

STATE OF INDIANA)	IN THE MARION SUPERIOR
COURT)	
)SS:	
COUNTY OF MARION)	
)	JOHN DOE NM,
Plaintiff,)	
)	CAUSE NO. 49D01-0510-CT-
)	041930
)	v.
)	
ARCHDIOCESE OF INDIANAPOLIS,)	ST. CATHERINE PARISH n/k/a GOOD
)	
)	SHEPHERD PARISH,
FR. HARRY MONROE, and)	
DOES 1-100, inclusive.)	
)	
Defendants.)	

AFFIDAVIT OF A.W. RICHARD SIPE

I, Aquinas Walter Richard Sipe hereby certify and declare: The matters stated herein are true of my own personal knowledge, and if called upon to do so, I could and would testify competently thereto.

I. Purpose and Scope of This Affidavit

1. I have been asked to submit testimony in the form of this affidavit in my professional capacity as an expert in the celibate/sexual behaviors of men who are presented to the public as sexually safe. I will limit my remarks to the knowledge of the Catholic Church about the sexual activity of clergy with minors and to the documented knowledge of the hierarchy of the Roman Catholic Church of sexual abuse of minors. I will also comment on my personal knowledge and experience of the treatment of clergy with sexual problems from 1923 onward. In addition I reviewed 441 diocesan files dating from 1943 onward and recorded the first notices of abuse that bishops received and their dispositions. The records of more than 5,000 priests and bishops credibly accused of sexual abuse of minors exist as of March 2009 in the files of Catholic bishops.

II. Education, Experience, and Professional Background

2. I am currently involved in full-time research, writing, and consultation about the sexual behaviors and practices of Roman Catholic clergy in the United States. I conducted a 25-year ethnographic study (1960-1985) of the celibate/sexual patterns, practices, and processes of Roman Catholic clergy in the United States. The results of this study were published in 1990 under the title *A Secret World: Sexuality and the Search for Celibacy*. I have authored seven books on the subject including *Sex, Priests, and Power: the Anatomy of a Crisis* (1995) and *Sex, Priests, and Secret Codes: the Catholic Church's 2000 Year Paper Trail of Sexual Abuse* (2006) with Fr. Thomas

Doyle, O.P. and Patrick Wall.

3. I have served as a consultant and/or expert witness in over 200 cases of sexual abuse by Roman Catholic clergy in the United States and Canada, usually on behalf of the plaintiffs. I have been an expert trial witness in the States of Arkansas, California, Minnesota, and Vermont. I also served as an expert witness—for the defendant—at the sentencing hearing of a priest in the Federal Court in Des Moines, Iowa.

4. I have been a consultant to the District Attorneys' offices, Departments of Criminal Investigation of Child Abuse for Orange County and Los Angeles, California. Deputy District Attorneys for Ventura County and San Francisco attended the latter presentations. I was also hired by the Deputy Attorney General for the State of California to be an expert in criminal trials of priests who had allegedly abused minors. The District Attorney of Maricopa County, Arizona hired me to serve as an expert in a criminal case of a priest in that jurisdiction. I am also serving as a consultant to the Phoenix Arizona Federal Public Defender's Office and the Capital Habeas Investigator of that office.

5. I served as a consultant to the staff of the Attorney General of Massachusetts in their preparation for the Grand Jury investigating the sexual abuse of children in the Roman Catholic Archdiocese of Boston (2002). I served as a consultant to, and witness before the Philadelphia Grand Jury investigating sexual abuse and malfeasance of priests and administration in that Archdiocese. The National Review Board for the Protection of Children and Young People established by the United States Conference of Catholic Bishops interviewed me in 2003 in conjunction with an investigation that is recorded in *A Report on the Crisis in the Catholic Church in the United States* (Feb. 27, 2004).

6. I attended Roman Catholic parish grade school, Catholic high school, college, and seminaries in Minnesota and Rome, Italy. I entered a Benedictine monastery—St. John's Abbey, Collegeville, Minnesota—in 1952 and was ordained a priest in 1959. From the time of ordination until 1964 I was appointed a teacher and counselor at St. Boniface high school, Cold Spring, Minnesota and I ministered on weekends saying Mass and hearing confessions at various parishes in the States of Minnesota and North Dakota. During summers I took courses toward a degree in counseling, first (statistics-1962) at St. Cloud State College [now the University of Minnesota at St. Cloud] and (counseling-1963) at the College of St. Thomas [now University] in St. Paul, Minnesota. I attended Theological Renewal at Lincoln College, Oxford University during the summer of 1992.

7. My superior directed that I pursue training specifically to deal with the mental health problems of priests and religious. I received a grant sponsored

by the National Institutes of Mental Health and the Danforth Foundation to train in counseling at the Menninger Foundation in Topeka, Kansas (1964-65). Subsequent to that training I received a 2-year training grant from the *Seton Psychiatric Institute*, a psychiatric training hospital in Baltimore, Maryland and received their Certificate as a Resident in Counseling of Religious (1965-67). This hospital was formerly known as the Mount Hope Retreat and served as the first state mental hospital in Maryland. It was a Roman Catholic institution administered by the Daughters of Charity (founded 1845) and was well known (certainly from 1930 to 1972) as one of the primary places to evaluate, care for, and, confine or treat clergy and nuns with mental health and behavior problems. Priest-psychiatrist Thomas Verner Moore treated religious patients, including those who had sexual difficulties with minors, consulted and trained therapists there from 1923 to 1947. Two of my main mentors on the Seton staff, Dr. Leo H. Bartemeier (1895-1983) and Dr. Walter O. Jahrreiss (1895-1985) were students and colleagues of Fr. Moore and shared with me case histories of priest/patients from 1930 onward—some who were involved sexually with minors and hospitalized; these formed a bedrock for my ethnographic study because they gave me insight to the celibate/sexual dynamic of the American Catholic clergy culture that formerly was assumed to be predominantly sexually abstinent. After my training the hospital hired me to serve on its staff as Director of Family Services. I remained there (1967-1971) until I retired that position. Concurrent with my time at Seton I was the personnel director of St. John's Abbey, a community of 360 men. Also I served from 1967 through 1969 as the Executive Director of St. John's University Institute for Mental Health (1965-69), a summer program involving psychiatrists, psychologists and clergymen. Over 120 clergymen from 9 countries and 60 psychoanalysts and psychiatrists participated in these programs.

8. In 1970 I applied for and was granted a dispensation from my vows as a Monk and priest and I married in a Roman Catholic ceremony and remain a member in good standing of the Roman Catholic Church.

9. From 1967 until 1996 I was involved in teaching in major Roman Catholic Seminaries and other Universities: I was appointed Assistant Professor of Pastoral Counseling at Saint John's University School of Theology (1967-1970) and I lectured there occasionally (until 1996); I served as Lecturer at the Jesuit seminary, Woodstock in Maryland (1968-1970); Adjunct Associate Professor of Psychology Loyola College, Baltimore (1971-75); Adjunct Professor of Pastoral Counseling, Saint Mary's Pontifical Seminary and University, Baltimore (1972-1984); Instructor in Psychiatry (part time) Johns Hopkins School of Medicine, Department of Psychiatry where I was attached to the Division of Child and Adolescent Psychiatry for 25 years.

10. I was involved in these activities and the private practice of Counseling and Psychotherapy until 1997 when I retired from clinical and teaching obligations. But I had kept my education current with the demands of my profession: In 1980 I received a M.S. in counseling from Loyola College; I sat for, and passed the National Board examination for the National Academy of Certified Clinical Mental Health Counselors (1981-2000). I was the first person to be certified by The Maryland State Board of Medical Examiners as a Psychiatrist Assistant (1982-2002). I sat for and passed the Board examination as a National Certified Counselor (1983-2002). During the duration of my clinical practice and teaching I maintained the required Continuing Educational Credits.

11. During my more than 40 years as a counselor/psychotherapist, teacher, or priest, I have consulted with or treated over 3,000 clients. Half of this number reported being sexually abused as a minor. One third of that number—approximately 500—alleged that a Roman Catholic priest or religious sexually abused them.

12. During my career I have been involved in a consultation, evaluation, or a counseling relationship with 400 priests. Of these, 69 had been sexually involved with a minor at least once, another 60 admitted to periodic or passing sexual attraction to a minor. I have reviewed the case histories of 1,700 Roman Catholic priests and religious, including some who have abused minors or vulnerable adults. (**Exhibit A**) In the course of my work since 1988 I have reviewed written complaints, histories, or reports of over 2000 adults some who alleged a sexual relationship with a priest or religious—many of those when they were minors. A complete and accurate copy of my CV is attached as **Exhibit B**

III. The Knowledge of the Roman Catholic Church About Clergy who Sexually Abuse Minors

13. History of knowledge: A chronology of Church Documents from 309 and 314 C.E. onward repeatedly and explicitly expound on the harmful nature of sexual contact between adults and children and records the steps taken to sanction this behavior especially by clergy. In 1049 C.E. Peter Damian wrote one of the most telling commentaries on the problem of sexual activity of clergy with minors—especially young boys—entitled *The Book of Gomorrah*. He addressed Pope Leo IX in explicit terms about this sexual behavior between priests and boys. The preferential term for this behavior was *Sodomia* and included kissing on the lips, mutual masturbation, “interfemeral” and anal intercourse. The severe punishment meted out to offending clerics was established in an even earlier Synod (Ancyra 314 C.E.) and demonstrates that the Church had clear knowledge for centuries of the sexual activity between clerics and young boys and men.

14. The Roman Catholic Church has always considered sex between males

a grave *Sin* and equated it with bestiality. When the Church held political, civil authority and dominance over the Papal territories it even prescribed punishments for the sin of sodomy up to and including beheading for the *Crime*.

15. Numerous Papal Documents addressing the problem of cleric sexual sins and punishments even after the Protestant Reformation and the Council of Trent were not secret, but on the contrary some decrees were directed to be posted on the doors of churches of Rome.

16. *The System of Secrecy about the Sexual Lives of Clergy:* Secrecy about personal sex/sin rests primarily on pronouncements of the IV Lateran Council (1215 C.E.) that requires that every Catholic confess his or her serious sins [that would include all sexual sins] to a priest in Confession at least once a year, usually at Easter-time; this is what was called fulfilling one's "Easter duty." Regular sacramental confession is a required element, usually weekly, in the training of Catholic seminarians. Double protection of secrecy and privacy is insured by the opportunity for men to have an "extraordinary confessor" periodically available, over and above a man's "regular confessor."

17. The privilege of penitential secrecy—that is the duty of a priest or minister to keep strictly secret any material confided to him in Sacramental Confession—is respected by civil law in the United States.

18. From my experience in seminary teaching and my continued study of the sexual/celibate education of priests I can attest to the fact that Catholic priests do not receive adequate sexual or celibate education in any seminary program in the United States. The daily schedule and routine of prayer and study along with the advice and counsel of a Spiritual Director and Confessor is intended to form celibate men. Sex is confined to a secret system. Even in 2009 the seminary teaching about sex and celibacy is intellectual and abstract. Priests learn about sex in practical terms from their pastoral work especially hearing confessions of parishioners—thus the rationale for the history of clerical *Solicitation* based on centuries of experience.

19. More fundamentally, Sacramental Confession wherein a person confesses his sexual transgressions to another priest is and has been one of the major elements in the spiritual formation of seminarians and priests since the Council of Trent (1645-64). As a result priests know a great deal about the sexual proclivities and lapses of their fellow priests albeit in this secret forum. Although specific information cannot be communicated, the fund of this information exists and is operative on some level of conscious social awareness. This is one element in the brotherhood of the priesthood that binds clerics together—the mutual knowledge of their sexual proclivities or

sins.

20. Clerical Knowledge and Secrecy about sex operates under what I have termed the *Scarlet Bond* and is best articulated as a systemic factor by the vow that a Cardinal makes to the pope when he elevates a cleric to that office. This code of secrecy is not based on justice or charity, but on the avoidance of scandal and maintenance of *image*. On an operational level this Bond demands the concealment of the sexual lives of bishops and clergy on every strata of the clerical system and allows a bishop or cardinal to justify dissimulation (what a layperson would term lying) even under civil oath.

21. The concern for secrecy is so dominant in the Roman Catholic Church that in some dioceses every employee is required to place their hand on a bible and take a solemn oath “*to keep in strictest confidence all matters of whatever nature that may come to my attention in connection with my position.*”

22. Every Grand Jury investigation of sexual abuse by priests in the United States points out this element—the primary concern of bishops to avoid scandal and the drive to preserve image. This concern outweighs the protection of children and results in causing further abuse, failure to report abusers, neglecting the protection of minors, conspiracy to cover up abuse and protect violators, and deprive victims of their rights.

23. Official Secret Directives: There was no effort to keep secret the problems of sexual abuse by priests in the multiple documents issued from the Vatican over several centuries. In fact, the 1741 papal instruction *Sacramentum Poenitentiae* told people how to report sexual abuse by clergy and ordered it to be posted “*in Campo fiore*” — on the front doors of St. Peter’s and St John Lateran Basilica in Rome.

24. The Holy Office treated the problem of clergy sex differently for the first time on February 20, **1866**. The Vatican issued an *Instructio* that dealt with the same subject as earlier documents on sex; but this 1866 instruction from the Holy Office makes the first mention of secrecy regarding accusations of solicitation in the confessional. The language is emphatic, imposing the highest degree of secrecy and complete silence—*secretissime peragantur* and *pertuo silencio*.

25. Two documents sharing the same title—*De Modo Procedendi In Causis Sollicitationis*—were sent to all the bishops of the world under the most stringent restrictions of secrecy, one on June 9, **1922** and the other on March 16, **1962**.

26. These two Vatican documents establish a standard of secrecy about priest sexual abuse, its reporting, and canonical resolution that includes

silence about the very existence of the document that cannot be acknowledged, translated, commented on or shared, and the victim, all witnesses, canon lawyers and priests involved in any way about the procedure. The penalty for bridging secrecy is *automatic excommunication* reserved to the pope himself.

27. But within church circles and the hierarchy sexual problems of clergy, even of abuse, were well known in the first decades of the Twentieth Century. Bishops and religious superiors appealed to Catholic physicians and (priest) psychiatrists even in the 1920s to help them deal with priests who were acting out sexually and in (potential) trouble with the law or threatened public scandal. By 1959 psychologists had already done decades of work on the psychological problems of priests and candidates for the priesthood. None of these reports made it into the popular press, nor were these efforts reported in the secular press.

IV The Effects of Knowledge Within the RC Clerical Culture on the Treatment and Disposition of Sexually Abusive Clergy

28. *The Secret System:* The Roman Catholic clergy form a unique population and social entity: All candidates must be male, at least 25 years of age at the time of Ordination. Prior to that rite they must promise or vow “perfect and perpetual chastity...celibacy.” (Canon 277). They are all required to undergo a similar or identical philosophical and theological course of studies and to take an identical Oath or Profession of Faith. (This oath must be repeated prior to being appointed the pastor of a parish.) Every priest is bound to a bishop or religious superior by a vow of obedience. It is deficient to equate this population and social system with the operation of the general population. It is a distinct social system and functions in special ways.

29. Ultimately all authority over Roman Catholic clergy, bishops and priests, resides with the Pope in the Vatican. Reports of every sexually abusing priest in the United States are sent to the *Congregation for the Doctrine of the Faith*, formerly the *Holy Office*, in the Vatican.

30. The reality of sexual abuse by clergy in the United States cannot be found with complete accuracy or depth in media sources. Nor can it be simply equated with the function of the general population in handling problems of sexual dysfunction. Case histories and documents from diocesan records, hospital reports, and court hearings need to be consulted. The knowledge about the sexual behavior of Roman Catholic clergy noted above and the population just described forms a genuine **sub-culture** in which any and all sexual behavior if possible is kept secret within the system at all costs. The revelations of the priest sexual abuse by the Boston Globe in 2002 were a powerful media breakthrough because they were based on documents from church files and provided a glimpse into the secret clerical world.

31. The reality of abuse within the clerical sub-culture was the motivation behind the establishment of mental health facilities owned and managed under clerical auspices and control; this is one means used to deal with the malfeasance of clergy and keep it as secret as possible. The operation of the Roman Catholic Church in regard to the sexual violations of its members demonstrates elements that elucidate the functioning of a so-called *total institution*.

32. *Catholic Treatment Centers for clergy:* The establishment of multiple mental health facilities established *exclusively* for the treatment of Roman Catholic priests beginning in **1946** with *St. John Vianney Center, Downingtown, Pennsylvania* demonstrated the widespread knowledge of psychological and behavioral problems within the clergy. Although alcoholism was listed as the most obvious problematic behavioral problem of Catholic clergy referred to clergy treatment facilities, sexual problems were quickly noted as a frequent concomitant, and even predominant in many cases. A Jesuit priest-psychologist is currently Director of this Center.

33. *Via Coeli & The Servants of the Paraclete:* Father Gerald Fitzgerald was arguably the most knowledgeable and articulate priest in the U.S. about problem priests. Every bishop in the United States was notified of the establishment of his New Mexico facility for care of problem priests in **1947**. His center was not a hospital but a religious “retreat.” The Catholic Conference of Bishops along with many individual bishops donated funds to help support his work. And his work soon spread from New Mexico to Minnesota, Vermont, St. Louis, Missouri, California, England and the Philippines. (Cf. **Exhibit C**) Fitzgerald was well aware of priests who abused children and judged that *they were not amenable to change or cure* already in a letter to a religious who sought his council in 1947. His extensive correspondence with bishops demonstrates his convictions. He had personal audiences with three Popes who requested his information. His solution was to exclude priest child abusers from ministry or to confine them in isolation. He even purchased property on a Caribbean island for that purpose. (Cf. Exhibits C-1 through C6.)

34. Because of the urgent demands from bishops for the care of sexually abusing priests and the large numbers being referred to Via Coeli for treatment in the 1950s Fitzgerald accommodated bishops without altering his conviction. By 1970 members of Fr. Fitzgerald’s community insisted on being trained and setting up the first treatment program for pedophile/ephebophile men in the world. Fitzgerald remained philosophically against using the AA program and psychological care for “guests” to his centers. Despite his protests the Paraclete centers engaged consulting professionals and psychiatrists Jay Fierman and John Salazar who

evaluated over 1,000 priest participants in the program.

35. But the community of the Paracletes developed a policy of accepting former priest-guests/clients of their program as member of the community. Some had been former abusers. I have interviewed some of them. **Father John Feit** who abused in Texas rose to a top position (Superior) in the administration of the treatment center.

36. Feit's influence is demonstrated in the case of Fr. James Porter. In 1967 church officials in Massachusetts sent Fr. James Porter to Jemez Springs, N.M. because of his admitted sexual activity with as many as 200 minors. Fr. Porter's discharge from Via Coeli and the statement that he was *qualified to return to pastoral work* was signed by Fr. John Feit who has currently left the ministry, but is still a suspect in a sexually related murder case in Texas. Three lawsuits assert that even while Porter was staying at Jemez Springs under Feit's supervision he molested three altar boys at a New Mexico church. And other lawsuits asserted that after being released by the center, he molested boys at a Minnesota church. Fr. Porter said he stopped abusing children in the mid-70s, when he left the priesthood and married, however, there is evidence that he abused at least one baby sitter of his own children.

37. Fr. Gordon McRae exemplifies this continuing policy at Via Coeli of giving power to former sexual perpetrators. He held an administrative post at the center in 1990. I was a teacher in his seminary in 1978 when he demonstrated psychological problems. In spite of early indications of problems he was ordained in 1982; he may have abused a boy already in 1983, but no action was taken. But he pleaded guilty in 1988 to paying a boy for sex and received a deferred jail term and instead was sent Via Coeli for treatment. In 1993 he was charged with eleven counts of molestation of at least 4 boys. He is now in a New Hampshire prison for 33 ½ to 67 years convicted in 1994 on the assault of one boy. This tradition of Via Coeli to hide and support abusers was repeated when Father Rudy Kos was "secreted" at Via Coeli for a time in 1995 before his extradition from San Diego and trial, conviction and imprisonment in Texas.

38. Alcohol Treatment Centers established exclusively to treat clergy were functioning as early as **1956: Guest House** in Lake Orion, MI and later in Rochester, MN. The directors soon became aware that sexual problems, including pedophilia/ephebophilia, were not manageable in their facilities and now do not admit priests so afflicted to their institutes. In its March 1, 1941 edition *The Saturday Evening Post* published an investigative report about Alcoholics Anonymous. It was a major impetus in the credibility of the 12 Step program of alcoholics Anonymous as an effective means of treating the disease of alcoholism.

39. Southdown: A fully accredited mental hospital for Catholic priests

was founded in **1965** at Aurora, Ontario, Canada for their exclusive treatment and it remains a frequent referral destination for American clergy with sexual, alcohol, or other behavioral or mental concerns. A Jesuit priest, John Loftus, headed the staff for a time.

40. From **1973 to 1990** the *House of Affirmation* was established and staffed by priests and other lay Catholic workers, many with M.A. degrees. It was not a hospital. The founder, Fr. Thomas Kane, did not have the advanced degree he claimed and is currently a fugitive living outside the U.S. and alleged to be a child abuser. Psychologists and psychiatrists were on their consulting staff—Sr. Ann Polcino, James Fitzsimons, M.D., Conrad Baars, M.D. among them. This venture to provide assistance to Catholic clergy with the growing awareness of their mental health concerns and sexual behaviors expanded from Whitinsville MA to Hopedale, Boston, and Natick MA; Middletown CT; Montara CA; Webster Groves MO; and Clearwater FL. Other therapeutic ventures trying to provide economical solutions to the sexual and behavioral concerns of clergy have proliferated over the years.

41. I have interviewed priests who served on the staff and reviewed records from Houses of Affirmation. All indications are that they were not facilities that met criteria for adequate treatment of sex abuse. Priests who had sexually abused minors were labeled in documents to bishops with idiosyncratic diagnoses such as “*suffering from moderate frustration neurosis.*” Lack of sexual control was not spelled out but recorded simply as “*Father has an area of difficulty.*” Other reports to bishops referred to “*father’s problematic behavior*” and his “*serious weakness.*” These examples are from 1974 records. (Cf. **Exhibit D**) Father Gilbert Gauthé who admitted that he abused 500 minors was sent to the House of Affirmation in 1984 where he was permitted leave on weekends. He also stayed at St. Luke’s and the Institute of Living before his incarceration.

42. *St Luke’s Institute:* Psychiatrist Michael Peterson, a priest of the Washington, D.C. archdiocese, took charge of the Marselan Institute in Massachusetts in **1977** at the request of Cardinal James Hickey. Priest-psychiatrist Michael Hayden founded Marselan in the **1950s** to evaluate, treat and house problem children; Fr. Peterson redirected the focus to the treatment for alcoholic priests. That facility filed for bankruptcy around 1986 when Peterson was sued for alleged sexual misconduct there. In **1981** a new St. Luke’s Institute was established in buildings formerly occupied by St. Bernadine’s High School in Suitland, Maryland and in 1996 it moved to a larger facility in Silver Spring, Maryland.

43. Although St. Luke’s Institute in Maryland, currently one of the most frequented mental health facilities for religious with 72-80 in-patient beds and long waiting lists for evaluation, was established apparently for the care

of alcoholic priests. But Fr. Michael Peterson set up a program in **1985** specifically designed to treat priest sexual offenders and it has since treated over 400 clergy for sexually related mental health concerns. This concentration on sexual abuse by clergy caused at least one board member to resign at that time.

44. Rev. Canice Connors, a Franciscan priest/psychologist who served as the president of St. Luke Institute and Southdown, both prominent facilities treating priest-offenders, told the New York Times in 1992, *“that before the 1980's church people usually viewed sexual offenses against minors as isolated moral lapses calling for prayer, ‘a motivational talk’ and greater willpower. Sometimes misconduct was attributed to overwork, stress or alcoholism, and religious superiors prescribed rest or ‘drying out.’*

45. Monsignor Stephen Rossetti, a psychologist who is now director of the Institute was quoted in the *Washington Post*, saying that St. Luke *“is the largest hospital in the world focused on Catholic clergy.”*

46. Currently, St. Luke's is a fully accredited hospital, that *“sees about 600 people a year, almost all of them priests and nuns, [it] drew attention after suicides of two priests, one in 2001 and one in 2002. At the time, the state cited the hospital for failing to report to police disclosures of suspected sex abuse by clergy if the alleged incidents took place outside of Maryland.”* In 2009 the Department of Health and Mental Hygiene cited St. Luke's again for problems that are *“serious in nature”* including an *“unsafe environment for potentially suicidal patients, inadequate staff to monitor high-risk patients, unsafely stored medicines...poor notes on patients...”*

47. I am well acquainted with the work of this hospital and always maintained a high regard for the clinical staff of mental health professionals, but I received a number of complaints from that clinical staff about administration while I served on the board of directors. One of the more significant was the assertion that a son (a non-cleric) of a member of the board was treated *pro bono* for drug addiction and in turn gave a substantial tax-deductible gift to the Institute. This was one of several administrative conditions, including sexual activity by the director that led me to tender my resignation after two years on the board. Father Rudy Kos who had been at Via Coeli earlier was evaluated at St. Luke's prior to his civil and criminal trials and the report noted that they could find “no” pathology.

48. Secular treatment centers such as the *Institute of Living* in Hartford, CT were also used to evaluate and treat troubled clergy even back to the 1950s when Dr. Francis Braceland became Medical Director. A secular priest assured a colleague of Braceland's sound credentials including his Papal honor as a Grand Commander of the Knights of St. Gregory when he said, *“Our clergy has been moving in and out of the place with considerable relief*

and assistance for many years.”

49. As psychiatrist-in-Chief Dr. Braceland wrote to the bishop of Manchester NH in 1964 regarding a young priest with a homosexual problem: *“Dr. McCawley has become quite adept at this, because, unfortunately, there is more and more of it coming to the surface in young clergymen. The trouble frequently begins in the seminary and apparently some spiritual directors just think it will go away if they pay no attention to it. Actually, anybody in an overt situation ought to be dismissed, because eventually he is going to get into trouble—more often than not trouble with young boys.”* Certainly this statement is consonant with Fr. Fitzgerald’s that sexual deviation that was a precursor to sex with young boys was **not curable** and was a danger and reality in the priesthood. I knew Dr. Braceland well from 1953 until his death in 1985; I worked with him on several projects for priests.

50. Dr. Leslie Lothstein who was the Director of Psychology at the Institute of Living for 16 years estimated that he and his colleagues treated over 600 Catholic priests during that time; many had sexual problems including abuse of minors. He also told me that bishops and religious superiors were not always honest and forthright in giving the history of priests they referred nor compliant with the recommendations and directions on discharge.

51. *The Church & the Law:* I witnessed the special processes used to keep clergy sexual acts—even criminal acts—covered up when I was associated with Seton Psychiatric Institute during 1965-70. More than one Catholic priest who had been arrested on a sex offence was remanded to the hospital by a judge (usually Catholic) rather than being treated in a criminal process. My clinical experience in this regard has been extensive.

52. Another clear-cut example of the same scenario that participates in the social dynamic to avoid sexual scandal of Catholic priests: In 1967 a Monsignor was arrested in Yuma, Arizona consequent to picking up a 15 year-old hitchhiker, driving him to his (the cleric’s) parent’s home, forcing alcohol on him, and attempting to rape him. The boy escaped from the house (breaking some furniture in the process) and screaming. He roused a neighbor who summoned police at 1:30 A.M.; police found the boy confused and distraught lying on the floor of the neighbor’s home. The police traced the priest’s identity. The Police handled it: by filing *“a secret information with the Court”* and determined: *“more harm than good could be done by prosecution.”* The Sheriff directed the arresting officer to: *“present the information to Bishop Green (of Tucson) and let him handle the matter, as has been done in the past.”* The Police considered and discounted the idea that the Msgr. might be an *“active or latent-homosexual”* but that he could be *“under sever strain combined with apparent intoxication.”* Monsignor was sent to a Catholic General hospital for a 30-day check-up and the

announcement was made that he was recuperating from “*exhaustion and over work.*” A similar handling of a cleric involved in sexual misbehavior is the account of the 1986 case of Bishop Lawrence Welsh—he admitted picking up a male prostitute for oral sex, but denied the accusation that he tried to strangle him. Detective Ron Graves described the police response as “*hush-hush.*”

53. No statement can be clearer about the cozy cooperation between the law and religion-related psychiatric centers than that of Dr. Frank Valcour, then the medical director of St. Luke’s Institute, even as recently as December 10, 1992 when he wrote—“*Because sexual behavior disorders often involve felonious acts many of our patients have been adjudicated. Some have been on probationary status others have been in treatment in lieu of jail time. Still others have been sent to treatment with us as part of a plea-bargain.*”

54. In my experience over the past 50 years prosecution and incarceration of priests and bishops who have been found to abuse minors or been discovered in other sexually compromising circumstances have not been the usual paths for police/civil authority’s response. This is not without pressure from the Roman Catholic Church. [Cf. For example the cases of *Feit*, *MacRae*, and *Kane* etc. above.] In a 1956 letter a Jesuit superior wrote to the bishop of Manchester NH about a priest in trouble: “the District Attorney (HG) silenced the investigators and closed the issue...and The DA is motivated by the avoidance of scandal...” and All others are silenced under oath.” This mode of operation in conspiratorial silence about clergy violations is not ancient history. As recently as February 2009 a high-level meeting in Rome reinforced this policy and dismissed the advisability of reporting priest offenders to police.

V Father Harry E. Monroe

55. Harry Monroe, a priest of the Archdiocese of Indianapolis, Indiana, was a student at St Mary’s Seminary and University, Baltimore while I was on the teaching faculty (1972-84). I have a vague memory of his person, but no specific memory of him as a student in my class.

56. Records (April 22, 1974) show that HM’s Personnel Director had serious doubts that a supervising pastor (“didn’t care to put in print”) shared about his suitability for ordination; and stated that we had to “keep our fingers crossed and hope for the best” just months before his ordination. [Cf.Ex.24] A prior letter (April 5, 1973) from the same official advised HM to destroy a notice from the Justice of the Peace that he was cleared of charges of indecent exposure on August 3, 1972 in Floyd County. [Cf.Ex.22]

57. A faculty member of St. Mary’s (Fr. Bob Friday, I think) wrote to the

Personnel Director (April 30, 1974) about an interview with HM about “concern” the seminary had about him and that he was being ordained with “a faint cloud” of his own making “over his head.” He also questioned his credibility. [Cf.Ex.25]

58. On August 27, 1976 the same personnel director, Msgr. Joseph Brokhage, wrote to Sr. Anna Polcino, psychiatrist at the House of Affirmation, to request an evaluation of Fr. Monroe. The reasons given are significant and indicative of a sexually abusive priest. 1.) He had to leave a parish assignment—his 3rd in 2 years—where he was relieved of teaching because he was a “detriment” to the school. 2.) Parents complained to the pastor about HM’s “associations and activities with young boys.” 3.) “He is only interested in boys about 6th grade level.” (11-12-year-olds) This was a consistent pattern in all his previous pastoral assignments. 4.) “His days off are always spent taking sixth grade boys on camping trips.” 5.) It was “necessary” for him to leave his present assignment “almost immediately.” [Cf.Ex26]

59. Fr. Monroe completed testing and evaluation at the House of Affirmation on September 15-17, 1976. The report denied evidence of psychotic or “severe” neurosis or the profile of a child molester. It recommended that he continue his everyday parish ministry “both youth and adults.” But it “highly recommended” that he receive outpatient psychotherapy from a psychiatrist. [Cf.Ex27]

60. The report from the House of Affirmation did not report what tests were administered or any results. HM refused to have them sent to the officials at the archdiocese. There is no evidence that the officials followed up with the recommended psychiatric treatment when he returned.

61. HM wrote requesting a position as pastor in January 1981. [Cf.Ex28] However, a document from April 13, 1981 pointed to distress; [Cf.Ex29] it indicated that HM had lived in an apartment and worked in a factory a few years previously, but it also indicated that currently he was in trouble for giving boys alcohol and “insinuations” about homosexuality. He was confronted with letters of complaints from a boy and several parents. He “broke down and admitted all.” He decried his former testing at HoA.

62. His superior, Archbishop Edward O’Meara, approved HM’s entry into the HoA resident treatment program at Monatra, CA from June 17, 1981 until June 29,1982. [Cf.Ex30&32]

63. HM’s caregivers at Montara were all priests, albeit psychologists, or a lay Ph.D. candidate, and a Nun social worker Director. [Cf.Ex30-32]

VI Opinions

There is no institution in the world that has a longer or more completely documented knowledge of sexual activity of clergy with minors than the Roman Catholic Church.

The Catholic clergy population of the United States has known about their sexual activity, including sex with minors, through awareness of their own sexual behavior, in the confidences shared in spiritual direction, by communication and observation within the clerical culture, and the Sacrament of Confession.

Bishops and religious superiors have been aware of clergy sexual activity through all of the above channels plus reports, complaints, suspicions and rumors from many sources. Their own files demonstrate this.

Within clerical culture sexual activity of priests and bishops, including homosexuality and sex with minors has been suspected, observed, documented, and well known. It is amply clear from official documents of the Roman Catholic Church that sexual behavior of clergy with minors was well known and a perennial concern.

Already in 1974 from my work on an ethnographic study of the celibate/sexual behavior of Catholic clergy (1960-1985) I could say with psychological certainty that six (6%) percent of priests get sexually involved with minors. I sent that information to the President of the Catholic Conference in 1986. Certainly bishops who had easier access to inside information than me knew the real dimensions of the problem long before I did. Their documents verify their knowledge. What the Attorney General of Massachusetts concluded in 2003 about the six decade history of abuse in Boston applies no less to the entire Catholic Church in the United States: *“the widespread abuse of children was due to an institutional acceptance of abuse and a massive failure of leadership.”*

The RCC in the United States anticipated the public consciousness of sexual activity of adults with minors in part because of its knowledge about the sexual problems of priests, the resultant establishment of institutions exclusively to confine, evaluate, care for, and/or treat clergy with mental health and behavior problems including sex with minors and also as they served as the target of abuse victims' legal suits since 1983.

Religious facilities listed in the above report have always had Catholic clergy and/or staff in supervisory or influential positions who were susceptible to a cultural reverence and an unhealthy favorable bias toward priests and their superiors. It is erroneous to say that Catholic Church authorities in the 1970s (or even into the 1990s) generally used the “customary methods, advise or treatment means” to deal with sexual activity of clergy; they consistently chose the least visible means to deal with sexually offending priests. Records show that they frequently referred problem priests to “good Catholic doctors” (one after another) who had little or no expertise in

problems of sexual abuse of minors. Two notorious abusers—Fr. John Goeghan of Boston who had known problems since 1954, later convicted of child abuse and murdered in prison, and Fr. David Holley who is currently serving a prison term of 275 years in New Mexico for abuse had a record of problems since 1962—were patients at the hospital where I trained in the 1960s. Similar to other Catholic treatment facilities that favored clergy, prominence was given to treating them as “alcoholics,” protecting anonymity and preserving their “vocation.” This preference for secrecy and avoiding scandal dominated psychiatric treatment of Catholic clergy.

Grand Juries studying the problem of clergy child abuse reflect the situation accurately as I experienced it. One report from NY describes the national reaction of the Roman Catholic Church to priest sexual abuse of minors and concludes: *“Diocesan officials used the hollow promise of treatment and re-assignment for offenders and the inducement of monetary payments to victims to guarantee their silence. This had the further effect of concealing and preventing the discovery of heinous crimes committed by priests.”*

The hierarchy persists in seeing sexual activity of its clergy primarily as “sin.” This narrow interpretation gives the hierarchy primacy over the problems of abuse by clergy; and this attitude is repeatedly demonstrated in the behavior of bishops in their concealment of records and their reticence to report violations to appropriate civil authorities. The first admonition from the Massachusetts Grand Jury was that the Archdiocese *“Must demonstrate...Its Understanding That It Is Criminal to Sexually Abuse a Child.”*

My training, research, and experience conform to and are validated by the findings and conclusions of Grand Jury reports and the conclusions of the National Review Board. That Board concluded: *“The Review Board found that the failure of bishops to hold themselves accountable for their decisions and to make use of the governance structures combined to exacerbate the problem. It would not have been possible for numerous predator priests to continue abusing children even after Church leaders became aware of the abuse were it not for the fact that their bishops effectively lacked accountability.”*

No responsible psychiatrist or therapist that I have dealt with in the past 45 years has ever claimed that a priest could be **“cured”** of pedophilia or ‘ephebophilia’ (currently so defined). Many professionals have treated priests and bishops who have acted out sexually, including sexual assaults on minors, on the premise that if a concomitant depression, chronic anxiety, or alcohol addiction could be eliminated the offender might have a chance to master control over his sexual behavior. Many therapeutic failures resulted from not giving the sexually addictive components of clergy problems and pathology primacy and bowing to extraneous (religious) considerations such as “preserving a vocation,” avoiding scandal, and giving undue deference to the wishes of bishops

and superiors. Attempts at treatment or rehabilitation particularly at Catholic facilities were especially prone to these anomalies. This in no way denies the developments and progress that I have witnessed about the understanding and treatment of mental health problems of clergy and others in my nearly half-century of involvement with these concerns.

VII Conclusion

- 64.** There were ample and convincing indications that Harry Monroe was a sexually troubled person and unfit for ministry prior to his ordination.
- 65.** The nature of Monroe's disability was his propensity for association and activity (fixation) with minor boys ages 11 to 12 years old. His problem with sex was amply recorded prior to his ordination.
- 66.** The sexual danger that Harry Monroe posed to children/minors was clearly indicated in documents from the seminary, the personnel director of the archdiocese and priest co-workers. Misgivings are **coded** in ways that anyone within the system can understand—uneasiness/some concerns/situations not put in print/interested only in boys/complaints from parents/rumors of *queer* from school children. They all have to do with sex—and particularly in the context of his entire history—with minors. Even the guarded and concealing 1976 House of Affirmation report spells **danger** citing Harry Monroe as: *emotionally immature/not-at-home-with-self-or-others/insecure* added to the strong recommendation of *continued psychiatric treatment*—in the context of his history and the behavior that prompted his first referral.
- 67.** As indicated above (#41) I was well acquainted with the philosophy, work, and idiosyncratic diagnostic categories used by some of the staff of the House of Affirmation in Whitesville. I am also very familiar with the program at Montara. I have served as an expert in cases where priests who had been resident in both places were later convicted of further abuse and sentenced to prison.
- 68.** The House of Affirmation clearly held a bias toward a favorable outcome for priests sent to them with the motivation to return the cleric to active duty; the fate of victims past or future merited little or no attention. This condition is similar to that of RC authorities who made no effort to contact victims. Both entities silently conspired to protect the clergy and the church from scandal. The Catholic care givers of certain facilities shared this bias as noted above.
- 69.** The Archdiocese of Indianapolis is reprehensible for its failure to pay attention to good common sense and its own personnel with their misgivings about Harry Monroe. They neglected the welfare of minors under their care

and endangered children with the ordination, assignment, and reassignment of Harry Monroe to positions of responsibility in ministry.

I declare under penalty of perjury, pursuant to the laws of the State of California, that the foregoing is true and correct.

Executed this ____ day of _____, 2011, at _____, California.

A. W. Richard Sipe
Declarant