

NEWS

For Immediate Release
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Former Erie, PA Priest Reacts to the Release of the Report of the 40th Pennsylvania Investigating Grand Jury.

James Faluszczak, himself a victim of abuse by a priest, and still feeling called to the priesthood, left active ministry because the Church ignored his claims.



HARRISBURG, PA, Monday, August 13, 2018 – “Even as Fr. Martin was molesting me, I maintained my devotions and felt close to God. Out of my experience of prayer and helping others as a teenager, I felt God was calling me to be a priest. I gradually realized that what Martin was doing to me was sick and I was able to break out of it. After I was ordained a priest in 1996, I had a clear sense that I was helping people as a teacher, chaplain, campus minister, school administrator and pastor. Ministry was fulfilling a lot of the time. It was an honor to stand with God’s people and offer their prayers to God, and to speak words of consolation and challenge to them. But it became obvious that I couldn’t speak for an institution which I now regard as corrupt. The constant reminders of the abuse I experienced drove me to cope by using substances as a form of triage. The constant presence of bishops and diocesan officials who engaged in the coverup, and the presence of other dysfunctional priests in my life, made it impossible for me to be healthy in that environment. It is a source of enormous pain that I had to leave ministry.”

This Press Release is organized according to the following domains:

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1.) Context of the Pennsylvania Fortieth Investigating Grand Jury

Local grand juries have been empaneled in the past to try to get to the heart of the phenomenon of clergy sexual abuse:

Suffolk County, NY (2002),
Boston Archdiocese (2002) by State AG Reilly,
Westchester County NY (2002),

Manchester NH (2003) by the State AG,
Philadelphia (2003) conducted by DA Lynn Abraham,
Portland, ME (2004) by the state AG

Citation: http://www.bishop-accountability.org/pa_philadelphia/Philly_GJ_report.htm

Statement of James Faluszcak: “Investigations and regional reports of the sexual abuse of children by Catholic clerics are nothing new. There is a history of these local investigations by civil authorities in the United States.”

In April of 2013, the Thirty-Seventh Statewide Investigating Grand Jury in Pennsylvania was convened to examine the phenomenon of clergy sexual abuse in the Diocese of Altoona-Johnstown, PA.

Citation: <https://www.documentcloud.org/documents/2779770-GJ-Diocese-Report.html>

Statement of James Faluszcak: “After many isolated and repeated reports of sexual abuse by Catholic clergy, the Pennsylvania Attorney General’s Office heard the complaints and sensed the collective pain of victims in south-central Pennsylvania in 2013.”

In September of 2016 it was reported across Pennsylvania that the State Attorney General’s Office had convened the Fortieth Investigating Grand Jury to examine the phenomenon of clergy sexual abuse on a statewide basis. The testimony of multiple witnesses was reported at that time.

Citation: <http://www.mcall.com/news/local/mc-pa-allentown-diocese-grand-jury-20160915-story.html>

Statement of James Faluszcak: “This multi-diocese Grand Jury Report represents a unique voice for the voiceless. Survivors of clergy sexual abuse in Pennsylvania were offered this opportunity to speak the truth about their trauma, their abusers, and the institutional mechanisms which supported these crimes.”

In fact, the Fortieth Investigating Grand Jury in Pennsylvania was empaneled much earlier than has been reported as evidenced in the bid, solicitation, and schedule documents. It is in the communication of their schedule to potential vendor bids that it appears that the Grand Jury was, in fact, empaneled in May 2016, and not in September 2016 as reported. This timeframe jibes with the maximum 24 month PA statutory mandate, which led to recent reporting that their work would have been complete by the end of April 2018. While subpoenas to individual PA dioceses were reported in September 2016, that does not necessarily mean that is when they were received by diocesan bishops.

Citation: <http://www.emarketplace.state.pa.us/Solicitations.aspx?SID=6100037946>

Statement of James Faluszcak: “This Pennsylvania Grand Jury, whose work concluded in May, has been operating earlier and on a

more thorough basis than what the reporting up to this point has revealed.”

As per Rev. Thomas Doyle, the Fortieth Investigating Grand Jury is an unprecedented regional investigation and is “the equivalent of investigating a mid-size European country”.

Citation: Rev. Thomas Doyle, 3/22/18 email to this writer, doyle44@verizon.net,

Statement of James Faluszcak: “*This is unprecedented. Nothing like the Pennsylvania Fortieth Investigating Grand Jury has ever before happened in the United States. Its closest antecedents would be the Australian Royal Commission Into Institutional Responses to Child Sexual Abuse, or a sum total of local grand jury investigations in the United States.*”

2.) Abuse of Minors by Catholic Priests Is an Historical Issue, Not Just a Current or Periodic Crisis

Sexual abuse by Catholic clergy has been repeatedly addressed by papal decrees over centuries, both as the result of church councils and through the unique interventions of particular popes. From the Council of Elvira (306AD), through struggles in dealing with clerics who sexually abused young men and minor children in the middle ages, procedures enacted through the codification of Church response to such crimes from the 6th through the 12th centuries, and the codification in law of secret procedures from 1962 until the present, bishops have attempted to either resolve these matters within their own internal diocesan courts or by means of referral to Vatican courts. It is only in more modern times (1922-2001) that bishops and popes have sought to cloak these matters in layers of institutional secrecy, many of which still exist on a statutory level today. Public exposure of these crimes had been more recently documented since the mid 1980s, and the Church’s response has been seen in the repeated issue of procedural norms governing the disposition of these cases.

Citation: <http://s3.documentcloud.org/documents/9240/08-05-07-fr-thomas-doyle-plaintiff-expert-witness-on-church-sex-abuse-and-its-history.pdf>

Statement of James Faluszcak: “*Halting attempts by the Catholic Church to deal with the phenomenon of clergy sexual abuse are nothing new. This has been going on since state recognition of the Church at the end of the Roman Empire. There has been a consistent and unbroken history of Church negligence and coverup in dealing with this tragedy. Clergy sex abuse appears to be part of the Church’s DNA.*”

In 1946, the American priest, Rev. Gerald Fitzgerald, founded a religious community called Servants of the Paraclete which established institutes for the treatment of priests who were struggling with psychological and sexual dysfunction. Over the span of three decades (1946-63) he communicated to the American bishops, Vatican officials, and to Pope Paul VI the consistent

admonition that abuser-priests never be returned to ministry, are incapable of cure or even treatment, and should be forcibly laicized.

Citation: http://www.awrsipe.com/Doyle/2011/2011-01-11--paraclete_report.htm

There was already documentary evidence in the 1950s and 1960s that American bishops agreed with Fr. Fitzgerald's assessment that priests who sexually abuse children must not be returned to ministry.

Citation: http://www.awrsipe.com/Doyle/2011/2011-01-11--paraclete_report.htm

Statement of James Faluszcak: “*Bishops today and in recent decades claim they based their decisions to reassign abuser-priests to ministry on the best psychological advice they had at the time. But prior advice by professionals, involved in the treatment of these criminals, contradicts that claim. Bishops who today lean on the historical claim that they simply followed the advice of professionals are promoting a falsehood.*”

3.) Root Causes of Clergy Sexual Abuse

A shocking percentage of priests are sexually active, consensually, with adult males or females depending on their particular sexual orientation. With estimates ranging from 40-60% of priests, it is clear that today's bishops preside over a much greater secret than the phenomenon of clergy sex abuse.

Citation: <http://www.awrsipe.com/Interviews/2012-11-05-FAQ.html>

Homosexuality, per se, is not the root cause of clergy sex abuse, although if half of priests are gay, the Church is drawing these men from a substantially smaller population (10%) within the general society. The Catholic Priesthood represents an environment where a gay, faithful, Catholic man can potentially live safely with an orientation which is regarded by the Catholic Church as a type of disorder. It is easy for a homosexual male to hide in the Catholic priesthood. This even larger set of lies is what gives cover to the pathological crime of sexual abuse. The larger body of sexually active priests, easily forgiven for a natural form of self-expression but who nonetheless publicly profess to be celibate, are frequently blackmailed by the behaviors of criminal members of the clergy. To be a bishop today, you have to possess the skill-set to manage this sick dynamic.

Citation: Sacred Silence: Denial and the Crisis in the Church. (2002). Donald Cozens, pp.124-39. Collegeville, MN: The Liturgical Press.

Statement of James Faluszcak: “*While certainly recognizing the pathological and criminal nature of clergy sex abuse, the root cause of the phenomenon in the Catholic Church is the institutionalized secrecy which the Church maintains regarding internal sexual matters. An epidemic of secret clerical lifestyles gives cover to this criminal behavior.*”

Rev. Thomas Doyle, OP was a staff member at the Vatican Embassy in the 1980s when one wave of this crisis broke in America. He, Richard Sipe, and many others who are engaged in the

work of advocacy have been expert witnesses in courts and before grand juries. They have done much to expose the internal dynamics of institutional church coverup.

Citation: <http://www.awrsipe.com/Doyle/2013/Thirty%20Years%207-21-13.pdf>

Statement of James Faluszcak: “Victims like myself are grateful when courts, investigations, media outlets, and members of the legal community help us to find our voice. An important facet of this phenomenon, which hasn’t been adequately examined in public, is the historical record of the Church’s failure to protect the vulnerable. This tragedy is rooted in every age of the Catholic Church’s history. It is nothing new.”

4.) Investigatory Considerations Rooted in Data

By 2004, every bishop and diocese in the United States self-reported their statistics on priest-abusers and victims as part of a study conducted by the John Jay College of Criminal Justice in New York City. The diocesan self-reports which formed the basis of the study often lacked complete and consistent data.

Citation: <http://www.bishop-accountability.org/usccb/natureandscope/statemap.htm#PA>

The statistics gleaned from local investigations conducted by district attorneys, local grand juries, and sustained investigations conducted by local media outlets present a much more grim picture than that presented by the bishops.

Citation: <http://bishop-accountability.org/priestdb/PriestDBbydiocese.html#PA>

Statement of James Faluszcak: “There is a marked contrast between the self-reporting by US Bishops of abuser-priests and their victims, and the reality presented by transparent investigations. It is imperative that investigations such as the 40th Pennsylvania Investigating Grand Jury be conducted in every local diocese and state in America.”

Citation: My research and data sheet is available by request at jim@faluszcak.com

5.) My Experience as a Victim

“Msgr. Daniel J. Martin molested me in Erie, Pennsylvania from 1985-1989, from the time I was sixteen until nineteen years of age. During this time I visited him wherever he was living, first on a weekly basis and then every other week, and then gradually less and less until I had the strength to break out of the dynamic he established. While he was Pastor of St. George Church, which was two blocks from my family home, I would visit by myself in St. George rectory on a weekly basis. Although I worked in the rectory as a student secretary and was involved as an altar boy or church musician, the instances of molestation always happened outside these contexts. I was experiencing emotional neglect at home, which he knew from hearing my and my parents confessions, and he capitalized on this. To my mind, Fr. Martin groomed me for abuse from the time I was five years old, and waited to move on me until the moment he realized I was most vulnerable and isolated. Although ostensibly because of gout, and although I never recall noticing or hearing about symptoms, he was forced by Bishop Murphy to retire

early in 1986 while I was 17 and a Junior in high school. He went to live with Rev. Donald Cooper at Mt. Calvary rectory until Fr. Cooper was charged with indecent exposure and forced to resign his pastorate of Mt. Calvary. Subsequently, Fr. Martin moved to live by himself in the chaplain's quarters above the chapel of Mercyhurst College where he continued to molest me until I was 19. Mercyhurst President, William Garvey, recently identified as a child abuser himself, provided Martin with his residence at Mercyhurst."

6.) Allegations I Brought to the Church

"In March 2010 I informed Erie Bishop Donald Trautman that Fr. Martin molested me on 15 occasions. Trautman's response was "O thank God, you're lucky it wasn't many more times." On October 31, 2013 I informed Erie Bishop Lawrence Persico of child sex abuse committed by a lay faculty member at Elk County Catholic High School in St. Marys, PA, which he and three other diocesan officials urged me not to share with law enforcement. At the time of my requested leave of absence from priestly ministry in August 2014, I repeatedly inquired of Persico in four face-to-face meetings and over the phone in the several months subsequent to November 2014 what he was doing to respond to my criminal allegations. During this time period, I also made an allegation of misconduct against a priest in seminary work who had a sexual relationship with at least one seminarian of the Erie Diocese. While not civilly criminal, this misconduct is regarded as criminal by Canon Law."

"At no time subsequent to reporting my allegations to Bishops Trautman and Persico did they enact the investigatory protocols of the Dallas Charter for the Protection of Children and Young People, established by the American Bishops in 2002. Trautman and Persico, by their inaction, failure to investigate, and admonition that I not contact law enforcement they contravened their own procedural protocols."

Citation: <http://www.usccb.org/issues-and-action/child-and-youth-protection/upload/2011-Charter-booklet.pdf>

7.) Practical Remedies to the Phenomenon of Clergy Sex Abuse

"Soul Murder" is the appropriate description of the net result of sexual abuse of children by Catholic priests. The term was first used by Leonard Shengold in 1989 to describe the fallout a victim has to contend with after being sexually abused. Priests today are still regarded as standing in the place of God within the communities in which they minister.

Citation: <http://www.samaritaninstitute.org/documents/2011/September/CharlottePresAPAPaper2011a.pdf>

Statement of James Faluszcak: "There is no statute of limitations on the crime of murder. Every citizen instinctively understands the magnitude of what happens when the life of an innocent victim is senselessly taken. But I say it emphatically today: When an abuser-priest molests a child the damage is actually far greater. Their soul is destroyed, and their ability to relate to God is hobbled. Society needs to call this what it is: Soul Murder."

The fact that the Catholic Church spends as much as it does on lawyers lobbying against the civil statute of limitations represents an obstacle to people of faith who presume the Catholic

Church stands on the side of the vulnerable and voiceless. Instead, the Church has allied itself with the worldly concerns of monetary and legal standing.

Citation: <http://www.nydailynews.com/news/politics/dolan-urges-pols-reject-lookback-window-child-abuse-cases-article-1.3886210>

Citation: <http://www.mcall.com/opinion/white/blog/mc-statute-of-limitations-lobbying-20160608-column.html>

Statement of James Faluszcak: *“This is a battle between David and Goliath. The Church is effectively using resources from its collections on an order of magnitude victims can never hope to match. If those who represent us in the PA State Legislature cannot be a voice for the voiceless victims of clergy sex abuse, then they should be regarded as morally bankrupt. In state after state, legislators are working in tandem with the bishops who have historically engaged in coverup.”*

8.) Contacts

Rev. Thomas Doyle, OP. After working in the Vatican Embassy in Washington, DC, Tom is familiar with the historical dynamics the Church has used under protection of diplomatic immunity to process cases of clergy sexual abuse. He has been an expert witness in countless investigations by various courts in the US and internationally. He is a founding member of the group <http://www.catholicwhistleblowers.com>. He may be reached for comment at doyle45@verizon.net.

Terry McKiernan. Terry is the director of Bishop-Accountability.org, the international database which tracks data, perpetrators, investigations, and individual dioceses related to clergy sex abuse. He can be reached at (508) 479-9304 or mckiernan1@comcast.net.

Robert Hoatson. Bob is a founder and executive director of the victims advocacy group <http://www.road-to-recovery.org> which assists victims as they seek connections to counseling, financial assistance, and legal representation. Bob is also a member of <http://www.catholicwhistleblowers.com>. He can be reached at (862) 368-2800 or roberthoatson@gmail.com.

Mitchell Garabedian. Attorney Mitchell Garabedian is a dogged victim attorney in Boston, MA who was featured in the Academy Award winning film Spotlight. He can be reached at (888) 995-2214.

Richard Sipe. Richard passed away one week ago, and was one of the foremost chroniclers of clergy sex abuse in the United States and in the larger Church. A former priest involved in the work of treating clergy abusers, his wealth of knowledge related to the historical and clinical dimensions of this tragedy was beyond compare. Others carry on his work at info@awrsipe.com.