

FINDINGS

INTRODUCTION

As indicated, the Board of Inquiry interviewed victims by phone and by personal interview, some of which were conducted by the full Board and some by individual Board members. Most of the interviews were in excess of one and one-half hours long; few were shorter than an hour. Some of the interviews were moving and difficult for the Board because of the deep pain expressed by victims and family members; others were inspiring because of a sense that the victims were able to tell their stories to a group of people who listened and believed, and did not judge them. A significant aspect of the interviews is that, for the most part, we heard from victims who had never had psychological treatment or been in therapy for the abuse perpetrated on them. In many cases, the interview constituted the first time a student had told his story to anyone, which is consistent with the fact that, in general, male victims do not reach out for help.

Thus, it should be emphasized that this report represents a careful, thorough and deliberate look at something that is nonetheless not fixed or static, i.e., the process of victims who were ready and able to describe their experiences (to the extent these experiences were accessible to their conscious minds), coming forward to speak to us about them. As indicated in the previous section ["Report", page 17], this Findings section was written to preserve the security and sense of security of the victims who placed their trust in us. We believe that such a report can serve to enhance the therapeutic progress of those in treatment, while increasing the likelihood that other victims, who have not yet come forward, will feel confident that when they are ready, they can safely bring their experiences to the permanent board.

Finally, it should be reiterated that the Board was not an adversary, adjudicative body with the fact-finding apparatus thereof, e.g., we had no subpoena power or power to compel testimony under oath. The vast majority of our interviews were with victims or family members of victims. A few faculty members also spoke to us. No friar identified to us as a perpetrator of sexual abuse chose to come forward to speak to us. We were not commissioned or able to make conclusive determinations of the kind made by juries in criminal cases.

However, our findings are far more than recitations of things that were told to us. Many victims, with no knowledge of each other's experience or of each other at all, came forward and provided us reports that cross-corroborated and fit together like pieces of a puzzle. Based on our interviews with and impressions of victims, our background and experience in the field of sexual abuse, our decades of collective experience in assessing peoples' stories, and our ability to collaboratively and complementarily analyze and understand the weight and import of the information presented us; we believe that our findings are solidly based on credible reports of abuse; and that they fully and firmly support the recommendations we have made concerning individual friars, as well as the larger issues discussed in the Recommendations section of this report.

NATURE AND EXTENT OF ABUSE

STATISTICS

The Board identified **eleven** friars who perpetrated sexual abuse on minors at St. Anthony's Seminary during the relevant time period (school years 1964-65 through 1986-87). Another friar was identified by the Board as having engaged in conduct that could have been preliminary to intended abuse ("grooming").

During the relevant time period, there was in any given year, at least one friar on the faculty that the Board identified to a reasonable certainty as having offended at some point during his tenure at St. Anthony's. One-fourth (11) of the forty-four friars who served on the faculty at St. Anthony's during this time period were identified to a reasonable certainty as having offended at some point during their tenure at St. Anthony's.

Of the twenty-three years in question, there were:

Nine years when there was one friar on the faculty that the Board identified to a reasonable certainty as having offended at some point during his tenure at St. Anthony's. Nine years when there were two friars on the faculty that the Board identified to a reasonable certainty as having offended at some point during their tenure at St. Anthony's. Four years when there were three friars on the faculty that the Board identified to a reasonable certainty as having offended at some point during their tenure at St. Anthony's. One year when there were five friars on the faculty that the Board

identified to a reasonable certainty as having offended at one point during their tenure at St. Anthony's.

Of the students who have thus far come forward as a result of the Board's outreach effort, ~~thirty-four~~ were identified as victims of sexual abuse during this time period. Another student was identified as someone probably being "groomed" for sexual abuse.

Two students were abused by more than one friar: one of these was the victim of two friars; the other was the victim of three friars. Of the eleven identified friar offenders: six friars had one known victim of sexual abuse; three friars had two known victims of sexual abuse; one friar had seven known victims of sexual abuse; and one friar had eighteen known victims of sexual abuse.

There was a wide range of sexually abusive practices perpetrated on victims by the eleven friars: one of the eleven friars photographed young children nude; three of the eleven friars engaged in forms of uninvited sexual touching of non-genital areas, such as fondling buttocks, rubbing backs, stomachs and thighs, palpating the lower abdomen, or embracing students; one of the eleven friars "disciplined" students by administering beatings to their naked buttocks in a manner that had clear sexual overtones; two of the eleven friars engaged in penetration of a student's anus with a digit or object; five of the eleven friars fondled students' genitalia; one of the eleven friars lay naked with an erection on top of a student; six of the eleven friars masturbated students; four of the eleven friars orally copulated students; one friar had a student engage in mutual masturbation with him and requested that the student sodomize him (the student refused); one of the eleven friars had a student engage in mutual fellatio with him and sodomized the student on numerous occasions.

The circumstances and locations of the abuse also varied: four friars abused students at night after lights-out; six friars isolated students in their offices in order to commit the abuse; five friars abused students on trips or outings off seminary grounds; four friars abused students who were physically ill; two friars used threats to ensure victims' silence; one friar made his victim feel guilty to ensure silence.

REPRESENTATIVE CASE STUDIES

The following case studies are composites drawn from the experiences of a number of victims. They contain descriptions of actual abuse that occurred, but in order to preserve confidentiality do not describe the experience of any one victim. They are also designed to illustrate and be representative of the range and nature of offenders' abuse and its effects on victims. .

Case Number 1

A friar summoned a student to his room to discuss academic problems the student was having. The friar instructed the student to lock the door and sit down. As a result of their discussion of the student's academic difficulties, the student became upset. The friar came around from behind his desk to "comfort" the student, and initially put his arm around the student's shoulders. The friar then knelt down in front of the student and began talking to him in a soothing tone. The friar proceeded to stroke the student's leg and then fondle his genitals through the student's clothing. The friar culminated the episode by orally copulating the student.

The student left the friar's room in a daze, not understanding what the friar had done to him. For the next couple of days, he was confused and felt like he was "in a fog". Subsequently, the same friar approached the student and directed the student to come to his room for further discussions of his academic progress. The student refused to comply, and the friar threatened him with disciplinary sanctions. At that point, the student ran away from the friar and did his best to

avoid him for the remainder of the school year. Because he took the friar's threat seriously, the student did not disclose the abuse to anyone.

The student cried every night for several nights following his molestation by the friar. He had difficulty concentrating in his classes. His grades went from a "B" average to "C"s and "D"s. He abandoned his aspirations to the priesthood, and did not return to the seminary the following academic year.

Case Number 2

During the performance of school play, a friar sat next to a student with whom he had had no previous contact. The room was dark. The friar put his hand on the student's thigh and began kneading it in a massage-like manner. Before the student had time to react, the friar reached into the student's trousers and grabbed the student's genitals. The friar then began masturbating the student, who remained frozen, unable to move. As soon the play was over, the student left the auditorium quickly, confused and afraid to tell anyone about the molestation.

Subsequently, on a field trip, the same friar and a couple of other students were sleeping outdoors in sleeping bags. The student sleeping next to the friar awoke to find the friar unzipping the student's bag and throwing it open. The friar proceeded to climb on top of the student and begin moving on top of him as if having intercourse. The student felt the friar's erection through their clothing. Frightened, repulsed and not knowing what else to do, the student, pretending still to be asleep, rolled over quickly and in so doing, dislodged the friar.

The student did not sleep all night out of fear. The next day, the student, thinking that no one would believe him over a priest, kept the assault to himself.

Case Number 3

A friar developed a friendship with a student and began tutoring him in his room. These sessions became more social, and the friar began providing the student with alcohol and cigarettes. He also let the student stay in his room after lights-out. After a couple of months, there was an evening when the student, who was homesick and upset about not being able to go home for a holiday, came to the friar's room for one of his regular visits. The friar had the student lie on his bed while the friar held him and stroked the boy's hair.

The next night the friar had the student strip to the waist and lie on his bed while the friar gave him a back massage with lotion. Subsequently, the abuse progressed rapidly from full body massage to genital fondling to masturbation of the student by the friar.

The friar continued to romance and seduce the student by devoting special time and attention to the him, e.g., inviting him on trips taken alone with the friar, including visits to the student's home and family. The "relationship" between student and friar, which was spoken of by the friar in terms of love and mutual support, continued for over a year with scores of acts of abuse, which ultimately included mutual masturbation, fellatio and sodomy of the student.

Finally, during a trip in which he was having sex with the friar every night, the student, confused about his sexuality and with no friends, was able to find the strength to separate himself from the friar permanently. The student struggled with his questions about his own sexual orientation for many years. It was not until he commenced therapy that he realized that rather than having been in a "relationship" with the friar, he had been the victim of sexual abuse.

Case Number 4

A friar had a practice of calling students to his room to conduct "hernia examinations" (despite the fact that the students had undergone legitimate physical examinations by licensed physicians prior to coming to the seminary). The friar instructed the students to entirely disrobe. His "examination" included handling the students' genitals. While some students brushed the experience off as an embarrassing episode, others were left dazed and devastated by it. Other students were subjected to the similar instances of genital fondling by this friar under the guise of treatment for various minor injuries or ailments.

Another student was called by this friar to his room on several occasions for the purpose of having his genital hygiene checked. Each time, in spite of the fact that the student was diligently keeping himself clean, the student's genitals were examined, washed and dried by the friar. Thereafter, on three additional occasions, the friar had the student come to his room and take a shower; the friar then showed him pornography and had him lie down naked on the friar's bed. The friar proceeded to masturbate and orally copulate the student, who attempted

to avoid becoming aroused. After each incident, the friar warned the student to keep the abuse secret under threat of expulsion from the seminary.

A third student was called to this friar's office for a minor infraction of seminary rules. The friar had the student strip naked. He then beat the student's buttocks with his bare hands until the student's skin broke. The student was reduced to sobbing. The friar pulled the student to him and held him for a long time while he consoled him. During this embrace, the student could feel the friar's erection through his clothing.

Case Number 5

It was normal and expected that friars would become close to certain families who were involved with activities at the seminary. Some friars arranged for financial assistance for poor families. One of the friars took advantage of this pastoral practice. He created organized activities at the seminary for children, and became a close friend of many of their parents, some of whom considered him a wonderful "big brother" for their son; others saw him as a "saint." The friar was a frequent guest in their homes, sharing meals and even spending the night on occasion, and presided at their weddings and baptisms.

As a consequence, this friar had free access to school-aged children of families, and selected some of them to take on extended trips and to his quarters at the seminary, where he would play strip darts or other physical games. These games often resulted in the boys being tickled and having their genital areas "accidentally" fondled. Other young children were photographed nude by this

friar. Hundreds of nude photographs were taken in the seminary and on the surrounding grounds.

After some of these children later became students at the seminary, they were molested by another friar who came into their dormitory cubicles after lights-out and performing uninvited massages on them. He would rub their backs, stomachs, legs and thighs, and, in some cases, masturbate them. One student remembers, that while he was sick with the flu, this friar came to his bed in the middle of the night and pressed a hard object against his anal sphincter. Some students would try ward off these advances by feigning sleep or neglecting their personal hygiene to attempt to become as unattractive as possible, but were for the most part unsuccessful, and continued to be the object of the friar's abuse until after puberty.

A recurring theme with respect to both friars discussed above was that their victims felt trapped by their clever perversion of innocent appearing activities, and that the families of victims felt guilty and betrayed by someone they had trusted completely with their children.

DISPOSITIONS OF OFFENDING FRIARS

On the one hand, as mentioned previously, the Board of Inquiry did not exercise any authority over the friars who were identified as offenders. It acted throughout in an advisory capacity to the Provincial Minister, and made recommendations to him on a friar-by-friar basis. Within the context of Provincial policy, civil and canon law, personal interviews, and specialized evaluations, the Minister received and discussed these recommendations with the Board, and then took the steps he deemed necessary with respect to each friar.

On the other hand, the process of disposition has been worked out in a collaborative fashion, with fairly constant communication between the Board and the Provincial Minister throughout. It is anticipated that the permanent board will continue and refine this collaborative working relationship with the Provincial Minister. The process itself enables any given friar's disposition to be subjected to ongoing evaluation as new information emerges or treatment progresses.

Based on the Board's recognition of the credibility of student's reports, eleven friars have been identified as performing sexually abusive behavior; and one additional friar was suspected of "grooming." It should be noted that all the dispositions listed below are subject to review and change by the Provincial Minister in consultation with the permanent board. **None of these twelve friars is assigned to ministry or placed in Santa Barbara County.**

Of these twelve identified friars, one is deceased; one pleaded *nolo contendere*, served six months in jail, and has left the Franciscan Order; one other left the Order before final profession.

The Board also made findings with respect to the remaining nine friars. **Seven** of these friars were sent to highly respected professionals, experienced in working with sexual offenders and recommended by the Board, where they are currently in various stages of assessment and treatment. The dispositions are as follows:

Two friars have been completely removed from the ministry and are currently enrolled in sexual offender treatment programs known to be rigorous. They are forbidden to have contact with minors, required to participate in therapy, and have a local monitor.

Two other friars, removed from ministry and forbidden contact with minors, are currently completing their assessments. Further decisions will be made based on the evaluations of the clinicians.

One friar who, according to the evaluation and recommendations is sufficiently and positively along in treatment, is engaged in some ministry with no contact with minors, continued therapy, offender-specific group work, and monitoring.

One friar, after an inconclusive assessment and disagreement over the facts in question, continues in ministry with restrictions on his contact with minors (e.g., no personal counseling of minors, no contact with them outside the presence of another adult), and a continued program of counseling/education.

Another friar is currently completing his sexual offender evaluation. Based on an earlier evaluation, he works only with adults and is restricted from contact with minors. Further disposition will be made based on the recommendations received.

Two other dispositions should be noted, to complete the discussion of the dispositions with respect to the nine friars still in the Order:

In one situation where the facts are disputed by the friar, the evaluation clinic recommended by the Board was declined by him. However, he did undergo evaluations conducted by a specialist in forensic evaluations with a specific focus on psychosexual issues and deviancy, and based on these recommendations, this friar continues in ministry with monitoring and restrictions on his contact with minors.

In the final situation, where the Board made a finding of probable "grooming" by a friar, more information and review are awaited before any final disposition is completed.

It should be noted that the Board discovered that of the first seven above friars sent to Board recommended professionals, four had, prior to convening of the Board, been identified to the Provincial Minister as sexual offenders. Following Provincial policy, appropriate and timely actions were taken based on information then available, i.e., psychological evaluations (in one case, a sexual offender evaluation), were conducted, and restrictions put in place (e.g., removal from ministry and continuing treatment, or, after evaluation and/or treatment, restricted ministry allowing no work with minors, requiring continued treatment, and monitoring). Given the additional new information received by the Board, these four friars were submitted for new, intensive, sex offender-specific evaluation and treatment, as noted above.