the Grand Jury that Fr. Sicoli had sexually abused them as teenagers when he was assigned to Immaculate Conception parish in Levittown in the 1980s. The abuse included oral sex and mutual masturbation. Father Sicoli had been transferred to Immaculate Conception because of possible scandal resulting from complaints made by three boys at his previous parish – Saint Martin of Tours in Philadelphia. At Immaculate Conception, fellow priests expressed concerns about Fr. Sicoli's behavior from the start. One specifically warned Archdiocese officials of his unhealthy relationships with the four victims who eventually testified. The Church officials knew the identity of at least one boy while he was still being abused, and possibly before the abuse occurred – while he was being “groomed.” Even after being told that this victim was “suicidal,” Archdiocese officials did nothing to intervene. They questioned none of the named victims. Instead, they transferred Fr. Sicoli to another parish and permitted him access to a whole new pool of potential victims. They also named him Associate Director of the CCD youth program for the entire Philadelphia area.

With uninvestigated allegations involving at least nine boys in Fr. Sicoli's file, Cardinal Bevilacqua in 1990 promoted him to pastor at Our Lady of Holy Souls in North Philadelphia. The Cardinal would reassign him as pastor to three more parishes between 1991 and 1999, despite several more reports to the Archdiocese of intense, exclusive, and suspicious relationships with teenaged boys. In 2002, after complaints from parish staff that the priest kept boys living with him at rectories, but no investigations, Cardinal Bevilacqua left Fr. Sicoli as pastor of Holy Spirit Church, living in the rectory with the boys and no other priests. Father Sicoli was still its pastor, with a new favorite boy, in 2003, when Cardinal Bevilacqua resigned. The Cardinal never even asked the Archdiocese Review Board to investigate the numerous complaints against Fr. Sicoli.

Only in May 2004, after having been questioned about Fr. Sicoli before the Grand Jury, did now-Bishop Joseph Cistone initiate an investigation of the allegations against the still active pastor. An investigator for the Review Board became the first person to question on behalf of the Archdiocese victims whose names were provided to it in 1983. After finding “multiple substantiated allegations involving a total of 11 minors over an

extensive period of time beginning in 1977 and proceeding to 2002,” the Review Board recommended Fr. Sicoli’s removal from ministry. (Appendix D-13)

From the start of Father Sicoli’s career the Archdiocese receives complaints about his contact with boys but fails to act.

Father David Sicoli began his first assignment as an assistant pastor at Saint Joseph, Ambler, in June 1975. Memos from Vice Chancellor Francis J. Clemins reflect that by the beginning of September, both Fr. Sicoli and his pastor were asking that he be transferred. Father Sicoli complained that the pastor, Father James Gallagher, was interfering with what Fr. Sicoli believed should be his total control of the altar boys. Father Gallagher questioned Fr. Sicoli’s interest in the priesthood. The pastor said that he had consulted Fr. Sicoli’s supervisors from seminary and that they thought the young priest was mentally ill.

A week after meeting with Chancery officials, Fr. Sicoli was transferred to Saint Martin of Tours Church in Northeast Philadelphia. There he threw himself into the work of the Catholic Youth Organization (“CYO”), neglecting other duties. In December 1977, three teenage officers of the CYO – “Nick,” his cousin “Jeffrey,” and “Adam” – complained to the Chancery that Fr. Sicoli’s frequent attempts to have physical contact with them over the preceding two years made them uncomfortable. The three boys had been directed to speak to Vice Chancellor Clemins by their pastor, Msgr. Michael Marley, and by another priest, Fr. John Sharkey, who had become suspicious of Fr. Sicoli’s behavior with the boys. All three boys were seniors at Cardinal Dougherty High School when they came to Chancery.

Nick told Msgr. Clemins of a trip to Florida with Fr. Sicoli, Adam, and another boy after the boys’ sophomore year of high school. For the entire trip, Fr. Sicoli insisted that Nick sit in the front seat of the car and sleep in the priest’s bed. Nick insisted, in front of his friends, that “no overt sexual acts” took place, but he said that in bed Fr. Sicoli edged toward the boy “to the point of body contact more than would be expected,” as the Archdiocese official put it.

Father Sicoli manipulated Nick into another trip – to California the next summer – telling the boy he had been chosen by the downtown CYO office to represent the diocese, when, in fact, Fr. Sicoli planned and paid for the trip. The priest had intended to go alone with Nick, but the boy refused to go unless his cousin Jeffrey could accompany them. Even with Jeffrey present, Fr. Sicoli insisted that Nick sleep in the priest's bed.

According to Msgr. Clemins' notes, Nick reported that, on the trip to California, Fr. Sicoli took the boys to see a stripper perform. He took them to a bar in Tijuana, Mexico, described by Msgr. Clemins as "an habitu e for prostitutes," and offered the boys \$15 so that they could pay to "go with a B-girl to a back-room."

Adam told how, in October 1977, Fr. Sicoli made Nick and him stay " til the wee hours of the morning to count money," in Fr. Sicoli's bedroom following a CYO-sponsored "Beef and Beer Party." When the boys said they wanted to leave, Fr. Sicoli took Nick home, but pressured Adam to come back to the rectory. Feeling uncomfortable, the boy pretended to be sick. The priest encouraged the teen to sip beer and lie down on the sofa. The priest then sat beside him and put his arms around the teenager. When Adam stood up to leave, Fr. Sicoli asked whether he could give the boy a hug. Adam said no.

Nick confided to Msgr. Clemins that "Father acts like he is in love with me." According to the Monsignor's handwritten note of December 30, 1977, Fr. Sharkey confirmed that, because of Fr. Sicoli's "unnatural" attentions, "[Nick] has suffered in silence" the verbal abuse of his peers. The priest said Nick did not criticize Fr. Sicoli to the other kids "because he doesn't want the priest's reputation tarnished publicly."

When interviewed by Msgr. Clemins, Fr. Sharkey said that he had become suspicious of Fr. Sicoli about five or six weeks earlier when he overheard a "violent argument with some youths in his bedroom." He also told the Vice Chancellor that a psychiatrist he had consulted advised him that Fr. Sicoli needed treatment.

Archdiocese documents reflect that on January 3, 1978, Msgr. Clemins interviewed Fr. Sicoli. The priest admitted sleeping "rather consistently" in the same bed with Nick on trips to Florida and California. He admitted taking the teens to bars, but insisted that he had not done so "for any immoral purposes." He denied trying to hug Adam, but did not deny having the boy in his rectory bedroom at 4:00 a.m. He claimed that the boys' report was

false, and that Jeffrey and Adam were “jealous” of Nick because of his leadership position in the CYO. Monsignor Clemins, clearly, did not accept this explanation, writing in his memo of the conversation: “This would fail to explain why all three would come to Chancery to make the accusations in the presence of Father Sharkey.” Monsignor Clemins further noted that “Monsignor Marley told Msgr. Statkus that the 3 boys were credible.”

A few days after Msgr. Clemins informed Fr. Sicoli of the charges against him, his pastor, Msgr. Marley, brought a letter to Vice Chancellor Clemins “on behalf of Father Sicoli.” The letter, from Nick, purported to recant the allegations of all three, although it was signed only by Nick. Moreover, as it alleged that the other two victims had a vendetta against Fr. Sicoli and that they were merely jealous of Nick, it is highly unlikely that the other two victims had any part in authoring the letter; thus, it is equally unlikely that either of the other victims used the letter to “recant” their statements. Indeed, there is strong evidence that Fr. Sicoli himself had coached Nick into writing the letter: Nick had demonstrated his willingness to protect Fr. Sicoli at his own expense; and the letter’s claim that the other victims had a vendetta against Fr. Sicoli because they were jealous of Nick was one of the same excuses Fr. Sicoli had himself made to Msgr. Clemins. Monsignor Marley made it clear to Msgr. Clemins that he did not reject the boys’ allegations and thought that Fr. Sicoli should be transferred.

Nick also called Msgr. Clemins, according to notes kept by the Vice Chancellor, “to express his continued concern for Fr. Sicoli as well as his own guilt feelings.” When pressed, however, Nick “could not deny” – despite what Vice Chancellor Clemins perceived to be guilt feelings stemming from the realization that Nick might “be hurting a priest’s reputation” – that the reports he and his friends had made against Fr. Sicoli were true.

In a January 5, 1978, memo to Cardinal Krol, the Vice Chancellor advised the Cardinal that he had received reports from Fr. Sicoli’s pastor that three boys were alleging that Fr. Sicoli was “either bordering on homosexuality or has had homosexual acts with them.” He related their allegations and noted that Fr. Sicoli “has given scandal by his behavior.” Monsignor Clemins wrote that it was “because some of the parents of these boys also knew in varying degrees about the situation” that he suggested Fr. Sicoli seek

treatment at Villa Saint John Vianney Hospital, a suggestion Fr. Sicoli refused to follow. Monsignor Clemins also related that he had told Fr. Sicoli he would very likely be transferred. The reason for the transfer, given to Fr. Sicoli and recorded by Msgr. Clemins on January 3, was that “the element of scandal is too evident in regard to his associations at St. Martin’s.”

Father Sicoli refuses to be evaluated at Saint John Vianney Hospital.

On January 3, 1978, when Fr. Sicoli refused to go to Saint John Vianney, Vice Chancellor Clemins instructed him to have a psychological evaluation on his own. On February 6, 1978, Chancery received from a psychologist, Donald E. D’Orazio, a two-and-a-half-page narrative of a conversation with Fr. Sicoli. Although there was a heading labeled “Test Findings,” no tests or results were mentioned. However, even as a result of their apparently brief interaction, D’Orazio detected problems. He stated that his “clinical evaluation does not show any hard signs of homosexuality,” but did reveal problems with impulse control and social adjustment. Father Sicoli had, in any case, already been reassigned.

On January 6, 1978, three days after Vice Chancellor Clemins had recorded in his handwritten notes that “there persists a grave suspicion that Fr. Sicoli is at least emotionally unbalanced,” Cardinal Krol reassigned Fr. Sicoli as associate pastor at Immaculate Conception B.V.M. Church in Levittown. There he sexually abused four victims who later testified before the Grand Jury.

Archdiocese officials record restrictions on Father Sicoli’s access to youth, but fail to implement or enforce them.

Aware of Fr. Sicoli’s troubled relationships with adolescents, Chancellor Francis Statkus wrote in a memo to the file that he had forbidden Fr. Sicoli to supervise youth in his new parish. Yet when the Chancellor learned almost immediately of concerns that Fr. Sicoli was once again intimately involved with the parish’s youth programs, he did nothing to intervene.

In a memo for the official record, dated January 12, 1978, six days after Fr. Sicoli had been assigned to Immaculate Conception B.V.M., Chancellor Statkus described a conversation with the pastor there:

I telephoned Father John Campbell directing him not to place Father Sicoli into any position as moderator or director of any youth groups. I included the direction of the altar boys in this restriction.

I did not explain in any way the reason for this restriction. I indicated simply that, in the past, Father Sicoli's experiences with the youth have not been favorable.
(Appendix D-14)

Right from the start, fellow priests, who lived with Fr. Sicoli in the rectory of Immaculate Conception, made it clear to the Archdiocese that Fr. Sicoli's behavior was continuing. In March 1978, Chancellor Statkus wrote that Fr. Frederick K. Schmitt "registered annoyance and apprehension about Father David Sicoli." The Chancellor's memo of a meeting with Fr. Schmitt noted obliquely that Fr. Schmitt and another priest at the parish, Fr. Arnholt, had seen some "shortcomings" in Fr. Sicoli. Monsignor Statkus wrote that Fr. Schmitt told him that "unless he learn[ed] more about Fr. Sicoli from us or if Fr. Sicoli's patterns do not improve, Father Schmitt would have difficulty continuing to be assigned with him."

On July 10, 1978, Fr. Schmitt returned to Chancery "distraught and upset." According to Chancellor Statkus's notes, the priest reported that Fr. Sicoli only performed the duties that interested him – specifically, those supposedly banned by Msgr. Statkus – the youth program, Confraternity of Christian Doctrine ("CCD"), and the grade school. Father Arnholt, who spoke to the Chancellor by telephone, confirmed that Fr. Sicoli was a problem and that he generally spent seven hours – 9:00 A.M. to 3:00 P.M. – at the parish school. Both priests recommended that Fr. Sicoli be moved.

Instead, Chancellor Statkus recommended that *Fr. Schmitt* be reassigned. In a July 21, 1978, memo recording an interview with Fr. Sicoli and his pastor, Fr. John Campbell, the Chancellor explained that he probably should have transferred Fr. Sicoli, but he decided not to "considering the number of transfers he already had had." Monsignor Statkus recorded that at their interview he reviewed the "unfavorable observations which

have been made concerning him since his first appointment.” The Chancellor noted that the pastors from all three previous assignments had reported “shortcomings.”

Unless covered under the topic of “shortcomings,” the Chancellor’s notes from the meeting record no admonishment of Fr. Sicoli, or Father Campbell, for the inordinate amount of time Fr. Sicoli was spending on youth activities and in the parish school. Chancellor Statkus recorded no mention of his previous recorded instructions to keep Fr. Sicoli away from youth activities.

Father Sicoli abuses numerous boys at Immaculate Conception.

- **“Frederick**

“Shortcomings” did not really adequately describe what Fr. Sicoli was doing at Immaculate Conception. In the summer of 1978, when Fr. Sicoli’s fellow priests were registering their disregarded concerns, Frederick was a 13-year-old altar boy who worked in the rectory answering phones and helping the four priests. Father Sicoli began to invite him on outings – to swim at Saint Charles Borromeo Seminary, to movies, and to his house at the New Jersey Shore. Sometimes other boys who worked at the rectory were included, but sometimes only Frederick accompanied Fr. Sicoli.

Frederick told the Grand Jury that at first he was delighted about the outings. He was one of ten children and his parents rarely took him anywhere. He did not object when Fr. Sicoli took him and other boys to a bar in North Wildwood – the “Red Garter” – and let them drink pitchers of beer, or when the priest let the underage boy drive the priest’s car home from the bar. What became an unwelcome part of the routine, however, was that, while the intoxicated boy drove, the priest feigned sickness and asked the teen to rub his stomach. Invariably, Fr. Sicoli had the boy rub his crotch as well. Frederick testified that he was 14 or 15 years old when this began.

Another regular feature of trips to the shore was sleeping in the same bedroom with Fr. Sicoli and being sexually assaulted by him. Frederick said that he often went to bed intoxicated and awoke to find Fr. Sicoli either performing oral sex on him or masturbating him. Father Sicoli then asked to be masturbated. On one occasion, the priest asked Frederick to perform oral sex on him but the boy refused. Frederick said that he sometimes

went to bed with clothes on and awoke nude. He said that Fr. Sicoli asked to be masturbated “numerous, numerous times.” One time he remembered, in particular, was in the fall of 1980 (the year the Phillies won the World Series). Frederick was 15. He was at the priest’s house in Sea Isle City, New Jersey, drinking alcohol, when tickets went on sale for Phillies’ playoff games. He said that he and Fr. Sicoli immediately jumped in the priest’s car and headed for Veterans Stadium. The underage teen drove the car. Father Sicoli masturbated him and had the teen masturbate him all the way along the drive to Philadelphia.

Frederick testified that his abuse continued from 7th grade into high school. He recalled that it ended before he turned 16. A cook in the rectory, Barbara Walsh, helped end Fr. Sicoli’s abuse. Frederick told the cook that he did not want to go to the shore anymore, but he knew Fr. Sicoli would get angry with him. Frederick testified that it was “warped,” but that Fr. Sicoli acted as if the two of them had a “boyfriend-girlfriend relationship” and became very emotional and screamed when he did not get his way. The cook told Frederick to tell Fr. Sicoli he was not going to the shore anymore. When Fr. Sicoli blew up and tried to fire Frederick from his rectory job, Walsh said that she would “go to the pastor.” Frederick was able to keep his job, which he needed to help his family financially, but, he said, he was ostracized by Fr. Sicoli.

- **“Jake” and “Robert”**

Jake and Robert were a year younger than Frederick. Like Frederick, they were members of the church’s youth group and worked at the rectory. They told the Grand Jury of experiences with Fr. Sicoli very similar to Frederick’s. On separate occasions, Fr. Sicoli took both to the “Red Garter” in North Wildwood and plied them with beer. Both drove the priest home from the bar in his car, though neither boy was old enough to drive. Father Sicoli told both boys on those occasions that he felt sick and asked them to rub his stomach, urging both to go “lower, lower.”

Jake testified that one night he awoke in the middle of the night, after drinking at the bar, to find Fr. Sicoli standing over him. The priest had been rubbing the boy’s genitals and his “crotch was wet.” When he asked the priest what happened, Fr. Sicoli answered

that the boy must have had a wet dream. Later that night, 14-year-old Jake looked over at the priest, who was on a separate bed in the same room. Father Sicoli was lying naked on top of his covers, looking at him and masturbating. The next day, Jake's parents stopped by the priest's beach house on their way to visit relatives. Jake begged his mother to take him with her when she left, but she refused, not wanting to insult the priest.

When Jake announced to Fr. Sicoli that he no longer wanted to go to the shore, the priest threatened to, and then did, tell his parents that the teen had been smoking. The priest tried to enlist the mother's help to persuade Jake to continue his beach trips. This time, Jake's mother told the priest to give her son some "space."

Robert testified that he accompanied Fr. Sicoli to his beach house and drank with the priest on many occasions. Often, he said, he was too intoxicated to remember what happened when he went to bed in the same bedroom with the priest. On one occasion, another parish boy came into the bedroom to wake Robert up and found Robert lying on top of Fr. Sicoli. Robert said that he did not know how he had gotten there. Father Sicoli fired Robert from his rectory job and kicked him out of the CYO when Robert refused once to go to the shore with him.

- **"Hugh"**

Hugh told the Grand Jury that he came onto "Father Sicoli's radar screen" in 6th grade, when he broke a rectory window while playing ball and rang the rectory bell to confess. Father Sicoli, he said, recruited him to become an altar boy. The priest later hired him to work in the rectory and, according to Hugh, paid him "top dollar." The grooming process continued with favorable treatment, trips, invitations to the priest's shore house, assignments to leadership positions in the youth group, and lucrative funeral and wedding jobs. He was 12 years old when he was put "in charge of" the other altar boys. Father Sicoli regularly took Hugh out of his classes at Immaculate Conception's grade school.

Hugh told the Grand Jurors that one day, while he was doing his homework at the rectory, Fr. Sicoli came up to him and said, "Let's wrestle." The priest then wrestled the boy to the floor and climbed on top of him. He challenged the boy to try to get away and, according to Hugh, called him something like a "pussy" for not fighting back. Hugh

testified: “I saw that he was getting more into it, and he was grinding all over me, and I recognized that he had an erection, and I certainly wanted no part of that”

Hugh said that similar “wrestling” incidents happened at Fr. Sicoli’s beach house. Hugh testified that Fr. Sicoli gave him Margaritas and other alcohol while at the shore and that he often went to bed too intoxicated to remember the next morning what had happened. He said that he remembered a part of one night when he awoke to find Fr. Sicoli standing, watching him. He described vivid images he recalled from that night and said that he felt strongly that something happened that “my brain’s not letting me see.”

Hugh tried to explain to the Grand Jurors how he emotionally dealt with Fr. Sicoli’s abusive behavior. He told them:

If you’ve ever heard the term “out of body experience,” I can tell you that it actually happens, and it’s terrifying because it is – it’s a way to escape. And I remember sitting in the rectory one time, and I was sitting on the couch, and he was awfully close, and he was saying some things about my parents, and the stress just was – it was on me like an anvil, on my chest. I couldn’t, and I remember distinctly my body and soul lifting out, going up in the top corner in the room. I was just looking down on myself, and I could see this day. It’s just the most bizarre picture. And I was yelling, “Get up and run.” And my brain is not letting me see the other side of it. There’s something that’s really – it’s dark. I can’t – it’s like a light, the light goes dim when I’m trying to explore it and see what happened.

Hugh described the emotional toll that Fr. Sicoli imposed on him. Like the other victims, he noted Fr. Sicoli’s immaturity, his controlling and manipulative nature, and his temper. Like the others, he recalled tantrums whenever he associated with, or even talked to girls. Hugh illustrated how “mentally taxing” it was to deal with Fr. Sicoli, testifying: “every time you dealt with him, you felt like you just came out of surgery.”

Hugh told the Grand Jury that his abuse by Fr. Sicoli ended when he backed out of a trip to Disney World that Fr. Sicoli had planned for the two of them. Hugh’s father, apparently sensing reluctance from his son, pressed the boy on whether he really wanted to go on the trip. Hugh said he admitted to his father that he was afraid “something really bad is going to happen down there.” When Hugh’s father informed Fr. Sicoli that Hugh would

not be going, the priest yelled and swore at Hugh's father. When Hugh showed up for work at the rectory the next week, Fr. Sicoli had replaced him with another boy.

The Archdiocese is made aware of the improper relationships between Father Sicoli and his victims while they are taking place, but ignores the reports.

Had the Archdiocese heeded, or even investigated, Fr. Schmitt's warnings about Fr. Sicoli and acted appropriately, the victims would have been spared life-altering sexual abuse. Frederick, Jake, and Robert all testified that they were angered to discover in 2004 not only that Fr. Schmitt had warned of Fr. Sicoli's behavior, but that their abuser had been transferred to Immaculate Conception because boys at his previous assignment had brought sexual abuse allegations to the Archdiocese. They were further amazed to learn that Fr. John Graf, then an assistant pastor at Immaculate Conception, had in 1983 provided their names to the Chancellor and warned him of Fr. Sicoli's suspicious and unhealthy relationships with the teens. The three victims were angry that no one from the Archdiocese had sought them out for 20 years. If nothing else, they believed that harm to future victims could have been prevented.

But Archdiocese managers demonstrated no interest in protecting children they knew were at risk. Chancellor Statkus was well aware, throughout Fr. Sicoli's tenure at Immaculate Conception, that the priest was extremely involved with the parish youth, as Fr. Sicoli himself boasted. On May 1, 1982, Fr. Sicoli wrote to the Chancellor requesting a high school teaching job. In his letter he enumerated his extensive work with children, including: developing a summer religious education program for 130 students, teaching 7th and 8th grade religion daily, and starting a "parish based high school retreat program for which [the] high school students are released from school."

On August 3, 1982, in his write-up of a five-year review routinely performed with priests, Msgr. Statkus noted that Fr. Sicoli "moderate[d] the altar boys and the CYO (high school students)." Ignoring the fact that all of these activities were in complete disregard of his purported directive that Fr. Sicoli not be involved with youth, Msgr. Statkus wrote: "his experiences in his first assignments are considered a closed matter."

In October 1982, the Chancellor appointed Fr. Sicoli associate director of the youth program, CCD, in Bucks County. The priest also remained associate pastor at Immaculate Conception B.V.M. Church.

On May 2, 1983, Chancellor Statkus learned from Fr. Graf that considering Fr. Sicoli's prior abuse "a closed matter" was a mistake. On that day, Fr. Graf told Msgr. Statkus of Fr. Sicoli's unnaturally close and unhealthy relationships with six adolescent boys, including the four that testified before the Grand Jury. (Appendix D-15)

The six named by Fr. Graf were: Jake, Frederick, Robert, "Henry," "Brandon," and Hugh. Chancellor Statkus recorded that Fr. Sicoli had "befriended" and tutored Jake from his 8th-grade year at the parish grade school to his sophomore year at Bishop Egan High School. Frederick, whom Fr. Sicoli had also "befriended," had since moved to Florida. Father Sicoli tutored both Robert, a junior at Bishop Egan, and Henry, a freshman, who had been "his recent friend." Brandon and Hugh were both 8th-graders at the parish school whose "friendships" with Father Sicoli were four or five months old.

Father Graf explained that these associations followed a "usual routine." Father Sicoli hired the boys to work in the rectory. He became close to their families. He took several of the boys on trips to his beach house at the New Jersey Shore. When his "associations" ended, Fr. Sicoli fired the boys from their rectory jobs. Father Graf told Msgr. Statkus that Fr. Sicoli's most recent "friends" – Hugh and Brandon – came from troubled homes. Although Chancellor Statkus, in his memo recording Fr. Graf's report, labeled Fr. Sicoli's relationships with these boys "friendships," Fr. Graf testified before the Grand Jury that he "had the deep feeling" that Fr. Sicoli was sexually interested in these boys.

Father Graf also reported to Msgr. Statkus that others suspected Fr. Sicoli of misconduct. The teachers and principal at the parish school, according to Fr. Graf, were extremely upset and thought Fr. Sicoli needed "professional help or attention." He was known to excuse his favorites from their classes. The school principal asked Fr. Graf to communicate to Chancery that she was willing to be interviewed. Father Sicoli was scheduled to be transferred in June 1983 in any event, so on May 2, 1983, Chancellor Statkus told Fr. Graf to "assure the sisters and other members of the faculty that there

would be a due review and that truly there was no need for them to be interviewed.” It is clear from Msgr. Statkus’ response that he thought the problem posed by Fr. Sicoli would be “solved” simply by transferring him to another parish; such would have been true only if the “problem” perceived was that of the scandal resulting from the priest’s actions, and not the priest’s actions themselves.

Father Sicoli is transferred to Saint Athanasius and is named Associate Director of the CCD youth program for the entire Philadelphia area; he continues abusing Hugh.

On June 1, 1983, Fr. Sicoli became associate pastor at Saint Athanasius, a predominantly black parish in West Oak Lane. By mid-June, it was apparent to the principal and faculty at the Immaculate Conception B.V.M. grade school that the Archdiocese was not protecting its parish children. Father Sicoli had written several vengeful letters to his former colleagues, bitter that they had tried to curtail his involvement with their students. In his letters, Fr. Sicoli indicated that, despite his transfer, he was still in contact with Hugh. Sister Elaine Anthony, a religion teacher at Immaculate Conception B.V.M., wrote to Chancellor Statkus on June 21, 1983:

[Hugh] was in my class. I watched [Hugh] go from a happy mischievous kid to a tension-filled, confused state of mind. Father has had him down the Shore on weekends. We had hoped this would have discontinued when Father was changed. Father had had a controlled grip on this young fellow that is unhealthy for a thirteen year old.

What concerned the principal and teachers most was that Fr. Sicoli informed them how involved he was already in the school at Saint Athanasius. The Immaculate Conception principal, Sister William Anthony, told the Chancellor in a letter received June 20, 1983, that she was “very much concerned with the fact that Fr. Sicoli intends to teach in the elementary school at his new parish, and he has already begun to pass judgment on the faculty there.”

“It is not fair to the people of St. Athanasius nor Father himself,” the principal went on, “to let this go by. . . . The poor man needs help and apparently cannot see that need in himself. I don’t know what you can do about him, but please Msgr., do not allow him to

get involved in that school I just want to keep him from hurting anyone else – or himself.”

Sister Elaine Anthony made the same plea on June 21, 1983. She tried to impress on the Archdiocese official the enormity of the harm Fr. Sicoli was doing to these children:

I have not only seen, but have experienced, first hand, the inner emotional stress and strain of my students whom Father has singled out as his favorites. I have watched the other students resent them and pressure them through verbal uncharitableness.

She described graffiti in both the boys’ and girls’ bathrooms. The graffiti depicted Hugh (his name was written) performing an “obscene sexual act.” In the boys’ bathroom, she reported, he was performing the act on “Father.”

In their letters to Chancellor Statkus, both the principal and Sister Elaine mentioned Fr. Graf’s report to the Archdiocese, nearly two months earlier, of the problems with Fr. Sicoli. Up until the time they wrote, however, nothing had been put in Fr. Sicoli’s file – either the personnel or Secret Archives file – to record the information, including the names of the six boys, that Fr. Graf had provided to Msgr. Statkus. On June 22, 1983, two days after receiving the principal’s letter, the Chancellor wrote a memo summarizing his meeting of May 2 with Father Graf.

Still the Archdiocese response was negligible. Monsignor Statkus met with Fr. Sicoli, but according to the Chancellor’s June 24, 1983, notes from the meeting, Fr. Sicoli was not restricted in activities at Saint Athanasius’ school. He was not sent for evaluation, or treatment, or counseling. He was not confronted with the names of the boys he had “befriended” or questioned about his continuing contact with Hugh. Instead, he was simply “cautioned . . . not to form particular friendships because these lessen the effectiveness of his ministry.” Instead of being banned from the school, he was encouraged “to maintain a favorable rapport with the teachers of the parish school.”

Other than a noted intention to speak to Fr. Sicoli’s new pastor, there is nothing in the Archdiocese files to indicate any action taken. The boys named by Fr. Graf were not interviewed. The Archdiocese apparently ignored altogether Fr. Sicoli’s ongoing relationship with Hugh, even though Fr. Sicoli had told Msgr. Statkus, as recorded in the

June 24, 1983, memo, that he feared the boy might commit suicide. The Chancellor received a copy of a letter written by Fr. Sicoli to Sister Elaine on June 15, 1983, in which the priest wrote: “last week [Hugh] said to me that all he had to do to end the difficulties he was having was simply to break with me. But he felt that would be wrong.” The Archdiocese did nothing to protect Hugh. Sadly, no one from the Archdiocese showed any interest in what Fr. Sicoli was doing to the boy until another twenty years had passed, after the Grand Jury questioned Archdiocese managers in 2004.

During Fr. Sicoli’s tenure at Saint Athanasius, on October 1, 1984, Chancellor Samuel Shoemaker appointed him associate director of the CCD youth program for the entire Philadelphia area. The Chancellor made the appointment even though the priest’s file clearly showed that he used the Church’s youth groups to reward, groom, and manipulate his targeted boys.

Despite Father Sicoli’s record, Archbishop Bevilacqua promotes him to pastor of Our Lady of the Holy Souls Church.

In January 1990, Fr. Sicoli’s Secret Archives file contained multiple reports of improper behavior with adolescent boys, a history of failed assignments, and pleas from co-workers to help this sick man and protect the youth of the Church. Despite all this, Archbishop Bevilacqua promoted Fr. Sicoli to a pastorate, appointing him to be pastor of Our Lady of the Holy Souls Church. There is no indication that Archbishop Bevilacqua requested a psychological evaluation or that any of the many allegations in the file were investigated before making the assignment. (When the Archdiocesan Review Board finally investigated these allegations in 2004, it concluded unanimously that there were “five victims of multiple substantiated allegations of sexual abuse” and “three victims of multiple substantiated allegations of sexual exploitation.”) Father Sicoli’s request to return to a black parish was honored by the transfer to North Philadelphia.

Grand Jury testimony from Sister Ann Provost, the Director of Religious Education while Fr. Sicoli was at Holy Souls, established that, once again, Fr. Sicoli focused his attention on the church’s youth group – and on one boy in particular, “Adrian.” When Fr. Sicoli joined Holy Souls, Adrian was not, according to Sister Ann, one of the leaders of the then-thriving youth group. But Fr. Sicoli’s immediate favoritism toward Adrian, and his

elevation of Adrian to a leadership position, drove other participants away. Sister Ann said she heard other students talking and saying that Adrian and Fr. Sicoli had a sexual relationship.

Sister Ann said that the rumors were widespread among the mothers of teens. She even received a call from the former pastor at Holy Souls, Fr. Charles Vance, asking her whether what he was hearing – that Fr. Sicoli was taking Adrian overnight to his beach house on Friday nights – was true. She later learned from Fr. Sicoli that it was true.

Sister Ann said that Adrian was a high school junior when Fr. Sicoli's relationship with him began. After Adrian graduated, Fr. Sicoli gave him a job as a part-time youth minister and asked the teen to move into the rectory. Sister Ann thought that the job might have something to do with financial assistance Fr. Sicoli was helping to arrange for Adrian to attend LaSalle College. As a high school graduation present, Fr. Sicoli took Adrian to Africa for two weeks.

Sister Ann also told the Grand Jury that, after Adrian moved into the rectory, his relationship with Fr. Sicoli became very tumultuous, even violent. She learned this from the youth minister, "Diane." Sister Ann said that it was with great reluctance that Diane confided that Fr. Sicoli had called her and her husband in the middle of the night more than once to break up physical fights between the priest and Adrian.

In September 1992, according to Sister Ann, Diane called her to the scene of one midday fight, telling Sister Ann to hurry because Adrian was "after [Fr. Sicoli] with a baseball bat." By the time Sister Ann arrived, Adrian was gone, but she saw Fr. Sicoli, looking disheveled, with a cut on his face. After hours of talking to Fr. Sicoli and Adrian, who had returned, Sister Ann concluded that they were both "too engrossed" emotionally and that the situation was unhealthy. Sister Ann was instrumental in getting Adrian to move out of the rectory and back home with his mother. Father Sicoli, she said, was "irate" that Adrian had moved out and started packing his bags and threatening to resign.

The next morning, Fr. Sicoli called Sister Ann at 6:30 a.m. She told the Grand Jury: "He said he was in Sea Isle and another young man had come down in the middle of the night to be with him. . . . He said he would be up in a couple of days." He returned to the

parish, but Adrian did not. A month later, Fr. Sicoli fired Diane. He stopped talking to Sister Ann.

Sister Ann told the Grand Jurors of two other boys in whom Fr. Sicoli took a particular interest. One was a 6th-grader who worked in the rectory and whose mother “pulled him right out,” as Sister Ann put it, “as soon as anything started.” The other boy was an 8th-grader named “Ben,” who was not Catholic, but who attended the grade school associated with Saint Stephen parish. That parish was scheduled to merge the next summer with Holy Souls and the youth of the parishes were beginning to engage in joint activities.

Ben, Sister Ann learned later, was the boy whom Fr. Sicoli went to see immediately after the incident that caused Adrian to move out of the rectory. She testified that he largely replaced Adrian, becoming a regular around the rectory at all hours, even though he continued to live at home with his father.

Cardinal Bevilacqua names Father Sicoli pastor of a newly consolidated parish, Our Lady of Hope, where the priest targets an eighth-grader.

Despite the notoriety of Fr. Sicoli’s behavior with Adrian, not to mention his extensive Secret Archives file, Cardinal Bevilacqua chose Fr. Sicoli to be the pastor of the newly consolidated North Philadelphia parish, Our Lady of Hope, formed in June 1993 by the merger of Our Lady of the Holy Souls and two other parishes. Serving on Cardinal Bevilacqua’s Priest Personnel Board, the group he charged with advising him on assignments, was Fr. John Graf, the same priest who had reported Fr. Sicoli’s sick behavior to the Archdiocese in 1983. Father Graf had also served as Assistant Chancellor from 1984 through 1989 and was familiar with Fr. Sicoli’s Secret Archives file.

Father Graf testified before the Grand Jury that he felt uncomfortable bringing up sensitive issues before the large Priest Personnel Board, but that he did express his concerns privately to Cardinal Bevilacqua and his Secretary for Clergy, William J. Lynn. Father Graf said that in March or April of 1993, before Fr. Sicoli’s appointment, he told Cardinal Bevilacqua and Msgr. Lynn that Fr. Sicoli was ill and needed help. Father Graf said there was no “real reaction” to his warning, other than the Cardinal’s saying, “He’ll

get help. He's getting help." The Cardinal did not ask what Fr. Graf meant by "ill." There is no record in the file that Cardinal Bevilacqua ever ordered such "help."

Father Anthony Bozeman was hired by Fr. Sicoli as the youth minister (this was a lay position and Fr. Bozeman was not ordained at that time) at Our Lady of Hope. Father Bozeman testified that, at some level, he sensed something strange when Fr. Sicoli brought a 13- or 14-year-old boy, Ben, along to interview Bozeman for the job. He began work in June 1993, and soon noticed that Fr. Sicoli called a 13-year-old girl (whom Bozeman thought a "sweetheart") a "tart." He said that Fr. Sicoli refused to give the girl's mother the "Sign of Peace" at Mass. His suspicions that something was wrong deepened when he learned that the "tart" was Ben's girlfriend. Bozeman began to see Fr. Sicoli's affection for Ben and another 8th-grade boy, "Howard," in a different light.

Father Bozeman testified that Fr. Sicoli took him to Disney World on a trip that Fr. Sicoli had planned for himself, Ben, and Howard. Father Sicoli invited Bozeman because Howard's mother forbade him from going and Ben refused to go alone with Fr. Sicoli. The youth minister said that he did not observe any abuse on the trip, but thought it odd that Fr. Sicoli and Ben went out to play tennis at 3:00 a.m. He noted that Fr. Sicoli said he was feeling sick most of the time.

By August 1993, Fr. Bozeman said, he and all of the priests – there were three others living at the rectory – had concluded that something needed to be done about the unnatural relationship between Fr. Sicoli and Ben. While absolute evidence of sexual abuse is nearly impossible for any third party to obtain, the priests and Bozeman began documenting the suspicious behaviors they witnessed. They noted the trips, the long hours Ben spent in the rectory, including eating dinner with the priest, the thousands of dollars Fr. Sicoli spent on computer equipment for Ben to use, Fr. Sicoli's absolute dependence on Ben, the fact that Fr. Sicoli's mood was governed entirely by the state of his relations with Ben, the total access that Ben had to the pastor's private quarters, and an overheard conversation in which the priest told the 14-year-old, "You make me feel like a cheap whore." They also noted that Fr. Sicoli expedited the process to convert Ben to Catholicism and baptize him so that he could become head of the youth group.

Father Bozeman told the Grand Jury that the priests – Fr. William Murphy, Fr. Timothy Judge, and Fr. Michael Hennelly – took their observations to Secretary for Clergy Lynn in late August or September 1993 (although no record of this meeting was provided to the Grand Jury). They told him of their concerns, said that the whole church staff had noticed the behavior, and said that they could not work with Fr. Sicoli. Father Bozeman said that Fr. Sicoli later told him that Msgr. Lynn had spoken to him. Fr. Sicoli, according to Fr. Bozeman, said that Msgr. Lynn was going to look into the situation. Since there is no evidence, either by way of memo or testimony from Msgr. Lynn or anyone else, that the Secretary for Clergy tried to talk to Ben, any of the church staff members, or any of Fr. Sicoli’s previous victims, it is, at best, not clear to the Grand Jury how Msgr. Lynn was “looking into it.”

Father Bozeman further told the Grand Jury that Msgr. Lynn came to the rectory shortly thereafter and announced that Fr. Sicoli was to be sent for a psychological evaluation. Bozeman felt that Msgr. Lynn was trying to tell the staff that their perceptions were mistaken, and that if an evaluation showed no problem, Fr. Sicoli would probably be returned. Father Bozeman did say, however, that Msgr. Lynn assured the staff that “Father Sicoli is not to have any more involvement with children.”

Monsignor Lynn provides Saint John Vianney Hospital with false or incomplete information leading to Father Sicoli’s misdiagnosis.

On October 11, 1993, Fr. Sicoli began a four-day outpatient evaluation at Saint John Vianney Hospital. On the referral form explaining why an evaluation was sought, Msgr. Lynn listed complaints from associates of emotional attachment to parish boys and petty arguments. Monsignor Lynn stated that no “immorality” was alleged, when that was precisely what the complaints suggested. He completely discounted what he called “sexual misconduct allegations” of the three victims from Fr. Sicoli’s assignment at Saint Martin of Tours. The Secretary for Clergy wrote that the boys had retracted the allegations when, in fact, only one boy, in a letter that sounded coached and unconvincing, purported to retract the accusations of all of them and thereafter admitted that they were true. Monsignor Lynn said on the referral form that Fr. Sicoli’s relations with peers were good,

even though the Secretary for Clergy had been told by Fr. Sicoli's co-workers that they could not work with him. Indeed, Fr. Sicoli's file contained numerous references, from several sets of co-workers at various locations, to Fr. Sicoli's inability to get along with fellow priests. Nevertheless, Msgr. Lynn informed the Archdiocese-owned treatment facility that the hope was to have Fr. Sicoli continue in his present assignment.

Given the information with which the treatment facility was provided, it was unsurprising that, at the conclusion of his evaluation, Fr. Sicoli announced (according to Father Bozeman) that the diagnosis was that he fixated on problems and that he needed more exercise. He assured the staff that everything was fine now.

Following the evaluation, Msgr. Lynn was informed repeatedly that Fr. Sicoli's relationship with Ben was continuing. Father Hennelly, one of the priests living in the rectory, informed him one week after Fr. Sicoli returned from his evaluation announcing that everything was fine. Charles Devlin, Vicar for North Philadelphia, informed him in January 1994, when he forwarded to the Secretary for Clergy a letter from Fr. Murphy (another priest living in the rectory) to Fr. Sicoli, explicitly criticizing his continuing "unhealthy and destructive relationship with [Ben]." In February 1994, Msgr. Lynn recorded Fr. Hennelly reporting that he was still "suspicious of his pastor [Sicoli] and the pastor's relationship with the young men of the parish." On April 5, 1994, Msgr. Lynn met with Fr. Judge, the third priest living at the rectory, and recorded being told: "Father Sicoli's relationship with the young man named Ben who works at the rectory has not changed."

On April 15, 1994, Cardinal Bevilacqua received a six-page letter from Diane and her husband detailing the story of Fr. Sicoli's intense and violent relationship with Adrian at Our Lady of the Holy Souls. They also alerted the Cardinal that Fr. Sicoli was now obsessively involved with another boy, referring to Ben.

Cardinal Bevilacqua responds to complaints against Father Sicoli by transferring him to another parish, where he attaches to a new boy.

Cardinal Bevilacqua's response to the overwhelming opinion of the staff from Fr. Sicoli's last two assignments – that Fr. Sicoli had sick and improper relationships with

adolescent boys – was to offer the priest another pastorate in a different part of town. On May 7, 1994, Fr. Sicoli wrote to Msgr. Lynn:

I have given much thought to the options that you and Msgr. Devlin discussed with me at our May 6th meeting concerning my next assignment.

I wish to accept Cardinal Bevilacqua's offer to be named Pastor of Saint Anthony's parish.

There is no indication in Archdiocese files how Cardinal Bevilacqua reached his decision to offer Fr. Sicoli another pastorate. At least three members of the Priest Personnel Board – the Cardinal, Msgr. Lynn, and the North Philadelphia Vicar, Charles Devlin – were quite familiar with Fr. Sicoli's problem with adolescent boys.

Now-Bishop Joseph Cistone told the Grand Jury that because Fr. Sicoli was the only priest assigned to Saint Anthony, a South Philadelphia parish, this meant that, by necessity, Fr. Sicoli be in charge of any youth programs and altar boys. It also meant there were no assistant priests to observe and report any improper relationships or behavior.

Father Sicoli's behavior had become so notorious among priests and Catholic lay staff, however, that Bozeman soon had people asking and informing him about Fr. Sicoli's actions. He told the Grand Jury that Linda Love, the Director of the Office of Black Catholics, approached him and told him that she had heard stories about what had happened at Our Lady of Hope and was concerned because she knew he was involved with youth again at Saint Anthony. She told Bozeman that Fr. Sicoli had started a chastity program at his new parish, similar to one he ran at Our Lady of Hope. She said that Ben was now a part of this group at Saint Anthony. Love also told Bozeman that Fr. Sicoli had "picked up another kid" at Saint Anthony, a boy named "Allen," and that Allen's mother was worried about the situation. Linda Love told Bozeman that she intended to report Fr. Sicoli's continued involvement with teens to "the proper authorities." If Love did complain to the Office for Clergy, there is no record of it and no action resulted.

Cardinal Bevilacqua gives Father Sicoli a third pastorate; complaints again come in immediately, and are ignored.

Saint Anthony closed in 1999. On January 13, 1999, Msgr. Lynn met with Fr. Sicoli and the Vicar for South Philadelphia, Msgr. John Conway, to discuss possible next assignments for the priest. Monsignor Lynn wrote in a memo of that date that he and Msgr. Conway “questioned whether Father Sicoli should be in North Philadelphia” given “his experience in leaving Our Lady of Hope Parish.” They apparently did not question whether Fr. Sicoli should be ministering to children at all. Instead, Msgr. Lynn wrote that both he and Msgr. Conway believed Fr. Sicoli “would probably be better off in a one-man parish.” The implication of this decision was that Fr. Sicoli, once again, would have exclusive charge of all youth activities, with no supervision and no fellow priests to observe, and possibly question, his relationships.

In accordance with this view, Msgr. Lynn recommended to the Priest Personnel Board that Fr. Sicoli be appointed pastor at Holy Spirit, another South Philadelphia parish. According to minutes from a March 16, 1999, Personnel Board meeting, the only reservation anyone expressed about the appointment was the possibility that Fr. Sicoli would not have access to parish children: “It also was noted that the parish school seems to be in a precarious situation and that it would be difficult for Father Sicoli if the school has to be closed.”

This time, in 1999, the Priest Personnel Board included at least four priests who knew of Fr. Sicoli’s history of improper relationships with adolescent boys – the Cardinal, Msgr. Lynn, and the vicars for North and South Philadelphia, Msgrs. Devlin and Conway. In testifying before the Grand Jury, now-Bishop Joseph Cistone, who was then Bevilacqua’s Vicar for Administration, admitted that Fr. Sicoli should never have even been recommended to the Priest Personnel Board.

Although Secretary for Clergy Lynn intended for Fr. Sicoli to be alone at his new parish, a visiting priest from India, Fr. Vilayakumar Chithalan, was stationed at Holy Spirit for a time in 2001. He, like most priests who lived with Fr. Sicoli, noticed and came to suspect the improper nature of Fr. Sicoli’s relationships with adolescent boys. On

November 21, 2001, he met with Msgr. Lynn and his assistant, Vincent F. Welsh, to share his concerns.

According to Fr. Welsh's notes of the meeting, Fr. Chithalan told the Archdiocese managers that Fr. Sicoli gave a "disproportionate amount of attention to the teenagers of the parish." More troubling still, he reported that two teenage brothers, one in 8th grade and one in 10th, had been living at the rectory over the past year. Father Welsh noted that the boys were of Filipino origin, but did not record their names. Father Chithalan also told the Archdiocese managers that Fr. Sicoli had removed a deacon from the pastoral council and replaced him with three teenagers; that Fr. Chithalan believed Fr. Sicoli spent his days off and his vacation time with teenagers; and that Fr. Sicoli hosted youth group sleepovers at the rectory.

Monsignor Lynn apparently did nothing with this information. Five months later, on April 26, 2002, Msgr. John Conway, the Vicar for South Philadelphia, told him that the two teenage brothers were still living in the rectory with Fr. Sicoli. Monsignor Conway conveyed information from Brother Richard Kessler, the President at West Catholic High School, who had visited the rectory at Holy Spirit in response to a complaint from the boys' mother that Fr. Sicoli was causing division in her family. Father Sicoli showed Brother Kessler a suite of rooms in which the teenage brothers lived. In a telephone call with Fr. Welsh and Msgr. Lynn also on April 26, 2002, Fr. Sicoli said that he did not, and had never had teenage boys living at the rectory. It did not appear from Fr. Welsh's memo of that call that Msgr. Lynn had ever acted on Fr. Chithalan's report five months before about the boys. Monsignor Lynn and Fr. Welsh went to the rectory a half hour after the call. Father Sicoli again falsely claimed that no boys had been living with him. When pushed, he claimed that two boys had stayed briefly, that they lived on the first floor, and that their mother lived there with them. Father Welsh's memo states that, contrary to Fr. Sicoli's claim, the boys' mother never stayed overnight at the rectory.

Father Welsh wrote that Msgr. Lynn told Fr. Sicoli his actions were "incredibly stupid" not only "because of the current climate but because of Father Sicoli's imprudence in his relating to youths." According to Fr. Welsh's memo, Msgr. Lynn told the priest not to have children or teenagers stay at the rectory and "put [Fr. Sicoli] on notice" that, if he

disobeyed, “Cardinal Bevilacqua will take strong action against him.” Father Welsh recorded Fr. Sicoli’s assurance that he “would pull away from the family situation.” Monsignor Lynn made no effort to interview the boys or their mother. One of the boys, “Joseph,” later told the Grand Jury that he and his younger brother, “Anthony,” did not sleep on the first floor, but on the second floor in Fr. Sicoli’s private quarters, in a room next to the priest.

Despite the fact that the Archdiocese had caught Fr. Sicoli lying about his involvement with the teenage brothers, and despite a long history demonstrating that he was incapable of obeying instructions to stay away from children and adolescent boys, Msgr. Lynn and Cardinal Bevilacqua nevertheless left Fr. Sicoli as pastor and sole priest at Holy Spirit. Within a few weeks, the managers learned that Fr. Sicoli was continuing to disobey their orders concerning the two brothers.

On June 6, 2002, Marguerite DiMattia, who worked with an intervention program for at-risk kids at West Catholic High, called Msgr. Lynn to tell him that Fr. Sicoli’s relationship with the boys was continuing. DiMattia told the Grand Jury that she informed Msgr. Lynn that Fr. Sicoli had planned a trip to his beach house with the two boys, and that he was planning on driving the older brother, Joseph, to South Bend, Indiana, to look at Notre Dame University. Monsignor Lynn’s notes of his phone call with DiMattia confirm her testimony. DiMattia also testified that she was very concerned because of the way Joseph hesitated when she asked whether Fr. Sicoli had touched him sexually.

DiMattia’s complaint apparently had as little effect on the Archdiocese as did the others. Cardinal Bevilacqua and Msgr. Lynn left Fr. Sicoli as pastor at Holy Spirit.

Joseph, in his appearance before the Grand Jury, testified that Fr. Sicoli was extensively involved in his life as his employer while he lived at the rectory, and also his mentor. He said that Fr. Sicoli had taken him to visit approximately twenty colleges, often on overnight trips. He said that Fr. Sicoli had contributed \$5,000 toward his tuition at Notre Dame for 2003-2004, and that he expected him to help again in 2004-2005. He denied having sexual relations with the priest.

When asked in June 2004 before the Grand Jury whether there were any adolescents at Holy Spirit that the District Attorney’s office should be worried about or

that could be harmed, Joseph, at first, failed to respond. He then said: “I’m trying to think. No. I don’t think so.” He did testify, though, that his brother Anthony had told him that Fr. Sicoli had turned his attentions to another boy in the church youth group – “James.” Another boy, Joseph said, told him that James was the “new you.”

Father Sicoli resigns.

With 25 years of complaints and suspicions about Fr. Sicoli’s behavior with boys in the priest’s file, Cardinal Bevilacqua never removed Fr. Sicoli from ministry. He never restricted his faculties or tried to supervise his behavior. He never had his Secretary for Clergy question a single named or suspected victim, either to ascertain the nature of Fr. Sicoli’s attentions or to protect the child. He and Msgr. Lynn did not even include Fr. Sicoli’s name on the list of priests the Review Board should investigate.

The Archdiocese finally ordered an investigation after Vicar for Administration Joseph Cistone was questioned before the Grand Jury about Fr. Sicoli in May 2004. The Review Board’s investigator quickly located several victims who confirmed that Fr. Sicoli had sexually abused them. These victims included Frederick, Jake, Robert, and Hugh. Had the Archdiocese conducted even a minimal inquiry years earlier and denied the priest continued access to parish youth, untold numbers of victims might have been spared sexual and emotional abuse.

On July 1, 2004, Fr. Sicoli requested a leave of absence from his assignment as pastor of Holy Spirit. His “voluntary leave” was explained to parishioners as the “result of recent allegations of sexual abuse against him.” By Decree of October 28, 2004, the Archdiocese, declaring that allegations made against the priest – some dating to 1977 – had been “found credible,” formally removed Fr. Sicoli from ministry and forbade him from presenting himself as a priest or wearing clerical garb. His case has been referred to the Congregation for the Doctrine of Faith in Rome, which must approve any involuntary laicization. According to the last records presented to the Grand Jury, as of December 2004, Fr. Sicoli was living in Sea Isle City, New Jersey.

Father Sicoli was subpoenaed to appear before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Father John P. Connor

Father John P. Connor, an admitted child molester in his home diocese of Camden, New Jersey, served from 1988 until 1993 as assistant pastor of Saint Matthew parish in Conshohocken. He did so thanks to an understanding described by Cardinal Bevilacqua's assistant from his tenure in Pittsburgh as a "tradition of bishops helping bishops." That "tradition" led Cardinal Bevilacqua to help his friend, Bishop George H. Guilfoyle of Camden, by assigning Fr. Connor to a diocese where parishioners did not know that the priest had molested a 14-year-old student. Bishops Guilfoyle and Bevilacqua agreed to place Fr. Connor first in the diocese of Pittsburgh and later, after Bevilacqua's transfer, in Philadelphia, each time with access to a fresh group of children unprotected by informed parents. When Archbishop Bevilacqua assigned Fr. Connor to duties at Saint Matthew Church, it was with the directive to "educate youth."

Cardinal Bevilacqua tried to justify his actions to the Grand Jury by claiming that he first learned that Fr. Connor's 1984 arrest was for sexual abuse of a minor by reading about it in a newspaper in April 2002. The Grand Jury finds that this testimony was untruthful. In 1985, before he accepted the priest into the Diocese of Pittsburgh, then-Bishop Bevilacqua handwrote on a memo that Fr. Connor could present a "serious risk" if assigned there. In 1993, when Fr. Connor's New Jersey victim threatened to sue the Camden diocese and expose Fr. Connor's abuse, Cardinal Bevilacqua was fully aware of the potential scandal and acted quickly to have Fr. Connor transferred out of the Philadelphia Archdiocese and back to Camden.

Cardinal Bevilacqua's decision to place this dangerous New Jersey priest in a Philadelphia-area parish, coupled with his refusal to inform its pastor or parishioners of the priest's predilections, certainly put the children at Saint Matthew at "serious risk." Indeed, a year after Fr. Connor returned to Camden, a priest and a teacher from Saint Matthew warned Secretary for Clergy William J. Lynn that Fr. Connor was continuing a "relationship" he had developed with an 8th-grade boy at the Conshohocken parish. Monsignor Lynn acted promptly – notifying the Chancellor in Camden and the Archdiocese's attorney, John O'Dea. He did not notify the boy's mother who, in 1994, had no way of knowing the priest she trusted with her son was an admitted child molester.

Father Connor is arrested in 1984 in New Jersey for molesting a minor.

Ordained in 1962, Fr. John Connor was a 52-year-old theology teacher and golf coach at Bishop Eustace Preparatory School in Pennsauken, New Jersey, when he was arrested for molesting a 14-year-old student in October 1984. According to an article in The Philadelphia Inquirer, Fr. Connor befriended the victim, "Michael," when he was a freshman honors student at Bishop Eustace. The priest invited the boy to Cape May for a

weekend to play golf and help repair the roof on Fr. Connor's trailer. The boy's mother agreed, she said, because "he was a priest."

The priest and student played a round of golf and then went to Fr. Connor's trailer. There, the priest served beer to the 14-year-old and announced he was about to have a "religious experience." Michael described the experience to prosecutors as mutual masturbation.

When the priest attempted another sleepover the next weekend, Michael's mother alerted police. With Michael's assistance, they caught the priest in a sting operation and recorded an incriminating phone call with the boy. Father Connor was arrested in the principal's office at Bishop Eustace.

The priest did not, however, go to jail or even trial. Lawyers for the Diocese of Camden negotiated a pretrial intervention with the Cape May Prosecutors' Office. The terms of the deal Connor cut were that he would admit molesting the boy in exchange for having the record of his arrest erased if he were not rearrested within one year.

Michael's mother later complained to a newspaper reporter that, while Fr. Connor's life and career went on as if nothing happened, her son was so humiliated that he fled school, changed his name, and moved far away. In the April 21, 2002, Philadelphia Inquirer article, she referred to the year of his abuse as "the year my son died."

Cardinal Bevilacqua, then Bishop of Pittsburgh, agrees to accept Father Connor into the Pittsburgh Diocese to accommodate Bishop Guilfoyle of Camden, New Jersey.

After his arrest, Fr. Connor spent much of the following year in treatment at the church-affiliated Southdown Institute outside of Toronto. As the priest's release neared, Fr. Connor's bishop in Camden, Bishop Guilfoyle, wrote to Bevilacqua, who was then Bishop of Pittsburgh. In a confidential letter of September 5, 1985, Bishop Guilfoyle asked Bishop Bevilacqua whether he would consider accepting into the Pittsburgh Diocese a priest who had been arrested and was coming out of Southdown Institute, a facility that treated sexual offenders. He stated in the letter that he would call Bishop Bevilacqua with details. Bishop Guilfoyle explained to Bishop Bevilacqua later that he could not keep Fr. Connor in Camden because of scandal.

According to documents from the Pittsburgh Diocese, Bishop Bevilacqua consulted with his personnel aide, Fr. Nicholas Dattilo, and showed him Bishop Guilfoyle's letter. Father Dattilo raised several appropriate concerns about bringing Fr. Connor to Pittsburgh. In a memo dated September 11, 1985, Fr. Dattilo told Bishop Bevilacqua that they needed more information about the nature of Fr. Connor's "problem." Assuming there must be "scandal to necessitate an assignment outside the diocese," Fr. Dattilo wanted to know, "what happened?" He noted that "if the problem is homosexuality or pedophilia we could be accepting a difficulty with which we have no post-therapeutic experience." He concluded: "If, after you have talked to Bishop Guilfoyle you believe there is no serious risk in accepting Fr. Connor, we will do everything we can to keep the tradition of bishops helping bishops intact." (Appendix D-16)

After speaking to Bishop Guilfoyle, Bishop Bevilacqua wrote on Fr. Dattilo's memo: "I cannot guarantee that there is no serious risk." Despite this acknowledgement, and after receiving reports from Southdown that spoke of Fr. Connor's "sexual preference for late adolescent males," Bishop Bevilacqua agreed to give Fr. Connor an assignment in Pittsburgh.

The file contains no further detail about the basis for his decision, and Cardinal Bevilacqua could provide none when the Grand Jury questioned him about the matter. Rather, the Cardinal tried to place blame on Fr. Dattilo (who died recently, after becoming Bishop of Harrisburg): "It's the responsibility of the Clergy office to follow up any kind of concerns." Memos from Pittsburgh's files, however, suggest that Fr. Connor was hired at Bishop Bevilacqua's insistence. Father Dattilo said in his memo of September 11, 1985, to Bishop Bevilacqua: "If, after you have talked with Bishop Guilfoyle you believe there is no serious risk..." Father Dattilo's "recommendation" to accept Fr. Connor, written one day after his bishop responded, "I cannot guarantee there is no serious risk," was less than enthusiastic. Father Dattilo listed, prominently, among the reasons for the recommendation, "what [he] perceive[d] as [Bishop Bevilacqua's] inclination to assist Bishop Guilfoyle and Fr. Connor."

Cardinal Bevilacqua also refused to admit in his Grand Jury testimony that he was aware of the nature of Fr. Connor's crime at the time he hired him. But the Southdown

Institute report, which Bishop Bevilacqua received, specifically warned against giving the priest responsibility for adolescents. Father Dattilo's September 18, 1985, "recommendation" cited the "serious consequences of a recurrence" given "the nature of the incident for which he was apprehended." Bishop Bevilacqua initialed this memo, adding a note that: "He must also be told that his pastor/supervisor will be informed confidentially of his situation." There is, therefore, excellent reason to believe that Cardinal Bevilacqua did know the nature of Fr. Connor's crime when he agreed to accept him.

Father Connor stays in Pittsburgh only so long as Bishop Bevilacqua is there; Archbishop Bevilacqua then finds a parish for him in Conshohocken.

Father Connor began work in Pittsburgh in October 1985 after his release from Southdown. He remained there three years, first in a hospital chaplaincy, then in a parish. From the start he was anxious to return to Camden, but, as reflected in a May 12, 1986, memo from one of Bishop Guilfoyle's aides, Msgr. Buchler, to his bishop, Bishop Guilfoyle repeatedly put him off.

Efforts to find other dioceses willing to take Fr. Connor were unproductive. As noted in the same memo: "Ordinaries of dioceses are beginning to become somewhat 'gun shy' about accepting priests from other dioceses. The potential for legal ramifications are becoming more and more prohibitive." September 1986 memos from Bishop Guilfoyle's aides, Frs. Frey and Bottino, to their bishop recorded that some dioceses, such as Baltimore, were so wary of taking on Fr. Connor that they said they would require the extraordinary protection of an "indemnity agreement" whereby the Camden diocese would agree to "exonerat[e] them from any incident and damages caused by any acts of Pedophilia on the part of Father Connor" After Bishop Bevilacqua left Pittsburgh, Fr. Dattilo revoked Fr. Connor's assignment. A 1988 letter from Fr. Connor to Bishop Guilfoyle recorded that Fr. Dattilo cited "legal complications" and suggested Fr. Connor apply to Philadelphia since Archbishop Bevilacqua had been willing to accept the priest before.

Once again, Archbishop Bevilacqua accommodated Fr. Connor, and gave him an unrestricted ministry. He invited the priest, who he had acknowledged could present a “serious risk,” to minister to the faithful of Saint Matthew parish in Conshohocken. On September 7, 1988, Archbishop Bevilacqua appointed Fr. Connor assistant pastor at Saint Matthew, a parish with a grade school. The Archbishop’s assignment letter, among other duties, encouraged Fr. Connor to “educate youth.”

Cardinal Bevilacqua told the Grand Jury that, from what he could recall of the appointment process, Fr. Connor called the Archbishop directly to request an assignment. Archbishop Bevilacqua then asked the Chancellor, Msgr. Samuel Shoemaker, to handle the appointment. Cardinal Bevilacqua testified that he did not recall telling the Chancellor about Fr. Connor’s history.

Archbishop Bevilacqua and the Philadelphia Archdiocese accepted this dangerous priest readily but did nothing to ensure the propriety of his future conduct. Father James W. Donlon, the pastor of Saint Matthew Church since March 1989, testified to the Grand Jury that Cardinal Bevilacqua never told him about Fr. Connor’s arrest or that he had been treated at Southdown for abusing alcohol and a 14-year-old boy. The Archbishop met with Fr. Donlon for a half hour in February 1989 to familiarize Fr. Donlon with his new parish. Rather than share information that might have aided the pastor in protecting the children of Saint Matthew, Archbishop Bevilacqua chose to say only that Fr. Connor was brought from Pittsburgh to be closer to his family. Moreover, Fr. Donlon was given no guidance as to what activities Fr. Connor should or should not participate in, even though the Southdown report that Cardinal Bevilacqua had received explicitly recommended that Fr. Connor *not* be put in a position of responsibility for adolescents. Since Fr. Donlon received no warning from the Archbishop, he allowed Fr. Connor full access to the youth of the parish. The pastor did not know to be concerned about an especially close relationship that was developing between Fr. Connor and a young boy from the parish grade school, named “Timothy.”

The Grand Jury further heard that Archbishop Bevilacqua also neglected to tell the pastor that Fr. Connor had a history of alcohol abuse and that Southdown had warned that excessive use of alcohol could increase the risk that the priest would act out sexually with

adolescents. Thus, when Fr. Connor continued to drink, Fr. Donlon did not know to be especially concerned.

The Grand Jury heard from Detective Joseph Walsh of the District Attorney's Office that he had located Timothy, the boy Fr. Donlon had noticed Fr. Connor befriend during his tenure at Saint Matthew. Timothy, now 24 years old, was living with his mother outside the parish. Detective Walsh obtained signed statements from Timothy and his mother. Timothy did not say that Fr. Connor abused him sexually, but he told the detective that for several years – from third grade until the beginning of high school – Fr. Connor took him, once a week, to movies, dinner, bowling, and golfing. The priest bought him golf clubs and a bike. Timothy also admitted to the detective that as a boy he suffered from proctitis, an inflammation of the anus often associated with anal intercourse. The Grand Jury saw medical records that documented that Timothy had been treated for this condition. Timothy's mother told the detective she was convinced her son was sexually abused by Fr. Connor.

Father Donlon also told the Grand Jury that it was not until a newspaper reporter called him in 2002 that he became aware of Fr. Connor's arrest for sexually abusing a minor. Father Donlon then complained to Msgr. Edward Cullen, the Vicar for Administration, that he should have been told of Fr. Connor's background. Father Donlon explained to the Grand Jury that he "would have been more careful about everything," meaning Fr. Connor's activities and his association with the school. The pastor did not, however, complain to Cardinal Bevilacqua, because he assumed that the Cardinal did not know about Fr. Connor's background. When asked before the Grand Jury why he made this assumption, Fr. Donlon answered: "Wouldn't he have said something to me if he had known?"

The pastor did not know what Cardinal Bevilacqua's friend Bishop Guilfoyle had noted in a September 12, 1988, memo announcing Father Connor's appointment in Conshohocken: "Certainly no one knows more than Archbishop Bevilacqua about Father Connor's background over these last several years." (Appendix D-17)

Cardinal Bevilacqua defends his actions by falsely denying knowledge of Father Connor's offense.

Cardinal Bevilacqua attempted to conceal his knowledge of Fr. Connor's "background" from the public and the Grand Jury. He told a reporter, according to a story printed July 28, 2002, in the Philadelphia Inquirer, that he did not know that Fr. Connor's 1984 arrest involved a minor until he read it in a newspaper in April 2002. He told the Grand Jurors: "my memory is I thought [the incident] involved an act of homosexuality or possibly heterosexuality with an adult woman." The Cardinal testified that he first learned that Fr. Connor had been at Southdown Institute – a facility that treated sexual offenders – again from a newspaper account in 2002. He insisted that, when Bishop Guilfoyle asked him to take a priest who had been arrested – causing too much scandal for the Camden diocese to keep him – he would not have asked why that priest had been arrested.

Documents from the files of both Camden and Pittsburgh demonstrate, however, that Cardinal Bevilacqua did know, from September 1985 on, that Fr. Connor's arrest involved a minor and that the priest had been at Southdown. Bishop Guilfoyle's initial letter of September 5, 1985, to his fellow bishop, specifically stated that Bishop Guilfoyle would follow up with a phone call to provide Bishop Bevilacqua with the details of Fr. Connor's case. The letter also stated that:

Early in the year [Fr. Connor] was arrested and with government approval went for treatment at Southdown, Ontario, Canada (416-727-4214). ... He has been at Southdown for a good many months and will be released the end of this September."

Furthermore, a subsequent September 12, 1985, letter from Bishop Guilfoyle to Bishop Bevilacqua reflects that the report from Southdown, dated September 3, 1985, was forwarded to Bishop Bevilacqua and explicitly recommended "points" to be passed on to the Pittsburgh Bishop to inform his decision about accepting Fr. Connor.

The report itself states that:

The staff at Southdown does not believe that Jack is a primary pedophile but rather someone who, under the circumstances of extreme loneliness and excessive use of alcohol, acts out sexually with some preference for late adolescent males....However, because of the incident for

which he was apprehended, we would not recommend any ministry that would directly put him in a position of responsibility for adolescents such as a teaching situation.

Memos in Pittsburgh between Fr. Dattilo and Bishop Bevilacqua refer to the Southdown report. Indeed, Cardinal Bevilacqua himself professed reliance on the Southdown report to justify to the Grand Jury his decision to allow Fr. Connor to return to ministry in Pittsburgh in 1985. He told the Grand Jury that the “report from Southdown seemed to say it was a minor – that he could be restored to some kind of ministry. That’s what I gathered from the report.” Yet he testified, also, that he did not know until 2002 that Fr. Connor was *ever at* Southdown.

The Grand Jury finds the Cardinal’s testimony in this regard untruthful. We further find it inexplicable that, knowing of Fr. Connor’s abuse of a minor, Archbishop Bevilacqua chose to accept Fr. Connor into the Archdiocese of Philadelphia, to assign him to a parish with a grade school, and *not* to inform the pastor or parishioners at Saint Matthew of Fr. Connor’s criminal background, even though Archbishop Bevilacqua acknowledged that Fr. Connor could present “a serious risk.” The Grand Jury specifically finds that Cardinal Bevilacqua chose to subject the parish’s boys to that risk in order to help his friend Bishop Guilfoyle avoid scandal. Why he compounded this risk by choosing to keep Fr. Donlon in the dark is not clear, unless it was simply so that the Cardinal could later claim he knew nothing.

When Father Connor’s New Jersey victim sues the Camden Diocese in 1993, Cardinal Bevilacqua promptly transfers the priest back to New Jersey.

In September 1993, Fr. Connor was suddenly transferred back to Camden. He did not request the transfer, and no reason for it was given to Fr. Donlon. The impetus for his transfer is well documented, however, in Archdiocese files. Those records also confirm that Cardinal Bevilacqua was well aware in 1993 that Fr. Connor’s victim in 1984 had been a minor, and indeed that Bishop Bevilacqua had known that in 1985.

Detailed notes by Msgr. James E. Molloy, Assistant to the Vicar for Administration, record that on July 21, 1993, Cardinal Bevilacqua consulted Msgr. Cullen concerning Fr. Connor. The Archbishop told the Vicar for Administration that he had

received a phone call from Bishop McHugh of Camden, warning that Fr. Connor's victim from 1984 had hired an attorney and was preparing to sue the Diocese of Camden and Bishop Eustace High School. Monsignor Cullen told his assistant the next morning that Fr. Connor had gone to Pittsburgh under Bishop Bevilacqua and then to Philadelphia based on this incident in Camden. As church officials moved urgently to manage the crisis, Msgr. Molloy was instructed to gather whatever records the Archdiocese had.

Monsignor Molloy kept minute-by-minute notes of his actions on July 22, 1993 – all of which were devoted to Fr. Connor's situation. Monsignor Molloy spoke to the Bishop of Camden who updated him on the incident itself and what had happened with Fr. Connor since. The Bishop instructed his Chancellor, Joseph Pokusa, to read to Msgr. Molloy the September 3, 1985, report from Southdown that Bishop Guilfoyle had had sent to Bishop Bevilacqua in Pittsburgh. Monsignor Molloy noted that, according to the letter, the Southdown staff did "not believe [Fr. Connor] was a primary pedophile but rather that he acted out under stress." The letter recommended "against ministry which would involve him with adolescents."

Msgr. Molloy recorded that, at 10:05 p.m. that night, he called Msgr. Cullen to update him and to inform him that he would try to contact the Archdiocese attorney John O'Dea in the morning. At 3:20 P.M. the next day, July 23, 1993, Msgr. Molloy wrote that he briefed Cardinal Bevilacqua and Msgr. Cullen at Saint Charles Borromeo Seminary. Monsignor Molloy's only notation about the briefing was that he reminded them of Southdown's recommendation, sent to Bishop Bevilacqua in 1985, that Connor not be in ministry involving adolescents.

On July 27, 1993, Msgr. Molloy met with Cardinal Bevilacqua, Msgr. Cullen, and Bishop McHugh. At this meeting Msgr. Molloy was instructed to "contact Pittsburgh to get any letter sent to AJB [Anthony J. Bevilacqua] from Camden while AJB was in Pittsburgh." The reason that these incriminating letters had to be obtained from Pittsburgh, rather than Camden, was not stated. Camden officials had already gone through their files and read the most relevant letter to Msgr. Molloy.

The bishops decided that Fr. Connor should be transferred back to Camden.

The Diocese of Camden reportedly settled out of court with Fr. Connor's victim in 1993. Since then, according to documents from Camden, Fr. Connor has twice been sent to Saint John Vianney — the Philadelphia Archdiocese's hospital where priest sexual offenders are treated. The Camden Diocese offered him early retirement in February 2002.

Monsignor Lynn is warned in 1994 that Father Connor continues a relationship with an eighth-grade boy in Conshohocken.

On November 15, 1994, Fr. John Kelly, a parochial vicar at Saint Matthew, Conshohocken, called Secretary for Clergy Lynn. The priest reported that Fr. Connor, a year after he had been transferred back to Camden, was still visiting 8th-grader Timothy — the same boy who, Pastor Donlon testified, Fr. Connor had befriended while assigned to Saint Matthew. Father Kelly told Msgr. Lynn that Fr. Connor visited Timothy weekly, took the boy on trips, and gave him gifts. A few days later, Sister Margaret Gradl, I.H.M., who taught 8th grade at the parish school, also called Msgr. Lynn about Fr. Connor's relationship with Timothy.

Monsignor Lynn, obviously concerned, called the Camden Chancellor, Msgr. Pokusa, and the Archdiocese attorney, John O'Dea, to notify them of Fr. Connor's "imprudent" behavior. Archdiocese files indicate no attempt to notify Timothy's mother.

On April 10, 1995, Fr. Kelly again reported that Fr. Connor was back in the parish and still in Timothy's life. Monsignor Lynn responded: "I told Father Kelly that all I could do was inform the Camden Diocese, as I did before, that Fr. Connor was back in the picture with this young boy here in Conshohocken." Monsignor Lynn did not explain why he could not warn the boy's mother that allowing her son's relationship with Fr. Connor might not be prudent.

Father Connor was subpoenaed to appear before the Grand Jury in order to afford him an opportunity to answer the allegations against him. By letter of his attorney, Fr. Connor declined to appear or testify.

Father Gerard W. Chambers

The case of Fr. Gerard W. Chambers illustrates the fact, clearly established by evidence before the Grand Jury, that the Philadelphia Archdiocese had a longstanding policy of transferring sexually abusive priests from parish to parish in order to avoid disclosure and scandal--never mind all the children thereby endangered and abused. Without investigating any accusations against Fr. Chambers, but based solely on a list of his assignments, Secretary for Clergy William J. Lynn was able to advise Cardinal Bevilacqua that an abuse allegation against the priest was probably valid. And what was it about the assignment list that made Msgr. Lynn's inference reasonable? The list showed that the Archdiocese had frequently, constantly moved Fr. Chambers around.

Ordained in 1934, Fr. Chambers was accused of molesting numerous altar boys, and of anally and orally raping at least one, during 40 years as a priest in the Archdiocese. Nearly half of those years were spent on "health leaves" and in treatment facilities. Each time the priest returned to ministry, he was assigned to a parish with full access to children. Once, after three successive sick leaves totaling more than six years, he was assigned as chaplain to an orphanage for boys. When Fr. Chambers was not on sick leave, he was moved from parish to parish. The Archdiocese assigned him to 17 parishes in his 21 years of active ministry.

Church officials in 1994 said they destroyed all of Fr. Chambers' personnel records covering his career in ministry. Beginning in that year, four of his victims came forward to the Archdiocese to talk about their abuse. The victims were from his fourteenth and fifteenth assignments – Saint Gregory, in West Philadelphia; and Seven Dolors, in Wyndmoor. One rape victim tried to commit suicide and has been institutionalized at a state mental hospital. He suffers delusions because he cannot reconcile his faith in the Church with what happened to him. Two of his brothers were also victims of Fr. Chambers and are still haunted by their abuse more than 40 years later. They named several other boys from Saint Gregory whom the priest had abused. One of the brothers testified that he believed Fr. Chambers "sexually abused every altar boy and quite frequently those who weren't altar boys."

The brothers of the institutionalized victim expressed anger before the Grand Jury because they know the Archdiocese could have prevented the abuse that ruined their brother's life. They, too, could tell from the list of Fr. Chambers' transfers that Church officials had to have known of the priest's crimes from the time of his earliest assignments. Father Chambers was constantly transferred, at odd times of the year, sometimes after only months in assignments, and his career was interrupted repeatedly for "health leave." The priest was placed on permanent health leave in 1963, at the age of 56. He died in 1974.

In 1994 the Archdiocese learns of victim “Benjamin.”

Benjamin was 46 years old in March 1994 when he told Msgr. Lynn and his assistant, Fr. James D. Beisel, that Fr. Gerard Chambers had abused him as an altar boy at Seven Dolores parish in Wyndmoor in 1959 or 1960. Father Beisel recorded that the abuse included “hugging, kissing, masturbating” the victim and “mutual fondling of the genitals.” It happened in the church sacristy, at Fr. Chambers’ sister’s house, and in the priest’s car. According to Fr. Beisel’s memo, Benjamin recalled that “Father Chambers plied him with alcohol and cigarettes.” Monsignor Lynn told Benjamin he would investigate the matter and get back to the victim. He offered that if the allegation were substantiated, the Archdiocese might help the victim with counseling costs he had incurred over the years.

By memo of March 28, 1994, Msgr. Lynn forwarded the allegation to Cardinal Bevilacqua and included a copy of the priest’s “profile,” listing his assignments within the Archdiocese. Monsignor Lynn informed Cardinal Bevilacqua that Fr. Chambers had died in 1974. He said that Benjamin had reported that Fr. Chambers was at Seven Dolores only a short time and had “disappeared suddenly, gone overnight.” Monsignor Lynn also stated: “From the attached profile it could be determined that the probability of the alleged abuse is highly possible.” He recommended that the Archdiocese offer the victim assistance with counseling costs.

Notes from an issues meeting on March 29, 1994, record: “Cardinal Bevilacqua did not act on the recommendations as submitted. Rather, the Cardinal directed that Msgr. Lynn notify Benjamin that his request is being reviewed and that further communication will be forthcoming.” In the meantime, Cardinal Bevilacqua directed that his staff “investigate prescriptions of the Code of Canon Law concerning the retention and/or destruction of records of clerical personnel who are deceased.”

Before agreeing to assist Fr. Chambers’ victim, Cardinal Bevilacqua also wanted Msgr. Lynn to research victim compensation policies of other dioceses, as well as payments made previously to victims of other priests in the Philadelphia Archdiocese. The Cardinal wanted to know from legal counsel: “What will happen if we decide not to pay anything to [Benjamin]?”

Eventually, Cardinal Bevilacqua agreed to reimburse Benjamin \$6,890 for counseling if the victim would sign an agreement acknowledging that the Archdiocese was not admitting guilt and promising that he would seek no further assistance. Monsignor Lynn told Benjamin that without “proof,” the Archdiocese could not acknowledge the victim’s abuse. He said the Archdiocese was only required to retain records for ten years after the death of a priest, and that it had disposed of Fr. Chambers’ personnel files.

In 2002 the Archdiocese learns of more victims.

- **“George”**

In June 2002, Msgr. Lynn learned of three more of Fr. Chambers’ victims, these from the priest’s 14th assignment. George called Msgr. Lynn and told him that Fr. Chambers had molested him and his two brothers at Saint Gregory parish in the 1950s. George and his brother, “Francis,” testified before the Grand Jury that Fr. Chambers fondled their genitals in the sacristy, at a house on the New Jersey Shore, and in the priest’s car. At age 59, George said he was embarrassed that he could not tell the Grand Jury about his abuse without many times breaking out in tears. He said he still harbored “more than a fair amount of self-hatred and self-recrimination.”

George said that Fr. Chambers’ abuse of him and his brothers ruined the life of his family when he was growing up. The brothers all had these awful secrets, and although they knew at some level of each other’s abuse, no one talked about it, and no one dared tell their Irish immigrant parents who had brought the boys up to be in “awe” of priests. So the boys “stuffed it down,” he said, and suffered alone. George started drinking at age 13 or 14 years. He said he has been in Alcoholics Anonymous since 1975, but has suffered from depression since then. He said that his second wife has tried to be supportive, but it was hard for her to understand the “repetitive stuff that I go through,” and why he could not get over it.

- **Francis**

Francis testified that, like George, as an altar boy he had endured Fr. Chambers’ fondling his genitals and rubbing the priest’s genitals against him in the sacristy. He also

recalled a particular instance of abuse when he had accompanied Fr. Chambers on an overnight trip to the New Jersey Shore. He told the Grand Jury that he awoke to find Fr. Chambers in his bed with one hand on the boy's genitals and the other on his "rear." Francis spent the rest of the night locked in a bathroom to escape the priest. Although his abuse occurred when he was a young teenager, Francis told the Grand Jury: "It's something that I carried my whole – my whole life." He said he thought about it all the time and still has trouble concentrating.

George echoed Francis's self-assessment. George testified that Fr. Chambers' abuse of Francis "clouded" his brother's whole thought process.

- **"Owen"**

For all of the abuse that Francis and George suffered at the hand of Fr. Chambers, it was Owen's suffering that finally led his brothers to the Archdiocese for help in 2002. Owen was the youngest brother and had been most brutally abused by Fr. Chambers. Although Owen refused to acknowledge or talk about his abuse, his brothers knew of it. In November 2002, a cousin of theirs, Fr. "Edward," was able to get Owen to talk about what Fr. Chambers had done to him.

Father Edward, who was an Irish priest, wrote to the Philadelphia Archdiocese in August 2003 and related how Owen had finally acknowledged his abuse. The cousin wrote that Owen did not use the word "abused" and he would not refer to Fr. Chambers as a priest. Rather, Owen insisted that Fr. Chambers "was not a priest," but "an agent trying to destroy the Catholic Church." He described to his cousin "screaming in the sacristy" because of what Fr. Chambers did to him. He told the name of a sexton who had ignored his cries. He shared delusions with his cousin about "agents making poisonous wafers" and accused the Queen of England and evil men of trying to destroy the Catholic Church.

The cousin described Owen as "very pious." He wrote that Owen "often attended three Masses daily" and "loved to recite rosaries." He told Archdiocese managers:

I feel that [Owen] has suppressed in his subconscious much of what happened to him when he was an altar boy. In the past and even now, he seems incapable of accepting that abuse, such as happened to him, could happen within the Catholic Church and be done by a priest. Other churches, yes, but not ours. His vision of a priest is still that of his

childhood . . . of a saintly man incapable of doing evil. Hence his reference to agents . . . trying to destroy the Catholic Church may be his way of trying to reconcile for himself what happened to him.

Father Edward said that he was writing to Msgr. Lynn and Martin Frick, the Archdiocese's victim assistance coordinator, "in the hope that you may appreciate better the pain and confusion that Owen has experienced as a result of what happened to him when he was young."

Francis testified that Owen's condition deteriorated significantly when he began to read in early 2002 that abuse of minors by Catholic priests was, in fact, widespread. When Owen testified before the Grand Jury on July 9, 2004, he had been at Norristown State Hospital for about a year and was on medication. He was able to recall and finally describe his abuse. He still insisted, though, that he considered Fr. Chambers "a demon" and "a devil" and "not representative of a Catholic priest."

Owen told the Grand Jury that his abuse started when he was 9 or 10 years old, but he probably was 12, given when Fr. Chambers came to his parish. He testified that Fr. Chambers "trapped" him in a closet where cassocks were hung. He said Fr. Chambers put his hands around the boy's neck and tried to force him to perform oral sex on the priest. Owen thought Fr. Chambers choked him partly to make him do what the priest wanted, and then in frustration when Owen refused. Owen told how Fr. Chambers fondled his genitals. He estimated this happened 12 to 15 times.

Owen told the Grand Jury that he tried to tell his mother that Fr. Chambers was a "bad priest," but he described what happened to him in childish ways, for example, saying "he touched me between my legs," and his mother did not seem to understand. Once, when Owen was trying to avoid going to the shore with Fr. Chambers, he told his mother that the priest "touched me here, and he wants to blow me." His mother hit him, which he said did not cause "physical pain, but psychologically was a crusher, because she was sending me down to the shore with an ogre."

It was on that trip to the shore that Fr. Chambers orally and anally raped the 12-year-old. Owen testified that he spent two nights with Fr. Chambers at his New Jersey Shore house. He could not remember precisely what happened on which night, but he

recalled Fr. Chambers' entering the room where Owen was sleeping on a couch. He said the priest was naked and he climbed on top of Owen and put his hands around the boy's throat. He told the boy: "You know I could strangle you right now if I wanted to." Owen said he was "deathly afraid" and tried to "fight him off." The boy, who had been pinned on his stomach, was able to turn onto his back. At that point, he said, the priest sat on his chest and "pressed his penis against my mouth." When the boy refused to perform oral sex, he said, Fr. Chambers smacked him and left the room.

Owen could not remember whether it was the next night or later on the same night that Fr. Chambers returned. The victim described how Fr. Chambers pulled down his pants and performed oral sex on him for about 45 minutes. Owen said he never had an orgasm, but that his penis began to bleed.

Owen further told the Grand Jury that about an hour after this ordeal ended, Fr. Chambers returned, climbed on top of the boy's back, and tried to force his erect penis into the boy's rectum. Owen said that Fr. Chambers succeeded in entering him anally "for about half a minute." After the boy struggled and got "him out of my rear end, . . . he tried for about fifteen, twenty minutes to get back in." Owen said he "wouldn't let him." He then told the priest, "Why don't you kill me now? I got to live with this shame for the rest of my life." Owen told the Grand Jury: "I still feel shame about it today."

Owen did not talk about what happened to him for more than 40 years. As his brother George testified: "[Owen] just stuffed it." George said that, in 1981, Francis tried to get Owen to talk about what happened, warning him: "[Owen] if you don't deal with this molestation, it's going to take you down." Owen testified that it ruined his marriage. His wife, he said, had "heard a little bit of the story," and did not want their children raised Catholic. Owen, still believing that Fr. Chambers was "a devil" and an aberration "not representative of a Catholic priest," remained devoted to his church. Owen and his wife divorced in the early 1980s.

After his divorce, Owen moved back to his parents' home in Philadelphia. There, in 1983, he attempted suicide, slitting his throat and wrists with a razor. Since then, Owen has been in and out of psychiatric facilities.

Between 1934 and 1974, Father Chambers is given 17 assignments and placed on “health leave” for a total of 19 years.

In 1994, when Benjamin began speaking to the Archdiocese about his abuse, the priest had been dead 20 years. Church officials told the victim that Fr. Chambers’ personnel records no longer existed. However, the one document the Archdiocese had retained – a list of Fr. Chambers’ assignments – reveals a great deal. It reveals that the priest was on “health leave” almost as much as he was in active ministry, and that he spent his 21 years of active ministry in 17 different parishes. Having heard the stories of so many sexually abusive priests, the Grand Jury was easily able to recognize this pattern of constant transfer as an indicator that the Archdiocese knew that Fr. Chambers was a chronic sexual offender and moved him from parish to parish to avoid scandal, without regard to how these transfers endangered the children of the parishes.

Interestingly, Secretary for Clergy Lynn also recognized this pattern, and ascribed to it the same significance that the Grand Jury did. Msgr. Lynn found Benjamin’s allegations “highly possible,” based only on a review of this list of assignments. Monsignor Lynn told one of the three brother victims that priests normally spent five years in each assignment. Fr. Chambers often spent less than nine months. His longest parish assignment lasted two-and-a-half years. He was frequently transferred in the middle of the year, rather than in June as was customary – and he was moved to all corners of the Archdiocese. For Msgr. Lynn, as for the Grand Jury, this pattern of transfer was characteristic of how the Archdiocese treated the problems presented by sexually abusive priests.

The Grand Jury cannot know whether Fr. Chambers abused others at any of the many other parishes to which he was assigned, but common sense dictates that it is highly likely that he did so. The three brothers, George, Francis, and Owen, gave to the Grand Jury the names of six other boys who had told them that they also had suffered Fr. Chambers’ abuse – “Daniel,” “Bill” (who in February 2004 had himself reported to the Archdiocese that Fr. Chambers had abused him), “Sam,” “Don,” “Bobby,” and “Hank” (whose sister in February 2004 reported to the Archdiocese that Fr. Chambers had abused her brother). Hank died at age 38 after suffering from serious drug and alcohol abuse.

Francis and George testified to having been abused in Fr. Chambers' car when he took them to visit an orphanage in the Poconos, where the priest had been chaplain. Both assumed there were more victims there. Owen told the Grand Jury that he believed Fr. Chambers had "sexually abused every altar boy [at Saint Gregory] and quite frequently those who weren't altar boys."

The Archdiocese responds to the three brothers.

George, Francis and Owen began seeking help from the Archdiocese in 1995, one year after Benjamin came forward. Their first attempt to report their abuse and its consequences came in a letter to Bishop John Graham, who had been an auxiliary bishop, and was a cousin of the three brothers. Francis wrote the letter Easter week of 1995. In it he detailed Fr. Chambers' abuse of the three brothers. He told of Owen's attempted suicide. He received no response from Bishop Graham or anyone else in the Archdiocese.

Seven years later, in June 2002, George contacted Msgr. Lynn to report Fr. Chambers' abuse of all three brothers. George was primarily concerned for Owen, who had attempted suicide and was in desperate need of help. Msgr. Lynn told George that he was willing to meet with the victims, but that they were also "welcome to go to the civil authorities." This case, where Msgr. Lynn knew the priest had been dead almost three decades, is one of the few in which he ever noted suggesting a report to law enforcement.

When Francis called Msgr. Lynn in August 2002, the Secretary for Clergy wrote to the Archdiocese's victim coordinator, Martin Frick. Msgr. Lynn explained the situation and asked Frick to assist Owen with counseling and housing. In March of the next year, George wrote to complain that no assistance had been provided. It appears that, despite Msgr. Lynn's instructions in August 2002 to go ahead and assist Owen, Frick was insistent on taking some sort of statement from the victim, even though the victim was not emotionally able to give one. Owen's delusions, heard by a priest friend and reported to Frick, that "men were coming in and out of his apartment and putting semen in his mouth," should have been sufficient evidence that he needed help. On March 31, 2003, Msgr. Lynn

again instructed Frick to help Owen, without a statement from the victim, based on the information they had from George, Francis, and the cousin, Fr. Edward.

By August 2003, while still waiting for the assistance he needed, Owen had assaulted his landlord and was committed to Norristown State Hospital. On November 20, 2003, the day before he testified before the Grand Jury, George met with Msgr. Lynn and Frick and, again, asked the Archdiocese to pay for counseling and housing for Owen. The Church officials told him that it would be discussed the next week and George would be notified.

On June 18, 2004, Francis testified that George had recently been notified that the Archdiocese would pay for six months of counseling if and when Owen was released from Norristown State Hospital. After the six months, the brothers were told, Archdiocese managers would review the situation. According to Francis, no housing assistance was offered. Owen told the Grand Jury: "I hope they don't release me until I get over [my] suicidal tendencies."

Father Michael J. McCarthy

Cardinal Bevilacqua named Fr. Michael J. McCarthy pastor of Epiphany of Our Lord Church in Norristown in September 1992 – nine months after learning that the priest was accused of molesting several students from Cardinal O’Hara High School when he was a teacher there in the 1970s. The Cardinal had been informed that Fr. McCarthy had taken boys to his New Jersey beach house, plied them with liquor, slept nude in the same bed with them, and masturbated the boys and himself.

Cardinal Bevilacqua responded by having his assistant, Msgr. James E. Molloy, assure the priest, ordained in 1965 and then parochial administrator at Saint Kevin parish in Springfield, that the Cardinal did not “doubt . . . Father McCarthy’s ability to be pastor.” The only concern expressed by the Cardinal before promoting Fr. McCarthy to a pastorate was that his parish should “be distant from St. Kevin Parish so that the profile can be as low as possible and not attract attention from the complainant.” In the priest’s Secret Archives file at the time of his assignment to Epiphany was another accusation, made in 1986, by the mother of a recent O’Hara student.

In May 1993, Cardinal Bevilacqua removed Fr. McCarthy from his pastorate at Epiphany, but not because of his abuse of children. The Cardinal said he removed the priest for keeping homosexual pornography in his closet – but he had launched an investigation of Fr. McCarthy only after a large financial contributor complained to the Archdiocese. The contributor, a travel agent, had protested that Fr. McCarthy was acting as an agent himself and had taken away business she usually received from Epiphany’s travel club.

The Saint Luke Institute, in Suitland, Maryland, diagnosed Fr. McCarthy as a homosexual ephebophile – someone sexually attracted to adolescents. Secretary for Clergy William Lynn questioned the diagnosis, but Saint Luke refused to alter its finding. Church records suggest that the Archdiocese, which had used Saint Luke extensively to evaluate and treat priests, thereafter curtailed its relationship with the Institute.

The Archdiocese ignores a 1986 complaint of sexual abuse.

In September 1986, “Bruce’s” mother reported to Fr. Philip J. Cribben, the principal at Cardinal O’Hara High School, that her son’s biology teacher, Fr. Michael McCarthy, had touched Bruce in an improper way. Father Cribben originally ignored the complaint even though he had told Bruce’s mother that he had heard rumors but had felt powerless to act without an actual complainant. She wrote Fr. Cribben, volunteering that she or her son would be willing to talk to anyone and asking that the principal relay her allegation to Archdiocese managers. She asked also that her son be transferred out of Fr. McCarthy’s class immediately.

As reported third- or fourth-hand to Chancellor Samuel E. Shoemaker on December 5, 1986, by Msgr. David Walls in the Archdiocese education office, Fr. McCarthy touched Bruce's neck while the boy was seated in class, then "moved with his hands down the boy's back, finally touching his buttocks." Monsignor Walls reported further that "when confronted with this, Fr. McCarthy denied it but then proceeded to contact a lawyer." In fact, Fr. McCarthy had admitted to the principal "pinching" some students as he examined their work.

The action decided on, to remove Bruce from Fr. McCarthy's Track One Biology class, was one the principal initially refused to make. Monsignor Walls reported to Msgr. Shoemaker, though: "It was felt necessary to change two classes rather than just Fr. McCarthy's class so that it could be said that the change was for academic reasons." Thus, Bruce was, in effect, punished for having been a victim of Fr. McCarthy's sexual abuse.

As for Fr. McCarthy, not only was the complaint ignored, in 1989 he was made the administrator (which is like an acting pastor) at Saint Kevin Church in Springfield, Delaware County. Cardinal Bevilacqua made the appointment despite this complaint, which remained in McCarthy's Secret Archives file.

The Archdiocese ignores a 1991 complaint of sexual abuse.

On November 27, 1991, "David," a married father of two daughters, called the Archdiocese to report that when he was a student at Cardinal O'Hara High School in Springfield, a priest had befriended and then sexually abused him in the years 1974-1976. On December 23, 1991, he met with Monsignor James E. Molloy, the Assistant Vicar for Administration, and his aide Msgr. William J. Lynn, and named Fr. McCarthy as his abuser.

David related that Fr. McCarthy had been his Advanced Placement Biology teacher his sophomore year at O'Hara (1974-1975). David said he had done poorly on a test and Fr. McCarthy bet him a dinner that he would get a 90 or better on the next test. David said he got a 63 on the next test, but when he subsequently received a 94 on another test, Fr. McCarthy took him to dinner. The two began to talk frequently at school. The teacher took the boy to his shore house in Margate, New Jersey. There they went to the beach and out to

dinner. The priest's house had a well-stocked bar and David said Fr. McCarthy provided boys with liquor. At night, the priest slept in the same bed with the student even though there were two bedrooms in the house and one had two beds. The priest always slept naked.

David reported to the Archdiocese managers that, as time went on, Fr. McCarthy told the student not to take his clothes into the bathroom when he showered so that the boy had to walk naked in front of the priest. The boy initially slept in underwear, but after the priest wrestled them off of him one night, he also took to sleeping in the nude. The priest began to put his arm around the boy in bed, then to touch his nipples. Eventually, he fondled the boy's genitals.

David described one night when the priest took him to Atlantic City for dinner. According to David, Fr. McCarthy was "pumping drinks" into the boy and insisted he drink some of the priest's Chivas Regal. Back at the beach house, in one bed, nude, Fr. McCarthy began to touch and stroke his student's penis. After the boy reached orgasm, he said, the priest tried to kiss him with his tongue.

David told the Archdiocese managers that he then asked whether the priest did this same thing with other boys he brought to the beach. Father McCarthy answered that he did. He then masturbated himself.

Monsignor Molloy asked David whether he found convincing the priest's claim that he masturbated the other boys he brought to the beach. David said he did. He provided the Archdiocese managers with the names of several boys he knew accompanied Fr. McCarthy to his beach house. Monsignor Lynn, in his notes, listed: "the ["Jones"] boys from Notre Dame, ["Harold"] from St. Charles Parish in Drexel Hill and another boy that [D] said MM was friendly with before he became friendly with [D] whom MM was upset about." There is no indication the Archdiocese ever attempted to locate these people either to question them or to determine whether they needed assistance.

The Archdiocese managers typed the notes from their interview and had the victim sign them on January 23, 1992. In the margin of the memo is a handwritten notation instructing Msgr. Molloy: "Never admit to victim that there have been other cases."

As the administrator at Saint Kevin Church, Fr. McCarthy, faced with this second allegation, provided a signed declaration, dated February 17, 1992. It denied the accusation and stated: “To the best of my recollection the incident alleged by [David] never took place.” A handwritten note in the margin described the priest’s denial as “very guarded” and “suspicious.”

Monsignor Molloy forwarded David’s allegation, along with Fr. McCarthy’s suspect denial, to Cardinal Bevilacqua on March 16, 1992. The Cardinal allowed Fr. McCarthy to continue as administrator at Saint Kevin.

Concerned with scandal, Cardinal Bevilacqua ignores complaints against Father McCarthy and appoints him pastor of Epiphany of Our Lord Church in Norristown.

When Msgr. Molloy forwarded David’s signed allegation to Cardinal Bevilacqua on March 16, 1992, he also informed the Cardinal that the victim was aware Fr. McCarthy was administrator, and a possible successor to the retiring pastor, at Saint Kevin parish in Springfield. Monsignor Molloy wrote to Cardinal Bevilacqua that “the complainant has indicated that he cannot see how the Archdiocese could appoint Fr. McCarthy as pastor in light of his behavior as alleged.” Cardinal Bevilacqua apparently saw this problem as one of publicity, not fitness, because within months he did appoint Fr. McCarthy as pastor, but for a different parish – Epiphany of Our Lord Church in Norristown.

Monsignor Lynn recorded that, at a meeting on June 18, 1992, Msgr. Molloy “related to Fr. McCarthy his understanding of the Cardinal’s directions as related verbally to him by Monsignor Cullen.” Monsignor Molloy told Fr. McCarthy that Cardinal Bevilacqua “has decided it is in Father McCarthy’s best interest not to be appointed pastor of St. Kevin Parish.” The reason given was not because of the danger Fr. McCarthy posed, but, rather, scandal: “[Fr. McCarthy] *could be the subject of great publicity and tarnished reputation should the complainant go forward with his story*” (emphasis supplied).

That fear of scandal was the sole motivation of the Archdiocese’s decision became even clearer when Msgr. Molloy assured Fr. McCarthy “that the Archbishop was not implying doubt about Fr. McCarthy’s ability to be pastor,” and that, *despite the allegations against him, he could be “appointed pastor at another parish after an interval of time has*

passed” (emphasis supplied). That parish, Msgr. Molloy relayed from Cardinal Bevilacqua, “*would be distant from St. Kevin Parish so that the profile can be as low as possible and not attract the attention of the complainant*” (emphasis supplied). (Appendix D-18)

Father McCarthy, in response, demonstrated that he understood well that Cardinal Bevilacqua did not consider serious allegations of child abuse a disqualification for being a pastor. He immediately set out his demands for a future parish. Monsignor Molloy recorded that the priest did “not want to be stationed in Philadelphia,” that he preferred “to stay in Delaware County,” and that he “would like to be stationed in a parish where he has help” and which could “support itself financially.”

Moreover, Fr. McCarthy told Msgr. Molloy that he “did not agree with the evaluation he received from Dr. Miraglia.” This was a reference to a psychological report read only by Cardinal Bevilacqua. Monsignor Lynn’s June 18 memo explained that this report had been delivered to the Cardinal sealed and had been resealed with tape by Cardinal Bevilacqua before Msgr. Cullen returned it to the file. It was not turned over to the Grand Jury.

A month and a half later, on September 3, 1992, Cardinal Bevilacqua appointed Fr. McCarthy pastor at Epiphany of Our Lord Church in Norristown – a church with a school. No limitations were placed on his ministry. Rather, as pastor, he had unfettered discretion and authority.

The Archdiocese ignores complaints made shortly after Father McCarthy’s appointment as pastor at Epiphany of Our Lord.

Within days of his appointment as pastor at Epiphany of Our Lord, the Office for Clergy started receiving complaints about the pastor. The complaints appear to be consistent with the previous ones, and, like the previous ones, were ignored.

On September 14, 1992, Fr. Michael O’Malley, an associate pastor at Epiphany, brought a fellow priest’s reports about Fr. McCarthy to Msgr. Lynn’s attention. Father O’Malley told Msgr. Lynn that Fr. Michael Saban had complained about Fr. McCarthy’s behavior, his open discussions about frequenting gay bars, and his constant sexual

innuendos and jokes. Father O'Malley also related that Fr. Saban had, months earlier, registered complaints about Fr. McCarthy with Msgr. Lynn's assistant, Fr. Karl Zeuner. Monsignor Lynn's notes from his meeting with Fr. O'Malley do not recount the substance of the allegations made to Fr. Zeuner. The Secretary for Clergy wrote, though, that Fr. O'Malley recommended that Fr. Saban "go and sign his interview with Father Zeuner." Monsignor Lynn recorded that "Father Saban told Father O'Malley that a lawyer had recommended that he not do that, because if any problems ever went to court Father Saban would be called in to testify." Concerning the allegations, the Secretary for Clergy opined: "Everything was innuendo." He wrote, "there was much that Father Saban told Father O'Malley for which there was no proof." There is no indication that Msgr. Lynn ever endeavored to find "proof."

Monsignor Lynn's September 14, 1992, memo of his conversation with Fr. O'Malley did not state an intention to take any action, but recorded that "Father O'Malley stated that he does not intend to speak with Fr. Saban any more about the issues involving his new pastor, Reverend Michael McCarthy."

A few months later, however, Fr. O'Malley asked for a transfer from his assignment. On March 23, 1993, he met with Msgr. Lynn to explain his reasons. Father O'Malley told Msgr. Lynn that Fr. McCarthy did not do his share of the work and that he was negative in his dealings with parishioners and the rectory staff. He again mentioned the sexual innuendos. He told Msgr. Lynn that Fr. McCarthy received underwear catalogues in the mail and had, hanging in his bedroom, a framed poster entitled "Survival of the Fittest", which portrayed a naked man with rope around his genitals. Father O'Malley reported that his mother was very upset when Fr. McCarthy showed her his room and she saw the poster. The associate pastor told Msgr. Lynn that Fr. McCarthy kept a bag of pornographic videos in his closet. Monsignor Lynn filed his handwritten notes of this meeting with Fr. O'Malley, but, again, showed no intent to act upon the information.

That changed when Cardinal Bevilacqua received a letter, dated April 13, 1993, from Lily Giuffrida.

The Archdiocese responds to the complaint of a large contributor that Father McCarthy was stealing business from her.

Lily Giuffrida's complaint about Fr. McCarthy began:

Dear Cardinal Bevilacqua,

I do not know if you remember me. We had dinner at your home. My husband, Dominic, . . . did give you his personal donation for \$25,000, for Catholic Life Renewal.

Giuffrida's complaint was that Fr. McCarthy was operating as a travel agent, which was also her business. Giuffrida explained that Epiphany of Our Lord's travel club had done business through her travel agency, Lillimar Travel, Inc., until Fr. McCarthy became pastor. She said that she had learned that Fr. McCarthy was himself a travel agent and was "running his trips through Kitty Ward Travel." She told the Cardinal she was not concerned that he had chosen another agency, but was upset that "we donate to Churches who now become our competitors."

At the next issues meeting on April 20, 1993, Cardinal Bevilacqua, according to the minutes, "requested that a high priority be placed on procuring all the facts related to" Lily Giuffrida's letter. Monsignor Lynn, at the Cardinal's direction, began investigating Giuffrida's complaint on April 22, 1993.

At Cardinal Bevilacqua's instruction, Msgr. Lynn met first with Msgr. Robert Maginnis, Vicar for Montgomery County, and uncharacteristically shared Fr. McCarthy's history with him. Monsignor Lynn invited concerns and recorded that Msgr. Maginnis had received five or six complaints about Fr. McCarthy's harsh treatment of altar boys and children in the confessional. Monsignor Lynn met five days later, April 27, 1993, with Fr. Christopher Jungers, a resident in Epiphany's rectory. Father Jungers told Msgr. Lynn that Fr. McCarthy was self-centered and uninterested in ministry. The resident said the pastor cursed at high school kids working in the rectory. He said the pastor was immodest, and described how Fr. McCarthy invited priests into his bedroom for drinks, dressed in a tank top and silk running shorts. He confirmed what Fr. O'Malley had told Msgr. Lynn before Giuffrida sent her letter – about the underwear catalogues and homosexual videos in the closet. Monsignor Lynn's handwritten notes reveal that he, again uncharacteristically, probed – asking Fr. Jungers about the complaints Msgr. Maginnis had passed on about

altar boys and children in the confessional. Monsignor Lynn's notes record Fr. Jungers answering that they were "all afraid."

Monsignor Lynn also interviewed Lily Giuffrida. She repeated her complaint that Fr. McCarthy was a "bona-fide travel agent."

Finally, on May 11, 1993, while Fr. McCarthy was on vacation, Msgr. Lynn "inspected" his closet. There he found 13 videos whose titles, he wrote, "seemed to indicate that the content of each was homosexual," a magazine entitled "A Guide to the Gay Northeast," and travel brochures focusing on gay vacation spots.

On May 12, 1993, Msgr. Lynn sent Cardinal Bevilacqua a memo outlining all the information he had gathered since the April 20 issues meeting. He also wrote up Fr. O'Malley's complaints, which Msgr. Lynn had listened to in March and then filed away.

Cardinal Bevilacqua asks Father McCarthy to resign because he is believed to be a homosexual, not because of his sexual abuse of young boys.

On May 24, 1993, Msgr. Lynn and Msgr. Maginnis communicated to Fr. McCarthy the Cardinal's request that he resign his pastorate. Cardinal Bevilacqua met with the priest that evening at the Cardinal's residence. In a memo recording that meeting, Cardinal Bevilacqua wrote that he asked Fr. McCarthy to resign "as a result of the discovery of improper material in the possession of Fr. McCarthy." The Cardinal concluded: "It had to be very obvious from my interview and the interview with Msgr. Lynn that implications of the material found were that Fr. McCarthy was homosexual." Thus, it was complaints about Fr. McCarthy's business practice that sparked a serious investigation into him, and his mere *status* as a presumed homosexual, rather than his actions as a sexual abuser of young boys, that the Cardinal used to justify requesting his resignation.

The Cardinal wrote that he disbelieved Fr. McCarthy's story that he had taken the videos from a young Irish man three years earlier and was merely holding them. Although Fr. McCarthy did deny that the videos were his, Cardinal Bevilacqua claimed to find the priest's denials and protests of innocence insufficiently strong.

On May 26, 1993, a month and a half after Lily Giuffrida wrote her letter to Cardinal Bevilacqua, Fr. McCarthy resigned his pastorate and Cardinal Bevilacqua granted

him a “period of health leave.” No new allegations of abusing minors had become known to the Archdiocese since Cardinal Bevilacqua had named him pastor in September 1992.

Father McCarthy undergoes treatment and is diagnosed with ephebophilia.

Father McCarthy was sent initially to Saint John Vianney Hospital, then, on August 16, 1993, was transferred to Saint Luke Institute in Suitland, MD. He proved to be an extremely defensive patient and made slow progress. Father McCarthy remained at Saint Luke and its halfway house for ten months. Upon his release in June 1994, he was diagnosed, according to a September 9, 1994, memo from Cardinal Bevilacqua to the file, with “homosexual ephebophilia” (attracted to post-pubescent boys). Monsignor Lynn informed the Cardinal that Fr. McCarthy’s therapists felt “that there is still more that has not yet been revealed and do not think we should risk having Fr. McCarthy in any assignment” for at least three years.

On July 25, 1994, Cardinal Bevilacqua placed Fr. McCarthy on administrative leave and limited his faculties to celebrating private Mass for himself. In September, Cardinal Bevilacqua personally informed Fr. McCarthy that it was his policy not to assign a priest who had ever been diagnosed a pedophile or an ephebophile. When Fr. McCarthy protested that he thought his diagnosis was unfair, Cardinal Bevilacqua invited him to “put all his allegations against Saint Luke’s in writing and send his statement to me.” Cardinal Bevilacqua encouraged him to “take his time in making a thorough and complete listing of all his allegations.”

Despite more allegations, Monsignor Lynn questions Father McCarthy’s diagnosis.

Upon his release from Saint Luke’s halfway house on June 24, 1994, Fr. McCarthy took up residence at his house on the New Jersey Shore, in Margate. He got a job as a cashier at a casino in Atlantic City and he attended continuing care workshops conducted by Saint Luke staff. He reported that he attended AA and sex addicts anonymous meetings regularly.

On July 8, 1996, in response to an inquiry from Saint Luke's continuing care staff, Msgr. Lynn reported that there had been new accusations brought against Fr. McCarthy "for alleged actions approximately six years ago." Monsignor Lynn wrote of complainants – plural, but provided no other details. The allegations are not documented anywhere in the files turned over to the Grand Jury. Two weeks earlier in a letter to Msgr. Lynn, Fr. McCarthy had thanked the Secretary for Clergy "for [his] intervention in the St. Kevin Irish situation."

On June 16, 1998, after the pastor at Saint Kevin died, Fr. McCarthy, who was still forbidden to celebrate Mass publicly, wrote to Cardinal Bevilacqua asking to be appointed to that pastorate. Monsignor Lynn did not seriously consider this request, but he did talk to Fr. McCarthy about his diagnosis as an ephebophile and how it might be dealt with if Fr. McCarthy wished to return to ministry. Monsignor Lynn asked Fr. McCarthy to have his current therapist send a letter addressing Saint Luke's diagnosis. Monsignor Lynn told Fr. McCarthy he would speak to Fr. Stephen J. Rossetti, the director at Saint Luke, to see what he could do.

Monsignor Lynn recorded in a memo that he had already met with Fr. Rossetti and discussed "some of his concerns about St. Luke Institute." After meeting with Fr. McCarthy, he wrote Saint Luke's director and explained to him that in the Philadelphia Archdiocese, a diagnosis of pedophilia or ephebophilia meant a priest could not receive an assignment. He told Fr. Rossetti that Fr. McCarthy disputed his diagnosis, and that he, Msgr. Lynn, questioned the competence of Fr. McCarthy's therapist there. In other words, Msgr. Lynn was calling into question the priest's diagnosis as an ephebophile despite knowing: that the priest had admitted he was attracted to teenage boys; that he had admitted sleeping nude in the same bed with them; and that he was accused of sexually molesting several minors.

After checking Fr. McCarthy's file, Fr. Rossetti explained to Msgr. Lynn that the diagnosis was made by a team – based on, among other things, Fr. McCarthy's admission that he was sexually attracted to adolescents. According to Msgr. Lynn's notes of his telephone call with Fr. Rossetti, the St. Luke director told him that the staff believed the diagnosis was valid and accurate and "should remain as it is."

The Archdiocese, which had used Saint Luke extensively for evaluating and treating sexually abusive priests, sent few, if any, clergy to that facility after 1994, when Fr. McCarthy complained to Cardinal Bevilacqua about his diagnosis as an ephebophile. (None of the 28 priests profiled in this report were sent to Saint Luke after Fr. McCarthy's treatment there.) The Grand Jury chooses not to speculate on the Archdiocese's reasons for discontinuing its relationship with Saint Luke. However, it is noteworthy that, in the course of dealing with Fr. McCarthy's treatment there, Msgr. Lynn became familiar, if he was not already, with current techniques for testing attraction and orientation in sexual offenders. Therapists told him that a particular test used at Saint Luke – a penile plethysmography – was used by most experts in evaluating sexual orientation and that it could provide valuable information in diagnosing sexual disorders. The Grand Jurors find that the Archdiocese's decision to have priests evaluated at its own hospital, Saint John Vianney – which did not employ up-to-date methods, including plethysmography, and relied instead on a perpetrator's word – had the effect of diminishing the validity of the evaluations and the likelihood that a priest would be diagnosed as a pedophile or an ephebophile.

Father McCarthy remains on unsupervised leave for more than 10 years.

From June 1993 until he retired in October 2003, Cardinal Bevilacqua left Father McCarthy on administrative leave, totally unsupervised. The Archdiocese has finally taken steps to supervise, or laicize, Fr. McCarthy and other priests like him – known sexual abusers who are no longer in active ministry. In September, 2004, Msgr. Lynn's successor as Secretary for Clergy, Msgr. Timothy Senior, offered Fr. McCarthy two options: he could agree to “a supervised life of prayer in penance in a residence assigned by the Cardinal” or he could seek voluntary laicization. Monsignor Senior informed the priest that if he failed to choose either, his case would be sent to the Congregation for the Doctrine of the Faith in Rome, with a request that the priest be involuntarily laicized. Father McCarthy had not made his decision as of the last information provided to the Grand Jury.

Father McCarthy appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

David, who initially came to the Archdiocese asking for nothing but an apology to his mother, became embittered and angry with Church officials for leaving Fr. McCarthy at Saint Kevin and then promoting him to pastor of Epiphany of Our Lord. David's mother never received an apology.

Father Albert T. Kostelnick

During Anthony Bevilacqua's tenure as Archbishop of Philadelphia, the Archdiocese received reports that Fr. Albert T. Kostelnick, ordained in 1954, had sexually molested at least 16 young girls. Father Kostelnick was accused of fondling the breasts and genitals of girls ages 6 to 15, and fondling a slightly older girl as she lay in traction in the hospital. The reports to Cardinal Bevilacqua began in July 1988, with notice that there had been several earlier reports. Yet the Cardinal did not remove Fr. Kostelnick from parish ministry until May 2002. By that time, as the priest later admitted to the Archdiocesan Review Board, he had "fondled . . . many girls over a lengthy period of time."

The Archdiocese is warned in 1988 that Father Kostelnick is fondling young girls but, despite promises, takes no action.

On July 19, 1988, Vice Chancellor Joseph Pepe recorded being told by Fr. Joseph J. Gallagher, an assistant pastor at Saint Mark Church in Bristol, that he was concerned about his pastor, Fr. Albert Kostelnick, "and his alleged problems with fondling of children." Father Gallagher referred to an incident from January 1987, when a parent had reported the pastor's behavior to police. As later recorded, "[t]he [1987] allegation was that Father Kostelnick fondled [an eight year old] girl in an offensive manner." The police referred the abuse case to the Bucks County District Attorney, but charges were not pursued. Father Gallagher told Fr. Pepe that he had heard that Fr. Kostelnick, a year and a half later, "was still imprudent in his actions." In addition to recording Fr. Gallagher's general report of what the assistant pastor had heard, Fr. Pepe also wrote that Fr. Gallagher had "noted" on one occasion Fr. Kostelnick fondling a young girl in the rectory (the first of his victims reported during Cardinal Bevilacqua's tenure).

At the time that Fr. Gallagher made his complaint, Fr. Kostelnick's Secret Archives file included references to three prior incidents. Two were described in Chancellor Shoemaker's June 12, 1987, handwritten notes as "two other reports of sexual[ly] harassing children." The third was the above-described incident concerning the 8-year-old that produced the police investigation.

In response to Fr. Gallagher's complaint, Fr. Pepe assured him that "he [Fr. Pepe] would certainly look into the matter." Then-Chancellor Samuel Shoemaker told the Grand Jury that it was the Chancery Office's policy for him or Fr. Pepe to report such an

allegation immediately to Archbishop Bevilacqua. Despite Fr. Pepe's promise to Fr. Gallagher, however, there is no indication in the Archdiocese files that any further action was taken. No investigation is recorded, not even an interview with the accused priest.

In 1992, another assistant pastor reports that Father Kostelnick is still fondling girls; again, the Archdiocese takes no action.

On January 21, 1992, another assistant pastor sharing the Saint Mark rectory with Fr. Kostelnick, Fr. Dennis Mooney, passed on to the Archdiocese complaints that he had received concerning his pastor. Father Mooney told Secretary for Clergy John J. Jagodzinski that two women parishioners, who asked to remain unnamed for "fear of reprisals," had reported several instances of what Msgr. Jagodzinski termed "inappropriate gestures of affection" toward young girls. One woman explained that her two daughters – 8th and 9th graders – had quit their rectory jobs because of Fr. Kostelnick's abusive behavior (the second and third of his victims reported during Cardinal Bevilacqua's tenure). The other woman knew of a family that had taken their daughter out of the parish school because of Fr. Kostelnick's "inappropriate gestures of affection" (the fourth victim). The other woman also reported that the parish cemetery caretaker's daughter had quit her rectory job "for similar reasons" (victim number five).

Again the Archdiocese was reminded, this time by Fr. Mooney, that Fr. Kostelnick's behavior was serious enough that he previously had been reported to police. The police, according to Fr. Mooney, had warned the priest to "desist." Father Mooney vouched for the credibility of the two women and told Msgr. Jagodzinski that he had personally witnessed his pastor's inappropriate "gestures." Monsignor Jagodzinski forwarded all of this information to Msgr. James E. Molloy, the Assistant Vicar for Administration.

Monsignor Molloy wrote to Fr. Mooney asking him to have the two women come forward to make their allegations formally. When the women, who had already said they were afraid to identify themselves, did not come forward, the Archdiocese took no action in response to their credible reports, even though Fr. Mooney had corroborated them with the report of what he had personally witnessed.

Had Archdiocese managers truly been interested in investigating Fr. Kostelnick's conduct, they could have conducted an investigation even without the women, or they could have confronted the priest. But Archdiocese files contain no evidence of any effort to question other known witnesses or victims, such as the cemetery caretaker and his daughter, or even to interview Fr. Kostelnick. Given that Fr. Mooney had witnessed, and Fr. Gallagher before him had "noted," inappropriate behavior on Fr. Kostelnick's part, inquiry should not have ended because the two fearful witnesses did not come forward.

The Grand Jury finds that the long history of consistent complaints against Fr. Kostelnick, coupled with reports from other priests of the pastor's improper behavior, should have been sufficient for Cardinal Bevilacqua to take action to protect the girls of Saint Mark parish. He took none.

The consequences of Cardinal Bevilacqua's inaction were predictable. When finally confronted in 2004, Fr. Kostelnick admitted that he continued to fondle "young girls who worked in the parish rectories where he lived" after Cardinal Bevilacqua left him in place following these complaints in 1992. The damage done to these young girls is incalculable.

Cardinal Bevilacqua leaves Father Kostelnick in active ministry for 10 more years; fails to remove him in 2001 when additional victims complain; and allows him to retire in 2002 after another victim comes forward.

Cardinal Bevilacqua permitted Fr. Kostelnick to remain pastor at Saint Mark until 1997, when the pastor turned 70 years old. Cardinal Bevilacqua named him Pastor Emeritus at Saint Mark, honoring the molester (and all other pastors emeritus) with a luncheon at the Cardinal's residence. At the same time, the Cardinal made Fr. Kostelnick a senior priest and transferred him to Assumption B.V.M. in Feasterville, a parish with a school, offering access to a large new source of victims. In a letter dated May 23, 1997, the Cardinal outlined the duties of the senior priest, directing Fr. Kostelnick to "teach the youth" and to "assist in the over-all welfare of the parish." Father Kostelnick was still living and participating in parochial ministry at Assumption B.V.M. when more complaints, these from the past, began to pour into the Archdiocese.

In December 2001, Secretary for Clergy William J. Lynn received yet another complaint about the priest. “Mary,” a 44-year-old woman who had been abused by Fr. Kostelnick more than 30 years earlier (victim number six), wrote to Msgr. Lynn. She explained that as a 13-year-old she had worked in the rectory at Saint John of the Cross, in Roslyn, serving meals to the priests. (Father Kostelnick lived at the rectory for 26 years while teaching at Cardinal Dougherty High School.) Mary described how Fr. Kostelnick, when he ate alone on Sunday mornings, would hold her hands while she served him breakfast and would then proceed to move his hands along her body until he felt her breasts. She described her embarrassment and shame, and her silence until she was in her thirties. At that time, she told her family and learned that Fr. Kostelnick had done the same thing to her two younger sisters (victims seven and eight) when they in turn replaced her in the rectory job. On December 4, 2001, she reported her abuse and that of her sisters to Msgr. Lynn.

The Archdiocese’s response to these reports was to send the priest to Saint John Vianney, where the priest underwent a “psychodiagnostic assessment” in February 2002, which concluded that there was “no history from the Archdiocese since the late 1980s . . . that would suggest that he would be acting on these attractions [to young girls] now.” Archdiocese officials should have instantly rejected that conclusion, since they knew from Fr. Mooney of allegations that Fr. Kostelnick’s behavior was continuing in the 1990s. Even so, the Priest Personnel Board, headed by Cardinal Bevilacqua, determined to leave the priest at Assumption B.V.M. until June 2002, when the priest could retire in the normal course.

Father Kostelnick was removed from parish work ahead of the June date only because “Maureen,” a victim from the 1970s (the ninth reported during Cardinal Bevilacqua’s tenure in office), complained in April 2002 to the Office for Clergy. She came forward after calling Assumption B.V.M. and discovering that Fr. Kostelnick was still active. The victim met on April 22, 2002, with Secretary for Clergy Lynn and his assistant, Fr. Welsh. She told them that twice a week for six months, while she worked at the rectory at Saint John of the Cross, Fr. Kostelnick put his hands inside her blouse and fondled her breasts. She was 11 years old and in 7th grade at the time. Maureen’s mother,

who accompanied her to meet with the Church officials, said that he had done the same thing to another daughter when she was in 6th grade (victim number ten). The mother said that she reported the abuse at the time to the pastor, Fr. Arthur W. Nugent. Maureen said that she knew of two other girls “who had similar claims” (victims eleven and twelve).

Father Welsh’s notes from the meeting reflect that Msgr. Lynn told Maureen and her mother that there had been another recent allegation, but that the priest claimed he was only being affectionate, and that the Archdiocese had intended to allow Fr. Kostelnick to remain in his assignment until his planned retirement in June. Even though Fr. Kostelnick’s Secret Archives file contained numerous other complaints, Fr. Welsh recorded Msgr. Lynn telling Maureen that – because there was now a “second,” “similar” accusation – there was “more credibility” and the Archdiocese would ask Fr. Kostelnick to retire sooner. Accordingly, on May 1, 2002, Cardinal Bevilacqua approved Fr. Kostelnick’s retirement and permitted him to move to a retirement home, Villa Saint Joseph.

The Archdiocese receives five more abuse allegations against Father Kostelnick, who admits fondling many girls over a long period of time.

Between August and October 2003, the Archdiocese received four more allegations of sexual abuse of young girls by Fr. Kostelnick (a fifth report surfaced in February 2004). Three sisters from one of the founding families of Saint John of the Cross reported their own childhood abuse; two also revealed the abuse of their older sister who did not want to come forward (victims thirteen, fourteen, fifteen and sixteen). “Anne,” “Patsy,” and “Frances” reported that Fr. Kostelnick was a close friend of their parents’ and that he regularly brought slide photographs of trips he had taken to show at their house. The children sat next to the priest on the sofa in the darkened room. They all said that during these slide shows, the priest fondled their breasts and genitals. The abuse occurred for approximately two years, beginning in 1968. The three sisters were 6, 12, and 13 years old when the abuse began.

Two of the three also told of their oldest sister’s abuse. Father Kostelnick, they said, had molested her in 1971 while she was in the Chestnut Hill Hospital in traction

following an automobile accident. They said that their sister had to summon the nurse with the call button in order to stop the priest from fondling her.

In February 2004, after Cardinal Bevilacqua had resigned, 35-year-old “Linda” reported to Archdiocese Victim Assistance Coordinator Martin Frick that Fr. Kostelnick had fondled her breasts repeatedly in 1984 when she was 15 years old and worked at the rectory at Saint Mark’s in Bristol. Once, she said, he was interrupted and abruptly pulled his hands out from inside her shirt when Fr. Joseph J. Gallagher, an assistant pastor, entered the room.

In March 2004, the Archdiocesan Review Board recommended the same removal of Fr. Kostelnick that Cardinal Bevilacqua should have undertaken in 1992: it urged that Fr. Kostelnick be prohibited from presenting himself as a priest or performing priestly functions. It did so after determining that the sexual abuse allegations of eight victims that it investigated were credible. The Board also reported that “Father Kostelnick admitted that his habit of fondling the breasts of young girls is a longstanding habit that occurred frequently and over an extended period of time.” According to the Board’s report, the priest explicitly “indicated that his behavior continued” after 1992.

Had Cardinal Bevilacqua removed Fr. Kostelnick in January 1992, he would have spared the priest’s post-1992 victims their lasting damage and humiliation. By that date, the Bevilacqua administration had received reports of ongoing or recent abuse of at least five young girls by Fr. Kostelnick. In his Secret Archives file at that time were three other complaints. It is unconscionable that Cardinal Bevilacqua not only allowed Fr. Kostelnick continued access to Saint Mark’s children after 1992, but even honored this sexual abuser in 1997, provided him with a new parish full of potential victims, and allowed him to retire as a respected priest in 2002.

On October 11, 2004, faced with the possibility of involuntary laicization, Fr. Kostelnick agreed to live “a supervised life of prayer and penance” at Villa Saint Joseph, a retirement home for priests.

Father Kostelnick appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Father Edward M. DePaoli

Father Edward M. DePaoli, ordained in 1970, was convicted in 1986 of receiving child pornography through the mail. A 1985 search by U.S. Postal Inspectors of his rectory room at Holy Martyrs Church in Oreland turned up an estimated \$15,000 worth of pornography. Child pornography – including 111 magazines, 14 8mm films, and 11 videotapes – was seized from under Fr. DePaoli’s bed. At the time he was teaching morals and ethics at an Archdiocese high school.

Father DePaoli’s criminal behavior, and the Archdiocese’s concealment of it, followed familiar patterns, including transfers to parishes where parents were unaware of the priest’s past, official intimidation of a concerned witness, and the filing of records claiming restrictions that were not enforced.

After his arrest in 1986, Fr. DePaoli went for treatment, which proved unsuccessful. He was diagnosed with a sexual compulsion and relapsed repeatedly – purchasing child pornography even while residing at a treatment center.

In February 1988, Archbishop Bevilacqua ignored the advice of the priest’s doctor and the Archdiocese’s Chancellor to keep Fr. DePaoli in Philadelphia for therapy. Instead, he arranged an assignment for the priest in Colonia, New Jersey, where his crime and sexual addiction would be unknown to his parishioners.

Father DePaoli eventually returned to Philadelphia in 1991 and continued to minister until December 2002, though without a formal assignment for part of the time. He was allowed to minister despite reports to the Archdiocese that his addiction to pornography continued, that he made sexual comments about an 8th-grade girl during a sermon, and even that he had molested a 12-year-old girl years earlier.

A nun in 1996 informed officials that she was worried about the safety of the children in her parish. She was fired for speaking out.

Father DePaoli’s ministry, however, continued. The Archdiocese was well aware that he was performing marriages and baptisms, hearing confessions, concelebrating Mass, and preaching nearly every Sunday at Saint Gabriel of the Sorrowful Mother in Stowe, where he had resided in the rectory since 1995.

Yet, in December 2002, when news stories reported that the convicted collector of child pornography was still ministering, Cardinal Bevilacqua claimed the priest was being disobedient. The Cardinal had his spokesperson, Catherine Rossi, tell reporters that Fr. DePaoli had been stripped of all his priestly duties immediately after the 1985 incident, but fail to mention that they had been fully reinstated before Fr. DePaoli returned to active and unrestricted ministry in 1988.

After telling a victim he believed her allegation that the priest had molested her, Cardinal Bevilacqua assured the public that he was “not a danger to anyone.”

Father DePaoli is arrested and convicted of possession of child pornography.

On June 27, 1985, United States Customs Deputy Commissioner Albert D'Angelo informed Cardinal Krol that for a year and a half Fr. Edward DePaoli had been receiving an average of three packages a week from outside the country. Father DePaoli at the time was a teacher of morals and ethics at Bishop McDevitt High School and a resident priest at Holy Martyrs Church in Oreland.

Pursuant to a search warrant, customs officials, accompanied by Chancellor Samuel E. Shoemaker, searched Fr. DePaoli's rectory bedroom. They seized 110 magazines, nine videocassettes, and fourteen reels of film depicting child pornography.

Cardinal Krol suspended Fr. DePaoli's priestly faculties and ordered him to Saint John Vianney Hospital. In a letter to the priest explaining the Cardinal's decision, Msgr. Shoemaker noted that "your possession of this illicit material is known to third parties thus creating a public scandal." The Chancellor also pointed out that the purchase of child pornography supported "crimes committed against minors" and contributed to "grave moral offenses."

Cardinal Krol and Msgr. Shoemaker tried to persuade Fr. DePaoli to plead guilty to avoid the scandal and publicity of a trial, but the priest refused. He accused Msgr. Shoemaker of advocating a guilty plea because the Archdiocese feared "other things" might come out at trial. The Chancellor, in a letter to Fr. DePaoli, admitted that the Archdiocese's attorney, John O'Dea, warned that "it has not been unknown for Federal Authorities to seek other information from an indicted person which may assist them in prosecuting other cases."

On November 13, 1986, U.S. District Court Judge Anthony J. Scirica found Fr. DePaoli guilty of knowing receipt in the mails of visual depictions of minors engaging in sexually explicit conduct. Father DePaoli was sentenced to one-year probation conditioned on participation in psychiatric treatment. The form of the treatment was left to the Archdiocese. Against the wishes of the Archdiocese, Fr. DePaoli appealed his conviction. The Third Circuit affirmed his conviction on July 23, 1987.

Father DePaoli obtains child pornography while receiving psychiatric treatment.

“Treatment” did nothing to change Fr. DePaoli. He spent nearly three years in four different treatment centers, and repeatedly demonstrated his disinclination to change:

- Father DePaoli spent 18 months at Saint John Vianney following the discovery of the child pornography. At the end of that time his therapist, Dr. Eric Griffin-Shelley, reported to the Archdiocese that Fr. DePaoli “ha[d] not been involved in therapy in a meaningful way,” that their psychotherapy relationship was “adversarial,” and that there was evidence that Fr. DePaoli was still receiving pornography in the mail.
- Dr. Griffin-Shelley concluded in his Treatment Summary that Fr. DePaoli “need[ed] intensive psychotherapy probably for six to twelve months,” and opined that, “without this, he [was] quite likely to repeat his past behavior and become progressively worse.” Finally, the therapist warned that Fr. DePaoli “could go beyond fantasy in terms of his sexual urges toward children.”
- On January 12, 1987, after Fr. DePaoli was sentenced to one year’s probation with psychiatric treatment, he was sent for a two-week evaluation to Saint Luke Institute, a church-affiliated treatment facility in Suitland, Maryland. There, Fr. DePaoli was diagnosed with a psychosexual disorder. The staff found Fr. DePaoli “in need of extensive psychological work,” and recommended inpatient treatment at the House of Affirmation in Hopedale, Massachusetts.
- Father DePaoli was admitted to the House of Affirmation on May 6, 1987. Six and a half months later, a staff member saw him coming out of an adult bookstore. A search of the priest’s bedroom revealed a stash of pornography books, videos, and a magazine, including child pornography. The Archdiocese received a report of Fr. DePaoli’s misconduct, along with a recommendation that he be transferred to an intensive program designed specifically for sexual addicts.
- In accordance with this recommendation, Fr. DePaoli was transferred on January 24, 1988, to the Sexual Dependency Program at Golden Valley Health Center in Minneapolis. He remained there for five weeks. Upon his release, the doctor treating him, Dr. Arlene Boutin, in a letter to Msgr. Shoemaker, recommended that

he continue in therapy with Dr. Martha Turner in Philadelphia. Dr. Boutin explained that not all areas of the country had doctors familiar with the field of sexual dependency. Therefore, she “strongly recommended that Father Ed be allowed to remain in the Philadelphia area to avail himself . . . of [Dr. Turner’s] knowledge and understanding of the disease process and the recovery associated with sexual dependency.” Dr. Boutin also advised that Fr. DePaoli participate in a sexual addicts anonymous group. Chancellor Shoemaker passed these recommendations on to Archbishop Bevilacqua, along with a suggested assignment as a college chaplain.

Cardinal Bevilacqua ignores the therapist’s recommendation and sends Father DePaoli to New Jersey, where his crime is less likely to be known.

Ignoring the doctor’s and his Chancellor’s advice, Archbishop Bevilacqua chose instead to send Fr. DePaoli to another diocese where his crime might not be known. The Archbishop met with Fr. DePaoli on May 4, 1988. According to a memo Archbishop Bevilacqua wrote recording the conversation, he told the priest: “for the present time it might be more advisable for him to return to the active ministry in another diocese.” The Archbishop explained that this move would “put a sufficient period between the publicity and reinstatement in the active ministry of the Archdiocese of Philadelphia.” (Appendix D-19)

Archbishop Bevilacqua gave the order to find another diocese for Fr. DePaoli. Tellingly, getting another diocese to accept this dangerous priest was difficult; other bishops were apparently less willing than Cardinal Bevilacqua had been with Fr. John P. Connor (see the profile of Fr. Connor) to take on a priest who presented a significant risk to their children. The Harrisburg Diocese refused to take him, it was reported to the Archbishop, because “the Philadelphia Inquirer is too widely read in this diocese to avoid a serious scandal.” Scranton would accept Fr. DePaoli only if he was “certified as being O.K.” Finally, Bishop Edward T. Hughes of the Metuchen Diocese in Northern New Jersey agreed to take the priest “for a reasonable amount of time.” Archbishop Bevilacqua

wrote the bishop personally to thank him, saying it was “extremely good of you to provide [Fr. DePaoli] the opportunity to continue his ministry”

In the summer of 1988, Fr. DePaoli – apparently with his full faculties restored – was assigned as a parish priest to Saint John Vianney Church in Colonia, New Jersey. He remained there for three years. Despite the therapist’s warning on file that Fr. DePaoli “could go beyond fantasy in terms of his sexual urges toward children,” there is no indication that any attempt was made to restrict Fr. DePaoli’s access to children. In fact, Fr. DePaoli told Bishop Hughes about his extensive continuing access to children, proclaiming that he was “an ardent supporter of our parish elementary school and C.C.D. programs.” Although scheduled for only one hour of confession weekly, Fr. DePaoli declared it the “high point of my life here” and stated that he “spent 2 to 3 ½ hours proclaiming Christ’s forgiveness.” Even Msgr. Shoemaker, Archbishop Bevilacqua’s Chancellor at the time, acknowledged to the Grand Jury that this transfer put the children in the New Jersey parish at risk.

Father DePaoli returns to Philadelphia after several years and relapses again.

In the summer of 1991, Archbishop Bevilacqua brought Fr. DePaoli back to Philadelphia, assigning him to be associate pastor at Saint John the Baptist Church in Manayunk. No restrictions on his ministry were recorded in Archdiocese files.

On April 28, 1992, Dr. Richard Fitzgibbons, a psychiatrist who had been consulted earlier about Fr. DePaoli’s case, called the Office of the Secretary for Clergy and James E. Molloy, Assistant Vicar for Administration. According to Msgr. Molloy’s notes, other priests had passed along to the doctor reports that during a Mass for school children, Fr. DePaoli told the congregation: “I’d rather imagine what this [8th grade] girl would look like if she were naked from the waist up.” Two weeks later, Fr. Robert T. Feeney, an associate pastor at Saint John the Baptist, reported to Secretary for Clergy John J. Jagodzinski that Fr. DePaoli was receiving pornography in the mail. Father Feeney gave the Secretary for Clergy one of the packages that had recently arrived at the rectory. Monsignor Jagodzinski met to discuss the situation with the Vicar for Administration,

Edward P. Cullen, and soon-to-be-named Secretary for Clergy William J. Lynn, then he interviewed Fr. DePaoli. Monsignor Jagodzinski recorded that Fr. DePaoli at first appeared “incredulous as to why he was being confronted,” but, faced with the physical evidence, stated that what he referred to as his “addiction cycle” had been “activated.”

Father DePaoli was removed from the rectory at Saint John the Baptist, but, despite the fact that he had relied upon the psychological explanation of “addiction cycle” to explain his conduct, he nevertheless resisted the Archdiocese’s efforts to have him returned to Saint John Vianney Hospital. After staying with his parents briefly, the priest was given a residence at Immaculate Conception parish, where the rectory was used to house priests with various problems. Still, the priest avoided hospitalization and lobbied to return to ministry at Saint John the Baptist. He remained in limbo – officially assigned to Saint John, but living at Immaculate Conception – for six months. The pastor and priests at Saint John vehemently opposed Fr. DePaoli’s return to the parish. They reported to Msgr. Lynn that Fr. DePaoli was still receiving objectionable material in the mail and his bedroom was filled with nude pictures. On December 2, 1992, he was relieved of his assignment.

Removed from his assignment, Father DePaoli is allowed to continue ministering.

Faced with Fr. DePaoli’s obvious unfitness and his refusal to make use of the treatment he was repeatedly offered, the Archdiocese put the priest on administrative leave, but nevertheless allowed him to continue to minister. In a December 2, 1992, letter, Msgr. Lynn informed Fr. DePaoli that he would be put on administrative leave, with his faculties restricted to celebrating Mass “privately for his own spiritual benefit.” For the next ten years, the priest lived in a rectory with no official assignment. He continued, however, to minister extensively and publicly with explicit permission from Msgr. Lynn, in accordance with directions from the Cardinal.

Father DePaoli’s file from this period contains written permission to perform more than 80 marriages, baptisms, and confirmation Masses, as well as permission to concelebrate the ordination Mass of Bishop-elect Cullen and Mass with Cardinal Bevilacqua. In 1995, Msgr. Lynn issued a certificate called a “celebret,” which stated that Fr. DePaoli was a priest in good standing, so that he could exercise full faculties on a trip

he was planning to Rome to celebrate his silver jubilee of 25 years in the priesthood. Monsignor Lynn acknowledged in a memo to Msgr. Cistone in April 1995 that Fr. DePaoli was “really having little supervision.”

In 1994, Fr. DePaoli complained that some restrictions remained on his faculties. Monsignor Lynn explained to him that “Cardinal Bevilacqua emphasized that at no time have [your] faculties been withdrawn; rather, the exercise of those faculties has been restricted for the good of the Church and the avoidance of scandal.” Monsignor Lynn noted that Fr. DePaoli “could exercise his faculties on occasion, with permission, as, in fact, has been the case on several occasions.”

Father DePaoli, however, continued to ask for more. He engaged a canon lawyer, Father Thomas Moran, to present his requests to the Archdiocese. To his credit, after reviewing his client’s file, Fr. Moran concluded, according to notes kept by Msgr. Lynn, that Fr. DePaoli was a “chronic offender and, therefore, very risky.” Father Moran therefore combined his requests for an assignment and limited exercise of faculties with proposed conditions that would permit the Archdiocese to monitor Fr. DePaoli more closely.

Father Moran asked that his client receive a residence assignment and be permitted to concelebrate Mass and deliver homilies occasionally. At the same time, he suggested that the parish be fully informed of Fr. DePaoli’s history, that any homily be reviewed by the pastor first, that his client’s mail be subject to inspection, and that his bedroom be subject to unannounced inspection by the Secretary for Clergy or his delegate. Father Moran acknowledged that Fr. DePaoli needed to continue in individual and group therapy.

Father DePaoli accepted these conditions, and Msgr. Lynn recommended that Cardinal Bevilacqua approve them, with the exception of allowing Fr. DePaoli to preach. But, rather than approve the plan, which called for significant supervision, Cardinal Bevilacqua chose to distance the Archdiocese from its priest.

Initially, following advice from the Archdiocese’s lawyers, the Cardinal avoided formally reassigning Fr. DePaoli. He suggested, for the record, that the priest could “seek acceptance by another diocese” or, failing that, voluntarily agree to laicization. Predictably,

Fr. DePaoli did neither. Instead, the priest requested a parish residence at Saint Gabriel Church in Stowe, where he was friendly with the pastor, Father James Gormley.

In September 1995, Cardinal Bevilacqua granted Fr. DePaoli's request. He moved the priest to a parish *without requiring even the level of supervision that Fr. DePaoli's own canon counsel had recommended*. Once again, the Archdiocese demonstrated that protection of the community was not its priority.

Cardinal Bevilacqua assigns Father DePaoli to live at Saint Gabriel, and allows him to minister without the restrictions or supervision that the priest's own lawyer recommended in order to protect parishioners.

Over the next seven years at Saint Gabriel, Fr. DePaoli lived in the rectory, concelebrated Mass, delivered homilies regularly, heard confessions (including of school children), taught adult religious education, and occasionally celebrated Sunday Mass without another priest present. Although his assignment letter purported to restrict Fr. DePaoli's faculties, the Archdiocese was made aware of all these activities and did not stop them.

In other words, Fr. DePaoli was doing more than Father Moran had asked for, but without the safeguards suggested by the canon counsel and agreed to by Fr. DePaoli. Church officials did not inspect his mail or his bedroom. The parish was not informed of the priest's history. Rather than acknowledge that Fr. DePaoli was ministering to the parish, and then monitor his interactions with parishioners, Archdiocese managers sought to limit their legal liability by continuing to promote and document the fiction that the priest was ministering only to himself.

In furtherance of this fiction, Msgr. Lynn went so far as to alter the way in which the Archdiocese accounted for the salary of Fr. DePaoli and other priests accused of sexual misconduct. Monsignor Lynn's assistant, Mary Ann Sullivan, reminded the Secretary for Clergy about the strategy in a July 14, 1995, memo:

When you were making judgments concerning which of the "Clerical fund recipients" should receive salary vs. stipend, taxable vs. non-taxable, one of the considerations you were dealing with was the following: if a cleric had been involved

in misconduct and there was concern over his publicly ministering as a priest, you did not want the books to show that the Archdiocese was paying him a salary for services rendered. I was under the impression that such thinking guided your identification of Frs. DePaoli, [Richard] McLoughlin, [Martin] Satchell, and McCarthy as priests who specifically should not receive W-2 forms.

A nun blows the whistle on Father DePaoli, and she is fired.

The director of religious education at Saint Gabriel, Sister Joan Scary, testified that in December 1995, three months after Fr. DePaoli's assignment to the parish, she noticed three children being detained by Fr. DePaoli in the confessional. After testifying, she explained further to a detective with the District Attorney's Office that she was suspicious and wrote to the children's parents. One girl was a third grader, but in 2003, when talking to the detective, Sister Scary could not remember her name. The others were "Jennifer," a fifth grader, and "Tony," an 8th grader.

In response to the warnings, Sister Scary said that the third-grader's mother thanked her. She also told the nun that, during confession, Fr. DePaoli asked the mother unwelcome questions about her sex life. The mother of the fifth grader accused Sister Scary of spreading scandal. Tony's grandfather told Sister Scary that Tony had denied that anything happened in the confessional, but that the boy considered Fr. DePaoli "weird" and tried to stay away from him. Sister Scary told the detective that later, at a Lenten Reconciliation Mass in April 1996, Tony told her he would not go into Fr. DePaoli's confessional. The detective presented Sister Scary's information to the Grand Jury.

In May 1996, having learned of Fr. DePaoli's pornographic interests not from Archdiocesan managers but inadvertently, Sister Scary noticed suspicious packages arriving at the rectory for Fr. DePaoli. She described to the Grand Jury a plain cardboard box – the size of "small diskettes" – postmarked from Denmark. She also saw sexually explicit magazines arriving in the mail.

One such magazine, "Details," featured cover articles entitled "Sex: The Ultimate Buyer's Guide," and "Anka: The Naughty Daughter Talks Dirty to her Mom and Dad."

Sister Scary mailed this magazine to Cardinal Bevilacqua with an anonymous note asking, “Your Eminence, Is this appropriate for a Roman Catholic Priest?” Father DePaoli’s name and rectory address were on the label of the magazine.

In a June 3, 1996, memo to the file, Msgr. Michael McCulken, assistant to Secretary for Clergy Lynn, acknowledged that the magazine sent to Cardinal Bevilacqua had been received and did “seem very inappropriate.” Another memo indicates that Cardinal Bevilacqua and Msgr. Cullen discussed the magazine at an issues meeting on May 14, 1996, but no decision to impose any restrictions on Fr. DePaoli was recorded.

Testifying before the Grand Jury, Sister Scary described her fears:

We had a whole program with children, and my fear was that he would have any contact with the children in the parish; and I just was, very concerned that . . . if he was . . . enticing them in any way, something could happen to them.

On May 29, 1996, the vicar for Montgomery County, Msgr. Robert P. McGinnis, wrote to the Office for Clergy that Sister Scary had called him several times. Monsignor McGinnis’s letter informed the Archdiocese that Fr. DePaoli “celebrates mass regularly” with another priest, Fr. Joseph McCloskey, and that Sister Scary had reported Fr. DePaoli celebrating Holy Thursday and Good Friday liturgies by himself. Also, Msgr. McGinnis repeated Sister Scary’s charge that Fr. DePaoli was receiving inappropriate magazines. Still the Archdiocese records indicate no action to investigate the mail that Fr. DePaoli was receiving, to restrict his public ministering, or to stop him from associating with minors.

In fact, while the record shows no action taken against Fr. DePaoli in response to Sister Scary’s reports, Father Gormley, the parish pastor, did take action against Sister Scary. When he learned of her reports to Msgr. McGinnis, he fired her as director of Saint Gabriel’s religious education.

The Vicar for Montgomery County informed the Office for Clergy of the circumstances of Sister Scary’s firing. On June 10, 1996, Msgr. Lynn met with Fr. DePaoli. They discussed threats of exposure from parishioners who had learned from Sister Scary about the reason for her firing. At this meeting, Fr. DePaoli informed Msgr. Lynn that he regularly concelebrated Mass with Pastor Gormley and that he directed and taught the adult education program for the parish.

Monsignor Lynn wrote in his notes that he “thanked Father DePaoli for seeing me and for being honest and always following the directives that he has been given. We agreed right now that he would stay there unless circumstances warrant otherwise.”

On July 1, 1996, Msgr. Lynn sent Joseph R. Cistone, Assistant to the Vicar for Administration, an update on Fr. DePaoli. Again the focus of the report was Sister Scary, her attempts “to stir up some conflict” by informing parishioners about Fr. DePaoli’s past, and how to scare her into silence to suppress her knowledge of Fr. DePaoli’s predilection for naked children. Monsignor Lynn reported to Msgr. Cistone that Sister Scary’s religious-order superiors had “spoken several times with Sister Joan Scary to bring up to her the civil implications of her actions.” Monsignor Lynn also reported that, “if needed,” her religious superiors were “ready to place Sister Joan Scary under obedience to cease and desist.”

On August 5, 1996, having received reports that Sister Scary’s supervisors were invoking what “amounts to a ‘gag order,’” Msgr. Lynn reported to Msgr. Cistone: “Everything is quiet at Saint Gabriel Parish concerning this situation.” Sister Scary eventually moved out of the Archdiocese.

The Archdiocese ignores another warning about Father DePaoli.

In April 2002, Archdiocese managers were told yet again that Fr. DePaoli was receiving suspicious unlabeled videos in the mail. This time, the report came from the Vice Chairman of the Pastoral Council of Saint Gabriel, Shirley A. Birmingham. She also told Msgr. John C. Marine, Msgr. McGinnis’s replacement as Vicar for Montgomery County, that parishioners were aware of Fr. DePaoli’s child pornography conviction and that she was concerned about his presence at Saint Gabriel. She informed Msgr. Marine that Fr. DePaoli heard confessions, preached almost every weekend, and said daily Mass when the pastor was away.

Monsignor Marine wrote in his notes recording his meeting with Birmingham: “I assured her that Fr. DePaoli requests permission before he performs his priestly service at the parish.” Monsignor Marine also noted that he corrected her use of the term

“pedophile,” telling her that Fr. DePaoli’s predilection for child pornography did not equate with sexually acting out with children. Monsignor Marine forwarded all this information to Secretary for Clergy Lynn. Even then, records indicate no action was taken to stop Fr. DePaoli’s extensive ministering.

Church officials minimize the complaints of a parishioner whom Father DePaoli had molested when she was a child.

In 2002, the Archdiocese learned that the warning of Fr. DePaoli’s former therapist, Dr. Griffin-Shelley, that the priest could go “beyond fantasy in terms of his sexual urges toward children,” was not only true but had in fact already occurred more than a decade before the warning was issued. Shortly after Msgr. Marine had assured Birmingham that her fears of Fr. DePaoli acting out with children were unfounded, 46-year-old “Anna” reported to the Archdiocese, on June 14, 2002, that more than thirty years earlier Fr. DePaoli had grabbed and fondled her breast in the schoolyard at Our Lady of Mount Carmel in Doylestown, when he was associate pastor and she was 14 years old. In response to this report, Archdiocese managers downplayed the event and lied to Anna.

Anna told the Grand Jury that she met with Msgr. Lynn and his assistant, Father Vincent Welsh, on June 19, 2002. She described to them how Fr. DePaoli had fondled her breast as he walked with his arm around her in the schoolyard. She said that she was positive it was not a mistake and that he stopped only because she elbowed him hard. She told them that she had reported the incident to her mother at the time, but that her mother, a recent immigrant from Cuba, did not want to make trouble and told Anna to just ignore it.

Anna testified that Msgr. Lynn and Fr. Welsh told her that what had happened to her was “not so bad.” She told the Grand Jury that she was frustrated that they seemed not to understand that nothing else had happened only because she stood up to the priest, and that he presented a danger to less confident children. She said the Archdiocese managers appeared not to be satisfied with her account and asked that her 72-year-old mother come in to verify that Anna had reported the incident when it happened.

When Anna asked them about Fr. DePaoli’s access to children, the Archdiocese managers assured her that they were “watching him,” that they had taken away all his

privileges, and that he was not allowed to be around children. As the Grand Jury learned, these assertions were misleading, at best.

Even then, Fr. DePaoli was not removed from his parish residence. In October 2002, Cardinal Bevilacqua met with Anna. He told her that she was “lucky,” that what had happened to her really “wasn’t that bad.” He also assured her that Fr. DePaoli had no ministry at Saint Gabriel’s – only a residence. This, too, was a misrepresentation.

Archdiocese managers repeatedly told Anna that she was the only person ever to make allegations of abuse against Fr. DePaoli. Almost immediately they learned from Fr. DePaoli himself that this was not true. In an interview about Anna’s allegations, the priest mentioned to Msgr. Lynn and Fr. Welsh that he had been accused before. He told them that, if they wanted more information, his attorney could provide it. According to rough notes from the June 26, 2002, meeting, Msgr. Lynn told Fr. DePaoli: “What’s bad is that past allegation . . . I stressed w/ [Anna] [that we] had no other report of such behavior – no allegations.”

Neither Msgr. Lynn nor Fr. Welsh told Anna that they had subsequently learned of other complaints against Fr. DePaoli. In fact, according to notes of a meeting on July 26, 2002, Anna said to Msgr. Lynn, “I can’t believe there were not other incidents,” and, despite knowing otherwise, Msgr. Lynn told Anna twice, “We haven’t had anyone else come forward with this type of allegation,” and “you are the first one to come in with an allegation against him.” Moreover, rather than clear up this misleading information, Fr. Welsh attempted to console Anna, telling her on July 9, 2002, that Fr. DePaoli was having a “full psychological evaluation.” There is no evidence before the Grand Jury that such an evaluation took place.

On July 17, 2002, in accordance with procedures required by the Charter for the Protection of Children and Young People which had been adopted by the Bishops of the Catholic Church on June 14, 2002, the Archdiocese’s attorney, William Sasso, informed the Bucks County District Attorney of Anna’s allegation. At the time, Archdiocese files included numerous reports that Fr. DePaoli was hearing confessions, delivering homilies, teaching adult religious education, and concelebrating Mass (most recently told to Msgr. Lynn on June 26, 2002, by Fr. DePaoli himself). Yet Sasso assured the District Attorney

that, at the time of Anna's allegation (June 14, 2002), Fr. DePaoli "had no public ministry."

Anna testified that she felt lied to when she heard in December 2002, through media reports, that Fr. DePaoli was still ministering – delivering homilies at Saint Gabriel. She said she was extremely upset and left a message on the answering machine of a therapist with whom the Archdiocese had set her up. She said: "They promised nothing was going to happen, and they promised he was being watched." She heard nothing more from the therapist.

The Archdiocese misleads the media and the public about Father DePaoli.

On December 18, 2002, the day the Philadelphia Inquirer published a story revealing that Fr. DePaoli was a convicted possessor of child pornography, Cardinal Bevilacqua quickly and radically changed his approach to the priest. No longer willing to protect him, he told reporters that Fr. DePaoli, the priest whom Msgr. Lynn had thanked for always following the Cardinal's directives, was disobedient. Knowing of Anna's allegation, which he had told her he believed, Cardinal Bevilacqua told reporters that Fr. DePaoli was "not a danger to anyone," suggesting that his only offense was enjoying child pornography, a serious crime and one that counseled keeping such a man as far away from children as possible. The Cardinal's spokesperson, Catherine Rossi, misled reporters into believing that Fr. DePaoli had been stripped of "his priestly duties" since 1986.

On December 19, 2002, Msgr. Lynn informed Fr. DePaoli he would have to leave Saint Gabriel. Monsignor Lynn insisted the action was the result of Fr. DePaoli's refusal to follow his restrictions, and not the media attention.

On January 14, 2004, the Archdiocese found credible the allegation against Fr. DePaoli of sexual abuse against a minor, presumably Anna, and removed the priest from ministry. In November 2004, Monsignor Lynn's successor as Secretary for Clergy informed DePaoli that the process to laicize the priest involuntarily had been completed and that he was removed "from the clerical state."

DePaoli appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.

Monsignor David E. Walls

Monsignor David Walls, ordained in 1960, was a sexual abuser of both boys and girls, yet served as Vicar for Catholic Education in the Philadelphia Archdiocese. Cardinal Bevilacqua left him living in a parish rectory, ministering to all ages, even after learning of the priest's sexual offenses. When the Cardinal testified that he did so because he did not know at the time that the victims were minors, the Grand Jury did not find his explanation credible – or consistent with the evidence. The Cardinal's testimony did, however, provide a window into the deceptions, half-truths, and rationalizations with which the Archdiocese has sought to justify and cover up practices that systematically abetted the abuse of children.

Monsignor Walls presented an early test of Archbishop Bevilacqua's handling of sexually abusive priests. Within weeks after taking over the Philadelphia Archdiocese in February 1988, the Archbishop learned that Msgr. Walls, then serving as Vicar for Catholic Education, was accused of attempting to sexually assault a 17-year-old girl in his rectory bedroom two years earlier and also of making inappropriate advances toward two boys (one the brother of the female victim). Shortly thereafter the Archbishop received a memo that Msgr. Walls had admitted the incidents. The pastor of Saint John Neumann, the parish to which Msgr. Walls was transferred following the incidents, told Archbishop Bevilacqua that several parishioners "have stated that he has been involved in" what the parishioners characterized as "pedophilia." The Archbishop's response became his standard practice through the years: he acted to fend off legal liability for the Archdiocese, but gave the priest continued opportunity and cover for his crimes by permitting him to go on ministering while enjoying unrestricted access to parish youth.

The Archbishop did remove Msgr. Walls from his high-profile job in the Office of Catholic Education, but solely to avoid legal action. In a May 4, 1988 memo, Archbishop Bevilacqua explained that the "perception of inaction could very well trigger the parents to resort to some kind of further procedure through court action." The Archbishop's effort to avoid the "perception of inaction" characteristically included no attempt to protect parish children. Archdiocese managers contacted neither victims nor civil authorities.

Instead, despite pleas from the priest's therapists, from his pastor, and from the Cardinal's own Secretary for Clergy, Cardinal Bevilacqua allowed Msgr. Walls to remain unmonitored in his parish residence in Bryn Mawr – with no formal assignment, few obligations, and limitless unsupervised time in which to procure new victims. For 14 years after learning of the priest's admitted sexual offenses against minors, Cardinal Bevilacqua permitted him to live in the parish rectory, to celebrate Mass with altar boys, to hear confessions, and to counsel parishioners and others through Catholic Human Services.

Cardinal Bevilacqua learns in 1988 of Monsignor Walls' abuse of minors.

On February 25, 1988, a therapist, Eileen Egan, informed the Archdiocese that Msgr. David Walls had sexually accosted a client of hers, later identified as "Colleen," two

years earlier, when the girl was 17 years old. Vice Chancellor Joseph Pepe met with Egan and recorded the report:

Ms. Egan alleged that one evening this young woman went to the rectory where Monsignor Walls resided to discuss some family difficulties. He brought her up to his suite of rooms, turned the lights out, and proceeded to make sexual advances. He got the young girl down on the floor. She escaped his grasp, got up and he began to pursue her around the room. He used words which Ms. Egan did not explain. The young woman eventually ran out of the rectory and Monsignor Walls pursued her for four blocks. This Ms. Egan assured me was not to assault her client but from what she could learn to calm her client down.

Father Pepe also recorded reports from Egan that Walls had “approached” two boys, one of them the brother of Egan’s client. The therapist told Fr. Pepe that she was concerned about Msgr. Walls’ potential to damage other children because he was still performing parochial duties and was still Vicar for Catholic Education for the Archdiocese.

Later that day, Chancellor Samuel Shoemaker and Vice Chancellor Pepe met with Msgr. Walls. Father Pepe’s notes from the meeting record that Msgr. Walls “minimized” but “did not deny” the allegations regarding Colleen, her brother, and the other boy known to Eileen Egan. Monsignor Walls stated that he had been under the care of a psychiatrist since July 31, 1987, but would not give the name of his therapist.

Father Pepe prepared a memo recording the meetings with Egan and Msgr. Walls. Monsignor Shoemaker told the Grand Jury that Archbishop Bevilacqua was immediately informed of the charges against Msgr. Walls and provided with the written report that included the priest’s admissions.

A victim’s therapist reports Monsignor Walls’ sexual assault to the Archdiocese, but not to the police, and asks Church officials to remedy the matter.

Eileen Egan explained to Fr. Pepe that she did not report the assault against her client to civil authorities for reasons relating to her therapy, but was relying on the Archdiocese to “do its duty in looking into the allegations and coming to some resolution on the matter/and incident.” Egan offered that her client and a colleague who knew of another victim were available to talk to Archdiocese managers if necessary “to get some

action on these allegations.” She also asked “that the Archdiocese in some way let her client know they were sorry concerning the incident. . . .”

After Msgr. Shoemaker and Fr. Pepe discussed with the therapist the legal duty to report child abuse, Archdiocese managers decided that another priest, Fr. John McFadden, should be asked to act as a “go-between” with the family of the victim. This decision was originally recorded in Fr. Pepe’s February 25, 1988, report, but was whited out on the copy provided to the Grand Jury, presumably because the advice to use a go-between was provided by legal counsel. The Grand Jury was able to ascertain what Fr. Pepe originally wrote in his report because a subsequent handwritten “file summary” prepared by Fr. Vincent Welsh included a summary of Fr. Pepe’s report, including: “-approved Fr. [John] McFadden as go between w/ family.”

The designation of Fr. McFadden as a go-between is significant because Archdiocese managers testified before the Grand Jury that legal counsel had advised them that they were required to report suspected sexual abuse only when it was reported to them directly by a victim. Therefore, under their interpretation of Pennsylvania’s reporting requirements, the use of Fr. McFadden as a go-between might free Archdiocese managers of the legal duty to report Msgr. Walls’ criminal behavior. (The Child Protective Services Act in 1988 required anyone who, in the course of their employment, came into contact with a child he suspected was abused, to report that abuse. Clergy were not explicitly included or excluded from this requirement. In 1995, the legislature made it explicit that clergy were included.) There is no evidence to show whether Fr. McFadden ever contacted the victim’s family.

Father McFadden may have been chosen to communicate with the victim’s family because he was well aware of Msgr. Walls’ problems. Eileen Egan’s client, Colleen, and her family had gone to Fr. McFadden shortly after Msgr. Walls had accosted her in 1986 in his rectory bedroom at Saint Matthias. In addition, according to an October 1990 letter from Msgr. James Meehan, Msgr. Walls’ subsequent pastor at Saint John Neumann, 11 people from Msgr. Walls’ previous parish, Saint Matthias, had protested to Fr. McFadden about Msgr. Walls’ “deviate sexual behavior” before the Archdiocese reassigned him in

1987. The parishioners told Fr. McFadden they thought Msgr. Walls needed to be institutionalized.

But Msgr. Walls had not been institutionalized. Instead, in June 1987, Cardinal Krol had quietly transferred Msgr. Walls' residence to Saint John Neumann in Bryn Mawr. At the same time, he promoted Walls to be Vicar for Catholic Education for the Archdiocese. It was eight months later that Eileen Egan informed the new Archdiocese administration about Msgr. Walls' abuse of her client.

Monsignor Walls is returned to a parish residence after admitting sexual abuse of minors, despite his therapist's warning not to mingle with youth.

Four days after receiving Eileen Egan's report of her client's abuse, Chancellor Shoemaker arranged for Msgr. Walls to go to Saint Luke Institute in Suitland, Maryland, for an evaluation. On March 14, 1988, Msgr. Walls began a ten-day evaluation. The Institute's assessment confirmed Msgr. Walls' earlier admissions.

The therapists, according to Fr. Welsh's notes, urged that Msgr. Walls "abstain from working w/ or mingling w/ youth or young adults in unsupervised capacity." Saint Luke staff also recommended a re-evaluation at the Institute in six to nine months. Monsignor Shoemaker told the Grand Jury that he sent this evaluation to Archbishop Bevilacqua. Nevertheless, Cardinal Bevilacqua allowed Msgr. Walls to live, unsupervised, in the rectory at Saint John Newman, a parish with a school.

The pastor at Monsignor Walls' parish pleads with Archbishop Bevilacqua for guidance in supervising his resident, but the Archbishop ignores him.

Upon Msgr. Walls' return to Bryn Mawr after his evaluation in March 1988, Msgr. James Meehan, his pastor, began writing letters to the Archdiocese describing his concerns about the priest and pleading for instructions from the Archbishop.

In a letter of April 11, 1988, to Chancellor Shoemaker, the pastor described Msgr. Walls' situation as "potentially explosive." He expressed extreme concern for the priest, the Church, "and others." He wanted Archdiocese managers to know that he was not in

regular or close contact with Msgr. Walls, and was not supervising him. Monsignor Meehan sent a copy of this letter to the Archbishop and requested a meeting with him.

On May 3, 1988, Archbishop Bevilacqua telephoned Msgr. Meehan in preparation for a meeting with Msgr. Walls the next day. The Archbishop's notes of the phone call record that Msgr. Meehan told him that "reports about Monsignor Walls are becoming more and more public," and that "several women have stated that he has been involved in" what the women characterized as "pedophilia."

The Archbishop also wrote that Msgr. Meehan expressed concerns about his responsibilities as pastor and about what Msgr. Walls was allowed to do. Monsignor Meehan had heard informally, while discussing another matter with Msgr. Shoemaker, that Msgr. Walls was not supposed to be celebrating Mass. Monsignor Meehan told the Archbishop that the Chancellor needed to tell Msgr. Walls not to perform Masses if that was the Archbishop's wish. Archbishop Bevilacqua recorded in his memo to the file that he told Msgr. Meehan he "would look into the matter."

Chancellor Shoemaker testified to the Grand Jury that the Archbishop did not thereafter ask him to instruct Msgr. Walls to refrain from celebrating Mass. The Chancellor said that, had he been asked, those instructions would have been communicated to Msgr. Walls verbally and in writing, with a copy in the file.

Monsignor Shoemaker told the Grand Jury that it was his understanding that the Archbishop was handling this matter himself. On May 4, 1988, Archbishop Bevilacqua met with Msgr. Walls. Rather than tell Msgr. Walls that he could not celebrate Mass, the Archbishop, according to his own notes, explicitly permitted the priest to "remain at St. John Neumann and continue to assist Monsignor Meehan" He later confirmed to the Grand Jury that he meant for Msgr. Walls to assist with parish duties, including saying Mass and hearing confessions, even of youth.

Monsignor Walls is asked to resign his high-profile position as Vicar for Catholic Education, but continues to minister at Saint John Neumann for 14 Years.

After hearing that reports about Msgr. Walls were becoming “more and more public,” Archbishop Bevilacqua, at his May 4, 1988, meeting with the priest, asked him to resign as Vicar for Catholic Education. According to his memo on the meeting, the Archbishop explained that Msgr. Walls could not continue in this high-profile position. He cited in particular “the fear that the parents of recent victims were not likely to take any action of a legal nature as long as the Archdiocese has acted strongly.”(Appendix D-20)

Having taken action to quiet the parents of Msgr. Walls’ victims, Cardinal Bevilacqua left the priest in residence at St. John Neumann for 14 more years. He did this knowing that Msgr. Walls would be working and mingling with young people in complete disregard of the St. Luke Institute’s recommendations. He left the priest in place without restrictions, supervision, or follow-up evaluations despite numerous reminders, warnings, recommendations, and pleas from Msgr. Meehan, Secretary for Clergy John J. Jagodzinski, and the Vicar for Delaware County, Msgr. Francis A. Menna.

Monsignor Walls’ pastor, Msgr. Meehan, continued to convey warnings and ask for direction. On August 22, 1990, he wrote to Msgr. Jagodzinski, who forwarded the letter to Archbishop Bevilacqua, that he felt he was “sitting on a keg of dynamite.” Monsignor Meehan told the Archdiocese managers that Msgr. Walls “leaves early in the morning and comes in around 10 or 11 at night.” In three years, he estimated, Msgr. Walls had eaten two meals at the rectory. The pastor wrote, “It is nearly impossible to know what his lifestyle is like.”

Monsignor Meehan’s letter referred to the Church’s recent problems with pedophilia and requested “for my own personal peace of mind, a statement in writing indicating exactly what my position is. Specifically, it would be extremely beneficial to have a diocesan lawyer outline the legal responsibilities to the people in the parish and the liabilities I might have if the matter should ever come to the attention of the press or become a future concern.” He concluded with a “P.S.” apologizing for the length of the letter, but stating: “as you know from our conversations, it leaves out much more than it includes.”

On September 26, 1990, prior to a parish visit by the Archbishop to St. John Neumann, Msgr. Jagodzinski sent a memo about Msgr. Walls’ situation to Vicar General

Edward P. Cullen, headed: "FOR INFORMATION OF THE ARCHBISHOP." In it, the Secretary for Clergy noted several "difficult and complicating factors," including: "the high profile nature of Msgr. Walls' earlier position"; "the extremely sensitive nature of the earlier accusations against him"; and "the continuing 'explosive' potential for future acting out."

Monsignor Jagodzinski pointed out that Msgr. Walls had been on "leave of absence," residing at St. John Neumann, since May 1988, and that his pastor, Msgr. Meehan, had repeatedly but unsuccessfully asked for some definition of his responsibilities. Monsignor Jagodzinski attached Msgr. Meehan's most recent plea, dated August 22, 1990. The Secretary for Clergy also forwarded for the Archbishop a letter from Msgr. Walls describing his parish activities, which included performing Mass, hearing confessions, counseling, and covering the parish when the pastor was away. The priest even reported that he was doing individual and group addiction counseling. Among the recommendations Msgr. Jagodzinski made to the Archbishop were: that Msgr. Walls "undergo full re-evaluation by Saint Luke's Institute, in accord with the Institute's recommendation in April 1988, that such re-evaluation take place 'in six to nine months'"; that Msgr. Meehan's role and responsibility in relation to Msgr. Walls be defined and communicated to Msgr. Meehan; and that, depending on the advice of therapists, Msgr. Walls be advised that he would be reassigned in the spring of 1991.

Archbishop Bevilacqua had Msgr. Cullen respond that the Archbishop needed more "background material on Monsignor Walls" before acting on Msgr. Jagodzinski's recommendations.

On October 1, 1990, Archbishop Bevilacqua had an opportunity to get more information and to deal with these issues when he made his parish visit. Afterwards, Msgr. Meehan wrote to his Regional Vicar, Msgr. Menna, expressing disappointment after again pleading for action: "The Archbishop's response, as best I can recall it, was 'these problems are serious and we cannot handle them as they were handled in the past.' He said no more."

In frustration, Msgr. Meehan attached a packet of information about Msgr. Walls to his October 25 letter to Msgr. Menna, and sent copies to Msgr. Jagodzinski. He wrote that he had learned about his resident priest's past not from the Archdiocese, but only because 11 parishioners from Saint Matthias, Msgr. Walls' previous parish, had insisted that another priest inform Msgr. Meehan about Msgr. Walls' "deviate sexual behavior." The Saint John Neumann pastor also informed the Secretary for Clergy that Msgr. Walls, shortly after arriving at his parish in June 1987, had "admitted to inappropriate affection with altar boys and a 'run-away girl' who came to the rectory on one occasion." Monsignor Meehan reported that Cardinal Krol, who had originally transferred Msgr. Walls to Saint John Neumann, had recently warned him that the pastor was "sitting on a keg of dynamite," referring to Msgr. Walls.

On November 12, 1990, Msgr. Jagodzinski sent a seven-page memo to Archbishop Bevilacqua summarizing Msgr. Walls' entire Secret Archives file. All of the information relating to his sexual abuse of minors had previously been provided to the Archbishop. Monsignor Jagodzinski's memo repeated the recommendations he had made in September 1990.

This time, Archbishop Bevilacqua responded by signing the memo: "Thanks for the report. AJB 11/24/90." None of Msgr. Jagodzinski's recommendations was followed. Archdiocese files reflect that Msgr. Walls continued to live at St. John Neumann, performing all of the functions of a parish priest, with full access to young people. He continued to counsel addicts without himself ever being reevaluated at Saint Luke or any other institution. There is no evidence that Cardinal Bevilacqua ever gave the requested guidance or instructions to Msgr. Meehan.

After receiving Msgr. Jagodzinski's memo in November 1990, Archbishop Bevilacqua gave his approval to Msgr. Walls' reentry into full-time ministry, but he was never assigned. The next year, the Archbishop approved of Msgr. Walls' serving as a consultant to Catholic Human Services on drug- and alcohol-related staff development issues. The priest's involvement, however, was reported to Secretary for Clergy William Lynn in 1994 as "minimal." In the absence of a formal assignment, Cardinal Bevilacqua did nothing to supervise or limit Msgr. Walls' ministry or living situation.

A victim's abuse is reported again in 2002.

In 2002, 14 years after Colleen's abuse was reported to Archbishop Bevilacqua, and nearly 12 years after Msgr. Jagodzinski had urged the Archbishop to take action, Colleen and her mother came to the Archdiocese.

Colleen told Secretary for Clergy Lynn and his assistant Fr. Welsh how Msgr. Walls had offered her a ride, driven her to a secluded spot, parked, and kissed the teen and fondled her breasts. She further told of the incident, reported in 1988 by Eileen Egan, when she went to Msgr. Walls' rectory at Saint Matthias to talk about problems at home and he turned off the bedroom lights, got the teenager on the floor, and asked her to have sex with him. Colleen's mother told Archdiocese managers, as Egan had, that Colleen's brother and another teenage boy were also subjected to Msgr. Walls' "advances."

According to a March 26, 2002, memo to Cardinal Bevilacqua from Secretary for Clergy Lynn, Colleen and her mother came to the Archdiocese because "other than [Walls'] removal from the Office of the Secretary of Education, it seemed to them as if nothing had been done." When Colleen called the Office for Clergy about a month later to check on Msgr. Walls' status, she was told he had moved from his Bryn Mawr residence. As recorded by Fr. Welsh in his notes of April 24, 2002: "In response to her question concerning whether he is in therapy and being monitored, I said he is continuing counseling and we will keep in contact with him." There is no record of contact with Msgr. Walls or with any counselor for more than two years after that promise was given.

Cardinal Bevilacqua maintains before the Grand Jury that he had no knowledge that Monsignor Walls was involved with minors.

On August 22, 2003, when Cardinal Bevilacqua was asked before the first grand jury why he left Msgr. Walls in residence at St. John Neumann performing the duties of a parish priest for 14 years after learning he had sexually abused minors, the Cardinal told the first grand jury: "This is the first time I hear that the allegations involved a minor." He told this to the grand jurors even though he had personally authored a memo recording Msgr. Meehan's report that parishioners were talking publicly about Msgr. Walls'

involvement in “pedophilia.” He persisted in this contention when confronted with a document in Archdiocese files that documented that Msgr. Walls had pursued sexually an adolescent female and was inappropriate in touching a young male.

The Cardinal tried to explain how he could still fail to realize that the girl who had brought the allegations was a minor. First he claimed that, because the document included no names, the adolescent girl mentioned in the report was not necessarily the victim who had made the allegations. He explained to the Grand Jury, “From this [report] I cannot deduce that either one of these was the accuser. You said now, right now, that the accuser was an adolescent. This is referring to two people, but no names.” Then Cardinal Bevilacqua claimed he had “never heard the expression” to “pursue sexually” and that he needed clarification of the phrase used in the Archdiocese’s document.

The Cardinal also testified that he “never knew” Msgr. Walls was performing all the parochial functions outlined in the priest’s letter to Msgr. Jagodzinski, dated September 24, 1990, which was forwarded to the Cardinal. Cardinal Bevilacqua claimed ignorance even though he had expressly authorized such parish assistance in his May 4, 1988, meeting with Msgr. Walls. He persisted with this claim despite Msgr. Jagodzinski’s memo to Msgr. Cullen, dated September 26, 1990, and entitled: “FOR INFORMATION OF THE ARCHBISHOP,” which attached Msgr. Walls’ letter detailing the duties he was performing in the parish. Indeed, the Cardinal persisted in downplaying the entire case, telling the Grand Jury: “You know, I don’t -- I can’t say that this was that of a high level that it should have been reported to me necessarily.”

Finally, the Cardinal was asked about a news interview in which he had claimed that the Philadelphia Archdiocese had suffered fewer problems with sexual abuse of minors than other dioceses because “we have taken a very firm stand here”:

“Q: Do you think, Cardinal, leaving a person who acknowledged sexual misconduct with a minor in a parish for fourteen years with, as we’ve already discussed, few if any restrictions on their abilities, would you consider that taking a very firm stand?”

A: I said that I had no recollection that he was involved with a minor.

Q: Well, your recollection notwithstanding, Cardinal, the documents supported—

A: I know that.

Q: -- that it was a minor, and so I'll ask you: With regard to what the documents show and with Monsignor Walls' own admission of his participation in the assault with minors, do you think it's a very firm stand to allow him to remain in a parish for fourteen years?

A: If it had been brought to my attention, you know -- you know, as it was recently, we would have -- we still would have gone by -- at the beginning, by what Saint Luke's Institute recommended.”

The Cardinal resorted to his two main explanations - he did not know, and he was just following the advice of the therapists. The Grand Jury finds that Cardinal Bevilacqua did know, and that he did not follow the therapists' advice.

Even after reviewing his own May 4, 1988, memo summarizing his meeting with Msgr. Walls, the Cardinal insisted that in May 1988 he did not know that the priest had abused minors. In that memo, Archbishop Bevilacqua had explained why he had told Msgr. Walls that he could not continue in his position as Vicar for Catholic Education:

Among the more immediate reasons was the fear that the parents of recent victims were not likely to take action of a legal nature as long as the Archdiocese has acted strongly. Since he would not be away on an inpatient basis and if he is restored to his previous position as Vicar, it would appear that the Archdiocese had not considered this a serious matter and had taken no reasonable action. This perception of inaction could very well trigger the parents to resort to some kind of further procedure through court action. (Emphasis supplied)

In addition to showing that Cardinal Bevilacqua knew the victim was a minor, the Archbishop's own words in this memo demonstrate that his primary concern was to create the *perception* that the Archdiocese was taking some kind of action, so as to dissuade parents from taking legal action against the Church – without doing anything meaningful to reduce the danger to parishioners. Archdiocese managers had no interest in removing

Msgr. Walls; however, faced with the threat of scandal, they were forced to act *as if* they were taking decisive action. Thus, Msgr. Walls was removed as Vicar, but not from ministry, because the Archdiocese was more protective of its shepherds than its flock.

It remains unclear whether the Archdiocese is currently supervising Monsignor Walls.

In September 2004, Father Michael Hennelly, an assistant in the Office of Clergy, sought to contact Msgr. Walls as part of an effort to begin monitoring priests no longer active in ministry because of sexual abuse of minors. There is nothing in the record before the Grand Jury to indicate that those efforts with respect to Msgr. Walls have been successful.

Father Walls appeared before the Grand Jury and was given an opportunity to answer questions concerning the allegations against him. He chose not to do so.