

# **Roman Catholic Clergy Sexual Abuse of Children in Colorado from 1950 to 2019**

**Special Master's Report**

**October 22, 2019**

**WARNING: This Report Contains  
Graphic and Disturbing Accounts  
of the Sexual Abuse of Children.**

## TABLE OF CONTENTS

<b>I.</b>	EXECUTIVE SUMMARY .....	1
<b>II.</b>	INTRODUCTION .....	15
<b>III.</b>	ARCHDIOCESE OF DENVER .....	16
	<b>A.</b> Analysis of Current Protection and Reporting Systems .....	16
	<b>B.</b> Compliance with Mandatory Reporting Laws .....	40
	<b>C.</b> Incident Reports — Substantiated Allegations of Sexual Abuse of Minors.....	45
	<b>D.</b> Incident Reports — Substantiated Allegations of Misconduct with Minors .....	166
	<b>E.</b> Summary of Unsubstantiated Allegations .....	166
	<b>F.</b> Out-of-State Misconduct.....	166
<b>IV.</b>	DIOCESE OF COLORADO SPRINGS.....	169
	<b>A.</b> Analysis of Current Protection and Reporting Systems .....	169
	<b>B.</b> Compliance with Mandatory Reporting Laws .....	185
	<b>C.</b> Incident Reports — Substantiated Allegations of Sexual Abuse of Minors.....	186
	<b>D.</b> Incident Reports — Substantiated Allegations of Misconduct with Minors .....	189
	<b>E.</b> Summary of Unsubstantiated Allegations .....	190
	<b>F.</b> Out-of-State Misconduct.....	190
<b>V.</b>	DIOCESE OF PUEBLO .....	191
	<b>A.</b> Analysis of Current Protection and Reporting Systems .....	191
	<b>B.</b> Compliance with Mandatory Reporting Laws.....	206
	<b>C.</b> Incident Reports — Substantiated Allegations of Sexual Abuse of Minors.....	208
	<b>D.</b> Incident Reports — Substantiated Allegations of Misconduct with Minors .....	245
	<b>E.</b> Summary of Unsubstantiated Allegations .....	247

<b>F.</b> Out-of-State Misconduct.....	247
<b>VI.</b> APPENDICES.....	A-1

## EXECUTIVE SUMMARY

This Report catalogues substantiated incidents of the sexual abuse of children by ordained Roman Catholic priests in Colorado over the last 70 years. It also documents all three Colorado Dioceses' response and lack of response to those crimes, including their reporting to law enforcement. In addition, it evaluates all three Colorado Dioceses' current practices for preventing child sex abuse and responding when it is reported to them. The Report reveals that it is more likely than not that from 1950 to the present there have been at least 127 children victimized by 22 Roman Catholic priests in the Archdiocese of Denver, at least 3 children victimized by 2 Roman Catholic priests in the Diocese of Colorado Springs, and at least 36 children victimized by 19 Roman Catholic priests in the Diocese of Pueblo. Thus, over the last 70 years in Colorado, a total of at least 166 children have been victimized by 43 Roman Catholic priests. See Appendix 1. Just 5 of those Colorado priests sexually abused 102 of those 166 children. In the Denver Archdiocese, just 3 of its priests sexually abused 90 children. The vast majority of Colorado's victims were boys (140), and regardless of gender most were 10 to 14 years old when these priests sexually abused them. See Appendices 6, 7, and 8. In addition, 97 of Colorado's 166 child victims were sexually abused after the Colorado Dioceses were on notice that the priests were child sex abusers. See Appendix 9.

Over two-thirds of Colorado's 166 child victims were sexually abused during the 1960s and 1970s. Colorado Roman Catholic priests also sexually abused at least 9 children in the 1980s and at least 11 children in the 1990s. The most recent clergy child sex abuse — that victims have reported and that Colorado's Dioceses have recorded in their files — occurred when a Denver priest sexually abused 4 children in 1998. See Appendix 4. The Colorado Springs Diocese's most recent clergy child sex abuse incident occurred in approximately 1986. The Pueblo Diocese's

most recent clergy child sex abuse incident occurred in 1989 (with a most recent child sexual misconduct incident in 2011). Child sex abuse victims of Colorado Roman Catholic priests currently and steadily continue to report their past abuse. See Appendix 5. The report rate in 2019 is higher than it has been in 14 years.

Notably, the data from our review also indicates that historically on average it took 19.5 years before a Colorado Diocese concretely restricted an abusive priest's authority after receiving an allegation that he was sexually abusing children. (This figure does not even include the 7 alleged abusers for whom the Colorado Dioceses never put any restriction in place during their lifetimes.) Nearly a hundred children were sexually abused in the interim. However, from the data available to us, it appears in the last 10 years the Colorado Dioceses have immediately suspended the powers of any accused priest pending further investigation.

In our review and investigation, we referred no allegations of clergy child sex abuse to a Colorado District Attorney's Office. We found only 1 allegation that is arguably still viable for prosecution within the relevant statute of limitations, and that allegation already has been reported to the authorities. We also note that 3 of the substantiated allegations detailed in the incident reports below were provided to us initially by the Colorado Attorney General's Office.

Arguably the most urgent question asked of our work is this: are there Colorado priests currently in ministry who have been credibly accused of sexually abusing children? The direct answer is only partially satisfying: we know of none, but we also know we cannot be positive there are none. In other words, the priest files we reviewed do not reveal any child sex abusers in active ministry in Colorado, but those records are not reliable proof of the absence of active abuse. Our review revealed flaws in the Colorado Dioceses' records and practices that make it impossible to honestly and reliably conclude that no clergy child sex abuse has occurred in

Colorado since 1998 — or that no Colorado Roman Catholic priests in active ministry have sexually abused children or are sexually abusing them.

### **Scope of the Report**

We collected the information in this Report from the files kept by all three Colorado Dioceses and from interviews and follow-up investigation. Our collection of that information and this Report itself were controlled by the terms of a comprehensive agreement (the “Agreement”) between Colorado’s three Dioceses and Colorado’s Attorney General. To understand this Report, it is important first to understand the terms of that Agreement.

The Agreement authorized us to examine all the personnel files, however designated, of each incardinated and extern Roman Catholic priest (“Diocesan Priests”) currently in active ministry in Colorado. It also authorized us to examine all the personnel files, however designated, of each deceased or inactive Diocesan Priest who was in ministry in Colorado at any time between January 1, 1950 and the present and whose file contains any allegation of sexual misconduct with a person under the age of 18. The Agreement also permitted us to review the files of religious-order priests (*e.g.*, Jesuits) in the possession of the three Colorado Dioceses. In addition, the Agreement allowed us to review all three Colorado Dioceses’ audit reports, policies, procedures, training materials, review board materials, Office of Child and Youth Protection files, victim files, personnel charts, and other documents related to clergy sexual misconduct with children. Finally, the Agreement authorized us to conduct the fact-finding (including interviews) we deemed necessary to evaluate clergy child sex abuse allegations, the Dioceses’ responses to them, and their current practices for handling them.

The Agreement also defined the contents of this Report. It required us to report on these five things separately for each Colorado Diocese:

1. The quality and effectiveness of its current policies and procedures intended to protect children from sexual abuse and to report it to law enforcement.
2. Whether over time it has complied with Colorado law requiring it to report sexual abuse of children to law enforcement.
3. All substantiated incidents of sexual conduct by Diocesan Priests directed toward persons under 18 years old.<sup>1</sup> Under the Agreement, “substantiated” means we concluded from our investigation it is more likely than not that the child sex abuse incident occurred. For each such incident, the Report names the priest and includes the following information, which we present in the Report alphabetically by priest name for each diocese. When there are multiple victims of a single priest, we present them in approximately chronological order.
  - i. A summary of the abuse. These summaries vary in detail depending on several factors. First, the victims and other reporting parties provided varying degrees of detail when they reported the sexual abuse. For some victims it is understandably too humiliating or painful to describe their abuse in detail, especially to Church personnel. For others providing great detail is cathartic. Second, even when an incident was reported with great specificity, we eliminated from this Report the details that might allow the public to identify the victim. Third, when details were available, we attempted not to minimize or sterilize the genuine horror of these sexual abuse incidents while also

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<sup>1</sup> “**Sexual Abuse of a Minor** shall mean any sexual conduct by an adult directed against a person under 18 years of age, specifically including exhibitionism or exposing oneself to a minor; fondling; intercourse; masturbation in the presence of a minor or forcing the minor to masturbate; obscene phone calls, text messages, or digital interaction; producing, possessing, or sharing images or movies depicting nude minors; sex of any kind with a minor, including vaginal, oral, or anal; sex trafficking; and any other sexual conduct that is harmful to a child’s mental, emotional, or physical welfare.”

stopping short of lurid descriptions that might renew the victims' pain. Except in those situations, when we have detail, we state it. In the Agreement's spirit of healing and progress, we tried to create a true and honest record of clergy child sex abuse in Colorado corresponding to the limitations of the Agreement. That required us at times to quote actual language we found in file documents, even though it may be offensive and disturbing.

- ii. The approximate date the incident occurred.
- iii. The approximate date the abuse was first reported to the Diocese.
- iv. The age and gender of the victim.
- v. Where the priest was working when he sexually abused the child.
- vi. Whether the Diocese had received any report of that priest engaging in sexual misconduct with other children prior to the abuse incident described. Note that this section likely under-reports both the existence and the volume of such prior reports. This is because such reports were often made to Church personnel by phone or in person. Unless the Church personnel documented such a report, put that documentation in that priest's file, and it remained in his file over the years, we did not see it in our review. We know from our interviews that there were diocesan personnel who received such reports and never documented them in a priest's file. Even counting only the prior notices documented in files, our review indicates that over 50% of Colorado's clergy child sex abuse victims were abused *after* the relevant diocese was already aware these priests were abusers. See Appendix 2.



- vii. Whether (and when) the diocese reported the child sex abuse incident to law enforcement when required by Colorado law. These sections of the Report frequently contain a “not applicable,” N/A, notation because Colorado law has not always mandated that clergy report sexual abuse of children to law enforcement. Clergy reporting to law enforcement was not mandatory until June 2002, and as of 2010 no reporting is required if the victim is an adult when he or she comes forward and the priest is no longer in a position of trust with children. In other words, if a child sexual abuse incident was reported to a diocese in 2001, this section of the incident report will read “N/A.” And if the abuse was reported after 2010, the entry will still read “N/A” if the victim was an adult when he or she reported and the priest was deceased or out of ministry by then.
- viii. Whether the priest denied the abuse allegation and whether we found any evidence that indicates the incident may not have happened.
- ix. Whether the diocese took any action against the priest such as transferring him to a new parish, restricting his authority, preventing his access to children, or removing him from ministry.
- x. If the diocese did not remove the priest from ministry, whether it at least restricted his ministry or sent him away for psychiatric evaluation or care.
- xi. An analysis of the quality and effectiveness of the diocese’s response to the abuse allegation. This includes whether the diocese investigated the allegation, whether it referred the allegation to law enforcement, and whether it provided care to the victim. Here too we comment on these elements to the

extent the facts in the priest files allow; often the files lack documentation about a diocese's response to a report of clergy child sex abuse. We also note that this section does not restrict us to commenting only on a diocese's *mandatory* reporting to law enforcement. Instead, the Agreement requires us to discuss "the effort" a diocese made to investigate and report abuse to law enforcement. As a result, in this section we frequently comment on missed opportunities for justice and healing when a diocese failed to *voluntarily* report a sexually abusive priest to the police. Finally, while this section of the Report invites us to judge each diocese, we found that the facts themselves (when they are in the files) bear the most truthful witness to the dioceses' responses to clergy child sex abuse. Accordingly, for the most part in this section we simply let them speak.

4. All substantiated incidents of Diocesan Priests grooming children for sexual abuse or engaging in any conduct raising reasonable concerns that those priests committed such abuse. By "grooming" we mean conduct designed to gain access to and time alone with a child to prepare him or her for sexual abuse by building a trusting relationship and emotional connection between the abuser and the child (and often the child's family).<sup>2</sup> Per the Agreement the Report does not name these priests but contains most of the other categories of information set forth in paragraph 3 above. Specifically, this section of the Report does not state where the priest was working at the time and whether the diocese reported the conduct to law enforcement.

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<sup>2</sup> "**Misconduct with a Minor** shall include the Sexual Abuse of a Minor and any other conduct that raises a reasonable concern that Diocesan Priests may have engaged in the Sexual Abuse of a Minor, including but not limited to grooming behaviors directed toward a minor. Misconduct with a Minor does not include conduct between adults 18 years of age or older."

5. A quantitative summary of *unsubstantiated* allegations of Diocesan Priests' sexual misconduct with children, including the volume, types of alleged misconduct, and timeframes when it allegedly occurred.

The Report also attaches Appendices digesting much of the data gleaned from our review. The chronologies in Appendices 4 and 5 reveal an important point: Roman Catholic clergy child sex abuse in Colorado peaked in the 1960s and appears to have declined since. In fact, the last of the Colorado clergy child sex abuse incidents we saw in the files were 1 in July 1990 and 4 in May 1998. Since then the only 2 incidents reported in the dioceses' files involved grooming, not sexual abuse (1 grooming incident in the 2000s, and 1 in the 2010s). See Appendices 4 and 5. Specifically, this may suggest that the Colorado Dioceses have solved this problem; however, that would be a false and misleading conclusion. Concluding from this Report that clergy child sex abuse is "solved" is inaccurate and will only lead to complacency, which will in turn put more children at risk of sexual abuse.

The accurate conclusion is that this threat to children will continue unless the flaws we identify in the Colorado Dioceses' policies, practices, and systems intended to protect children are fixed and the recommendations in this Report are implemented. The Colorado Dioceses' practices are better than they were, but they must continue to evolve. This is not speculation on our part; we have recent examples of victims attempting to report clergy child sex abuse and receding back into the shadows when confronted with the flaws in the dioceses' response systems described below. The data also shows that long delays between abuse and the reporting of that abuse are still the norm. The Denver Archdiocese and the Pueblo Diocese have received more reports of past abuse in 2019 than they had collectively received in 5 prior years, and Colorado's Dioceses collectively averaged 4 clergy child sex abuse allegations per year even

from 2017 to 2019. But the abuse itself that has been so recently reported actually occurred in the 1960s and early 1970s. Because abuse is often not known until years after it occurred and the flaws we identified impede full reporting, clergy child sex abuse in Colorado may still be occurring. The fact that we found no substantiated clergy child sex abuse incidents in the files after 1998 does not mean there was no abuse between 1998 and the present; it may only mean such abuse has not been reported yet. If the dioceses do not address the flaws we have identified in their response systems, victims will fail to report, the ones who do may be re-victimized, and their abusers will remain in active ministry and not be brought to justice.

Because the Agreement reflects the parties' broad intent to evaluate the Colorado Dioceses' response to child sex abuse by their priests, the Report also documents their responses to child sex abuse committed outside of Colorado by Diocesan Priests who previously or subsequently served in Colorado. Though such abuse did not occur in Colorado, the Colorado Dioceses' response once on notice is relevant to the Report's evaluation of how well the dioceses protect Colorado children from known sex abusers. These priests are not listed by name in the Report, but their conduct and the dioceses responses are described.

It is also important to understand what this Report does *not* include, per the Agreement. It does not chronicle abuse committed by religious-order priests in Colorado or by Diocesan Priests before they were ordained. It does not report clergy sexual misconduct with adults, including adult Church personnel like religious sisters or adult seminary students.

### **Review Process**

The Agreement's limited scope is important in another way. Per the Agreement, our foundational data source for this Report was the Colorado Dioceses' own files. It is certain that the files we reviewed do not record all incidents of clergy child sex abuse in Colorado. Nor do

they record even all *reported* incidents of clergy child sex abuse. This Report, therefore, should not be taken as an exhaustive compilation of every incident of clergy in Colorado sexually abusing children over the last 70 years. It is only as complete as what is reflected in the dioceses' files we reviewed and what we found through our own extensive follow-up and investigation. We did find documents, facts, witnesses, abuse incidents, and victims through our own investigation, independent of what the dioceses provided in their files — and including information we should have been provided per the Agreement in the first place. To be clear, we do not have evidence that that information was intentionally withheld. But we do have ample evidence that significant errors in record-keeping led to credible child sex abuse allegations not being included in the priest files we reviewed. Nonetheless, our file review and our investigative work allowed us to compile an enormous volume of heretofore unpublished information. It is more than sufficient data from which to draw reliable conclusions and offer productive recommendations for improvements.

The Colorado Dioceses provided us their active Diocesan Priest files. While some documents were removed from those files on the basis of healthcare-privacy and attorney-client privileges, we found no indication that any documents were inappropriately withheld from us based on privilege. For example, it does not appear that the Colorado Dioceses withheld documents from us based on claims of “canon law privileges” or hid them in secret archives to obstruct our work. Specifically, we have reviewed what are known as “secret archive” or “canon 489” files. These are the files where dioceses would put, as a former Colorado Springs Diocese Bishop wrote twenty years ago, documentation “bad enough that we need to hide it, ... the worst type of stuff.”

As to the files of deceased and retired Diocesan Priests, it was the Colorado Dioceses that determined which priest files contained child sexual misconduct allegations before they provided those files to us. Per the Agreement, we were not involved in that process, and it necessarily relied on historically inconsistent and flawed record-keeping practices and judgments of the dioceses. Therefore, we cannot be sure we saw every deceased or retired priest file that once contained a child sexual misconduct allegation.

It is essential to understand this limitation. All three Colorado Dioceses to this day keep paper records about their priests. These records go back 70 years. Over time each Diocese's record-keeping completeness and reliability has been inconsistent and varied based on leadership, culture, and the skills of specific administrative personnel. It was clear from our file review that especially before the early 1990s the Colorado Dioceses (like others) often intentionally did not document child sex abuse allegations or referred to them in such euphemistic terms that they were completely obscured. In some instances, Church officials in the 1980s purged such documentation from priest files. Since then documentation has gradually improved across all Colorado Dioceses but to varying degrees.

Nonetheless our review confirmed the Roman Catholic Church's long history of silence, self-protection, and secrecy empowered by euphemism. In the past, the Colorado Dioceses have deployed elusive, opaque language to shroud reports and their knowledge of clergy child sex abuse. For example, it was less than honest, and it was an impediment to identifying substantiated allegations of child sex abuse, to describe the anal rape of a 12-year-old boy as merely a "boundary violation." It was intentionally obstructive to document almost 10 child sex assaults by a Diocesan priest fresh out of seminary as "boy troubles" or refer to a serial child sex abuser as suffering from "nervousness." It hindered fact-finding to explain a reported child sex

abuser's transfer as based on "family reasons." It also appears from our review that Church personnel in Colorado generally stopped deploying these euphemisms 15 to 20 years ago.

Moreover, a priest's file often will not contain information relevant to that priest's sexual abuse of children if, say, a lawsuit was filed and all the victim's reporting was done in the context of litigation housed in a law firm file not provided under the Agreement (instead of in a priest file).<sup>3</sup> In addition, the record we compiled below is flush with examples of the Colorado Dioceses transferring child sex abusers just ahead of the child sex abuse scandals which often generate abuse reports and documentation. This practice occurred in Colorado as recently as 1998. This practice reduced abuse reports and therefore made the priest files a less-than-perfect source for those trying to understand and report on such priests' full histories of child sex abuse. We understand that absence of evidence in a file does not by itself indicate evidence existed but was not recorded there, but we are also aware from our own investigation that clergy child sex abuse occurred that was never recorded in the abusers' files.

Two other related facts that affected our work are worth noting. First, victims of child sex abuse and particularly those abused by clergy are less likely to report their abuse than other crime victims. This fact is well established. The second fact may be less commonly known: child sex abuse reports that victims and their friends and families made to pastors, religious sisters, and other Church personnel frequently were not then reported up the Church's hierarchical chain or to law enforcement. We found, in other words, a strong culture of reluctance to report serious crimes against children if doing so might harm the reputation of the Roman Catholic Church or the career of a fellow priest. As one priest whose file we reviewed noted, "I am overwhelmed by the onus of having to report brother priests."

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<sup>3</sup> We did not ignore those lawsuits. On our own and with the help of the dioceses' lawyers, we did gain access to certain documents from many lawsuits that the files or media reports alerted us to.

Whatever the mandatory reporting requirements were at any given time in Colorado, there has never been a restriction on *voluntary* reporting. Out of almost 100 opportunities to do so since 1950, the Colorado Dioceses voluntarily reported clergy child sex abuse to law enforcement fewer than 10 times. It is impossible to believe that Church personnel did not know even in 1950 that sexually abusing a person is a serious crime. It is almost as hard to believe — but proven by the documents we reviewed from all the way up to at least the early 1990s — that professionals asserting high moral authority chose to protect their institution and their colleagues over children. We also found evidence from as late as the 1980s that this culture of Church self-protection was reinforced by punishment imposed on Church personnel who *did* report child sex abuse. The Colorado Dioceses' advances in training to reduce abuse in the first place, and their procedures for responding to abuse when it does occur, still have not eliminated this persistent problem.

Over the course of 7 months, we did our best to compile a complete and honest record within the bounds of the Agreement and despite the impediments described above. We applied our collective 10-plus decades of law enforcement, investigative, legal, and other experience to produce this Report. We reviewed over 500 priest files. We also reviewed countless other documents such as police reports, criminal case filings, civil case filings, diocese policies and procedures, and diocese trainings and training materials. We had interview access to all necessary diocesan personnel. We conducted over 70 interviews of witnesses, victims, victims' family members, priests, other diocesan personnel, experts in clergy child sex abuse, experts in investigating and reporting on clergy child sex abuse, law enforcement personnel, and personnel from dioceses in other states. We engaged in criminal, civil, and canon law research. We travelled to study best practices employed elsewhere for diocesan child sex abuse response



systems. We reviewed supplemental documents and files, and we interviewed additional witnesses revealed from that review. We generated 22 additional clergy child sex abuse incident reports from our own follow-up, including several we were ultimately unable to substantiate.

### **Recommendations**

In addition to generating the incident reports set forth below, our work generated observations about the Colorado Dioceses' current policies and procedures intended to protect children from sexual abuse. We observed flaws in varying degrees across all three Colorado Dioceses and in 6 areas essential to effective child protection systems: training, victim assistance, investigations, reporting to law enforcement, record-keeping, and auditing. Those observations compel us to strongly recommend the Colorado Dioceses implement the following five straightforward changes that will quickly and substantially improve their prevention of clergy child sex abuse and their care for victims when it does occur:

1. Create or contract with an independent, expert investigative component to handle clergy child sex abuse allegations;
2. Implement a comprehensive electronic record-keeping and tracking system to ensure exhaustive, uniform documentation and management of clergy child sex abuse allegations;
3. Dedicate a Victim Assistance Coordinator to the sole mission of victim care;
4. Enhance personnel training to instill a "see something, say something" culture and improve law enforcement reporting; and
5. At least every other year, engage a qualified, independent party to conduct regular qualitative evaluations of the diocese's investigation and protection systems.

It was an honor to work on this project. We have been humbled by it. And we have been inspired in this work by the strength, courage, and perseverance of clergy sex abuse victims, those whose lives were traumatically diminished at an innocent age yet found it in themselves to survive, support each other, and heal. It is our deep and sincere hope that this Report helps them and others continue to clear that healing path and encourages more victims to report and seek help. We also found the diocesan personnel we interacted with to be committed to the healing power of our review and assessment. We strongly encourage them also to commit to the Report's overarching recommendations for improving investigation and response systems. Given what is at risk, with comparatively little effort and expense, the current systems' flaws can be remedied so that fewer (or even no) children suffer in the future.

## **INTRODUCTION**

There are three Roman Catholic Dioceses in Colorado. Denver is called an "Archdiocese." Denver therefore has an Archbishop, while Pueblo and Colorado Springs are "Dioceses" with Bishops. The Archbishop and two Bishops are independent and autonomous from each other, and each reports directly to the Vatican; the Denver Archbishop does not supervise the Pueblo and Colorado Springs Bishops. The three are separate. We report on them separately as required by the Agreement. It is also important to point out that the Colorado Springs Diocese was not established until 1983, and until then what is now its territory was within the Denver Archdiocese.

We begin with Denver. The report evaluates its current clergy child sex abuse response practices, proceeds to evaluate its compliance with Colorado's mandatory reporting law, then summarizes incidents of clergy child sex abuse and broader sexual misconduct with children committed from 1950 to the present. The Report next examines the Denver Archdiocese's

responses when its priests engaged in child sex abuse outside Colorado, and it concludes with a summary of unsubstantiated allegations of clergy child sex abuse and misconduct in the Denver Archdiocese. Again, the differences in detail in the incident reports below are generally due to detail differences in the victim reports and the files.

Below we also include the 22 clergy child sex abuse incidents we uncovered independently.

## **ARCHDIOCESE OF DENVER**

### **A. Analysis of Current Protection and Reporting Systems**

Beginning in 2002 with the passage of the Charter for the Protection of Children and Young People, also known as the Dallas Charter, the United States Conference of Catholic Bishops required all dioceses to take steps to protect children from sexual abuse. The Dallas Charter provided broad, non-mandatory guidance to dioceses for developing policies and practices to prevent the sexual abuse of children and to respond to allegations of such crimes. The Denver Archdiocese updated its preexisting Code of Conduct to implement those guidelines.

To understand the current application of the Denver Archdiocese's Code of Conduct, we conducted interviews with the key people involved in its implementation. These included the acting Director and Protection Specialist for the Office of Child and Youth Protection, the Victim Assistance Coordinator, the Vicar General/Vicar for Clergy, and a lay member of the Conduct Response Team. We also interviewed victims who have experienced the Denver Archdiocese investigative process, and we reviewed voluminous file documentation reflecting their experiences with the Conduct Response Team.

We have done our best to explain how the Denver Archdiocese's reporting and investigative processes operate based on our interviews, review of its Code of Conduct, and

general file review. Even after all of that, it is still not entirely clear or predictable how these processes will actually unfold in any given case. What is clear is that they are inconsistent. We address that in the “Observations” and “Recommendations” sections below.

## **1. Current Policies and Practices**

### **a. Office of Child and Youth Protection**

Per its Code of Conduct, the Denver Archdiocese made several structural changes to comply with the Dallas Charter. The first was to establish the Office of Child and Youth Protection, which is currently run by a Director and Protection Specialist. The Office of Child and Youth Protection Director manages the Safe Environment Program (described below), manages the yearly audit process (described below), and reports to the Vicar General (*i.e.*, the official representative of the Archbishop).

### **b. Audits**

All three Colorado Dioceses participate in annual compliance audits coordinated by the United States Conference of Catholic Bishops to assess the implementation of and compliance with the requirements of the Dallas Charter.

The audits are currently conducted by StoneBridge Business Partners. The company is in a 2017-2019 audit cycle that includes 2 “data collection” audits and 1 “on-site” audit for each participating diocese over the 3-year period. To be deemed compliant after the data collection audit, a diocese is required to submit data in 2 charts. Chart A/B summarizes allegations of sexual abuse of a minor by a priest during the audit year and reports the number of abuse victims or family members served by diocesan outreach during the year. Chart C/D summarizes compliance statistics related to Articles 12 and 13 of the Dallas Charter. Specifically, that chart includes the number of individuals who received Safe Environment Training and the frequency

of criminal background checks. In addition to completing Charts A/B and C/D, when a diocese participates in the once-every-3-years on-site audit, it provides information about its practices through interviews and documentation.

It is important to understand the more appropriate word to describe this process is “survey,” not “audit.” Even the on-site audits that occur every 3 years may not include an examination of the source material (*e.g.*, investigation files and victim communications) underlying the Denver Archdiocese’s survey responses to ensure the accuracy of the data it reported. Nor do they assess the quality of the diocese’s investigations, decisions based on those investigations, or its protection systems themselves.

The Denver Archdiocese participates in the audit process. Its most recent on-site audit was in 2017. We did not identify any audits in which the Denver Archdiocese was non-compliant. The Denver Archdiocese also completed the Center for Applied Research in the Apostolate Annual Survey of Allegations and Costs, a questionnaire used to collect information from dioceses about “credible accusations of abuse and the costs in dealing with these allegations.” This too is a survey, not a detailed examination or qualitative evaluation of the Denver Archdiocese’s child protection systems.

c. Background Checks

The Dallas Charter and the Denver Archdiocese Code of Conduct mandates criminal background checks for all adults who work with children, including all clergy, employees, and volunteers. Regarding priests specifically, it collects personally identifiable information before a priest becomes incardinated in the Denver Archdiocese and uses that information to check state-wide databases for criminal activity, including arrests and convictions. If a priest comes to the

Denver Archdiocese from outside Colorado, it uses a commercial service to conduct a broader criminal history check. The Code of Conduct requires the checks to be re-run every 5 years.

d. Safe Environment Program

The Office of Child and Youth Protection Director trains facilitators to provide Safe Environment Training to all adult members of the Denver Archdiocese who volunteer with children, all clergy, and all employees. The first training must be attended in person, and afterward the training is refreshed in an online course every 5 years. These same adult members must certify that they have received and reviewed the Denver Archdiocese's Code of Conduct. Supervised by the Office of Child and Youth Protection Director, these facilitators track completion of the Safe Environment Training, the Code of Conduct certifications, and criminal background checks in a computer program called Armatus.

At the first-time, in-person training, the Office of Child and Youth Protection Director or facilitator shows a video created by Praesidium which primarily focuses on the threat predators pose to children; how predators get around physical, emotional, and behavioral boundaries; grooming behavior; and the "Watch, Act, and Teach" approach to preventing sexual abuse of children. The first-time training takes approximately 2 hours and includes a discussion period regarding the video, a question and answer period, an explanation of the mandatory reporting requirements, guidance on how to report the sexual abuse of children, and an open discussion of any other issues related to the protection of children from sexual abuse. The Safe Environment Training places significant emphasis on Colorado's sexual abuse of children mandatory reporting requirements. The Office of Child and Youth Protection Director emphasizes that, per the Code of Conduct, all Denver Archdiocese members who work with children are mandatory reporters

of the sexual abuse of children. The Office of Child and Youth Protection Director also handles numerous other administrative, liaison, and community outreach responsibilities.

The Office of Child and Youth Protection uses their website to distribute useful information regarding the protection of children from sexual abuse. This includes a “Child, Youth and Adult Safety Resource Center” which contains links to printable information about child abuse and child sexual abuse; links related to the protection of children from neglect, abuse, and sexual abuse; and a recommended reading list for child sexual abuse prevention. The website also provides the telephone numbers needed to report child abuse both to the State of Colorado and the Denver Archdiocese.

e. Victim Assistance Coordinator

After the Dallas Charter, the Denver Archdiocese also established a position called the Victim Assistance Coordinator to lead the Victim Assistance Program within the Office of Child and Youth Protection. This person receives most of the sexual abuse and misconduct allegations reported to the Denver Archdiocese. The Victim Assistance Coordinator, like the Office of Child and Youth Protection Director, reports directly to the Vicar General. The Victim Assistance Coordinator primarily guides the sexual abuse victim through the process of filing a formal complaint, meeting with the Conduct Response Team (described below) and participating in any personal meetings with the Archbishop or Vicar General. The Victim Assistant Coordinator also arranges the payment of expenses and costs related to psychiatric and other services for victims.

f. Conduct Response Team

Even before the passage of the Dallas Charter, in 1991, the Denver Archdiocese established the Conduct Response Team to advise the Archbishop whether to discipline priests alleged to have abused children and whether to pay for therapy, counseling, or other support for

victims. The composition of the Conduct Response Team changed with the passage of the Dallas Charter. It was originally made up of the Vicar for Clergy, a lay psychotherapist, and a priest who was also a psychologist (with an attorney for the Denver Archdiocese present at all meetings). Since 2002, the Code of Conduct has mandated that the Conduct Response Team consist of a minimum of 5 persons “of outstanding integrity and good judgement, in full communion with the Church.” It specifies that the majority of members must be Catholic laypersons who are active in the practice of their faith and who do not work for the Denver Archdiocese. It requires at least 1 member to be a mental health professional with expertise in the treatment of minors who have been sexually abused, along with at least 1 member from a judicial or law enforcement background. The Code of Conduct provides that the Vicar for Clergy and Promoter of Justice for the Denver Archdiocese (the diocesan official who prosecutes violations of canon law) shall serve as *ex officio* members of the Conduct Response Team, with the Promoter of Justice being a consultative member only.

Accordingly, the Denver Archdiocese’s Conduct Response Team as of 2019 is composed of the following:

- a clinical psychologist;
- a parish registrar and funeral coordinator and former social worker for children;
- a former deputy director of the Denver Police Department Victim Assistance Unit;
- 2 criminal attorneys; and
- a retired probation officer.

The Denver Archdiocese’s Code of Conduct describes the Conduct Response Team as “a confidential consultative body to the Bishop in discharging his responsibilities” pertaining to allegations of sexual misconduct involving minors. Its charge is as follows:



- to advise the Archbishop in his assessment of clergy child sex abuse and in his determination of the accused priest's suitability for ministry;
- to review diocesan policies regarding the sexual abuse of minors;
- to offer advice to the Archbishop on all aspects of such cases, whether retrospectively or prospectively; and
- to investigate allegations of clergy child sex abuse.

g. Response Process

If the Denver Archdiocese receives an allegation of sexual abuse of a minor or misconduct with a minor, it connects the victim with its Victim Assistance Coordinator. The Victim Assistance Coordinator will then record the details of the allegation and forward those details to the following people: the Denver Archdiocese's attorney, the Office of Child and Youth Protection Director, the Denver Archdiocese's Risk Assessment Representative, and the Vicar for Clergy. After that, the Victim Assistance Coordinator, the Vicar for Clergy, or the Denver Archdiocese's attorney will report the allegation to law enforcement. Then one of them will gather enough information to determine whether the allegation could have occurred. If the abuse could have occurred, the Archbishop will initiate a preliminary canon law investigation to begin the inquiry into the details of the allegation. If the abuse could have occurred and the allegation involves a priest who is in ministry (active or retired), the Archbishop will suspend his faculties while the investigation continues. The Victim Assistance Coordinator will begin providing pastoral care for the victim and coordinating with the Conduct Response Team.

Generally, once the law enforcement agency concludes its investigation or approves the Denver Archdiocese to proceed, the Vicar for Clergy or Judicial Vicar will proceed with the Denver Archdiocese's own investigation of the allegation. Specific investigative steps may be

divided up among or carried out entirely by the Judicial Vicar, the Vicar for Clergy, the Victim Assistance Coordinator, the Conduct Response Team, the law firm representing the Denver Archdiocese, or another priest assigned to the investigation. In some instances, the law firm representing the Denver Archdiocese may hire an outside investigator to conduct portions of the investigation.

Regardless of whether the accused priest is alive or dead, the Victim Assistance Coordinator will activate the Conduct Response Team and schedule a meeting. The primary purpose of this meeting is for the Conduct Response Team to hear the details of the allegation from the victim. The Denver Archdiocese and Conduct Response Team believe this process is cathartic and helps the victim begin to heal. It also enables the Conduct Response Team to recommend assistance for the victim, typically counseling.

Prior to the meeting, the Victim Assistance Coordinator will brief the Conduct Response Team on the facts of the allegation and any other relevant information about the victim and investigative steps taken to date. Additionally, the Victim Assistance Coordinator will brief the victim on the Conduct Response Team process, including who will be present at the meeting and the purpose of the meeting.

When the victim is prepared to meet with the Conduct Response Team, he or she will be invited to the Denver Archdiocese Pastoral Center at 1300 South Steele Street in Denver. The Victim Assistance Coordinator will escort the victim to a conference room where he or she will be met by a panel of up to 10 members from the following list of personnel: 6 Conduct Response Team members, the Victim Assistance Coordinator, the Vicar for Clergy, an attorney who represents the Denver Archdiocese, and a canonical attorney. The Victim Assistance Coordinator arranges and prepares the parties for this meeting, but his or her role in the meeting itself is

unclear. Similarly, the Denver Archdiocese attorney's role is not well defined and gives the appearance that this may be an adversarial process. What is clear is that he or she is there to protect the Denver Archdiocese's interests.

After meeting with the victim, the Conduct Response Team will receive updates until the investigation is completed. The Denver Archdiocese attorney prepares a memorandum reflecting the substance of the Conduct Response Team meeting, including the Conduct Response Team's recommendations to the Archbishop. Once that memorandum has been approved by the Conduct Response Team, it is provided to the Archbishop. A copy of that memorandum may or may not be kept in the accused priest's personnel file. The Denver Archdiocese does not maintain a master file of all Conduct Response Team meeting memoranda. The Victim Assistance Coordinator creates a record of his or her notes in a separate electronic database.

h. Canonical Investigation

Once the Denver Archdiocese's investigation is completed and the Archbishop determines the allegation has "a semblance of truth" (meaning that the victim's allegation is supported by at least 1 additional data point), he will close the investigation and send the file to the Congregation for the Doctrine of Faith in Rome. In turn, the Congregation for the Doctrine of Faith will advise the Archbishop on how the canonical process will proceed from there. Per the Code of Conduct, if the Archbishop determines the allegation is not supported by a "semblance of truth," he will close the investigation and preserve a record of it in the priest's personnel file.

i. Record-Keeping/Document Retention

The Denver Archdiocese approved a Record and Information Management Policy Manual for the Office of Vicar for Clergy in 2011. Generally, it provides guidance for the organization of files for the Office of Vicar for Clergy, including priest files and files for

privileged information about priests (*e.g.*, attorney, medical, and religious records). The policy also contains a records retention schedule and “Clergy File Access Policy.” The manual does not provide any guidance on how records related to allegations of clergy child sex abuse, the ensuing investigations, or Conduct Response Team meetings should be organized or retained.

## **2. Observations**

Based on our review of several hundred Denver Archdiocese priest files, and the aforementioned interviews to understand the Denver Archdiocese’s policies and practices in its own words, we conclude that the Denver Archdiocese’s Victim Assistance Coordinator position is not being properly utilized, the Conduct Response Team process is flawed, and the Denver Archdiocese’s investigative process is deficient. In our “Recommendations” section which follows these observations, we present straightforward, concrete reforms the Denver Archdiocese can adopt to address each of these deficiencies.

### **a. Audits**

Monitoring the Denver Archdiocese’s adherence to the Dallas Charter is important. The current data-collection audits, however, are not a reliable means to this end. They are little more than surveys in which the Denver Archdiocese simply reports data it has produced without any external verification of that information. The on-site audits only occur every 3 years. They mechanically confirm the diocese’s reported numbers, the existence of policies, and the application of those policies. The on-site process does not include a substantive evaluation of how effectively the Denver Archdiocese prevents, investigates, documents, and makes decisions about allegations of clergy child sex abuse. Nor do the on-site auditors consistently examine the priest files, victim communications, or other investigative documentation the Denver Archdiocese generates. An effective audit in this area would examine whether a diocese’s

processes produce honest and valid determinations that child sex abuse allegations are substantiated or not. Throughout our review, deficiencies in these processes were apparent, and the StoneBridge audits are not designed or carried out in a manner that would identify those deficiencies.

b. Safe Environment Training

The Safe Environment Training is effective and in compliance with both the Dallas Charter and the Code of Conduct. However, it would be beneficial to supplement this training with segments about the functions, roles, and standards of Colorado law enforcement and criminal prosecution when an allegation of child sex abuse is reported. Such training would help reporters understand the value of those systems in the protection of children, and it would improve clergy child sex abuse reporting.

c. Victim Assistance Coordinator

The current Victim Assistance Coordinator is qualified to hold the position. However, the responsibilities of the Victim Assistance Coordinator are too intertwined with the investigative and Conduct Response Team processes. The Victim Assistance Coordinator is — but should not be — involved both with the investigation and with caring for the victim’s well-being. In nearly all law enforcement agencies and prosecutor offices across the country, the processes of assisting the victim and obtaining information from him or her are bifurcated so that genuine care can be effectively delivered to victims.

In addition, on at least one occasion, the Victim Assistance Coordinator has been directed to counsel a clergy member who sexually abused a child. At a minimum, this creates the appearance that the Victim Assistance Coordinator is not solely committed to assisting victims. In addition, counseling both offenders and victims creates a number of possible conflicts

(e.g., if the offender or others identify new victims of that offender and the Victim Assistance Coordinator is then required to assist those victims). While a clergy child sex abuser certainly should receive therapy, it should not be provided by the person employed and committed to the aid and healing of his victims.

d. Conduct Response Team

The problematic overlap between investigation of a victim's allegation and care for that victim extends to the Conduct Response Team. The Conduct Response Team members told us that their interview of the victim is meant to be a healing, compassionate process, a chance for the victim to tell his or her story to a sympathetic and unbiased board. However, this is not the sole role of the Conduct Response Team as set forth in the Code of Conduct. Instead, the Conduct Response Team's defined role is to (1) advise the Archbishop regarding accused priests' suitability for ministry, (2) review diocesan policies that protect children from sexual abuse, (3) advise on all aspects of clergy child sex abuse cases, and (4) investigate allegations of clergy child sex abuse. Therefore, the Conduct Response Team's interview of the victim is in fact a crucial *investigative* step. In large part relying on their interview(s) with the victim, the Conduct Response Team will decide (1) whether the allegation is credible, (2) what type of care the Denver Archdiocese should offer to the victim, and (3) what the Archbishop should do regarding the priest's future ministry. Thus, the victim interview is not primarily a healing space in which to cathartically share a story of clergy child sex abuse. It is an investigative step in which the victim's credibility and suffering are being evaluated for compensation and corrective action against the priest abuser.

Thus, there appears to be confusion among the Conduct Response Team members regarding the true purpose of the victim interview. And more importantly, there are 2 flaws with

the Conduct Response Team conducting the victim interview at all: (1) the Conduct Response Team members are not experienced as investigators and interviewers of victims of child sex abuse; and (2) the composition, membership, and purpose of the Conduct Response Team may lead to decisions that are not disinterested and unbiased. They certainly have in the past. This is in no way a criticism of the professional or personal integrity of any past or present Conduct Response Team members. If, however, the common denominator for membership remains “full communion with the Catholic Church,” there inevitably will be bias. These criticisms also apply to the use of Denver Archdiocese clergy (Vicar General, Vicar for Clergy, Judicial Vicar, etc.) to conduct investigative steps. These individuals too are biased, and they lack the training and experience needed to conduct these investigations.

e. Lack of Experience and Expertise

Collectively the Denver Archdiocese’s clergy and the Conduct Response Team members have limited or no training and experience in acting as fact-finders in complex investigations of clergy child sex abuse. These investigations require advanced training in interviewing victims of sexual assault, especially those who are minors or who were minors when they were assaulted. They also require significant field experience in completing or overseeing comprehensive investigations of crimes against children.

From this lack of experience, presumably, stem the weaknesses in the Conduct Response Team’s investigative process, beginning with the setting of the victim interview. The Denver Archdiocese expects the victim to meet with the Conduct Response Team at the Denver Archdiocese Pastoral Center in a Denver Archdiocese conference room. Victims of sexual abuse at the hands of a Catholic priest have been traumatized by this setting alone. Some victims have disavowed Catholicism after the abuse they suffered, and to expect them to provide clear-minded

facts in a space adorned with Catholic symbols and art is unrealistic. Even those who remain practicing Catholics have found this atmosphere intimidating or even hostile, particularly since they are there to accuse a priest of a crime. One victim described the setting as extremely intimidating and stated it made it difficult for the victim to recall facts. Even non-clergy Conduct Response Team members noted their “concern[s] about the setting” and find it “unusual.”

Equally problematic is the manner in which the victim is interviewed. Once the victim arrives in the Denver Archdiocese’s conference room, he or she faces up to 10 strangers, including an attorney hired to represent and defend the Church. The victim then experiences what was described by a Conduct Response Team member as a “popcorn” interview style, and by a victim as a rapid-fire interrogation. One victim stated s/he was asked questions so rapidly that one question was asked before another could be answered. Another victim described the Conduct Response Team interview process as humiliating and stated s/he would not provide the Conduct Response Team with details of the abuse because it was too embarrassing to discuss such a matter in a room full of strangers. Our file review and follow-up interviews revealed that this circumstance alone can lead the Conduct Response Team to erroneously deem a clergy child sex abuse allegation unsubstantiated. Moreover, in some instances the Conduct Response Team meeting is the first time the victim has face-to-face contact with any representative of the Denver Archdiocese to discuss his or her allegation. Victims often do not even meet the Victim Assistance Coordinator in person more than moments before the Conduct Response Team meeting. These circumstances too impede reliable fact-finding.

This approach to a sexual assault victim interview cuts against long-standing and universally accepted methods for interviewing victims of any type of crime, let alone victims of sexual assault. Experts in the interviewing of witnesses regarding sensitive and traumatic matters



will rarely conduct such an interview with more than 1 other interviewer present. This allows the interviewer to build appropriate rapport with the victim and put the victim at ease so that s/he can relay facts accurately and comprehensively.

In addition, it appears from the records we have seen and interviews we have conducted that the Conduct Response Team interviews of victims are not thorough. We have not seen evidence that the Conduct Response Team is trying to ascertain whether there are additional victims the reporting victim has knowledge of, to explore for corroborating details from the victim, to stimulate the victim's memory, or to determine whether there are additional relevant witnesses even if secondhand. If the Conduct Response Team is investigating and advising the Archbishop about an accused priest's risk to children, all of these things are essential yet unaddressed by the Conduct Response Team. The Denver Archdiocese points out in this regard that it has been advised by a psychologist not to pursue reticent victims. This is sound advice for the institution that employs the abuser. This is one reason why we strongly recommend the Denver Archdiocese employ an independent, expert investigative component (see below).

These flaws, cumulatively, can result in a victim's allegation never really being treated as an allegation because the process can be so daunting and the burden on the victim so heavy that s/he declines to engage in or continue with the process. The result can be that an investigation ends inconclusively and a potential abuser stays in ministry without restriction.

It is also essential that all members of the Conduct Response Team and the Archbishop understand how the Colorado criminal justice system functions. It is especially important for them to understand how and why law enforcement does or does not open, close, proceed with, or decline criminal cases. We saw examples in our file review that indicate clergy members of the Conduct Response Team and the Archbishop may assume a detective's decision not to proceed

with an investigation is an exoneration of the accused priest. Especially in child sex abuse cases, this is often a false assumption; a law enforcement decision not to proceed is based on a determination whether evidence admissible under court rules is likely to establish each element of the child sex abuse charge beyond a reasonable doubt. This is a much stricter standard and a different analysis than applies to the determination the Archbishop is trying to make: does this priest present any risk to children, and is there a way his ministry can be restricted to protect them?

Finally, we note there appears to be little understanding among Denver Archdiocese clergy (whether developed in seminary or through continuing education) of the current science and scholarship regarding child sex abuse victim trauma or psychosexual disorders generally. Specific education on both topics would improve interviewing and investigations overall.

f. Bias in Favor of the Denver Archdiocese

The Conduct Response Team's clear partiality in favor of the Denver Archdiocese is another flaw in its process. First, all members of the Conduct Response Team are required to be in "full communion" with the Catholic Church. This loyalty to the Catholic Church may affect the Conduct Response Team members' judgment, at least on a sub-conscious level. Second, we found evidence of express bias too, as an email written by a layperson Conduct Response Team member illustrates. That member identified "as an attorney who is interested in protecting the Denver Archdiocese." This Conduct Response Team member was not a Denver Archdiocese attorney but rather an attorney by trade and purportedly an unbiased volunteer on the Conduct Response Team. This member's honest expression of bias indicates Conduct Response Team members may be conflicted and put the Denver Archdiocese's interests ahead of the victims'.

Moreover, the inclusion of 2 attorneys as members of the Conduct Response Team may put the victim on the defensive. The Denver Archdiocese's attorney is also present when the victim meets with the Conduct Response Team, thus unnecessarily creating an appearance that the process is adversarial. There is no reason to have the diocese's attorney present except to protect the diocese, and it is highly likely victims will know that. This may result in misstatements of fact and omissions by the victim. An environment that creates the possibility of factual misstatements or omissions is not the best environment for determining the facts the Archbishop will rely on to make decisions that will affect the lives of children. Similarly, impartial factual development necessary to the Archbishop's decision-making may be less likely when it is a biased party — the Denver Archdiocese's own attorney — who drafts the Denver Archdiocese's official memorandum recording the Conduct Response Team meeting.

We have an additional concern regarding bias on the Conduct Response Team: 2 of its current members have a professional relationship outside of their work for the Denver Archdiocese. These 2 members work together in a superior/subordinate relationship. This relationship creates the possibility that the subordinate will not act independently on the Conduct Response Team. This appearance of a lack of independence is unnecessary, and it is harmful to the Conduct Response Team's credibility.

Self-policing always has some appearance of bias. But bias can and should be minimized. Multiple victims who appeared before the Conduct Response Team told us they believed the investigation into their allegations was conducted in a manner designed to protect the Denver Archdiocese, not find the facts and care for the victims. The files we reviewed confirm this. Also, it is common for victims to embrace the Conduct Response Team process and then file a lawsuit against the Denver Archdiocese after they experience it. This pattern alone calls into

question the Conduct Response Team’s effectiveness. Overall, we found the Denver Archdiocese’s investigative process to be flawed at best, and re-victimizing at worst.

g. Reporting to Law Enforcement

The Denver Archdiocese has made transformative improvement in its reporting to law enforcement over the last 10 years. As the incident reports below illustrate, from 1950 to approximately 2009, it voluntarily reported to law enforcement only once and also frequently failed to make the mandatory reports required by Colorado law. Since then, the Denver Archdiocese appears to have reported *all* the allegations of clergy child sex abuse we are aware of from our review, whether or not required by law. In other words, the Denver Archdiocese made all but 1 of its total voluntary law enforcement reports just in the last 10 years, and the Denver Archdiocese has never failed to report during that period when mandated by Colorado law. The best approach to reporting is very simple: always call the police, and then actively assist them. The Denver Archdiocese appears to do at least the first part now.

Where there remains room for improvement is the second part. The Denver Archdiocese is now in a position to embed an institutional culture of *actively assisting* law enforcement as a partner. The reporting culture we have seen over the last decade will become even more effective at protecting children if the Denver Archdiocese builds specific relationships with local law enforcement, learns more about how they operate, and integrates into its reporting what it learns from law enforcement about its needs and expectations. Consistent with our recommendations below, this final stage of improvement is more likely to be effective if the Denver Archdiocese creates an independent investigative component responsible for law enforcement relationships.

The Denver Archdiocese also should proactively encourage parishioners to contact law enforcement themselves — directly — in the event of clergy child sex abuse. Pastors and

diocesan officials making it clear that this is not only acceptable but encouraged by the Archbishop himself can improve immediate law enforcement engagement and improve the protection of children.

h. Record-Keeping/Document Retention

Overall, we could not establish that the Denver Archdiocese has adhered to a consistent method of documenting allegations of clergy child sex abuse, the ensuing investigations, or the Conduct Response Team meetings. Most of the documentation we reviewed was found in the priest files, but upon request the Denver Archdiocese's attorneys also provided us with Conduct Response Team memos, Victim Assistance Coordinator notes, and other diocese records regarding clergy child sex abuse allegations that were not in the priest files. While the Denver Archdiocese's Record and Information Policy Manual describes the make-up of priest files and lists a category for "United States Conference of Catholic Bishops Charter for the Protection of Children and Young People Files," it fails to provide record-keeping guidance related to these allegations, investigations, and Conduct Response Team meetings. Further, it does not appear that the Denver Archdiocese has developed cohesive practices to ensure all information related to allegations of abuse of a child is maintained in an organized and comprehensive manner.

Though not addressed in the Dallas Charter or the Denver Archdiocese Code of Conduct, reliable document retention and file management practices are essential components of effective clergy child sex abuse prevention and response systems. In fact, poor record-keeping can directly lead to further harm to children. We have seen in our review, for example, instances in which a Colorado Bishop was asked by another diocese whether it should allow a Colorado priest to transfer there. In one such case, the Colorado Bishop glowingly recommended that priest because poor record-keeping resulted in documentation of his multiple substantiated incidents of

prior sexual abuse being housed in a different file, not in the personnel file the Bishop reviewed before endorsing the priest. Sound electronic collection, storage, and retention practices are necessary if the Denver Archdiocese is going to continue to make promises and factual statements about its priests that the public can rely on.

### **3. Recommendations**

We present 6 recommendations for the Denver Archdiocese to improve its child protection systems. These recommendations are based on our review of hundreds of priest files; information collected during interviews of Denver Archdiocese officials and employees, Conduct Response Team members, and numerous victims of sexual abuse as minors by priests; a review of processes used in other United States dioceses to address allegations of clergy child sex abuse; consultation with experts in that field; a review of academic literature on that subject; a review of reports like this one concerning other dioceses in the United States; a review of processes used by other public- and private-sector organizations to investigate employee misconduct; an on-site visit to review an out-of-state diocese's operation of an advanced and effective clergy child sex abuse investigation system; and over 75 years of experience in conducting and prosecuting objective, fact-based, and independent investigations, including those involving crimes against children. From this information, we are resolute that a response to an allegation that a priest sexually abused a child must be focused on: (1) the well-being of the victim(s); (2) preventing other children from being victimized; (3) absolute adherence to applicable local, state, and federal laws, including complete cooperation with any investigation conducted by law enforcement authorities; (4) thorough and organized record-keeping; (5) a diocese-initiated investigation that is comprehensive, expert-led, and honest; and (6) a response to the investigation that is appropriate and consistent with the Catholic Church's stated

commitment to protect children. We are equally confident that implementing the following straightforward recommendations will markedly improve the Denver Archdiocese's achievement of these goals.

These recommendations are collectively designed to install a solid foundation that the public can rely on to ensure the Denver Archdiocese will (1) immediately call law enforcement, (2) immediately help the victim heal, (3) immediately and honestly determine if the accused priest is a risk to children, and if so (4) immediately restrict his access to them.

**Recommendation #1: Office of Independent Review**

We recommend the Denver Archdiocese create, or contract with, an independent office to handle investigations. We understand that the Roman Catholic Church has its own organizational structure of independent dioceses that might make it challenging to establish a single independent investigations office in Colorado that all three Colorado Dioceses can use as needed. Nonetheless, we recommend this approach for the sake of efficiency, uniformity, reliability, and effectiveness. If this is not workable, then each Colorado Diocese should have, or contract with, its own. We also recommend, based on our review of their religious-order priest files, that each Colorado Diocese apply the recommended investigations process to religious-order priests serving in the Colorado Dioceses. This will enable each Colorado Diocese to reliably determine whether it is safe to continue to allow a religious-order priest accused of sexually abusing a child to serve in its diocese.

Specifically, we recommend the Denver Archdiocese create an investigative component that is independent from the Conduct Response Team, the Office of Child and Youth Protection, and the Victim Assistance Coordinator position. For the purpose of these recommendations only, this investigative component will be referred to as the Office of Independent Review. The Office

of Independent Review should be composed of experts in the field of investigations, with an emphasis on expertise in investigating the sexual abuse of children and supported by a process that allows it to conduct fact-based, objective, and impartial investigations. The Office of Independent Review should develop an investigative manual that provides procedures for all Office of Independent Review operations and investigations. The Office of Independent Review and members of the Office of Independent Review should not serve the Archdiocese in any other capacity.

All allegations of clergy child sex abuse should be forwarded to the Office of Independent Review. The Office of Independent Review should ensure the Vicar General and Victim Assistance Coordinator are aware of all allegations. The Office of Independent Review should report to and coordinate with law enforcement (including on all victim services issues). The Office of Independent Review should fully and independently investigate these allegations. It should establish and follow a timeline for completing and regularly reporting on the status of investigations to the Vicar General and the Conduct Response Team. The Office of Independent Review should then present the completed investigation report to the Conduct Response Team. The Office of Independent Review should monitor and report to the Conduct Response Team on law enforcement investigation and prosecution status. The Office of Independent Review should thoroughly document all investigations in a file maintained by the Office of Independent Review separate from other personnel and administrative files. The Office of Independent Review should create and preserve these files electronically and even for allegations that are not substantiated.

**Recommendation #2: Office of Child and Youth Protection Improvements**

The Denver Archdiocese's website should include a description of the Denver Archdiocese's child sex abuse response process and an electronic intake form that victims and



witnesses can use to report allegations. The Office of Child and Youth Protection should manage a formal intake process that creates and maintains comprehensive records that are consistent in form and content for all child sex abuse allegations. The intake process should include a comprehensive tracking system for each allegation, substantiated or not, allowing the Denver Archdiocese to ensure the investigative response in each case is exhaustive and conclusive. Once the Office receives and logs an allegation, it should immediately provide the allegation to the Office of Independent Review.

**Recommendation #3: Audit Function**

The Denver Archdiocese should at a minimum every other year engage an independent party with auditing expertise to provide a qualitative evaluation of the performance of its child protection and investigations systems. Auditors often use the adage “trust but verify,” and the current audits do too little to verify. To be effective, the auditors must talk to those involved with, and impacted by, the process, not merely tally numbers provided to them by the Denver Archdiocese. Numbers do not accurately reflect the effectiveness of this type of system, but interviews will. This is the only meaningful way to determine if the changes implemented to protect children are effective and to identify areas in need of continued improvement. The auditors should conduct interviews of individuals involved with all aspects of the process, including victims, facilitators, parishioners, and law enforcement/prosecutors. These interviews will enable the auditors to truly evaluate the strengths and weaknesses of the process and provide useful findings to the Denver Archdiocese. Initially these audits should be performed every 2 years. Once these recommendations have been fully implemented and all personnel are comfortable with them, the audits can be less frequent.

**Recommendation #4: Victim Assistance Coordinator Improvements**

The Victim Assistance Coordinator's responsibilities should be restricted solely to the care of the victim. The Victim Assistance Coordinator should explain the process to the victim, answer all of the victim's questions, support the victim during in-person interviews, provide counseling referral options to the victim, handle logistics for the victim, communicate with the victim on behalf of the Denver Archdiocese, and keep the victim apprised of the investigation status and outcome. The Victim Assistance Coordinator should not have any involvement with the investigation of the victim's allegation except that, while an investigation is pending, the Victim Assistance Coordinator should coordinate the contact between the victim and the Office of Independent Review. If the Victim Assistance Coordinator does become aware of facts pertinent to the investigation, he or she should document and communicate those facts to the Office of Independent Review.

**Recommendation #5: Conduct Response Team Improvements**

The Conduct Response Team should not conduct any investigative activities. It should receive completed investigation reports from the Office of Independent Review, review them, confer, and make recommendations to the Archbishop based on the information developed by the Office of Independent Review. However, the Conduct Response Team may suggest that the Office of Independent Review conduct any follow-up investigation the Conduct Response Team believes is necessary.

**Recommendation #6: Training Improvements**

The Denver Archdiocese should supplement its Safe Environment Training with material that enhances its personnel's trust, understanding of, and active engagement with law enforcement as an essential partner in the protection of children from sex abuse. This

enhancement should also include material designed to foster a “see something, say something” culture around clergy child sex abuse. That culture should require self-reporting and also make it clear to witnesses of sexual misconduct (including grooming behavior) that reporting it to the Office of Child and Youth Protection will be rewarded not punished.

## **B. Compliance with Mandatory Reporting Laws**

### **1. Background**

Colorado Revised Statutes Section 19-3-304 is the statute that mandates clergy (and others) to report child sex abuse to law enforcement. It requires as follows: clergy must *immediately* report to law enforcement if they have *reasonable cause to know or suspect* that a child has been subjected to sexual abuse. It is important to understand how this statute has changed over time. From 1969 to 1975 it did not name “clergy” as mandatory reporters, but it nonetheless applied to them because it specifically required “any person” with knowledge of child sex abuse to report it to the authorities. After 1975 “any person” was dropped from the statute, and specific professions involving the care of children were incrementally added (*e.g.* coaches). Effective June 3, 2002 the statute was amended to add “clergy members” to the statute’s long list of mandatory reporters. Effective June 10, 2010 it was amended again to add an exception for clergy (and other) mandatory reporting. Specifically, it allowed clergy *not* to report child sex abuse if at the time they learn of the abuse (1) the victim is 18 years old or older and (2) the clergy member does not have reason to believe the abuser is currently abusing a child or in a position of trust with children. This 2010 amendment remains in effect today. Finally, Colorado’s mandatory reporting statute provides that any clergy member who fails to report when required faces criminal misdemeanor prosecution.

In sum, Colorado law mandated clergy to report child sex abuse to law enforcement from 1969 to 1975 and from June 2002 to present. However, from 2010 to present clergy have not had to call the authorities if the victim is an adult when he or she reports and the abuser is no longer in a position of trust with children. Accordingly, we report on each Diocese's compliance with this law during these 2 separate periods.

Before we do that, it is important to mention 2 potential reporting theories and explain why they do not belong in our Report. The first is based on a Colorado statute called the "Duty to Report a Crime" statute (C.R.S. Section 18-8-115), enacted in 1979. This statute says it is the duty of every person and corporation in Colorado who has reasonable grounds to believe that a crime has been committed to report it promptly to law enforcement. This statute has no enforcement provision. In other words, it states that Coloradans have this duty but provides no punishment or any other consequence if they fail to fulfill it. This statute is contrary to federal law and the laws in most other states, which generally require proof that a person assisted with a crime or at least tried to conceal a crime before he or she can be punished for failing to report it. In fact, the Tenth Circuit Court of Appeals has found Colorado's Duty to Report a Crime statute unenforceable. Sometimes legislators pass "aspirational laws" that do not require or penalize behavior but simply express a desire that our citizens aspire to higher standards. Colorado's Duty to Report a Crime statute is aspirational, not enforceable. Therefore, we have not applied this statute in our evaluation of the Colorado Dioceses' compliance with Colorado's mandatory reporting law.

Another source of potential legal obligation for clergy to report child sex abuse to law enforcement goes as follows: many times in the files we have seen a diocesan official promise a

reporting victim (or his or her family) “don’t worry, we will handle it.”<sup>4</sup> These statements appeared intended to deter victims from calling the police themselves. Sometimes diocese officials expressly told victims and families not to call the police. Even when that directive was not express, it was implied, and it arguably created a legal duty for the diocese to report to the police. At most, though, this circumstance could lead to civil liability for a diocese; making such a promise does not alone establish a mandatory reporting requirement, let alone one under which a clergy member could be prosecuted. As a result, it is beyond the scope of the Agreement, and we do not report on that behavior as a “failure to comply with mandatory reporting law in Colorado.” Instead, where a diocese engaged in this kind of behavior with victims, we address it in “Section xi” of the incident reports below. Again, “Section xi” generally comments on a diocese’s efforts to report to law enforcement voluntarily, and “Section vii” identifies whether or not a diocese reported when mandated by law. Below is our analysis of the Denver Archdiocese’s overall compliance with Colorado’s mandatory reporting law.

## 2. Compliance

### a. 1969 to 1975

During this period Denver Archdiocese priests sexually abused a number of children, but (at least according to the Denver Archdiocese files we reviewed) there are records of only 2 victims whose abuse the diocese was required to report during this period. The Denver Archdiocese did not report either of these 2 incidents to law enforcement as required by Colorado law. The priest files that were provided very rarely mention *why* a child sex abuse allegation against a priest was or was not reported to law enforcement, and these 2 incidents are no exception. We can only speculate that from 1969 to 1975 the Denver Archdiocese was not

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<sup>4</sup> To be clear, we did not see any recent examples of this behavior in any Colorado Diocese. But it appeared to have been a common practice in the 1950s, 1960s, 1970s, and even into the 1980s.

aware that clergy fell within the then-broad ambit of C.R.S. Section 19-3-304. We saw no evidence that during this period any Denver Archdiocese personnel even considered calling the police when they learned (as they did at least twice) that one of their priests was accused of sexually abusing a child.

b. 2002 to Present

From June 2002 to the present, the Denver Archdiocese failed to report 25 of the 39 recorded allegations of clergy child sex abuse that Colorado law required it to report to law enforcement. During this period, however, the Denver Archdiocese did report to law enforcement 5 child sex abuse allegations it was *not* required to report. The Denver Archdiocese reported all 5 of them in the last 6 years (2 of them in 2019). Finally, from 2002 to the present the Denver Archdiocese has not failed to report any allegation made by a person under 18 years of age when reporting ((there have been no such allegations presented to the Denver Archdiocese during this period as far as we are aware). See Appendix 2 for a summary of the Denver Archdiocese's mandatory reporting in both relevant time periods.

Our review revealed several likely reasons why the Denver Archdiocese failed to comply with Colorado's mandatory reporting law more than 50% of the time from 2002 to the present. First, sometime between 2002 and 2010 the Denver Archdiocese may have determined it was not required to report to law enforcement if at the time the allegation was made the victim was an adult and the accused priest was dead. On most but not all of the 25 occasions the Denver Archdiocese did not report as mandated during this period, the priest was already out of ministry and the victim was an adult by the time he or she reported. The Denver Archdiocese asserts that it believed, and still believes, the law and its legislative history did not require it to report under those circumstances. We disagree. The plain language of the law during that period did not

contain the current exceptions. The law required reporting without exception until amended in 2010. Again, the Denver Archdiocese disagrees.

Second, approximately two-thirds of the clergy child sex abuse allegations during this mandatory reporting period were asserted in publicly filed (and often widely reported in the media) lawsuits involving the prolific child sex abusers Father White and Father Abercrombie. It appears the Denver Archdiocese may have erroneously believed that if an allegation was made in a public lawsuit the Denver Archdiocese was excused from obeying Colorado's mandatory reporting law. It was not. Third, 5 times during this period it appears the Denver Archdiocese did not report to law enforcement as required because the victim said he or she did not want the Denver Archdiocese to do anything with his or her allegation. Again, Colorado law does not excuse a mandatory reporter from reporting because the victim tells the reporter not to (or because the reporter assumes that is the victim's desire). Fourth, it appears the Denver Archdiocese did not report several of these 25 allegations to law enforcement because the victim was anonymous. Colorado law does not allow a mandatory reporter with reasonable cause to know a child has been sexually abused not to report because he does not know the child's name. Fifth, the Denver Archdiocese reported 4 of these 25 incidents to the police but did so months and even years after it received the victims' allegations. Colorado law requires *immediate* reporting. Calling the police 7 years after receiving a victim's report, for example, is not immediate.

In sum, the Denver Archdiocese's failure to report 25 of the 39 recorded child sex abuse allegations Colorado law required it to report from 2002 to the present tells us two things. First, until at least 2010, the Denver Archdiocese neither uniformly understood its mandatory reporting obligations nor uniformly followed a protocol to comply with them. The good news is that since

then, the Denver Archdiocese appears to report everything. In fact, the Denver Archdiocese has not failed to comply with the law since 2009 and has made many voluntary reports. Second, in the past the Denver Archdiocese viewed law enforcement passively. It filled out and submitted to law enforcement a standard form. In our review we saw only one example prior to the last 10 years where the Denver Archdiocese voluntarily called the police on an abusive priest because it believed the Colorado criminal justice system was the deserving place for that priest's conduct to be judged. The incident reports below for Father Brown's Victim #1, Father Calle's Victims #1 and #2, and Father White's Victims #18 and #47 demonstrate this point.

### **C. Incident Reports — Substantiated Allegations of Sexual Abuse of Minors**

#### **FATHER LEONARD ABERCROMBIE**

Abercrombie sexually abused at least 18 boys in Colorado between his ordination in 1946 and his departure from the state in 1972. He was assigned to rural parishes with far-flung missions for most of his ministry (*i.e.*, his time as an active priest), occasionally brought back to assignments in Denver only to be sent out to rural parishes again. Abercrombie was also very involved in Camp St. Malo in Allenspark, a Catholic summer camp for boys. He frequently abused boys on overnight camping trips, often taking them to his camping trailer parked in remote locations. As noted below, the files show that Abercrombie took 2-year sabbatical from 1962 to 1964, then left the Denver Archdiocese in 1972 to become a hospital chaplain in the Veterans Administration. As is recorded in the narratives of Victims #1, #9, and #18 below, Abercrombie's file contains almost no information about the Denver Archdiocese's reasoning for moving him, but based on our file review there is strong circumstantial evidence that the Denver Archdiocese knew he was sexually abusing children as early as 1962. The full scope of Abercrombie's sex crimes against children is not known. The first victim to come forward did so in 1993, but new victims have reported to the Denver Archdiocese as recently as 2019.

#### Victim #1

- i. Abercrombie was a close friend of the Victim #1's parents and used this access to sexually abuse Victim #1. Abercrombie sexually abused Victim #1 many times over several years at Camp St. Malo, in Abercrombie's trailer in Estes Park, in the rectories at Hugo and Roggen, and in the victim's home.
- ii. Abercrombie sexually abused Victim #1 between 1954 and 1958.
- iii. Victim #1 reported his abuse to the Denver Archdiocese on July 9, 1993.



- iv. Victim #1 was a 7- to 11-year-old boy when Abercrombie sexually abused him.
- v. When abusing Victim #1, Abercrombie was assigned as the Pastor of Sacred Heart Parish in Roggen and its 2 missions in Keenesburg and Hudson. Abercrombie also served as the Chaplain/Director of Camp St. Malo in Allenspark.
- vi. Of the Abercrombie victims who have come forward (1993 to present), none claims to have informed the Church of his abuse contemporaneously. Nor do Abercrombie's files contain specific documents indicating the Denver Archdiocese had notice he was engaging in sexual misconduct with children before he abused Victim #1. However, around the time he was abusing Victim #1, Abercrombie himself reported twice to the Denver Archdiocese that his parishioners were accusing him of being a "homo-sexual." The Auxiliary Bishop wrote this in a memo: "For the record, twice while stationed in Roggen Father complained to me that some were accusing him of this vice. I told him to ignore it and see to it that his actions gave no grounds for even slight suspicion. Seemingly, he is plagued by this accusation. I have no knowledge which would justify it; but he may be foolish in giving grounds for suspicion, and in his reaction to the charge."  
 This memo was written in 1965, after Abercrombie reportedly told his CCD (Confraternity of Christian Doctrine) students at All Saints in Denver that the school superintendent's wife in Roggen had charged him in a "public place" with being a "homo-sexual." Abercrombie's file contains no other record of this incident, nor of his 2 previous "complaints" to the Denver Archdiocese. During this timeframe, Church personnel often (though not exclusively) used this language not to mean sexual preference generally but instead to refer specifically to sexual misconduct with underage boys.
- vii. N/A.
- viii. Abercrombie "firmly denied" Victim #1's allegation. He suggested that someone had given Victim #1 "confidential information," and that Abercrombie had been made the "scape-goat" of the victim's marital problems. The totality of the information in Abercrombie's file, and the stories of his 18 known victims, indicate that this denial is not credible.  
 Additionally, Victim #1's sister reported to the Denver Archdiocese that she had called Abercrombie (whom her family was still in touch with) when her brother first told her of his abuse, and Abercrombie had admitted it. According to the sister, the following took place in 1991: "I called him. I accused him. He asked if he needed a lawyer. Then he started to cry and said, 'Yes I did it. It was all in a wet dream though. It didn't count. There was no intention. Did [your] brother really tell after all these years?'"
- ix. Upon receiving Victim #1's allegation, the Denver Archdiocese opened a canonical investigation of Abercrombie and 6 months later removed his faculties.<sup>5</sup> By then, Abercrombie was retired and living in Mission Hills, California, so the Denver Archdiocese notified the Archdiocese of Los Angeles that it had removed his faculties.

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<sup>5</sup> "Faculties" means a priest's power and authority to celebrate the five Catholic sacraments of Baptism, Penance, Holy Eucharist (meaning Mass), Matrimony, and Anointing of the Sick.

- x. N/A.
- xi. The Denver Archdiocese did not report Victim #1's allegation to law enforcement or investigate further. The Denver Archdiocese explained its lack of investigation as in accord with the victim's wishes. Apparently, Victim #1 did not want to meet with the Conduct Response Team, civil authorities, or claim a monetary settlement; he just wanted the Church to know the truth and to be held accountable. However, in 2005 Victim #1 did bring a lawsuit against the Denver Archdiocese and reached a settlement in 2007. Shortly after Victim #1's lawsuit was filed, on September 14, 2005, the Denver Archdiocese released information about Abercrombie's sexual abuse of children to Abercrombie's former parishes and called for anyone with more information to come forward.

### Victim #2

- i. Abercrombie was a close friend of Victim #2's parents and used this access to sexually abuse the victim. Abercrombie sexually abused Victim #2 many times over several years. Abercrombie sexually abused him in the victim's bedroom, as well as on camping and fishing trips where they stayed overnight in Abercrombie's trailer. On these occasions, Abercrombie fondled the victim's genitals, laid on top of him and thrust without penetrating, and ejaculated.
- ii. Abercrombie sexually abused Victim #2 between 1954 and 1958.
- iii. Victim #2 reported his abuse to the Denver Archdiocese in November of 1997.
- iv. Victim #2 was a 7- to 11-year-old boy when Abercrombie sexually abused him.
- v. When he was sexually abusing Victim #2, Abercrombie was assigned as the Pastor of St. Anthony of Padua Parish in Hugo, with mission churches in Deer Trail, Limon, and Strasburg (1953 to 1956). He was also the Pastor of Sacred Heart Parish in Roggen, along with its missions in Keenesburg and Hudson (1956 to 1962). At the same times he served as the Chaplain/Director at Camp St. Malo in Allenspark.
- vi. Other than the parishioner accusations mentioned above, Abercrombie's files do not indicate the Denver Archdiocese had received reports he was engaging in sexual misconduct with children before he abused Victim #2.
- vii. N/A.
- viii. It is not clear whether Abercrombie ever admitted or denied sexually abusing Victim #2. We are aware of no exculpatory evidence.
- ix. N/A (The Denver Archdiocese did not take any action against Abercrombie in response to this report because he had died in 1994, 3 years before this report).
- x. N/A.

- xi. The Denver Archdiocese did not investigate the sexual abuse of Victim #2 nor report it to law enforcement. The Denver Archdiocese met with the victim, sent him for a psychological evaluation, and agreed to pay for a year or two of psychotherapy. In 2005, Victim #2 brought a lawsuit against the Denver Archdiocese, which settled in 2007.

### Victim #3

- i. Abercrombie was a close friend of Victim #3's parents and used this access to sexually abuse Victim #3. Abercrombie sexually abused this victim many times over several years.
- ii. Abercrombie sexually abused Victim #3 between 1954 and 1956.
- iii. Victim #3's abuse was first reported to the Denver Archdiocese in 1997.
- iv. Victim #3 was a 12- to 14-year-old boy when Abercrombie sexually abused him.
- v. During the time he was sexually abusing Victim #3, Abercrombie was the Pastor of St. Anthony of Padua Parish in Hugo, with mission churches in Deer Trail, Limon, and Strasburg, and he was also assigned as the Pastor of Sacred Heart Parish in Roggen, along with its missions in Keenesburg and Hudson. He also served as the Chaplain/Director of Camp St. Malo in Allenspark.
- vi. Other than the parishioner accusations mentioned above, Abercrombie's files do not indicate the Denver Archdiocese had received reports he was engaging in sexual misconduct with children before he abused Victim #3.
- vii. N/A.
- viii. It is unclear whether Abercrombie ever admitted or denied abusing Victim #3. We are aware of no exculpatory evidence.
- ix. N/A (The Denver Archdiocese did not take any action against Abercrombie in response to this report because he had died in 1994, 3 years before this report).
- x. N/A.
- xi. The Denver Archdiocese did not investigate the sexual abuse of Victim #3 nor report it to law enforcement. Though Victim #3's brother first reported Victim #3's abuse in 1997, the Denver Archdiocese did not contact the brother or investigate the claim. Victim #3 sued in 2005, and the Denver Archdiocese settled in 2007.

#### Victim #4

- i. Victim #4 was an altar server at Sacred Heart Parish in Roggen. Abercrombie groomed Victim #4 by taking him into Denver for overnight stays in hotels, buying him clothes, and inviting him to stay overnight at the rectory. On more than one occasion, Abercrombie called the victim out of class at Sacred Heart school, allegedly for bad grades, then turned the conversation to sexual topics. When Victim #4 stayed overnight with Abercrombie, on at least 10 occasions, Abercrombie sexually abused him. The abuse included fondling the victim's genitals, engaging him in mutual masturbation, performing oral sex on the victim, and attempting to anally rape the victim.
- ii. Abercrombie sexually abused Victim #4 from 1956 through 1958.
- iii. Victim #4 reported his abuse to the Denver Archdiocese on October 14, 2005.
- iv. Victim #4 was a 10- to 12-year-old boy when Abercrombie was sexually abusing him.
- v. Abercrombie was the Pastor of Sacred Heart Parish in Roggen when he was abusing Victim #4.
- vi. Aside from the parishioner accusations described above, Abercrombie's files contain no evidence that the Denver Archdiocese knew he was engaging in sexual misconduct with children before he abused Victim #4.
- vii. The Denver Archdiocese reported Victim #4's abuse to the Weld County Sheriff's Office in Greeley 2 weeks after receiving Victim #4's report.
- viii. It is not clear whether Abercrombie ever admitted or denied sexually abusing Victim #4. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. The Denver Archdiocese reported Victim #4's allegation of sexual abuse to law enforcement and activated its Conduct Response Team. The victim, however, chose not to accept the Denver Archdiocese's offer to meet with the Conduct Response Team or the Archbishop and instead filed a lawsuit. The Denver Archdiocese did no investigation of Victim #4's abuse.

#### Victim #5

- i. Abercrombie groomed Victim #5 by taking him into Denver for overnight stays in hotels, buying him clothes, and inviting him to stay overnight at the rectory. During these overnight stays, Abercrombie sexually abused the victim. Victim #5's brother suspected that the abuse included Abercrombie anally raping Victim #5.

- ii. Abercrombie sexually abused Victim #5 from 1956 through 1958.
- iii. Victim #5's brother, who is Victim #4, reported this sexual abuse to law enforcement when he reported his own abuse in October 2005. The Denver Archdiocese received the police report disclosing the abuse of Victim #5 in November 2005.
- iv. Victim #5 was a boy under the age of 18 when Abercrombie sexually abused him.
- v. Abercrombie was the Pastor of Sacred Heart Parish in Roggen, and its 2 missions in Keenesburg and Hudson, when he sexually abused Victim #5.
- vi. Aside from the parishioner accusations described above, Abercrombie's files contain no evidence that the Denver Archdiocese knew he was engaging in sexual misconduct with children before he abused Victim #5.
- vii. The Denver Archdiocese did not report Victim #5's abuse to law enforcement. The Denver Archdiocese likely believed it was excused from reporting because Abercrombie was dead, Victim #5 was dead, and Victim #5's abuse had already been reported to law enforcement by Victim #4.
- viii. It is not clear whether Abercrombie ever admitted or denied abusing Victim #5. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. The Denver Archdiocese did not report this allegation to law enforcement because both the victim and Abercrombie were dead. Nor did the Denver Archdiocese conduct any investigation.

#### Victim #6

- i. Victim #6 was an altar server in Keenesburg when Abercrombie sexually abused him. On several occasions, Abercrombie requested that the victim's parents allow him and his brothers to stay overnight at the rectory so that they could help him with work around the church the following day. During these overnight stays, while Victim #6 was asleep in bed, Abercrombie would come up behind him and kiss him, insert his tongue in the victim's ear, and fondle his genitals.

In addition, when Victim #6 was 12 or 13 years old, Abercrombie introduced him to a male teacher in Denver who orally and anally raped the victim. Victim #6 believed that Abercrombie and this man were "lovers" and that Abercrombie was "brokering his boys."

Victim #6 also informed the Denver Archdiocese that 2 of his brothers were abused by Abercrombie, but they refused to talk about it.

- ii. Abercrombie sexually abused Victim #6 from 1958 through 1959.
- iii. Victim #6 reported his abuse to the Denver Archdiocese on March 21, 2002.
- iv. Victim #6 was a 10- to 11-year-old boy when Abercrombie sexually abused him.
- v. Abercrombie was the Pastor of the mission in Keenesburg when he sexually abused Victim #6.
- vi. Aside from the parishioner accusations described above, Abercrombie's files contain no evidence that the Denver Archdiocese knew he was engaging in sexual misconduct with children before he abused Victim #6.
- vii. N/A.
- viii. It is not clear whether Abercrombie ever admitted or denied sexually abusing Victim #6. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. In response to Victim #6's sexual abuse allegation, the Denver Archdiocese activated the Conduct Response Team, and the Conduct Response Team met with Victim #6. The Denver Archdiocese subsequently paid for over 2 years of counseling for Victim #6. He requested additional compensation, and the Denver Archdiocese declined. The victim also reported to the Denver Archdiocese that Abercrombie had sexually abused 2 or perhaps 3 of his brothers. The Denver Archdiocese did not investigate Victim #6's sexual abuse, did not contact his brothers or investigate their sexual abuse, and did not report any of this sexual abuse to law enforcement.

#### Victim #7

- i. Victim #7 was an altar server at Sacred Heart Parish in Roggen. Abercrombie became a trusted family friend, acted as a counselor to the victim, and took him on various spiritual retreats, social outings, ski trips, fishing trips, and camping trips. Abercrombie began abusing the victim on a ski trip when they stayed overnight in Abercrombie's camping trailer in Estes Park. Victim #7 had to share the double bed with Abercrombie and woke in the middle of the night to Abercrombie fondling his genitals. After that first occasion of abuse, Abercrombie continued to sexually abuse Victim #7 many times, which advanced to oral and anal rape.
- ii. Abercrombie sexually abused Victim #7 between 1957 and 1961.
- iii. Victim #7 reported his abuse to the Denver Archdiocese on September 23, 2005.

- iv. Victim #7 was an 11- or 12-year-old boy when Abercrombie sexually abused him.
- v. Abercrombie was the Pastor of Sacred Heart Parish in Roggen when he sexually abused Victim #7.
- vi. Aside from the parishioner accusations described above, Abercrombie's files contain no evidence that the Denver Archdiocese knew he was engaging in sexual misconduct with children before he abused Victim #7.
- vii. The Denver Archdiocese reported Victim #7's sexual abuse to the police in Estes Park 17 days after Victim #7 came forward.
- viii. It is not clear whether Abercrombie ever admitted or denied sexually abusing Victim #7. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. The Denver Archdiocese reported this child sex abuse to law enforcement and offered Victim #7 the opportunity to meet with the Conduct Response Team or the Archbishop. They also mentioned the possibility of counseling. Victim #7 then filed a lawsuit, and the Denver Archdiocese did not investigate Victim #7's abuse beyond what was necessary to defend itself in that suit.

#### Victim #8

- i. Abercrombie took Victim #8 and some other altar servers on a ski trip to Winter Park. Abercrombie had a trailer in Estes Park where they stayed. Abercrombie asked the victim to sleep with him in his double bed. Victim #8 woke up to find Abercrombie's hands down his pants, fondling his genitals.
- ii. Abercrombie sexually abused Victim #8 between 1958 and 1960.
- iii. Victim #8 reported his abuse to the Denver Archdiocese on September 16, 2005.
- iv. Victim #8 was an approximately 8- to 10-year-old boy when Abercrombie sexually abused him.
- v. Abercrombie was the Pastor of Sacred Heart Parish in Roggen and its 2 missions in Keenesburg and Hudson when he abused Victim #8. He was also the Chaplain/Director of Camp St. Malo in Allenspark.
- vi. Aside from the parishioner accusations described above, Abercrombie's files contain no evidence that the Denver Archdiocese knew he was engaging in sexual misconduct with children before he abused Victim #8.

- vii. The Denver Archdiocese reported Victim #8's abuse to the police in Estes Park on October 20, 2005, more than a month after Victim #8 reported to the Denver Archdiocese.
- viii. It is not clear whether Abercrombie ever admitted or denied sexually abusing Victim #8. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. The Denver Archdiocese reported Victim #8's sexual abuse to law enforcement. but not immediately. The Denver Archdiocese's Victim Assistance Coordinator met with the victim and presented him the option of meeting with the Conduct Response Team. The victim declined and ultimately filed a lawsuit. The Denver Archdiocese did no investigation at or near the time the report came in and investigated it later only as necessary to defend itself in that suit.

#### Victim #9

- i. Victim #9 was an altar server for Abercrombie at Sacred Heart Parish in Roggen. Abercrombie fondled the victim's genitals multiple times in the rectory and the church.
- ii. Abercrombie sexually abused Victim #9 between approximately 1956 and 1962.
- iii. Victim #9's abuse was first reported to the Denver Archdiocese on June 7, 2002.
- iv. Victim #9 was a boy under the age of 18 when Abercrombie sexually abused him.
- v. When sexually abusing Victim #9, Abercrombie was the Pastor of Sacred Heart Parish in Roggen.
- vi. Aside from the parishioner accusations described above, Abercrombie's files do not state that the Denver Archdiocese knew he was engaging in sexual misconduct with children before he abused Victim #9. However, he was placed on sabbatical from 1962 to 1964, and the reasoning preserved in Abercrombie's file is vague. On October 5, 1962, 2 doctors wrote to the Archbishop advising a change in assignment or sabbatical. The first doctor, from Keenesburg, gave reasons including "antagonism between [Abercrombie] and particularly the Roggen parishioners;" his "lack[ing] [] insight into the mores of [] rural communit[ies];" his being "devoid of recreation;" and his tendency to fall asleep at the wheel during long drives between parishes. He concluded: "In short, I feel that Father Abercrombie should be transferred, or better yet, given a year leave of absence for the good of the Church, the community, and also for Father Abercrombie's peace of mind." A second letter, written on the same day from a doctor in Denver, advised the Archbishop that Abercrombie was suffering from "ill health and fatigue" from "excessive automobile



driving.” He too suggested a 6-month or year-long sabbatical, “since I fear that he is showing signs of a breakdown.”

Shortly after these letters were written, Abercrombie went to the Baker Diocese of Oregon, where he was granted faculties and spent 2 years ministering in various rural parishes in that state. Abercrombie wrote this to the Archbishop in 1964: "I am grateful to you for the extensions of leave granted to me to get my tensions under control and to regain my health." The Denver Archdiocese did not require or suggest he be psychiatrically evaluated or treated or undergo any therapy. Nor does it appear that the Denver Archdiocese communicated any concerns about Abercrombie to the Bishop in Oregon. Thus, he was temporarily removed from ministry in Colorado, but he was not restricted from access to children or from serving as a priest elsewhere. The Denver Archdiocese placing him on sabbatical “to get [his] tensions under control,” indicates that it may have been aware of his sexual misconduct with children as of 1962. Our file review has revealed (consistent with practices in other Dioceses around the country) that sabbaticals, hospital or military chaplaincies, and other transfers for vaguely described and undocumented conditions like “tensions” were frequently the cover for dioceses to move a priest when the diocese was on notice he was sexually abusing children. Thus, Abercrombie’s files reveal circumstantial evidence the Denver Archdiocese may have known in 1962, while his sexual abuse of Victim #9 was underway, that Abercrombie was engaging in sexual misconduct with children.

- vii. The Denver Archdiocese did not report Abercrombie’s sexual abuse of Victim #9 to law enforcement as required under Colorado law.
- viii. It is not clear whether Abercrombie ever admitted or denied sexually abusing Victim #9. We are aware of no exculpatory evidence.
- ix. N/A (Abercrombie was dead when this abuse was reported).
- x. N/A.
- xi. Victim #9 died before his family reported this abuse. The Denver Archbishop wrote a sincere, apologetic letter to Victim #9’s family, and the Conduct Response Team met with them. But the Denver Archdiocese did no investigation, and it did not report the abuse to law enforcement.

#### Victim #10

- i. Abercrombie took “naps” with Victim #10, during which he sexually abused him. Abercrombie also took the victim to a bathhouse in Denver.
- ii. Abercrombie sexually abused Victim #10 between approximately 1958 and 1962.
- iii. The abuse was reported to the Denver Archdiocese on September 3, 2004.
- iv. Victim #10 was a 10- to 15-year-old boy when Abercrombie sexually abused him.

- v. Abercrombie was assigned as the Pastor of Sacred Heart Parish in Roggen and its 2 missions in Keenesburg and Hudson while he was abusing Victim #10.
- vi. As described above, it appears that the Denver Archdiocese may have known in 1962, while Abercrombie's sexual abuse of Victim #10 was underway, that he was engaging in sexual misconduct with children.
- vii. The Denver Archdiocese did not report this sexual abuse to law enforcement as required under Colorado law.
- viii. It is not clear whether Abercrombie ever admitted or denied sexually abusing Victim #10. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. Because both Abercrombie and Victim #10 were dead when this allegation was reported, the Denver Archdiocese did not conduct any investigation or report it to law enforcement.

#### Victim #11

- i. Victim #11 was an altar server at Sacred Heart Parish in Roggen. Abercrombie was the victim's spiritual counselor and took him on spiritual retreats, social outings, camping trips, fishing trips, and ski trips. On multiple occasions, during retreats and other trips, Abercrombie had Victim #11 share a bed with him in his camping trailer. There, Abercrombie fondled the victim, engaged him in masturbation, orally raped him, and anally raped him.
- ii. Abercrombie sexually abused Victim #11 between 1960 and 1962.
- iii. Victim #11 reported his abuse to the Denver Archdiocese via a civil complaint filed on January 10, 2006.
- iv. Victim #11 was a 15- or 16-year-old boy when Abercrombie began to sexually abuse him.
- v. Abercrombie was the Pastor of Sacred Heart Parish in Roggen when he was sexually abusing Victim #11.
- vi. As set forth above, it appears that the Denver Archdiocese may have known in 1962, while Abercrombie's sexual abuse of Victim #11 was underway, that he was engaging in sexual misconduct with children.
- vii. The Denver Archdiocese did not report this allegation to law enforcement as required under Colorado law.

- viii. It is not clear whether Abercrombie ever admitted or denied sexually abusing Victim #11. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. It does not appear that the Denver Archdiocese either reported the sexual abuse of Victim #11 to law enforcement or conducted any investigation of that abuse on its own, except to the extent necessary to defend the lawsuit Victim #11 filed.

#### Victim #12

- i. Victim #12 was sexually abused by Abercrombie at Sacred Heart School in Roggen.
- ii. Abercrombie abused Victim #12 from approximately 1960 to 1962.
- iii. Victim #12 reported his abuse to the Denver Archdiocese on December 6, 2005.
- iv. Victim #12 was a 9- to 11-year-old boy when Abercrombie sexually abused him.
- v. Abercrombie was the Pastor of Sacred Heart Parish in Roggen when he sexually abused Victim #12.
- vi. As set forth above, it appears that the Denver Archdiocese may have known in 1962, while Abercrombie's sexual abuse of Victim #12 was underway, that he was engaging in sexual misconduct with children.
- vii. The Denver Archdiocese did not report Abercrombie's sexual abuse of Victim #12 to law enforcement as required under Colorado law.
- viii. It is not clear whether Abercrombie ever admitted or denied sexually abusing Victim #12. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. The Denver Archdiocese did not report the abuse of Victim #12 to law enforcement, nor did it investigate Victim #12's allegation. The victim sent an email to the Vicar for Clergy of the Denver Archdiocese to report his abuse, saying he wanted nothing from the Church, just to add his abuse to its records, and there is no further information on this allegation in Abercrombie's files.

### Victim #13

- i. Victim #13 was an altar server for Abercrombie at All Saints Parish in Denver. He also attended the affiliated Catholic school. Abercrombie singled out the victim as one of his “favorite” altar servers and became a trusted friend of the victim’s family. Victim #13 was allowed to go on one-on-one trips with Abercrombie, including spiritual retreats, social outings, and camping trips. Abercrombie sexually abused the victim on numerous occasions. On the first occasion, Abercrombie removed Victim #13 from his Catholic school classroom and requested that he serve as an altar server at a funeral Mass. Later, driving Victim #13 back after the Mass, Abercrombie grabbed the victim’s hand and placed it on his penis. After that, Abercrombie abused Victim #13 on multiple occasions in his camping trailer, which at that time was parked in Grand Lake. Abercrombie gave the victim alcohol, had him sleep in his double bed with him, then orally and anally raped him.
- ii. Abercrombie sexually abused Victim #13 from 1964 through 1966.
- iii. Victim #13 reported his abuse to the Denver Archdiocese via a civil complaint filed on December 8, 2005.
- iv. Victim #13 was a 12- to 14-year-old boy when Abercrombie was sexually abusing him.
- v. Abercrombie was the Pastor of All Saints Parish in Denver while abusing Victim #13. He held this assignment from 1964 to 1966. He also served as the Chaplain/Director of Camp St. Malo in Allenspark during that time.
- vi. As described above, the early parishioner “rumors” surrounding Abercrombie — and the Denver Archdiocese placing him on sabbatical “to get [his] tensions under control” — appear to indicate the Denver Archdiocese was aware of his sexual misconduct with children when he was abusing Victim #13. This circumstantial evidence of the Denver Archdiocese’s knowledge is bolstered by the parishioner accusations against Abercrombie which continued to arise and were reported to the Denver Archdiocese in 1965 and 1967 after he returned from Oregon.

Additionally, in 1966, after 2 years as Pastor of All Saints Parish in Denver, the Denver Archdiocese transferred Abercrombie back to rural parishes in Kremmling and Grand Lake (with mission churches in Granby and Walden), despite the fact that a rural assignment requiring “excessive driving” was allegedly the reason he had needed a 2-year sabbatical only 4 years earlier.
- vii. The Denver Archdiocese did not report Victim #13’s allegation to law enforcement as required under Colorado law.
- viii. It is not clear whether Abercrombie ever admitted or denied sexually abusing Victim #13. We are aware of no exculpatory evidence.
- ix. N/A.

- x. N/A.
- xi. Victim #13 filed a lawsuit against the Denver Archdiocese in 2005, and the Denver Archdiocese subsequently paid for counseling for the victim and his family members. It did not report Victim #13's allegation to law enforcement, and it did not investigate it.

#### Victim #14

- i. Abercrombie took Victim #14 to his camping trailer and sexually abused him.
- ii. Abercrombie abused Victim #14 between approximately 1964 and 1966.
- iii. Victim #14's sexual abuse was reported anonymously to the Denver Archdiocese on April 29, 2002.
- iv. Victim #14 was a 13- or 14-year-old boy when Abercrombie sexually abused him.
- v. Abercrombie was the Pastor of All Saints Parish in Denver when he sexually abused Victim #14.
- vi. It appears based on the circumstantial evidence set forth above that the Denver Archdiocese knew Abercrombie was a child sex abuser when he abused Victim #14. Abercrombie's files, however, do not contain documents directly proving the Denver Archdiocese's knowledge.
- vii. N/A.
- viii. It is not clear whether Abercrombie ever admitted or denied sexually abusing Victim #14. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. A family member of Victim #14 reported his abuse to Denver Archdiocese via an anonymous phone call. The caller did not name the victim or leave contact information. The Denver Archdiocese was not in a position to investigate the abuse, offer services to the victim, or voluntarily report to law enforcement.

#### Victim #15

- i. Abercrombie groomed Victim #15 by taking him out for meals, taking him fishing, and inviting him on overnight trips. Abercrombie would also ask to hear Victim #15's confession when they were together. In the summer of 1965, Abercrombie took the victim and 2 other boys to Camp St. Malo for fishing and mini golf. On the first night of the trip, the 2 other boys told Victim #15 "you sleep with Father Abbie, we'll sleep out

here.” While the victim was sleeping in Abercrombie’s trailer, Abercrombie rubbed his erection on the victim and put his tongue in the victim’s ear.

- ii. Abercrombie sexually abused Victim #15 in 1965.
- iii. Victim #15 reported his abuse to the Denver Archdiocese on January 22, 2019.
- iv. Victim #15 was a boy under the age of 14 when Abercrombie sexually abused him.
- v. Abercrombie was the Pastor of All Saints Parish in Denver and the Chaplain/Director of Camp St. Malo in Allenspark when he sexually abused this victim.
- vi. For the reasons set forth above, it appears the Denver Archdiocese had received reports of Abercrombie engaging in sexual misconduct with children prior to his abuse of Victim #15.
- vii. The Denver Archdiocese reported Victim #15’s sexual abuse to the Boulder Police Department.
- viii. It is not clear whether Abercrombie ever admitted or denied sexually abusing Victim #15. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. The Denver Archdiocese activated its Conduct Response Team process when it received Victim #15’s sexual abuse report. The Conduct Response Team met with Victim #15, and the Denver Archdiocese offered to pay for future therapy. Victim #15 was initially unhappy with delays in the process but ultimately stated he felt heard and comforted by the Conduct Response Team. He also felt healed by a personal letter to him from the Denver Archbishop and by his personal meeting with the Archbishop. The Denver Archdiocese also coordinated with the victim and the out-of-state Diocese where he resides to ensure acquisition of and payment for his therapy.

#### Victim #16

- i. Victim #16 had to go into Kremmling to see a doctor. His parents arranged for Abercrombie, a family friend and the Pastor of St. Peter Parish in Kremmling, to take him to the appointment. The victim had to stay overnight in the St. Peter rectory, and Abercrombie insisted Victim #16 sleep in his bed with him rather than on the couch. That night Abercrombie fondled the victim's nipples and touched his penis.
- ii. Abercrombie sexually abused Victim #16 in 1967.
- iii. Victim #16 reported the abuse to the Denver Archdiocese on May 13, 2002.

- iv. Victim #16 was a 12-year-old boy when Abercrombie sexually abused him.
- v. Abercrombie was the Pastor of both St. Anne Parish in Grand Lake and St. Peter Parish in Kremmling when he sexually abused Victim #16.
- vi. For the reasons set forth above, it appears the Denver Archdiocese received reports that Abercrombie had engaged in sexual misconduct with children before he abused Victim #16.
- vii. N/A.
- viii. It is not clear whether Abercrombie ever admitted or denied sexually abusing Victim #16. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. In response to this child sex abuse allegation, the Denver Archdiocese activated its Conduct Response Team process in 2002 and met with Victim #16. The victim through counsel then received a letter from a Denver Archdiocese lawyer who apologized to the victim, emphasized that the statute of limitations had passed, said there was no indication in Abercrombie's file that anyone knew he was an abuser while in ministry, discouraged the victim from bringing a lawsuit, and tentatively offered to pay for a portion of the victim's future therapy costs, depending on the victim's ability to prove that a certain amount of his "problems" were caused by Abercrombie.

The Denver Archdiocese did not investigate the abuse or report it to law enforcement. Its representative's assertion that the Denver Archdiocese had no knowledge of Abercrombie's sexual abusiveness before he abused Victim #16 was not true. This response was consistent with the Denver Archdiocese's self-protectively narrow interpretation of file evidence and the Denver Archdiocese's history of not investigating child sex abuse reports. Those practices allowed it to plausibly assert it had no knowledge of its priests' abusive behavior.

#### Victim #17

- i. Abercrombie was a family friend of Victim #17's parents, and he frequently took the victim on spiritual retreats, social outings, and camping trips. On one such occasion, Abercrombie took Victim #17 camping in Granby. Abercrombie took him for ice cream then back to his camper, where he drank wine, gave the victim wine, and poured beer into his spaghetti. Victim #17 had to sleep in Abercrombie's double bed with him. The victim woke up with his pants down and Abercrombie grinding his penis against the victim's anus. The victim screamed and cried, but Abercrombie continued until he ejaculated, telling the victim he loved him.
- ii. Abercrombie sexually abused Victim #17 between 1969 and 1970.

- iii. Victim #17 reported his sexual abuse to the Denver Archdiocese via a civil complaint filed on September 20, 2005.
- iv. Victim #17 was a 10- or 11-year-old boy when Abercrombie sexually abused him.
- v. Abercrombie was the Chaplain of both St. Anthony's Hospital and St. Joseph's School in Denver when he abused Victim #17.
- vi. For the reasons set forth above, it appears the Denver Archdiocese received reports that Abercrombie had engaged in the sexual misconduct with children before he abused Victim #17.
- vii. The Denver Archdiocese did not report Victim #17's sexual abuse to law enforcement as required under Colorado law.
- viii. It is not clear whether Abercrombie ever admitted or denied sexually abusing Victim #17. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. Victim #17 filed a lawsuit against the Denver Archdiocese in 2005, the Denver Archdiocese did not report to law enforcement, and it appears it did no investigation other than to defend itself in that suit.

#### Victim #18

- i. Victim #18 was an altar server at St. Anthony Hospital in Denver during the period when Abercrombie was assigned as a chaplain there (1969 to 1972). Abercrombie groomed the victim by taking him to fast food restaurants, giving him meal tickets for the hospital cafeteria, and letting him use the therapeutic pool in the hospital basement. Furthermore, Abercrombie would regularly give the victim hugs, kisses, and other displays of affection. On at least 10 occasions, after Mass ended, Abercrombie took Victim #18 to the basement pool and fondled him, performed oral sex on him, and rubbed against him until Abercrombie ejaculated.
- ii. Abercrombie sexually abused Victim #18 in 1971.
- iii. Victim #18 reported the abuse to the Denver Archdiocese on March 3, 2004.
- iv. Victim #18 was an 11-year-old boy when Abercrombie sexually abused him.
- v. Abercrombie was the Chaplain of both St. Anthony's Hospital and St. Joseph's School in Denver when he sexually abused Victim #18.



- vi. As set forth above, it appears the Denver Archdiocese knew Abercrombie was engaged in sexual misconduct with children at least by 1962.
- vii. The Denver Archdiocese reported Victim #18's child sex abuse allegation to the Denver Police Department on September 10, 2004.
- viii. It is not clear whether Abercrombie ever admitted or denied sexually abusing Victim #18. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. After receiving this allegation, the Denver Archdiocese activated its Conduct Response Team process, apologized to Victim #18, and offered to pay for future counseling. The Archbishop also offered to meet with Victim #18. It also reported his abuse to the police. However, it does not appear that the Denver Archdiocese conducted any investigation of Victim #18's abuse.

#### Victim #19

- i. Abercrombie befriended Victim #19, an eighth-grade boy, and asked him and several other boys to serve Mass for him. Afterward, Abercrombie invited them to eat with him at his living quarters at St. Anthony's Hospital, had them spend the night there, then sexually propositioned the boys and fondled Victim #19.
- ii. Abercrombie sexually abused Victim #19 in 1971.
- iii. Victim #19 reported the abuse to the Denver Archdiocese in 1971.
- iv. Victim #19 was an approximately 13- or 14-year-old boy when Abercrombie sexually abused him.
- v. Abercrombie was the Chaplain of both St. Anthony's Hospital and St. Joseph's School in Denver when he sexually abused Victim #19.
- vi. Victim #19 and his mother reported Abercrombie's sexual abuse of Victim #19 to the Director of Catholic Youth Services, a Denver Archdiocesan priest, soon after it happened. The Youth Director later reported this abuse to another Denver Archdiocese official and was told, "that was why [Abercrombie] was sent to the Veterans Hospital in Chicago." Indeed, Abercrombie applied for a transfer out of Colorado in 1971, and the Denver Archdiocese approved his transfer to the Chicago Veterans Hospital, confirming that prior to the Youth Director's report the Denver Archdiocese already knew Abercrombie had been engaging in sexual misconduct with children. Consistent with the Church having concern about Abercrombie at a very high level, back in 1967 the former Papal Nuncio (*i.e.*, the Pope's delegate to the United States) had confidentially interceded

with the Denver Archdiocese's new Archbishop to support transferring Abercrombie to a hospital chaplaincy position and out of parish ministry. The Denver Archbishop effected that transfer in 1969, moving Abercrombie to the St. Anthony's position where he sexually abused Victims #18 and #19. The Archbishop also personally travelled to Kremmling at least twice to visit Abercrombie between 1967 and 1969, indicating the Archbishop's concern about his behavior. Finally, the Denver Archdiocese recommended Abercrombie to the Military Ordinaire (which allowed his transfer) without sharing its knowledge of his child sexual abuse. The Denver Archdiocese also endorsed Abercrombie to the Archbishop of Chicago, representing that he was a priest in good standing. After his service in Chicago, Abercrombie went on to work as a Chaplain in California, where he was subsequently sued for molesting at least 2 boys.

- vii. The Denver Archdiocese did not report Abercrombie's sexual abuse of Victim #19 to law enforcement as required under Colorado law.
- viii. It is not clear whether Abercrombie ever admitted or denied sexually abusing Victim #19. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese took no action against Abercrombie in response to this allegation. As stated above, by the time the Youth Director reported the allegation to someone in the hierarchy, Abercrombie had been transferred to Chicago. The Denver Archdiocese did not take further action against him — it did not restrict his faculties, laicize him, or notify the Military Ordinaire or the Archdiocese of Chicago about this, or any other, allegation of child sex abuse against Father Abercrombie.
- x. The Denver Archdiocese did not send Abercrombie for psychological treatment in response to this Victim #19's allegation.
- xi. The Youth Director of the Denver Archdiocese received the allegation in a meeting with Victim #19 and his mother. According to the Youth Director, he "did not know what else to do" so he asked for their forgiveness on behalf of Abercrombie and the Church and "warned against the dangers of being a vulnerable, fatherless teenager," and mentioned that some trusted leaders are "sick people." He did nothing further to care for the victim, did not report the abuse to law enforcement, and he did not immediately report it to anyone else in the Archdiocese. When he did later report Victim #19's allegation to an Archdiocesan official, Abercrombie had already been transferred to Chicago. At that point, again, the Denver Archdiocese did not report the allegation of child sex abuse to law enforcement.

Additionally, Victim #19's allegation is an example of the poor record-keeping practices discussed in Section A above. Victim #19's allegation was not preserved in Abercrombie's personnel file, but instead was found by chance in the personnel file of the former Youth Director.

## **FATHER ROBERT BANIGAN**

### Victim #1

- i. Banigan groomed and then sexually abused this altar server starting when Victim #1 was 6 years old. Banigan allowed the victim to attend altar-server classes 2 years early, and he would keep the victim after class to help out with chores. After others had left the church and the two were alone, Banigan began becoming more affectionate with Victim #1 and eventually fondled him and hugged him while rubbing his genitals against him. Banigan told Victim #1 “this is what God wants” and that the devil would get him if he did not cooperate. Banigan continued this sexual abuse for 6 to 8 months until Victim #1 stopped showing up at church after Banigan tried to get him to take his clothes off.
- ii. Banigan sexually abused Victim #1 in 1961.
- iii. Victim #1’s sexual abuse was recently reported to the Colorado Attorney General’s Office and then to us in September 2019. It has now been reported to the Denver Archdiocese.
- iv. Victim #1 was a 6-year-old boy when Banigan sexually abused him.
- v. Banigan was the Pastor at St. Leo the Great Parish in Denver when he abused Victim #1.
- vi. Banigan’s Denver Archdiocese file does not contain any indication that the Denver Archdiocese had received reports of Banigan engaging in sexual misconduct with children before he abused Victim #1.
- vii. N/A.
- viii. It is not clear whether Banigan ever admitted or denied this child sex abuse allegation. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. Banigan’s sexual abuse of Victim #1 was just reported to the Denver Archdiocese. We do not know whether it is investigating this allegation or otherwise responding to it.

## **FATHER THOMAS BARRY**

### Victim #1

- i. Barry allowed Victim #1, a 16-year-old girl, to live with him in the early 1970s and repeatedly had sexual intercourse with her. Victim #1’s sister walked in on Barry and Victim #1 naked in bed.

- ii. Barry sexually abused Victim #1 in the early 1970s.
- iii. The abuse was first reported to the Denver Archdiocese on September 26, 1973.
- iv. Victim #1 was a 16-year-old girl.
- v. Barry was assigned to St. Joseph's Parish in Golden when he sexually abused Victim #1.
- vi. There is no information in Barry's file to indicate the Denver Archdiocese had reports of Barry engaging in sexual misconduct with children before he sexually abused Victim #1.
- vii. The Denver Archdiocese did not report Barry's sexual abuse of Victim #1 to law enforcement as required under Colorado law.
- viii. It is unclear whether Barry ever admitted or denied sexually abusing Victim #1. We are aware of no exculpatory evidence.
- ix. It appears the Denver Archbishop either failed to document or ignored Victim #1's allegation of child sex abuse when it was brought to his attention in 1973. He did not restrict Barry's faculties or ministry or access to children in any way.
- x. Barry continued in ministry after Victim #1's mother made this child sex abuse allegation in 1973. The Denver Archdiocese took no action against Barry and no steps to protect against future abuse. It did not refer Barry for psychiatric evaluation or therapy.
- xi. The victim's mother wrote a letter to the Denver Archbishop in 1973, stating her daughter was living with Barry "off and on" and that Barry was "having an affair" with her daughter. The letter also accused Barry of stealing \$2,000 of her daughter's Social Security payments. The Archbishop responded with a letter to the mother in which he addressed the allegation of theft by Barry. He ignored the statement in the letter regarding Barry having an affair with her 16-year-old daughter.

When the victim herself brought forth the same allegation in 2006, the Archdiocese engaged its Conduct Response Team. There is no file documentation regarding the actions of the Conduct Response Team, other than a failed attempt to interview one of Victim #1's sisters. The Archbishop personally spoke with Victim #1. It appears the offer to meet with the Conduct Response Team was rejected. Barry had died in 2003, so the Denver Archdiocese did not report her child sexual abuse allegation to law enforcement. Victim #1 sued in 2007. The case was later dismissed on statute of limitations grounds.

## FATHER JOSEPH BOSETTI

### Victim #1

- i. Bosetti engaged in oral sex with Victim #1 at least 10 times over a 4- to 5-month period in the Denver Archdiocese's Chancery offices after grooming him by giving him money and other gifts.
- ii. Bosetti groomed and then sexually abused this victim beginning in late 1949 and continuing into 1950.
- iii. Victim #1 reported his sexual abuse in May 2002.
- iv. Victim #1 was a 16- to 17-year-old boy when Bosetti sexually abused him.
- v. Bosetti was the Chancellor of the Denver Archdiocese and the Cathedral Boys Choir Director when he abused Victim #1.
- vi. Bosetti's file does not indicate the Denver Archdiocese had received reports that he was engaging in sexual misconduct with children prior to his abuse of Victim #1. It is important to note here that his file also contained no evidence of Victim #1's direct and clear report of sexual abuse. We found this allegation documented in a different file, not Bosetti's; therefore, we are not confident that there was no other abuse by Bosetti or that the Denver Archdiocese did not know about it before Bosetti abused Victim #1.
- vii. N/A.
- viii. It is unclear whether Bosetti ever admitted or denied sexually abusing Victim #1. We are aware of no exculpatory evidence.
- ix. N/A (Bosetti was dead when Denver Archdiocese received this abuse report).
- x. N/A.
- xi. Bosetti died in 1954. Colorado's mandatory child sex abuse reporting statute was not amended to include clergy members until 1 month after Victim #1 reported his sexual abuse. Accordingly, the Denver Archdiocese neither investigated the abuse incident nor reported it to law enforcement. The Denver Archdiocese did maintain contact with Victim #1, though, who indicated that all he wanted was to report so there was a record of Bosetti sexually abusing him. The Denver Archdiocese thanked him, expressed its sorrow for his experience, and promised to "properly record and document [his] case" as he had asked. Despite that express promise, we found the record of Victim #1's sexual abuse allegation in a different file. It was nowhere properly recorded and documented in Bosetti's file.

## FATHER CHARLES BROWN

### Victim #1

- i. Brown sexually abused this altar server intermittently over a period of approximately 5 years, beginning when he was 13 years old. Brown had ingratiated himself with the boy's family, and the abuse began on a ski trip.
- ii. Brown sexually abused Victim #1 from approximately 1962 to 1966.
- iii. The abuse was first reported to the Denver Archdiocese on June 1, 2005, and again on November 1, 2005.
- iv. Victim #1 was a 13- to 17-year-old boy when Brown sexually abused him.
- v. Brown was an Assistant Pastor at St. Joseph Parish in Fort Collins when he abused Victim #1.
- vi. Brown's Denver Archdiocese file does not reveal any reports of him engaging in sexual misconduct with children before he abused Victim #1.
- vii. The Denver Archdiocese did not report Victim #1's abuse to law enforcement as required by Colorado law. The Denver Archdiocese eventually reported it to the Fort Collins Police Department but not until 7 years after Victim #1's family reported it to the Denver Archdiocese.
- viii. Brown voluntarily transferred from the Denver Archdiocese to the Archdiocese of Santa Fe in 1987. When this allegation surfaced in 2005, the Denver Archdiocese informed the Archdiocese of Santa Fe 7 weeks later. That Archdiocese interviewed Brown about the allegation, and he "convincingly" denied sexually abusing Victim #1. We are aware of no other exculpatory evidence, and we find the corroborating evidence outweighs Brown's "convincing" denial.
- ix. N/A (Brown was no longer a Denver Archdiocese priest when this allegation surfaced in 2005; therefore, the Denver Archdiocese had no authority over Brown's ministry or faculties).
- x. N/A.
- xi. Even under its interpretation of the law, the Denver Archdiocese was required by Colorado law to report this allegation to law enforcement immediately, and it did not. It appears the Denver Archdiocese told the victim's mother (who first reported the abuse) that it did not have enough information to file a police report but would file one when it got more information. The victim's mother then gave the Denver Archdiocese the victim's phone number. It is not clear whether the Denver Archdiocese ever called Victim #1 and requested the information the Denver Archdiocese claimed it needed to

file a report with the police. Seven years later, the Denver Archdiocese reported the abuse to the police even though it had even less information to report at that point than it had in 2005. The Denver Archdiocese apparently reported the abuse of Victim #1 to police in 2012 because the allegation was brought to its attention again by one of its own priests who knew Victim #1 in high school. But he had no new information about the abuse. In addition, by 2012 Victim #1 was no longer alive whereas in 2005 he was not only alive, but the Denver Archdiocese had his phone number. When the abuse allegation surfaced in 2012, the Denver Archdiocese again informed the Archdiocese of Santa Fe more quickly than it had in 2005. Brown had retired in 2002, and the Archdiocese of Santa Fe assured the Denver Archdiocese that Brown had no direct ministry to children.

In 2005 the Denver Archdiocese's response to this report apparently was informed by the fact that Brown was by then serving as a retired priest in the Archdiocese of Santa Fe, not in the Denver Archdiocese. As noted above, it therefore referred investigation of the matter to Santa Fe, and Santa Fe (not the Denver Archdiocese) interviewed Brown. But the Denver Archdiocese did offer counseling to Victim #1's family 2 months after they reported his sexual abuse. The Denver Archdiocese also offered a meeting with the Archbishop. Victim #1 had planned to report the full details of his sexual abuse to the Archbishop, but his health failed. Victim #1 died before they could meet. The Denver Archdiocese did not report Victim #1's sexual abuse to law enforcement at this point either. The Denver Archdiocese also notified Brown's resident Diocese in Santa Fe and fully informed it of the allegation, although it did not do so until 7 weeks after the victim's mother first reported. After Victim #1 passed away, the Archbishop met with his family (7 weeks after they first reported the abuse. Finally, as of April 2016 the family of Victim #1 was still asking the Denver Archdiocese for assurances about Brown's status and his danger to children. It is not clear from Brown's Denver Archdiocese file whether the Denver Archdiocese has been of assistance to Victim #1's family in that regard.

## **FATHER RAFAEL JAIRO CALLE**

### Victim #1

- i. Calle pulled the swimming suit off Victim #1 while playing in a swimming pool and attempted to fondle him.
- ii. Calle sexually abused Victim #1 in March 1997.
- iii. The abuse was reported to the Denver Archdiocese in March 1997.
- iv. Victim #1 was a 12-year-old boy when Calle abused him.
- v. Calle was an extern priest from Ecuador who had just arrived in the Denver Archdiocese 2 months before he sexually abused Victim #1. He was temporarily assigned to St. Stephen Parish in Glenwood Springs when he sexually abused Victim #1.

- vi. The Denver Archdiocese appears to have received no reports of Calle engaging in sexual misconduct with children before he abused Victim #1. In fact, it appears the Denver Archdiocese vetted Calle with his archdiocese in Ecuador and with the Archdiocese of Salt Lake before allowing him to serve in Colorado, and both those archdioceses endorsed Calle.
- vii. N/A.
- viii. When this child sex abuse was reported, the Denver Archdiocese immediately confronted Calle, and he did not deny abusing Victim #1; instead, he immediately fled Colorado. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese immediately interviewed Victim #1, his mother, and Calle himself. The Denver Archdiocese then immediately revoked Calle's temporary faculties, withdrew approval of permanent faculties, notified the Archbishop in Ecuador of the sexual abuse incident, issued an urgent bulletin to all priests in the Denver Archdiocese that Calle was not permitted to exercise any priestly functions, gave notice of the abuse incident to the 2 other dioceses in the United States where Calle had worked, and notified parishioners at 3 parishes on the western slope that Calle was not permitted to minister in Colorado.
- x. N/A.
- xi. As noted above, the Denver Archdiocese investigated the sexual abuse of Victim #1 immediately. The Denver Archdiocese also immediately ordered Calle to return to Ecuador and demanded that his archdiocese there obtain from him a statement answering this child sex abuse allegation. The Denver Archdiocese continued to pursue that statement, but it does not appear it was ever provided. The Denver Archdiocese also immediately offered counseling to Victim #1 and his family. But the Denver Archdiocese did not report Calle to law enforcement.

#### Victim #2

- i. Calle propositioned Victim #2 for sex while they were riding in a car.
- ii. Calle sexually abused Victim #2 in March 1997.
- iii. The abuse was reported to the Denver Archdiocese in March 1997.
- iv. Victim #2 was a 17-year-old boy when Calle sexually abused him.
- v. Calle was an extern priest from Ecuador who had just arrived in the Denver Archdiocese 2 months before he sexually abused Victim #2. He was temporarily assigned to St. Stephen Parish in Glenwood Springs when he sexually abused Victim #2.



- vi. The Denver Archdiocese appears to have received no reports of Calle engaging in sexual misconduct with children before he abused Victim #2. In fact, it appears the Denver Archdiocese vetted Calle with his archdiocese in Ecuador and with the Archdiocese of Salt Lake before allowing him to serve in Colorado, and both those archdioceses endorsed Calle.
- vii. N/A.
- viii. When this abuse was reported, the Denver Archdiocese immediately confronted Calle, and he did not deny abusing Victim #2; instead, he immediately fled Colorado. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese immediately interviewed Victim #2, his mother, and Calle himself. The Denver Archdiocese then immediately revoked Calle's temporary faculties, withdrew approval of permanent faculties, notified the Archbishop in Ecuador of the sexual abuse incident, issued an urgent bulletin to all priests in the Denver Archdiocese that Calle was not permitted to exercise any priestly functions, gave notice of the abuse incident to the 2 other dioceses in the United States where Calle had worked, and notified parishioners at 3 parishes on the western slope that Calle was not permitted to minister in Colorado.
- x. N/A.
- xi. As noted above, the Denver Archdiocese investigated the sexual abuse of Victim #2 immediately. The Denver Archdiocese also immediately ordered Calle to return to Ecuador and demanded that his archdiocese there obtain from him a statement answering this sexual abuse allegation. The Denver Archdiocese continued to pursue that statement, but it does not appear it was ever provided. The Denver Archdiocese also immediately offered counseling to Victim #2 and his family. But the Denver Archdiocese did not report Calle to law enforcement.

## **FATHER TIMOTHY EVANS**

Timothy Evans sexually abused 3 children from 1995 to 1990. The first victim reported his abuse to the Denver Archdiocese on February 27, 2003, and the Denver Archdiocese reported it to law enforcement. In November of 2005, Colorado law enforcement began to investigate the case, and Evans was subsequently charged for sexual assault of a child in both Larimer County and Jefferson County. On March 26, 2007, Evans was convicted in Larimer County on 3 counts of assault of a child by a person in a position of trust, as well as of a "pattern of abuse" charge. On April 9, 2007, he was also convicted of sexual assault of a child by a person in a position of trust in Jefferson County. He was laicized on May 3, 2013.<sup>6</sup> He is currently incarcerated in the

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<sup>6</sup> "Laicize" and "laicization" are the words the Catholic Church uses to describe the process for completely removing an ordained priest from the priesthood. Thus, when a priest has been "laicized," he no longer has any power or authority to perform any sacraments. The colloquial equivalent term, not by the Catholic Church, is "defrocked."

Colorado Department of Corrections serving sentences of 14 years to life, 2 years to life, and 4 years.

### Victim #1

- i. Victim #1 went to see Evans for private spiritual counseling. During the session, Evans asked the victim to lie down on the floor. Evans then lay down next to the victim, caressed his chest and body, and then reached into his underwear and touched his scrotum.
- ii. Evans sexually abused Victim #1 in 1995 or 1996.
- iii. Victim #1 reported his abuse to the Denver Archdiocese on February 27, 2003.
- iv. Victim #1 was a 16-year-old boy when Evans sexually abused him.
- v. Evans was the Parochial Vicar of the Spirit of Christ Parish in Arvada when he abused Victim #1.
- vi. In Evans's Denver Archdiocese files, there is no explicit prior allegation that Evans had engaged in sexual misconduct with children. However, there is strong evidence in his file that since his seminary formation years (1985 to 1993) the Denver Archdiocese knew about and failed to investigate serious and recurring personal relationship, boundary, and sexual issues that indicated he may engage in sexual misconduct with children:
  - a. Evans was sent home after his third year at North American College (NAC) in Rome (1989 to 1990), 2 years before completing his studies, because he made his fellow seminarians uncomfortable. He was characterized by his rector as "not suited for the seminary environment." His rector stated further that "[Evans is] too forceful in establishing friendships. He tends to 'move in' on the new men, threatening them and making them feel guilty if they do not respond as Tim wants them to respond."
  - b. A fellow seminarian at NAC took the Denver Archdiocese's Vicar for Clergy aside on a visit to Rome in January 1991 to confront a rumor that Evans would be returning to NAC, explaining that this news had sparked fear and agitation in his fellow seminarians. He further informed the Vicar for Clergy that Evans had inappropriately touched him during his time there — including putting his hands around his neck in a "choking fashion" and coming up behind him and putting his arms around his shoulders and neck. Evans also sexually harassed this seminarian. He once came into this seminarian's room with just a towel around his waist and said, "Did you miss me?" At the time, this classmate of Evans warned the Denver Archdiocese Vicar for Clergy, who relayed everything in a memo to the Denver Archbishop, that "Evans should not be ordained because he would misuse the priesthood in the parish. [I am] very concerned about his manipulation of relationships in his present parish and the damage that he could do."

- c. The Denver Archdiocese did nothing with this allegation. No other seminarians at NAC were interviewed, and Evans was not interviewed about the choking, grabbing, and harassment of a fellow seminarian. Nor does it appear that the Denver Archdiocese made any effort to have Evans psychologically evaluated or treated.
  - d. After Evans was asked to leave NAC in the spring of 1990, he was sent back to Denver to complete a “carefully supervised pastoral internship” with “special attention” paid to “relational dynamics.” During his first pastoral year, Evans’s supervising Pastor at Immaculate Heart of Mary Parish informed the Denver Archdiocese’s Vicar for Clergy and Archbishop in writing of 2 instances in which Evans had demonstrated inappropriate boundaries and judgment in relationships with teenage male parishioners. In the first instance, a high school boy (age 16) was injured and hospitalized. Evans visited him at the hospital for several hours each day, often spending his off-days there, and he became “consumed” with the boy. When asked about it, Evans became annoyed and defensive. The boy’s mother also contacted the Pastor about Evans spending so much time at the hospital, questioning the “appropriateness of its intensity.” In the second instance, Evans was assigned to assist teen boys on a project. He allowed them to come see him in an unstructured environment whenever they wanted, and he refused to see his own behavior as problematic.
  - e. The Denver Archdiocese made no effort to investigate either of the above allegations further. It did not interview the teens, Evans, or their parents. The Denver Archdiocese instead simply moved Evans to another parish for an additional pastoral year because the Pastor at Immaculate Heart of Mary concluded Evans was not yet ready for ordination. A year later, the Denver Archdiocese received a superficial evaluation of Evans declaring that his relationship problems were “fixed,” and all was well. The Denver Archdiocese then ordained him.
- vii. The Denver Archdiocese immediately reported Evans’s abuse of Victim #1 to the Arvada Police Department via telephone on March 4, 2003, followed by a written report on March 28, 2003.
  - viii. Evans did not deny the allegations initially; he simply refused to meet with Denver Archdiocese representatives or the Conduct Response Team and began communicating with the Denver Archdiocese exclusively through his canon lawyer. He later pleaded not guilty to abusing Victim #1. We are aware of no exculpatory evidence.
  - ix. At the time Victim #1 reported his abuse to the Denver Archdiocese, Evans was already on sabbatical in St. Louis, receiving treatment at the St. Louis Consultation Center after he sexually harassed an adult male at St. Elizabeth Ann Seton Parish. In response to Victim #1’s report of child sex abuse, the Denver Archdiocese took the additional steps of (1) formally revoking Evans’s faculties on March 4, 2003; (2) asking him to submit his formal resignation from his then-current pastor position; and (3) initiating a canonical investigation. Upon Evans’s return from St. Louis, the Denver Archdiocese placed additional restrictions on Evans. Specifically, in June of 2003 a Denver Archdiocese

official required Evans first to call him daily and then to meet with him monthly, to make sure he was not publicly celebrating the sacraments and had not had any contact with children.

The Congregation for the Doctrine of Faith in Rome concluded their canonical investigation and officially laicized Evans more than 10 years later, on May 3, 2013.

- x. N/A.
- xi. The Denver Archdiocese acted swiftly to remove Evans from ministry and report the sexual abuse of Victim #1 to law enforcement. However, the Denver Archdiocese did not inform Evans's current parish of the reason for his removal. The Denver Archdiocese convened the Conduct Response Team, interviewed the victim and his parents, and offered to pay them for counseling.

### Victim #2

- i. Victim #2 saw Evans for spiritual counseling during his senior year of high school. On one occasion Victim #2 met Evans at his office at Our Lady of Fatima Parish, and Evans asked him to participate in an exercise. He told the victim to remove all his clothing (not including underwear) and lie down on his back. Evans proceeded to caress the victim's body starting with his feet, moving all the way to his head. This lasted several minutes. Evans did not touch Faris's genitals or remove his underwear. At the end, Evans directed the victim to put his clothes back on and said he "shouldn't mention this to anyone because no one would understand."
- ii. Evans sexually abused Victim #2 in late 1996.
- iii. Victim #2 reported his abuse to the Denver Archdiocese on December 11, 2003.
- iv. Victim #2 was a 17-year-old boy when Evans sexually abused him.
- v. Evans was assigned as the Pastor of Our Lady of Fatima Parish in Lakewood when he sexually abused Victim #2.
- vi. In Evans's Denver Archdiocese files, there is no explicit prior allegation indicating Evans had engaged in sexual misconduct with children before he sexually abused Victim #2. As set forth above, however, there is evidence that the Denver Archdiocese knew before Evans abused Victim #2 that he may have.
- vii. The Denver Archdiocese reported Evans's sexual abuse of Victim #2 to the Lakewood Police Department via telephone on December 19, 2003, 8 days after Victim #2 reported it to the Denver Archdiocese.
- viii. As with Victim #1, Evans did not deny the allegations; he simply refused to meet with Denver Archdiocese representatives or the Conduct Response Team and communicated exclusively through his canon lawyer. We are aware of no exculpatory evidence.

- ix. N/A. (At the time Victim #2 came forward, Evans had already been removed from ministry, and he was laicized by Rome 10 years later.)
- x. N/A.
- xi. The Denver Archdiocese reported Evans's abuse of Victim #2 to law enforcement 8 days after receiving the allegation. The Denver Archdiocese convened the Conduct Response Team, interviewed the victim and his parents, and offered to pay for counseling.

### Victim #3

- i. Evans was a friend of Victim #3's family, and he hired Victim #3 at the parish. Evans groomed and manipulated the victim by telling him that he was a troubled teen not capable of loving unless he were to receive Evans's counseling; criticizing the victim in front of others and then starting the next counseling session with "let's work this out" and getting angry with the victim for not giving him gifts like other members of the parish.  
On more than one occasion during spiritual counseling sessions in the fall of 1998 and the spring of 1999, Evans physically wrestled the victim into a position where the victim was on the floor and Evans was sitting on him, pinning him down. From there, Evans attempted to caress the victim. Evans ran his hands up and down the victim's arms, saying things like "relax, relax, relax" and "the [C]hurch teaches this." In the early months of 1999, Evans hugged the victim goodbye and "forcefully grabbed" his buttocks on the outside of his pants. On one occasion in the spring of 1999, when Victim #3 was 17 years old, Evans took the victim to his rectory and gave him beer and cigarettes. Afterwards Evans wrestled with the victim, pinned him down on his bed, slid his left hand inside the victim's waistband, and groped Victim #3's genitals. On another occasion in the summer of 1999, Evans told Victim #3 that "the only way you can learn to love is to lay naked with me" and asked the victim to engage in mutual masturbation. Evans told Victim #3 "this is what normal people do."
- ii. Evans sexually abused Victim #3 from 1998 to 1999.
- iii. Victim #3 reported his sexual abuse to the Denver Archdiocese on February 23, 2004.
- iv. Victim #3 was a 17-year-old boy when Evans sexually abused him, and he may have turned 18 by the time of the last incident reported above.
- v. Evans was the Pastor of St. Elizabeth Ann Seton Parish in Fort Collins when he sexually abused Victim #3.
- vi. In Evans's Denver Archdiocese files, there is no explicit prior allegation indicating Evans had engaged in sexual misconduct with children before he sexually abused Victim #3. As set forth above, however, there is evidence that the Denver Archdiocese knew before Evans abused Victim #3 that he may have. In addition to the circumstantial evidence recited for Evans Victim #1 above, in 1997 the Denver Archdiocese received reports about what a priest psychologist later diagnosed as Evans's "boundary issues." Those

reports primarily accused Evans of sexual misconduct with adult women but also included a report that Evans had inappropriately “put his arms around the neck of” a boy.

- vii. The Denver Archdiocese reported Evans’s sexual abuse of Victim #3 to the Fort Collins Police Department via telephone on March 4, 2004, 9 days after it received Victim #3’s report. It later submitted a written report to the police.
- viii. As with Victims #1 and #2, Evans did not deny the allegations; he simply refused to meet with Denver Archdiocese representatives or the Conduct Response Team and communicated exclusively through his canon lawyer. Evans later pleaded not guilty to the charge that he sexually abused Victim #3. We are aware of no exculpatory evidence.
- ix. N/A (At the time Victim #3 came forward, Evans had already been removed from ministry, and Rome laicized him in May 2013.)
- x. N/A.
- xi. The Denver Archdiocese reported Victim #3’s sexual abuse to law enforcement 9 days after they received his report. The Denver Archdiocese convened the Conduct Response Team, interviewed the victim and his parents, and offered to pay for counseling. Following Evans’s 2007 criminal trial, Victim #3’s parents informed the Denver Archdiocese that there were 2 other victims whom the police had found during their investigation — victims who did not want to press charges. The Denver Archdiocese notified their insurance carrier of these 2 additional victims but did nothing to investigate their alleged abuse or contact them and offer the Conduct Response Team process, counseling, or other care. Victim #3 also filed a lawsuit against the Denver Archdiocese after Evans’s criminal trial was completed.

## **FATHER EDWARD FRACZKOWSKI**

### Victim 1

- i. Victim #1 grew up with Fraczkowski as her pastor and lived close to St. Michael’s parish. When she was approximately 9 or 10 years old, Fraczkowski started paying attention to the victim and making her feel special. He would invite her to the church to spend time with other children or with himself alone. Soon after, Victim #1 saw a typewriter at the church and told Fraczkowski she wanted to learn how to type. Fraczkowski told her he would teach her and invited her to come to the church when no one else was there. He then had Victim #1 sit on his lap. While Victim #1 was typing, Fraczkowski would pull his penis out and put it up between her legs (she always wore dresses). Fraczkowski did not talk about what he was doing and would encourage her to keep typing. At times, Victim #1 would feel a wet sensation between her legs. There were instances when Fraczkowski would touch her vaginal area. These incidents occurred on and off for 1 to 2 years. All of the sudden, Fraczkowski abruptly left the parish and she did not see him again.

- ii. Fraczkowski sexually abused Victim #1 between 1967 and 1969.
- iii. Victim #1 reported her abuse to the Denver Archdiocese on October 30, 2015.
- iv. Victim #1 was a 9- to 11-year-old girl when Fraczkowski sexually abused her.
- v. Fraczkowski was the Pastor at St. Michael's Parish in Craig when he sexually abused Victim #1.
- vi. According to the very few documents in Fraczkowski's file, the Denver Archdiocese had not received any reports of Fraczkowski engaging in sexual misconduct with children before he abused Victim #1.
- vii. N/A.
- viii. It is unclear whether Fraczkowski ever admitted or denied abusing Victim #1. We are aware of no exculpatory evidence.
- ix. N/A (Fraczkowski was dead when Victim #1 came forward.)
- x. N/A.
- xi. The Denver Archdiocese did not report Victim #1's sexual abuse to law enforcement and did not conduct an investigation of her report, presumably because Fraczkowski was already dead. Instead, the Conduct Response Team met with Victim #1 and offered to pay for counseling. The victim found the 7-person Conduct Response Team meeting to be an intimidating environment, but she did appreciate receiving apologies from the group after she shared her story. She did not accept the Denver Archdiocese's offer of counseling because she was already involved in other treatment programs.

## **FATHER NEIL HEWITT**

During his career as a Denver priest, Hewitt sexually abused a minimum of 8 children in 4 different parishes. Hewitt began his sexual abuse of young boys sometime between 1962 and 1965 when he was assigned to St. Anthony Parish in Sterling. While assigned there, Hewitt sexually abused 2 boys. Hewitt continued his predatory sexual behavior at each of his subsequent assignments. As a serial sexual predator, Hewitt used alcohol and pornography to groom his victims. He targeted boys in their early teens and would take them camping and on other "road trips" to isolate them from adult supervision. He provided them with alcohol to impair their judgment and lower their defenses. One of Hewitt's victims was driven to suicide as an adult. In his suicide note, this victim described the abuse he endured from Hewitt as a boy and how during the abuse he was "scared to death and afraid to move." The letter described the painful impact the sexual abuse had on his life, including his "tremendous guilt of going to hell," self-hatred, a hatred for homosexuals, and the loss of his religion and faith in God. Hewitt's sexual abuse of children as a priest ended when he voluntarily left the priesthood in 1979. The Denver Archdiocese did not receive any allegation that Hewitt had sexually abused children until 1992,

almost 13 years later. The Denver Archdiocese did not report that child sex abuse allegation to law enforcement. They also failed to report the second allegation they received in 2002 in the form of a victim's suicide note. The Denver Archdiocese finally reported both allegations to the Leadville Police Department in 2008. Hewitt was laicized in 2018.

In August 2019, during an interview with our investigators, Hewitt admitted to 7 of the 8 incidents of child sex abuse described below. Four of the incidents we report here were first uncovered by our investigation.

#### Victim #1

- i. Hewitt sexually abused Victim #1 multiple times over a period of 2 years while the victim was an altar server.
- ii. Hewitt sexually abused Victim #1 between 1975 and 1977.
- iii. Victim #1 first reported his abuse to the Denver Archdiocese in 1992.
- iv. Victim #1 was a 12- to 14-year-old boy when Hewitt sexually abused him.
- v. Hewitt was assigned to Annunciation Parish in Leadville when he abused Victim #1.
- vi. According to Hewitt's file, the Denver Archdiocese had not received any allegations that he had engaged in sexual misconduct with children before he abused Victim #1.
- vii. N/A.
- viii. Hewitt admitted to sexually abusing Victim #1. We are aware of no exculpatory evidence.
- ix. Hewitt had voluntarily withdrawn from the priesthood in 1979 due to his relationship with an adult woman whom he later married. His faculties were formally removed in 1980. In 2018 the Denver Archdiocese moved to laicize Hewitt.
- x. N/A (Hewitt's faculties had been removed for over 12 years when Victim #1 came forward).
- xi. The Denver Archdiocese received the allegation from Victim #1 in 1992, but it did not report his sexual abuse to law enforcement until 2008. In 1993, approximately 1 year after the allegation was first received from Victim #1, the Denver Archdiocese arranged for Victim #1 to meet with the Conduct Response Team. Also in 1993, the Denver Archdiocese created a fund to help Victim #1 pay for his counseling. Hewitt's faculties were removed in 1980, and he was laicized in 2018.



## Victim #2

- i. Victim #2 committed suicide in 1991. In his suicide letter, Victim #2 described Hewitt masturbating him during a trip to Canada, Hewitt getting Victim #2 drunk and having him hold Hewitt's penis, and during a trip to Denver Hewitt getting Victim #2 and 2 others drunk, getting into bed with Victim #2, and "playing with" him.
- ii. Hewitt sexually abused Victim #2 between 1967 and 1968.
- iii. Hewitt's abuse of Victim #2 was reported to the Denver Archdiocese in 2002.
- iv. Victim #2 was a boy in his early teens when Hewitt sexually abused him.
- v. Hewitt was assigned to Annunciation Parish in Leadville when he abused Victim #2.
- vi. According to Hewitt's file, the Denver Archdiocese had not received any allegations that he had engaged in sexual misconduct with children before he abused Victim #2.
- vii. N/A.
- viii. Hewitt admitted to sexually abusing Victim #2. We are aware of no exculpatory evidence.
- ix. Hewitt had voluntarily withdrawn from the priesthood in 1979 due to his relationship with an adult woman whom he later married. His faculties were removed formally in 1980. In 2018 the Denver Archdiocese moved to laicize Hewitt.
- x. N/A (Hewitt's faculties had been removed for over 22 years when Victim #2 came forward).
- xi. Victim #2 committed suicide in 1991, and the Denver Archdiocese received a copy of his suicide letter in 2002. It did not report his sexual abuse to law enforcement until 2008. Nor did it conduct any investigation of its own.

## Victim #3

- i. Hewitt sexually abused Victim #3 in 1967. While traveling, Hewitt shared a bed with Victim #3 in a motel. Hewitt took Victim #3's clothes off and tried to perform oral sex on Victim #3.
- ii. Hewitt sexually abused Victim #3 in 1967.
- iii. Hewitt's sexual abuse of Victim #3 was reported in 2017.
- iv. Victim #3 was a 14-year-old boy when Hewitt sexually abused him.
- v. Hewitt was assigned to St. Therese Parish in Aurora when he abused Victim #3.

- vi. According to Hewitt's file, the Denver Archdiocese had not received any allegations that he had engaged in sexual misconduct with children before he sexually abused Victim #3.
- vii. The Denver Archdiocese reported Victim #3's sexual abuse to the Denver Police Department in October 2017.
- viii. Hewitt admitted to sexually abusing Victim #3. We are aware of no exculpatory evidence.
- ix. Hewitt had voluntarily withdrawn from the priesthood in 1979 due to his relationship with an adult woman whom he later married. His faculties were removed formally in 1980. In 2018 the Denver Archdiocese moved to laicize Hewitt.
- x. N/A (Hewitt's faculties had been removed for over 37 years when Victim #3 came forward).
- xi. The Denver Archdiocese immediately reported Victim #3's child sex abuse allegation to the Denver Police Department in 2017. The Denver Archdiocese convened the Conduct Response Team, and Victim #3 met with the team. The Denver Archdiocese offered to fund a year of counseling for Victim #3. The Denver Archdiocese conducted no other investigation.

#### Victim #4

- i. Hewitt sexually abused Victim #4 in Hewitt's camper truck. Hewitt fondled him and tried to make Victim #4 perform oral sex on Hewitt.
- ii. Hewitt sexually abused Victim #4 between 1971 and 1972.
- iii. Victim #4 reported the abuse to the Denver Archdiocese in early 2019.
- iv. Victim #4 was an approximately 15-year-old boy when Hewitt sexually abused him.
- v. Hewitt was assigned to Annunciation Parish in Leadville when he abused Victim #4.
- vi. According to Hewitt's file, the Denver Archdiocese had not received any allegations that he had engaged in sexual misconduct with children before he sexually abused Victim #4.
- vii. N/A.
- viii. Hewitt has not admitted to sexually abusing Victim #4. We are aware of no exculpatory evidence.
- ix. Hewitt had voluntarily withdrawn from the priesthood in 1979 due to his relationship with an adult woman whom he later married. His faculties were removed formally in 1980. In 2018 the Denver Archdiocese moved to laicize Hewitt.

- x. N/A (Hewitt's faculties had been removed for over 39 years when Victim #4 came forward).
- xi. Victim #4 reported Hewitt's child sex abuse to the Denver Archdiocese in July 2019. It told Victim #4 that he needed to report it to the police before the Denver Archdiocese could act. Victim #4 did not report it to the police because of the potential embarrassment if people in his city found about the abuse. The Denver Archdiocese then offered to report it, but Victim #4 said he did not want it reported. In August 2019 both parties did apparently report this abuse to law enforcement. Victim #4 had no further contact with the Denver Archdiocese. It does not appear that the Denver Archdiocese conducted any investigation.

#### Victim #5

- i. On August 22, 2019, Hewitt admitted to sexually abusing Victim #5. Hewitt did not provide details regarding the abuse.
- ii. Hewitt sexually abused Victim #5 sometime between 1962 and 1965.
- iii. Victim #5's abuse was first reported to the Denver Archdiocese in October 2019.
- iv. Victim #5 was a boy under 18 years of age when Hewitt sexually abused him.
- v. Hewitt was assigned to St. Anthony Parish in Sterling when he abused Victim #5.
- vi. According to Hewitt's file, the Denver Archdiocese had not received any previous allegations that he had engaged in sexual misconduct with children before he abused Victim #5.
- vii. N/A.
- viii. Hewitt admitted to sexually abusing Victim #5. We are aware of no exculpatory evidence.
- ix. N/A (Hewitt voluntarily withdrew from the priesthood in 1979 due to his relationship with an adult woman whom he later married. His faculties were removed in 1980. In 2018 the Denver Archdiocese moved to laicize Hewitt).
- x. N/A.
- xi. The Denver Archdiocese received the report of Victim #5's sexual abuse in October 2019. We are told the Denver Archdiocese is currently responding to the report.

### Victim #6

- i. On August 22, 2019, Hewitt admitted to sexually abusing Victim #6. Hewitt did not provide details regarding the abuse.
- ii. Hewitt sexually abused Victim #6 between 1962 and 1965.
- iii. Victim #6's abuse was reported to the Denver Archdiocese in October 2019.
- iv. Victim #6 was a boy under the age of 18 when Hewitt sexually abused him.
- v. Hewitt was assigned to St. Anthony Parish in Sterling when he abused Victim #6.
- vi. According to Hewitt's file, the Denver Archdiocese had not received any previous allegations that he had engaged in sexual misconduct with children before he sexually abused Victim #6.
- vii. N/A.
- viii. Hewitt admitted to sexually abusing Victim #6. We are aware of no exculpatory evidence.
- ix. N/A (Hewitt voluntarily withdrew from the priesthood in 1979 due to his relationship with an adult woman whom he later married. His faculties were removed formally in 1980. In 2018, the Archdiocese moved to laicize Hewitt).
- x. N/A.
- xi. The Denver Archdiocese received the report of Victim #6's sexual abuse in October 2019. We are told the Denver Archdiocese is responding to it.

### Victim #7

- i. On August 22, 2019, Hewitt admitted to sexually abusing of Victim #7. Hewitt did not provide details regarding the abuse, other than that the victim was an altar server and the abuse occurred during Hewitt's first assignment at Annunciation Church in Leadville.
- ii. Hewitt sexually abused Victim #7 sometime between 1967 and 1969.
- iii. Victim #7's abuse was reported to the Denver Archdiocese in October 2019.
- iv. Victim #7 was a boy under the age of 18 when Hewitt sexually abused him.
- v. Hewitt was the Pastor of Annunciation Parish in Leadville when he abused Victim #7.

- vi. According to Hewitt's file, the Denver Archdiocese had not received any previous allegations that he had engaged in sexual misconduct with children before he abused Victim #7.
- vii. N/A.
- viii. Hewitt admitted to sexually abusing Victim #7. We are aware of no exculpatory evidence.
- ix. N/A (Hewitt voluntarily withdrew from the priesthood in 1979 due to his relationship with an adult woman whom he later married. His faculties were removed formally in 1980. In 2018 the Denver Archdiocese moved to laicize Hewitt).
- x. N/A.
- xi. The Denver Archdiocese received the report of Victim #7's sexual abuse in October 2019. We are told the Denver Archdiocese is responding to it.

Victim #8

- i. On August 22, 2019, Hewitt admitted to sexually abusing Victim #8. Hewitt did not provide details regarding the abuse.
- ii. Hewitt sexually abused Victim #8 between 1969 and 1972.
- iii. Victim #8's abuse was reported to the Denver Archdiocese in October 2019.
- iv. Victim #8 was a boy under the age of 18 when Hewitt sexually abused him.
- v. Hewitt was assigned to St. Ignatius Parish in Rangely when he abused Victim #8.
- vi. According to Hewitt's file, the Denver Archdiocese had not received any previous allegations that he had engaged in sexual misconduct with children before he sexually abused Victim #8.
- vii. N/A.
- viii. Hewitt admitted to sexually abusing Victim #8. We are aware of no exculpatory evidence.
- ix. N/A (Hewitt voluntarily withdrew from the priesthood in 1979 due to his relationship with an adult woman whom he later married. His faculties were removed formally in 1980. In 2018 the Denver Archdiocese moved to laicize Hewitt).
- x. N/A.

- xi. The Denver Archdiocese received the report of Victim #8's sexual abuse in October 2019. We are told the Denver Archdiocese is responding to it.

## **FATHER JOHN V. HOLLOWAY**

Holloway had a PhD in Psychology, and he appeared to use his skill in that field to systematically groom and then rape 6 boys in Roggen, Denver, Brush, and Loveland between 1962 and 1982. His grooming and child sex abuse stands out as the most calculated, horrific, and predatory we saw in our entire review. What also stands out is the Denver Archdiocese's ineffective response to all 6 victims over a long period of time. In the 1990s and early 2000s, the Denver Archdiocese's responses to these victims' sexual abuse allegations was harsh, adversarial, and manipulative of the victims. Not only did it never report any of Holloway's abuse to law enforcement, it never investigated any of it and then boldly pronounced it had no indication Holloway was a child sex abuser. Most notably, though, the Denver Archdiocese was still practicing this self-protective passivity about investigating child sex abuse allegations as late as 2017. When the most recent Holloway child sex abuse allegation was reported in 2017, the Denver Archdiocese assured the Vatican that the allegation was not substantiated, after making no effort to investigate it.

### Victim #1

- i. After grooming this freshman at Cathedral High School with special trips and special treatment at school, Holloway got him drunk then kissed and fondled him at the rectory in Sacred Heart Parish in Roggen.
- ii. Holloway sexually abused Victim #1 in 1962.
- iii. Victim #1 reported this abuse in April 2013.
- iv. Victim #1 was a 15-year-old boy when Holloway sexually abused him.
- v. Holloway groomed Victim #1 while he was the Assistant Pastor at Cathedral Parish in Denver. He sexually abused him when Holloway was the Pastor at Sacred Heart Parish in Roggen.
- vi. It does not appear that the Denver Archdiocese had received any reports of Holloway engaging in sexual misconduct with children before he sexually abused Victim #1.
- vii. N/A.
- viii. It is not clear whether Holloway ever admitted or denied sexually abusing Victim #1. We are aware of no exculpatory evidence.
- ix. N/A (The Denver Archdiocese took no action against Holloway because he was dead long before Victim #1 reported this abuse.)

- x. N/A.
- xi. The Denver Archdiocese responded to Victim #1's report of sexual abuse by listening to him and honoring his request that the Denver Archdiocese do nothing more. Victim #1 wanted only that the Denver Archdiocese hear about his experience, and it did.

### Victim #2

- i. Holloway began grooming Victim #2 when he was 12 years old and a patient at St. Anthony's Hospital in Denver. Holloway bought Victim #2 presents and fancy dinners, established a relationship with his parents, and told Victim #2 he loved him. He also sought to impress Victim #2 and his parents with his wealth, his alleged connections with celebrities, and his PhD in psychology. Holloway sexually assaulted Victim #2 once while the boy was spending the night at Holloway's house. Holloway gave Victim #2 alcohol and a sedative before abusing him.
- ii. Holloway sexually abused Victim #2 in 1967.
- iii. Victim #2 reported this abuse in January 2017.
- iv. Victim #2 was a 12-year-old boy when Holloway sexually abused him.
- v. Holloway was serving in residence at St. Anthony's Hospital in Denver when he sexually abused Victim #2.
- vi. It does not appear that the Denver Archdiocese had received any reports that Holloway had engaged in sexual misconduct with children before he sexually abused Victim #2.
- vii. N/A.
- viii. It is not clear whether Holloway ever admitted or denied sexually abusing Victim #2. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. Upon receiving this report of sexual abuse, the Denver Archdiocese quickly explained the Conduct Response Team process to Victim #2 and asked him to participate in a meeting with it. Victim #2 indicated that he was not emotionally ready to tell his story to a panel of Church personnel. The Denver Archdiocese then (about a month later) wrote Victim #2 a letter thanking him for his courage, recognizing his sorrow, and again offering a meeting with the Conduct Response Team. He did not respond, the Archdiocese stopped and did no investigation. This is consistent with the self-serving passivity we have seen in other cases. Even in 2017 the Denver Archdiocese believed the daunting burden of proving an allegation to the Conduct Response Team was on the victim alone.

Further, in this instance the Denver Archdiocese responded to an inquiry from Rome about Victim #2's report by saying, "whether this happened is unclear, as the file does not contain evidence that it did occur. What we have at this point is only [the victim's] description of the alleged abuse." What the Denver Archdiocese did not tell Rome is that it did no independent investigation to determine "whether this happened" before making this assertion. Nor did it consider how consistent Victim #2's report of sexual abuse was with the reports of the numerous other Holloway victims the Denver Archdiocese already knew about. Instead, once Victim #2 indicated it would be too emotionally difficult for him to meet in person, the Denver Archdiocese satisfied itself that it had written a compassionate letter, made no effort to independently investigate, and represented that Victim #2's allegation was unclear.

### Victim #3

- i. Holloway groomed this altar server and student at St. John the Evangelist Parish in Loveland. Then Holloway kissed and fondled Victim #3 and tried to remove his pants on 3 to 4 occasions. Holloway offered Victim #3 emotional support and a special relationship while the boy was having trouble with his family. Holloway took Victim #3 on long rides in his car and professed his special love for him. Holloway then sexually abused him at the parish offices.
- ii. Holloway sexually abused Victim #3 during the spring of 1972.
- iii. Victim #3 reported this abuse in April 1993.
- iv. Victim #3 was an 11-year-old boy Holloway sexually abused him.
- v. Holloway was the Associate Pastor at St. John the Evangelist Parish in Loveland when he groomed and abused Victim #3.
- vi. Victim #3's attorney asserted that Church officials at Holy Cross Parish in Thornton were told in 1969 that Holloway was engaging in sexual misconduct with children at that parish and that the Denver Archdiocese therefore removed Holloway from Holy Cross and transferred him. Holloway's next assignment was as Chaplain at the Mullen Home for the Aged for 18 months, before the Denver Archdiocese then transferred him to St. John Parish in Loveland. This transfer model (*i.e.*, removing a pastor from a parish after 1 year, transferring him away from children, then transferring him back into parish ministry as an assistant pastor at a geographically distant parish) is one the Colorado Dioceses and other Dioceses in the United States used in response to child sexual misconduct allegations against their priests. This stage of Holloway's career follows that model. However, we found nothing in the Denver Archdiocese's files corroborating this inference. The Denver Archdiocese files, though, do contain notes indicating that at a Church meeting in approximately 1972 another boy's mother raised the issue of Holloway sexually abusing her son. It is unclear whether any Church personnel were present at that meeting.



- vii. N/A.
- viii. It is not clear whether Holloway ever admitted or denied sexually abusing Victim #3. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. Holloway had been dead for almost 11 years when these incidents came to light; therefore, the Denver Archdiocese did not report the incidents to law enforcement. The Denver Archdiocese “offered to reach out pastorally” to Victim #3, including an offer to reimburse him for \$5,000 of counseling costs and pay him another \$5,000. Soon after receiving Victim #3’s report, the Denver Archdiocese also activated its Conduct Response Team process, but it did not conduct any investigation beyond hearing from the victim. Victim #3 considered the Denver Archdiocese’s response unsatisfactory. He sued the Denver Archdiocese a year after the Conduct Response Team meeting, and he reached a settlement with the Denver Archdiocese 7 months later. Victim #3’s experience with the Denver Archdiocese’s Conduct Response Team process and its response overall to his report of sexual abuse was negative. He did not feel heard, healed, or comforted. Instead he experienced the Denver Archdiocese as an adversary focused on protecting itself.

#### Victim #4

- i. Holloway groomed this altar server and student at St. John’s school for several months by letting him drink wine, being increasingly physically affectionate with him, taking him out to dinner, and paying him individual attention. Holloway also gradually began talking about his and the Victim #4’s “tent poles” (Holloway’s euphemism for penis). Eventually Holloway asked Victim #4 if he could see his tent pole. In response Victim #4 showed Holloway his penis, and Holloway tried to touch it. Holloway subsequently tried to induce Victim #4 to go on a camping trip with him and other altar servers, and Holloway explained the things they could do on the trip with their and his tent poles.
- ii. Holloway sexually abused Victim #4 in 1972.
- iii. Victim #4 reported the abuse in April 2002.
- iv. Victim #4 was a 12- to 13-year-old boy when Holloway sexually abused him.
- v. At the time of this incident, Holloway was an Associate Pastor at St. John the Evangelist Parish in Loveland where he was in charge of the altar servers.
- vi. We found no documentary evidence in the Denver Archdiocese’s files indicating it had received any reports of Holloway engaging in sexual misconduct with children before he sexually abused Victim #4. As set forth above, Victim #3 and his counsel asserted that

the Denver Archdiocese knew of Holloway's child sex abuse both in 1969 at Holy Cross Parish and in 1972 at St. John the Evangelist Parish. The Denver Archdiocese's pattern of assignments and transfers of Holloway was consistent with these assertions, but they are not corroborated by the Denver Archdiocese's files.

- vii. N/A.
- viii. It is not clear whether Holloway ever admitted or denied sexually abusing Victim #4. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. The Denver Archdiocese activated its Conduct Response Team process 5 weeks after Victim #4's report. Counsel for the Denver Archdiocese also rebuffed the victim with an apology but firm rejection of his claim on the basis of the statute of limitations and the existence of a Denver Archdiocese policy against sexual abuse of minors. After Victim #4 pressed forward and met with the Conduct Response Team, the Denver Archdiocese offered to pay for therapy but also observed that he was "essentially formed by the age of 12, that he was strong enough to resist any overture by Father Holloway, and that it was questionable whether" Holloway asked to see and tried to touch his penis. In addition, the Denver Archdiocese observed that it was questionable whether inviting him on a camping trip for more of the same "had any appreciable negative impact on him during his adult life." The Denver Archdiocese concluded this without investigating Victim #4's report.

Finally, the Denver Archdiocese carefully calibrated its response to Victim #4's concern whether the Denver Archdiocese knew Holloway was a danger to boys before transferring him to Loveland. Specifically, the Denver Archdiocese told Victim #4, "No members of the Conduct Response Team knew Father Holloway. [We] know of no record in which the Archdiocese was informed of any problems Father had with minors prior to his assignment to Loveland." This carefully worded statement avoided mention of earlier assertions made by Victim #3's attorney and Victim #3 himself that the Denver Archdiocese knew as early as 1969 and 1972 that Holloway was sexually abusing children. This statement also confirms that the Denver Archdiocese did no investigation other than a file review to determine whether there was a document showing prior notice about Holloway. It made no effort to find and talk to Church personnel or parishioners from Holy Cross or St. John to determine what if any reports had been made about Holloway's sexual abuse before he abused Victim #4. Yet it assured Victim #4 there were none. While the Denver Archdiocese undoubtedly did not want to voluntarily pursue evidence that could increase its legal exposure, it was nonetheless dishonest to promise parishioners that its Conduct Response Team thoroughly investigated sexual abuse allegations for their benefit when in fact it did not. The Conduct Response Team concluded Victim #4 was just seeking money, but it did offer to provide Victim #4 with counseling.

## Victim #5

- i. Holloway inappropriately hugged and touched this altar server and sixth grade student of Holloway's at St. John the Evangelist Parish in Loveland. He also groomed him during sixth and seventh grade and continuing into the summer after seventh grade when Holloway was transferred to St. Mary Parish in Brush. Holloway established a relationship around Victim #5's love of music, called him frequently, and eventually obtained permission to pick the boy up and drive him to the rectory at St. Mary's to spend the night. There Holloway asked the boy about his sexual experiences, had him remove his clothes, kissed him, and masturbated him. Holloway told the boy not to tell anyone, that it was "our special secret." Victim #5, based on his experiences, believed Holloway used his advanced training in psychology to identify, target, and manipulate vulnerable children who would not report him (and whose parents would not report him).
- ii. Holloway groomed and sexually abused Victim #5 between 1970 and 1972.
- iii. Victim #5 reported the abuse in June 1991.
- iv. Victim #5 was a 13-year-old boy when Holloway sexually abused him and 12 to 13 years old when Holloway groomed him.
- v. Holloway groomed Victim #5 while working as an Associate Pastor at St. John the Evangelist in Loveland. He sexually abused Victim #5 while he was the Pastor at St. Mary Parish in Brush.
- vi. We found no documentary evidence in the Denver Archdiocese's files indicating it had received any reports of Holloway's sexual misconduct with children before he sexually abused Victim #5. As set forth above, Victim #3 and his counsel asserted the Denver Archdiocese knew of Holloway's sexually abusive behavior both in 1969 at Holy Cross Parish and in 1972 at St. John the Evangelist Parish. The Denver Archdiocese's pattern of assignments and transfers of Holloway was consistent with these assertions, but they are not corroborated by the Denver Archdiocese's files. Also, the Denver Archdiocese told Victim #5 that Holloway's file "contains no sex complaints and no information that would even suggest he was capable of sex assault."
- vii. N/A.
- viii. It is not clear whether Holloway ever admitted or denied sexually abusing Victim #5. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. The Denver Archdiocese's response to Victim #5's report did not provide him with support or care; it intimidated and rebuffed him. Victim #5 reported his sexual abuse to

the Denver Archdiocese in June of 1991. The Denver Archdiocese wrote to him (after a delay) that because he sought money the Archdiocese needed to thoroughly investigate his claim. To that end, the Denver Archdiocese asked his permission (on signed legal forms) to talk to his sibling, his parents, his psychiatrist, and his current pastor. The Denver Archdiocese also said it needed the names of the 4 other Holloway victims at St. John Parish whom Victim #5 said he was aware of. Victim #5 agreed and returned the permission forms to the Denver Archdiocese promptly. After some delay, the Denver Archdiocese then requested a copy of Victim #5's entire psychiatric file. The psychiatrist refused, and Victim #5 negotiated a compromise, allowing the Denver Archdiocese to look at but not copy the entire file. Victim #5 also pointed out to the Denver Archdiocese that in its initial response to him, it had never said it needed to see all of Victim #5's psychiatric records. Prior to meeting, Victim #5 also provided the Denver Archdiocese, at its request, a plan for future therapy and a cost analysis for therapy. The Denver Archdiocese never talked to any of Victim #5's family, something it declared at the outset was a necessary investigative step. The Denver Archdiocese met with Victim #5 only once — over a year after he first reported his sexual abuse.

The Denver Archdiocese eventually paid Victim #5 for his therapy expenses. When Victim #5 asked whether the Denver Archdiocese knew Holloway was a child abuser before moving him to Loveland or Brush, the Denver Archdiocese refused to answer. Instead, it told him it was “available to provide a pastoral outreach [and] . . . appropriate support” only if Victim #5 asked no “further questions” and ceased focusing on “whether the secular world imposes or does not impose an obligation” to provide that support. Despite that admonishment and refusal to answer his question, Victim #5 offered to consult with the Denver Archdiocese and assist it in gaining a better understanding of sexual abuse victims. The Denver Archdiocese did not accept his offer. It also appears the Denver Archdiocese never responded to Victim #5's requests that it acknowledge responsibility for Holloway's sexual abuse and commit to referring future cases to law enforcement. Although the Denver Archdiocese promised to investigate his report, it never did. To Victim #5 all of this was inconsistent with the Denver Archdiocese's claim in its very first letter to him that it cared about victims and took reports of clergy child sex abuse seriously.

### Victim #6

- i. Holloway began grooming this altar server at Risen Christ Parish in Denver in 1980, and he anally and orally raped him in motels approximately 50 times thereafter. Holloway also forced Victim #6 to engage in unspeakable ritualistic sex acts at these motels, acts that are most appropriately described as torture. Holloway also fondled and engaged in masturbation with Victim #6 in cars, the sacristy, and elsewhere well over 100 times over a period of 2-and-a-half years. Prior to and during that time, Holloway groomed this vulnerable boy with special treatment, cards, calls, professions of love and protection, presents, long talks, alcohol, trips, and Holloway's “spiritual guidance.” This guidance was founded on Holloway's proclamation that Victim #6 was evil, and that his evil must be removed through these sexual rituals if Victim #6 wanted to go to heaven. Holloway also told Victim #6 they had a sacred, special relationship and that the boy would not go to heaven if he told anyone about it.

- ii. Holloway groomed and sexually abused Victim #6 from 1980 to 1982.
- iii. Victim #6 first reported his abuse to the Denver Archdiocese in February 1994.
- iv. Victim #6 was an 11- to 13-year-old boy when Holloway groomed and sexually abused him.
- v. Holloway was retired during the time he abused Victim #6 but still exercising his ministerial faculties at Risen Christ Parish in Denver.
- vi. Denver Archdiocese's files do not contain any documents indicating it was on notice of Holloway's sexually abusive behavior prior to his abuse of Victim #6 from 1980 to 1982. But as set forth above, the Denver Archdiocese's pattern of transferring Holloway and the allegations of Victim #3 indicate that the Denver Archdiocese may have been on notice since 1969 or 1972.
- vii. N/A.
- viii. It is not clear whether Holloway ever admitted or denied sexually abusing Victim #6. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. The Denver Archdiocese activated its Conduct Response Team process quickly, but it was slow to resolve Victim #6's claims. In addition, other than as necessary to defend itself in litigation, the Denver Archdiocese did no investigation of Victim #6's abuse.

## **FATHER DELISLE LEMIEUX**

### Victim #1

- i. Victim #1 was an altar server, and his parents were friendly with Lemieux. Lemieux invited Victim #1 on a 4-day weekend of fishing and golfing. Lemieux anally raped the victim 3 nights in a row and on the third night also orally raped him. Lemieux threatened Victim #1 that if he ever told anyone they would not believe him. He further threatened that he would make sure Victim #1's mother lost her job at the Church and that his family would lose their house if Victim #1 ever told anyone of the sexual abuse.
- ii. Lemieux sexually abused Victim #1 in approximately 1969.
- iii. Victim #1 reported his abuse to the Denver Archdiocese on July 24, 2017.
- iv. Victim #1 was a 13-year-old boy when Lemieux sexually abused him.

- v. Lemieux was a retired priest assisting at Notre Dame Parish in Denver when he sexually abused Victim #1.
- vi. Lemieux's Denver Archdiocese file does not contain documents indicating that the Denver Archdiocese was on notice Lemieux had engaged in any sexual misconduct with children before he sexually abused Victim #1 in 1969.
- vii. N/A.
- viii. It is unclear whether Lemieux ever admitted or denied sexually abusing Victim #1. We are aware of no exculpatory evidence.
- ix. N/A (Lemieux was dead when Victim #1 came forward).
- x. N/A.
- xi. The Denver Archdiocese activated the Conduct Response Team process in response to Victim #1's report. The Conduct Response Team met with Victim #1 and his wife. The Conduct Response Team found him "very credible," apologized, and offered to pay for counseling. The Denver Archbishop then contacted Victim #1 and later met with him in person. The Denver Archdiocese did not report this abuse incident to law enforcement.

## **FATHER JOHN J. MCGINN**

### Victim #1

- i. Victim #1 felt "very special" to McGinn, and he allowed her to go into the sacristy with him. On at least 2 occasions, McGinn "fondled [the victim] all over," over her clothing. During the second incident, the victim had "some sense that there was to be oral contact," but the housekeeper came in (then ran out), and McGinn told Victim #1 to go home.
- ii. McGinn sexually abused Victim #1 in approximately the late 1950s or early 1960s.
- iii. Victim #1 reported her sexual abuse to the Denver Archdiocese on August 24, 1994.
- iv. Victim #1 was an 8-year-old girl when McGinn sexually abused her.
- v. McGinn was the Assistant Pastor at St. James Parish in Denver when he sexually abused Victim #1.
- vi. McGinn's Denver Archdiocese file does not indicate that the Denver Archdiocese had received any allegation of McGinn engaging in sexual misconduct with children prior to his sexual abuse of Victim #1.
- vii. N/A.

- viii. McGinn denied sexually abusing Victim #1. We are aware of no other exculpatory evidence, and we find the corroborating evidence outweighs his denial.
- ix. The Denver Archdiocese did not place any restrictions on McGinn’s ministry after they received this allegation. Nor did they increase his supervision, limit his faculties, remove him from his parish, laicize him, or send him for psychiatric evaluation or care.
- x. McGinn continued in ministry at his parish without the Denver Archdiocese putting any measures in place to evaluate him, treat him, or protect children from him.
- xi. After receiving Victim #1’s report, the Denver Archdiocese activated the Conduct Response Team process. Victim #1 requested to first meet with a female representative, and she did. Then she was interviewed by the full Conduct Response Team. It did not report her abuse to law enforcement, and it did no investigation of its own. Approximately a year after Victim #1 reported her abuse, the Denver Archdiocese closed the case because in its view the “victim did not want to continue the investigation.” The Conduct Response Team had asked Victim #1 to come in and meet with McGinn to “discuss her concerns directly with [him],” and she had declined.

## **FATHER FRANCIS PETTIT**

### Victim #1

- i. Pettit sexually abused this girl when she was in grade school at St. Therese Parish numerous times. He sexually abused her in the rectory after taking her out of class.
- ii. Pettit abused Victim #1 in approximately 1963.
- iii. Pettit’s sexual abuse of Victim #1 was first reported by a witness to some of the abuse in 1989. It was reported by a person with secondhand knowledge in May of 2019.
- iv. Victim #1 was a girl under the age of 18 when Pettit sexually abused her.
- v. Pettit was assigned to St. Therese Parish in Denver when he abused Victim #1.
- vi. Pettit’s file does not indicate that, before he abused Victim #1, the Denver Archdiocese had received any reports of him engaging in sexual misconduct with children.
- vii. N/A.
- viii. It is unclear whether Pettit ever admitted or denied abusing Victim #1. We are aware of no exculpatory evidence.
- ix. N/A (Pettit was dead when Victim #1 came forward.)
- x. N/A.

- xi. A witness to some of Pettit's abuse of Victim #1 reported it to a Denver Archdiocese priest in 1989. That priest did not report it to anyone else at the Denver Archdiocese. Nor did he report it to law enforcement. Consequently, no investigation occurred. When her abuse was reported to the Denver Archdiocese again in 2019, it decided not to investigate or report to law enforcement because both Pettit and Victim #1 were dead.

## **FATHER JAMES RASBY**

### Victim #1

- i. Rasby fondled Victim #1's genitals.
- ii. Rasby sexually abused Victim #1 in 1975.
- iii. Victim #1 reported the abuse to the Assistant Pastor at the Cathedral of the Immaculate Conception Parish in 1975.
- iv. Victim #1 was a 13-year-old boy at the time Rasby sexually abused him.
- v. Rasby was the Rector of the Cathedral of the Immaculate Conception Parish in Denver when he sexually abused Victim #1.
- vi. There is no record in Rasby's Denver Archdiocese file indicating the Denver Archdiocese had received any reports of Rasby engaging in sexual misconduct with children before he abused Victim #1.
- vii. N/A.
- viii. After Victim #1 reported his sexual abuse to the Assistant Pastor, Rasby wrote a note to the latter that said, "You have every right to be mad at me" and "I will explain later." Later, Rasby told the Assistant Pastor he knew he had a problem and was getting counseling. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese took no action against Rasby. It did not remove him, transfer him, laicize him, restrict his faculties, or restrict his ministry.
- x. Again, the Denver Archdiocese did not take any steps to protect against future abuse by Rasby. Notably, even though he himself mentioned his need for counseling, the Denver Archdiocese did not send him for evaluation or counseling.
- xi. The Assistant Pastor and the Denver Archdiocese did nothing in response to Victim #1's report of sexual abuse. They did not report it to law enforcement. They did no investigation at all. 15 years later the Assistant Pastor mentioned it during an investigation of Rasby's sexual abuse of a teenage boy in 1990 (see Victim #2 below) but did not elaborate on or investigate the incident, and no one from the Denver Archdiocese asked him to. In 2003, the Conduct Response Team interviewed the Assistant Pastor in



connection with yet another investigation of Rasby (for the sexual assault of an adult male) and asked him about the 1975 sexual abuse of Victim #1. The Assistant Pastor provided the information included above and said that he was still in contact with Victim #1 from time to time (whenever Victim #1 called the Denver Archdiocese). According to the Assistant Pastor, on those occasions he had encouraged Victim #1 to seek counseling with the Denver Archdiocese's assistance, but the victim had refused.

## Victim #2

- i. Victim #2 was having a hard time after the death of his grandparents and stopped by the rectory at St. Vincent de Paul Parish to see Rasby. Rasby offered the victim a job as a Saturday receptionist at the parish. Shortly after the victim was hired, Rasby began grooming him by giving him "fatherly hugs" and kissing him on the cheeks. The victim also witnessed Rasby hugging and kissing the other parish secretary, who was an adult male.

Victim #2 told others about Rasby's "effeminate ways" and warned his 15-year-old male friend (who substituted for him in his secretary job) about Rasby's behavior, showing him where the letter opener was in case he needed to defend himself.

In late July 1990, Rasby invited Victim #2 to have breakfast with him at the beginning of his shift. When they were clearing their dishes, Rasby said, "Let me kiss you on the lips." Victim #2 said no, but Rasby kissed him on the lips anyway. This incident scared Victim #2 enough that he informed his parents of what had been happening, and his parents then contacted the Archbishop's office.
- ii. Rasby sexually abused Victim #2 between February and July of 1990.
- iii. Victim #2 reported the abuse to the Denver Archdiocese on August 6, 1990.
- iv. Victim #2 was a 16-year-old boy when Rasby sexually abused him.
- v. During the period of abuse, Rasby was assigned as the Pastor of St. Vincent de Paul Parish in Denver.
- vi. At the time he abused Victim #2, the Denver Archdiocese had known for at least 15 years that Rasby engaged in sexual misconduct with children.
- vii. N/A.
- viii. Rasby denied kissing Victim #2 on the lips and instead said that he had hugged him and kissed him on the cheeks in a "fatherly way." We are aware of no exculpatory evidence other than this self-serving denial, which we find is outweighed by corroborating evidence.
- ix. After Rasby sexually abused Victim #2, the Denver Archdiocese took the following actions against him: (1) it sent him for a psychological evaluation and required him to see that psychologist weekly; (2) it required him to see a spiritual director immediately; (3) it

required him to fire the adult male secretary (whom Victim #2 said he had seen Rasby hugging and kissing) and hire an adult female secretary instead; (4) it prohibited him from allowing boys in the rectory, employed in any way; and (5) when the school year began at St. Vincent de Paul School, it barred Rasby from being alone with small groups of students. There is no indication in Rasby's Denver Archdiocese file that anyone at the Denver Archdiocese in a position of authority over Rasby was charged with regularly and reliably monitoring, reporting on, or enforcing any of these restrictions. Similarly, it is unclear if they ever were enforced. It is clear, however, that one consequence of the restrictions was that Victim #2 was fired from his parish job.

- x. Rasby continued as Pastor of St. Vincent de Paul Parish until his retirement in 1995. Rasby offered to retire during the investigation in 1990, but the Denver Archdiocese did not accept his offer. It is not clear from his file whether the restrictions set forth above remained in place for those final 5 years of his career. It is also not clear whether he in fact was sent for psychiatric evaluation or therapy.
- xi. The Denver Archdiocese did not report Rasby's sexual abuse of Victim #2 to law enforcement. The Denver Archdiocese protected Rasby and fired the victim. The Denver Archdiocese investigated but left Rasby to police himself for the rest of his ministry. His faculties were not removed until 2003, after the Conduct Response Team determined he had sexually assaulted an adult male.

## **FATHER LEONARD SCEZNEY**

### Victim #1

- i. Victim #1 was an active member of the Spirit of Christ youth group and met Scezney when he was a new priest at the parish. Scezney singled the victim out, took her to dinner, and over the next couple of months became increasingly affectionate with her. As Scezney increased his affection and hugging of Victim #1, he progressed to fondling her breasts under her shirt. This happened on multiple occasions and would last several minutes. The abuse stopped when Victim #1 quit the youth group.
- ii. Scezney sexually abused Victim #1 in approximately 1985.
- iii. Victim #1's abuse was first reported to the Denver Archdiocese on March 22, 2007.
- iv. Victim #1 was a 16-year-old girl when Scezney sexually abused her.
- v. Scezney was the Assistant Pastor at Spirit of Christ Parish in Arvada when he sexually abused Victim #1.
- vi. Scezney's Denver Archdiocese file does not indicate the Denver Archdiocese had received any allegation that Scezney had engaged in sexual misconduct with children before he abused Victim #1.

- vii. The Denver Archdiocese did not report Victim #1's sexual abuse to law enforcement as required under Colorado law.
- viii. It is not clear whether Scezney ever admitted or denied abusing Victim #1. We are aware of no exculpatory evidence.
- ix. When Victim #1's abuse was reported to the Denver Archdiocese in 2007, Scezney did not have faculties in the Denver Archdiocese. The Denver Archdiocese had already removed them in 1992; therefore, in 2007 it took no further action against his ministry or faculties.
- x. N/A.
- xi. The Denver Archdiocese response to the report of Victim #1's abuse was to give her mother the Denver Archdiocese Victim Assistance Coordinator's phone number and ask Victim #1 herself to call. When Victim #1 did not call, the Denver Archdiocese did not investigate, report to law enforcement, or take any other action in response to this report of child sexual abuse.  
 Ten years later, in 2017, Victim #1's mother reported the abuse again. This time, the Victim Assistance Coordinator respectfully but persistently tried to establish contact with the victim herself. Nine months later Victim #1 agreed to share her story with the Conduct Response Team (in June of 2018). The Denver Archdiocese did no other investigation but did report her abuse to law enforcement in 2018.

## **FATHER JOHN HARLEY SCHMITT**

### Victim 1

- i. Schmitt removed Victim #1 from class when she was 8 or 9 years old and sexually abused her. Schmitt had Victim #1 sit on his lap and play with his penis.
- ii. Schmitt sexually abused Victim #1 during the 1963 to 1964 school year.
- iii. Victim #1 reported the abuse to the Denver Archdiocese on July 21, 2010.
- iv. Victim #1 was an 8- to 9-year-old girl when Schmitt sexually abused her.
- v. Schmitt was assigned to All Saints Parish in Denver when he abused Victim #1.
- vi. Schmitt's file does not indicate that the Denver Archdiocese had received, before he abused Victim #1, any notice that Schmitt had engaged in sexual misconduct with children.
- vii. The Denver Archdiocese reported Schmitt's sexual abuse of Victim #1 to the Denver Police Department on August 15, 2011, even though it was not required to report under Colorado law.

- viii. It is not clear whether Schmitt ever admitted or denied sexually abusing Victim #1. We are aware of no exculpatory evidence.
- ix. N/A (Schmitt had died in 2003).
- x. N/A.
- xi. The Denver Archdiocese reported Victim #1's allegation of sexual abuse to the Denver Police Department, albeit a year after she came forward. The Denver Archdiocese also flew Victim #1 to Denver so she could appear in front of the Conduct Response Team in January 2011. Victim #1 met with the Conduct Response Team, and the Conduct Response Team concluded Schmitt did not sexually abuse her. Flaws in the Denver Archdiocese's Conduct Response Team process are discussed in detail in Section A above. Those flaws caused the Conduct Response Team to reach the wrong decision about Victim #1's sexual abuse. First, the Conduct Response Team based its conclusion in part on the victim's statement that she had received shock treatment as a child. Because one member of the Conduct Response Team opined that shock treatment was not a common medical practice when Victim #1 was a child, the Conduct Response Team concluded Victim #1 was unreliable. Second, some Conduct Response Team members had the impression that at moments during the Conduct Response Team meeting Victim #1 "did not appear to be in touch with reality." In reaching this conclusion, they did not account for the stress and disorientation a child sex abuse victim struggles with when attempting to tell her story for the first time, alone, to an intimidating group of strangers in a strange place. Indeed, Victim #1 later reported she felt alone and "ganged up on" during the Conduct Response Team meeting.

Third, they held it against Victim #1 that she did not provide a more factually detailed account of her abuse. In finding fault with her for that, the Conduct Response Team overlooked that she had already relayed the precise facts she was comfortable sharing when she made her report initially to the Denver Archdiocese's Victim Assistance Coordinator. And they again overlooked the difficulties described above for a child sex abuse victim confronted by a panel of strangers probing about a private and painful memory. Fourth, the Conduct Response Team found it somehow made her sexual abuse report less credible that Victim #1 also discussed at length her anger at her mother and trauma she experienced in a car accident. Fifth, Victim #1's therapist (who did not attend the Conduct Response Team meeting) had asked before the meeting whether a victim advocate would be at the meeting to support Victim #1. The therapist was told there would be. What that meant, though, was not an advocate for Victim #1's interests but instead an employee of the Denver Archdiocese who had the words "victim assistance" in his title but otherwise did not support or advocate for Victim #1 and was not independent of the Denver Archdiocese. Despite not finding her credible, "out of charity" the Conduct Response Team recommended the Denver Archdiocese pay her for 6 months of counseling and issue her a letter of apology without implying Schmitt had sexually abused her.

## Victim #2

- i. When Victim #2 was 13 years old, Schmitt met with him once, alone, and instructed him to take his shirt off. Schmitt then hugged him and ran his hands over his bare torso.
- ii. Schmitt sexually abused Victim #2 in 1963.
- iii. Victim #2 reported the abuse to the Denver Archdiocese on March 16, 1993.
- iv. Victim #2 was a 13-year-old boy when Schmitt sexually abused him.
- v. Schmitt was assigned to All Saints Parish in Denver when he sexually abused Victim #2.
- vi. Schmitt's file does not indicate the Denver Archdiocese had received any notice that Schmitt had engaged in sexual misconduct with children before he abused Victim #2.
- vii. N/A.
- viii. Schmitt denied abusing Victim #2. We are aware of no other exculpatory evidence, and we find the corroborating evidence outweighs his denial.
- ix. At the time Victim #2 reported his abuse, Schmitt was retired and living in a senior home. He exercised his faculties only to minister at that senior home and at a local mortuary and cemetery. The Denver Archdiocese took no action to limit his faculties or ministry.
- x. The Denver Archdiocese did not direct Schmitt to seek evaluation or counseling, and the Denver Archdiocese allowed him to continue ministering at the senior home and mortuary and cemetery without restriction.
- xi. The Denver Archdiocese did not report Victim #2's abuse to law enforcement. The Denver Archdiocese represented to Victim #2 that it did everything in its power to pursue his complaint to the fullest extent possible. To the Denver Archdiocese that meant it reviewed Schmitt's personnel file and conducted one interview, of Schmitt. When he denied sexually abusing Victim #2, the Denver Archdiocese stopped there. Though the Denver Archdiocese's characterization of its investigation was exaggerated, it did accurately inform the victim that Schmitt was retired and not in a ministry that exposed him to children.

## **FATHER LAWRENCE ST. PETER**

St. Peter's Denver Archdiocese file presents a special unique challenge when compared to the 500-plus other files we reviewed. This challenge is best summed up by the words of a Denver Archdiocese Vicar for Clergy in his letter to a former Denver Archbishop, who inquired in 2013 about a different file issue:

“I specifically asked [a former Denver Archdiocese Vicar for Clergy] if he was aware of any sanitization of files done by Rev. Msgr. Lawrence St. Peter. [He] said he had heard those things happened, but it was only to those files related to Msgr. St. Peter’s file and no other particular file.”

St. Peter held high positions in the Denver Archdiocese Chancery Office from approximately 1982 to 1986, was the interim Administrator of the Denver Archdiocese (in essence, the “Acting Archbishop”) for a period of 7 months after that and continued on as Vicar for Clergy until 1988. Unlike Pastors, Parochial Vicars, Assistant Pastors, and the like, in all of those positions St. Peter had direct, unfettered access to his own personnel files. As the quote above confirms, it was widely rumored that St. Peter used that access to destroy incriminating documents in his own files. To be clear, though, we found no witness or document directly proving that. Instead what we found is strong circumstantial evidence. Specifically, the St. Peter file reflects sexual abuse he inflicted in the 1960s, 1970s, and 1980s. Yet all of the file records of that abuse were created in the 1990s. In other words, when an allegation that St. Peter had sexually abused a child in the 1970s resurfaced in 1993, the Vicar for Clergy at the time essentially recreated the story of St. Peter’s past sexual misconduct by talking to some of the people who had worked with him in the 1970s and 1980s. That recreation is reflected only in notes taken by hand, most of which were not typed up or included in formal reports. Several of the priests the Vicar for Clergy talked to recalled informing numerous Denver Archdiocese officials, including an Archbishop and 2 Auxiliary Bishops, about St. Peter’s sexually abusive behavior back in the 1970s and 1980s. But there are no contemporaneous records in St. Peter’s file of any such reports or of those officials’ responses to them. Those priests also recalled that St. Peter was sent for treatment twice in the mid-1970s. But again, there are no contemporaneous reports in his file about his psychological treatments or the specific events that precipitated them. It seems from the Vicar for Clergy’s 1993 interview records that everyone who came into close contact with St. Peter during his tenure, particularly other clergy, knew of his “alcohol problems” and “homosexuality problems.” Yet there are virtually no contemporaneous records reflecting those issues in his Denver Archdiocese file. The other priest files we reviewed do contain those kinds of contemporaneous records. This is what is unique about the St. Peter file. Understanding this backdrop, we present the 3 St. Peter victims whose sexual abuse stories do survive.

### Victim #1

- i. St. Peter began grooming Victim #1 when he was a sixth grader and altar server at St. John the Evangelist school. Approximately 2 years later, when Victim #1 was in eighth grade, St. Peter started sexually abusing him. The abuse included fondling, oral sex, and anal rape for approximately 4 years while Victim #1 was a minor. The abuse occurred on trips Victim #1 took with St. Peter to other parishes, where St. Peter would drink and decide to get a room. The abuse also occurred in the St. John’s rectory and at a house St. Peter lived in. Victim #1 felt he could not report the abuse because St. Peter was beloved by his family. Victim #1 also reported to the Denver Archdiocese that St. Peter sexually abused 2 of his brothers and another family member.
- ii. St. Peter sexually abused Victim #1 as a minor from 1963 through 1969.

- iii. Victim #1 reported his sexual abuse to the Denver Archdiocese in September 2019.
- iv. Victim #1 was a 12- to 17-year-old boy when St. Peter sexually abused him as a minor.
- v. St. Peter was an Assistant Pastor at St. John the Evangelist in Denver (now called Good Shepherd) when he sexually abused Victim #1
- vi. There is no evidence in St. Peter's file that the Denver Archdiocese had received any reports of St. Peter engaging in sexual misconduct with children before he abused Victim #1.
- vii. The Denver Archdiocese immediately reported Victim #1's allegation to the Denver Police Department.
- viii. It is unclear whether St. Peter admitted or denied sexually abusing Victim #1. We are aware of no exculpatory evidence.
- ix. N/A (St. Peter had been dead for 16 years when Victim #1 reported his abuse).
- x. N/A.
- xi. When Victim #1 reported to the Denver Archdiocese, the Victim Assistance Coordinator focused on collecting the facts and offering pastoral care. It also immediately reported to law enforcement. The Denver Archdiocese just received Victim #1's report of abuse in September 2019, and we are not aware what if any other steps it has taken in response.

### Victim #2

- i. St. Peter sexually abused this parish employee and parish high school student twice, both times while Victim #2 was at work. First, St. Peter hugged Victim #2, forcibly restrained him, unbuttoned his pants, and fondled his genitals. The next day St. Peter tried to convince Victim #2 that nothing had happened. Second, about a month later, St. Peter grabbed Victim #2's neck, squeezed and rubbed his chest, forcibly restrained him, and tried to grab his genitals.
- ii. St. Peter sexually abused Victim #2 in 1975.
- iii. Victim #2 reported his sexual abuse to Denver Archdiocese personnel immediately, in 1975. After the first abusive encounter with St. Peter, the victim told his high school teacher and another Holy Family priest what St. Peter had done to him. That priest referred the victim to a counselor affiliated with the Denver Archdiocese and told him to stay away from St. Peter. The priest and the teacher also reported Victim #2's sexual abuse to the Denver Archdiocese Vicar for Education and asked him to report it to the Archbishop. The teacher also reported it to a Bishop. Another rectory employee who heard about this sexual abuse directly from Victim #2 also reported it to a second Bishop and asked that Bishop to take action. Twenty years later, on February 11, 1993, a witness

in whom Victim #2 had confided back in 1980 also reported this abuse to the Denver Archdiocese.

- iv. Victim #2 was a 15- to 16-year-old boy when St. Peter sexually abused him.
- v. St. Peter was the Pastor at Holy Family Parish in Denver when he sexually abused Victim #2.
- vi. Despite the limitations of St. Peter's file, there is overwhelming evidence that the Denver Archdiocese was fully on notice before St. Peter abused Victim #2 that St. Peter had previously engaged in sexual misconduct with children. The interviews the Denver Archdiocese Vicar for Clergy conducted in the 1990s reveal that St. Peter's sexual misconduct with children was an open secret within the Denver Archdiocese at least as of the early 1970s. One priest reported that when St. Peter came to join him at Holy Family in 1972 he heard "at least 10 seminarians, boys, and young men refer to Fr. St. Peter as 'disturbed,' 'the biggest fag in Denver,' someone 'putting the make on guys,' etc." In the next few years (between 1972 and 1974), the same priest reported that "about seven or eight high school boys and young men told me that they had been approached sexually or fondled by Fr. St. Peter." The same priest also said that in 1973, 2 years after St. Peter had arrived as Pastor of Holy Family, there were "rumors starting up," and "adult parishioners getting suspicious about his sexuality." The same priest further stated that in 1974 or 1975 he told a Denver Archdiocese Chancery official about St. Peter's sexual abuse and begged him to tell the Archbishop. Consistent with all these reports known to Denver Archdiocese personnel before St. Peter abused Victim #2, in 1970 a priest and the Rector at St. Thomas seminary received firsthand reports from 2 seminarians that St. Peter had raped one of them that spring.
- vii. N/A.
- viii. St. Peter denied that he had sexually abused Victim #2. He wrote a letter to the Denver Archdiocese following his discharge from a psychological treatment center in 1993 to refute the contents of their report. In this letter he denied having admitted to sexually abusing Victim #2 earlier: "I was both surprised and very angry that St. Luke's would say that I admitted to the allegations when I most certainly did not." We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese did not remove, transfer, reassign, or laicize St. Peter after Victim #2 reported his sexual abuse. Nor did the Denver Archdiocese place additional supervision on St. Peter. Nor did the Denver Archdiocese restrict St. Peter's ministry or faculties or access to boys in any way.
- x. After St. Peter sexually abused Victim #2, the Denver Archdiocese sent him to St. Michael's Community in St. Louis, Missouri for evaluation and treatment from approximately May through July of 1976. It is not clear whether this was in response to Victim #2's sexual abuse report. It is also unclear whether his sexual misconduct was a focus of care, evaluation, or treatment. St. Peter told others he was going off to be treated



for alcohol abuse. Church personnel who had observed and reported his sexual misconduct assumed he was being evaluated and treated for that too, but that may not be the case: in 1991 a Denver Archdiocese psychologist who examined St. Peter noted that it appeared his sex abuse behavior had never “been dealt with in a professional way.” Regardless, St. Peter was at St. Michael’s for 6 to 8 weeks, after which he was restored to his position as Pastor at Holy Family Parish in Denver with no additional supervision and no restriction whatsoever on his faculties, his ministry, or his access to boys. St. Peter’s file also has some indication that he may have been sent back to St. Michael’s in March 1977. Whether or not he was, in 1977 the Denver Archdiocese again placed no supervision, ministry, faculties, or access-to-boys restrictions.

In February 1993 the Denver Archdiocese again sent St. Peter for in-patient treatment at St. Michael’s. St. Peter remained at St. Michael’s for 6 months. Afterward the Denver Archdiocese gave him 2 options: (a) resign, retire on medical disability, and leave town; or (b) participate in a canonical investigation of his sexual misconduct. St. Peter opted for the former and resigned from his pastorate at Risen Christ Parish in July 1993, and his faculties were removed. The Denver Archdiocese told parishioners that he was struggling with alcoholism and depression and was going on medical leave. The Denver Archdiocese did not inform parishioners about any of St. Peter’s sexual abuse history.

- xi. Since at least 1970, the Denver Archdiocese had received numerous, reliable, consistent reports that St. Peter was sexually abusing children. The Denver Archdiocese never passed a single one of those reports on to law enforcement even though St. Peter was alive and actively abusing children when Denver Archdiocese officials received them. Nor did the Denver Archdiocese actually investigate any of these reports itself until 1993. At that time the Denver Archdiocese did activate its Conduct Response Team process and investigate by interviewing numerous knowledgeable witnesses about St. Peter’s sex abuse, dating all the way back to the 1970s. Again, none of these witnesses’ numerous reports were recorded by any of the many Denver Archdiocese officials who made them or received them at the time. Or they *were* recorded, and those records were removed from St. Peter’s file.

### Victim #3

- i. St. Peter sexually abused Victim #3, a teen parishioner, well over a dozen times. St. Peter forced Victim #3 to give him backrubs while St. Peter was naked in his rectory bed (and at a mountain cabin) and fondled Victim #3’s genitals.
- ii. St. Peter sexually abused Victim #3 when he was a minor between the years 1978 and 1980.
- iii. Victim #3’s abuse was reported to the Denver Archdiocese on November 18, 1994.
- iv. Victim #3 was a 15- to 17-year-old boy when St. Peter sexually abused him.

- v. St. Peter served as the Pastor at Holy Family Parish and the President of Holy Family High School while he was abusing Victim #3.
- vi. As stated above, the Denver Archdiocese had received multiple reports that St. Peter was sexually abusing children prior to his abuse of Victim #3. The Denver Archdiocese's handwritten notes from its 1993 investigation also refer to a "teenage adolescent" victim from the 1980s: "teen vague allegation/'horsing around' = ? sexually 17-yr-old." This note is not explained anywhere else in St. Peter's file. St. Peter himself also referenced an allegation that he had sexually abused a 14-year-old boy in 1982, which came up during his treatment at the St. Luke Institute in 1993. It is not clear when the Denver Archdiocese first received this allegation, or whether it refers to Victim #3.
- vii. N/A.
- viii. It is not clear whether St. Peter ever admitted or denied Victim #3's allegation. In 1993 Victim #3 wrote a letter to St. Peter threatening to turn him into the police if he ever contacted him again. (After sending this letter, Victim #3 never heard from St. Peter again.)
 

In a letter to the Denver Archdiocese in 1993, responding to a psychologist's report, St. Peter addressed an unknown earlier allegation that may or may not concern Victim #3: "The therapist referred to what you had told her that there was a report that something happened with a 14-year-old boy in 1982. I told her I knew nothing of that. I then said, as I told you, maybe it was referring to a 'rough-housing' incident with a junior in high school at an earlier time and that's all it was — 'rough-housing.' If something like she's implying [happened] in 1982 do you think Archbishop Casey would have appointed me Vicar for Priests that year?" He further insisted that his earlier treatment was for alcoholism only, "not what [the therapist] states," and concluded, "Those are serious errors that are very upsetting and so especially because they are in writing."

We are aware of no exculpatory evidence.
- ix. St. Peter was already on medical disability retirement, without faculties, when Victim #3's abuse was reported. The Denver Archdiocese did not move to laicize him.
- x. The Denver Archdiocese did not require St. Peter to participate in additional counseling of any kind after Victim #3's allegation was reported. He had already been sent to multiple treatment centers 1 year earlier for sexually abusing Victim #2 and adult male victims.
- xi. Victim #3's parents reported their son's abuse to the Denver Archdiocese. At that point St. Peter was on medical disability retirement without faculties. The Denver Archdiocese told Victim #3's parents to encourage their son to come forward; otherwise, there was nothing the Denver Archdiocese could do. The Vicar for Clergy called Victim #3, and Victim #3 did not return his call. According to Victim #3, he was never contacted by anyone at the Denver Archdiocese. The Denver Archdiocese did not report Victim #3's sexual abuse to law enforcement.

## FATHER JOHN STEIN

### Victim #1

- i. Victim #1 was an altar server at St. Catherine's in Iliff. Stein groomed Victim #1 by taking him on overnight trips, telling him that he was a "special kid," giving him back rubs, and letting the victim drive his car. When the grooming advanced to sexual abuse, Victim #1 said that Stein "sodomized [him] about twice a week," "played with him," and sometimes gave him alcohol before sexually abusing him. Stein told Victim #1 not to tell anyone, that ordinary people would not understand.
- ii. Stein sexually abused Victim #1 over a period of 3 years, approximately 1953 through 1956.
- iii. Victim #1 reported the abuse to the Denver Archdiocese on September 6, 1991.
- iv. Victim #1 was a 10- to 13-year-old boy when Stein sexually abused him.
- v. Stein was the Administrator of St. Catherine of Siena Parish in Iliff when he sexually abused Victim #1.
- vi. Before Stein sexually abused Victim #1, the Denver Archdiocese knew he had abused other boys. Specifically, in May of 1946 Stein was arrested in Golden and charged with "taking indecent liberties with a boy six years of age." Before the arrest, local police had been informed that there was a man in the community "making indecent proposals to boys," and the description fit Stein. He was convicted and sentenced to 18 months in prison. The Denver Archdiocese bailed Stein out of jail, worked to minimize publicity, and ultimately won an exception for him so that he did not have to serve that sentence. The Denver Archbishop and Vicar General both wrote letters to the District Attorney and the judge requesting that Stein be released into their custody on probation. The Archbishop opined, "This is not the case of a habitual sinner but an isolated aberration which will not be repeated." The Vicar General promised, "Should it be considered your judgment that the man needs surveillance, may I submit that the Church has means of seeing that he is kept under constant surveillance for a period of probation either by institutionalization or by placing him in [the] charge of an older man who will be responsible for his conduct." The judge agreed, and Stein was released into the care of the Archbishop on 2 years' probation. Many other letters from Denver Archdiocese personnel in the 1940s confirm the Denver Archdiocese knew well before he sexually abused Victim #1 that Stein was known to sexually abuse boys. For example, the Pastor in Stein's parish and a future Denver Archdiocese Auxiliary Bishop wrote, "I said at the time that [Stein]... should be put into an institution. He seemed to lack all sense of responsibility."
- vii. N/A.

- viii. The Denver Archdiocese never informed Stein of Victim #1's allegation or tried to interview him. Victim #1 later confronted Stein himself and reported that Stein admitted he abused Victim #1 (but did not apologize). We are aware of no exculpatory evidence.
- ix. At the time Victim #1 reported his abuse (September of 1991), Stein had already been laicized (in November 1958), so the Denver Archdiocese could place no further restrictions on him.
- x. N/A.
- xi. The Denver Archdiocese never investigated Victim #1's abuse report even though Stein was still alive when he came forward. The Denver Archdiocese never reported the abuse to law enforcement. Instead, the Denver Archdiocese repeatedly told Victim #1 that it was there to "reach out in a pastoral way." Victim #1 was unhappy with this response. The Conduct Response Team met with Victim #1 in 1996. Eventually the Denver Archdiocese paid him a limited settlement amount after requiring him to produce records to prove his therapy costs.

#### Victim #2

- i. Stein sexually abused Victim #2 for 2 years.
- ii. Stein abused Victim #2 from 1954 through 1955.
- iii. Victim #2's wife initially reported the abuse to the Denver Archdiocese in a letter received on May 6, 2002.
- iv. Victim #2 was a 13- to 15-year-old boy when Stein sexually abused him.
- v. Stein was the Administrator of St. Catherine of Siena Parish in Iliff when he sexually abused Victim #2.
- vi. As described above, the Denver Archdiocese was well aware before Stein sexually abused Victim #2 that Stein was a child sex abuser.
- vii. N/A.
- viii. It is unclear whether Stein ever admitted or denied abusing Victim #2. We are aware of no exculpatory evidence.
- ix. N/A (Stein died at approximately the same time Victim #2's sexual abuse was reported).
- x. N/A.
- xi. The Denver Archdiocese responded to this abuse report in 2002 by sending Victim #2 information about the Conduct Response Team process and inviting him to contact the

office. It does not appear the Denver Archdiocese conducted any investigation. Then 17 years later, in 2019, the Archbishop wrote Victim #2 an apology letter. The Denver Archdiocese did not report the abuse of Victim #2 to law enforcement in 2002 because Stein was dead. But in on February 27, 2019 the Denver Archdiocese did report it to the Sterling Police Department, even though Stein had been dead 17 years longer by then.

### Victim #3

- i. In 1956 Stein was arrested a second time for having “illicit relations with [a] boy many times for two years.” Stein frequently drove to Sterling, not wearing his clerical garb, and took Victim #3 to movie theaters and pool halls, gave him alcohol, and molested him. Victim #3 said the molestation (which he described to the Sterling police as “playing with private parts”) happened every time Stein met up with him. The contemporaneous police report stated that Victim #3 “was physically and nervously disturbed because of the treatment.” The police report stated further that “[i]t is known that Stein drank with other boys and was possibly involved sexually. Further complaints may substantiate it.”
- ii. Stein sexually abused Victim #3 from 1954 through 1956.
- iii. Victim #3 reported the abuse on July 13, 1956.
- iv. Victim #3 was a 10- to 12-year-old boy when Stein sexually abused him.
- v. Stein was the Administrator at St. Catherine of Siena Parish in Iliff when he sexually abused Victim #3.
- vi. The Denver Archdiocese had known for 10 years before Victim #3’s abuse that Stein was a convicted child sex abuser whom it had promised a court to control but failed to do so.
- vii. N/A.
- viii. Stein openly and repeatedly confessed to sexually abusing Victim #3, admitting he knew he had “no will power, especially with [his] thoughts concerning young boys.” We are aware of no exculpatory evidence.
- ix. Following Stein’s arrest for sexually abusing Victim #3, the Archbishop removed him from ministry entirely and sent him to Mt. Airy Sanitorium in Denver. After a month there, he went to live at the Alexian Brothers Sanitarium in Oshkosh, Wisconsin. Six months later, Stein was expelled from there, and the Denver Archdiocese sent him to Via Coeli, a religious community operated by the Servants of the Paraclete in Jemez Springs, New Mexico. While Stein was at Via Coeli, in March of 1957, the Denver Archbishop began the process of laicizing Stein. He was formally laicized a year and a half later, on November 19, 1958.
- x. N/A.

- xi. The Denver Archdiocese responded to Victim #3's abuse by sending their legal counsel to Sterling to convince local law enforcement to drop the charges. The Denver Archdiocese knew that because it was a second offense, Stein would be required to serve a mandatory 1-year-to-life sentence in prison, and it was motivated to avoid the scandal that would bring on the Church. The Sterling Police Department, informed of Stein's prior conviction, agreed to release Stein as long as he left Sterling permanently. The Denver Archdiocese's legal counsel took Stein directly to Mt. Airy Sanatorium in Denver. They did so despite their admissions later that they knew at the time Stein had plainly violated Colorado's criminal laws. By helping him avoid criminal justice, the Denver Archdiocese exposed other children to sex abuse by Stein. Indeed, his file reflects that he sexually abused at least 4 victims in New Mexico after the Denver Archdiocese got his charges for abusing Victim #3 dismissed.

## **FATHER GEORGE WEIBEL**

### Victim #1

- i. Weibel fondled Victim #1 at least once while swimming in the Glenwood Springs pool during a field trip.
- ii. Weibel sexually abused Victim #1 in 1966.
- iii. Victim #1's abuse was reported in March 2014.
- iv. Victim #1 was a 12-year-old girl when Weibel sexually abused her.
- v. Weibel was the Pastor of Nativity of Our Lord Parish in Broomfield when he sexually abused Victim #1.
- vi. Weibel's Denver Archdiocese file does not indicate the Denver Archdiocese had received reports of Weibel engaging in sexual misconduct with children before he abused Victim #1.
- vii. The Denver Archdiocese reported Victim #1's abuse to the Glenwood Springs Police Department immediately.
- viii. It is unclear whether Weibel ever admitted or denied abusing Victim #1. We are aware of no exculpatory evidence.
- ix. N/A (Weibel was dead when Victim #1 came forward).
- x. N/A.
- xi. The Denver Archdiocese immediately reported Victim #1's abuse to law enforcement, but it conducted no investigation of her report. It offered a meeting with the Conduct Response Team, but Victim #1 declined.

## Victim #2

- i. Weibel fondled Victim #2, along with other girls, in the Glenwood Springs pool while he “taught girls to float and swim.” He also fondled Victim #2, and her friends, on ice-skating trips where he “taught them to skate.”
- ii. Weibel sexually abused Victim #2 between 1969 and 1972.
- iii. Victim #2 reported her abuse in 1988.
- iv. Victim #2 was a girl under the age of 18 when Weibel sexually abused her.
- v. Weibel was the Pastor at Holy Family Parish when he sexually abused Victim #2.
- vi. Weibel’s Denver Archdiocese file does not indicate the Denver Archdiocese had received reports of Weibel engaging in sexual misconduct with children before he abused Victim #2. That, however, does not mean the Denver Archdiocese did not know he was a child abuser before he abused Victim #2. This is not pure speculation on our part. We say it because Weibel’s Denver Archdiocese file did not even contain the document recording this sexual abuse incident involving Victim #2. We found this incident recorded in a document in the file of a different priest — the one who received the immediate report from Victim #2 in 1988. He never reported her sexual abuse to higher Denver Archdiocese authorities, and to this day there is still no copy of Victim #2’s report in Weibel’s own Denver Archdiocese file.
- vii. N/A.
- viii. It is unclear whether Weibel admitted or denied sexually abusing Victim #2. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese took no action against Weibel because the priest to whom the victim reported her sexual abuse did nothing. He did not report it to Denver Archdiocese authorities, and he did not even record her report until years later. As a result, the Denver Archdiocese did not take any action against Weibel. This is a good example of a phenomena we saw manifest elsewhere in our review and investigation. Specifically, there was a deeply rooted culture in the Colorado Dioceses that discouraged priests from “ruining the careers of their brothers” by reporting their sexual abuse of children. The priest who took — and failed to report or record — Victim #2’s accusation against Weibel later candidly admitted he was good friends with Weibel and could not bring himself to report against him. We are not convinced that this culture has completely changed even with the increased and current emphasis and training on child sex abuse mandatory reporting obligations described above in Section A. Here, the priest who originally received Victim #2’s report waited years to tell anyone about it. When he did, it was late in his career when the guilt he carried about failing to report this and at least 7 other clergy child sex abuse incidents finally drove him to catalogue all those reports in a 12-page letter to the Archbishop during Lent in 1993. This dynamic in the Colorado

Dioceses was a severe impediment to the protection of children, and it is one the Colorado Dioceses are not done addressing.

- x. Again, the Denver Archdiocese was not able to take any steps to protect children from further sexual abuse by Weibel because its priest who received Victim #2's report did not tell anyone or record it for years, and the Denver Archdiocese did not even file that record in Weibel's own file.
- xi. The recipient of Victim #2's report did not communicate it to anyone in authority, either the Denver Archdiocese or law enforcement; therefore, there was no law enforcement involvement, no investigation, and no care for the victim.

## **FATHER ROBERT WHIPKEY**

### Victims #1-4

- i. Whipkey chaperoned a group of sixth grade boys from St. Anthony's Parish School on an outdoor educational camping experience at Sanborn Camps in Florissant during the camp's off-season. Whipkey shared a cabin with 4 sixth-grade boys. The boys slept in one room (all on top bunks), and Whipkey slept in the other. The rooms were divided by a central bathroom. Each day of the trip, 4 days total, Whipkey slept naked, woke up, shaved, and brushed his teeth naked in the shared bathroom with the door open. The boys saw Whipkey, and he conversed with them during his naked morning routine. On at least 1 of the 4 mornings of the trip, Whipkey walked into the boys' sleeping area naked and put shaving cream on the faces of 1 or more boys to wake them up. In addition, Whipkey routinely left the door open while using the bathroom during the day. Whipkey also came into their room while naked to tell them to quiet down at night.
- ii. Whipkey sexually abused these victims from May 4 through 8, 1998.
- iii. The victims reported the abuse to the Denver Archdiocese in May of 1998.
- iv. The victims were 11- to 12-year-old boys when Whipkey abused them.
- v. During the period of abuse, Whipkey was the Pastor of St. Anthony of Padua Parish in Sterling, Sacred Heart Parish in Peetz, and St. Catherine of Siena Parish in Iliff.
- vi. Whipkey's Denver Archdiocese file does not indicate the Denver Archdiocese had received any reports of Whipkey engaging in sexual misconduct with children prior to his abuse of these victims.
- vii. The Denver Archdiocese reported the abuse to the Teller County Department of Social Services on June 2, 1998.
- viii. Whipkey admitted to the behavior described above but denied that there was a sexual motivation for his actions. He claimed that this was his normal routine. He said he shaved



naked in the St. Anthony's rectory every morning, nakedness was normal in his house growing up, his parents slept naked and his family members often kept the door open when they were in the bathroom. Years later after he was arrested in Boulder for indecent exposure, Whipkey acknowledged that there was a sexual component to his behavior with these victims, and he expressed remorse for it. We are not aware of any exculpatory evidence.

- ix. After interviewing Whipkey, some of these victims, and all 8 of their parents, the Conduct Response Team determined that Whipkey had "exercised extremely poor judgment" but was "not a danger or risk to any third person." They recommended that Whipkey get treatment (discussed below) and be reassigned. A year and 5 months after the abuse incidents, the Denver Archdiocese reassigned Whipkey as Parochial Vicar Pro-Tem at the Cathedral of the Immaculate Conception Parish in Denver. They did not restrict his ministry or faculties, ensure his supervision, monitor his behavior, or place any other restrictions on him in that new assignment.
- x. The Denver Archdiocese did require Whipkey to participate in individual counseling during the year after he sexually abused these victims, and the next summer he was sent for a 3-day evaluation at the St. Louis Consultation Center. Whipkey received therapy for over a year after he abused these victims. His therapist emphasized to the Denver Archdiocese that therapy alone would not protect children from sexual abuse by Whipkey in the future. Despite that admonition, the Denver Archdiocese did not put any other protective measures in place.
- xi. The Denver Archdiocese responded to these abuse incidents by activating its Conduct Response Team process, interviewing Whipkey, travelling to Sterling, and interviewing the 4 sets of parents involved (as well as some of the victims themselves). The Denver Archdiocese also responded by reporting the sexual abuse to the Department of Social Services in Teller County. The Conduct Response Team made recommendations for Whipkey's future ministry in the Denver Archdiocese; however, Denver Archdiocese leadership allowed Whipkey to negotiate a reduced regimen of therapy and delayed reassignment. For example, after Whipkey pushed back on the Denver Archdiocese's proposal that he go to the SLCC for 6 months, the Denver Archdiocese required that he only go for a 3-day evaluation.

## **FATHER HAROLD ROBERT WHITE**

White was the most prolific known clergy child sex abuser in Colorado history. His sexual abuse of children began before he was ordained in 1960, and it continued for at least 21 years in at least 6 parishes from Denver to Colorado Springs to Sterling to Loveland to Minturn to Aspen. During that time, it is more likely than not he sexually abused at least 63 children. This one priest's career and the Denver Archdiocese's management of it present a microcosm of virtually all the failures we found elsewhere in our review of the Colorado Dioceses' child sex abuse history. The Denver Archdiocese knew from the outset of White's career that he was a child sex abuser. When he had sexually abused enough children at a parish that scandal threatened to erupt, the Denver Archdiocese moved him to a new one

geographically distant enough that White was not known there. The Denver Archdiocese repeated this cycle at least 6 times and never once restricted his ministry, or removed him from ministry, or sent him off for genuine psychiatric evaluation and care. The Denver Archdiocese never did a thorough and independent investigation of his behavior, and it never voluntarily reported him to the police. The Denver Archdiocese was frequently dishonest with White's victims, their parishioners, and the public about his child sex abuse and the Denver Archdiocese's knowledge of it. White's file reveals the Denver Archdiocese did all this for decades, deploying euphemism and secrecy to protect itself. His file also reveals that broad, deep, and permanent harm to children was the consequence. The Denver Archdiocese finally and permanently removed White from ministry in 1993, and he was formally laicized in 2004.

### Victim #1

- i. White forcibly fondled this St. Catherine parish student and altar server 1 time in White's car in the rectory garage the day after the boy had mentioned masturbation during confession with White.
- ii. White sexually abused Victim #1 in 1960.
- iii. Victim #1 told other boys at school the day after White abused him. They told the religious sisters, and the religious sisters told the principal of the school.
- iv. Victim #1 was a 13-year-old boy when White sexually abused him.
- v. White was an Assistant Pastor and teacher at St. Catherine Parish in Denver.
- vi. The Denver Archdiocese had received at least 2 reports of White engaging in sexual misconduct with children before he sexually abused Victim #1. One of those reports came from a student of White's while White was still a deacon. Specifically, that student had reported to the parish school principal that White "made him feel creepy" and was "doing queer things to him." The principal grabbed the boy, slammed his head against a blackboard, and told him never to talk about the subject again.
- vii. N/A.
- viii. When confronted by his superiors in 1960 about his sexual misconduct with boys, White admitted that he had engaged in it, though it does not appear he admitted to this specific incident. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese took no action against White when Victim #1's sexual abuse was made known to the school principal. It did not remove White, transfer him, restrict his access to children, limit his duties, laicize him, restrict his ministry or faculties, or increase his supervision in any way.

- x. The Denver Archdiocese took no steps to protect against future sexual abuse by White. Nor did the Denver Archdiocese send him for any psychological evaluation or therapy.
- xi. When the parish school principal heard about White's abuse of Victim #1, he called the victim to his office, told the victim he was a liar, and warned the victim to never mention the incident again. The religious sisters and the principal then ostracized Victim #1, shamed him, and threatened that if he talked about the abuse again, they would tell his mother he was a "masturbating pervert." The Denver Archdiocese did not report this incident to law enforcement.

#### Victim #2

- i. White fondled this student and altar server one time in the St. Catherine Church sacristy after Mass.
- ii. White abused Victim #2 in 1960.
- iii. This abuse was first reported to the Denver Archdiocese in August 2018.
- iv. Victim #2 was a 12-year-old boy when White sexually abused him.
- v. White was an Assistant Pastor and teacher at St. Catherine Parish in Denver when he sexually abused Victim #2.
- vi. The Denver Archdiocese had received at least 2 reports of White sexually abusing children before he abused Victim #2.
- vii. N/A.
- viii. During this timeframe White's superiors confronted him about his sexual misconduct with boys and he admitted it. It is not clear whether he admitted or denied his specific abuse of Victim #2. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese took no action against White when this abuse report was made because he was long dead (he was removed from ministry in March 1993, he was laicized in February 2004, he died in November 2006, and his sexual abuse of Victim #2 was reported in 2018).
- x. N/A.
- xi. The Denver Archdiocese did not investigate Victim #2's abuse or refer it to law enforcement because it was reported 12 years after White died.

### Victim #3

- i. White attempted to coerce this altar server into unzipping his pants so White could fondle him.
- ii. White sexually abused Victim #3 in 1960.
- iii. Victim #3 reported this incident to the Pastor at St. Catherine's Parish in 1960 immediately after it occurred. He reported it to the Denver Archdiocese again in approximately 2006 and again in 2016.
- iv. Victim #3 was an approximately 13-year-old boy when White sexually abused him.
- v. At the time he abused Victim #3, White was the Assistant Pastor and a teacher at St. Catherine Parish in Denver.
- vi. The Denver Archdiocese had received at least 2 reports of White engaging in sexual misconduct with children before he sexually abused Victim #3.
- vii. N/A.
- viii. It is unclear whether White admitted or denied he sexually abused Victim #3. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese took no action at all against White or his ministry after Victim #3 reported this abuse in 1960.
- x. The Denver Archdiocese took no steps to protect potential future victims from White after Victim #3 reported his abuse in 1960. It did not restrict his ministry or his access to children. It did not increase his supervision. It did not send him for psychological evaluation or counseling. His file indicates he was "ordered not to be alone with boys," but that "order" was never enforced and never made any kind of formal restriction on him.
- xi. The Denver Archdiocese did no investigation of Victim #3's abuse and did not report it to law enforcement in 1960. When the victim reported again in 2006, the Denver Archdiocese listened to his accusations but neither investigated, nor responded to him, nor reported it to law enforcement. When Victim #3 reported a third time, in 2016, the Denver Archdiocese did not investigate or report to law enforcement, but it did offer him counseling services.

### Victim #4

- i. White fondled Victim #4, a parishioner at St. Catherine, at least once.
- ii. White sexually abused Victim #4 in 1960 or 1961.

- iii. Victim #4 reported the abuse in 2008 by filing a lawsuit against the Denver Archdiocese.
- iv. Victim #4 was a boy under 18 years of age at the time White sexually abused him.
- v. White served as an Assistant Pastor and teacher at St. Catherine Parish when he sexually abused Victim #4.
- vi. The Denver Archdiocese had received at least 4 reports of White sexually abusing children before he abused Victim #4.
- vii. The Denver Archdiocese did not report White's sexual abuse of Victim #4 to law enforcement as required under Colorado law.
- viii. It is not clear whether White admitted or denied sexually abusing Victim #4. We are aware of no exculpatory evidence.
- ix. N/A (The Denver Archdiocese received this abuse report in 2008, and White had had his faculties removed in 1993, had been laicized in 2004, and had died in 2006.)
- x. N/A.
- xi. The Denver Archdiocese investigated this abuse incident only to the extent necessary to defend Victim #4's lawsuit. It never reported the abuse to law enforcement.

#### Victim #5

- i. White solicited Victim #5 for sex, and the boy refused. He was a student in St. Catherine parish, where White taught.
- ii. White sexually abused Victim #5 in 1961.
- iii. Victim #5 reported the abuse in December 1961.
- iv. Victim #5 was a boy under 18 years of age when White sexually abused him.
- v. White served as a teacher and Assistant Pastor at St. Catherine Parish in Denver, his first assignment after ordination in June of 1960, when he sexually abused Victim #5.
- vi. The Denver Archdiocese had received at least 4 reports of White sexually abusing children before he abused Victim #5.
- vii. N/A.
- viii. In December 1961 White admitted he sexually abused Victim #5. We are aware of no exculpatory evidence.

- ix. This abuse incident was reported up to the Denver Archdiocese's Archbishop. The result was that the Pastor with whom White worked admonished White, and White promised not to engage in any more sexual misconduct. The Denver Archdiocese took no other action against White. It did not increase his supervision, put any mechanism in place to ensure he kept his promise or to catch and punish him if he did not, transfer him, laicize him, restrict his faculties, or restrict his ministry. Instead, the Pastor met with parish parents and altar servers and acknowledged White's "problem," told them he was working on it, and implied that they needed to protect themselves. The Pastor subsequently cajoled parents, altar servers, and religious sisters into agreeing to "almost confessional secrecy" about White's child sex abuse to protect the Church and save White's future." The Pastor also assured the Denver Archbishop, whom he informed of all this, that the Pastor had had "a long strong talk with [White]" who now understood the Denver Archdiocese "will not tolerate any repetition of such actions." Yet the Denver Archdiocese did in fact "tolerate" White for 20 more years, allowing him to sexually abuse at least 60 more children. Finally, the Pastor promised the Denver Archbishop he would keep White away from boys and thereby convinced the Archbishop to keep White in ministry and not "brand the priest since no scandal is now to be feared." Again, not a single restriction was put in place to keep White away from boys.

All of these responses recklessly disregarded the health and safety of children and subordinated their welfare to the protection of the Denver Archdiocese. The lack of written, enforceable, supervised restrictions on White is consistent with that self-protection in another way: it reduced the likelihood of culpability and liability by minimizing evidence of diocesan officials' knowledge and recognition of their ability to supervise White.

- x. White continued in ministry without any consequence once he promised not to sexually abuse any other children. The Denver Archdiocese took no action to protect future victims other than the Pastor telling White not to do it again. It did not send White for any kind of evaluation or therapy.
- xi. The Denver Archdiocese investigated this incident by talking to Victim #5's parents and then asking White if it was true, which he admitted it was. There was no report to law enforcement, no referral for diagnosis or treatment, no restriction on ministry, no assistance to the victim, and no attempt to understand, assess, or treat the causes of White's behavior. This disinclination to conduct a thorough investigation is also consistent with minimizing liability through plausible deniability.

#### Victim #6

- i. White fondled and ejaculated on Victim #6 one time, and he fondled him again on at least one other occasion. Victim #6 was an altar server at St. Catherine Parish. White groomed Victim #6 for sexual abuse by taking him flying, letting him drive White's car, buying him alcohol, and offering other enticements.
- ii. White sexually abused Victim #6 between 1960 and 1962.

- iii. Victim #6 reported his sexual abuse to the St. Catherine Pastor and others working at St. Catherine School immediately after it happened. They told the victim they did not believe him.
- iv. Victim #6 was a boy under 18 years of age when White sexually abused him.
- v. White served as a teacher and Assistant Pastor at St. Catherine Parish in Denver when he abused Victim #6.
- vi. The Denver Archdiocese had received at least 5 reports of White sexually abusing children before he abused Victim #6.
- vii. N/A.
- viii. In February 1993 White admitted to sexually abusing Victim #6. We are aware of no exculpatory evidence.
- ix. As set forth above, White was admonished for sexually abusing children during this time period, but he was not removed from ministry, punished, or restricted in any way.
- x. White continued in ministry, and the Denver Archdiocese took no action to protect against future abuse other than to admonish him.
- xi. The Denver Archdiocese's response to Victim #6's abuse allowed White to continue to sexually abuse children. It did not investigate at all. It did not contact law enforcement. Instead, Church personnel told the victim they did not believe him.

#### Victim #7

- i. White fondled Victim #7 while White masturbated himself.
- ii. White sexually abused Victim #7 from 1960 to 1962.
- iii. Victim #7 reported the abuse in January 1963.
- iv. Victim #7 was a boy under 18 years of age when White sexually abused him.
- v. White served as a teacher and an Assistant Pastor at St. Catherine Parish when he abused Victim #7.
- vi. The Denver Archdiocese had received 5 reports of White sexually abusing children before he abused Victim #7.
- vii. N/A.

- viii. In January 1963 and February 1993, White admitted to sexually abusing Victim #7. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese took no action against White or his ministry after receiving this abuse report in January 1963.
- x. The Denver Archdiocese did nothing to protect other children from White.
- xi. The Denver Archdiocese made no effort to investigate White's abuse of Victim #7, and it did not report it to law enforcement.

#### Victim #8

- i. White fondled Victim #8, a parishioner at St. Catherine Parish, at least once. White groomed him for sexual abuse by establishing a relationship with the boy's parents, offering to take the boy flying, and driving alone with the boy.
- ii. White sexually abused Victim #8 in 1962.
- iii. Victim #8 reported the abuse in 1962.
- iv. Victim #8 was a 13-year-old boy when White sexually abused him.
- v. White was a teacher and Assistant Pastor at St. Catherine Parish when he sexually abused Victim #8.
- vi. The Denver Archdiocese had received at least 5 reports of White sexually abusing children before he abused Victim #8.
- vii. N/A.
- viii. In February 1993 White admitted he sexually abused Victim #8 in a written report he provided to the Denver Archdiocese, as discussed below. We are aware of no exculpatory evidence.
- ix. Victim #8 reported this sexual abuse to his parents the day after it occurred in 1962, and they immediately reported it to the Pastor. The Pastor again admonished White, telling him sexually abusing children would not be tolerated. The Pastor also told Victim #8's parents to keep the incident to themselves, that he would handle it. He then assured the parents all was safe. The Denver Archdiocese did nothing else. It did not remove or discipline White. It put no restrictions, additional supervision, monitoring, or enforcement mechanisms in place to back up its statement that child abuse would not be tolerated. As a result, implicitly the Denver Archdiocese was telling White it would.
- x. The Denver Archdiocese took no action to protect future victims from White.



- xi. The Denver Archdiocese's response to the report of White sexually abusing Victim #8 may have encouraged White to continue abusing children. The Denver Archdiocese told White sexually abusing children would not be tolerated, but it was: White suffered no criminal, employment, therapy, or other consequence. The Denver Archdiocese did not restrict White's ministry in any way. All it did was tell an Assistant Pastor to “keep his eye open” and tell the Pastor to “take the work with boys out of [White’s] hands,” a suggestion, not a mandate, that was never formalized, monitored, or enforced. The Denver Archdiocese did not even conduct its own investigation to find out what White was up to, how many children he was harming, and how. Instead, the Denver Archdiocese simply assured Victim #8's parents that White was safe and the matter had been handled. Both statements were knowing lies. Arguably the Denver Archdiocese also had a legal obligation to report the sexual abuse of their child to law enforcement once the Denver Archdiocese implied to them that it would. It certainly appears that the intent of that false promise was to prevent the parents themselves from reporting, also a violation of Colorado law. Regardless, the Denver Archdiocese did not report this sexual abuse of a minor to any law enforcement authority at the time.

When Victim #8 came forward again, more than 40 years later in 2004, the Denver Archdiocese immediately reported the incident to the Denver Police Department. The Denver Archdiocese also offered Victim #8 counseling in 2004.

#### Victim #9

- i. White fondled Victim #9, a parishioner at St. Catherine Parish, 2 or 3 times.
- ii. White sexually abused Victim #9 from 1960 to 1962.
- iii. Victim #9’s abuse was reported by White in February 1993.
- iv. Victim #9 was a boy under 18 years of age when White sexually abused him.
- v. White served as a teacher and an Assistant Pastor at St. Catherine Parish when he abused Victim #9.
- vi. The Denver Archdiocese had received at least 5 reports of White sexually abusing children before he abused Victim #9.
- vii. N/A.
- viii. White admitted to sexually abusing Victim #9 in February 1993. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese first learned that White sexually abused Victim #9 when White himself disclosed it. In February 1993, after decades of abuse by White had accumulated, the Denver Archdiocese finally and literally said, “this has gone on long enough” and required him to list by parish all the child sex abuse he could recall committing since his ordination in 1960. At that point White was still in unrestricted and active ministry as

Pastor of Holy Name Parish in Steamboat Springs and St. Patrick Parish in Minturn, and St. Mary Parish in Eagle, and it appears he knew his only hope of saving his ministry and faculties was to admit what had already been reported to the Denver Archdiocese by over a dozen victims, witnesses, and family members over the last 33 years. So he wrote a list for the Denver Archdiocese, by parish assignment, of the children he remembered sexually abusing (along with single-word descriptions of the type of abuse). That list identified 26 children by name and referred to 29 others whose names he did not remember, all of whom he had sexually abused between 1960 and 1981 at 6 different Denver Archdiocese parishes. White reported in that list that he had committed over 70 acts of sex abuse against those children. As our Report makes clear, White did not admit nearly all of his child sex abuse. Regardless, the list does contain his admission that he sexually abused Victim #9. One month later, in March of 1993, the Denver Archdiocese's Archbishop removed White from ministry. He placed White on medical leave and sent him for psychiatric evaluation at The Institute of Living in Connecticut. White was there for 2 weeks. At the conclusion of his evaluation, The Institute of Living initially opined that White could return to Colorado and safely work as a priest if he were strictly supervised and actively participated in therapy. Three months later, though, a therapist from The Institute of Living told the Denver Archdiocese it was not safe to allow White to continue in parish ministry. The Denver Archdiocese never allowed him to. It removed his faculties completely in 1993, never restored them, and laicized White in February 2004. White died in November 2006.

Notably, even after his own expansive admission to 70-plus child sex crimes, the Denver Archdiocese was not transparent with parishioners. Instead, it explained his removal from ministry as based on medical reasons.

- x. N/A.
- xi. The Denver Archdiocese removed White from ministry within a month after Victim #9's sexual abuse came to light in White's February 1993 list. However, the Denver Archdiocese did not investigate any of the admitted 70-plus acts of sex abuse of children. It did not attempt to identify and heal the 55 child sex abuse victims he named because over a year later a psychologist advised it not to. Nor did the Denver Archdiocese report any of the 70-plus child sex abuse incidents to any of the many law enforcement agencies in Colorado with jurisdiction over these crimes that White confessed he committed over 21 years from Denver to Colorado Springs to Sterling to Loveland to Minturn to Aspen. The Colorado "Duty to Report a Crime" statute discussed in Section B above has the limitations we have identified, but at a minimum it expressed the Colorado Legislature's aspiration that Coloradans be good Samaritans when the situation called for it. If ever there was a situation that called for action on that aspiration, it was this.

#### Victim #10

- i. White fondled Victim #10, a parishioner at St. Catherine Parish, at least twice.
- ii. White sexually abused Victim #10 from 1960 to 1962.

- iii. White himself reported sexually abusing Victim #10 in his February 1993 list.
- iv. Victim #10 was a boy under 18 years of age when White sexually abused him.
- v. White served as a teacher and an Assistant Pastor at St. Catherine Parish in Denver when he sexually abused Victim #10.
- vi. The Denver Archdiocese had received at least 5 reports of White sexually abusing children before he abused Victim #10.
- vii. N/A.
- viii. White admitted he sexually abused Victim #10. We are aware of no exculpatory evidence.
- ix. As described above, the Denver Archdiocese removed White from ministry a month after receiving his February 1993 list of admissions, including his admission to abusing Victim #10.
- x. N/A.
- xi. The Denver Archdiocese, as noted above, did not report Victim #10's sexual abuse to law enforcement, did not investigate it, and did not contact him to offer care or healing.

#### Victim #11

- i. White fondled Victim #11, an altar server and student at St. Catherine Parish, at least twice.
- ii. White sexually abused Victim #11 from 1960 to 1962.
- iii. This abuse was reported in January 1963.
- iv. Victim #11 was a boy under 18 years of age when White sexually abused him.
- v. White was a teacher and an Assistant Pastor at St. Catherine when White sexually abused him.
- vi. The Denver Archdiocese had received at least 5 reports of White sexually abusing children before he abused Victim #11.
- vii. N/A.
- viii. White admitted in January 1963 and again in February 1993 that he sexually abused Victim #11. We are aware of no exculpatory evidence.

- ix. After Victim #11 reported his abuse and White admitted it in January 1963, the Denver Archdiocese indicated it was removing White “from direction of altar servers.” However, it put no specific and enforceable plan in place to achieve that goal. Nonetheless, the Denver Archdiocese did remove White from St. Catherine Parish and send him to St. Elizabeth's Monastery “to be sheltered by the Franciscans” and to “recover his character” for approximately 1 month (late January 1963 to late February 1963). The express goal of this step was to avoid scandal in the parish and protect White’s reputation and career; there was no psychological evaluation, therapy, or other measure imposed to assess and minimize the risk White had proven he posed to children in his parishes.
- x. After Victim #11 came forward in 1963, the Denver Archdiocese did not take steps to protect other children from being abused in the future. After White was “sheltered by the Franciscans” for a month, the Denver Archdiocese put him right back into teaching and parish ministry with access to underage children at St. Mary Parish in Colorado Springs. The Denver Archdiocese chose that location in part because it was distant enough from St. Catherine Parish in Denver (in those days) that any rumor or scandal White had generated in Denver would not follow him or harm the Church itself. Stated from a child’s or a parent’s perspective, that meant the Denver Archdiocese put him where no one knew (as the Denver Archdiocese did by then) that he was a threat they needed to guard against. The Denver Archdiocese also stated that White was to be removed “from direction of altar servers. But this was not an official, formal, or even enforced restriction on his ministry. As described below, White would go on to sexually abuse many more altar servers in his career. The Denver Archdiocese sent White away for a month “for shelter,” but they did not send him for any psychological assessment, evaluation, training, treatment, or therapy that might have addressed the causes of his sexually predatory behavior.
- xi. The Denver Archdiocese did not report Victim #11’s sexual abuse to law enforcement even though this was the sixth child sex abuse report it had received about White. It did no investigation of Victim #11’s abuse. It did not put any measures in place to protect children from future abuse. But it did respond effectively for purposes of protecting White’s reputation and career and protecting the Denver Archdiocese itself.

#### Victim #12

- i. White fondled Victim #12, a student at Holy Family School, at least once.
- ii. White sexually abused Victim #12 from 1960 to 1962.
- iii. This abuse was reported in January 1963.
- iv. Victim #12 was a boy under 18 years of age when White sexually abused him.
- v. White served as a teacher and an Assistant Pastor at St. Catherine Parish when he sexually abused Victim #12.

- vi. The Denver Archdiocese had received at least 5 reports of White sexually abusing children before he abused Victim #12.
- vii. N/A.
- viii. In January 1963 White admitted he sexually abused Victim #12. We are aware of no exculpatory evidence.
- ix. As described above, after it received numerous child sexual abuse reports about White in January 1963, including Victim #12's, the Denver Archdiocese indicated White was to be removed "from direction of altar servers." The Denver Archdiocese also sent White away "for shelter" at a monastery for a month, removed him from St. Catherine Parish, and transferred him to St. Mary Parish in Colorado Springs. But the Denver Archdiocese did not remove him from ministry, restrict his ministry, laicize him, or restrict his faculties.
- x. When the Denver Archdiocese put White into a new parish a month after Victim #12's sexual abuse report, it does not appear to have implemented or enforced any restriction on his access to altar servers. Nor did it put any other measures in place to protect children from him. Nor did it send White for any psychological assessment, evaluation, training, treatment, or therapy designed to address the issues that may have caused him to sexually abuse children.
- xi. The Denver Archdiocese did not investigate Victim #12's abuse and did not report it to law enforcement. But the Denver Archdiocese did respond to that sexual abuse report by protecting White and itself, transferring him beyond the reach of his growing reputation.

### Victim #13

- i. White fondled this altar server and student at Holy Family School numerous times while White masturbated himself. White sexually abused Victim #13 while acting as his religious counselor. He sexually abused Victim #13 in White's car, at his cabin, and while White flew in a plane with him.
- ii. White sexually abused Victim #13 from 1960 to 1963.
- iii. This abuse was reported in January 1963.
- iv. Victim #13 was a 12- to 15-year-old boy when White sexually abused him.
- v. White served as a teacher and an Assistant Pastor at St. Catherine Parish when he sexually abused Victim #13.
- vi. The Denver Archdiocese had received at least 6 reports that White had sexually abused children before he abused Victim #13.
- vii. N/A.

- viii. In January 1963 and February 1993, White admitted he sexually abused Victim #13. We are aware of no exculpatory evidence.
- ix. As described above, the Denver Archdiocese did not restrict or remove White's ministry or faculties in any way when Victim #13's sexual abuse was reported in 1963. However, it did move him to a teaching and Assistant Pastor job in a new parish. Doing so may have protected the children at St. Catherine Parish and Holy Family School but at the expense of a new group of children, who did not know about White's behavior, at his new parish and school (specifically, Victims #20 through 26, described below).
- x. The Denver Archbishop's statement that White would be "removed from direction of altar servers" may have been intended to protect against future abuse by White. But it was not official or formal, was never enforced by the Denver Archdiocese, and does not appear to have been communicated to the pastors with whom White worked so they could supervise him appropriately. Indeed, there is evidence in White's extensive Denver Archdiocese file that this statement — and others related to White's known child sex abuse and restrictions on his access to children that his behavior made appropriate — were never shared with the Denver Archdiocese Deans who oversaw the 11 parishes where White worked in his 33-year career. In the end, when the Denver Archdiocese reassigned White to a new parish and school a month after Victim #13's abuse report, it placed no restrictions on his ministry or his contact with children. Nor did the Denver Archdiocese send White for any psychological assessment, evaluation, training, treatment, or therapy before putting him in a new assignment with full access to children. His 1-month monastic hiatus was intended to protect White and the Church from rumors and scandal, not to provide any assessment or treatment designed to minimize future harm to children.
- xi. The Denver Archdiocese did not investigate Victim #13's abuse other than to ask White about it. He admitted it. The Denver Archdiocese did not report White to law enforcement even though the child sex abuse reported was very recent, White had admitted it, and this was at least the seventh child sex abuse allegation against White.

#### Victim #14

- i. White fondled Victim #4, a student at Holy Family School, at least twice.
- ii. White sexually abused Victim #14 from 1960 to 1962.
- iii. This abuse was reported in January 1963.
- iv. Victim #14 was a boy under 18 years of age when White sexually abused him.
- v. White was a teacher and an Assistant Pastor at St. Catherine Parish when he sexually abused Victim #14.

- vi. The Denver Archdiocese had received at least 5 reports of White sexually abusing children before he abused Victim #14.
- vii. N/A.
- viii. In January 1963 White admitted he sexually abused Victim #14. We are aware of no exculpatory evidence.
- ix. After the report of Victim #14's abuse, the Denver Archdiocese moved White to a new parish and teaching job with no restrictions on his ministry, faculties, or access to children.
- x. When it moved White to a new parish, the Denver Archdiocese took no steps to protect against his future sexual abuse of children. Nor did it send him for any psychological evaluation or care.
- xi. Despite White's admission that he had sexually abused Victim #14 and others, and the recency of that abuse, the Denver Archdiocese did not report him to law enforcement. Nor did it investigate any of that abuse.

#### Victim #15

- i. White fondled Victim #15, a student at Holy Family School, at least once.
- ii. White sexually abused Victim #15 from 1960 to 1962.
- iii. In February 1993, White himself reported sexually abusing Victim #15.
- iv. Victim #15 was a boy under 18 years of age when White sexually abused him.
- v. White served as a teacher and an Assistant Pastor at St. Catherine Parish when he sexually abused Victim #15.
- vi. The Denver Archdiocese had received at least 5 reports of White sexually abusing children before he abused Victim #15.
- vii. N/A.
- viii. In February 1993 White admitted he sexually abused Victim #15. We are aware of no exculpatory evidence.
- ix. As discussed above, shortly after White submitted to the Denver Archdiocese the list on which he admitted sexually abusing Victim #15 and 54 other boys, the Denver Archdiocese permanently removed him from ministry and eventually had him laicized.
- x. N/A.

- xi. The Denver Archdiocese's response in 1993 effectively eliminated him as a risk to parish children. Yet White was still alive and the Denver Archdiocese still did not investigate or report to many possible law enforcement agencies the 70-plus child sex abuse incidents he admitted to.

#### Victim #16

- i. White fondled this altar server at St. Catherine Parish at least twice, once while allowing Victim #16 to drive White's car and once in the sacristy.
- ii. White sexually abused Victim #16 from 1961 to 1963.
- iii. Victim #16 reported the abuse in approximately 1963, shortly after the second incident of sexual abuse.
- iv. Victim #16 was a boy under 18 years of age when White sexually abused him.
- v. White was a teacher and an Assistant Pastor at St. Catherine Parish when he abused Victim #16.
- vi. The Denver Archdiocese had received 7 reports of White sexually abusing children before he abused Victim #16.
- vii. N/A.
- viii. It is unclear whether White ever admitted or denied abusing Victim #16. We are aware of no exculpatory evidence.
- ix. Victim #16 reported White's sexual abuse to religious sisters at Holy Family School shortly after the second incident. He also reported his abuse to a Denver Archdiocese Monsignor. The religious sisters told Victim #16 they did not believe him, and neither they nor the Monsignor took any action.
- x. Again, after Victim #16 reported this abuse in approximately 1963, the Denver Archdiocese took no action against White to protect against future abuse or to get him psychologically evaluated or cared for.
- xi. The Denver Archdiocese's response to Victim #16's sexual abuse was to try to silence the victim. Church personnel told him they did not believe him. The Denver Archdiocese did no investigation. The Denver Archdiocese did not refer his report to any law enforcement authority.



### Victim #17

- i. White fondled this boy, an altar server at St. Catherine Parish, at least once after grooming him by treating him as special, allowing him to drive White's car, and allowing him to steer the airplane when they flew.
- ii. White sexually abused Victim #17 in 1962.
- iii. This abuse was reported in April 1994.
- iv. Victim #17 was an approximately 12-year-old boy when White abused him.
- v. White served as a teacher and an Assistant Pastor at St. Catherine Parish when he sexually abused Victim #17.
- vi. The Denver Archdiocese had received at least 5 reports of White sexually abusing children before he abused Victim #17.
- vii. N/A.
- viii. White was asked about this incident in August 1994. He did not deny it, but he did not recall it. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese had completely removed White from ministry just over a year before Victim #17's abuse was reported. The Denver Archdiocese did not pursue laicization of White in response to the report of Victim #17's abuse.
- x. N/A.
- xi. The Denver Archdiocese's response to this abuse report was much more thorough than its responses had been in the past, but it fell short of engaging the criminal justice system on behalf of the victim. Specifically, the Denver Archdiocese activated the Conduct Response Team process, conducted a Conduct Response Team meeting in August 1994, and interviewed White about the allegation. But the Denver Archdiocese did not refer this report of sexual abuse of a child to any law enforcement authority.

### Victim #18

- i. White fondled this sixth-grade altar server at St. Catherine Parish in Denver at least 4 times, including on trips and at least once in the sacristy. During the last sexual assault, Victim #18 fought back and punched White. The boy was then expelled from school.
- ii. White sexually abused Victim #18 from 1960 to 1962.
- iii. Victim #18's abuse was reported in August 2005.

- iv. Victim #18 was an approximately 11-year-old boy when White sexually abused him.
- v. White was a teacher and an Assistant Pastor at St. Catherine Parish when he abused Victim #18.
- vi. Denver Archdiocese had received at least 5 reports of White sexually abusing children before he abused Victim #18.
- vii. The Denver Archdiocese reported this sexual abuse to the Denver Police Department immediately after receiving this report in August 2005. White was still alive. A Denver detective responded to the Denver Archdiocese's report by asking the Denver Archdiocese for White's address. The Denver Archdiocese told the detective it did not have White's address even though it did.
- viii. It is unclear whether White ever admitted or denied sexually abusing Victim #18. We are aware of no exculpatory evidence.
- ix. At the time the Denver Archdiocese received the report of this sexual abuse, White had been removed from ministry for 12 years, and he had been laicized more than a year before the report.
- x. N/A.
- xi. Victim #18 was deceased at the time family members reported this abuse. White had been laicized. The Denver Archdiocese did no investigation, but it did promptly notify law enforcement when it received this report. The Denver Archdiocese also offered the family opportunities to meet with the Conduct Response Team. The family found the Denver Archdiocese's offers inadequate because it felt the Denver Archdiocese did not recognize Victim #18's suffering, tell his story, let people know he had a family that cared, or share information with the family about White's abuse history.

#### Victim #19

- i. White fondled this altar server at St. Catherine Parish at least once.
- ii. White sexually abused Victim #19 from 1961 to 1963.
- iii. Victim #19 reported the abuse in 2007, when he filed a lawsuit against the Denver Archdiocese.
- iv. Victim #19 was an approximately 13-year-old boy when White sexually abused him.
- v. White served as a teacher and an Assistant Pastor at St. Catherine Parish when he abused Victim #19.

- vi. The Denver Archdiocese had received 7 reports of White sexually abusing children before he abused Victim #19.
- vii. The Denver Archdiocese did not report White's sexual abuse of Victim #19 to law enforcement as required under Colorado law.
- viii. It is not clear whether White ever admitted or denied sexually abusing Victim #19. We are aware of no exculpatory evidence.
- ix. N/A (White had been laicized 3 years before this report came in, and he had died in 2006).
- x. N/A.
- xi. The Denver Archdiocese investigated this report of abuse only to the extent necessary to defend Victim #19's lawsuit. It did not report it to any law enforcement authority.

#### Victim #20

- i. White groped and fondled this boy numerous times on camping trips after establishing a relationship with his family, grooming him with presents and promises, and persuading him their sexual relationship was normal and was the will of God.
- ii. White sexually abused Victim #20 from approximately 1963 to 1965.
- iii. Victim #20 reported the abuse in 2005 when he filed a lawsuit against the Denver Archdiocese.
- iv. Victim #20 was an approximately 10- to 12-year-old boy when White sexually abused him.
- v. White was a teacher and an Assistant Pastor at St. Mary Parish in Colorado Springs when he sexually abused Victim #20.
- vi. The Denver Archdiocese had received 13 reports of White sexually abusing children before he abused Victim #20.
- vii. The Denver Archdiocese did not report White's sexual abuse of Victim #20 to law enforcement as required under Colorado law.
- viii. It is unclear whether White ever admitted or denied sexually abusing Victim #20. We are aware of no exculpatory evidence.
- ix. N/A (At the time of this report in 2005, White had been removed from ministry for 12 years and laicized for one year).

- x. N/A.
- xi. It is unclear whether the Denver Archdiocese conducted any investigation of the sexual abuse of Victim #20 except to defend his lawsuit, and the Denver Archdiocese did not report it to any law enforcement authority.

Victim #21

- i. White fondled this boy twice and masturbated himself while doing so one of those times. These incidents occurred when Victim #21 was a freshman or sophomore at St. Mary's High School. One occurred on a camping trip, and one occurred while White was teaching Victim #21 to drive.
- ii. White sexually abused Victim #21 from 1963 to 1964.
- iii. Victim #21 reported the abuse in 1963 or 1964, shortly after the second incident.
- iv. Victim #21 was a 15-year-old boy when White sexually abused him.
- v. White was a teacher and an Assistant Pastor at St. Mary Parish in Colorado Springs when White sexually abused Victim #21.
- vi. The Denver Archdiocese had received at least 12 reports of White sexually abusing children before he abused Victim #21.
- vii. N/A.
- viii. White admitted in February 1993 that he sexually abused Victim #21. We are aware of no exculpatory evidence.
- ix. Victim #21 told his parents about the sexual abuse shortly after the second incident. They reported White's conduct to the Pastor at St. Mary Parish. Soon after that (in January 1965), the Denver Archdiocese removed White from St. Mary Parish and sent him for treatment at Via Coeli in Jemez Springs, New Mexico. It did not restrict his faculties or ministry or otherwise sanction him.
- x. It is unclear exactly what quality of evaluation or counseling, if any, he received at Via Coeli. White himself was highly critical of the experience, asserting years later that he genuinely wanted to understand and stop his sexually abusive behavior but that the Denver Archdiocese-mandated trip to Via Coeli had not helped him do either. Regardless, White was at Via Coeli for approximately 5 months before he was reassigned to active ministry and teaching at St. Anthony Parish in Sterling without restriction.
- xi. The Denver Archdiocese's response to Victim #21's report of sexual abuse was effective at protecting boys at St. Mary Parish because it removed him from that parish. It was not effective at protecting victims. White would later abuse in Sterling and elsewhere

because his faculties and ministry were not restricted, and the Denver Archdiocese continued to give him assignments like teaching. It does not appear the Denver Archdiocese either investigated Victim #21's sexual abuse or referred it to any law enforcement authority — despite the fact that the Denver Archdiocese had received at least 12 prior reports of child sex abuse by White, White was alive, and the abuse was recent.

#### Victim #22

- i. White fondled this boy, a freshman at St. Mary High School, in a car on the way back from the movies while the boy slept.
- ii. White sexually abused Victim #22 in 1963.
- iii. Victim #22 reported the abuse in August 2002.
- iv. Victim #22 was a 14-year-old boy when White sexually abused him.
- v. White was a teacher and an Assistant Pastor St. Mary Parish in Colorado Springs when he abused Victim #22.
- vi. The Denver Archdiocese had received at least 6 reports of White's sexual abuse of children before he abused Victim #22.
- vii. The Denver Archdiocese did not immediately report the incident to law enforcement as required. It instead reported this sexual abuse incident to the Colorado Springs Police Department on January 14, 2003, *5 months* after receiving Victim #22's report.
- viii. It is not clear whether White ever admitted or denied sexually abusing Victim #22. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese had already removed White's faculties 9 years before this report. It did not move to laicize him in response to this report.
- x. N/A.
- xi. The Denver Archdiocese referred the report of Victim #22's sexual abuse to law enforcement (5 months late), initiated the Conduct Response Team process, offered Victim #22 counseling, and reached a monetary settlement with him. The Denver Archdiocese did not investigate the report further.

#### Victim #23

- i. White fondled this St. Mary High School sophomore boy 6 times, after grooming him by taking him skiing and flying and giving him special treatment in White's class. This abuse continued into Victim #23's junior year in high school.

- ii. White sexually abused Victim #23 from 1963 to 1964.
- iii. After White was sent to Via Coeli in January 1965, Victim #23 reported these 6 incidents of sexual abuse to the St. Mary High School head religious sister, and she told him, “you'll be fine.” At the end of that school year, Victim #23 was told by school officials he could not return to the school for his senior year. Victim #23 again reported these 6 incidents of sexual abuse to the Denver Archdiocese in November 2007 and October 2008.
- iv. Victim #23 was a 15- or 16-year-old boy when White sexually abused him.
- v. White served as an Assistant Pastor and teacher at St. Mary Parish in Colorado Springs when he abused Victim #23.
- vi. The Denver Archdiocese had at least 12 reports of White sexually abusing children before he abused Victim #23.
- vii. N/A.
- viii. It is unclear whether White ever admitted or denied he sexually abused Victim #23. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese did not restrict White’s ministry or faculties in response to Victim #23’s report in 1965. Nor did it seek to laicize him at that time. Just before this victim reported, the Denver Archdiocese had already removed White from St. Mary Parish and sent him to Via Coeli.
- x. It is unclear whether White received any evaluation, counseling, or treatment at Via Coeli, as discussed above. It appears he instead engaged only in a confession and repentance regimen during his 5 months there. The Denver Archdiocese then placed him in a new parish with access to school-aged boys and without any restriction on his ministry or faculties.
- xi. The Denver Archdiocese responded to Victim #23's report that White sexually abused him 6 times by telling him he would be fine and then expelling him from St. Mary High School before his senior year. White’s Denver Archdiocese file does not reveal whether the expulsion was punishment for reporting White’s sexual abuse or simply driven by the Denver Archdiocese’s desire to minimize gossip and scandal that would harm it and White. When Victim #23 came forward again in 2008, the Denver Archdiocese misrepresented to him the typical settlement amount paid to sexual abuse victims like him; therefore, he accepted approximately 1/6 of the settlement amount paid to similar victims. The Denver Archdiocese never investigated or referred these 6 incidents of sexual abuse to law enforcement, neither in 1965 nor in 2008. Its responses at both points in time were deceptive and callous. The Denver Archdiocese punished Victim #23 for reporting his sexual abuse in 1965, and it deceived him in settlement negotiations in 2008. White, in contrast, was transferred to a new parish after a 5-month hiatus and

allowed to continue in ministry with access to children for 28 more years without restriction.

#### Victim #24

- i. White fondled this St. Mary High School freshman at least once.
- ii. White sexually abused Victim #24 in 1964.
- iii. Victim #24 reported the abuse in December 2005.
- iv. Victim #24 was a 14-year-old boy when White sexually abused him.
- v. White served as an Assistant Pastor and teacher at St. Mary Parish in Colorado Springs when he abused Victim #24.
- vi. The Denver Archdiocese had received at least 12 reports of White sexually abusing children before he abused Victim #24.
- vii. The Denver Archdiocese did not report White's sexual abuse of Victim #24 to law enforcement as required under Colorado law.
- viii. It is unclear whether White ever admitted or denied he sexually abused Victim #24. We are aware of no exculpatory evidence.
- ix. N/A (White's faculties had been removed 12 years earlier, and he had been laicized almost 2 years earlier).
- x. N/A.
- xi. The Denver Archdiocese neither investigated nor referred this sexual abuse report to any law enforcement authority, apparently because the victim said he was at peace with the matter, had forgiven the Church, and had reported the incident only because the Denver Archdiocese had called for victims to report their abuse.

#### Victim #25

- i. After grooming him by buying him sodas, White fondled and masturbated Victim #25 at least 5 times in the St. Mary church basement restroom, while he was a sophomore at St. Mary High School.
- ii. White sexually abused Victim #25 from 1964 to 1965.
- iii. Victim #25 reported White's sexual abuse to the St. Mary's Pastor in 1965, after the third incident. The Pastor listened, nodded, and walked away. Victim #25 reported these sexual abuse incidents to the Denver Archdiocese again in April 2009.

- iv. Victim #25 was an approximately 15-year-old boy when White sexually abused him.
- v. White served as an Assistant Pastor and teacher at St. Mary Parish in Colorado Springs when he sexually abused Victim #25.
- vi. The Denver Archdiocese had received at least 13 reports of White sexually abusing children before he abused Victim #25.
- vii. The Denver Archdiocese did not report White's sexual abuse of Victim #25 to law enforcement as required under Colorado law.
- viii. It is not clear whether White ever admitted or denied he sexually abused Victim #25. We are aware of no exculpatory evidence.
- ix. It is unclear whether it was in direct response to Victim #25's report, but in January 1965 the Denver Archdiocese removed White from St. Mary Parish and sent him to Via Coeli for 5 months. While White was at Via Coeli, he wrote to the Denver Archbishop and said he was considering giving up the priesthood. The Archbishop talked him out of it. Then in May 1965, the Archbishop assigned him as Assistant Pastor and teacher to St. Anthony Parish in Sterling because White was "known" in Denver ("his first offense") and Colorado Springs ("his second offense"). The Denver Archbishop instructed the pastor in Sterling to watch White closely because he had had "boy troubles." The Archbishop also told the pastor in Sterling to warn White that he would be removed if he repeated his misbehavior. But there is no indication the Denver Archdiocese gave the pastor any further information, and it did not formalize any increased supervision, monitoring, or reporting about White. Nor did the Denver Archdiocese seek to laicize him or restrict his ministry, faculties, or access to children.
- x. As discussed above, it does not appear that White received evaluation, counseling, or treatment at Via Coeli designed to understand the causes of his behavior or protect against future sexual abuse. The Denver Archdiocese nonetheless then placed him in a new parish with access to school-aged boys and without any protections against future abuse.
- xi. The Denver Archdiocese did not investigate Victim #25's reports of sexual abuse either in 1965 or in 2009. The Denver Archdiocese did not refer the reports to any law enforcement authority — not even in 1965 when White was alive and his child sex abuse crimes were ongoing. The Denver Archdiocese's removal of White from ministry for 5 months and transfer to Sterling may have protected children at St. Mary Parish from future sexual abuse, but it also subjected the parishioners and students at St. Anthony Parish in Sterling to White's sexual abuse, as described below.

#### Victim #26

- i. White sexually abused this seventh-grade altar server at St. Anthony Parish in Sterling at least 3 times. First, White fondled him in a car on the way home from a trip to Denver.



Second, he fondled him while wrestling in the sacristy after Mass. Third, White fondled him in White's rectory bedroom. On this third occasion, White dropped his own pants, pushed Victim #26 face down on the bed, and attempted to yank Victim #26's pants down.

- ii. White sexually abused Victim #26 from approximately 1964 to 1967.
- iii. Victim #26 reported the abuse in September 2000.
- iv. Victim #26 was a 12- to 13-year-old boy when White sexually abused him.
- v. White served as an Assistant Pastor and teacher at St. Anthony Parish in Sterling when he sexually abused Victim #26.
- vi. The Denver Archdiocese had received at least 15 reports of White sexually abusing children before he abused Victim #26.
- vii. N/A.
- viii. White admitted he sexually abused Victim #26 when he later apologized to him during a confession of Victim #26's. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese took no action in response to the report of Victim #26's sexual abuse. The Denver Archdiocese had already removed his faculties and placed him on medical leave 7 years prior to this report. It did not move to laicize him.
- x. N/A.
- xi. The Denver Archdiocese activated and completed the Conduct Response Team process in response to Victim #26's report. It settled with him, but it did not conduct an investigation of his abuse by White. Nor did the Denver Archdiocese refer his report to any law enforcement authority.

#### Victim #27

- i. White sexually abused this altar server numerous times over the course of several years in the St. Anthony Parish sacristy and on road trips.
- ii. White sexually abused Victim #27 from 1964 to 1968.
- iii. This abuse was first reported in 2005 when Victim #27 filed a lawsuit against the Denver Archdiocese.
- iv. Victim #27 was an 11- to 14-year-old boy when White abused him.
- v. White was an Assistant Pastor and teacher at St. Anthony Parish in Sterling when he sexually abused Victim #27.

- vi. The Denver Archdiocese had received at least 15 reports about White's sexual abuse of children before he abused Victim #27.
- vii. The Denver Archdiocese did not report White's abuse of Victim #27 to law enforcement as required under Colorado law.
- viii. It is not clear whether White ever admitted or denied abusing Victim #27. We are aware of no exculpatory evidence.
- ix. N/A (White had been laicized when this abuse was reported).
- x. N/A.
- xi. The Denver Archdiocese did no investigation of this sexual abuse except as necessary to defend the victim's lawsuit. Nor did the Denver Archdiocese report the abuse to any law enforcement authority.

#### Victim #28

- i. White forcibly fondled this altar server and student at St. Anthony Parish after wrestling with and pinning him in the boy's bedroom. White was the boy's religious counselor and had ingratiated himself with the boy's family.
- ii. White sexually abused Victim #28 in 1965.
- iii. This incident was first reported in 2006 when Victim #28 filed a lawsuit.
- iv. Victim #28 was a 14-year-old male when White sexually abused him.
- v. When he abused Victim #28, White was a teacher and an Assistant Pastor at St. Anthony Parish in Sterling.
- vi. The Denver Archdiocese had received at least 13 reports about White sexually abusing children prior to the time he sexually abused Victim #28.
- vii. The Denver Archdiocese did not report White's abuse of Victim #28 to law enforcement as required under Colorado law.
- viii. It is unclear whether White ever admitted or denied that he sexually abused Victim #28. We are aware of no exculpatory evidence.
- ix. N/A (White had already been removed from ministry and laicized before this abuse was reported).
- x. N/A.

- xi. The Denver Archdiocese did not report this abuse to law enforcement, nor did it investigate the report except to the extent necessary to defend Victim #28's lawsuit.

#### Victim #29

- i. White fondled this altar server at St. Anthony Parish in Sterling at least once.
- ii. White sexually abused Victim #29 in approximately 1965.
- iii. Victim #29 reported the abuse in 2007 when he filed a lawsuit.
- iv. Victim #29 was a 13-year-old boy when White sexually abused him.
- v. White served as an Assistant Pastor and teacher at St. Anthony Parish in Sterling when he sexually abused Victim #29.
- vi. The Denver Archdiocese had received at least 13 reports of White sexually abusing children before he abused Victim #29.
- vii. The Denver Archdiocese did not report White's abuse of Victim #29 to law enforcement as required under Colorado law.
- viii. It is unclear whether White ever admitted or denied sexually abusing Victim #29. We are aware of no exculpatory evidence.
- ix. N/A (White died in 2006).
- x. N/A.
- xi. The Denver Archdiocese's response to Victim #29's report of sexual abuse was likely driven by the litigation context at the time. White died a year before this abuse report, and Victim #29 was a plaintiff in 1 of approximately 26 civil lawsuits based on White's sexual abuse of children. The Denver Archdiocese responded to Victim #29's report, therefore, by evaluating his claims and settling his lawsuit. It did not otherwise investigate, and it did not report the matter to law enforcement.

#### Victim #30

- i. White fondled this boy at least once in the St. Anthony Parish rectory. The boy was a parishioner at St. Anthony Parish. White had groomed him by buying him lunches and taking him flying.
- ii. White sexually abused Victim #30 in 1965 or 1966.
- iii. Victim #30 reported the abuse in 2005.
- iv. Victim #30 was a boy under 18 years of age when White sexually abused him.

- v. White served as an Assistant Pastor and teacher at St. Anthony Parish in Sterling when he abused Victim #30.
- vi. The Denver Archdiocese had received at least 15 reports of White sexually abusing children before he abused Victim #30.
- vii. The Denver Archdiocese reported White's sexual abuse of Victim #30 to the Logan County Sheriff's Office in November 2005, in compliance with Colorado law.
- viii. It is unclear whether White ever admitted or denied sexually abusing Victim #30. We are aware of no exculpatory evidence.
- ix. N/A (White had been laicized in 2004).
- x. N/A.
- xi. The Denver Archdiocese reported White's sexual abuse of Victim #30 to the Logan County Sheriff's Office in November 2005, a year before White died. The Sheriff Office's detective was aware from newspaper stories that other victims had reported sexual abuse by White. He asked the Denver Archdiocese what other law enforcement agencies in Colorado were investigating White. The Denver Archdiocese's Office of Child and Youth Protection told the detective that to her knowledge "no one else is taking further steps with respect to our reports." The Denver Archdiocese actually did not know if that was true, made no effort to find out, and as with other law enforcement contacts did not make any effort to assist or coordinate with Logan County. Here, for example, the Denver Archdiocese did not offer to assist the detective by telling him which agencies (*e.g.*, the Denver Police Department) the Denver Archdiocese had reported White to so the detective could check their investigations' status for himself. Nor did the Denver Archdiocese tell the detective it had received over 80 reports of White's sexual abuse of children over the years but actually had reported him to law enforcement only 8 other times — and never voluntarily. In addition, the Denver Archdiocese itself conducted no investigation of Victim #30's abuse.

### Victim #31

- i. White groomed this altar server and St. Anthony's grade schooler by letting him drive his car, letting him drink wine, and giving him free ski passes. After grooming him, White sexually abused him numerous times over the course of several years at St. Anthony's, on ski trips, and at White's cabin.
- ii. White sexually abused Victim #31 from 1966 to 1968.
- iii. This abuse was first reported in 2005 when the victim sued.
- iv. Victim #31 was a 12- to 14-year-old boy when White abused him.

- v. White was an Assistant Pastor and teacher at St. Anthony Parish in Sterling when he abused Victim #31.
- vi. The Denver Archdiocese had received at least 15 reports of White sexually abusing children before White abused Victim #31.
- vii. The Denver Archdiocese did not report White's abuse of Victim #31 to law enforcement as required under Colorado law.
- viii. It is not clear whether White ever admitted or denied sexually abusing Victim #31. We are aware of no exculpatory evidence.
- ix. N/A (White had already been laicized).
- x. N/A.
- xi. The Denver Archdiocese investigated this abuse to the extent necessary to defend Victim #31's lawsuit. The Denver Archdiocese did not refer the abuse to law enforcement.

Victim #32

- i. White engaged in oral sex and masturbation with this 14- to 16-year-old altar server and student at St. Anthony Parish on several occasions. White sexually abused Victim #32 in the rectory at St. Anthony's and in White's car.
- ii. White sexually abused Victim #32 from 1966 to 1968.
- iii. Victim #32 reported the abuse in 1988.
- iv. Victim #32 was a 14- to 16-year-old boy when White sexually abused him.
- v. White served as an Assistant Pastor and teacher at St. Anthony Parish in Sterling when he abused Victim #32.
- vi. The Denver Archdiocese had received at least 15 reports of White sexually abusing children before he abused Victim #32.
- vii. N/A.
- viii. White admitted he sexually abused Victim #32 and apologized to him but told him not to mention it to anyone because he would not be believed. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese did not seek to remove White, laicize him, or restrict his ministry or faculties in any way after it received this abuse report.

- x. After receiving Victim #32's report, however, the Denver Archdiocese did send White to the Institute of Living in Connecticut for psychiatric re-evaluation to determine if "there was an underlying pathology still present in White" and whether he needed treatment. White underwent evaluation. The Denver Archdiocese did nothing to restrict White's faculties after that evaluation. But it did reinforce the "conditions" it had placed on White in 1981. Specifically, the Denver Archdiocese required that White continue to receive regular psychiatric care and not be alone with boys at any time. The Denver Archdiocese regularly monitored his compliance with the counseling condition; however, there is no indication the Denver Archdiocese monitored or enforced the "never alone with boys" condition. When he returned from re-evaluation in November 1988, White continued to serve as Pastor at St. Anne Parish in Grand Lake.
- xi. Though it sent White for psychiatric re-evaluation, 2 weeks later the Denver Archdiocese placed him back in ministry without restriction on his faculties, without any reliable mechanism to monitor or enforce the condition that he not be alone with boys, and without seeking laicization. The Denver Archdiocese neither investigated Victim #32's abuse nor referred it to law enforcement. But the Denver Archdiocese did engage in an adversarial relationship with the victim. Specifically, Victim #32 spent 14 years (starting in 1988 when he reported this sexual abuse) requesting compensation for the harm he suffered, seeking assurances that White was receiving treatment, and asking that White admit to his misconduct. For 14 years the Denver Archdiocese rebuffed Victim #32, rejected all 3 requests, mischaracterized his requests as "threats," assured him they had listened to him carefully "and reacted appropriately," and repeatedly re-victimized him with these responses. In 2002 the Denver Archdiocese still would not agree to any of his requests but did finally relent to paying for his past and future counseling expenses.

### Victim #33

- i. White fondled and masturbated this boy, who was a parishioner at St. Anthony Parish in Sterling, at least twice.
- ii. White sexually abused Victim #33 from 1964 to 1968.
- iii. White himself reported this abuse in his February 1993 list.
- iv. Victim #33 was a boy under 18 years of age when White sexually abused him.
- v. White served as an Assistant Pastor and teacher at St. Anthony Parish in Sterling when he sexually abused Victim #33.
- vi. The Denver Archdiocese had received at least 15 reports of White sexually abusing children before he abused Victim #33.
- vii. N/A.
- viii. White admitted he sexually abused Victim #33. We are aware of no exculpatory evidence.

- ix. As described above, the Denver Archdiocese permanently removed White from ministry after it saw the list he authored in February 1993 of his 55 child victims and his 70-plus incidents of child sexual abuse committed at 6 parishes over a 21-year span.
- x. N/A.
- xi. The Denver Archdiocese conducted no investigation of any of these 70-plus incidents of child sexual abuse, including White's abuse of Victim #33. Nor did the Denver Archdiocese report any of those 70-plus incidents to law enforcement, including the incidents involving Victim #33.

#### Victim #34

- i. White fondled this boy at least once while he was a parishioner at St. Anthony Parish in Sterling.
- ii. White sexually abused Victim #34 between 1964 and 1968.
- iii. White himself reported his sexual abuse of Victim #34 in February 1993.
- iv. Victim #34 was a boy under 18 years of age when White sexually abused him.
- v. White served as an Assistant Pastor and teacher at St. Anthony Parish in Sterling when he sexually abused Victim #34.
- vi. The Denver Archdiocese had received at least 15 reports of White sexually abusing children before he abused Victim #34.
- vii. N/A.
- viii. White admitted he sexually abused Victim #34. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese removed White from ministry once and for all about one month after he informed the Denver Archdiocese he had sexually abused at least 55 boys on over 70 occasions at 6 parishes for 21 years.
- x. N/A.
- xi. The Denver Archdiocese did no investigation of any of White's self-reported 70-plus incidents of child sexual abuse, including the incident involving Victim #34. Nor did the Denver Archdiocese report any of those 70-plus incidents to law enforcement, including the incident involving Victim #34.

### Victim #35

- i. White fondled and masturbated this boy, who was a parishioner at St. Anthony Parish, at least 7 times.
- ii. White sexually abused Victim #35 between 1964 and 1968.
- iii. White himself reported his sexual abuse of Victim #35 in February 1993.
- iv. Victim #35 was a boy under 18 years of age when White sexually abused him.
- v. White served as an Assistant Pastor and teacher at St. Anthony Parish in Sterling when he sexually abused Victim #35.
- vi. The Denver Archdiocese had received at least 15 reports of White sexually abusing children before he abused Victim #35.
- vii. N/A.
- viii. White admitted to sexually abusing Victim #35. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese removed White from ministry for good one month after he self-reported sexually abusing Victim #35 and approximately 54 other boys.
- x. N/A.
- xi. The Denver Archdiocese did not investigate White's sexual abuse of Victim #35 or report it to law enforcement. It also did neither with White's 70-plus other admitted incidents of child sex abuse.

### Victim # 36

- i. White fondled this boy at least once while the boy was a parishioner at St. Anthony Parish.
- ii. White sexually abused Victim #36 between 1964 and 1968.
- iii. White himself reported his sexual abuse of Victim #36 in February 1993.
- iv. Victim #36 was a boy under 18 years of age when White sexually abused him.
- v. White served as an Assistant Pastor and teacher at St. Anthony Parish in Sterling when he sexually abused Victim #36.
- vi. The Denver Archdiocese had received at least 15 reports of White sexually abusing children before he abused Victim #36.



- vii. N/A.
- viii. White admitted to sexually abusing Victim #36. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese permanently removed White from ministry one month after he reported sexually abusing Victim #36 (and 54 other boys).
- x. N/A.
- xi. As with all the victims and child sex abuse incidents White admitted to in February 1993, the Denver Archdiocese did not investigate his admitted sexual abuse of Victim #36 or report it to law enforcement.

Victim #37

- i. White fondled this boy, a parishioner at St. Anthony Parish, at least twice.
- ii. White sexually abused Victim #37 between 1964 and 1968.
- iii. White himself reported abusing Victim #37 in February 1993.
- iv. Victim #37 was a boy under 18 years of age when White sexually abused him.
- v. White served as an Assistant Pastor and teacher at St. Anthony Parish in Sterling when he abused Victim #37.
- vi. The Denver Archdiocese had received at least 15 reports of White sexually abusing children before he abused Victim #37.
- vii. N/A.
- viii. White admitted he sexually abused Victim #37. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese permanently removed White from ministry one month after White reported sexually abusing Victim #37 (and 54 other boys).
- x. N/A.
- xi. As with all the victims and child sex abuse incidents White admitted to in February 1993, the Denver Archdiocese did not investigate his admitted sexual abuse of Victim #37 or report it to law enforcement.

### Victim # 38

- i. White fondled this altar server and St. Anthony's grade schooler numerous times over the course of 3 years. White sexually abused him in his car, at his cabin, on trips, at retreats, at Camp St. Malo, in the rectory, and in the sacristy. The abuse began after White endeared himself to the boy and his family. White assured the boy their sexual relationship was normal and warned him not to tell anyone about it.
- ii. White sexually abused Victim #38 from 1965 to 1968.
- iii. Victim #38 reported the abuse in 2006 when he filed a lawsuit against the Denver Archdiocese.
- iv. Victim #38 was an 11- to 13-year-old boy when White abused him.
- v. White served as an Assistant Pastor and teacher at St. Anthony Parish in Sterling when he sexually abused Victim #38.
- vi. The Denver Archdiocese had received at least 15 reports of White sexually abusing children before he abused Victim #38.
- vii. The Denver Archdiocese did not report White's abuse of Victim #38 to law enforcement as required under Colorado law.
- viii. It is not clear whether White ever admitted or denied sexually abusing Victim #38. We are aware of no exculpatory evidence.
- ix. N/A (White had been laicized and was dead when of this report).
- x. N/A.
- xi. The Denver Archdiocese did not investigate Victim #38's sexual abuse except as necessary to defend his lawsuit, and it did not report it to law enforcement because White was dead.

### Victim #39

- i. White forced Victim #39 to insert a ruler into her vagina, fondled her, and forced her to touch his penis on at least one occasion.
- ii. White sexually abused Victim #39 in approximately 1966.
- iii. Victim #39 first reported this abuse in 2005 when she filed a lawsuit against the Denver Archdiocese.
- iv. Victim #39 was a 7-year-old girl when White sexually abused her.

- v. White served as an Assistant Pastor and teacher at St. Anthony Parish in Sterling when he sexually abused Victim #39.
- vi. The Denver Archdiocese had received at least 15 reports of White sexually abusing children before he abused Victim #39.
- vii. The Denver Archdiocese did not report White's abuse of Victim #39 to law enforcement as required under Colorado law.
- viii. It is not clear whether White ever admitted or denied sexually abusing Victim #39. The only arguably exculpatory evidence we are aware of is that Victim #39's age and gender do not match the pattern we see in White's prolific abuse of children. Nonetheless, we find this allegation substantiated based on corroboration that outweighs the pattern evidence.
- ix. N/A (White had already been laicized when Victim #39 reported her abuse).
- x. N/A.
- xi. The Denver Archdiocese did not report White's sexual abuse of Victim #39 to law enforcement and investigated it only for purposes of defending the lawsuit Victim #39 brought.

#### Victim #40

- i. White fondled this altar server and St Anthony's student once. White fondled him in a St. Anthony school basement storage room.
- ii. White sexually abused Victim #40 in 1968.
- iii. Victim #40 reported the abuse in 2007 When he filed a lawsuit against the Denver Archdiocese.
- iv. Victim #40 was a boy under 18 years of age when White sexually abused him.
- v. White served as an Assistant Pastor and teacher at St. Anthony Parish in Sterling when he abused Victim #40.
- vi. The Denver Archdiocese had received at least 15 reports of White sexually abusing children before he abused Victim #40.
- vii. The Denver Archdiocese did not report White's abuse of Victim #40 to law enforcement as required under Colorado law.
- viii. It is not clear whether White ever admitted or denied that he sexually abused Victim #40. We are aware of no exculpatory evidence.

- ix. N/A (White died in 2006).
- x. N/A.
- xi. The Denver Archdiocese did not report Victim #40's sexual abuse to law enforcement and appears to have investigated it only to the extent necessary to defend his lawsuit.

#### Victim #41

- i. White fondled this St. Anthony altar server numerous times in White's car, in the rectory, and in the St. Anthony church basement. White was Victim #41's religious counselor.
- ii. White sexually abused Victim #41 in 1968.
- iii. Victim #41 reported the abuse in 1968.
- iv. Victim #41 was a 14- to 15-year-old boy at the time White sexually abused him.
- v. White served as an Assistant Pastor and teacher at St. Anthony Parish in Sterling when he abused Victim #41.
- vi. The Denver Archdiocese had received at least 15 reports of White sexually abusing children before he abused Victim #41.
- vii. N/A.
- viii. It is unclear whether White ever admitted or denied sexually abusing Victim #41. We are aware of no exculpatory evidence.
- ix. Shortly after it occurred, Victim #41 told his parents that White fondled him. His parents told the Pastor at St. Anthony Parish. His parents made that report to the Pastor at approximately the same time that Victim #42's father reported his son's sexual abuse (see below) and a religious sister at the St. Anthony Parish school asked the Denver Archdiocese to remove White because his relationships with some male students were "too close." As a result of these reports, in September 1968 the Denver Archdiocese removed White from St. Anthony Parish and transferred him directly to the Assistant Pastor position at St. John the Evangelist Parish in Loveland.
- x. The Denver Archdiocese transferred White to St. John Parish in Loveland with no protections against further abuse. It did not restrict his ministry or faculties. It did not send him for psychiatric evaluation. It did not require him to get counseling or treatment. It did not increase his supervision or restrict his access to children. Transferring White to Loveland made it less likely he would continue sexually abusing boys in Sterling, but it predictably exposed to sexual abuse the 9 children in Loveland described below (Victims #43-51).

- xi. The Denver Archdiocese did not report Victim #41's sexual abuse to law enforcement despite the facts that he and his parents reported it to the Denver Archdiocese immediately and the Denver Archdiocese already had received 15 reports of White sexually abusing children in his 8 years as a priest. Nor did the Denver Archdiocese conduct its own investigation of Victim #41's abuse.

#### Victim #42

- i. White sexually abused this boy, an altar server at St. Anthony Parish in Sterling, at least once.
- ii. White sexually abused Victim #42 in 1968.
- iii. Victim #42 reported the abuse in 1968, shortly after White sexually abused him. Victim #42 told his father. His father reported the sexual abuse to the Denver Archdiocese immediately.
- iv. Victim #42 was a boy under 18 years of age when White abused him.
- v. White served as the Assistant Pastor and teacher at St. Anthony Parish in Sterling when he sexually abused Victim #42.
- vi. The Denver Archdiocese had received at least 15 reports of White sexually abusing children before he abused Victim #42.
- vii. N/A.
- viii. It is unclear whether White ever admitted or denied sexually abusing Victim #42. We are aware of no exculpatory evidence.
- ix. As described above, the request of a religious sister at St. Anthony school and the reports of Victims #41 and #42 caused the Denver Archdiocese to transfer White to St. John the Evangelist Parish in Loveland in September 1968.
- x. The Denver Archdiocese did not restrict White's ministry, faculties, or access to children when they transferred him. Nor did the Denver Archdiocese send White for evaluation, treatment, or counseling.
- xi. The Denver Archdiocese did not report Victim #42's sexual abuse to law enforcement despite the facts that he and his parents reported it to the Denver Archdiocese immediately and the Denver Archdiocese already had received 15 reports of White sexually abusing children in his 8 years as a priest. Nor did the Denver Archdiocese conduct its own investigation of Victim #42's abuse.

### Victim #43

- i. White fondled and masturbated this altar server at St. John the Evangelist Parish in Loveland at least 4 times.
- ii. White sexually abused Victim #43 between 1968 and 1970.
- iii. White himself reported his sexual abuse of Victim #43 in February 1993.
- iv. Victim #43 was a boy under 18 years of age when White sexually abused him.
- v. White served as the Assistant Pastor at St. John the Evangelist Parish in Loveland when he abused Victim #43.
- vi. The Denver Archdiocese had received at least 17 reports of White sexually abusing children before he abused Victim #43.
- vii. N/A.
- viii. White admitted in February 1993 that he sexually abused Victim #43. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese permanently removed White from ministry 1 month after he admitted abusing Victim #43 and 54 other boys.
- x. N/A.
- xi. As with all of the victims and child sexual abuse incidents White admitted to in February 1993, the Denver Archdiocese did not investigate his admitted sexual abuse of Victim #43 or report it to law enforcement.

### Victim #44

- i. White fondled this altar server at St. John the Evangelist Parish in Loveland at least once.
- ii. White sexually abused Victim #44 in approximately 1968.
- iii. White himself reported his sexual abuse of Victim #44 in February 1993.
- iv. Victim #44 was a 13-year-old boy when White abused him.
- v. White served as the Assistant Pastor at St. John the Evangelist Parish in Loveland when he sexually abused Victim #44.
- vi. The Denver Archdiocese had received at least 15 reports of White sexually abusing children before he abused Victim #44.

- vii. N/A.
- viii. White admitted in February 1993 that he sexually abused Victim #44. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese permanently removed White from ministry 1 month after he admitted abusing Victim #44 and 54 other boys.
- x. N/A.
- xi. As with all of the victims and child sexual abuse incidents White admitted to in February 1993, the Denver Archdiocese did not investigate his admitted sexual abuse of Victim #44 or report it to law enforcement.

Victim #45

- i. White fondled this boy while masturbating himself at least 7 times, including one time at the boy's home. The boy was a seventh-grade parishioner at St. John the Evangelist Parish in Loveland.
- ii. White sexually abused Victim #45 from 1968 to 1970.
- iii. White himself reported that he sexually abused Victim #45 in February 1993. Victim #45's father reported White's sexual abuse of his son to the Denver Archdiocese approximately 1 week later, in early March 1993.
- iv. Victim #45 was an approximately 12-year-old boy when White sexually abused him.
- v. White served as the Assistant Pastor at St. John the Evangelist Parish in Loveland when he abused Victim #45.
- vi. The Denver Archdiocese had received at least 17 reports of White sexually abusing children before he abused Victim #45.
- vii. N/A.
- viii. White admitted in February 1993 that he sexually abused Victim #45. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese permanently removed White from ministry 1 month after he admitted abusing Victim #45 and 54 other boys.
- x. N/A.
- xi. As with all of the victims and child sexual abuse incidents White admitted to in February 1993, the Denver Archdiocese did not investigate his admitted sexual abuse of Victim

#45 or report it to law enforcement at that time. It did report this abuse to the Loveland Police Department and Larimer County Department of Human Health 10 years later.

Victim #46

- i. White fondled this boy, a St. John parishioner, at least once.
- ii. White sexually abused Victim #46 in approximately 1968.
- iii. White himself reported his sexual abuse of Victim #46 in February 1993.
- iv. Victim #46 was a boy under 18 years of age when White sexually abused him.
- v. White served as the Assistant Pastor at St. John the Evangelist Parish in Loveland when he abused Victim #46.
- vi. The Denver Archdiocese had received at least 15 reports of White sexually abusing children before he abused Victim #46.
- vii. N/A.
- viii. White admitted in February 1993 that he sexually abused Victim #46. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese permanently removed White from ministry 1 month after he admitted abusing Victim #46 and 54 other boys.
- x. N/A.
- xi. As with all of the victims and child sexual abuse incidents White admitted to in February 1993, the Denver Archdiocese did not investigate his admitted sexual abuse of Victim #46 or report it to law enforcement.

Victim #47

- i. White fondled this St. John parishioner at least once after grooming him by developing a close relationship with the family, taking the boy on special trips, and giving him other special treatment.
- ii. White sexually abused Victim #47 in 1968 or 1969.
- iii. Victim #47 reported the abuse in July 2003.
- iv. Victim #47 was an approximately 10- to 11-year-old boy when White sexually abused him.



- v. White served as the Assistant Pastor at St. John the Evangelist Parish in Loveland when he abused Victim #47.
- vi. The Denver Archdiocese had received at least 17 reports of White sexually abusing children before he sexually abused Victim #47.
- vii. The Denver Archdiocese reported the sexual abuse of Victim #47 to the Loveland Police Department and the Larimer County Department of Human Services approximately 2 weeks after the abuse was reported to the Denver Archdiocese. The Denver Archdiocese asked those agencies to refer this report of sexual abuse to any other law enforcement authorities necessary. Yet at the same time the Denver Archdiocese informed White that Victim #47 had come forward with multiple claims of sexual abuse and told White that the Denver Archdiocese had reported him to the police.
- viii. White denied that he sexually abused Victim #47. Other than his denial, we are not aware of any exculpatory evidence.
- ix. White had been removed from ministry for 10 years when Victim #47 reported his abuse in 2003. Within a year after Victim #47 came forward, White was laicized.
- x. N/A.
- xi. The Denver Archdiocese investigated this report by asking White if he sexually abused Victim #47 and by talking to at least 1 of the victim's family members. It referred the report to multiple law enforcement authorities. But the Denver Archdiocese also notified law enforcement's target (White) that it had reported him to the police. The Denver Archdiocese also sent 2 letters of apology to Victim #47 and offered to pay for counseling.

Victim #48

- i. White attempted to fondle this boy parishioner at St. John the Evangelist Parish at least once. White groomed this boy by establishing a close relationship with his family and parents, taking him on special trips, and giving him other special treatment.
- ii. White sexually abused Victim #48 between 1968 and 1970.
- iii. Victim #48 reported the abuse in July 2003.
- iv. Victim #48 was a boy under 18 years of age when White sexually abused him.
- v. White served as the Assistant Pastor at St. John the Evangelist Parish in Loveland when he abused Victim #48.
- vi. The Denver Archdiocese had received at least 17 reports of White sexually abusing children before he abused Victim #48.

- vii. The Denver Archdiocese did not report the sexual abuse of Victim #48 to law enforcement as required under Colorado law.
- viii. White denied that he sexually abused Victim #48. Other than his denial, we are not aware of any exculpatory evidence.
- ix. White had been removed from ministry 10 years before Victim #48 came forward, and White was laicized within a year after.
- x. N/A.
- xi. The Denver Archdiocese investigated Victim #48's report by talking to at least one family member and asking White if he had sexually abused this victim. The Denver Archdiocese did no other investigation. The Denver Archdiocese did not apologize to Victim #48. Nor did it offer him counseling. In addition, the Denver Archdiocese did not report this victim's sexual abuse to the police.

Victim #49

- i. White fondled this boy, a St. John parishioner, once on a sledding weekend trip to White's cabin. He fondled the boy through his pajamas while the boy slept and stopped when the boy woke up.
- ii. White sexually abused Victim #49 in 1969.
- iii. Victim #49 reported the abuse in 2008 when he sued.
- iv. Victim #49 was a 12-year-old boy when White sexually abused him.
- v. White served as the Assistant Pastor at St. John the Evangelist Parish in Loveland when he sexually abused Victim #49.
- vi. The Denver Archdiocese had received at least 17 reports of White sexually abusing children before he abused Victim #49.
- vii. The Denver Archdiocese did not report White's abuse of Victim #49 to law enforcement as required under Colorado law.
- viii. It is not clear whether White ever admitted or denied that he sexually abused Victim #49. We are aware of no exculpatory evidence.
- ix. N/A (White was dead when Victim #49 came forward).
- x. N/A.

- xi. The Denver Archdiocese investigated Victim #49's abuse to the extent necessary to defend itself in the lawsuit he filed. It reached a settlement with Victim #49, and it did not report the incident to any law enforcement authority.

#### Victim #50

- i. White sexually abused this boy, a St. John parishioner, twice on a ski trip. He fondled the boy once in White's parents' vacation house, and he fondled the boy again in bed in White's camper. White told the boy afterward not to report the incidents, that "this is our secret."
- ii. White sexually abused Victim #50 in 1969 or 1970.
- iii. Victim #50 reported the abuse in 2008 when he filed a lawsuit against the Denver Archdiocese.
- iv. Victim #50 was an approximately 14-year-old boy when White sexually abused him.
- v. White served as the Assistant Pastor at St. John the Evangelist Parish in Loveland when he abused Victim #50.
- vi. The Denver Archdiocese had received at least 17 reports of White sexually abusing children before he abused Victim #50.
- vii. The Denver Archdiocese did not report White's abuse of Victim #50 to law enforcement as required under Colorado law.
- viii. It is unclear whether White ever admitted or denied sexually abusing Victim #50. We are aware of no exculpatory evidence.
- ix. N/A (White was dead when Victim #50 reported this incident).
- x. N/A.
- xi. The Denver Archdiocese's investigation of Victim #50's abuse was sufficient to reach a settlement. It investigated the incident to inform its settlement position, but it did not report the incident to any law enforcement authority.

#### Victim #51

- i. White sexually abused this altar server approximately 12 times over the course of 6 years, spanning White's assignments in Loveland and Minturn. White engaged in mutual masturbation and mutual oral sex with Victim #51. White groomed Victim #51 by establishing a close relationship with his parents and family, taking him on special trips, and giving him other special treatment. White abused Victim #51 at White's cabin, at the

boy's home, in White's camper, and at both parish rectories. Victim #51 ended the abuse by White when he was 16 years old.

- ii. White sexually abused Victim #51 from 1970 to 1977.
- iii. White himself reported his sexual abuse of Victim #51 in February 1993.
- iv. Victim #51 was an 11- to 16-year-old boy when White sexually abused him.
- v. White was serving as the Assistant Pastor at St. John the Evangelist Parish in Loveland in 1970 when he began sexually abusing Victim #51, and he served as the Pastor at St. Patrick Parish in Minturn while he was sexually abusing this boy from December 1970 to 1977.
- vi. The Denver Archdiocese had received at least 18 reports of White sexually abusing children before he abused Victim #51.
- vii. The Denver Archdiocese had no mandatory obligation to report when it first received notice of the sexual abuse of Victim #51 in February 1993. When the Denver Archdiocese received this abuse allegation again in July 2003, it reported the sexual abuse of Victim #51 to the Loveland Police Department and the Larimer County Department of Human Services approximately 2 weeks later. The Denver Archdiocese also asked those agencies to refer this report of sexual abuse to any other law enforcement authorities necessary. But the Denver Archdiocese at the same time sent a letter to White informing him that this victim had come forward with multiple claims of sexual abuse and telling White that the Denver Archdiocese had reported him to the police.
- viii. White twice admitted in 1993 he had a sexual relationship with Victim #51; however, he minimized the number of times they had sex, and he asserted that Victim #51 had been 18 to 19 years old during their sexual relationship. White also asserted the relationship was "open and mutual." Victim #51, however, was actually 11 years old at the time; the sexual abuse spanned 6 years, not 2; the conduct involved more than fondling and masturbation; and White sexually abused Victim #51 at least 12 times, not 5 to 8 times. Other than White's partial denials, which he offered after hearing the police had been notified, we are aware of no exculpatory evidence.
- ix. The Denver Archdiocese first learned White sexually abused Victim #51 when White disclosed it in February 1993 on his list that identified at least 55 children he had sexually victimized between 1960 and 1981 at 6 Denver Archdiocese parishes. White reported he had engaged in over 70 incidents of sexual abuse with these children. One month later, in March of 1993, the Denver Archdiocese permanently removed White from ministry. White was placed on medical leave and sent for psychiatric evaluation at the Institute of Living in Connecticut, where he stayed for 4 days. At the conclusion of his evaluation, the Institute of Living initially recommended that White could return to Colorado and safely work as a priest if he were carefully supervised and actively participated in

therapy. Three months later, a therapist at the Institute of Living told the Denver Archdiocese that White should not be allowed to continue in parish ministry.

- x. N/A.
- xi. The Denver Archdiocese investigated Victim #51's abuse by asking White if he had sexually abused Victim #51 and possibly talking to at least 1 of Victim #51's family members. It also referred the report to multiple law enforcement authorities in 2003. However, it undermined those authorities by also notifying their target (White) that he had been reported to police. The Denver Archdiocese also sent 2 letters of apology to Victim #51 and offered to pay for counseling. This victim later filed a lawsuit and entered into a settlement.

#### Victim #52

- i. White sexually abused Victim #52, a St. Patrick parishioner, approximately 7 times over a 14-month period. White rubbed and Victim #52's back in a swimming pool. White performed oral sex on him approximately 6 times, including in the St. Patrick rectory. White tried to persuade Victim #52 to have anal sex with him and attempted to penetrate him anally. White groomed him with special treatment, including taking him on swimming trips.
- ii. White sexually abused Victim #52 from 1970 to 1971.
- iii. Victim #52 reported the abuse in 2004 and again in May 2005.
- iv. Victim #52 was a 14-year-old boy when White sexually abused him.
- v. White served as the Pastor at St. Patrick Parish in Minturn when he sexually abused Victim #52.
- vi. The Denver Archdiocese had received at least 17 reports of White sexually abusing children before he abused Victim #52.
- vii. The Denver Archdiocese promptly reported White's sexual abuse of Victim #52 to the Minturn police chief after receiving the victim's detailed report in May 2005.
- viii. White did not deny he sexually abused Victim #52; instead, he asserted he had no recollection of him. We are aware of no exculpatory evidence.
- ix. N/A (White had been laicized a year before Victim #53 came forward).
- x. N/A.
- xi. Although it is unclear whether the Denver Archdiocese promptly returned Victim #52's 2004 initial phone call reporting his abuse, the Denver Archdiocese responded promptly thereafter. It notified law enforcement. It contacted White to investigate the report. It

initiated the Conduct Response Team process and heard directly from Victim #52. It paid for this victim's counseling and settled his legal claims. It apologized to Victim #52. The only request from Victim #52 that the Denver Archdiocese did not grant was his request that the Denver Archdiocese arrange for him to meet with White. In 2005, after laicization, the Denver Archdiocese was not in a position to mandate that White meet with Victim #52. Regardless, it does not appear from White's file that the Denver Archdiocese tried to grant this request.

### Victim #53

- i. White fondled Victim #53 twice, once in Our Lady of Mount Carmel Church in Redcliff and once on a camping trip in Grand Lake. White groomed this boy for sexual abuse by letting the boy drive White's car and putting his hand on the boy's thigh as he drove.
- ii. White sexually abused Victim #53 from 1970 to 1972.
- iii. Victim #53 reported the abuse in August 2005.
- iv. Victim #53 was a 16-year-old boy when White sexually abused him.
- v. White served as the Pastor at St. Patrick Parish in Minturn when he sexually abused Victim #53.
- vi. The Denver Archdiocese had received at least 18 reports of White sexually abusing children before he abused Victim #53.
- vii. The Denver Archdiocese reported Victim #53's sexual abuse to the Minturn police chief and to the Eagle County Sheriff's Office immediately. Victim #53 indicated he wanted to report so there would be a record of the abuse that night in case it would help other victims, but he stated he did not want to pursue a criminal case based on his own abuse by White. The District Attorney subsequently declined to prosecute on statute of limitations grounds.
- viii. It is not clear whether White ever admitted or denied sexually abusing Victim #53. We are aware of no exculpatory evidence.
- ix. N/A (White had been laicized in 2004).
- x. N/A.
- xi. The Denver Archdiocese immediately reported Victim #53's abuse to law enforcement. It initiated the Conduct Response Team process and offered the victim an opportunity to meet with the Conduct Response Team.

## Victim #54

- i. White fondled and engaged in masturbation, oral sex, and anal sex with Victim #54 on at least 4 occasions. White engaged in grooming behavior with Victim #54 while drinking alcohol with him.
- ii. White sexually abused Victim #54 from 1976 to 1977.
- iii. Victim #54 reported the abuse in September 1992 and again in August 2005.
- iv. Victim #54 was a 14- to 16-year-old boy when White sexually abused him.
- v. White served as the Pastor at St. Patrick Parish in Minturn when he abused Victim #54.
- vi. The Denver Archdiocese had received at least 18 reports of White sexually abusing children before he abused Victim #54.
- vii. The Denver Archdiocese reported Victim #54's sexual abuse to the Aspen Police Department shortly after it received his report in early August 2005.
- viii. White admitted that he fondled and masturbated with Victim #54, he did not respond to the oral sex allegations, and he vehemently denied the anal sex allegation. We are aware that Victim #54's reports of his sexual abuse were not uniformly consistent and contain some date and conduct inconsistencies. We are also aware that a family member described him as dishonest. Given the consistencies with White's other conduct, White's admission, and the totality of the evidence, we find Victim #54's allegations as to fondling, masturbation, and oral sex credible and substantiated.
- ix. The Denver Archdiocese took no action against White after Victim #54 first reported this sexual abuse in September 1992. It did not transfer him, restrict his ministry, restrict his faculties, or report him to any law enforcement authority. Four months after this child sexual abuse report, White provided a written response to it as the Denver Archdiocese had requested. A month after that, in February 1993, White provided his lengthy admission of child sex abuse. A month later, in March 1993, the Denver Archdiocese removed his faculties entirely, placed him on medical leave, and sent him to the Institute of Living for evaluation.
- x. The only restrictions on White's ministry, or counseling, came 6 months after Victim #54's first report. When Victim #54 reported for a second time in 2005, the Denver Archdiocese had already removed White's faculties and had him laicized.
- xi. Victim #54's sex abuse report in 1992 was the catalyst that eventually (6 months later) led to his permanent removal from ministry. The Denver Archdiocese did not report White's sexual abuse of Victim #54 to any law enforcement authority at that time. The Denver Archdiocese's response to Victim #54's second report, in 2005, was much more

effective. It immediately contacted law enforcement, it listened to Victim #54, and it settled his claims within 2 months.

#### Victim #55

- i. White fondled Victim #55 once when he was 17 years old and twice just after his eighteenth birthday. White's first sexually abuse of Victim #55 occurred when White hugged him and grabbed his genitals in a rectory side room after Christmas Mass. Victim #55 was living in a foster care group home at the time.
- ii. White sexually abused Victim #55 in December 1977.
- iii. Victim #55 reported the abuse in May 1978 and at least 5 more times between 1978 and 2006.
- iv. Victim #55 was a 17-year-old boy when White sexually abused him.
- v. White served as the Pastor at St. Patrick Parish in Minturn when he abused Victim #55.
- vi. The Denver Archdiocese had received at least 18 reports of White sexually abusing children before he abused Victim #55.
- vii. N/A.
- viii. It is not clear whether White ever admitted or denied sexually abusing Victim #55. We are aware of no exculpatory evidence.
- ix. Victim #55 reported this sexual abuse to the Denver Archdiocese in May 1978, just one month after the Denver Archdiocese had already transferred White to serve as Pastor at St. Mary Parish in Aspen; thus, White was not transferred in response to this report. The Denver Archdiocese did not restrict White's ministry or faculties or limit his access to children in any way after Victim #55 reported his sexual abuse.
- x. The Denver Archdiocese took no steps to protect against White's future child sex abuse after receiving Victim #55's report. It did not restrict his ministry. It did not send him for psychiatric evaluation, counseling, or care. It did not place any conditions on his service. It did not restrict his access to parish children. It did not supervise him.
- xi. The Denver Archdiocese's response to Victim #55's report of his sexual abuse by White was deceitful, dishonest, harmful to Victim #55, harmful to White's future victims, and designed only to protect the Denver Archdiocese itself regardless of impact on this and future victims. The Denver Archdiocese intentionally and consistently pursued this approach from 1978 through 2005. It was not until Victim #55's attorney threatened to sue the Denver Archdiocese in July 2006 that the Denver Archdiocese initiated its Conduct Response Team process, listened to Victim #55, settled his claims, and agreed to pay for his counseling. Still, the Denver Archdiocese never reported Victim #55's abuse



to any law enforcement authority, even though White was still alive at the time of both of Victim #55's reports and the Denver Archdiocese had received at least 18 reports about White's long history of child sex abuse. We provide some specifics to illustrate our conclusions here:

- a. Starting in 1978, the Denver Archdiocese repeatedly rebuffed, ignored, and re-victimized Victim #55 in order to protect itself. The Denver Archdiocese waited 13 months before responding to Victim #55's initial letter in 1978 reporting White's abuse to the Denver Archdiocese's Archbishop. The Archbishop never responded himself; instead, a religious sister wrote to Victim #55 at the end of June 1979 stating that "we are not aware of any complaints about Father White as we know to this date. I am sorry you believe it happened. This issue will be addressed." These were lies. As of the date of the religious sister's letter, the Denver Archdiocese had actually received at least 8 reports of White sexually abusing children. And the Denver Archdiocese actually did nothing to "address this issue" other than yet again to move White on to a new parish and new group of potential victims. The Denver Archdiocese's strategic approach to protecting itself from child sexual abuse victims is also apparent in this Denver Archdiocese sentence we have seen in other files too: "I am sorry you believe this happened to you." In other words, just after he turned 18, a foster child who had been sexually abused by a Denver Archdiocese priest had the courage to report his humiliating experience to the Denver Archbishop, and a staffer responded more than 13 months later to patronize him and make it clear to him the Denver Archdiocese believed *he* was the liar. Over a year later, when it became apparent Victim #55 would persist, a lawyer for the Denver Archdiocese called the victim and told him it was too late to do anything, he should seek counseling help, and he should not contact the Denver Archdiocese again. The Denver Archdiocese lawyer said all this to an unrepresented 20-year-old who had been sexually abused by a Denver Archdiocese priest less than 3 years before.
- b. Despite the Denver Archdiocese's responses, Victim #55 did not give up and wrote several more letters, reported his abuse to the Denver Archdiocese's Director of Child and Youth Protection in 2005, and settled his claims in 2006. By then the Denver Archdiocese had established its Conduct Response Team process, which it deployed for Victim #55. Though flawed in some respects, as discussed above in Section A, through that process and settlement discussions the Denver Archdiocese finally treated Victim #55 with respect and compassion instead of deceiving, insulting, and rejecting him.

#### Victim #56

- i. White fondled and masturbated Victim #56, a parishioner at St. Patrick Parish in Minturn, at least 3 times.
- ii. White sexually abused Victim #56 from approximately 1970 to 1978.
- iii. In February 1993 White himself reported he sexually abused Victim #56.

- iv. Victim #56 was a boy under the age of 18 when White abused him.
- v. White served as the Pastor at St. Patrick Parish in Minturn when he sexually abused this boy.
- vi. The Denver Archdiocese had received at least 18 reports of White sexually abusing children prior to his abuse of Victim #56.
- vii. N/A.
- viii. White admitted that he sexually abused Victim #56. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese permanently restricted White's ministry a month after White self-reported his sexual abuse of Victim #56 (and 54 other children). The Denver Archdiocese also sent White to the Institute of Living for 4 days to be psychiatrically evaluated.
- x. N/A.
- xi. As set forth above, the Denver Archdiocese never reported to law enforcement any of the child sex abuse White admitted in February 1993. Nor did it investigate any of it. That includes his sexual abuse of Victim #56.

#### Victim #57

- i. White fondled and masturbated with this parishioner at St. Patrick Parish at least 4 times.
- ii. White sexually abused Victim #57 from 1970 to 1978.
- iii. White himself reported sexually abusing Victim #57 in February 1993.
- iv. Victim #57 was a boy under 18 years of age when White abused him.
- v. White served as the Pastor at St. Patrick Parish in Minturn when he abused Victim #57.
- vi. The Denver Archdiocese had received at least 18 reports of White sexually abusing children before he abused Victim #57.
- vii. N/A.
- viii. White admitted he sexually abused Victim #57. We are aware of no exculpatory evidence.

- ix. The Denver Archdiocese permanently restricted White's ministry a month after White self-reported his sexual abuse of Victim #57 (and 54 others). The Denver Archdiocese also sent White to the Institute of Living for 4 days to be psychiatrically evaluated.
- x. N/A.
- xi. As set forth above, the Denver Archdiocese never reported to law enforcement any of the child sex abuse White admitted in February 1993. Nor did it investigate any of it. That includes his sexual abuse of Victim #57.

#### Victim #58

- i. White fondled and masturbated with Victim #58, a parishioner at St. Patrick Parish, at least 3 times.
- ii. White sexually abused Victim #58 between 1970 and 1978.
- iii. White reported in February 1993 that he sexually abused Victim #58.
- iv. Victim #58 was a boy under 18 years of age when White abused him.
- v. White served as the Pastor at St. Patrick Parish in Minturn when he abused Victim #58.
- vi. The Denver Archdiocese had received at least 18 reports of White sexually abusing children before he abused Victim #58.
- vii. N/A.
- viii. White admitted he sexually abused Victim #58. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese permanently restricted White's ministry a month after White self-reported his sexual abuse of Victim #58 (and 54 other children). The Denver Archdiocese also sent White to the Institute of Living for 4 days to be psychiatrically evaluated.
- x. N/A.
- xi. As set forth above, the Denver Archdiocese never reported to law enforcement any of the abuse White admitted in February 1993. Nor did it investigate any of it. That includes his sexual abuse of Victim #58.

#### Victim #59

- i. White fondled and sexually abused Victim #59, whom White picked up hitchhiking near Vail, at least twice.

- ii. White sexually abused Victim #59 in 1978.
- iii. Victim #59 reported the abuse in December 2009.
- iv. Victim #59 was an approximately 11-year-old boy when White sexually abused him.
- v. White served as Pastor at St. Patrick Parish in Minturn when he abused Victim #59.
- vi. The Denver Archdiocese had received at least 18 reports of White sexually abusing children before he abused Victim #59.
- vii. The Denver Archdiocese did not report White's abuse of Victim #59 to law enforcement as required under Colorado law.
- viii. It is unclear whether White ever admitted or denied he sexually abused Victim #59. We are aware of no exculpatory evidence.
- ix. N/A (White died 3 years before this victim came forward).
- x. N/A.
- xi. In response to Victim #59's abuse report, the Denver Archdiocese engaged its Conduct Response Team process, listened to Victim #59, and within 2 months of his report agreed to pay him a settlement that included the costs of 1 year of psychiatric evaluation and therapy. The Denver Archdiocese did not report his sexual abuse to any law enforcement authority.

#### Victim #60

- i. White fondled Victim #60, a parishioner at St. Mary Parish in Aspen, at least twice.
- ii. White sexually abused Victim #60 between approximately 1978 and 1981.
- iii. White himself reported this abuse in the list he wrote for the Denver Archdiocese in February 1993.
- iv. Victim #60 was a boy under 18 years of age when White sexually abused him.
- v. White served as the Pastor at St. Mary Parish in Aspen when he abused Victim #60.
- vi. The Denver Archdiocese had received at least 19 reports of White sexually abusing children before he abused Victim #60. In addition, media reports in the mid-2000s, after numerous victims filed lawsuits relating to White's child sex abuse, indicate that many parents called the Denver Archbishop during White's assignment in Aspen (1978-1981) to complain about his sexual behavior with children.

- vii. N/A.
- viii. White admitted he sexually abused Victim #60. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese permanently restricted White's ministry a month after White self-reported his sexual abuse of Victim #60 (and 54 others). The Denver Archdiocese also sent White to the Institute of Living for 4 days to be psychiatrically evaluated.
- x. N/A.
- xi. As set forth above, the Denver Archdiocese never reported to law enforcement any of the child sex abuse White admitted in February 1993. Nor did it investigate any of it. That includes his sexual abuse of Victim #60

#### Victim #61

- i. White fondled Victim #61, a parishioner at St. Mary Parish in Aspen, at least 3 times.
- ii. White sexually abused Victim #61 between 1978 and 1981.
- iii. Victim #61 reported his abuse in 1981.
- iv. Victim #61 was a boy under 18 years of age when White sexually abused him.
- v. White was the Pastor at St. Mary Parish in Aspen when he abused Victim #61.
- vi. The Denver Archdiocese had received at least 19 reports of White sexually abusing children before he abused Victim #61.
- vii. N/A.
- viii. White admitted he sexually abused Victim #61. We are aware of no exculpatory evidence.
- ix. The Denver Archdiocese received reports of White sexually abusing Victims #61 and #62 at approximately the same time in 1981. After White offered a superficial denial of the first incident, the Denver Archbishop pronounced, "The incident is to be forgotten." After the second incident was reported, however, the Archbishop considered "reassigning" White. The Archbishop was advised that if he did so he should impose 2 conditions on White: no work with youth, and regular counseling attendance. The Archbishop was also advised White should be told, "This is your last chance. If you fail again, this is the end." When told the Archbishop was considering reassignment, White begged to stay in Aspen as Pastor at St. Mary Parish, arguing that the allegations had not created scandal and more scandal would result from a transfer. Two months later, the Denver Archdiocese sent White to the Albuquerque Villa for evaluation and treatment. He was there from July

to December 1981. In January 1982 the Denver Archdiocese placed White back into ministry as an Assistant Pastor at Good Shepherd Parish in Denver without any restrictions on his ministry or faculties.

- x. The Denver Archdiocese placed no restrictions on White's ministry or faculties after Victim #61's report in 1981. It is unclear what if any psychological counseling he actually received at the Albuquerque Villa. A counselor there, though, did recommend to the Denver Archdiocese in October 1981 that in the future White should be "stationed with other priests." When he returned to Colorado in January of 1982, as an Assistant Pastor at Good Shepherd Parish in Denver, the Denver Archdiocese did require him to participate in regular psychiatric counseling. It is unclear how they monitored or enforced that requirement, if at all, or whether White complied with it. His psychiatrist told the Denver Archdiocese it must place strict rules on White's behavior and suspend him if he violated those rules because there was a "near impossibility of treatment." It is unclear, whether Denver Archdiocese did in fact place any "strict rules" on White, whether or how they monitored his compliance, and whether or how they enforced any failure to comply.
- xi. The Denver Archdiocese's investigation of Victim #61's sexual abuse was minimal: it talked to the reporting party and to White. It also made no attempt to report this child sexual abuse to any law enforcement authority.

#### Victim #62

- i. White fondled Victim #62, a parishioner at St. Mary Parish in Aspen, once.
- ii. White sexually abused Victim #62 in 1981.
- iii. Victim #62 reported the abuse in April 1981.
- iv. Victim #62 was a boy under 18 years of age when White sexually abused him.
- v. White served as the Pastor at St. Mary Parish in Aspen when he abused this boy.
- vi. The Denver Archdiocese had received at least 19 reports of White sexually abusing children before he abused Victim #62.
- vii. N/A.
- viii. White denied that he sexually abused Victim #62, stating, "I put all that behind me." We are aware of no exculpatory evidence other than White's denial. The circumstances of this report indicate White's denial is not credible.
- ix. The Denver Archdiocese received reports of White sexually abusing Victims #61 and #62 at approximately the same time in 1981. After White offered a superficial denial of the first incident, the Denver Archbishop pronounced, "The incident is to be forgotten." After

the second incident was reported, however, the Archbishop considered “reassigning” White. The Archbishop was advised that if he did so he should impose 2 conditions on White: no work with youth, and regular counseling attendance. The Archbishop was also advised White should be told, “This is your last chance. If you fail again, this is the end.” When told the Archbishop was considering reassignment, White begged to stay in Aspen as Pastor at St. Mary Parish, arguing that the allegations had not created scandal and more scandal would result from a transfer. Two months later, the Denver Archdiocese sent White to the Albuquerque Villa for evaluation and treatment. He was there from July to December 1981. In January 1982 the Denver Archdiocese placed White back into ministry as an Assistant Pastor at Good Shepherd Parish in Denver without any restrictions on his ministry or faculties.

- x. The Denver Archdiocese placed no restrictions on White’s ministry or faculties after Victim #62’s report in 1981. It is unclear what if any psychological counseling he actually received at the Albuquerque Villa. A counselor there, though, did recommend to the Denver Archdiocese in October 1981 that in the future White should be “stationed with other priests.” When he returned to Colorado in January of 1982, as an Assistant Pastor at Good Shepherd Parish in Denver, the Denver Archdiocese did require him to participate in regular psychiatric counseling. It is unclear how they monitored or enforced that requirement, if at all, or whether White complied with it. His psychiatrist told the Denver Archdiocese it must place strict rules on White’s behavior and suspend him if he violated those rules because there was a “near impossibility of treatment.” It is unclear, whether Denver Archdiocese did in fact place any “strict rules” on White, whether or how they monitored his compliance, and whether or how they enforced any failure to comply.
- xi. The Denver Archdiocese did virtually no investigation of Victim #62’s sexual abuse allegations. It talked to the reporting party and to White. It also did not report the abuse to any law enforcement authority.

### Victim #63

- i. White fondled Victim #63 once in White's camper on a camping trip at Lake Powell.
- ii. White sexually abused Victim #63 in 1979.
- iii. Victim #63 reported the abuse in 2005.
- iv. Victim #63 was a boy under 18 years of age when White sexually abused him.
- v. White served as the Pastor at St. Mary Parish in Aspen when he abused Victim #63.
- vi. The Denver Archdiocese had received 19 reports of White sexually abusing children before he abused Victim #63.
- vii. The Denver Archdiocese did not report White’s abuse of Victim #63 to law enforcement as required under Colorado law.

- viii. It is unclear whether White ever admitted or denied he sexually abused Victim #63. We are aware of no exculpatory evidence.
- ix. N/A (White had been laicized a year before Victim #63 came forward).
- x. N/A.
- xi. The Denver Archdiocese did not investigate Victim #63's abuse, nor did it report it to any law enforcement authority.

## **FATHER THOMAS WOERTH**

### Victim #1

- i. Woerth sexually abused this high school student on numerous occasions after spending years grooming him and working to get close to him.
- ii. Woerth sexually abused Victim #1 in 1971, 1972, and 1973.
- iii. Woerth's abuse was first reported to the Denver Archdiocese in March 2019.
- iv. Victim #1 was a boy under the age of 18 when Woerth abused him.
- v. Woerth was an Assistant Pastor at Holy Trinity Parish in Colorado Springs and the Religion Coordinator at St. Mary's High School when he abused Victim #1.
- vi. Woerth's files reflect no evidence that the Denver Archdiocese had received reports that he engaged in sexual misconduct with children before he sexually abused Victim #1.
- vii. The Denver Archdiocese reported Victim #1's abuse to law enforcement immediately after receiving his report.
- viii. Woerth denied abusing Victim #1. We are aware of no exculpatory evidence.
- ix. Woerth was long retired and living out of state when this report was made. The Denver Archdiocese immediately contacted him and removed his faculties. It also immediately notified the Catholic diocese in his current state of residence of Victim #1's allegations.
- x. N/A.
- xi. The Denver Archdiocese's response to Woerth's sexual abuse of Victim #1 was swift and complete. It reported to law enforcement. It removed his faculties. It notified the diocese where he lives. And it exercised immediate care and compassion for the victim, explaining and offering him all available counseling and related services.



#### **D. Incident Reports — Substantiated Allegations of Misconduct with Minors**

We found in our review no substantiated allegations of sexual misconduct with children in the Denver Archdiocese not already reported above.

#### **E. Summary of Unsubstantiated Allegations**

Over the course of our review, we documented 23 unsubstantiated allegations of sexual misconduct with children against Diocesan Priests in the Denver Archdiocese not otherwise named in this Report. The unsubstantiated allegations were spread fairly evenly across the last 7 decades: 3 in the 1950s, 2 in the 1960s, 4 in the 1970s, 1 in the 1980s, 4 in the 1990s, 5 in the 2000s, 2 in the 2010s, and 2 in which the time period is unspecified. These unsubstantiated allegations ranged from grooming to rape. Most were sexual acts, not grooming alone. We conducted thorough follow-up investigations to determine whether these allegations could be substantiated. We did not substantiate them for a variety of reasons. For example, sometimes the allegations were inconsistent with known facts. Sometimes the credibility of the allegation was unclear and despite investigative follow-up, we could not identify sufficient corroborating evidence. Sometimes the accuser could not identify the priest, recall the approximate date, or be sure he or she was under 18 years old when abused.

#### **F. Out-of-State Misconduct**

This section addresses Diocesan Priests who more likely than not sexually abused children outside of Colorado either before or after they served as priests in Colorado. That abuse itself is beyond the Agreement's scope. Accordingly, we do not comprehensively summarize the sexual abuse itself. Instead, this section focuses on how the Colorado Dioceses responded when they learned of that abuse, and whether their responses protected Colorado children.

## **FATHER A**

Father A was ordained in New York in 1959. In 1973, he petitioned to serve in the Denver Archdiocese. The Denver Archdiocese consented to the transfer and after serving approximately 5 years in the Denver Archdiocese, Father A was incardinated in the Denver Archdiocese in 1978. He retired from active ministry in 2005 but retained his faculties and continued limited parish work. In June 2010, a victim in New York alleged that in the early 1970s, while she was between the ages of 9 and 13 or 14, Father A molested her in her bedroom under the guise of helping her with her prayers. She alleged that he would lie next to her in bed and “teach her her body parts” by touching them, and he would kiss her neck and breasts. He also digitally penetrated her. The victim reported this abuse to the Denver Archdiocese in 2010 and alleged the abuse occurred while Father A was assigned to the Our Lady of Pompeii Parish, Archdiocese of New York. Upon receiving the allegation from the victim, the Denver Archdiocese immediately suspended Father A’s faculties. The Denver Archdiocese notified the Archdiocese of New York of the allegation and advised since the allegation was made to the Denver Archdiocese, the Denver Archdiocese would initiate a canonical investigation into the allegation. The Denver Archdiocese also notified the District Attorney’s Office for the County of New York (that office declined to prosecute based on the statute of limitations). The Denver Archdiocese’s Conduct Response Team investigated the allegation, and its investigation included interviews of Father A, the victim, and the victim’s brother. Father A denied the allegation, and the only corroborating evidence was the statement by the victim’s brother that on one occasion he walked into his sister’s bedroom as Father A was exiting the room (sweaty and disheveled) and found his sister crying and upset. At the time, the victim did not tell her brother she had been sexually abused by Father A. The Conduct Response Team recommended Father A’s faculties remain suspended until the outcome of the canonical trial into his guilt or innocence. Father A chose to participate in this judicial penal process, which involved a canon prosecutor and a 3-judge panel of canon lawyers. In 2016 the Denver Archbishop issued a decree announcing that the canonical trial found Father A not guilty. Under canon law, this result required the Denver Archdiocese to reinstate Father A’s faculties, which it did.

## **FATHER B**

Father B came to Denver from Wichita, Kansas in 1979 and was incardinated in the Denver Archdiocese in 1984. In 2008, the Denver Archdiocese received an allegation that Father B had abused a minor during his earlier tenure in Kansas. The Denver Archdiocese then contacted the victim, who reported his story over the phone. The victim said that in 1966, when he was a sophomore in high school and Father B was a young priest in Kansas, Father B invited the victim to the rectory to help him study. The victim alleged that towards the end of the evening, the victim lay down on Father B’s bed, and Father B lay down next to him. The victim alleged that Father B then rolled over and draped his leg over the victim’s “pelvic area.” The victim alleged he initially froze and then rolled away so his back was to Father B. He firmly believes Father B’s actions were not accidental and that he intentionally made contact with this area of the victim’s body to either groom him or initiate a sexual encounter. The victim departed Father B’s room without further incident. The victim further informed the Denver Archdiocese that he believed 2 other boys were abused by Father B in Kansas and that they had both committed suicide later in life partly due to their sexual-abuse trauma.

The Denver Archdiocese offered the victim counseling and activated the Conduct Response Team process. The victim did not trust the Denver Archdiocese and therefore did not want to participate in the Conduct Response Team process, so the Conduct Response Team interviewed Father B only (at that time Father B had faculties but was on medical disability). Father B denied sexually abusing the victim and the 2 boys who had committed suicide. But Father B admitted that the victim had slept over at the rectory and that he knew the boys who had committed suicide. He explained that his leg made contact with the victim by accident and not because he had any sexual intent. The Conduct Response Team also confirmed that Father B's Kansas file did not contain any other allegations of sexual misconduct with children. The Conduct Response Team deemed the victim's allegation unsubstantiated based on Father B's interview, the lack of other allegations in his Kansas file, and the absence of information it felt it could have obtained from a victim interview. The Conduct Response Team also concluded there was "no nexus" between Father B and the 2 victims who had committed suicide. Therefore, the Denver Archdiocese did not remove or restrict Father B's faculties. Father B died in 2018.

## FATHER C

Father C was a Benedictine monk for 25 years before becoming a priest with the Denver Archdiocese. In 1972 while a Benedictine monk assigned at Holy Cross Abbey in Canon City, he skinny-dipped with a 15-year-old boy. He was charged with and plead guilty to sex assault on a child over 14 years old. In the late 1980s he left the Benedictines, attended seminary, and was ordained by the Denver Archdiocese in 1989. A 1997 civil lawsuit against the Benedictines brought Father C's felony child sex abuse conviction to light again.

Before ordaining Father C, the Denver Archdiocese investigated the incident and got assurances from Father C and the Benedictines. It does not appear, though, that the Denver Archdiocese knew he had been *convicted* of this crime until days after his ordination. When the Denver Archdiocese learned that, it immediately sent Father C for a psychiatric evaluation. The Denver Archdiocese was then advised Father C presented no risk to children but that he should have pastoral supervision. Before promoting him to Pastor in 1994, the Denver Archdiocese got another opinion to that effect after another psychiatric evaluation (and continued updates from his psychiatrist). Father C agreed to and participated in monthly counseling and reporting to his supervisors.

In 1997 to 1998 after the civil suit was filed, the Denver Archdiocese activated the Conduct Response Team process, investigated thoroughly, reviewed canonical options, and sent Father C to St. Louis for a third evaluation. That evaluation too concluded he presented no risk to children.

After another Conduct Response Team analysis, the Denver Archdiocese transferred Father C to the Chaplaincy at St. Joseph's Hospital in 1998 and also appointed him as Parochial Vicar at St. James Parish in Denver, with supervision. Therapy continued in this, his final, assignment.

It does not appear any allegations of sexual misconduct were made against Father C from his Denver Archdiocese ordination in 1989 through his retirement in 2002.

While Father C's admitted sexual abuse of a child occurred in Colorado, it occurred while he was a Benedictine and before he was ordained by the Denver Archdiocese. Because the Denver Archdiocese appears to have learned of his conviction for that child sex abuse after it

ordained him and responded as set forth above, we considered these circumstances similar to those in our out-of-state abuse reports and therefore included Father C in our report.

## **FATHER D**

Father D was named in the Philadelphia grand jury report published in August 2018 for his sexual misconduct with children in his home diocese in Pennsylvania. The grand jury found that he sexually abused children there from 1978 to 1980. Father D served with faculties as an extern priest in the Denver Archdiocese and then the Colorado Springs Diocese from December 1982 to October 1985. It appears he sought incardination into the Colorado Springs Diocese toward the end of that time period but was not accepted. His Colorado file does not indicate why. Nor does it indicate that the Denver Archdiocese or the Colorado Springs Diocese had any notice of his abusive behavior in Pennsylvania before allowing him to serve as an extern priest in Colorado. In 2003 a victim (who likely was one of those later mentioned in the 2018 Pennsylvania grand jury report, though he also was likely an adult at the time he was abused there) notified the Bishop in the Colorado Springs Diocese of that abuse even though it had occurred in Pennsylvania. The Colorado Springs Diocese Bishop immediately forwarded the victim's report to the Bishop in Pennsylvania where this victim alleged he had been abused by Father D. There is no indication in the file that Father D engaged in any sexual misconduct with children in Colorado, and the Colorado Springs Diocese responded promptly and appropriately when it received the victim's allegation of abuse in Pennsylvania.

## **DIOCESE OF COLORADO SPRINGS**

### **A. Analysis of Current Protection and Reporting Systems**

#### **1. Overview**

Beginning in 2002 with the passage of the Charter for the Protection of Children and Young People, also known as the Dallas Charter, the United States Conference of Catholic Bishops required all dioceses to take steps to protect children from sexual abuse. The Dallas Charter provided broad, non-mandatory guidance to dioceses for developing policies and practices to prevent the sexual abuse of children and to respond to allegations of such crimes. The Colorado Springs Diocese has not established an umbrella code of conduct like the Denver Archdiocese, but instead it has developed other protective policies and guidelines to comply with the Dallas Charter. Most relevant here are the Colorado Springs Diocese's guidelines for a Review Board it created to provide recommendations to the Bishop concerning allegations of

clergy child sex abuse. The Colorado Springs Diocese also created its own Office of Child and Youth Protection and associated programs. Below is our assessment of those Colorado Springs Diocese guidelines and programs.

a. Safe Environment Program

The Colorado Springs Diocese's Safe Environment Program is currently managed by its Office of Child and Youth Protection Director. The Director ensures that Safe Environment Training is provided to all adult members of the Colorado Springs Diocese who work with children, including all clergy, employees, and volunteers (hereafter, Church workers).

When a Church worker is new to a parish in the Colorado Springs Diocese, s/he is required to participate in Safe Environment Training prior to interacting with children, and this initial training must be attended in person. The Colorado Springs Diocese refers to this initial training as "foundational training." The training is provided by parish facilitators, who are trained by the Office of Child and Youth Protection Director to present Safe Environment Training and use a database to track attendance at the training. All new Church workers, including priests, provide personal identifying information to the Colorado Springs Diocese for a criminal history background check. The Colorado Springs Diocese currently uses a commercial service to conduct those checks, and they are renewed for all Church workers every 5 years.

The Dallas Charter does not require dioceses to utilize a specific training curriculum, and the Colorado Springs Diocese Office of Child and Youth Protection Director chooses to use the Catholic Mutual Group training program that is supplemented with additional information the Director feels is needed for a comprehensive program. The training includes a 90-minute video the Office of Child and Youth Protection Director produced in 2017.

During the foundational training, attendees are provided several handouts, including the Sexual Misconduct Policy of the Diocese of Colorado Springs; Guidelines for Those Working with Young Children and Young People; Electronic and Social Media Policy with Regard to Minors; Victims and Grooming Behaviors; and a handout with contact information for reporting child abuse to law enforcement, the Colorado Department of Human Services, and other pertinent agencies. The Colorado Springs Diocese also has numerous links on its Office of Child and Youth Protection website to useful information related to the prevention of the abuse of minors. The Office of Child and Youth Protection Director holds training monthly for parishes within the greater Colorado Springs metropolitan area, and the other Colorado Springs Diocese parishes schedule their training as needed. The Safe Environment Training schedule is posted on the Colorado Springs Diocese's website, and new Church workers can register for Safe Environment Training on the website. Although not required by the Dallas Charter, the Colorado Springs Diocese requires Church workers to take updated training on a yearly basis. This refresher training can be attended in person at a parish and is also offered online.

The Office of Child and Youth Protection Director trains a Parish Safe Environment Coordinator in each Colorado Springs Diocese parish on the use of the database that tracks Safe Environment Training attendance. Parishes and the Office of Child and Youth Protection Director also use this database to monitor Church workers' compliance with Safe Environment Training and other training requirements. In addition, they use the database for the survey and audit purposes described below.

b. Audits

All three Colorado Dioceses participate in annual compliance audits coordinated by the United States Conference of Catholic Bishops to assess the implementation of and compliance

with the requirements of the Dallas Charter. The audits are currently conducted by StoneBridge Business Partners. The company is in a 2017-2019 audit cycle that includes 2 “data collection” audits and 1 “on-site” audit for each participating diocese over the 3-year period. To be deemed compliant after the data collection audit, a diocese is required to submit data in 2 charts. Chart A/B summarizes allegations of sexual abuse of a minor by a cleric during the audit year and reports the number of abuse victims or family members served by diocesan outreach during the year. Chart C/D summarizes compliance statistics related to Articles 12 and 13 of the Dallas Charter. Specifically, that chart includes the number of individuals who received Safe Environment Training and the frequency of criminal background checks. In addition to completing Charts A/B and C/D, when a diocese participates in the once-every-3-years on-site audit, it provides information about its practices through interviews and documentation.

It is important to understand the more appropriate word to describe this process is “survey,” not “audit.” Even the on-site audits that occur every 3 years may not include an examination of the source material (*e.g.*, investigation files and victim communications) underlying the diocese’s survey responses to ensure the accuracy of the data it reported.

The Colorado Springs Diocese participates in the audit process. Its most recent on-site audit was in 2018. We did not identify any audits in which the Colorado Springs Diocese was non-compliant. The Colorado Springs Diocese also completed the Center for Applied Research in the Apostolate Annual Survey of Allegations and Costs, a questionnaire used to collect information from dioceses about “credible accusations of abuse and the costs in dealing with these allegations.” This too is a survey, not a detailed examination or qualitative evaluation of the Colorado Springs Diocese’s child protection systems.

c. Victim Assistance Coordinator

The Colorado Springs Diocese's Victim Assistance Coordinator operates under the Colorado Springs Diocese's Office of Child and Youth Protection. When allegations of abuse or neglect of a child are reported to the Office of Child and Youth Protection, the Victim Assistance Coordinator's first priority is ensuring the safety of the victim. To accomplish this, the Victim Assistance Coordinator will meet with the victim and obtain the details of the allegation. If the victim is a minor, the Victim Assistance Coordinator will meet with the reporting adult. Once the Victim Assistance Coordinator has obtained sufficient details regarding the allegation, he or she will immediately report the allegation to the appropriate law enforcement agency or the Colorado Department of Human Services in accordance with Colorado law and the Dallas Charter.

If the alleged abuser is a Church worker and the victim is now an adult, the Victim Assistance Coordinator will assist the victim in making a formal complaint of abuse to law enforcement and the appropriate Church institution (in the event it is not the Colorado Springs Diocese). The Victim Assistance Coordinator will then focus on the victim's mental, physical, emotional, and spiritual well-being by identifying resources for counseling and spiritual assistance and advising the victim on the diocesan review process. The Victim Assistance Coordinator also provides advice to the Bishop on child protection issues and handles other administrative, liaison, and community outreach responsibilities. The Victim Assistance Coordinator has no role in the Colorado Springs Diocese's investigation of allegations of abuse. Instead, his or her mission is solely focused on assisting the victim heal from the abuse.

d. Investigations of Allegations of Abuse

The Office of Child and Youth Protection receives most clergy child sex abuse allegations reported to the Colorado Springs Diocese. When such an allegation against a priest is



received, the Office of Child and Youth Protection Director will report the allegation to the Colorado Springs Diocese General Counsel/Chief of Staff. The General Counsel will ensure the allegation has been reported to the appropriate law enforcement agency and notify the Bishop and Vicar General of the allegation.

The Bishop, Vicar General, and General Counsel will meet to discuss the allegation. If and when the basic facts of the allegation are verified, the Bishop will initiate a preliminary canon law investigation, ensure the priest is no longer working around children, and suspend that priest's faculties pending the outcome of the investigation. The purpose of the preliminary investigation is to determine if the accusation has a "semblance of truth," per canon law.

Upon verification of the basic facts of the allegation, a meeting of the Colorado Springs Diocese Review Board (discussed below) will be convened, and the members will be notified and briefed on the allegation, the initiation of a preliminary investigation, and what action has been taken regarding the accused priest.

The Colorado Springs Diocese will then form a team to investigate the allegation. The Bishop, Vicar General, and General Counsel will meet to choose the members of this team, with input from the Review Board. If possible, the team will be composed of a licensed clinical social worker, the General Counsel (if there is no conflict of interest), a Colorado Springs Diocese priest, and someone with law enforcement or prosecution experience. This investigative team will interview the victim, witnesses, and accused priest, and it will review any relevant evidence. Its mission is to impartially collect the facts and present them to the Review Board.

The mission of the Review Board is to advise the Bishop. It does not directly participate in the preliminary investigation, nor does it meet with or conduct interviews of victims, subjects, or witnesses. But the Review Board may be asked for input regarding who should be assigned to

the preliminary investigation, and the members may also provide investigative suggestions throughout the course of the preliminary investigation. Once the preliminary investigation is completed, the Review Board is briefed on the results, and it formulates recommendations for the Bishop regarding care for the victim. The Review Board will also make recommendations to the Bishop regarding restrictions on the accused priest and whether the canonical process against the priest should continue because the allegation bears a “semblance of truth.”

The Colorado Springs Diocese’s current Review Board is composed of the following:

- a licensed professional counselor;
- a retired judge;
- a licensed clinical social worker;
- a police detective;
- a former public-school administrator; and
- a retired licensed clinical social worker.

When the Review Board meets, also in attendance (when available) are the Colorado Springs Diocese Bishop, the General Counsel, the Office of Child and Youth Protection Director, and a Colorado Springs Diocese priest.

In addition to these functions regarding specific clergy child sex abuse allegations, the Review Board meets to discuss law, policy, and administrative issues related to the prevention of sexual misconduct with children both within the Colorado Springs Diocese and the Catholic Church as a whole. It also periodically conducts “tabletop exercises” to simulate the Colorado Springs Diocese’s responses to clergy child sex abuse allegations.

The member of the investigative team appointed as the “auditor” usually prepares the final investigative report. A summary of that report is placed in the priest’s personnel file and

forwarded to the Office of Child and Youth Protection Director for audit purposes. The original report is maintained in a separate file. The Colorado Springs Diocese does not maintain a separate tracking system to organize and document its handling of allegations of clergy child sex abuse.

The Colorado Springs Diocese does not use the same investigative team for every preliminary investigation. When assembling an investigative team, it attempts to identify objective investigators and would use a specialist to interview a minor victim. The law firm that represents the Colorado Springs Diocese has conducted investigations on behalf of the diocese and has compiled a list of recommended investigative steps for investigations.

## **2. Observations**

We reviewed the Colorado Springs Diocese's published policies, training materials, audits, and priest files. We interviewed the Colorado Springs Diocese General Counsel, Office of Child and Youth Protection Director, a Review Board member, and victims alleging sexual abuse as minors by Colorado Springs Diocese priests. Based on that work, we first conclude that the Colorado Springs Diocese Safe Environment Program and Victim Assistance Coordinator positions are both in compliance with the Dallas Charter and Colorado Springs Diocese policies. These systems are well managed and operate effectively.

Ensuring that they continue to do so is essential. The current data-collection audits, however, are not reliable means to that end. They are little more than surveys in which the Colorado Springs Diocese simply reports data it has produced without any external verification of that information. The on-site audits mechanically confirm the diocese's reported numbers, the existence of policies, and the application of those policies. They do not include a qualitative evaluation of how effectively the diocese prevents, investigates, documents, and makes decisions

about clergy child sex abuse allegations. The on-site auditors do not consistently examine priest files, communications with victims, or other investigative documents the Colorado Springs Diocese generates. An effective audit in this area would examine whether the diocese's processes produce honest and valid determinations that child sex abuse allegations are substantiated or not. The current audits do not even attempt that.

With respect to the Colorado Springs Diocese investigative process and its record-keeping, we find those programs to be deficient and in need of improvement. Consistent with best practices for conducting investigations and providing care for victims of sexual abuse or misconduct, the Colorado Springs Diocese has drawn distinct lines between the functional roles of its Victim Assistance Coordinator, Review Board, and the investigation into allegations of sexual misconduct with children (usually carried out by a designated investigative team). However, the Colorado Springs Diocese's investigative team(s) do not possess the requisite investigative training and experience to complete professional and comprehensive investigations into allegations of sexual abuse of children. The investigative teams have limited or no training and experience in acting as fact-finders in complex investigations of clergy child sex abuse. These investigations require advanced training in interviewing victims of sexual assault, especially those who are minors or who were minors when they were assaulted. They also require significant field experience in completing or overseeing comprehensive investigations of sex crimes against children.

From this lack of experience, presumably, stem weaknesses manifest in some of the investigations we have seen in the Colorado Springs Diocese priest files. Specifically, investigative team members have intimidated victims during interviews by questioning their faith, asked them nothing but leading questions designed to confirm a predetermined conclusion

rather than find facts, expressed bias in favor of the diocese, expressed that their goal is to defend the priest and protect the diocese rather than find facts or care for the victim, and threatened victims with dire consequences if they falsely accuse a priest of child sex abuse. This approach to sexual assault victim interviews is extremely ineffective at determining whether the diocese has an abusive priest from whom its children need to be protected.

In addition, it appears from the records we have seen that the investigative team interviews are not always thorough in trying to ascertain whether there are additional victims of whom the reporting victim has knowledge, to explore for corroborating details from the victim, to stimulate the victim's memory, or to determine whether there are additional relevant witnesses even if secondhand. If the investigative teams are advising the Archbishop about an accused priest's risk to children, all of these things are essential yet currently unaddressed. The Colorado Springs Diocese may have been advised by a psychologist not to pursue reticent victims. This is sound advice for the institution that employs the abuser. This is one reason why we strongly recommend the Colorado Springs Diocese employ an independent, expert investigative component (see below).

It is also essential that the investigative teams and the Bishop understand how the Colorado criminal justice system functions. It is especially important for them to understand how and why law enforcement does or does not open, close, proceed with, or decline criminal cases. We saw examples in our file review that indicate the Review Board and Bishop may assume a detective's decision not to proceed with an investigation is an exoneration of the accused priest. Especially in child sex abuse cases, this is often a false assumption; a law enforcement decision not to proceed is based on a determination whether evidence admissible under court rules is likely to establish each element of the child sex abuse charge beyond a reasonable doubt. This is

a much stricter standard and a different analysis than applies to the determination the Bishop has to make: does this priest present any risk to children, and is there a way his ministry can be restricted in order to protect them?

Relatedly, the Colorado Springs Diocese also should proactively encourage parishioners to contact law enforcement themselves – directly – in the event of clergy child sex abuse. Pastors and diocesan officials making it clear that this is not only acceptable but encouraged by the Bishop himself can improve immediate law enforcement engagement and improve the protection of children.

Finally, we note it is unclear whether Colorado Springs Diocese priests understand (from seminary or through continuing education) the current science and scholarship regarding child sex abuse victim trauma or psychosexual disorders generally. Specific education on both topics would improve interviewing and investigations overall.

In sum, these investigations require specialized training and extensive experience to ensure all of the relevant information is collected and re-victimization is minimized. The entire investigative team, and not just one member, should have backgrounds that include this training and experience.

We also conclude the investigative process is not sufficiently independent to ensure impartial and objective conclusions. Turning these investigations over to an investigative team composed of qualified personnel who have no other obligations within the diocese will place a greater focus on learning the truth, provide better healing for the victims, reduce the opportunity for undue influence and bias, and enhance the credibility of the diocese's responses.

In addition, throughout the review process we encountered poor record-keeping. Priest personnel files, allegations of sexual abuse and misconduct with children, Review Board

meetings, and investigations are not consistently documented or organized and retained in appropriate files. In addition, the Colorado Springs Diocese does not maintain a formalized tracking system to ensure all allegations are accounted for and monitored from the time they are received until the diocese's response is finalized. While the Colorado Springs Diocese does have a records retention policy, neither it nor the diocese's practices ensure all information related to allegations of clergy child sex abuse is maintained in an organized and comprehensive manner, and there does not appear to be a process for reviewing files to ensure they comply with this standard on an ongoing basis.

Though not addressed in the Dallas Charter, reliable document retention and file management practices are essential components of effective clergy child sex abuse prevention and response systems. In fact, poor record-keeping can directly lead to further harm to children. Sound electronic document collection, storage, and retention practices are necessary if the Colorado Springs Diocese is going to continue to make promises and factual statements about its priests that the public can rely on.

### **3. Recommendations**

We present 6 recommendations for the Colorado Springs Diocese to improve its child protection systems. These recommendations are based on our review of its priest files; information collected during interviews of Colorado Springs Diocese officials and employees, Review Board members, and victims of sexual abuse as minors by priests; a review of processes used in other United States dioceses to address allegations of clergy child sex abuse; consultation with experts in that field; a review of academic literature on that subject; a review of reports like this one concerning other dioceses in the United States; a review of processes used by other public- and private-sector organizations to investigate employee misconduct; an on-site visit to

review an out-of-state diocese's operation of an advanced and effective clergy child sex abuse investigation system; and over 75 years of experience in conducting and prosecuting objective, fact-based, and independent investigations, including those involving crimes against children.

From that foundation, we are resolute that the response to an allegation that a priest sexually abused a child must be focused on (1) the well-being of the victim(s); (2) preventing other children from being victimized; (3) absolute adherence to applicable local, state, and federal laws, including complete cooperation with any investigation conducted by law enforcement; (4) thorough and organized record-keeping; (5) a diocese-initiated investigation that is comprehensive, expert-led, and honest; and (6) action in response to the investigation that is consistent with the Catholic Church's stated commitment to protect children. We are equally confident that implementing the following straightforward recommendations will markedly improve the Colorado Springs Diocese's achievement of these goals.

These recommendations are collectively designed to install a solid foundation that the public can rely on to ensure the Colorado Springs Diocese will (1) immediately call law enforcement, (2) immediately help the victim heal, (3) immediately and honestly determine if the accused priest is a risk to children, and if so (4) immediately restrict his access to them.

**Recommendation #1: Office of Independent Review**

We recommend the Colorado Springs Diocese create, or contract with, an independent component to handle investigations. We understand that the Roman Catholic Church has its own organizational structure of independent dioceses that might make it challenging to establish a single independent investigations office in Colorado that all three Colorado Dioceses can use as needed. Nonetheless, we recommend this approach for the sake of efficiency, uniformity, reliability, and effectiveness. If this is not workable, then each Colorado Diocese should have, or



contract with, its own. We also recommend, based on our review of their religious-order priest files, that each Colorado Diocese apply the recommended investigations process to religious-order priests serving in the Colorado Dioceses. This will enable each Colorado Diocese to reliably determine whether it is safe to continue to allow a religious-order priest accused of sexually abusing a child to serve in its diocese.

Specifically, we recommend the Colorado Springs Diocese create an investigative component that is independent from the Review Board, the Office of General Counsel, the Office of Child and Youth Protection, and the Victim Assistance Coordinator. For the purpose of these recommendations only, this investigative component will be referred to as the Office of Independent Review. The Office of Independent Review should be composed of experts in the field of investigations, with an emphasis on expertise in investigating the sexual abuse of children. It should be supported by a process that allows it to conduct fact-based, objective, and impartial investigations. The Office of Independent Review should develop an investigative manual that provides procedures for all Office of Independent Review operations and investigations. The Office of Independent Review and members of the Office of Independent Review should not serve the Colorado Springs Diocese in any other capacity.

All allegations of clergy child sex abuse should be forwarded to the Office of Independent Review. The Office of Independent Review should ensure the Vicar General, General Counsel, and Victim Assistance Coordinator are aware of all allegations. The Office of Independent Review should report to and coordinate with law enforcement (including on all victim services issues). The Office of Independent Review should fully and independently investigate these allegations. It should establish and follow a timeline for completing and regularly reporting on the status of investigations to the Vicar General, General Counsel, and

Review Board. The Office of Independent Review should then present the completed investigation report to the Review Board. The Office of Independent Review should monitor and report to the Review Board on law enforcement investigation and prosecution status. The Office of Independent Review should thoroughly document all investigations in a file maintained by the Office of Independent Review separate from other personnel and administrative files. The Office of Independent Review should create and preserve these files electronically even for clergy child sex abuse allegations that are not substantiated.

**Recommendation #2: Office of Child and Youth Protection Improvements**

The Colorado Springs Diocese’s website should include a description of its child sex abuse response process and an electronic intake form that victims and witnesses can use to report allegations. The Office of Child and Youth Protection should manage a formal intake process that creates and maintains comprehensive records that are consistent in form and content for all child sex abuse allegations. The intake process should include a comprehensive tracking system for each allegation, substantiated or not, allowing the Colorado Springs Diocese to ensure the investigative response in each case is exhaustive and conclusive. Once the Office of Child and Youth Protection receives and logs an allegation, it should immediately provide the allegation to the Office of Independent Review.

**Recommendation #3: Audit Function**

The Colorado Springs Diocese should at a minimum every other year engage an independent party with auditing expertise to provide a qualitative evaluation of the performance of its child protection and investigation systems. Auditors often use the adage “trust but verify,” and the current audits do too little to verify. To be effective, the auditors must talk to those involved with, and impacted by, the process, not merely tally numbers provided to them by

the Colorado Springs Diocese. Numbers do not accurately reflect the effectiveness of this type of system, but interviews will. This is the only meaningful way to determine if the changes implemented to protect children are effective and to identify areas in need of continued improvement. The auditors should conduct interviews of individuals involved with all aspects of the process, including victims, facilitators, parishioners, and law enforcement/prosecutors. These interviews will enable the auditors to truly evaluate the strengths and weaknesses of the process and provide useful findings to the Colorado Springs Diocese. Initially these audits should be performed every 2 years. Once these recommendations have been fully implemented and all personnel are comfortable with them, the audits can be less frequent.

**Recommendation #4: Victim Assistance Coordinator Improvements**

The Victim Assistance Coordinator's responsibilities should be restricted solely to the care of the victim. The Victim Assistance Coordinator should continue to explain the process to the victim, answer all the victim's questions, support the victim during in-person interviews, provide counseling referral options to the victim, handle logistics for the victim, communicate with the victim on behalf of the diocese, and keep the victim apprised of the investigation status and outcome. The Victim Assistance Coordinator should continue not to have any involvement with the investigation of the victim's allegation except that, while an investigation is pending, the Victim Assistance Coordinator should coordinate the contact between the victim and the Office of Independent Review. If the Victim Assistance Coordinator does become aware of facts pertinent to the investigation, he or she should document and communicate those facts to the Office of Independent Review.

**Recommendation #5: Review Board Improvements**

The Review Board should continue not to conduct any investigative activities. It should receive completed investigation reports from the Office of Independent Review, review them, confer, and make recommendations to the Bishop based on the information developed by the Office of Independent Review. However, the Review Board may suggest that the Office of Independent Review conduct any follow-up investigation the Review Board believes is necessary.

**Recommendation #6: Training Improvements**

The Colorado Springs Diocese should supplement its Safe Environment Training with material that enhances its personnel's trust, understanding of, and active engagement with law enforcement as an essential partner in the protection of children from sex abuse. This enhancement should also include material designed to foster a "see something, say something" culture around clergy child sex abuse. That culture should require self-reporting and also make it clear to witnesses of sexual misconduct (including grooming behavior) that reporting it to the Office of Child and Youth Protection will be rewarded not punished.

**B. Compliance with Mandatory Reporting Laws**

In the files we reviewed, we found no failure by the Colorado Springs Diocese to report an allegation of clergy child sex abuse to law enforcement. Our Report only lists 1 Colorado Springs Diocese priest, Father Martinez, as a substantiated child sex abuser. He sexually abused 2 victims between 1980 and 1986, and those victims reported in 1993 and 1988, respectively. Because Colorado law did not mandate clergy reporting of child sex abuse incidents at that time, the Colorado Springs Diocese did not violate the law when it failed to report those incidents to law enforcement. As explained below in Sections xi of the Father Martinez Victims #1 and #2

incident reports, however, the Colorado Springs Diocese's failure to report to law enforcement *voluntarily* indicated, at least in the 1980s and 1990s, a disinclination to view Colorado's criminal justice system as an appropriate mechanism for punishing its priests — even when they sexually abused children.

### **C. Incident Reports — Substantiated Allegations of Sexual Abuse of Minors**

#### **FATHER WILLIAM MARTINEZ**

##### Victim #1

- i. Martinez befriended Victim #1 (a Church youth-group member), convinced him to participate in “transcendental meditation” with Martinez in the rectory, and used that setting to massage and the fondle him. Martinez fondled him on a second occasion when Victim #1 was inebriated and on a third occasion (after buying him alcoholic drinks) attempted to anally penetrate him and then masturbated in front of him. Martinez groomed Victim #1 and other boys in the youth group by taking them on trips and hosting parties at the rectory with alcohol.
- ii. Martinez sexually abused Victim #1 from December 1980 to January 1981.
- iii. Victim #1 first reported his abuse in December 1993.
- iv. Victim #1 was a 17-year-old boy when Martinez sexually abused him.
- v. At the time he sexually abused Victim #1, Martinez was the Parochial Vicar at Holy Apostles Parish in Colorado Springs, where his primary job was to minister to high school youth.
- vi. It does not appear from Martinez's file that the Colorado Springs Diocese had received any report of Martinez engaging in sexual misconduct with children before he abused Victim #1.
- vii. N/A.
- viii. Within 2 weeks of Victim #1's report, Martinez admitted to sexually abusing him.
- ix. Within 2 weeks of Victim #1's report in December 1993, the Colorado Springs Diocese removed Martinez's faculties and placed him on leave. He never returned to ministry. The Colorado Springs Diocese required Martinez to complete 2 different therapy programs in 1994 while his faculties were still suspended, and Martinez resigned from ministry in 1996. For approximately 10 years after that, Martinez sought to return to some form of ministry, and the Colorado Springs Diocese never allowed it. The Colorado

Colorado Springs Diocese also repeatedly refused to recommend him for ministry in a different diocese. During this period, whenever Martinez moved his residence to another state, the Colorado Springs Diocese informed the diocese there of his presence, his admitted child sex abuse, and his lack of authority to function as a priest. On at least one occasion, the Colorado Springs Diocese also informed a potential private employer about Martinez's admitted child sex abuse history. In 2004, Martinez voluntarily petitioned to be laicized. With the Colorado Springs Diocese's support, in May 2006 Martinez's laicization petition was granted by Rome.

- x. N/A.
- xi. The Colorado Springs Diocese immediately investigated Victim #1's allegations by interviewing him, Martinez, and 3 other people in under 2 weeks. But the Colorado Springs Diocese did not interview all other youth-group members whom Victim #1 indicated likely had knowledge of or experience with Martinez's grooming and sexually abusive behavior. The Colorado Springs Diocese did pay for counseling for Victim #1, apologized to him, and expressed regret. It also visited parishes and met with parishioners to hear from them, explain that the Colorado Springs Diocese had policies in place to address child sex abuse, emphasize that it took such allegations seriously and investigated them immediately, and encourage them to report any abuse by Martinez or other priests.

Victim #1 asked the Colorado Springs Diocese if his experience was isolated or if Martinez had sexually abused others. He also asked the Colorado Springs Diocese to require Martinez to apologize to him. The Colorado Springs Diocese did not grant either request. Consistent with a pattern we have seen in numerous other cases in the Denver Archdiocese and the Pueblo Diocese, the Colorado Springs Diocese's lack of transparency in this circumstance led to an adversarial shift in its relationship with the victim. Victim #1 sued, and the case settled in September 1995. Finally, for all its other efforts, the Colorado Springs Diocese never reported Martinez to the police (although it appears the original recipient of Victim #1's report may have reported this incident to the El Paso County Department of Social Services, and the Colorado Springs Diocese may have assumed he or she did).

### Victim #2

- i. Martinez sexually abused (as that term is defined in the Agreement) Victim #2 when he served alcohol and showed pornographic movies to him at a parish rectory.
- ii. Martinez abused Victim #2 in 1985 or 1986.
- iii. Martinez's sexual abuse of Victim #2 was first reported sometime between 1986 and early 1988.
- iv. Victim #2 was a boy under the age of 18 when Martinez sexually abused him.
- v. Martinez was assigned as the Assistant Pastor of Annunciation Parish in Leadville when he sexually abused Victim #2.

- vi. From 1982 to 1984, Martinez was the Parochial Vicar at Presentation of Our Lady Parish in Denver. During that period, Martinez was the subject of what the Denver Archdiocese deemed to be “unsubstantiated rumors” about his “homosexual activity and inappropriate behavior with boys.” The Colorado Springs Diocese knew of these rumors at least as early as 1985. When parishioners presented these rumors, the Pastor asked them for victim names, presumably so he could investigate, but they did not provide names. Accordingly, as one Colorado Springs Diocese official put it, “[b]ecause no one who was directly involved would come forward, there wasn’t much [we] could do except treat the allegations as rumors.” The Colorado Springs Diocese conducted no investigation except asking for victim names before defaulting to this conclusion that favored its priest over potential victims. During the same period, 1985 to 1986, a co-worker in the parish in Leadville reported to the Colorado Springs Diocese that he believed Martinez was sexually involved with a boy, but the co-worker would not provide the boy’s name. Again, the Colorado Springs Diocese conducted no further investigation.
- vii. N/A.
- viii. In 1992, at the insistence of a priest, the Colorado Springs Diocese’s Personnel Board decided to “confront the rumors about Martinez once and for all to confirm or put [them] to rest.” In other words, the Colorado Springs Diocese decided to do this approximately 6 years after Victim #2’s report and approximately 7 years after first hearing the rumors about Martinez it deemed unsubstantiated without doing any investigation. Here is what the Colorado Springs Diocese did in 1992: (1) the Bishop asked Martinez if he had ever engaged in sexual misconduct, and Martinez said no; (2) the Bishop asked Martinez if he was willing to say that to the Personnel Board, and Martinez said yes; (3) the Personnel Board convened, and Martinez told them he had never engaged in sexual misconduct; and (4) Martinez then completed a questionnaire affirming that he had never engaged in sexual misconduct. Thus, Martinez denied Victim #2’s allegations, and the Colorado Springs Diocese’s inquiry ended. Similarly, the Bishop asked Martinez about the co-worker’s allegation that Martinez had sex with a boy. Martinez explained they slept in the same bed because it was a culturally appropriate approach to comforting a frightened child. The Bishop admonished Martinez not to do it again, and the Bishop took no further action. Notably, a year later when confronted with evidence gleaned from actual investigation, Martinez immediately admitted he sexually abused Victim #1. We are not aware of any exculpatory evidence regarding Victim #2’s abuse.
- ix. In response to Victim #2’s allegations and the “unsubstantiated rumors” described above, in 1986 the Colorado Springs Diocese transferred Martinez to St. Patrick Parish in Colorado Springs for “strong supervision” by the Pastor there. No rules, restrictions, monitoring, reporting, or programming were put in place to ensure “strong supervision.” Regardless, that Pastor was transferred a year later, and there is no evidence that the need for “strong supervision” of Martinez was communicated to his new supervisor. In addition, in response to Victim #2’s allegations the Colorado Springs Diocese did not suspend Martinez, remove him, or restrict his ministry or faculties in any way.

- x. The Colorado Springs Diocese took no actions in response to Victim #2's allegation that were designed to protect children from future abuse by Martinez. It did not send him for evaluation or counseling. It did not restrict his access to children. It did not formalize or enforce any increased supervision.
- xi. Nor did the Colorado Springs Diocese report Martinez to the police. The Colorado Springs Diocese investigated by interviewing Victim #2's reporting family member. But the Colorado Springs Diocese did not ask Martinez about the allegations until 4 years later, and it interviewed no one else and conducted no other investigation. Nonetheless, the Colorado Springs Diocese somehow concluded in 1988 regarding this allegation that "there is a great deal of hearsay and speculation but nothing of substance that we can or should act on," and that Martinez "[did] not have any untoward problems that we as Chancery need be concerned about and would precipitate action on our part more than what we have been and are presently doing." There is no evidence that the Colorado Springs Diocese was doing anything.

#### **D. Incident Reports — Substantiated Allegations of Misconduct with Minors**

##### **FATHER E**

##### Victim #1

- i. This priest counseled, telephoned frequently, developed a friendship with, professed his love for, paid money to, and bought flowers and other gifts for this female parishioner starting when she was 17 years old (and continuing until she was 25).
- ii. This grooming behavior began in approximately 1987 and continued for 8 years (less than 1 year of which was while Victim #1 was under 18 years old).
- iii. This grooming behavior was first reported to the Colorado Springs Diocese in August 1994.
- iv. Victim #1 was a 17-year-old girl when this priest began grooming her.
- v. It does not appear from this priest's file that the Colorado Springs Diocese had received any report of this priest engaging in sexual misconduct with children before he did so with Victim #1.
- vi. This priest initially denied he was grooming Victim #1. He subsequently acknowledged that his behavior toward her was at least "inappropriate." We are aware of no exculpatory evidence.
- vii. The Colorado Springs Diocese admonished this priest and required him to attend psychiatric counseling, which he did. It did not transfer him, remove him, or restrict his ministry or faculties.



- viii. This priest participated in psychiatric counseling as required by the Colorado Springs Diocese. It took no other steps to protect against future misconduct.
- ix. The Colorado Springs Diocese activated its Review Board process immediately, investigated by interviewing the priest, Victim #1, and others, and reported the investigative results to the Bishop quickly. The Bishop immediately admonished the priest and required him to participate in counseling. It appears this priest had been admonished for this type of behavior in the past.

#### **E. Summary of Unsubstantiated Allegations**

Over the course of our review, we documented 4 unsubstantiated allegations of sexual misconduct with children against Diocesan Priests in the Colorado Springs Diocese not otherwise named in this Report. There was 1 allegation from the 1980s, 2 from the 2010s, and 1 from a time period unspecified. These unsubstantiated allegations included grooming, touching, and sexual assault. The majority were sexual acts, not grooming alone. We conducted thorough follow-up investigations to determine whether these allegations could be substantiated. We did not substantiate them for a variety of reasons. For example, some allegations were inconsistent with known facts. Sometimes the credibility of the allegations was unclear and despite investigative follow-up we could not find sufficient corroborating evidence.

#### **F. Out-of-State Misconduct**

We found in our review no instances of Colorado Springs Diocese priests engaging in misconduct with children outside of Colorado either before or after they served here (except as reported above for Father D, who served briefly in both the Denver Archdiocese and the Colorado Springs Diocese).

## **DIOCESE OF PUEBLO**

### **A. Analysis of Current Protection and Reporting Systems**

#### **1. Overview**

Beginning in 2002 with the passage of the Charter for the Protection of Children and Young People, also known as the Dallas Charter, the United States Conference of Catholic Bishops required all dioceses to take steps to protect children from sexual abuse. The Dallas Charter provided broad, non-mandatory guidance to dioceses for developing policies and practices to prevent the sexual abuse of children and to respond to allegations of such crimes. In 2012 the Pueblo Diocese promulgated its Guidelines on Interactions with Children and Young People. It also has developed several relevant policies, including the Diocese of Pueblo Sexual Misconduct Policy and the Diocese of Pueblo Protocol for Diocesan Review Board. What follows is our assessment of the Pueblo Diocese's compliance with the Dallas Charter and those policies to protect children and respond to allegations of sexual abuse and misconduct with children.

##### **a. Safe Environment Program**

The Pueblo Diocese's Safe Environment Program is currently managed by the Safe Environment Coordinator. This individual also serves as the Pueblo Diocese's Victim Assistance Coordinator. The Safe Environment Coordinator ensures Safe Environment Training is provided to all adult members of the Pueblo Diocese who work with children, including all clergy, employees, and volunteers (hereafter, Church workers).

When a Church worker is new to a parish in the Pueblo Diocese, he or she is required to participate in Safe Environment Training prior to interacting with children. The Pueblo Diocese uses Catholic Mutual Group's platform "CMG Connect" for its training. CMG Connect is an

online training curriculum which Church workers can access via the internet. Church workers are required to complete 3 lessons and 3 quizzes related to protecting children from sexual abuse to successfully meet their Safe Environment Training obligation. Church workers must complete all 3 with a passing score to receive a training certificate. CMG Connect's database enables the diocese to track who has completed the training, allowing the Safe Environment Coordinator to ensure all parishes are in compliance with Safe Environment Training requirements.

The Pueblo Diocese's website has a link to CMG Connect, which allows Church workers to access the CMG Connect site, create a user account, and take the appropriate training. If a Church worker does not have access to the internet, the Pueblo Diocese will arrange for the Church worker to take the training at a parish facility. Training is available in both Spanish and English. Most Pueblo Diocese parishes have a "local coordinator" to help Church workers navigate the CMG Connect training should a Church worker need assistance. If the Church worker is a Pueblo Diocese priest, the Victim Assistance Coordinator personally ensures he completes the training. The Pueblo Diocese requires Church workers to complete refresher training every 5 years. CMG Connect's database allows the Safe Environment Coordinator to track when Church workers are due to take the refresher training, and CMG Connect provides this training.

The Pueblo Diocese's Safe Environment website provides information regarding resources on reporting abuse, including the telephone numbers for the Colorado Child Abuse and Neglect Hotline, Colorado Police Departments, and the Pueblo Diocese's Victim Assistance Coordinator and Vicar for Clergy. The site directs complainants to call the Vicar for Clergy for allegations involving the clergy, and to call the Victim Assistance Coordinator for complaints involving other diocesan and parish personnel.

As part of its Safe Environment Program and Human Resources protocols, the Pueblo Diocese conducts criminal history background checks for all priests incardinated in the diocese. The Pueblo Diocese currently uses a commercial service to conduct those checks, and they are renewed every 5 years.

b. Audits

All three Colorado Dioceses participate in annual compliance audits coordinated by the United States Conference of Catholic Bishops to assess the implementation of and compliance with the requirements of the Dallas Charter. The audits are currently conducted by StoneBridge Business Partners. The company is in a 2017-2019 audit cycle that includes 2 “data collection” audits and 1 “on-site” audit for each participating diocese over the 3-year period. To be deemed compliant after the data collection audit, a diocese is required to submit data in 2 charts. Chart A/B summarizes allegations of sexual abuse of a child by a cleric during the audit year and reports the number of abuse victims or family members served by diocesan outreach during the year. Chart C/D summarizes compliance statistics related to Articles 12 and 13 of the Dallas Charter. Specifically, that chart includes the number of individuals who received Safe Environment Training and the frequency of criminal background checks. In addition to completing Charts A/B and C/D, when a diocese participates in the once-every-3-years on-site audit, it provides information about its practices through interviews and documentation.

It is important to understand the more appropriate word to describe this process is “survey” not “audit.” Even the on-site audits that occur every 3 years may not include an examination of the source material (*e.g.*, investigation files and victim communications) underlying the diocese’s survey responses to ensure the accuracy of the data it reported.

The Pueblo Diocese participates in the audit process. Its most recent on-site audit was in 2019. We did not identify any audits in which the Pueblo Diocese was non-compliant. The Pueblo Diocese also completed the Center for Applied Research in the Apostolate Annual Survey of Allegations and Costs, a questionnaire used to collect information from dioceses about “credible accusations of abuse and the costs in dealing with these allegations.” This too is a survey, not a detailed examination or qualitative evaluation of the Pueblo Diocese’s child protection systems.

c. Victim Assistance Coordinator

The Pueblo Diocese’s Safe Environment Coordinator is also its Victim Assistance Coordinator. When the Pueblo Diocese receives an allegation of sexual misconduct with a child against a priest, the Victim Assistance Coordinator will connect with the victim to provide aid to the victim and his or her family. This aid can include referrals for therapy, funding for therapy, and coordinating a meeting between the victim and the Bishop. The Victim Assistance Coordinator will brief the Vicar for Clergy regarding the status of the victim and what assistance might be beneficial, and the Vicar for Clergy relays that information to the Bishop and the Diocesan Review Board (described below).

d. Investigations of Allegations of Abuse

When an allegation of sexual misconduct with a child by a priest is reported to the Pueblo Diocese, the complaint is directed to the Vicar for Clergy. He will contact the complainant and obtain the details of the allegation. If the complainant is the victim, or the victim is identified, the Vicar for Clergy will refer the victim to the Victim Assistance Coordinator for the assistance described above.

After obtaining the facts of the allegation, the Vicar for Clergy will review the accused priest's file to determine if the priest was assigned to the parish where the alleged abuse occurred at the time of the alleged abuse. If that information is consistent with the allegation, the Vicar for Clergy will notify the Bishop who will issue a decree initiating a preliminary investigation. The Vicar for Clergy will also notify the General Counsel, and the General Counsel will advise the Bishop regarding what actions should be taken with the accused priest (*e.g.*, administrative leave and the suspension of faculties). The Vicar for Clergy will also notify the appropriate law enforcement agency.

The Bishop will decide if the priest should be placed on administrative leave and whether his faculties should be suspended. In making a decision to place the priest on administrative leave, the Bishop will consider the timing of the alleged abuse and the priest's current proximity to children. The Bishop usually assigns the preliminary investigation to the Vicar for Clergy and a second Pueblo Diocese priest. The Pueblo Diocese refers to this as the investigative team. The two will interview the victim and accused priest, along with any other witnesses.

Upon initiation of the preliminary investigation, a Diocesan Review Board meeting will be convened so the members can be briefed by the Vicar for Clergy on the allegation, the status of the accused priest, and what care has been provided to the victim. The Diocesan Review Board will provide input to the Vicar for Clergy regarding investigative steps that can be taken and assistance that can be provided to the victim. The Vicar for Clergy will meet regularly with the Diocesan Review Board during the course of the investigation to provide updates and receive feedback. The Diocesan Review Board does not participate in the investigation, nor does it meet with or conduct interviews of victims, subjects, or witnesses. Once the preliminary investigation is completed, the Vicar for Clergy will brief the Diocesan Review Board on the findings of the

investigation. Based on this briefing, the Diocesan Review Board will formulate recommendations to the Bishop regarding care for the victim and provide an opinion as to whether the allegation is substantiated.

The Pueblo Diocese's current Diocesan Review Board is composed of the following:

- an attorney/retired judge;
- a victim of sexual abuse;
- a physician's assistant;
- a retired police detective;
- a social worker; and
- a retired probation officer.

Also in attendance at the Diocesan Review Board meetings are the Bishop (when available), the Vicar for Clergy, the Pueblo Diocese's attorney, and a Pueblo Diocese Pastor.

The Diocesan Review Board meets 3 or 4 times a year regardless of whether there are pending investigations. During these meetings, the Diocesan Review Board discusses changes in policy and law related to sexual abuse and misconduct with children and monitors Pueblo Diocese priests who have been accused of sexual abuse or misconduct with children but not laicized, to ensure they are not in positions to abuse children. The Diocesan Review Board also tries to anticipate potential risks to children before they occur and provide input to the Bishop to proactively prevent them. For example, the Pueblo Diocese tries to anticipate and eliminate the risk that priests visiting from other countries will not understand and follow our cultural norms for physical contact with children.

## **2. Observations**

We reviewed the Pueblo Diocese's published policies, training materials, audits, and priest files. We interviewed the Pueblo Diocese's Vicar for Clergy, Safe Environment Coordinator (who is also the acting Victim Assistance Coordinator), a Diocesan Review Board member, and victims who were sexually abused as minors by Pueblo Diocese priests. Based on that work, we first conclude that the Pueblo Diocese's Safe Environment Program and Victim Assistance Coordinator position are in compliance with the Dallas Charter and Pueblo Diocese policies. They operate effectively.

Ensuring that they continue to do so is essential. The current data-collection audits, however, are not reliable means to that end. They are little more than surveys in which the Pueblo Diocese simply reports data it has produced without any external verification of that information. The on-site audits mechanically confirm the diocese's reported numbers, the existence of policies, and the application of those policies. They do not include a qualitative evaluation of how effectively the diocese prevents, investigates, documents, and makes decisions about clergy child sex abuse allegations. The on-site auditors do not consistently examine priest files, communications with victims, or other investigative documents the Pueblo Diocese generates. An effective audit in this area would examine whether the diocese's processes produce honest and valid determinations that child sex abuse allegations are substantiated or not. These audits do not even attempt that.

Second, we conclude that the Pueblo Diocese investigative process and its record-keeping are deficient. Consistent with best practices for conducting investigations and providing care for victims of misconduct, the Pueblo Diocese has drawn distinct lines between the functional roles



of its Victim Assistance Coordinator, the Diocesan Review Board, and the investigation into allegations of sexual misconduct with children usually carried out by the Vicar for Clergy.

The Pueblo Diocese's investigative team, however, is not composed of individuals who are experts in conducting crimes-against-children investigations. These investigations require specialized training and extensive experience to ensure all of the relevant information is collected and re-victimization is minimized. An example of how this inexperience negatively impacts the Pueblo Diocese's response to child sex abuse allegations is its frequent decision to close a case if it does not have identifying information for a victim or if a victim declines to cooperate with investigators. Based on training and experience, professional investigators would exhaust all investigative angles in both circumstances to provide the Pueblo Diocese with the necessary information to address these allegations regardless of these limitations.

We note that the Pueblo Diocese explains its sensitivity about this kind of follow-up as based on advice from a psychologist that it not pursue reticent victims. This is sound advice for the institution that employs the abuser. This is one reason why we strongly recommend the Pueblo Diocese employ an independent investigative component (see below).

Another flaw in the Pueblo Diocese's response practices is its consistent pattern of closing investigations as "inconclusive" unless the accused priest admits the abuse or an independent third-party witness confirms he or she saw it. While the Pueblo Diocese generally conducts very thorough investigations designed to uncover additional witnesses and victims, its application of this standard of proof is not an effective way to determine whether a priest presents a risk to children and then to advise the Bishop accordingly. Indeed, it can potentially lead to an active abuser staying in ministry without restriction. The standard should be "if there

is a risk to children, restrict access to them.” That standard would be more consistent with the Pueblo Diocese’s public statements about safety and child protection.

It is also essential that the investigative teams and the Bishop understand how the Colorado criminal justice system functions. It is especially important for them to understand how and why law enforcement does or does not open, close, proceed with, or decline criminal cases. We saw examples in our file review that indicate the Diocesan Review Board and Bishop may assume a detective’s decision not to proceed with an investigation is an exoneration of the accused priest. Especially in child sex abuse cases, this is often a false assumption; a law enforcement decision not to proceed is based on a determination whether evidence admissible under court rules is likely to establish each element of the child sex abuse charge beyond a reasonable doubt. This is a much stricter standard and a different analysis than applies to the determination the Bishop is trying to make: does this priest present any risk to children, and is there a way his ministry can be restricted in order to protect them?

Relatedly, the Pueblo Diocese also should continue to encourage parishioners to contact law enforcement themselves — directly — in the event of clergy child sex abuse. Pastors and diocesan officials making it clear that this is not only acceptable but encouraged by the Bishop himself can improve immediate law enforcement engagement and improve the protection of children.

We also note it is unclear whether Pueblo Diocese priests understand (from seminary or through continuing education) the current science and scholarship regarding child sex abuse victim trauma or psychosexual disorders generally. Specific education on both topics would improve interviewing and investigations overall.

In sum, these investigations require specialized training and extensive experience to ensure all of the relevant information is collected and re-victimization is minimized. The entire investigative team, and not just one member, should have backgrounds that include this training and experience.

We also conclude that the Pueblo Diocese investigative process should be independent to ensure impartial and objective conclusions. Using a qualified, independent investigative team will add credibility to the process and minimize the possibility that results will be affected by bias or undue influence. The investigations will be completed in a fair, impartial, and objective manner that provides the Bishop with the clearest facts for his decision-making.

Finally, throughout the review process we encountered poor record-keeping. Priest personnel files, allegations of sexual misconduct with children, Diocesan Review Board meetings, and investigations are not consistently documented or organized and retained in appropriate files. Priest files in particular are very poorly organized and not reliably populated with records of allegations or responses. This made it difficult to determine and fully understand how the Pueblo Diocese responded to an allegation. In addition, the Pueblo Diocese does not maintain a formalized tracking system to ensure all allegations are accounted for and monitored from the time they are received until the diocese's response is finalized. Nor does the Pueblo Diocese have a records retention policy or a formal policy on how information specific to allegations of misconduct with children should be documented, organized, stored, and periodically reviewed to ensure the information has been thoroughly addressed in a timely manner and record retention standards have been followed.

Though not addressed in the Dallas Charter, reliable document retention and file management practices are essential components of effective clergy child sex abuse prevention

and response systems. In fact, poor record-keeping can directly lead to further harm to children. Sound electronic document collection, storage, and retention practices are necessary if the Pueblo Diocese is going to continue to make promises and factual statements about its priests that the public can rely on.

### **3. Recommendations**

We present 5 recommendations for the Pueblo Diocese to improve its child protection systems. These recommendations are based on our review of its files; information collected during interviews of Pueblo Diocese officials and employees, Diocesan Review Board members, and numerous victims of sexual abuse as minors by priests; a review of processes used in other United States dioceses to address allegations of clergy child sex abuse; consultation with experts in that field; a review of academic literature on that subject; a review of reports like this one concerning other dioceses in the United States; a review of processes used by other public- and private-sector organizations to investigate employee misconduct; an on-site visit to review an out-of-state diocese's operation of an advanced and effective clergy child sex abuse investigation system; and over 75 years of experience in conducting and prosecuting objective, fact-based, and independent investigations, including those involving crimes against children.

From that foundation, we are resolute that the response to an allegation that a priest sexually abused a child must be focused on (1) the well-being of the victim(s); (2) preventing other children from being victimized; (3) absolute adherence to applicable local, state, and federal laws, including complete cooperation with any investigation conducted by law enforcement; (4) thorough and organized record-keeping; (5) a diocese-initiated investigation that is comprehensive, expert-led, and honest; and (6) action in response to the investigation that is consistent with the Catholic Church's stated commitment to protect children. We are equally

confident that implementing the following straightforward recommendations will markedly improve the Pueblo Diocese's achievement of these goals.

These recommendations are collectively designed to install a solid foundation that the public can rely on to ensure the Denver Archdiocese will (1) immediately call law enforcement, (2) immediately help the victim heal, (3) immediately and honestly determine if the accused priest is a risk to children, and if so (4) immediately restrict his access to them.

**Recommendation #1: Office of Independent Review**

We recommend the Pueblo Diocese create, or contract with, an independent component to handle investigations. We understand that the Roman Catholic Church has its own organizational structure of independent dioceses that might make it challenging to establish a single independent investigations office in Colorado that all three Colorado Dioceses can use as needed. Nonetheless, we recommend this approach for the sake of efficiency, uniformity, reliability, and effectiveness. If this is not workable, then each Colorado Diocese should have, or contract with, its own.

We are aware that the Pueblo Diocese is smaller and has fewer resources than the other two Colorado Dioceses. The independent investigative component model we recommend is still fitting for this diocese because it can be implemented on a contract basis with an independent entity that can be deployed only when needed. We also recommend, based on our review of their religious-order priest files, that each Colorado Diocese apply the recommended investigations process to religious-order priests serving in the Colorado Dioceses. This will enable each Colorado Diocese to reliably determine whether it is safe to continue to allow a religious-order priest accused of sexually abusing a child to serve in its diocese.

Specifically, we recommend the Pueblo Diocese create or contract with an investigative component that is independent from the Diocesan Review Board, the Office of Child and Youth Protection, and the Victim Assistance Coordinator. For the purpose of these recommendations only, this investigative component will be referred to as the Office of Independent Review. The Office of Independent Review should be composed of experts in the field of investigations, with an emphasis on expertise in investigating the sexual abuse of children, and it should be supported by a process that allows it to conduct fact-based, objective, and impartial investigations. The Office of Independent Review should develop an investigative manual that provides procedures for all Office of Independent Review operations and investigations. The Office of Independent Review and members of the Office of Independent Review should not serve the Pueblo Diocese in any other capacity.

All allegations of clergy child sex abuse should be forwarded to the Office of Independent Review. The Office of Independent Review should ensure the Vicar for Clergy and Victim Assistance Coordinator are aware of all allegations. The Office of Independent Review should report to and coordinate with law enforcement (including on all victim services issues). The Office of Independent Review should fully and independently investigate these allegations. It should establish and follow a timeline for completing and regularly reporting on the status of investigations to the Vicar for Clergy and the Diocesan Review Board. The Office of Independent Review should then present the completed investigation report to the Diocesan Review Board. The Office of Independent Review should monitor and report to the Diocesan Review Board on law enforcement investigation and prosecution status. The Office of Independent Review should thoroughly document all investigations in a file maintained by the Office of Independent Review separate from other personnel and administrative files. The Office

of Independent Review should create and preserve these files electronically and even for clergy child abuse allegations that are not substantiated.

**Recommendation #2: Safe Environment Coordinator/Victim Assistance Coordinator**

**Improvements**

The Pueblo Diocese's website should include a description of its child sex abuse response process and an electronic intake form that victims and witnesses can use to report allegations.

The Safe Environment Coordinator should manage a formal intake process that creates and maintains comprehensive records that are consistent in form and content for all child sex abuse allegations. The intake process should include a comprehensive tracking system for each allegation, substantiated or not, allowing the Pueblo Diocese to ensure the investigative response in each case is exhaustive and conclusive. Once the Safe Environment Coordinator receives and logs an allegation, it should immediately provide the allegation to the Office of Independent Review.

The Victim Assistance Coordinator's responsibilities should be restricted solely to the care of the victim. The Victim Assistance Coordinator should continue to explain the process to the victim, answer all the victim's questions, support the victim during in-person interviews, provide counseling referral options to the victim, handle logistics for the victim, communicate with the victim on behalf of the diocese, and keep the victim apprised of the investigation status and outcome. The Victim Assistance Coordinator should continue not to have any involvement with the investigation of the victim's allegation except that, while an investigation is pending, the Victim Assistance Coordinator should coordinate the contact between the victim and the Office of Independent Review. If the Victim Assistance Coordinator does become aware of facts

pertinent to the investigation, he or she should document and communicate those facts to the Office of Independent Review.

**Recommendation #3: Audit Function**

The Pueblo Diocese should at a minimum every other year engage an independent party with auditing expertise to provide a qualitative evaluation of the performance of its child protection and investigation systems. Auditors often use the adage “trust but verify,” and the current audits do too little to verify. To be effective, the auditors must talk to those involved with, and impacted by, the process, not merely tally numbers provided to them by the Pueblo Diocese. Numbers do not accurately reflect the effectiveness of this type of system, but interviews will. This is the only meaningful way to determine if the changes implemented to protect children are effective and to identify areas in need of continued improvement. The auditors should conduct interviews of individuals involved with all aspects of the process, including victims, facilitators, parishioners, and law enforcement/prosecutors. These interviews will enable the auditors to truly evaluate the strengths and weaknesses of the process and provide useful findings to the Pueblo Diocese. Initially these audits should be performed every 2 years. Once these recommendations have been fully implemented and all personnel are comfortable with them, the audits can be less frequent.

**Recommendation #4: Diocesan Review Board Improvements**

The Diocesan Review Board should continue not to conduct any investigative activities. It should receive completed investigation reports from the Office of Independent Review, review them, confer, and make recommendations to the Bishop based on the information developed by the Office of Independent Review. However, the Diocesan Review Board may suggest that the



Office of Independent Review conduct any follow-up investigation the Diocesan Review Board believes is necessary.

**Recommendation #5: Training Improvements**

The Pueblo Diocese should supplement its Safe Environment Training with material that enhances its personnel’s trust, understanding of, and active engagement with law enforcement as an essential partner in the protection of children from sex abuse. This enhancement should also include material designed to foster a “see something, say something” culture around clergy child sex abuse. That culture should require self-reporting and also make it clear to witnesses of sexual misconduct (including grooming behavior) that reporting it to the Safe Environment Coordinator will be rewarded not punished.

**B. Compliance with Mandatory Reporting Laws**

The Pueblo Diocese’s files do not indicate its personnel received any allegations of clergy child sex abuse between 1969 and 1975.

According to documentation in the files we were provided, Pueblo Diocese personnel received at least 13 clergy child sex abuse allegations between 2002 and the present that Colorado law required it to report to law enforcement. The Pueblo Diocese complied with the law by reporting 4 of those to law enforcement. The Pueblo Diocese failed to comply with Colorado law when it did not immediately report the other 9. See Appendix 3. The last time the Pueblo Diocese failed to follow Colorado’s mandatory reporting law was almost 10 years ago; it has followed the law in reporting the only 2 allegations of clergy child sex abuse it has received since early 2010. It received both of those in September of 2019, and it reported them both to law enforcement as required.

Priest files generally do not give us access to Pueblo Diocese leadership's decision-making on mandatory reporting. But it appears the Pueblo Diocese may have believed between 2002 and 2010 (and believes now) that it was not required to report clergy child sex abuse to law enforcement if the priest abuser was no longer in a position of trust with children and the victim was over 18 years of age when s/he reported. As discussed above, we disagree. During that period the law did not make those exceptions. Again, the Pueblo Diocese disagrees. We note that even its own reporting pattern during this period did not consistently align with its asserted legal interpretation. For example, there were 3 clergy child sex abuse allegations made during this period that the Pueblo Diocese did not report to law enforcement even though the accused priests were alive at the time and the Pueblo Diocese had reason to believe they were in positions of trust with children.

As the below incident reports for Father Blong's Victims #1 - #6 and Father Krol's Victims #1 - #3 indicate, it is clear the Pueblo Diocese also historically did not rely on voluntary reports to law enforcement to protect children from its sexually abusive priests. Currently, though, the Pueblo Diocese appears to have uniform protocols in place to obey Colorado's mandatory reporting law, and it has voluntarily reported the only 3 allegations it has received in the last 5 years. In other words, now the Pueblo Diocese appears to report everything. The Pueblo Diocese seems to have an established relationship with its local law enforcement and better awareness that Colorado's criminal justice system is an appropriate mechanism for punishing priests who sexually abuse children.

## C. Incident Reports — Substantiated Allegations of Sexual Abuse of Minors

### FATHER JOHN BENO

#### Victim #1

- i. When Victim #1 was in first grade at St. Francis Xavier Parochial School in Pueblo, Beno asked her to come to the rectory with him. He forced her to perform oral sex on him and then raped her. He ensured her silence by telling her that a child of God does not reveal this kind of incident and that to do so would be a mortal sin.
- ii. Beno sexually abused Victim #1 in August or September of 1961.
- iii. Victim #1 initially reported the abuse in the fall of 1995, without naming the priest, but then named him on October 17, 1996.
- iv. Victim #1 was a 5-year-old girl when Beno sexually abused her.
- v. Beno was assigned as the Assistant Pastor at St. Francis Xavier Parish in Pueblo when he abused Victim #1. As part of his assignment, he visited the first and second grade classrooms at St. Francis Xavier parochial school every other week.
- vi. Beno's file does not indicate that the Pueblo Diocese had received any report of Beno engaging in sexual misconduct with children before he abused Victim #1.
- vii. N/A.
- viii. Beno said he had no recollection of this incident ever happening. The Pueblo Diocese interviewer wrote after interviewing him, "My conclusion is that [Beno] would not go so far as to deny these allegations." In his written statement, Beno said, "I have no recollection of any child by the name of [Victim #1]. I have not been involved in any such act with her as she describes in her letter." Other than this we are aware of no exculpatory evidence, and we find his denial is outweighed by corroborating evidence.
- ix. When the Pueblo Diocese received Victim #1's allegation, Beno was already on medical retirement without faculties. The Pueblo Diocese did not move to laicize him in response to Victim #1's allegation.
- x. Beno was retired and without faculties before Victim #1 reported her abuse. Nonetheless, after her report the Pueblo Diocese continued to require Beno to participate in psychological counseling and made sure it received updates from his therapist.
- xi. The Pueblo Diocese did not report Victim #1's allegation to law enforcement; however, it did investigate the matter by corroborating the victim's story with documents from St. Francis Xavier school, interviewing the victim and Beno, and reviewing Beno's file. The

Pueblo Diocese also worked out a financial settlement for Victim #1 with the Pueblo Diocese's insurance carrier.

## Victim #2

- i. Beno raped Victim #2 when she was a junior at Seton High School in Pueblo. He asked her to meet him in the basement rectory of Our Lady of the Assumption, where he was in residence at the time. During the rape, Beno told her to be silent, that this was God's will, and that if she told anyone her family would be excommunicated.
- ii. Beno sexually abused Victim #2 in 1968 or 1969.
- iii. Victim #2 reported the abuse on December 9, 2005
- iv. Victim #2 was a 16-year-old girl when Beno sexually abused her.
- v. At the time of the abuse, Beno was in residence at Our Lady of the Assumption rectory where he served as a weekend Pastor. He was also Chairman of the Liturgy Commission, and Associate Director of the Confraternity of Christian Doctrine.
- vi. Beno's file does not indicate that the Pueblo Diocese had received any reports of Beno engaging in sexual misconduct with children before he abused Victim #2.
- vii. The Pueblo Diocese did not report Beno's abuse of Victim #2 to law enforcement as required under Colorado law.
- viii. When Victim #2 reported her sexual assault to the Pueblo Diocese, Beno was already dead. (He died on December 5, 2000.) However, Victim #2 stated that she confronted Beno in approximately 1985 or 1986. She stated that she wrote him a letter, he asked her to meet, and she arrived to find him in a room with 3 lawyers. She said he did not deny sexually abusing her at that meeting but intimidated and threatened her with eternal damnation, and she never heard from him again. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. The Pueblo Diocese convened its Sexual Misconduct Review Board to investigate Victim #2's allegation even though Beno was dead when she came forward. The Sexual Misconduct Review Board found her allegation to be substantiated yet did not report it to law enforcement.

## FATHER DELBERT BLONG

Blong sexually abused 6 victims from the 1950s to the 1970s in parishes in LaJunta and Alamosa. His sexual abuse of these boys began right out of seminary, in his first parish assignment. He engaged in grooming behavior and sexual misconduct that was blatant, that continued even after the Pueblo Diocese Bishop told him to stop, and that was known to the Pueblo Diocese right after it began. Instead of removing his faculties, sending him for evaluation and counseling, or restricting his access to children, the Pueblo Diocese moved him from LaJunta to Alamosa, where he continued to sexually abuse children. When his sexual abuse became the subject of national media attention after his last victim sued, the Pueblo Diocese made extraordinary efforts to provide healing to his victims and their families, and it conducted a very thorough investigation. Yet it never seemed to consider calling the police on Blong. The Pueblo Diocese also was dishonest with the victims, the public and its parishioners about its prior knowledge (dating back to the early 1950s) of Blong's sexual abuse of children.

### Victim #1

- i. Blong anally raped this 13-year-old boy once, at Blong's living quarters. Prior to that abuse, Blong had played with Victim #1, gone swimming with him, rubbed the victim's back, and fondled the victim numerous times.
- ii. Blong sexually abused Victim #1 in 1953.
- iii. Victim #1 first reported the abuse in May 2002.
- iv. Victim #1 was a 13-year-old boy when Blong sexually abused him.
- v. Blong was an Assistant Pastor at Our Lady of Guadalupe Parish in La Junta when he sexually abused Victim #1.
- vi. The Pueblo Diocese had received reports of Blong's sexual misconduct with children prior to his sexual abuse of Victim #1. Blong sexually abused Victim #1 in 1953, and the Parish Administrator was aware Blong was grooming minors in 1952. Specifically, on April 10, 1953, 7 months into Blong's first assignment after ordination, the Parish Administrator at Our Lady of Guadalupe sent a letter to the Pueblo Bishop notifying him that Blong was repeatedly engaging in grooming behavior with a group of adolescent boys who attended the parish school, buying them gifts, letting them drive his car, taking them on trips, taking them out at night, encouraging them to lie to their parents, and giving them other special treatment. The letter also alerted the Pueblo Diocese Bishop that Blong was particularly focused on one 15-year-old boy who was very effeminate and with whom Blong acted like he was in "a love affair," stating Blong was with him 3 to 4 times a day and frequently calling him and buying him gifts. The Parish Administrator told the Bishop that Blong had been engaging in this behavior for the last 7 months. In other words, the Parish Administrator had been on notice of Blong's sexual misconduct with children since September of 1952 (just 2 months after Blong started working there). The Parish Administrator also informed the Bishop that he had directed Blong to stop the

misconduct but that Blong had refused to. The Parish Administrator's letter to the Pueblo Bishop characterized Blong as "actually love crazy" for the parish teenage boys. Finally, the Parish Administrator informed the Bishop that parents in the parish reported Blong's grooming behavior to the parish Pastor prior to April 1953.

- vii. N/A.
- viii. It is unclear whether Blong ever admitted or denied sexually abusing Victim #1. Blong died 3 years before Victim #1 reported the abuse. However, Victim #1 could be one of the "less than ten" adolescent boys Blong admitted (in 1994) he groomed then sexually abused between 1953 and 1957 while assigned in La Junta. Blong admitted that he hugged, rubbed on, and ejaculated on these approximately 10 boys at the rectory, on trips, on the playground, and at picnics. He also admitted he groomed them by taking them out for ice cream and burgers. We are aware of no exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. Sexual Abuse — The Pueblo Diocese did not refer Blong's sexual abuse of Victim #1 to law enforcement because Blong was dead. The Pueblo Diocese did, however, investigate Victim #1's abuse in 2002 after it was reported.

Misconduct with Minor — In 1952, after the Parish Administrator had observed Blong grooming boys for months, he directed Blong to stop. In 1953 the Parish Administrator also reported Blong's sexual misconduct to the Pueblo Diocese Bishop. The Pueblo Diocese did only 2 things in response: (1) the Parish Administrator issued a letter to Blong directing him not to ever be alone with teenage male parishioners, and (2) the Bishop summoned Blong to Pueblo and apparently admonished him to stop his grooming behavior. The Pueblo Diocese did no investigation of the Parish Administrator's report, the Pueblo Diocese Bishop did not document his knowledge or his reprimand of Blong, and the Pueblo Diocese did not refer the matter to law enforcement. Nor did the Pueblo Diocese restrict Blong's ministry in any way, subject him to tighter supervision, restrict his faculties, enforce the Parish Administrator's direction that he stay away from teenage boys, or refer him for evaluation or counseling.

## Victim #2

- i. Blong fondled this altar server at least once.
- ii. Blong sexually abused Victim #2 sometime between 1952 and 1967.
- iii. Blong's abuse of Victim #2 was first reported on September 17, 1993.
- iv. Victim #2 was a boy under the age of 18 when Blong sexually abused him.

- v. Blong was assigned to Our Lady of Guadalupe Parish in La Junta, when he abused Victim #2,
- vi. As set forth above, the Pueblo Diocese had received reports of Blong's sexual misconduct with children before he abused Victim #2.
- vii. N/A.
- viii. Blong did not deny abusing Victim #2; instead, when asked he stated, "I may have fondled him." We are aware of no exculpatory evidence.
- ix. Blong retired in 1991. The Pueblo Bishop had suspended Blong's faculties, put him on "administrative leave," and promised to take "further disciplinary action" 10 days before receiving Victim #2's report. Those actions were based on the sexual abuse lawsuit filed by Victim #6 on September 6, 1993 (as discussed below). After receiving the report concerning Victim #2, the Pueblo Diocese took no action against Blong separate from that described below regarding Victim #6.
- x. N/A.
- xi. The Pueblo Diocese investigated Victim #2's allegations by interviewing Blong and the reporting parties. The Pueblo Diocese also interviewed numerous other Church personnel who had worked with Blong at both his assigned parishes and followed up on leads from those interviews. But it did not report Blong's sexual abuse of Victim #2 to law enforcement. Instead the Pueblo Diocese conducted Pastoral Healing Events at Blong's former parishes in response to the numerous reports of Blong's child sexual abuses that emerged in the fall and winter of 1993. Those healing events were carefully planned and executed. Some victims found them unhelpful because they included praise for Blong.

### Victim #3

- i. Blong fondled Victim #3 on a car trip and twice attempted to get in bed with him. Blong's sexual abuse of Victim #3 followed an extended period of grooming during which Blong developed a close relationship with Victim #3's family. Blong exploited that trust to take trips alone with Victim #3.
- ii. Blong sexually abused Victim #3 in approximately 1965.
- iii. Victim #3 reported this sexual abuse in September 1993.
- iv. Victim #3 was a 17-year-old boy when Blong sexually abused him.
- v. Blong was the Pastor of Our Lady of Guadalupe Parish in La Junta when he abused Victim #3.

- vi. As set forth above, the Pueblo Diocese had received reports of Blong's sexual misconduct with children before he sexually abused Victim #3.
- vii. N/A.
- viii. Blong acknowledged that he "may have" sexually abused Victim #3. We are aware of no exculpatory evidence.
- ix. The Pueblo Diocese had already suspended Blong's faculties when Victim #3 reported his abuse. They took no action against Blong in response to Victim #3's report, separate from that described below regarding Victim #6.
- x. N/A.
- xi. The Pueblo Diocese investigated Victim #3's abuse allegation by interviewing Blong and him. The Pueblo Diocese did not report Blong's sexual abuse of Victim #3 to law enforcement. Instead the Pueblo Diocese conducted the Pastoral Healing Events described above.

#### Victim #4

- i. Blong took Victim #4 on a trip to Denver to shop for "church supplies." That turned out to be a ruse; Blong and Victim #4 just stayed overnight at Blong's sister's house, they slept in the same bedroom, and Blong repeatedly hugged and rubbed his genitals on Victim #4 while he tried to sleep. Blong was able to get permission to take the boy on this trip by ingratiating himself with Victim #4's family.
- ii. Blong sexually abused Victim #4 in approximately 1966.
- iii. Victim #4 reported this abuse in December 1993.
- iv. Victim #4 was an approximately 15-year-old boy when Blong sexually abused him.
- v. Blong was the Pastor at Our Lady of Guadalupe Parish in La Junta when he sexually abused Victim #4.
- vi. As set forth above, the Pueblo Diocese had received reports of Blong's sexual misconduct with children before he sexually abused Victim #4.
- vii. N/A.
- viii. Blong admitted he "may have" abused Victim #4, adding that "anything that happened, I was asleep." We are aware of no exculpatory evidence.



- ix. The Pueblo Diocese had already suspended Blong's faculties at the time Victim #4 reported his abuse. They took no action against Blong in response to Victim #4's report, separate from that described below regarding Victim #6.
- x. N/A.
- xi. The Pueblo Diocese investigated this report by interviewing Victim #4 and Blong. The Pueblo Diocese did not report Blong's sexual abuse of Victim #4 to law enforcement. The Pueblo Diocese conducted the Pastoral Healing Events described above. It also offered to coordinate and pay for counseling for Victim #4.

#### Victim #5

- i. Blong befriended Victim #5's family and groomed this boy in part by giving him a key to the rectory and explaining that the vow of celibacy permitted Blong to be sexual with his "one and only one" partner (a grooming line Blong deployed on a number of his victims). After grooming Victim #5, Blong sexually abused him by embracing him and rubbing his genitals on the boy until Blong ejaculated.
- ii. Blong sexually abused Victim #5 sometime between approximately 1970 and 1975.
- iii. Victim #5's abuse was reported in June 1994.
- iv. Victim #5 was an approximately 15- to 17-year-old boy when Blong sexually abused him.
- v. Blong was the Pastor at Sacred Heart Parish in Alamosa when he sexually abused Victim #5.
- vi. As set forth above, the Pueblo Diocese had received reports of Blong's sexual misconduct with children before he abused Victim #5.
- vii. N/A.
- viii. Blong denied that he "had sex" with Victim #5 but admitted they shared "embraces." Blong in a different context admitted that he defined "embraces" with adolescent boys during this time period as rubbing against them with his genitals until he ejaculated. We are aware of no exculpatory evidence.
- ix. The Pueblo Diocese had already suspended Blong's faculties at the time Victim #5 reported his abuse. It took no action against Blong in response to Victim #5's report, separate from that described below regarding Victim #6.
- x. N/A.

- xi. The Pueblo Diocese investigated this report by interviewing Victim #5's family members and Blong. The Pueblo Diocese did not report Victim #5's sexual abuse to law enforcement. The Pueblo Diocese conducted the Pastoral Healing Events described above, and it coordinated and paid for counseling for Victim #5's family members.

#### Victim #6

- i. Blong had a continuous sexual relationship with Victim #6 for over 22 years. The sexual relationship began when Victim #6 was approximately 14 years old (in the fall of his 8<sup>th</sup> grade year) and Blong fondled him after a religious counseling session. From then until Victim #6 reached age 18, Blong sexually abused him over 100 times. That abuse included Blong anally raping Victim #6, receiving oral sex from him, fondling him, and masturbating with him. The sexual abuse occurred in rectories, cars, motels, cabins, homes, and the woods. Leading up to and during this sexual abuse period while Victim #6 was under 18, Blong groomed him by preying on his insecurity and low self-esteem, professing his love for him, showing him special treatment, taking him on trips, giving him spiritual counseling, and telling him sex was not a violation of his celibacy vow because Victim #6 was his special and only lover. Blong also told Victim #6 "nobody needs to know about our relationship."
- ii. Blong sexually abused Victim #6, as a minor, from the fall of 1970 to the fall of 1974.
- iii. Victim #6 first reported his sexual abuse on September 6, 1993.
- iv. Victim #6 was a 14 to 17-year-old boy when Blong sexually abused him.
- v. Blong was the Pastor at Sacred Heart Parish in Alamosa when he was abusing Victim #6.
- vi. As set forth above, the Pueblo Diocese had received reports of Blong's sexual misconduct with children before he sexually abused Victim #6.
- vii. N/A.
- viii. Blong admitted he sexually abused Victim #6. We are aware of no exculpatory evidence.
- ix. The day after learning of Victim #6's allegations, the Pueblo Diocese suspended Blong's faculties, placed him on administrative leave, and promised to take further disciplinary action if warranted after investigation of the allegations. Blong was retired and living in Lakewood at the time, and the Pueblo Diocese also banned him from entering the territorial boundaries of the Pueblo Diocese. In March 1995, after concluding its investigation and settling Victim #6's lawsuit, the Pueblo Bishop chose a "milder form of punishment" than his advisors suggested for Blong (they advised laicization). Specifically, the Bishop decreed the imposition of the following penalties on Blong: he was barred from entering the Pueblo Diocese, he was barred from contacting any of his victims, he was barred from performing any sacraments and any public Mass, and he was required to pay the Pueblo Diocese a \$5,000 fine.

- x. N/A.
- xi. Victim #6's lawsuit generated substantial local and national media attention. The Pueblo Diocese responded to the suit with an immediate, substantial investigation of the allegations, including interviews and follow-up with Blong's co-workers at his parishes of assignment, his victims, their family members, and other sources of information. The Pueblo Diocese also proclaimed that its investigation supported its effort to prosecute Blong "to the full extent of canon law;" however, the Pueblo Diocese did not in fact pursue that canon law prosecution to conclusion. The Pueblo Diocese immediately offered counseling and healing services to Victim #6, coordinated and conducted Pastoral Healing Events at both Blong's prior parishes, activated the Pueblo Diocese's Sexual Misconduct Review Board process, scheduled mandatory trainings and workshops for all personnel on preventing sexual abuse, paid for victims' counseling, required Blong to undergo psychiatric evaluation, and required him to submit a list of all past sexual encounters. In addition, the Pueblo Bishop issued a letter read at Masses throughout the Diocese asking all sexual abuse victims to come forward and report their abuse. Similarly, within 2 weeks of the lawsuit's filing he delivered an address to all Pueblo Diocese priests stating a zero-tolerance policy for celibacy violations and informing them that if they had any knowledge of clergy child sex abuse and did not report it to his office, they would be deemed complicit and would be disciplined.

Despite all this, the Pueblo Diocese did not report Victim #6's abuse to law enforcement. The Pueblo Diocese's response to Victim #6's allegations in another regard, however, was not as forgivable. In particular, top Pueblo Diocese officials repeatedly proclaimed that Blong's career was "clear of any complaints or reports of sex abuse," and that Blong's ministry in the Pueblo Diocese "has been free of improprieties or sexual misconduct." This was false, and the Pueblo Diocese knew it. Blong's Pueblo Diocese file contained the 1953 letter to the Bishop from the La Junta Parish Administrator detailing at length Blong's repeated, persistent grooming of adolescent boys, his "love affair" with one of them, and his being "love crazy" for many of them. Those Pueblo Diocese officials appear to have decided in 1993 that they could ignore this letter on the grounds that it did not report a specific independently witnessed or admitted act of sexual abuse. They appear to have reached that decision so they could communicate to the public emphatically and repeatedly that the Pueblo Diocese had not knowingly allowed children to be sexually abused by permitting Blong to continue in ministry since 1952. In fact, the Pueblo Diocese did just that. The Blong victims described in this Report likely would not have been sexually abused had the Pueblo Diocese responded to that 1953 letter by investigating Blong's conduct, reporting him to law enforcement, restricting his access to children, or removing him from ministry.

## **FATHER LEO BONFADINI**

### Victim #1

- i. Bonfadini kissed, fondled, and had anal intercourse with Victim #17 in the parish rectory.
- ii. Bonfadini sexually abused Victim #1 in 1979.

- iii. Victim #1 reported his abuse in 1994.
- iv. Victim #1 was a 17-year-old boy when Bonfadini sexually abused him.
- v. Bonfadini was the Administrator of Our Lady of Guadalupe Parish in Pueblo when he sexually abused Victim #1.
- vi. Bonfadini's file does not indicate that the Pueblo Diocese had received any report of Bonfadini engaging in sexual misconduct with children before he abused Victim #1.
- vii. N/A.
- viii. Bonfadini did not directly admit or deny abusing Victim #1 but stated that he had "made regrettable decisions [in his ministry career] with permanent consequences." We are aware of no exculpatory evidence.
- ix. Because the Pueblo Diocese's investigation of Victim #1's claim was inconclusive (as described below), the Pueblo Diocese did not sanction Bonfadini for his sexual abuse of Victim #1. The Pueblo Diocese did, however, send him for evaluation and counseling at the St. Luke Institute and did require him to participate in regular therapy and subject him to strict supervision when he returned from that evaluation. Shortly thereafter, in May 1995, Bonfadini voluntarily and permanently relinquished his faculties.
- x. N/A.
- xi. The Pueblo Diocese conducted an extensive investigation after receiving Victim #1's abuse allegation, including interviews of Bonfadini, Victim #1, and numerous others. The investigation lasted for months, and the Pueblo Diocese offered genuine support and care for Victim #1 in settling his claims. After Bonfadini left the parish, the Pueblo Diocese also supported others affected by presenting a series of "Healing Mission" talks for parishioners. The Pueblo Diocese, however, seemed to apply an inappropriate standard of proof in ultimately closing its investigation of Bonfadini as "inconclusive." Specifically, in this and other cases the Pueblo Diocese found sexual abuse of a child accusations unsubstantiated unless either the priest admitted them or a firsthand non-victim witness supported them. Finally, it does not appear the Pueblo Diocese reported Bonfadini's sexual abuse of Victim #1 to any law enforcement authority.

## **FATHER WALTER BUETZLER**

### Victim #1

- i. Buetzler sexually abused this fifth-grade student at St. Joseph's school in Monte Vista by fondling him once after the boy's confession. Buetzler preceded the fondling with a sex talk about erections.
- ii. Buetzler sexually abused Victim #1 in 1953.

- iii. Victim #1 reported Buetzler's abuse to his father soon after it occurred in 1953. His father and parish council members then met with the Pueblo Bishop and reported to him that they believed Buetzler was molesting boys in the parish. Victim #1 himself reported his specific abuse to the Pueblo Diocese in 1990.
- iv. Victim #1 was an approximately 11-year-old boy when Buetzler sexually abused him.
- v. Buetzler was assigned as the Administrator of St. Joseph Parish in Monte Vista when he abused Victim #1.
- vi. Buetzler's file does not indicate that the Pueblo Diocese had received any reports of him engaging in sexual misconduct with children before he abused Victim #1.
- vii. N/A.
- viii. It is not clear whether Buetzler ever admitted or denied that he sexually abused Victim #1. We are aware of no exculpatory evidence.
- ix. It is not clear whether the Pueblo Diocese took any action against Buetzler after the parish council reported their concerns in 1953. But it does appear Buetzler left the Pueblo Diocese in 1954. Whether there is any connection is not explained in Buetzler's file. The Pueblo Diocese took no action against Buetzler after Victim #1 reported his abuse again in 1990 because Buetzler had died in 1988.
- x. It appears Buetzler continued in ministry outside of Colorado after he left the Pueblo Diocese. There is no indication that the Pueblo Diocese restricted his ministry in any way, referred him for any evaluation or counseling, or communicated his sexual abuse of Victim #1 to Buetzler's subsequent out-of-state diocese.
- xi. It does not appear that the Pueblo Diocese either investigated the parish council's report about Buetzler or referred their concerns to any law enforcement authority. Rather, when the parish council reported Buetzler to the Pueblo Bishop in 1953 he told them such matters were "not their concern." In contrast, when it received Victim #1's report in 1990 the Pueblo Diocese initially responded with care and compassion for Victim #1. It investigated by interviewing him, though it did not refer Victim #1's sexual abuse report to law enforcement because Buetzler was already dead. Victim#1 was very disappointed though when he travelled from out of state to Pueblo 4 months after he reported his abuse to meet with the Bishop. He was treated dismissively and without compassion. He felt the Pueblo Diocese did not believe him or support him. In addition, when he was asked whether he wanted compensation and gave them a number, a different Pueblo Diocese official immediately rebuffed Victim #1 with a letter asserting that any claim for compensation was barred by the statute of limitations, that if he filed such a claim the Pueblo Diocese would sue him and make him pay the Pueblo Diocese's legal fees, and that the Pueblo Diocese "wished [Victim #1] well in [his] strong determination to overcome [his] problems." That was the end of the Pueblo Diocese's pastoral healing relationship with this child sex abuse victim. As was common too in the Denver

Archdiocese at that time, the Pueblo Diocese thus prioritized aggressive self-protection over compassionate resolution.

## **FATHER ANDREW BURKE**

### Victim #1

- i. Burke groomed this altar server by establishing a counseling relationship, giving him jobs, and paying him to be his “guinea pig” in “psychology experiments about what the human body can endure.” Once or twice a week for approximately 3 years, Burke conducted these experiments on Victim #1, undressing him, having him put on a particular pair of swim trunks, blindfolding him, laying him on his back, tying his wrists to radiator pipes, straddling him, tickling his body with ice and frozen towels, and rubbing and masturbating on him.
- ii. Burke sexually abused Victim #1 from 1971 to 1973.
- iii. Burke’s abuse of Victim #1 was first reported in August 2004.
- iv. Victim #1 was an 11- to 13-year-old boy when Burke sexually abused him.
- v. During the time he was abusing Victim #1, Burke was the Chaplain at Parkview Hospital and a part-time Assistant Pastor and resident at St. Pius X Parish in Pueblo.
- vi. The Pueblo Diocese knew Burke suffered from a psychosexual behavior disorder that caused him to engage in “unusual behaviors” approximately 3 years before he sexually abused Victim #1. Though it is not clear whether that knowledge was based on a specific report of sexual misconduct, in 1973 the Pueblo Diocese Bishop confirmed he knew as early as 1968 that Burke was “giving evidence of” his psychosexual behavior disorder while assigned to a special ministry for students, and teaching high school students, in Grand Junction. Burke was also the Pueblo Diocese’s Area 6 Youth Program Director at the time. In 1971 the Bishop reassigned Burke to a chaplaincy and part-time ministry and residence at the church where he then abused Victims #1 and #2 *because* he “hope[d] that a change in his assignment would be a help toward solving a psychosexual behavior problem.” Further, Burke himself later indicated he had struggled with and sought guidance about his disorder before he was even ordained, and even with that knowledge Church representatives had encouraged him still to become a priest. For example, Burke’s seminary records, starting in 1963, refer several times to “his problem” and “his imprudence,” which he was getting “more under control.”
- vii. The Pueblo Diocese reported Burke’s abuse of Victim #1 to the Pueblo Police Department and encouraged Victim #1 and his family to do the same.
- viii. Burke admitted that he engaged in the undressing, blindfolding, tickling, and tying alleged by Victim #1 but denied that he straddled, rubbed, or masturbated on him. He denied that his contact with Victim #1 was sexual, admitting instead that it was merely

“inappropriate.” We are aware that Victim #1 did not detail those expressly sexual components of Burke’s conduct in his initial report, but he did so subsequently. We do not find this exculpatory. It is common for sex abuse victims to have difficulty detailing the full scope of their abuse in an initial interview (especially with numerous authority figures present), and the details Victim #1 added later are entirely consistent with Victim #2’s experience and with Burke’s and the Pueblo Bishop’s own acknowledgements that Burke’s behavior was sexual.

- ix. Burke voluntarily sought and received laicization in December 1973 with the Pueblo Diocese’s assistance; therefore, when Victim #1 reported his abuse, Burke had been out of ministry for 31 years.
- x. N/A.
- xi. Sexual Misconduct with a Minor 1968 to 1971 — While it is unclear whether there were specific reports of sexual abuse of children during this period, the Pueblo Diocese Bishop himself knew that Burke’s psychosexual disorder manifested in “rather unusual,” primarily sexual behaviors during this period. There is no indication that the Pueblo Diocese reported this behavior to any law enforcement authority. It does appear, though, that the Pueblo Diocese required Burke to participate in approximately 24 counseling sessions from December 1969 to January 1973. There is no indication that the Pueblo Diocese conducted any investigation into Burke’s psychosexual behavior or risk to children during this period. Rather, the Pueblo Diocese Bishop simply transferred Burke’s residency to the St. Pius X rectory in Pueblo and assigned him to part-time ministry and a hospital chaplaincy “in the hope that this would solve his psychosexual problems.” The Pueblo Diocese did not impose supervision, require therapy, monitor his behavior, or restrict his ministry or faculties in any way. At his own request, in March 1973 Burke was granted a 1-year leave of absence from ministry.

Victim #1’s Sexual Abuse Report in 2004 — In response to Victim #1’s report in 2004, the Pueblo Diocese encouraged him to report to law enforcement and the media. The Pueblo Diocese itself reported the abuse to law enforcement. It also investigated the abuse report by interviewing the victim, other potential witnesses, and Burke. The Pueblo Diocese activated its Sexual Misconduct Review Board process immediately and provided care for Victim #1 and his family. It also publicly encouraged all other sexual abuse victims to come forward for free counseling, healing, and victim-support services. It apologized to Victim #1 and all victims of clergy abuse. 8 days after Victim #1’s allegations became public, Burke committed suicide (on September 21, 2005). 2 months later Victim #1 sued the Pueblo Diocese, and the Pueblo Diocese settled.

Yet vehemently and consistently throughout the period following Victim #1’s sexual abuse report in 2004, the Pueblo Diocese insisted this was the only sexual misconduct complaint it had ever received about Burke. The diocese promised that it had never had a prior allegation. This was dishonest. Such statements were intended to convey to the public a complete falsity: that the Pueblo Diocese had no idea Burke was a danger to children. Its own records prove the Pueblo Diocese knew for years that Burke had a

manifesting psychosexual disorder, ordained him anyway, and transferred him into contact with Victims #1, #2, and #3 as a way of “solving” the precise behaviors his disorder caused. The Pueblo Diocese deliberately created a false impression for parishioners and the public with its adamant statement that Victim #1’s was the first abuse allegation against Burke. Years of prior knowledge of his “rather unusual sexual behavior patterns” are not overcome by a therapist’s self-serving and clearly speculative comments that the individuals he abused were not aware his behavior “had a sexual component” for Burke. Years of prior knowledge are not overcome by the fact that the Pueblo Diocese allegedly knew of no specific victim who had asserted a specific claim. This is especially true considering Burke’s therapist concluded in 1973 that “the patient continued to have considerable amounts of sexual drive which were sometimes handled by a return to his unusual practices.” The therapist’s observation proved true when the Pueblo Diocese moved Burke into contact with his 3 victims instead of suspending him at least temporarily to actually assess his risk to children. Despite clear documentation to the contrary, Burke himself dutifully parroted the Pueblo Diocese’s self-protective mantra in his own laicization petition, stating that prior to his abuse of Victim #1 the Pueblo Diocese had no knowledge he was a risk to children and did not transfer him to Pueblo because of his psychosexual problems.

#### Victim #2

- i. Burke ministered to Victim #2 when the latter was in the hospital in 1972. Burke befriended him, invited him to the rectory to do chores for pay, and also paid him to engage in the same sexually abusive “experiments” described above for Victim #1. Burke sexually abused Victim #2 on a weekly basis for approximately 4 years.
- ii. Burke sexually abused Victim #2 from 1972 to 1975.
- iii. Victim #2 first reported the abuse in September 2005.
- iv. Victim #2 was an approximately 10- to 13-year-old boy when Burke sexually abused him.
- v. During the time he was abusing Victim #2, Burke was the Chaplain at Parkview Hospital and a part-time Assistant Pastor and resident at St. Pius X Parish in Pueblo.
- vi. As set forth above, the Pueblo Diocese had received prior reports of Burke engaging in sexual misconduct with children before he abused Victim #2.
- vii. The Pueblo Diocese reported Burke’s sexual abuse of Victim #2 to the Pueblo Police Department immediately, in September 2005.
- viii. Burke denied ever having any sexual contact with children. It does not appear he was ever asked about Victim #2’s specific allegations, and he committed suicide right after this report surfaced. We are aware of no exculpatory evidence.



- ix. N/A (Burke was laicized 32 years before Victim #2 reported his abuse).
- x. N/A.
- xi. The Pueblo Diocese immediately activated its Sexual Misconduct Review Board process in response to Victim #2's report. It offered to pay for counseling for Victim #2 and apologized to him. It immediately reported the abuse to law enforcement. It investigated by interviewing the victim and others. It could not interview Burke because he had committed suicide. It settled with Victim #2 after he sued the Pueblo Diocese in 2008.

In this case also the Pueblo Diocese stated emphatically and publicly that it "had no knowledge of Burke's behavior at a time that it could have made a difference" to Victim #2. Further yet, the Pueblo Diocese stated publicly that it "did not know anything about Andy [Burke]'s proclivities at all" and therefore could not react to them. For the reasons set forth above for Victim #1, both of these statements were false, dishonest, and deliberately misleading.

### Victim #3

- i. Burke had oral sex with, fondled, and rubbed his genitals on Victim #3 at St. Pius X Parish in Pueblo numerous times.
- ii. Burke sexually abused Victim #3 starting in early 1971 when he travelled to visit St. Pius X Parish before he moved there permanently in August 1971.
- iii. Victim #3 first reported his abuse in 2006.
- iv. Victim #3 was a 17-year-old boy when Burke began sexually abusing him (the abuse continued after Victim #3 turned 18).
- v. The abuse began when Burke was still assigned to Grand Junction and continued after Burke was transferred to St. Pius X Parish in Pueblo.
- vi. As described above, the Pueblo Diocese knew Burke had engaged in sexual misconduct with children before he sexually abused Victim #3.
- vii. The Pueblo Diocese did not report Burke's sexual abuse of Victim #3 to law enforcement as required under Colorado law.
- viii. Burke denied sexually abusing any children. It does not appear he ever admitted or denied Victim #3's specific allegations. We are aware of no exculpatory evidence.
- ix. N/A (Burke was laicized 33 years before Victim #3 reported his abuse).
- x. N/A.

- xi. There is no indication in Burke's file that the Pueblo Diocese investigated Victim #3's report until he filed suit in 2009 and it then investigated to the extent necessary to defend the suit. Because Burke was dead, the Pueblo Diocese also did not report this incident to law enforcement. It settled Victim #3's lawsuit.

## **FATHER MICHAEL DESCOISE**

### Victim #1

- i. DeScoise masturbated Victim #1 while DeScoise took Victim #1 on a walk in a rural area under the pretext of Sacramental Confession and providing Victim #1 with spiritual counsel.
- ii. DeScoise sexually abused Victim #1 in 1986 or 1987.
- iii. DeScoise's sexual abuse of Victim #1 was reported to the Pueblo Diocese in 2018.
- iv. Victim #1 was an approximately 14-year-old boy when DeScoise sexually abused him.
- v. DeScoise was assigned as the Pastor of St. Joseph's Parish in Grand Junction when he abused Victim #1.
- vi. While the Pueblo Diocese had received numerous reports about DeScoise's sexual activity with adults, his file does not indicate it had received reports of DeScoise engaging in sexual misconduct with children before he abused Victim #1.
- vii. The Pueblo Diocese notified law enforcement immediately after Victim #1's allegation was reported in 2018.
- viii. DeScoise has repeatedly denied the allegation. We are aware of no other exculpatory evidence and based on our follow-up investigation, we do not find his denials credible.
- ix. Upon receiving Victim #1's abuse allegation, the Pueblo Diocese Bishop issued a decree opening a preliminary investigation. When the investigation was completed, the Bishop sent a letter to the Congregation for the Doctrine of Faith calling for a penal process to be opened regarding the allegation. That canonical judicial process is pending.
- x. Though DeScoise retired in 2012, the Pueblo Diocese suspended his faculties pending the outcome of the preliminary investigation and penal process. DeScoise's faculties were previously suspended in 2016 when he admitted to multiple sex acts with adult males. Documentation in his file indicates his faculties were restored in 2017 after he attended counseling in Denver. Again, the Pueblo Dioceses suspended them a second time in 2018 after receiving Victim #1's abuse report, and they remain suspended.
- xi. The Pueblo Diocese initiated a canonical preliminary investigation when Victim #1's report was received. Upon completion of the investigation, the Pueblo Diocese requested

that the Congregation for the Doctrine of Faith begin a penal process, which is pending. It also immediately reported the allegation to law enforcement.

## **FATHER WILLIAM GLEESON**

### Victim #1

- i. Gleeson sexually abused this St. Pius X altar server and student in Gleeson's rectory bedroom after grooming him (and another boy) with a road trip and alcohol. After agreeing to sleep over at the rectory after the road trip and drinking, Victim #1 awoke in the middle of the night with Gleeson on top of him, aggressively rubbing on him and masturbating him. Prior to that night, Gleeson had also attempted to grope Victim #1 in the school hallways.
- ii. Gleeson abused Victim #1 in the spring of 1969.
- iii. This sexual abuse incident was reported to the Pueblo Diocese in September 1993.
- iv. Victim #1 was a 13- or 14-year-old boy when Gleeson sexually abused him.
- v. Gleeson was an Assistant Pastor at St. Pius X Parish in Pueblo when he abused Victim #1.
- vi. It does not appear from Gleeson's file that the Pueblo Diocese had received any reports of Gleeson engaging in sexual misconduct with children prior to his sexual abuse of Victim #1.
- vii. N/A.
- viii. Gleeson denied abusing Victim #1. Other than that denial, we are aware of no exculpatory evidence, and we find the corroborating evidence outweighs his denial.
- ix. As described below, the Pueblo Diocese determined its own investigation was inconclusive and therefore did not take any action against Gleeson's ministry or faculties.
- x. Though it did not restrict Gleeson's ministry or faculties, the Pueblo Diocese did require Gleeson to undergo 2 psychological evaluations. Based on those, the Pueblo Diocese allowed Gleeson to continue in ministry as long as he regularly attended therapy and the therapist reported to the Pueblo Diocese quarterly for a period of 3 years.
- xi. The Pueblo Diocese did not report Victim #1's sexual abuse to law enforcement when it learned of the allegation in 1993. When it re-examined Gleeson's file again in February 2019, it did submit a report of this child sex abuse incident to the Durango Police Department. In 1993, it also conducted an immediate and careful investigation that included 26 interviews over the course of a year and a half. The Pueblo Diocese, though, applied the same standard it did in other cases: without a confession by the priest or an

independent third-party witness who viewed the alleged abuse, it found the allegation uncorroborated and its investigation inconclusive. Throughout the investigative process, the Pueblo Diocese communicated consistently and transparently with the victim.

## **FATHER WILLIAM GROVES**

### Victim #1

- i. Groves groomed Victim #1 by ingratiating himself with the boy's family and professing his love for the boy and his family. Over an 8-year period, Groves then sexually abused Victim #1 intermittently approximately 10 times per year. Groves fondled him, rubbed against him and ejaculated, masturbated with him, performed oral sex on him, and anally raped him. Groves sexually abused Victim #1 at the victim's home and at various churches where Groves was assigned. Groves told Victim #1 to tell no one about their relationship.
- ii. Groves sexually abused Victim #1 from approximately 1982 to 1989.
- iii. Groves's abuse of Victim #1 was first reported in February 2004.
- iv. Victim #1 was an approximately 8- to 15-year-old boy when Groves sexually abused him.
- v. Groves was an Assistant Pastor at St. Mary Parish in Walsenburg when he began sexually abusing Victim #1. Groves continued to abuse Victim #1 while assigned as Assistant Pastor at St. Leander Parish in Pueblo, Assistant Pastor at St. Columba Parish in Durango, and Pastor at Ignatius Mission/Parish in Ignacio.
- vi. Groves worked as a seminarian in a Pueblo hospital in 1977 before he was ordained. At that time one of his supervisors noted in his evaluation that "he seems to have an interest in teenagers." Other than that reference, it does not appear the Pueblo Diocese had received any information indicating Groves was engaging in sexual misconduct with children before he abused Victim #1.
- vii. The Pueblo Diocese encouraged Victim #1 to report Groves to law enforcement and emphasized to him that the Pueblo Diocese itself had a legal obligation to do so, which it intended to meet. There is no evidence in Groves's file, however, that the Pueblo Diocese did so as required under Colorado law.
- viii. In 2004 Groves denied that he sexually abused Victim #1. He said he did not know the victim, acknowledged that his "drunkenness" during that period may have affected his memory, and offered to help the Pueblo Diocese pay for Victim #1's counseling. In 1992, during his evaluation after his arrest for abusing Victim #3 below, Groves also stated he did not sexually abuse any children prior to his 1986 assignment in Ignacio. We are aware of no exculpatory evidence. Groves's denials are outweighed by the corroborating evidence.

- ix. In response to proof that Groves had sexually abused Victim #3, as discussed below, the Pueblo Diocese had already removed, suspended, and laicized Groves when it received Victim #1's report of sexual abuse. The Pueblo Diocese also had required Groves to undergo several psychological evaluations and treatments related to his sexual abuse of children before Victim #1's report.
- x. N/A.
- xi. The Pueblo Diocese investigated Victim #1's report of sexual abuse by interviewing him, a family member, and Groves. As noted above, it encouraged Victim #1 to report the abuse to law enforcement. It is not clear, however, whether the Pueblo Diocese itself reported Victim #1's sexual abuse to law enforcement. Regardless, the Pueblo Diocese activated its Sexual Misconduct Review Board process, put Victim #1 in touch with the Pueblo Diocese's Victim Assistance Coordinator, offered to pay for counseling for Victim #1, sought to have Groves reimburse the Pueblo Diocese for a portion of those costs, assisted Victim #1 with his related legal troubles, apologized to Victim #1 and his family, and treated them with care and respect. Victim #1 sued the Pueblo Diocese 5 years later, and in 2010 it settled with him.

#### Victim #2

- i. Groves sexually abused this boy dozens of times intermittently for approximately 1 year, after gaining his and his family's trust, sharing alcohol and marijuana with the boy, and exposing him to pornography. Groves fondled, anally raped, and performed oral sex on Victim #2 at the rectory and in Groves's car. Groves told Victim #2 not to tell anyone.
- ii. Groves sexually abused Victim #2 from approximately 1987 to 1988.
- iii. Victim #2 reported this abuse in March 2009.
- iv. Victim #2 was an approximately 12- to 13-year-old boy when Groves sexually abused him.
- v. Groves was the Administrator of the Mission at Ignatius Church in Ignacio when he sexually abused Victim #2.
- vi. Groves worked as a seminarian in a Pueblo hospital in 1977 before he was ordained. At that time one of his supervisors noted in his evaluation that "he seems to have an interest in teenagers." Other than that reference, it does not appear the Pueblo Diocese had received any information indicating Groves was engaging in sexual misconduct with children before he sexually abused Victim #2.
- vii. The Pueblo Diocese did not report Groves's sexual abuse of Victim #2 to law enforcement as required under Colorado law.

- viii. Groves admitted in 1992 that while assigned in Ignacio from 1986 to 1989 he had sexually abused 4 “Ute boys.” He admitted sexually abusing 1 boy at least 7 times and abusing the other 3 boys 1 or 2 times each. It is unclear whether Victim #2 was one of these 4 boys and therefore whether Groves admitted or denied abusing him. We are aware of no exculpatory evidence.
- ix. In response to proof that Groves had sexually abused Victim #3, as discussed below, the Pueblo Diocese had already removed, suspended, and laicized Groves when it received Victim #2’s report of sexual abuse. The Pueblo Diocese also had required Groves to undergo several psychological evaluations and treatments related to his sexual abuse of children.
- x. N/A.
- xi. The Pueblo Diocese responded to Victim #2’s allegations by defending his lawsuit and settling it. It does not appear it did any other investigation or reported this child sex abuse to law enforcement.

### Victim #3

- i. Groves groomed Victim #3 with marijuana, alcohol, and special access to the rectory at Ignatius Church. He sexually abused Victim #3 at least once by performing oral sex on him in a shower at the rectory. Groves told Victim #3 not to tell anyone.
- ii. Groves abused Victim #3 in 1989.
- iii. This abuse was reported to the Pueblo Diocese in September 1989 when Groves was arrested and criminally charged with sexually assaulting Victim #3.
- iv. Victim #3 was an approximately 14-year-old boy when Groves sexually abused him.
- v. Groves was the Pastor at Ignatius Parish in Ignacio when he abused Victim #3.
- vi. Groves worked as a seminarian in a Pueblo hospital in 1977 before he was ordained. At that time one of his supervisors noted in his evaluation that “he seems to have an interest in teenagers.” Other than that reference, it does not appear the Pueblo Diocese had received any information indicating Groves was engaging in sexual misconduct with children prior to his abuse of Victim #3.
- vii. Groves called the Pueblo Diocese and alerted it to Victim #3’s sexual abuse allegation after Groves was arrested and charged. Law enforcement was already fully involved; therefore, there was no need for the Pueblo Diocese to report.
- viii. Groves pleaded guilty to sexually abusing Victim #3. We are aware of no exculpatory evidence.

- ix. The Pueblo Diocese took many actions in the wake of Groves's arrest and subsequent criminal conviction for sexually abusing Victim #3. First, the Pueblo Diocese secured his release from jail on a personal recognizance bond, brought him back to Pueblo, and monitored and supervised his daily life closely. But it did not pay for or direct his defense of the criminal case. Second, the Pueblo Diocese sent him to Georgia for evaluation and long-term rehabilitation and treatment, and it alerted the Archdiocese in Atlanta to his presence and fully informed leadership there about Groves's criminal child sex abuse charges, advising that he not be allowed to work there in any priestly capacity. Third, the Pueblo Diocese immediately removed Groves from Ignacio, suspended his faculties after Groves pleaded guilty and was sentenced to 4 years of probation, and commenced the canon law process to laicize him after Groves equivocated about voluntarily pursuing laicization. Fourth, the Pueblo Diocese sent him for a second psychiatric evaluation and opinion about his fitness for ministry in 1992. Finally, after vigorous canonical litigation and Groves's relentless pursuit of a return to some form of ministry, the Pueblo Diocese secured voluntary laicization.
- x. N/A.
- xi. The Pueblo Diocese does not appear to have separately investigated Victim #3's sexual abuse. Rather, it responded to Victim #3's allegations and the criminal case against Groves by coordinating and cooperating with the District Attorney and Sheriff to offer assistance to the victim and his family and encourage other victims of Groves to report any abuse they suffered at his hands. The Pueblo Diocese also cooperated with the law enforcement investigation. In addition, the Pueblo Diocese conducted a Pastoral Healing Event at Ignatius Church, and the Pueblo Bishop implored parishioners there to report any abuse incidents to him or to law enforcement, emphasizing that such reporting is encouraged, authorized, and endorsed by the Church itself. Finally, in 1991, the Pueblo Diocese settled Victim #3's civil suit against it.

## **FATHER JOHN A. HABERTHIER**

Haberthier was an extern priest in the Pueblo Diocese for fewer than 4 years, during which time he groomed and sexually abused at least 4 boys. The Pueblo Diocese was informed of the abuse in 1977, but Haberthier went to California before the Bishop could take action against him. After Haberthier left, the Bishop took no further action. It did not report Haberthier to law enforcement or inform anyone in his next diocese that he was a child predator. The Pueblo Diocese has learned in the last 15 years that he sexually abused children in 2 other dioceses after he left Pueblo.

### Victim #1

- i. Haberthier groomed Victim #1 by buying him expensive gifts, as well as taking him to the movies and out for burgers and milk shakes. He soon began an abusive pattern of giving Victim #1 alcohol, fondling him, forcing oral sex, and anally raping him. Haberthier sexually abused Victim #1 20 to 30 times over a period of 2 years.

- ii. Haberthier sexually abused Victim #1 from 1974 through 1976.
- iii. Haberthier's abuse of Victim #1 was first reported to the Pueblo Diocese on June 20, 1977.
- iv. Victim #1 was a 15- to 17-year-old boy when Haberthier sexually abused him.
- v. When he was abusing Victim #1, Haberthier was a resident at St. Francis Xavier Parish in Pueblo and then an Assistant Pastor there (June 1975 to June 1977).
- vi. It appears likely that the Pueblo Diocese had received reports of Haberthier sexually abusing children before he abused Victim #1. The limited documentation in his Pueblo Diocese file indicates that when Haberthier met Victim #1, he did not have a pastoral assignment; he was simply "in residence" at St. Francis Xavier in Pueblo. He had previously been the Administrator of Our Lady of Mt. Carmel Parish in Trinidad (June to November 1974), but for reasons unstated in his file, he was forced to resign and get psychiatric help. There is evidence in his file though that before Trinidad he had left Dodge City, Iowa after having unidentified "difficulties" and seeking psychiatric help there.

That evidence is as follows. In November of 1974, the Pueblo Diocese Bishop wrote a letter to the Bishop in Dodge City to update him on Haberthier. He wrote, "It has become increasingly apparent since John [Haberthier]'s arrival here last year that he is a very disturbed man." He wrote further, "Knowing something of his previous history during the past few years, I had hoped that a change might benefit him and that he would show some sign of moving away from the personal difficulties that have beset him recently. I really don't believe that coming here has measurably affected what appears to be a deep-set emotional problem." The Pueblo Diocese Bishop went on to describe "nervous" and "depressed" behavior, such as neglecting Church duties, hiding in his house, and mishandling finances. He went on: "Ordinarily I would re-assign John [Haberthier] as an assistant pastor, but his behavioral pattern in Trinidad has led me and others to conclude he has some very serious problems which are going to have to be rectified or dealt with for his own good. Admittedly, the incidents described in this letter hardly add up to a picture of psychological instability, but over the past year little things have coalesced . . . the fact that he is unable to tell the truth . . . his sociopathic behavior." The Pueblo Diocese Bishop concluded the letter by saying that Haberthier needed long term psychiatric hospitalization and would not be granted another assignment in the Pueblo Diocese.

However, the file indicates that before this letter reached the Bishop in Dodge City, he and the Pueblo Diocese Bishop spoke on the phone and agreed upon a different course of action. They agreed that Haberthier would remain in Pueblo, without an assignment (in residence at St. Francis Xavier Parish), and he would regularly see a psychiatrist in Denver. They agreed that the Diocese of Dodge City would pay for Haberthier's psychiatric treatment. (Apparently, Haberthier had previously seen a psychiatrist for out-patient care in Dodge City.)

These lengthy communications that use these euphemisms and go to such great pains never to mention the specific *conduct* being discussed is, in our experience with the



Colorado Dioceses' files (especially during this period), strong circumstantial evidence that the conduct being discussed was sexual abuse of children. In addition, the repeated direct communications between Bishops is telling. We are aware from our review that especially at the time Bishops frequently tried to assist each other by sending and receiving sexually abusive priests between dioceses. Often that meant among bishops that one would ask another to help avoid scandal for the Church in the sending diocese. The file documentation resulting when such a priest's problems continued in the receiving diocese often reveals, though rarely states, that such a deal was struck. That appears to be what happened with Haberthier. For all these reasons, it appears likely the Pueblo Diocese knew Haberthier was a child sex abuser before he abused Victim #1.

- vii. The Pueblo Diocese reported Haberthier's sexual abuse of Victim #2 to law enforcement on September 5, 2007, more than 30 years after it was first reported to the Pueblo Diocese.
- viii. It appears Haberthier never admitted or denied sexually abusing Victim #1. He told the Pueblo Diocese Bishop that he planned to write out his response to the allegation, but that response never came. He left the Pueblo Diocese for his parent's house in California right after the allegation was reported to the Pueblo Diocese in 1977. He told the Bishop, "I was taken back by the [victim's] account you enclosed in your letter . . . I didn't feel up to discussing it objectively. Frankly, I was concerned about talking with the doctor about my own self-truthfulness. I think this is important since we can easily deceive ourselves." We are aware of no exculpatory evidence.
- ix. In June of 1977, the Pueblo Diocese Bishop assigned a priest to meet with Haberthier to discuss Victim #1's allegations. At the same time the Bishop sought to move Haberthier to Alamosa to serve there until that priest returned from vacation. The Bishop also asked Haberthier to refrain from public celebration of the sacraments. However, before these restrictions could be put in place, Haberthier simply left town. Not long after Victim #1's parents met with the Pueblo Diocese Bishop, Haberthier fled to his parent's house in California, where the Bishop kept in contact with him until at least September of 1977.
- x. N/A.
- xi. The Pueblo Diocese reported Haberthier's sexual abuse of Victim #1 to law enforcement more than 30 years after it was first reported to the Pueblo Diocese. The Pueblo Diocese reported it to law enforcement on September 5, 2007, after the Pueblo Diocese had re-examined his file when it was notified of allegations against Haberthier brought by victims in Dodge City and San Bernardino. Specifically, in November of 2006 the Diocese of Dodge City notified the Pueblo Diocese that it had received credible, local allegations of past sexual abuse by Haberthier, and that there had also been an allegation made in San Bernardino, California. The Pueblo Diocese examined Haberthier's file and found a report that Haberthier had abused Victims #1, #2, and #3 in Pueblo between 1974 and 1977. The report had been created by a Pueblo Diocese official after meeting with the victims' parents and grandfather on June 20, 1977. The Pueblo Diocese therefore convened its Sexual Misconduct Review Board, which recommended the Pueblo Diocese

contact the 3 victims from 1974 to 1977. The Pueblo Diocese then made contact with 2 of those 3 victims and reported Haberthier to the Pueblo Police Department.

The Sexual Misconduct Review Board also recommended contacting Haberthier, but there is no record to indicate the Pueblo Diocese did. At that time, though, the Pueblo Diocese did interview Victim #1. But the victims were frustrated to hear, 30-plus years later, nothing more from the Pueblo Diocese than “we apologize — is there anything we can do?” And again, back in 1977 when Victim #1’s sexual abuse was first reported to the Pueblo Diocese, it did not report to law enforcement and it did no investigation. Instead, it received the report, asked Haberthier to respond, waited, and did nothing else for 30 years until another Diocese’s report caused it to re-examine its own file and find 3 un-investigated child sexual abuse complaints sitting right there. Finally, the Pueblo Diocese did not inform the Diocese of Dodge City or the Diocese of San Bernardino about Haberthier’s sexual abuse of Victim #1.

### Victim #2

- i. Father Haberthier groomed Victim #2 by buying him gifts and taking him to drive-in movies. He also hired Victim #2 to work at the St. Francis Xavier rectory and let him watch TV there. In the summer of 1976, Haberthier took the victim alone on a 3-week trip to Hawaii. Victim #2 reported that Haberthier sexually assaulted him at least 3 times on that trip. Haberthier had previously sexually assaulted Victim #2 at the St. Francis Xavier rectory and at the victim’s family’s cabin. On each occasion, Haberthier gave Victim #2 alcohol (which may have been drugged), waited until he passed out, and then anally raped him.
- ii. Haberthier sexually abused Victim #2 between the spring of 1976 and spring of 1977.
- iii. Haberthier’s abuse of Victim #2 was first reported to the Pueblo Diocese on June 20, 1977.
- iv. Victim #2 was a 15-year-old boy when Haberthier sexually abused him.
- v. Haberthier was the Assistant Pastor at St. Francis Xavier Parish in Pueblo when he sexually abused Victim #2.
- vi. For the reasons discussed above, it appears likely that the Pueblo Diocese received reports of Haberthier engaging in sexual misconduct with children before he abused Victim #2.
- vii. The Pueblo Diocese reported Haberthier’s abuse of Victim #2 to law enforcement on September 5, 2007, more than 30 years after it occurred.
- viii. It appears Haberthier never admitted or denied sexually abusing Victim #1, as discussed above. We are aware of no exculpatory evidence.

- ix. As set forth above, the Pueblo Diocese started to put some modest restrictions in place for Haberthier, but before it could he left for California (never to return).
- x. N/A.
- xi. The Pueblo Diocese reported Haberthier's sexual abuse of Victim #2 to law enforcement more than 30 years after it was first reported to the Pueblo Diocese, for the reasons discussed above. The Pueblo Diocese also engaged in the limited and late investigation of Victim #2's allegations described above. Finally, the Pueblo Diocese did not inform the Diocese of Dodge City or the Diocese of San Bernardino about Haberthier's sexual abuse of Victim #2.

### Victim #3

- i. Haberthier groomed Victim #3 by buying him gifts, taking him to the movies, letting him drive his car, and giving him alcohol, cigarettes, and pornographic magazines. On May 25, 1977, Haberthier took Victim #3 to the movies, then drove to a remote spot and anally raped him. He tried to ensure the victim's silence by telling him he had wanted it, and that no one would believe him.
- ii. Haberthier groomed and sexually abused Victim #2 in May 1977.
- iii. Haberthier's abuse of Victim #3 was first reported to the Pueblo Diocese on June 20, 1977.
- iv. Victim #3 was a 13-year-old boy when Haberthier sexually abused him.
- v. Haberthier was the Assistant Pastor at St. Francis Xavier Parish in Pueblo when he abused Victim #3.
- vi. For the reasons discussed above, it appears likely that the Pueblo Diocese received reports of Haberthier engaging in sexual misconduct with children before he abused Victim #3.
- vii. The Pueblo Diocese reported Haberthier's abuse of Victim #3 to law enforcement on September 5, 2007, more than 30 years after it occurred.
- viii. Haberthier appears to have never admitted or denied sexually abusing Victim #3. We are aware of no exculpatory evidence.
- ix. As set forth above, the Pueblo Diocese started to put some modest restrictions in place for Haberthier, but before it could he left for California (never to return).
- x. N/A.

- xi. The Pueblo Diocese reported Haberthier's sexual abuse of Victim #3 to law enforcement more than 30 years after it was first reported to Pueblo Diocese, for the reasons discussed above. The Pueblo Diocese also engaged in the limited and late investigation of Victim #3's allegations described above. Finally, the Pueblo Diocese did not inform the Diocese of Dodge City or the Diocese of San Bernardino about Haberthier's sexual abuse of Victim #3.

#### Victim #4

- i. Haberthier took Victim #4 to spend the day at the victim's family's cabin. He gave the victim beer, pornographic magazines, and cigarettes. Once Victim #4 was intoxicated, Haberthier anally raped him. Haberthier ensured the victim's silence by threatening to tell people he was gay and had asked for it.
- ii. Haberthier sexually abused Victim #4 in 1977.
- iii. Haberthier's sexual abuse of Victim #4 was first reported to the Pueblo Diocese on March 13, 2008.
- iv. Victim #4 was a 12-year-old boy when Haberthier sexually abused him.
- v. Haberthier was the Assistant Pastor at St. Francis Xavier Parish in Pueblo when he abused Victim #4.
- vi. For the reasons discussed above, it appears likely that the Pueblo Diocese received reports of Haberthier engaging in sexual misconduct with children before he abused Victim #4.
- vii. The Pueblo Diocese did not report Haberthier's sexual abuse of Victim #4's to law enforcement as required under Colorado law.
- viii. Haberthier was never contacted to respond to Victim #4's allegation. Haberthier died in 2009. We are aware of no exculpatory evidence.
- ix. N/A (Haberthier was no longer in ministry at the time this allegation was reported).
- x. N/A.
- xi. Pueblo Diocese representatives met with Victim #4 after receiving his allegation of abuse from his attorney. The file does not indicate what happened at that meeting, what if any other investigation was done, or how the Pueblo Diocese did or did not care for Victim #4. We do know there is no indication in the file that the Pueblo Diocese reported Victim #4's sexual abuse to law enforcement even though Haberthier was still alive when Victim #4 came forward.

## FATHER GARY KENNEDY

### Victim #1

- i. Kennedy sexually abused Victim #1 numerous times when he was an altar server. After Wednesday and Sunday Masses, Kennedy would take a group of altar servers to the church basement where he had set up a mattress behind a curtain. He would take turns “wrestling” with each boy separately, including Victim #1. While wrestling, Kennedy would grab Victim #1 by the hips or shoulders and grind his genitals against him.
- ii. Kennedy sexually abused Victim #1 from approximately 1967 to 1969.
- iii. Victim #1 first reported his abuse in September 2019.
- iv. Victim #1 was an approximately 13- to 15-year-old boy when Kennedy sexually abused him.
- v. Kennedy was the Assistant Pastor at St. Mary Parish in Montrose when he sexually abused Victim #1.
- vi. Kennedy’s file does not indicate the Pueblo Diocese had received any reports of him engaging in sexual misconduct with children before he abused Victim #1.
- vii. The Pueblo Diocese reported Victim #1’s abuse to the Grand Junction Police Department immediately after receiving his report.
- viii. Kennedy’s physical health prevented us from asking him about Victim #1’s allegation. We are aware of no exculpatory evidence.
- ix. When Victim #1 came forward, Kennedy had been retired since 2011, but still was in ministry at St. Joseph Catholic Church in Pueblo, assisting with the weekly Mass schedule and other sacramental duties as needed. The Pueblo Diocese immediately removed his faculties and began to conduct a Diocesan Review Board investigation, after which it will determined whether to take further action against him including sending him for evaluation and therapy, (which is currently ongoing).
- x. N/A.
- xi. The Pueblo Diocese received Victim #1’s report very recently. The Pueblo Diocese immediately reported Victim #1’s allegation to the Montrose Police Department, commenced an investigation of this allegation, and removed Kennedy’s faculties pending that investigation (which is currently ongoing).

## FATHER MICHAEL J. KROL

### Victim #1

- i. Krol took Victim #1 out on a Saturday night. At some point Krol drove out east of Lamar, parked his car, knocked the victim out (by means unknown), and sexually abused him. The victim's parents found evidence on the victim the next morning of sexual abuse (semen and pubic hair), but the victim did not remember what had happened beyond initial fondling because he had been "asleep."
- ii. Krol sexually abused Victim #2 on June 9, 1962.
- iii. Krol's sexual abuse of Victim #1 was reported to the Pueblo Diocese on June 11, 1962.
- iv. Victim #1 was a 15-year-old boy when Krol sexually abused him.
- v. Krol was the Moderator of St. Francis de Sales Parish in Lamar when he sexually abused Victim #1.
- vi. The Pueblo Diocese knew Krol had a history of sexually abusing boys before he abused Victim #1. Before accepting Krol into the Diocese of Pueblo as an extern priest, the Pueblo Diocese Archbishop contacted Krol's previous diocese of Brooklyn, New York and asked "if there is any reason why I would be unwise to accept Father for service in the diocese." The Chancellor of the Brooklyn Diocese wrote back on July 16, 1961 and answered by referring the Pueblo Diocese Bishop to the following provisions of the Catholic Church's canon law: 2359, sections 2 and 3; 1933; 2197; 1946, section 2, n. 2; and 2307.\* In the adjacent margin of his letter, someone handwrote this: "Michael Krol/*Tactus masturbatio cum pueris non negavit etc.*" The substantive canon law provisions the Brooklyn Chancellor cited prohibit (among other things) sex with "a minor below the age of sixteen." The Latin quote in his letter's margin translates to "touch masturbation with boys he denies." The Brooklyn Chancellor further stated, "Under these circumstances, another and final opportunity might be provided there under conditions of careful vigilance." The Pueblo Diocese Bishop wrote this in reply on July 21, 1961: "I will follow your direction in the matter of Father Krol and I do sincerely appreciate your informing me of the circumstances at hand." The Pueblo Diocese then accepted Krol into ministry.

In addition, Krol's file indicates he was making every effort in early 1962 to expand his range of ministry to more and more rural communities (including Wiley, McClave, and Ead) in order to offer reconciliation to the children there. His parish pastor opposed his requests. Then in approximately January 1962 Krol's parish pastor apparently "accused [Krol] of a crime." On February 3, 1962, the Pueblo Diocese Chancellor wrote to Krol that his faculties were revoked and that the Bishop wanted him to leave the Pueblo Diocese immediately and would never speak to him again. Two days later Krol wrote in response that he knew his faculties were being removed because he was "accused of a crime," and that the pastor in his parish was talking to the Pueblo Diocese Chancellor "to straighten out the accusation he made before." That same day,

February 5, 1962, the Chancellor wrote to Krol that his faculties were restored, and he could continue in ministry at St. Francis de Sales Parish. Krol sexually abused Victim #1 4 months later. There is no indication in Krol's file what the "crime" was, but the circumstances indicate it likely was another child sex abuse allegation. If so, before he abused Victim #1 the Pueblo Diocese was on notice that Krol was sexually abusing children in Colorado. If not, the Pueblo Diocese was at least on notice (albeit in Latin) that Krol was accused of sexually abusing boys in New York before he abused Victim #1.

\* From the 1917 Pio-Benedictine Code of Canon Law, in English Translation, by Dr. Edward N. Peters. (The above Code of Canon Law was in effect until it was revised in 1983.)

- vii. N/A.
- viii. It is unclear whether Krol ever admitted or denied sexually abusing Victim #1. We are aware of no exculpatory evidence.
- ix. The Pueblo Diocese told Krol about Victim #1's accusation right after it was reported (June 11, 1962), and Krol left town 2 days later. Therefore, the Pueblo Diocese did not place any restrictions on his ministry or faculties.
- x. When meeting with Victim #1's father on June 11, 1962, the Pueblo Diocese Bishop brought up the possibility of getting Krol psychiatric treatment. He said, "If he's really responsible for these actions, then he should be sent to prison; if he isn't, then he should be sent for psychiatric treatment." Krol left town on June 13, 1962, before the Pueblo Diocese could impose treatment or any other measures.
- xi. The Pueblo Diocese did not investigate Victim #1's sexual abuse. Nor did the Pueblo Diocese call the police after Victim #1 reported his abuse. Instead, the Pueblo Diocese immediately confronted Krol, and he slipped away. Notably, before he sexually abused Victim #1 Krol had already requested a transfer to the Diocese of Norwich in Connecticut. That diocese was ready to accept him, and the Pueblo Diocese had already given that diocese a positive recommendation for Krol. But 2 days after Krol fled Pueblo the Pueblo Diocese wrote to the Diocese of Norwich withdrawing its endorsement of Krol "because of a recent incident," which the Pueblo Diocese official promised to discuss with the Diocese of Norwich official in person on an upcoming visit.

Soon after, the Pueblo Diocese Bishop received notice that Krol had applied to the Diocese of Miami, and he told that diocese "I could not recommend Father Michael Kroll [sic] for service in your diocese." The Pueblo Diocese Bishop did not explain that he could not recommend Krol because Krol had sexually abused a child. Krol's Pueblo Diocese file does not indicate whether the Pueblo Diocese had any role in this, but Krol did subsequently gain acceptance to the Diocese of Norwich and there he continued to sexually abuse children. Krol also had substantiated allegations of sexual abuse of children in the Diocese of Austin, Texas, where he had served as an extern priest before coming to Pueblo. The Pueblo Diocese file contains no indication that the Pueblo Diocese was aware of those allegations before it accepted him as a priest.

### Victim #2

- i. Krol attempted to sexually abuse Victim #2, but he ran away. As the victim said, “He tried it on [me] but [I] got away.”
- ii. Krol sexually abused Victim #2 in the spring of 1962.
- iii. Victim #2’s abuse was reported to the Pueblo Diocese on June 11, 1962.
- iv. Victim #2 was a 15-year-old boy when Krol sexually abused him.
- v. Krol was the Moderator at St. Francis de Sales Parish in Lamar when he sexually abused Victim #2.
- vi. As set forth above, the Pueblo Diocese had received reports of Krol sexually abusing children before he abused Victim #2.
- vii. N/A.
- viii. It does not appear Krol ever either admitted or denied he sexually abused Victim #2. We are aware of no exculpatory evidence.
- ix. As discussed above, Krol fled Colorado before the Pueblo Diocese could place any restrictions on him.
- x. N/A.
- xi. The Pueblo Diocese did not investigate Victim #2’s sexual abuse. Nor did the Pueblo Diocese call the police after Victim #2 reported his abuse. Instead, the Pueblo Diocese confronted Krol, and he immediately left Colorado. Nor did the Pueblo Diocese tell the Diocese of Miami that it could not recommend Krol specifically because he was a child sex abuser.

### Victim #3

- i. Krol took Victim #3 to a movie in Granada, during which he grabbed the victim’s hand and put it on Krol’s genitals.
- ii. Krol sexually abused Victim #3 in the spring of 1962.
- iii. Krol’s abuse of Victim #3 was reported to the Pueblo Diocese on June 11, 1962.
- iv. Victim #3 was a 15-year-old boy when Krol sexually abused him.
- v. Krol was the Moderator at St. Francis de Sales Parish in Lamar when he sexually abused Victim #3.



- vi. The Pueblo Diocese had received reports of Krol sexually abusing children before he abused Victim #3.
- vii. N/A.
- viii. It does not appear Krol ever admitted or denied he sexually abused Victim #3. We are aware of no exculpatory evidence.
- ix. As discussed above, Krol fled Colorado before the Pueblo Diocese could place any restrictions on him.
- x. N/A.
- xi. The Pueblo Diocese did not investigate Victim #3's sexual abuse. Nor did the Pueblo Diocese call the police after Victim #3's abuse was reported. Instead, the Pueblo Diocese confronted Krol, and he immediately left Colorado. Nor did the Pueblo Diocese tell the Diocese of Miami that it could not recommend Krol specifically because he was a child sexual abuser.

## **FATHER DANIEL C. MAIO**

### Victim #1

- i. Maio groomed and sexually abused Victim #1 when he came to Maio seeking counseling about his sexual orientation. In Maio's private living quarters at St. Patrick Parish, and a mountain cabin owned by the Pueblo Diocese Bishop, Maio plied the victim and other boys with alcohol and marijuana, encouraged them to play strip poker, and then sexually abused them. For Victim #1, the abuse included fondling, oral sex, masturbation, and anal rape.
- ii. Maio sexually abused Victim #1 between 1968 and 1969.
- iii. Maio's abuse of Victim #1 was first reported to the Pueblo Diocese on March 17, 2010.
- iv. Victim #1 was a 15-year-old boy when Maio sexually abused him.
- v. When he abused Victim #1, Maio was the Diocesan Youth Director, leading a youth program called "SEARCH." He was also in residence and Assistant Pastor at St. Patrick Parish in Pueblo.
- vi. According to Maio's file, the Pueblo Diocese had not received any reports of Maio engaging in sexual misconduct with children before he sexually abused Victim #1.
- vii. The Pueblo Diocese did not report Maio's sexual abuse of Victim #1 to law enforcement as required under Colorado law.

- viii. Maio was still living in Colorado Springs in 2006 when the allegation was reported to the Pueblo Police Department by Victim #1's therapist. He died 2 months later on June 9, 2006. His file does not indicate whether he was ever confronted with Victim #1's allegation. Maio was dead when it was reported to the Pueblo Diocese in 2010. We are not aware of any exculpatory evidence.
- ix. N/A.
- x. N/A.
- xi. Victim #1 filed a lawsuit against the Pueblo Diocese. It is unclear whether the Pueblo Diocese ever conducted an investigation of his sexual abuse except as necessary to defend that suit. It appears they never reported the abuse to law enforcement (likely because the Pueblo Diocese learned Victim #1's therapist had already reported it, and because Maio was dead when the Pueblo Diocese learned of Victim #1's abuse allegation).

#### Victim #2

- i. When Maio was the Director of the Diocesan Youth "SEARCH" Program, he had an "inner circle" of boys. Victim #2 was one of those boys. He groomed the victim and others by inviting them to his apartment, on weekend retreats, and giving them alcohol and marijuana. He then sexually abused Victim #2 by fondling him and rubbing his body on him.
- ii. Maio sexually abused Victim #2 in 1968.
- iii. Victim #2's abuse was first reported to the Pueblo Diocese on April 5, 2010.
- iv. Victim #2 was a 17-year-old boy when Maio sexually abused him.
- v. Maio was the Diocesan Youth Director, *i.e.* the Director of the "SEARCH" Youth Program, and the Assistant Pastor at St. Patrick Parish in Pueblo when he sexually abused Victim #2.
- vi. It does not appear from Maio's file that the Pueblo Diocese had received any reports of Maio engaging in sexual misconduct with children before he abused Victim #2.
- vii. The Pueblo Diocese did not report Maio's abuse of Victim #2 to law enforcement as required under Colorado law.
- viii. It does not appear Maio ever admitted or denied sexually abusing Victim #2. We are aware of no exculpatory evidence.
- ix. N/A (Maio was dead when the Pueblo Diocese received this abuse report).

- x. N/A.
- xi. Victim #2 filed a lawsuit against the Pueblo Diocese. It does not appear that the Pueblo Diocese reported Victim #2's abuse to law enforcement or itself investigated Victim #2's abuse allegation except to the extent necessary to defend his lawsuit.

## **FATHER PHILIP MARIN**

### Victim #1

- i. Marin sexually abused this young girl in a rectory basement 1 time, after turning off the lights, putting his hand over her mouth and telling her "It's okay, I love you." Before he abused her, Marin groomed her with presents.
- ii. Marin sexually abused Victim #1 in August of 1956 or 1957.
- iii. Victim #1 first reported this abuse in October 2009.
- iv. Victim #1 was a 5- to 6-year-old girl when Marin sexually abused her.
- v. At the time he sexually abused Victim #1, Marin was assigned to Our Lady of Assumption Parish in Trinidad.
- vi. It does not appear from Marin's file that the Pueblo Diocese had received any reports of him engaging in sexual misconduct with children before he sexually abused Victim #1.
- vii. The Pueblo Diocese did not report Victim #1's allegation to law enforcement in 2009 as required by Colorado law.
- viii. It is unclear whether Marin ever admitted or denied sexually abusing Victim #1. We are aware of no exculpatory evidence.
- ix. N/A (Marin was dead when Victim #1 came forward).
- x. N/A.
- xi. The Pueblo Diocese reported this incident to the Trinidad Police Department (after re-examining Marin's file in 2018), 10 years after Victim #1 came forward. The Trinidad Police Department recorded the report but did not investigate because Victim #1 was anonymous, and Marin had died in 1976 (33 years before Victim #1's initial report to the Pueblo Diocese and 43 years before the Pueblo Diocese reported him to the police). The Pueblo Diocese did however investigate as soon as it received Victim #1's report, interviewing her and thoroughly researching Marin's history at Dioceses outside of Colorado. The Pueblo Diocese also apologized to Victim #1, communicated frequently and openly with her, supported her, paid her a settlement, and offered and coordinated out-of-state counseling resources for her.

## **FATHER JOHN MARTIN**

### Victim #1

- i. Martin's Victim #1 was also Burke's Victim #3. Martin and Burke took him to the St. Pius X church basement after Masses on several occasions where both men fondled him, engaged in oral sex with him, and rubbed their genitals on him. Martin witnessed Burke's abuse of Victim #1, did not prevent it, and abused the boy himself. Martin also gave gifts to Victim #1 to induce him not to report the abuse to anyone.
- ii. Martin sexually abused Victim #1 in early 1971.
- iii. Victim #1 first reported his abuse in 2006.
- iv. Victim #1 was a 17-year-old boy when Martin sexually abused him.
- v. Martin abused Victim #1 while assigned as the Pastor of St. Pius X Parish in Pueblo.
- vi. Martin's file does not indicate that the Pueblo Diocese had received any reports of him engaging in sexual misconduct with children before he sexually abused Victim #1.
- vii. The Pueblo Diocese did not report Martin's abuse of Victim #1 to law enforcement as required under Colorado law.
- viii. It is unclear whether Martin ever admitted or denied sexually abusing Victim #1. We are aware of no exculpatory evidence.
- ix. N/A (Martin died in 1974).
- x. N/A.
- xi. There is no indication in Martin's file that the Pueblo Diocese investigated Victim #1's abuse when he came forward in 2006. Nor does it appear the Pueblo Diocese reported the abuse to law enforcement. In 2009 Victim #1 sued, and the Pueblo Diocese settled with him. It appears likely that in the course of laicizing Burke in 1973 (2 years after Martin had abused Victim #1) the Pueblo Diocese discovered Martin's sexually abusive behavior: in January of 1974 it transferred him from St. Pius X Parish to a chaplain position at the Colorado State Penitentiary in Canon City.

## **FATHER CLIFFORD A. NORMAN**

### Victim #1

- i. Victim #1 was an altar server, and Father Norman was friends with his parents. Norman used this access to sexually abuse Victim #1 in the St. William's Church basement before and after confessions and after Mass. He would make Victim #1 sit on his lap and engage

in mutual masturbation. This happened 6 to 7 times. Norman told Victim #1 not to tell anyone and threatened that if he told his father Norman would bar his father from participating in parish activities. Victim #1 stopped the sexual abuse by faking illness during Mass so he could leave the church before Norman got to him.

- ii. Norman sexually abused Victim #1 in the winter or early spring of 1968.
- iii. The abuse was first reported to the Pueblo Diocese on April 8, 1998.
- iv. Victim #1 was a 12-year-old boy when Norman abused him.
- v. Norman sexually abused Victim #1 when he was the Pastor of Sacred Heart Parish in Avondale (and its mission churches).
- vi. It does not appear from Norman's file that the Pueblo Diocese had received reports of him engaging in sexual misconduct with children before he abused Victim #1.
- vii. N/A.
- viii. Norman remembered Victim #1 but denied having sexually abused him. The Pueblo Diocese official who interviewed Norman later stated he thought Norman was lying but could not prove it. We are aware of no other exculpatory evidence, and corroborating evidence outweighs Norman's denial.
- ix. Norman had left ministry in Colorado in 1975, so the Pueblo Diocese was not in a position to restrict his faculties or ministry in 1998 when Victim #1 reported.
- x. N/A.
- xi. The Pueblo Diocese investigated Victim #1's sexual abuse report quickly and thoroughly. It interviewed the victim, his family members, others with knowledge, and Norman himself (whom the Pueblo Diocese required to return from the orphanage where he was working in Mexico for his interview). Because Norman denied the accusation and there was no third-party witness with direct knowledge, however, the Pueblo Diocese deemed its investigation inconclusive. Norman had left ministry in Colorado in 1975, but the Pueblo Diocese did promptly notify the Bishop in Mexico where his orphanage was of the sexual abuse allegation against Norman. The Pueblo Diocese did not report Victim #1's sexual abuse to law enforcement. Victim #1 nonetheless was satisfied with the Pueblo Diocese's investigation and care for him during that process — even when he was told the investigation was inconclusive and a Pueblo Diocese official told him “I believe something happened to you but it can't be proven it was abuse by Norman.” In fact, Victim #1 was impressed by the speed, thoroughness, and care of the Pueblo Diocese investigation. However, Victim #1 ultimately felt frustrated and angry because when he met with the Pueblo Diocese Bishop the Bishop would not “take a side,” told the victim he needed to forgive Norman, and asked the victim to consider how tough *Norman's* childhood must have been.

## **FATHER JOSEPH READE**

### Victim #1

- i. Reade fondled Victim #1 numerous times at Victim #1's residence. He also fondled and performed oral sex on Victim #1 at Reade's residence. Reade also digitally penetrated Victim #1 on 1 occasion.
- ii. Read sexually abused Victim #1 from 1969 to 1971.
- iii. Victim #1's sexual abuse was reported to the Pueblo Diocese in 1994.
- iv. Victim #1 was a 10- to 12-year-old boy when he was sexually abused by Reade.
- v. Read was assigned as a Chaplain at the Veterans Administration Hospital and St. Mary's Hospital in Grand Junction when he sexually abused Victim #1.
- vi. According to Reade's file, the Pueblo Diocese had not received any report that he had engaged in sexual misconduct with children before he abused Victim #1.
- vii. N/A.
- viii. It is unclear whether Reade ever admitted or denied sexually abusing Victim #1. We are aware of no exculpatory evidence.
- ix. N/A (Reade died 4 years before Victim #1 came forward).
- x. N/A.
- xi. The Pueblo Diocese reached a financial settlement with Victim #1. It also appears the Pueblo Diocese investigated his allegation by interviewing him. Victim #1 provided the Pueblo Diocese with information about others whom Reade may have victimized. There is no indication that the Pueblo Diocese made any effort to further identify or locate those potential victims. A document in Reade's personnel file indicates the Pueblo Diocese made a report to the Pueblo Police Department in 2016 after an unsubstantiated allegation of sexual abuse dating back to the mid-1950s was reported to the Pueblo Diocese. The file does not indicate the Pueblo Diocese reported Victim #1's sexual abuse to the police.

### Victim #2

- i. Reade kissed and fondled Victim #2 at a social gathering in Pueblo.
- ii. Reade sexually abused Victim #2 in 1986.
- iii. A psychiatrist who became aware of the incident reported Victim #2's sexual abuse to the Pueblo Diocese on July 7, 1986.

- iv. Victim #2 was an 11-year-old boy when Reade sexually abused him.
- v. Reade was a retired priest exercising limited ministry in the Pueblo Diocese when he abused Victim #2.
- vi. According to Reade's file, the Pueblo Diocese had not received any report that he had engaged in sexual misconduct with children before he abused Victim #2.
- vii. N/A.
- viii. According to a Diocese of Pueblo official who was involved in the response to Victim #2's allegation, Reade denied he sexually abused Victim #2. We are aware of no other exculpatory evidence, and the corroborating evidence outweighs Reade's denial.
- ix. The Pueblo Diocese Bishop suspended Reade's faculties 2 days after the Pueblo Diocese received Victim #2's allegation, and he met with Victim #2's family. The Pueblo Diocese subsequently decided that the allegation could not be substantiated, and it restored Reade's faculties on December 10, 1986.
- x. There is no information in the file indicating the Pueblo Diocese took steps to monitor Reade, send him for evaluation or counseling, or restrict his faculties from December 10, 1986 until his death in 1990.
- xi. The Pueblo Diocese investigated Victim #2's abuse allegation but determined it was not substantiated. It did not report the allegation to law enforcement.

## **FATHER LAWRENCE SIEVERS**

### Victim #1

- i. Sievers was working with this high-school girl on a special Catholic project. He lured her to his apartment and forcibly fondled and sexually abused her.
- ii. Sievers sexually abused Victim #1 in the fall of 1969.
- iii. Victim #1 reported her abuse in 2014 and again in August 2018.
- iv. Victim #1 was a 17-year-old girl when Sievers sexually abused her.
- v. Sievers was an Assistant Pastor at St. Joseph's Parish in Grand Junction, the Grand Junction District Youth Moderator for the Pueblo Diocese, and a temporary Chaplain at St. Mary's Hospital in Grand Junction when he sexually abused Victim #1.
- vi. Sievers's Pueblo Diocese file does not indicate that the Pueblo Diocese had received any reports of him engaging in sexual misconduct with children before he sexually abused Victim #1.

- vii. In approximately 2014, Victim #1 shared her sexual abuse experience with a confidant who worked in some capacity for the Catholic Church. It does not appear that person reported Victim #1's sexual abuse to law enforcement or to anyone else. When Victim #1 came forward in 2018, she reported to the Denver Archdiocese. The Denver Archdiocese communicated with her and also referred her to the Pueblo Diocese. Shortly after the Pueblo Diocese heard her report of sexual abuse, it reported Sievers to law enforcement.
- viii. It does not appear Sievers ever admitted or denied sexually abusing Victim #1. We are aware of no exculpatory evidence.
- ix. Sievers abandoned the priesthood in 1973. His file contains a single letter from Sievers, undated, that indicates an abrupt departure after only a few years in the priesthood. The letter contains precious little information but concludes with this sentence: "I don't want any witnesses called." He was subsequently laicized.
- x. N/A.
- xi. The Denver Archdiocese quickly referred Victim #1 to the Victim Assistance Coordinator at the Pueblo Diocese. The latter immediately coordinated an in-person meeting between Victim #1 and the Pueblo Diocese Bishop, who also wrote a letter of sympathy and apology to her. As Victim #1 had asked, the Bishop fully acknowledged Sievers's sexual abuse was wrong and that it was not her fault. The Pueblo Diocese also immediately reported Victim #1's sexual abuse to law enforcement. However, while the Pueblo Diocese promised, "we will be looking into this matter," nothing in the file indicates it did any investigation of her allegation. She specifically requested the Pueblo Diocese determine if Sievers was still alive, contact him, find out if he was still a priest, ensure he was no longer sexually abusing children or adults, confront Sievers and "strongly communicate" to him that his sexual abuse of Victim #1 was wrong, and direct him to pray and ask for forgiveness. The Bishop told Victim #1 that Sievers had abandoned the priesthood in 1973 and later been laicized, but nothing in the file indicates the Pueblo Diocese granted any of Victim #1's other requests.

#### **D. Incident Reports — Substantiated Allegations of Misconduct with Minors**

##### **FATHER F**

- i. This priest propositioned a 14-year-old girl for sex during her confession.
- ii. He committed this sexual misconduct with a minor in late 2010 or early 2011.
- iii. His sexual misconduct was reported shortly after the incident.
- iv. This victim was a 14-year-old girl.



- v. The Pueblo Diocese had received no other reports of misconduct with children by this priest prior to this incident. But it had received at least 2 prior reports of his sexual misconduct with adult women.
- vi. It is not clear whether the priest ever admitted or denied this misconduct. We are aware of no exculpatory evidence.
- vii. The Pueblo Diocese took no action against this priest specifically related to this incident. The victim and her family refused to be interviewed, and the Pueblo Diocese was already engaged in investigating multiple adult sexual (and alcohol-related) incidents involving this priest. Those incidents led to the Pueblo Diocese's suspension of his faculties and, ultimately, to his complete separation from the Pueblo Diocese.
- viii. For the other issues mentioned above, the Pueblo Diocese sent this priest for evaluation and counseling at least 5 times over the course of 7 years and removed his faculties. One of these evaluation and counseling interludes was in 2009.
- ix. The Pueblo Diocese's response to this priest's other issues was thorough and tireless. Its response to this specific incident of sexual misconduct with a child was swept into the Pueblo Diocese's larger disciplinary response, in part because the victim and her family were unwilling to cooperate in an investigation. But had the Pueblo Diocese removed this priest from ministry after his evaluation and therapy in 2009, instead of transferring him upon his return, this incident would not have occurred.

## **FATHER G**

- i. This priest attempted to establish sexual relationships with 8 to 9 minor girls by complimenting their beauty, asking if they had boyfriends, and asking about their romantic lives during confession.
- ii. The priest engaged in this misconduct from approximately 2005 to 2008.
- iii. The priest's misconduct with children was first reported in 2009.
- iv. The victims were 15- to 17-year-old girls.
- v. It does not appear that the Pueblo Diocese had received any specific previous reports of this priest engaging in sexual misconduct with children. However, before allowing him to serve in Colorado, the Pueblo Diocese received word from his Bishop in Mexico that this priest had had unspecified problems serving there. The Pueblo Diocese allowed him to come serve in Colorado nonetheless.
- vi. The priest denied the allegations. We are aware of no other exculpatory evidence, and the corroborating evidence outweighs his denial.

- vii. The Pueblo Diocese received numerous other allegations of adult sexual and other misconduct by this priest during the same time period. It removed him from ministry and laicized him.
- viii. N/A.
- ix. The Pueblo Diocese immediately removed this priest from ministry, sent the priest for psychiatric evaluation, investigated these (and related) allegations quickly but thoroughly, reported them to law enforcement, cooperated with law enforcement, and extended assistance to the priest's victims.

## **E. Summary of Unsubstantiated Allegations**

Over the course of our review, we documented 7 unsubstantiated allegations of sexual misconduct with children against Diocesan Priests in the Pueblo Diocese not otherwise named in this Report. There was 1 unsubstantiated allegation from the 1960s, 1 from the 1980s, 1 from the 2000s, 2 from the 2010s, and 2 from a time period unspecified. These unsubstantiated allegations included grooming, kissing, fondling, touching, and unspecified sexual abuse. Most were sexual acts, not grooming alone. We conducted thorough follow-up investigations to determine whether these allegations could be substantiated. We did not substantiate them for a variety of reasons. For example, some allegations were inconsistent with known facts. For some the credibility of the allegations was unclear, and despite investigative follow-up we could not identify sufficient corroborating evidence.

## **F. Out-of-State Misconduct**

### **FATHER H**

Father H was excardinated from the Diocese of Wichita and incardinated in the Diocese of Pueblo in June 1969. On October 27, 1994, after Father H had retired but was exercising limited ministry at Mercy Medical Center in Durango, a victim came forward and accused Father H of molesting him when he was a 10- to 13-year-old boy in Wichita in approximately 1967 to 1969. Father H admitted to having fondled the victim on 8 to 10 occasions. Furthermore, he admitted to sexually abusing 2 other 10- to 13-year-old boys in Wichita from 1963 to 1969. He fondled their genitals, forced oral sex on them, rubbed against them until he ejaculated, and offered them money in exchange for doing so.

When the victim came forward, he confronted Father H in the presence of the Pueblo Diocese's Bishop and Vicar General. Father H admitted to the crime, and the Pueblo Diocese Bishop immediately suspended his faculties (Oct. 28, 1994). The Pueblo Diocese promised the victim a "vigorous investigation" and convened the Sexual Misconduct Review Board. They interviewed the former Pueblo Diocese Bishop who had accepted Father H into the diocese in 1969 and asked him if he had knowledge of Father H's prior sexual misconduct. The former Bishop denied any knowledge, and Father H also denied having informed the Bishop. The Pueblo Diocese also requested Father H's complete personnel file from Wichita and his psychotherapy records from Wichita and Colorado Springs.

After the victim came forward, the Pueblo Diocese sent Father H to a therapist in Ogden, Utah, where he had recently moved. In May 1995, the Pueblo Diocese sent Father H for evaluation at the St. Luke Institute in Suitland, Maryland where he received 6 months of inpatient treatment. The Pueblo Diocese informed the Bishop of Salt Lake City that Father H was living there and told him not to give Father H faculties under any circumstances. It mentioned his treatment at the St. Luke Institute, a pending lawsuit, and that his faculties were suspended, but it did not explicitly mention that he had admitted sexually abusing children. Father H returned to Ogden, continued aftercare with the St. Luke Institute, remained without faculties, and appears to have abided by a strict treatment plan until he was released from it in February 1999. In February 1999, with seemingly full knowledge of Father H's history, the Bishop of Salt Lake City granted him faculties. In May 1998, when the victim's civil suit was dismissed by a court of appeals (on statute of limitations grounds), and the Pueblo Diocese restored Father H's faculties. Father H ministered in the Ogden area until June 2002, when the Dallas Charter required both the Bishop of Salt Lake City and the Pueblo Diocese Bishop to suspend Father H's faculties once again. He died in 2003.

The Diocese of Pueblo never reported Father H's admitted sexual abuse of 3 children to law enforcement. Furthermore, even though Father H reported the full names of all his victims and detailed his own crimes, the Pueblo Diocese does not appear to have tried to contact the other victims.

## **FATHER I**

Father I originally came to Pueblo from the Diocese of Rochester. He petitioned the Pueblo Diocese Bishop to be allowed to minister in Pueblo and, with positive referral letters, was accepted and incardinated in April 1954. Father I was ordained and assigned to his first parish in June 1955.

There are strong indications from Father I's Pueblo file that he had sexually abused children while ministering in the Pueblo Diocese from 1955 to 1963, but there are no explicit allegations. For example, there are 2 references to Father I taking boys on trips, unauthorized. In June 1958, Father I went on a trip to Europe, despite the fact that the Bishop had not given him permission, and he brought "an Indian boy from Ignacio, -----, who has been [his] constant companion." Upon his return, Father I was removed from his assignment at St. Columba and moved to Sacred Heart Parish in Gardner. Later, after Father I was granted a leave of absence in June of 1963 for "health reasons," he brought a young boy back to New York with him. The Bishop wrote, "After discussing the possibility of ---- ----- . . . accompanying you on your trip to New York with several who know the situation in Trinidad and the wonderment the young man's going with you would cause, I am convinced you should not take him with you nor permit him to

accompany you. For the good of the [C]hurch and in order that the priesthood may not be placed in an unfavorable light, I ask you to leave the young man with his parents and not to take him with you. This is in no way to accuse you of any wrongdoing; it is simply a matter which requires the exercise of special prudence." Father I's brother in New York wrote to the Pueblo Diocese Bishop of this young male companion's arrival in June 1963, "I will make every effort to solve the matter of the boy remaining with Father; he realizes the association is not a good one although he is convinced there is no immorality."

There are other indications in the file that the Pueblo Diocese Bishop had been aware of certain "health problems" of Father I's from his first year in Pueblo. Father I took a trip home to New York for "health reasons" from December 1955 to January 1956. He was almost transferred out of his final assignment as chaplain at San Rafael Hospital in August 1962, but then the Bishop rescinded "due to the state of your current health." The veiled references continue, such as in this letter from the Bishop in January 1963: "I know that some of the past months have been rather rugged; I am confident, though, that the days ahead will be more secure. Thanks for giving the old college try!" In response, Father I said he spent 2 weeks at Nazareth Hospital and had "an extremely difficult time after I came back from Albuquerque, but I have been in constant contact with a doctor since then, and both he and I feel that there has been a tremendous improvement." (Nazareth Hospital, *i.e.* Nazareth Sanitarium, was a psychiatric hospital in Albuquerque where the Servants of the Paraclete at Via Coeli also sent Denver Archdiocese priest John Stein when he sexually abused children on their watch.)

In June 1963, the Pueblo Diocese Bishop granted Father I a leave of absence for "health reasons." He was not granted faculties and was instead instructed to live as a lay person for a year to decide whether to seek permanent laicization. Father I returned to New York, where he saw a psychiatrist weekly, took medication to keep himself "balanced," and kept in contact with the Pueblo Diocese Bishop. In 1965, he moved to Williamsburg, Virginia and worked for the Department of Welfare. He kept the Pueblo Diocese Bishop informed about his "health," mentioning that he had had a "rather severe relapse" in the summer of 1965. At one point in 1965, Father I also requested to be allowed to fill in as a priest on the weekends, but the Pueblo Diocese Bishop did not grant this request. The Pueblo Diocese Bishop kept in contact with Father I until December 1975 and after that did not hear from him again.

In 2002, 2 victims came forward and reported that Father I had sexually abused them in New York during the years 1973 to 1975. These victims alerted the Diocese of Albany, the Diocese of Rochester, and the Diocese of Pueblo in September 2002. They sued in May 2003. After some investigation and file review, the dioceses determined that (a) Father I had no faculties and should not have been acting as a priest in New York, (b) the Pueblo Diocese had not alerted the Dioceses of Albany or Rochester that Father I had returned to the area and did not have priestly faculties, and (c) Father I had been acting as a part-time priest in New York from 1970 to 2002.

When the Pueblo Diocese began investigating Father I in 2002, they convened the Sexual Misconduct Review Board but did not report to law enforcement the potential abuse of the 2 boys Father I took to Europe and New York. It appears the Sexual Misconduct Review Board considered finding and interviewing both them and the Bishop at the time, but the file does not indicate that that occurred.

In the fall of 2002, the Pueblo Diocese confirmed to Father I that his faculties were suspended. In 2005, after the NY victims were no longer pursuing a lawsuit, the Pueblo Diocese offered financial support to 1 of those victims (who initiated contact) and worked with the

Victim's Assistance Coordinator in the Diocese of Albany to help him with housing, medication, education, and transportation costs.

As far as Father I himself, the Pueblo Diocese asked him to voluntarily seek laicization both in 2006 and 2009, but he refused. Father I emphatically denied the allegations against him. The file indicates that the Pueblo Diocese proceeded with the laicization process without Father I's consent in 2015 and 2016, but there is no record that his laicization has been granted.

## **FATHER J**

Father J sexually abused at least 1 minor boy in New York in 1983. That Archdiocese suspended his faculties and sent him to Jemez Springs, New Mexico, for evaluation and therapy. In 1985, Father J sought to return to ministry, in Pueblo, Colorado. The Pueblo Diocese interviewed him, reviewed his evaluations from Jemez Springs, talked to his home Archdiocese about his fitness for ministry, consulted the Pueblo Diocese Personnel Board, and accepted him into ministry for the Pueblo Diocese on a temporary basis but without any restrictions.

Father J served the Pueblo Diocese as an Assistant Pastor and Parochial Vicar in 4 different parishes from July 1986 to March 2002, and his file reveals no indication that he engaged in any sexual misconduct with children.

In 2002, the District Attorney in Manhattan conducted a historical review of sexual misconduct allegations reported to that Archdiocese. As part of that review, the 1983 allegations against Father J were found and forwarded to the District Attorney. The New York Archdiocese then notified the Pueblo Diocese it was removing Father J's faculties as of March 2002. Thus, it appears Father J had no faculties as of March 2002, yet his Pueblo Diocese file indicates he did not retire from ministry in Colorado until 2004. It is not clear whether this means he was still serving as a priest in the Pueblo Diocese for 2 years even after his home diocese had removed his faculties. Regardless, there is no evidence Father J engaged in any sexual misconduct with children in Colorado.

## **FATHER K**

Father K was incardinated in the Pueblo Diocese in 1956 but only served 4 years in the diocese. He sought out a variety of assignments elsewhere over the next 40 years, remained in contact with the Pueblo Diocese Bishop, and received the Pueblo Diocese's permission to take each new assignment. One such assignment was as a teacher and chaplain in a Catholic high school in Wichita Falls, Texas, where he was later accused of sexually abusing a 14- to 16-year-old boy.

There are indications in Father K's file that the Pueblo Diocese knew he had sexually abused boys before it allowed him to minister in Texas. First, he had 3 different parish assignments in his first year in Pueblo; the next year he was moved to an orphanage; the next year to a hospital; and finally, he left to become a chaplain in the U.S. Naval Reserve. In our file review, this pattern of transfers often indicates a diocese knows or suspects the priest has engaged in sexual misconduct with children.

Second, when Father K left Pueblo he had the following exchange with the Bishop: "On Monday morning, March 21[, 1960], Father ---- told me that he did not like what I had been doing and that I was to leave the parish as soon as possible and not later than the next morning. He then gave me a check for \$42 as my salary to that date. He gave two reasons for this move. I had missed confessions Saturday afternoon and I had not told him that I was going out Sunday

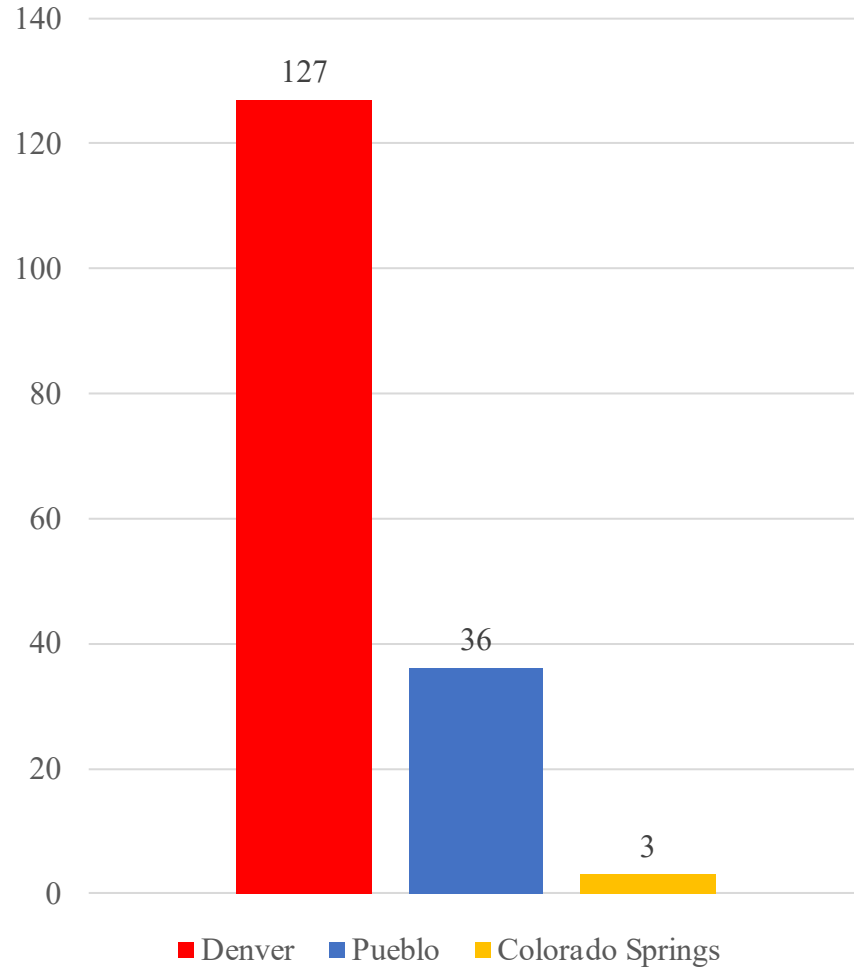
afternoon.” Father K said that on Saturday his car broke down and “Sunday I took some boys from Catholic High swimming with me. I had made no secret of this and had spoken of it in Father[']s presence. I had been doing this since I came back to Pueblo.” The Pueblo Diocese Bishop replied, “I have spoken to the priests in the Diocese to whom you have served as an assistant. All have told me of your immaturity. . . I do hope that you will profit by the experience the Navy will offer to come to that type of maturity that both priests and people have a right to find in their priests.” In our review we have seen “immaturity” used as a common euphemism to describe priests who groomed or sexually abused underage boys. Furthermore, a practice of “taking boys swimming” every Sunday in this context is consistent with common grooming behavior.

Third, throughout Father K’s tenure in the Naval Reserve, he wrote to the Pueblo Diocese Bishop about his preoccupation with ministering to young men. He was not accepted into the regular Navy and was in fact asked to leave the Naval Reserve in 1967. Father K wrote to the Pueblo Diocese Bishop that his stomach had “gone to pieces,” and his doctor had ruled him “nervous and overtired.” He wrote further that “As a result, my judgment here is hurt. I have been doing things that are just plain foolish. This problem can not help but effect [sic] my work and I am sure that it has. . . I am nervous and emotional. Problems like this are not unusual with me. I have simply reached the end of my rope. I have tried to be a good priest to those in my care. . . I have tried but I have a tiredness I do not seem to be able to control. This has certainly interfered with my status as a Naval Officer and it may interfere with my work as a priest.” A Lutheran Naval Chaplain stationed with Father K wrote to the Pueblo Diocese that “Father [K]’s empathy with these youngsters in our brig — a virtue anywhere but in the brig — poses problems for him, for the prisoner and for the authorities at times.”

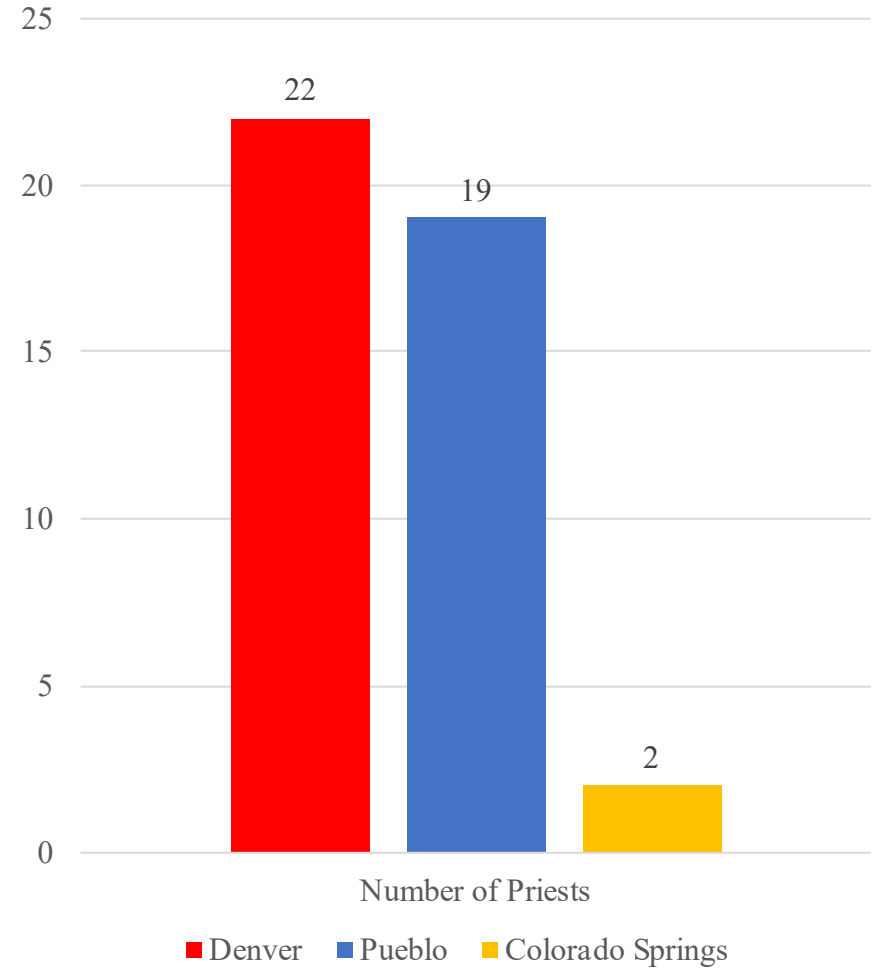
Despite this history known to the Pueblo Diocese through its correspondence with Father K, in 1984 the Pueblo Diocese gave him faculties and a positive recommendation to teach at a Catholic high school in Wichita Falls, Texas. In 2015, a victim came forward in a lawsuit against the Diocese of Fort Worth and alleged that Father K had sexually abused him as a high school student in Wichita Falls in 1990. When this victim came forward, Father K was dead. He had died in 2004, still incardinated in the Pueblo Diocese, without any restrictions on his ministry. When Pueblo received notice of the Wichita Falls allegation in March 2015, they notified all of Father K’s former parishes and former dioceses and tried to get Father K’s military file. The military no longer had a file on Father K by then. As Father K had been dead for 10 years, the investigation ceased there.

APPENDIX 1

Number of Victims by Colorado Diocese\*



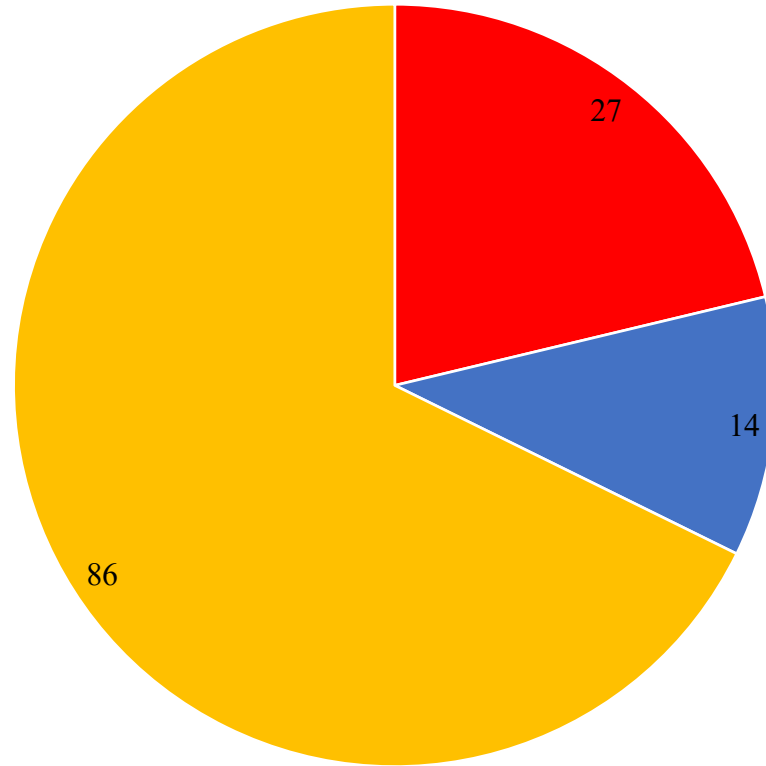
Number of Priest Abusers by Colorado Diocese



\*This data set includes substantiated incidents of both child sex abuse and sexual misconduct with minors.

APPENDIX 2

Denver Archdiocese Compliance with Mandatory Reporting Law

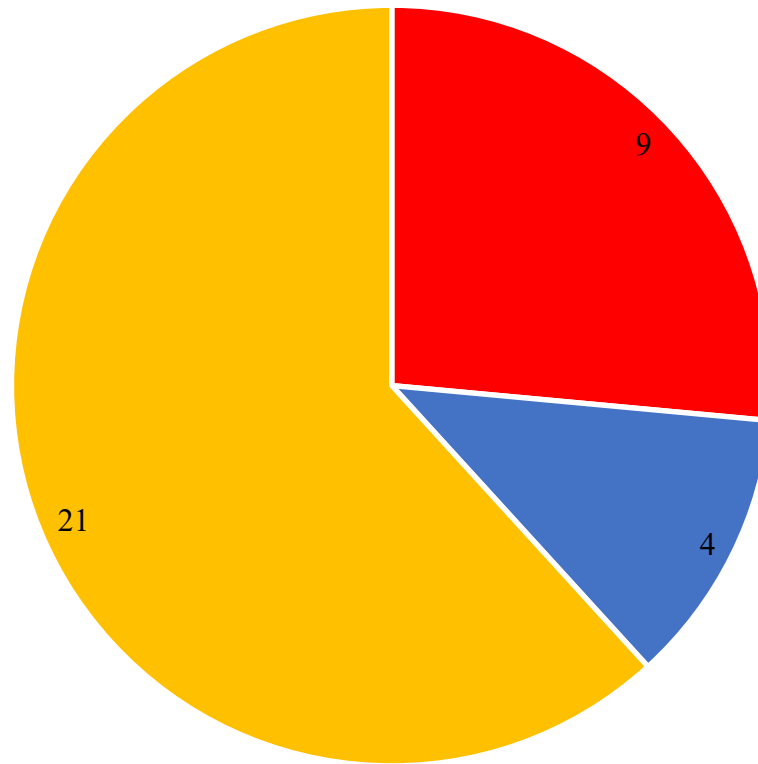


■ Failed to Report as Required ■ Reported as Required ■ Not Required to Report



APPENDIX 3

Pueblo Diocese Compliance with Mandatory Reporting Law\*

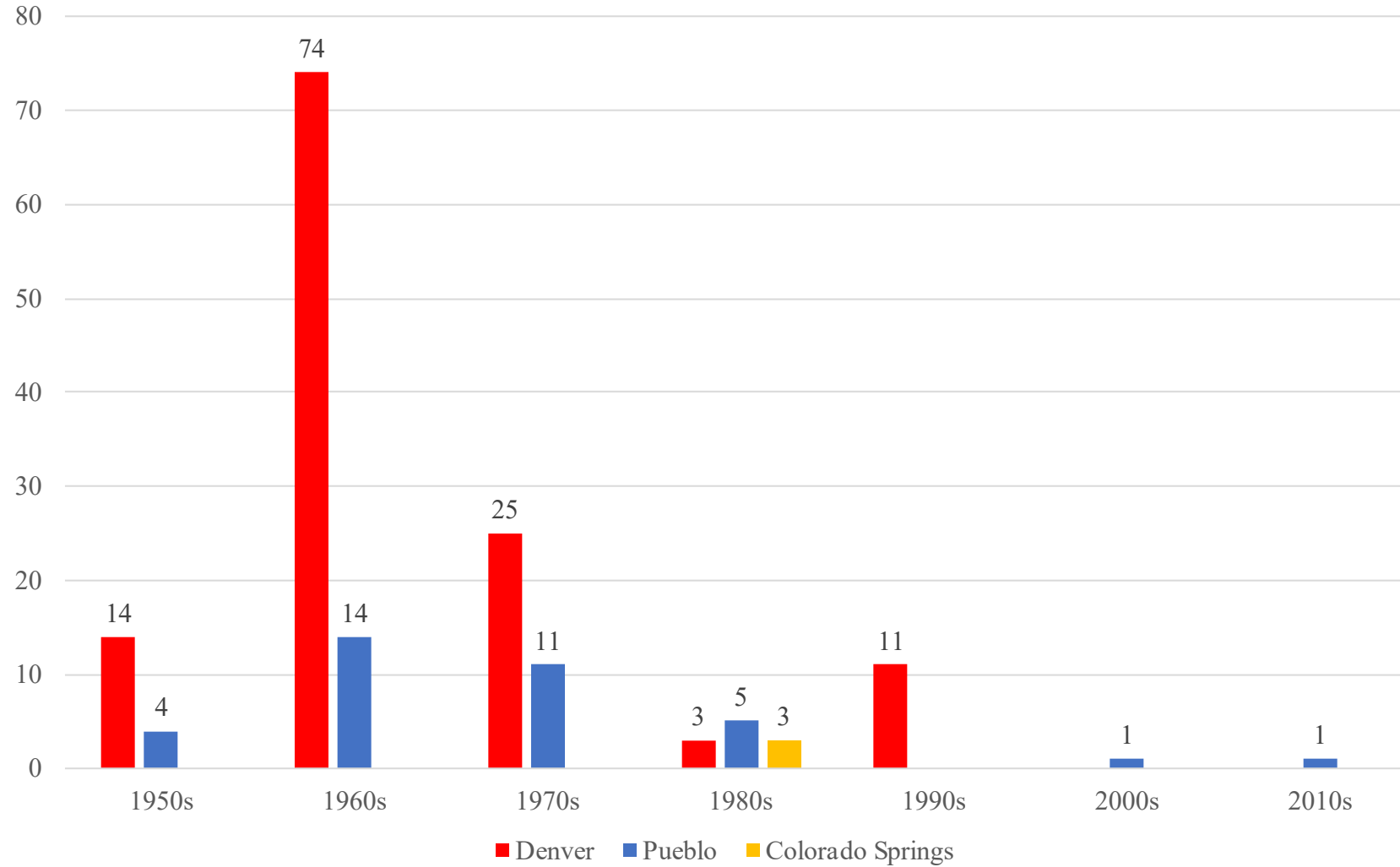


■ Failed to Report as Required ■ Reported as Required ■ Not Required to Report

\*This data set includes incidents of substantiated child sex abuse and does not include the two incidents of substantiated misconduct with minors within the Pueblo Diocese.

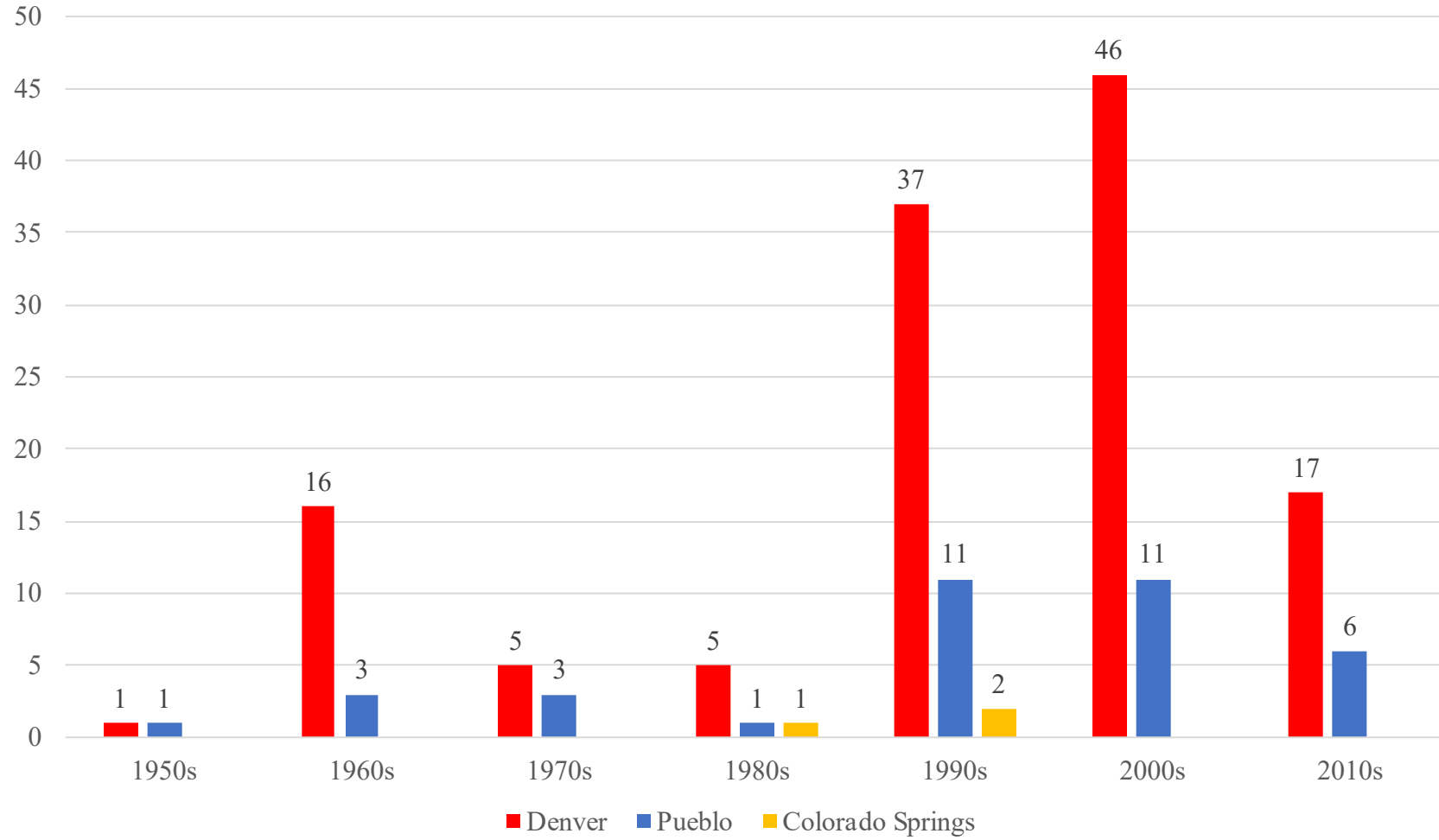
APPENDIX 4

Number of Victims by Decade the Abuse or Misconduct Began



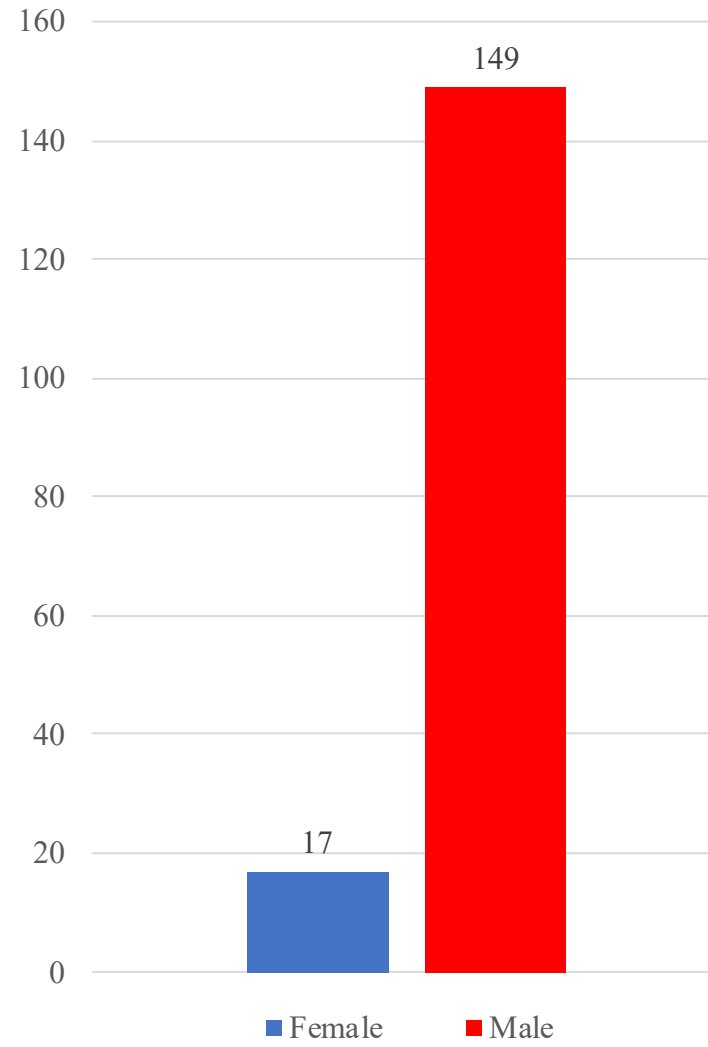
APPENDIX 5

Decade Abuse or Misconduct was Reported to Diocese



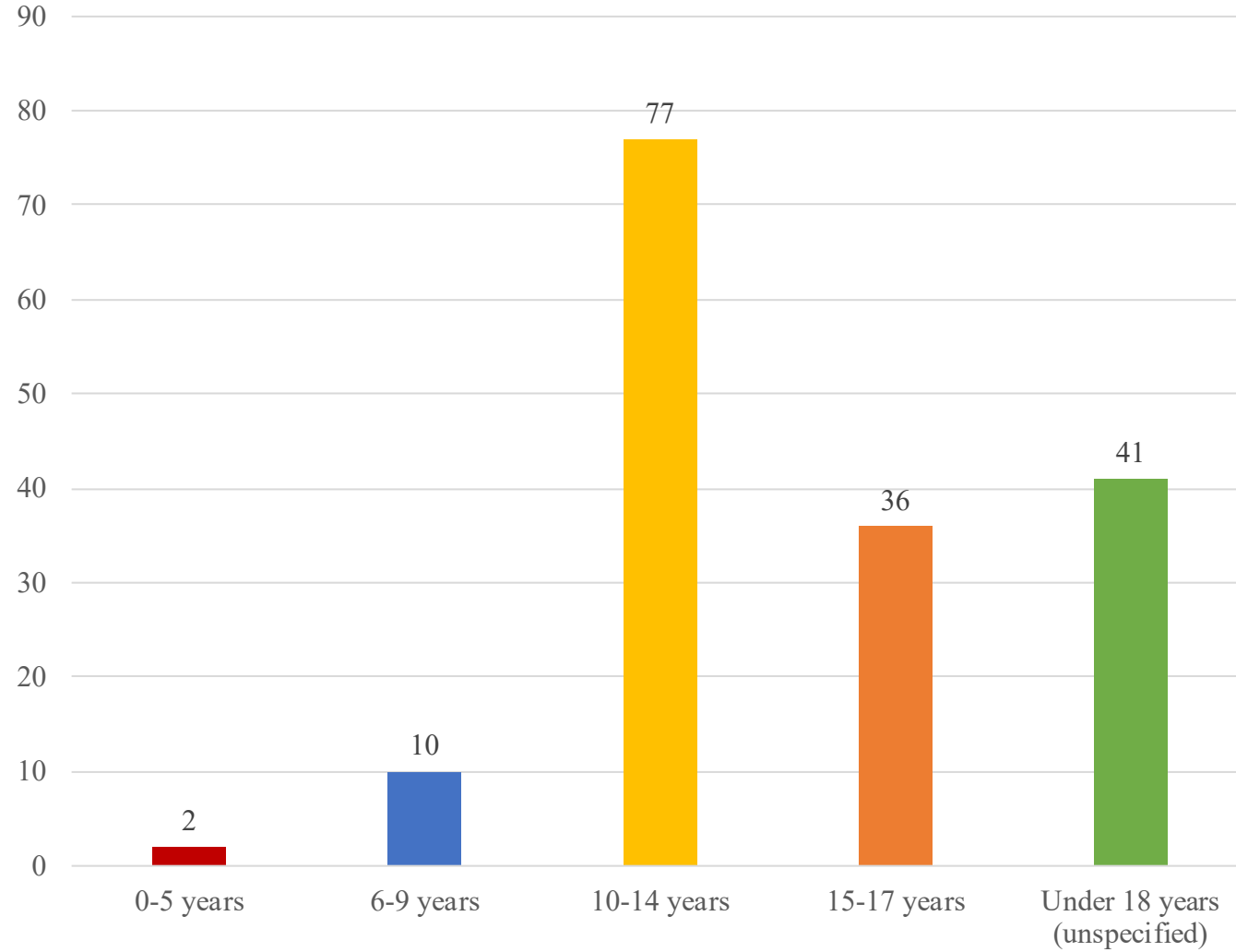
**APPENDIX 6**

**Victim Gender**



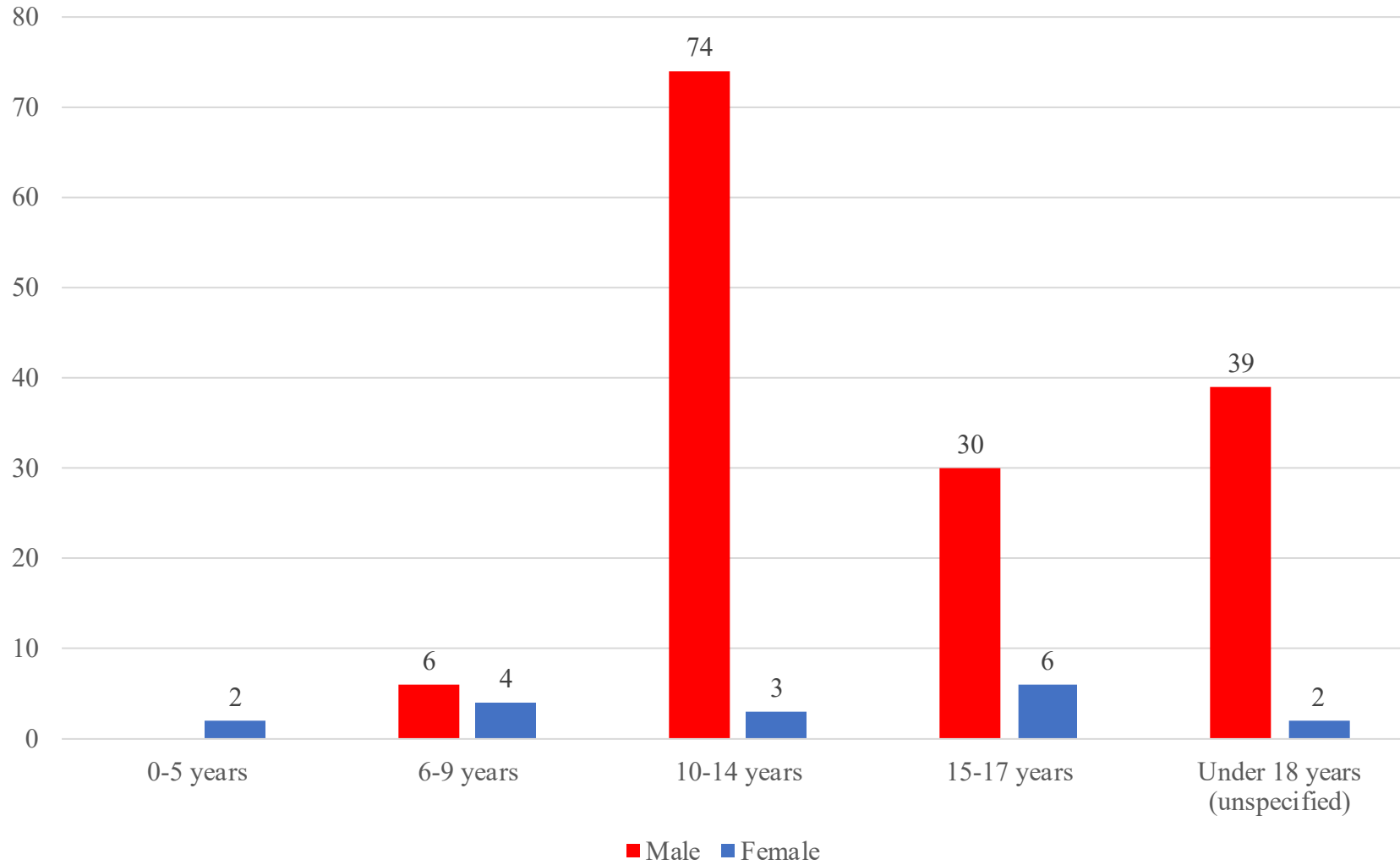
**APPENDIX 7**

**Victim Age**



APPENDIX 8

Victim Age and Gender



APPENDIX 9

Number of Victims After Diocese on Notice

