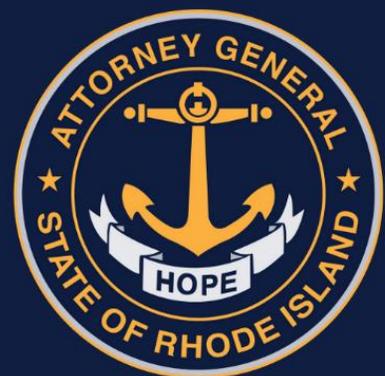


# REPORT ON CHILD SEXUAL ABUSE IN THE DIOCESE OF PROVIDENCE

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Office of the Attorney General  
State of Rhode Island

**Peter F. Neronha**  
**Attorney General**  
2026



## **Disclaimer**

This Report is for informational purposes only. It is based on records voluntarily produced by the Diocese of Providence to the Office of the Attorney General, as well as information obtained by the Office of the Attorney General from law enforcement records, records of criminal and civil proceedings, victim and witness interviews, and publicly available information. The allegations described in this Report do not constitute findings of guilt. All individuals named or referred to in this Report are presumed innocent of any crimes unless and until they are proven guilty in a court of law, and any such convictions, where relevant, are indicated.

This Report contains detailed descriptions of allegations of sexual abuse and other sexual misconduct against children. The Office of the Attorney General and the Rhode Island State Police urge victims and any other persons with information regarding possible child sexual abuse or related crimes to call the State Police Special Victims Unit's dedicated clergy abuse hotline at **401-764-0142**.

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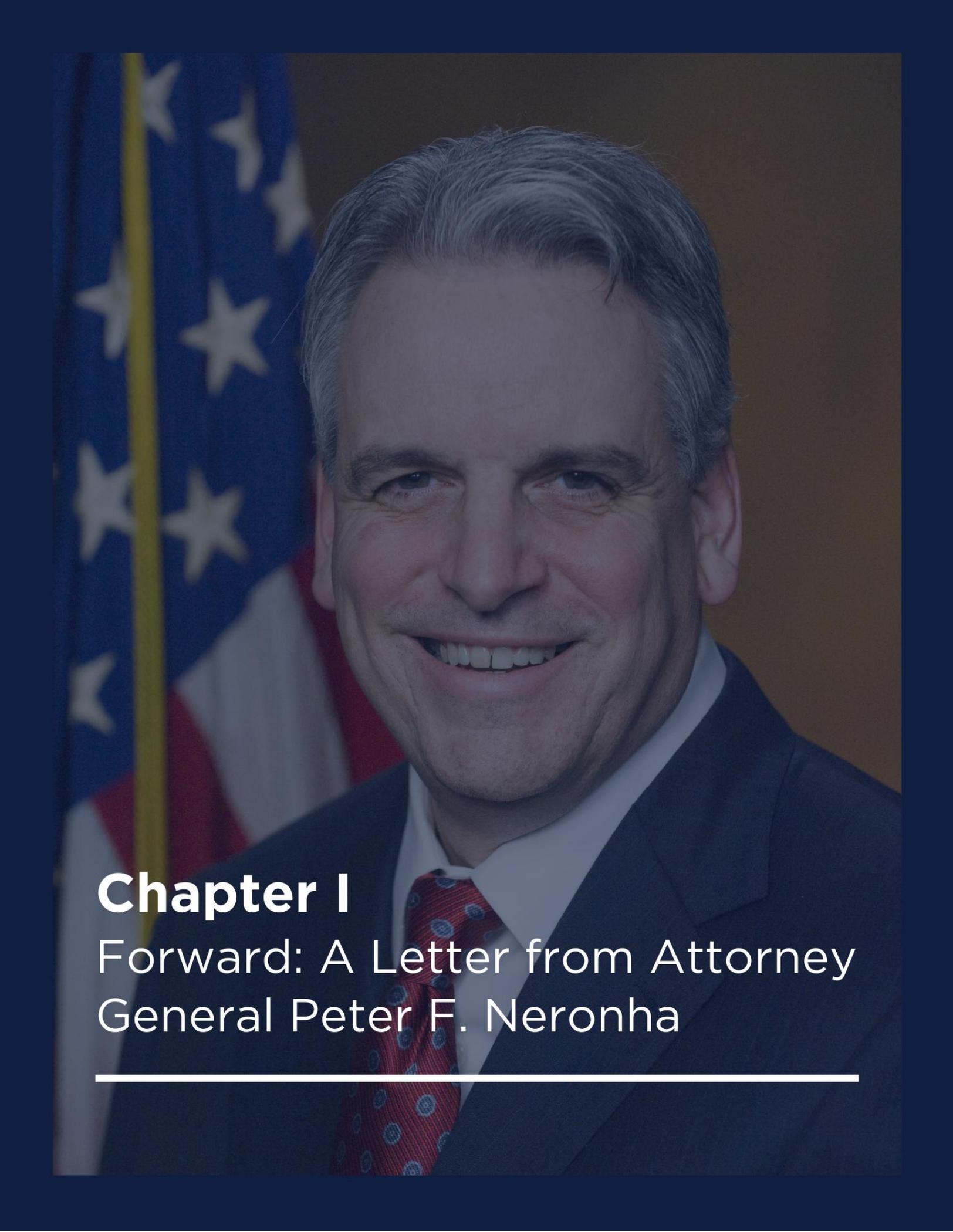
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A portrait of Attorney General Peter F. Neronha, a middle-aged man with grey hair, smiling. He is wearing a dark suit, a white shirt, and a red tie with a blue pattern. An American flag is visible in the background to the left. The image has a dark blue overlay.

## **Chapter I**

Forward: A Letter from Attorney  
General Peter F. Neronha

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## I. FOREWORD: A LETTER FROM ATTORNEY GENERAL PETER F. NERONHA

The sordid and shameful history of child sexual abuse in the Catholic Church spans generations and has affected communities across the globe. Despite its small size, our state is home to one of the largest Catholic populations per capita in the country, with over 39% of Rhode Islanders—more than any other state—self-identifying as Catholic. Victims of clergy sexual abuse in Rhode Island have come from every community, every ethnic group, and from all economic and social backgrounds. They are our neighbors, friends, and family members. **Generations of Rhode Island victims, their families, and others who have suffered the impacts of this trauma deserve to know the truth of what occurred.**

As Attorney General, I swore a duty to protect Rhode Islanders, and to represent the public interest.<sup>1</sup> While on a day-to-day basis that typically takes the form of representing our state in courtrooms, and advocating for laws and policies that will help improve our communities, on some occasions, representing the public interest has entailed informing and advising Rhode Islanders, through public reports, about matters of significant public concern. In particular, I have utilized this Office's reporting function in certain cases involving events and issues that substantially impact our communities and institutions; that have required significant time and public resources from this Office; and in which I believe this Office can uniquely contribute to the public's understanding about the matter at hand. Relatedly, I believe the public deserves a thorough explanation when it comes to investigations by this Office of potentially criminal conduct on matters of public concern, in which criminal charges may tell some, but not all, of the story.

The scourge of child sexual abuse by Catholic clergy in Rhode Island, which plagued our state for decades, if not longer, is one such matter that cried out for this Office's investigation and reporting. While much of the history of child sexual abuse in the Catholic Church is, by now, well known, a full reckoning of the damage caused by the Catholic Church in Rhode Island—and in particular by its main presence here, the Diocese of Providence—has been elusive. Civil cases brought by individual victims, criminal prosecutions of individual members of the clergy, and media reports have, over the years, offered Rhode Islanders some insight into the crisis here.<sup>2</sup> Still, those individual cases and stories have provided only partial glimpses at the deep institutional and personal failures that caused and sustained the serial, systemic sexual abuse of Rhode Island children by clergy in the Diocese of Providence. Not until now has there been a comprehensive review of this painful chapter in our state's history, with a view towards offering transparency, accountability, and systemic

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<sup>1</sup> See, e.g., R.I. Const. art. 9, sec. 12; *State v. Lead Industries Association, Inc.*, 951 A.2d 428, 470-474 (R.I. 2008).

<sup>2</sup> The term "victim" as used in this Report means the person alleging to have been subjected to sexual assault. See R.I. Gen. Laws § 11-37-1 (10). And "clergy" as used in this Report collectively refers to Diocesan priests and deacons, extern priests, and religious order members.



***From the start, this Investigation had four main goals:***

***(1) provide an account of child sexual abuse by clergy;***

***(2) understand the institutional response of the Church and Diocesan leaders to the abuse;***

***(3) identify those perpetrators who may still be prosecuted and bring those cases where legally feasible; and***

***(4) propose reforms and accountability measures that will help prevent these crimes from recurring.***

reforms that will, I hope, lessen the likelihood of future child sexual abuse, not just within the Diocese of Providence, but in our community as a whole.

In Rhode Island, as elsewhere, hundreds of victims of child sexual abuse perpetrated by Catholic clergy have endured severe consequences to their mental, physical, and spiritual health that have stayed with them long after the abuse has ended. And while the Diocese of Providence has taken important steps to acknowledge and address this tragedy and its failures, many victims and their families have long felt that it has not done enough. They are not wrong. As Attorney General, I committed to conducting a comprehensive investigation (“Investigation”) of child sexual abuse within the Diocese of Providence. From the start, this Investigation had four main goals: (1) provide an account of child sexual abuse by clergy; (2) understand the institutional response of the Church and Diocesan leaders to the abuse; (3) identify those perpetrators who may still be prosecuted and bring those cases where legally feasible; and (4) propose reforms and accountability measures that will help prevent these crimes from recurring. We took unprecedented steps and went to great lengths to uncover the truth and compile this account of what happened, and why.

None of this would have been possible without the courage and assistance of survivors, including those who bravely came forward and shared their experiences with the investigative team. Without them, this report (“Report”) would not be possible. It is my sincere hope that this Report provides a measure of healing for all those who have suffered from child sexual misconduct perpetrated by clergy in the Diocese of Providence.

**The Investigation, which began in July 2019, involved an examination of more than 250,000 pages of documents held by the Diocese dating back to 1950 (the “Review Period”), including personnel files, treatment reports, internal investigation records, Diocesan policies and procedures, and other materials. Because Rhode Island does not have a grand jury reporting statute—which I have advocated for in each of the last six legislative sessions—that would have allowed us to compel the production of documents and the testimony of Diocesan personnel to**

the grand jury, and then *report* on the grand jury's findings<sup>3</sup>, we were constrained to conduct a review that depended on the voluntary cooperation of the Diocese. The terms of that cooperation are set forth in the **July 22, 2019 Memorandum of Understanding** signed by Bishop Thomas J. Tobin and myself ("MOU"), attached to this report as Appendix D. As described more fully in the next chapter, to a large extent the Diocese cooperated with this review. However, its cooperation was not without important limits, or without delays, and it repeatedly refused my team's requests for interviews of Diocesan personnel responsible for overseeing the Diocese's investigations and response to child sexual abuse allegations. Nevertheless, the investigation was far reaching and produced incontrovertible evidence of decades of clergy child sexual abuse by Diocesan clergy, and inaction, concealment, and denial by Diocesan leadership, including bishops.

At the outset of the Investigation, my Office and the Rhode Island State Police ("State Police") created a hotline for anyone to report information about clergy child sexual abuse. Other survivors were identified in the Diocese's files and, when contacted, agreed to be interviewed for this Investigation. Some survivors came forward to tell their stories for the first time. Over the course of this Investigation, trained investigators from the State Police and this Office attempted to reach over 300 victims, and made contact with nearly 150 of them. **As a direct result of this Investigation, my Office, working with members of the State Police, brought criminal charges against four current and former priests for child sexual abuse they allegedly committed while serving in the Diocese.** All four were indicted; three, John Petrocelli, James Silva, and Kevin Fiset, are awaiting trial in Rhode Island courts on child sexual abuse charges,<sup>4</sup> and the fourth, Edward Kelley, was declared incompetent to stand trial and died at Eleanor Slater Hospital in 2022.

*Over the course of this Investigation, trained investigators from the State Police and this Office attempted to reach over **300** victims, and made contact with nearly **150** of them.*

**This Report confirms what we have long suspected, if not known:** for decades, when faced with credible allegations of abuse by Catholic priests, Diocese of Providence leaders focused their efforts on protecting priests and the reputation of the Church, rather than protecting children and holding the abusers accountable. **As**

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<sup>3</sup> Grand Jury proceedings are ordinarily secret and, unless the grand jury returns an indictment, the public is not entitled to learn about them. My proposed legislation is discussed in greater length in Chapter 10.

<sup>4</sup> Because they are still awaiting trial, this Report does not address the allegations against these individuals. They are presumed innocent unless and until they are proven guilty in a court of law.

**a result of inaction by bishops and other Diocesan leaders, predator priests were allowed to linger years, abusing their positions of authority and harming countless additional child victims.**

Our Investigation identified 75 clergy, including 61 Diocesan priests and deacons, 13 religious order members, and one extern priest, who have been credibly accused of “Sexual Misconduct Perpetrated Against a Child by Diocesan Personnel,”<sup>5</sup> and who reportedly abused over 300 victims during the Review Period. This includes 20 individuals whom the Diocese has, as of the time of the publication of this Report, failed to publicly identify. “Credibly accused,” as used here and elsewhere in the Report, means that an individual is the subject of one or more “Credible Allegation” as defined in the MOU, namely: “[A]n allegation of Sexual Misconduct Perpetrated Against a Child where there is a reasonable basis to believe that the alleged conduct more likely than not occurred, as determined by the Attorney General.”<sup>6</sup> These individuals are discussed both throughout this Report as well as in Appendix A, which summarizes the known allegations against each credibly accused member of the clergy, as well as the Diocese’s responses to those allegations.

In deciding whether to include an accused individual in this Report and Appendix A, we relied upon records received in response to requests for information from the Diocese, statements from victims and witnesses who agreed to be interviewed, police reports and related law enforcement records, and materials in the public domain – to the extent this information was available. In those cases where we were unable to adequately substantiate an allegation of abuse through witness interviews or other information, or where the available information was simply too scant or otherwise impossible to substantiate, we did not name the accused priest. That is not to say we found the allegation to be untrue, only that it could not be sufficiently substantiated to warrant its inclusion in this Report. We also considered the wishes of the survivors we interviewed, as well as the possibility that certain allegations we learned of might still be prosecuted in the future. These factors are not all-inclusive, and determinations were made on a case-by-case basis, guided by an overall approach of publishing only those details that are of legitimate concern to the public. Importantly, the inclusion of an allegation does not equate to the filing of a criminal charge, nor does it constitute a finding of guilt.

The true scope of the abuse is likely even greater than reported here, considering that many abuse survivors never come forward, while others are only able to do so many years after their abuse. Some survivors died before telling their stories,

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<sup>5</sup> “Sexual Misconduct Perpetrated Against a Child by Diocesan Personnel” is defined in the MOU, in pertinent part, as “any allegation or complaint . . . involving conduct against a person under the age of 18 at the time of the alleged incident,” which, if proven, would now constitute either (1) a criminal violation of Rhode Island laws targeting child sex offenses; (2) child abuse and neglect as that term is defined under Rhode Island law; or (3) “excessive, unwanted or inappropriate touching.” See Appendix D, § I.C. **The phrases child sexual misconduct and child sexual abuse are used interchangeably throughout this Report to refer to Sexual Misconduct Perpetrated Against a Child by Diocesan Personnel.**

<sup>6</sup> *Id.* § I.D.

while others have chosen to keep their stories private. Accordingly, this Office may supplement this Report with additional allegations against clergy, and we encourage all survivors of child sexual abuse by Catholic clergy or employees of the Diocese to report their abuse to the State Police or to this Office.

In the same month that my Office initiated this Investigation, the Diocese released a list of 51<sup>7</sup> Diocesan priests, deacons, and religious order priests, deemed by the Diocese to be “credibly” or “publicly accused” of sexually abusing children (“Credibly Accused List”).<sup>8</sup> The Credibly Accused List represents an important step towards healing for survivors and transparency for the public at large. But we also know from our Investigation that the Diocese has a history of failing to adequately document and investigate its received complaints, and that its Credibly Accused List is deficient in several important respects. **It is incumbent upon the Diocese to both immediately refer to law enforcement and independently investigate every allegation of abuse it becomes aware of, to ensure that, as a matter of full transparency, accountability, and public safety, the Credibly Accused List is as comprehensive as possible.** During this Investigation, Office of the Attorney General lawyers and investigators brought information to the attention of Diocesan leaders regarding priests whom they had not previously named. The Diocese subsequently added three additional priests to its Credibly Accused List,<sup>9</sup> and added a fourth priest to the list after he was arrested by the State Police for child pornography offenses in 2021.<sup>10</sup>

Included with this Report is an additional appendix, Appendix C, that lists extern priests and religious order members who, based on the records produced by the Diocese or other publicly available sources, served within the Diocese of Providence during the Review Period and are listed as credibly accused by another religious order or diocese. As of the time of the publication of this Report, this Office has not received information supporting a determination that any of the religious order and extern priests in Appendix C have been credibly accused of child sexual misconduct in Rhode Island. Still, Rhode Islanders deserve to know that these, too, are clergy members who lived and worked here and who have been identified as credibly accused elsewhere.

This Investigation did not produce evidence of any recent child sexual abuse by clergy. Recent complaints received by the Diocese and referred to this Office and to the State Police generally concerned abuse that reportedly took place decades ago. With the exceptions described above, most of these complaints, even if they related to living clergy, could not be prosecuted due to expired statutes of limitations. Still, in the case of active priests, we found that the Diocese did not always take adequate

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<sup>7</sup> Shortly after its initial release of 50 names, the Diocese added an additional name, Father Paul Desrosiers, to its Credibly Accused List.

<sup>8</sup> List of Credibly Accused Clergy in the Diocese of Providence, Diocese of Providence, <https://dioceseofprovidence.org/list-of-credibly-accused-clergy> (last visited Feb. 8, 2026).

<sup>9</sup> Fathers Edward Kelley, Joseph McCra, and Francis Santilli.

<sup>10</sup> Father James Jackson.

steps in response to these complaints. For example, we identified one priest, Father Francis Santilli, who had been accused of sexually abusing at least two children in the 1980s and who was serving in active ministry at a parish and school. Following a third, similar complaint in late December 2021 that pertained to alleged abuse in the late 1970s and early 1980s, this Office asked the Diocese what steps it would take in light of the priest's active ministry and proximity to children. In response, the Diocese removed him from ministry and added his name to its Credibly Accused List.

Additionally, as will be discussed extensively in this Report, we identified a number of instances within the past decade where the Diocese did not adequately respond to concerns regarding inappropriate conduct, and possibly grooming behavior, by clergy. In Chapters 8 and 9 of this Report, we highlight this deficiency and recommend strengthening Diocesan policies to ensure that such problems are addressed before another child is abused.

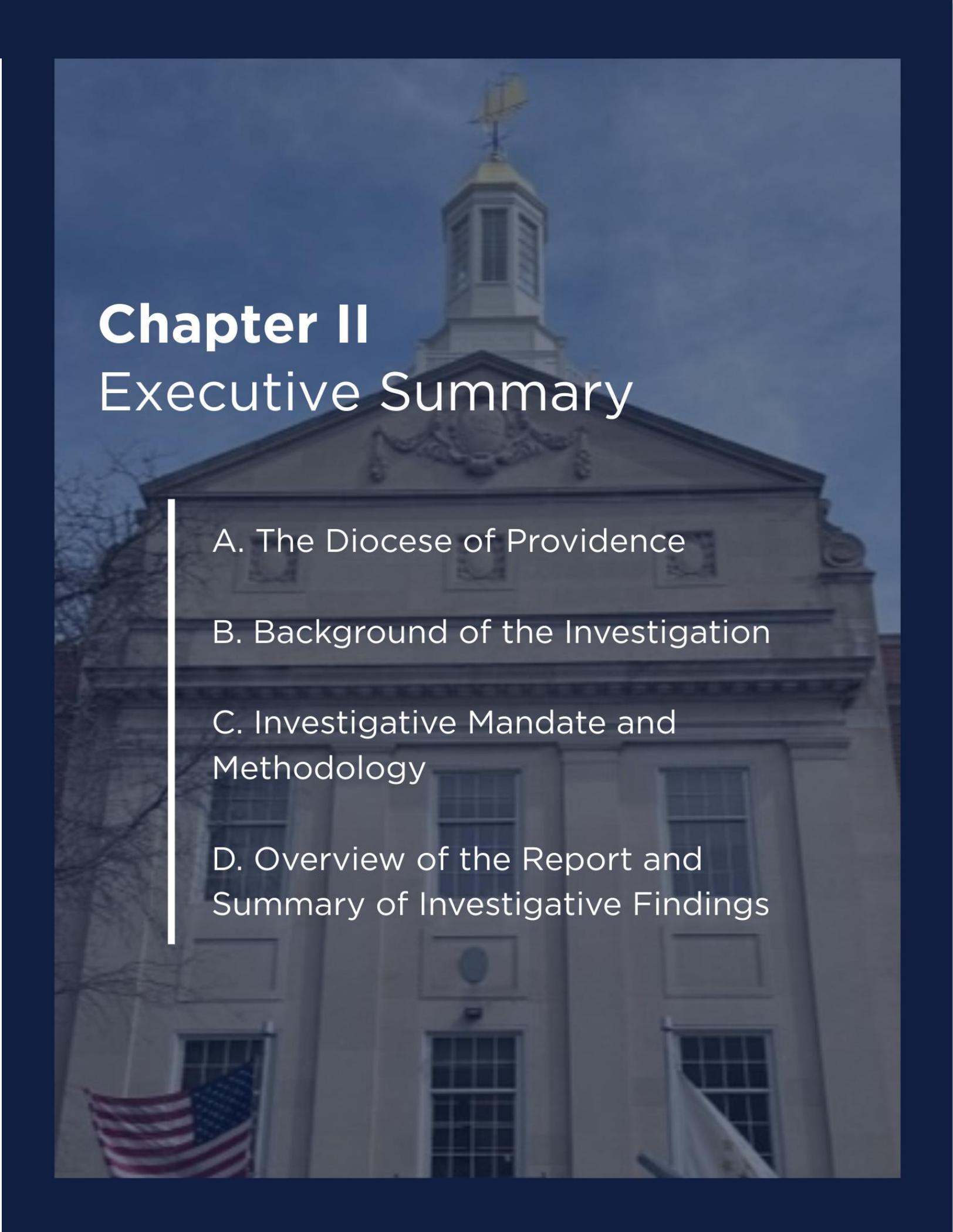
**This Report also identifies several gaps in the Diocese's current policies and practices in areas essential to child protection** including, for example, inadequate supervision of credibly accused clergy; a lack of clear written standards for internal investigations of clergy abuse complaints; insufficient documentation of records relating to those investigations and Review Board determinations; inadequate consideration of survivor's perspectives, in both failing to include survivors on its Review Board, and failing to consistently employ trauma-informed investigative techniques; and a lack of transparency regarding the full scope of credibly accused clergy who served in the Diocese. This Report recommends a number of remedial actions the Diocese should take to address these concerns.

Further necessary and lasting change must come from a collective resolve by the Catholic Church itself, government, and the public, to acknowledge the failures of the past while embracing bold, corrective action to ensure they are not repeated. As the state's top law enforcement official, I have no greater responsibility than protecting Rhode Island's most vulnerable residents. To that end, **this Report also proposes several targeted legislative reforms**, including expanding the criminal statute of limitations for second-degree sexual assault, expanding the civil statute of limitations for bringing claims arising from child sexual abuse against institutional defendants and enact a limited lookback window to revive expired claims, amending the mandatory reporting statute, and authorizing grand jury reports, which I believe are crucial to protecting the safety of our children and expanding legal accountability for perpetrators and their enablers.



PETER F. NERONHA  
ATTORNEY GENERAL





# Chapter II

## Executive Summary

- A. The Diocese of Providence
- B. Background of the Investigation
- C. Investigative Mandate and Methodology
- D. Overview of the Report and Summary of Investigative Findings

## II. EXECUTIVE SUMMARY

### A. The Diocese of Providence

The Diocese of Providence is a “geographic delineation for a community of hundreds of thousands of Roman Catholics who worship in the diocesan parishes and shrines” within the State of Rhode Island.<sup>11</sup> The Diocese was created in 1872 when it split from the Diocese of Hartford. According to the Diocese, there are presently **364 priests, 91 deacons, 368 religious sisters** and **66 brothers** serving in the Diocese, and more than **11,700 children** attend the Diocese’s elementary and high schools.<sup>12</sup> The Diocese is reportedly comprised of **178 individual corporations** representing the numerous parishes, offices, and agencies within it.<sup>13</sup>

The Diocese of Providence, like all dioceses, is led by a bishop. The power of the bishop within the Roman Catholic Church is vast and wide reaching. He is the most prominent public face of the Diocese, is the only member of the corporation known as the Roman Catholic Bishop (or “RCB”), is the “Ordinary” (the Church authority with executive power over a particular jurisdiction), and is the president of numerous parish corporations throughout the state. The bishop is “the chief legislator, executive, and judge in the diocese. He alone can legislate. He can exercise executive power personally or through vicars general or episcopal vicars. He can exercise judicial power personally or through a judicial vicar and judges.”<sup>14</sup> Diocesan priests must show reverence and obedience to the Pope and their bishop.



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<sup>11</sup> *About*, Diocese of Providence, <https://dioceseofprovidence.org/about-us> (last visited Dec. 31, 2025).

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Media Fact Sheet for Background Information*, Diocese of Providence <https://files.ecatholic.com/5523/documents/2024/8/Fact%20Sheet%20on%20Episcopal%20Appointments%202024.pdf?t=1722947484000> (last visited Apr. 4, 2025).

The following shows the Diocese of Providence Bishops who served during the Review Period and their respective terms of office:

<b>Bishop</b>	<b>Term</b>
Most Rev. Russell J. McVinney, D.D., LL.D.	July 14, 1948 – August 10, 1971 <sup>15</sup>
Most Rev. Louis E. Gelineau, D.D., J.C.L., S.T.L.	January 26, 1972 – June 11, 1997
Most Rev. Robert Mulvey, D.D., J.C.D.	June 11, 1997 – May 31, 2005
Most Rev. Thomas J. Tobin, D.D.	May 31, 2005 – May 1, 2023
Most Rev. Richard G. Henning, S.T.D.	May 1, 2023 – October 31, 2024 <sup>16</sup>
Most. Rev. Bruce A. Lewandowski, C.Ss.R.	May 20, 2025 – Present

In addition to the bishop, there are several other leadership roles within the Diocesan hierarchy that have been involved in the institution’s responses to allegations or suspicions of child sexual misconduct. These include the Auxiliary Bishop, Vicar General, Moderator of the Curia, Chancellor, Minister for Priests, and Director of the Office of Compliance (formerly the Office of Education and Compliance, or “OEC”). When this Report refers to the “Diocese,” it is generally referring to this hierarchy.

## **B. Background of the Investigation**

In 2018, a Pennsylvania grand jury report found that more than 300 Catholic priests across six Pennsylvania dioceses sexually abused children over seven decades and were protected by a hierarchy of Church leaders who covered it up. The investigation—one of the broadest inquiries into child sexual abuse in U.S. history—sent shock waves throughout the country. Attorneys General from multiple states, including Rhode Island, launched their own investigations into child sexual abuse by Catholic clergy. States have conducted their investigations and released their findings in different ways. Pennsylvania, for example, utilized the state’s grand jury reporting statute,<sup>17</sup> which permitted the grand jury to issue a report of its findings despite not

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<sup>15</sup> Most. Rev. Daniel P. Reilly served as the “Administrator” of the Diocese between the death of Bishop Russell McVinney and the succession of Louis Gelineau as the Bishop of Providence. An “Administrator” is “equivalent in canon law to a diocesan bishop, and functions largely in the same way as the diocesan bishop, but he is restricted by canon law in making certain major acts (such as selling diocesan real estate).”

*Media Fact Sheet for Background Information, Diocese of Providence*, <https://files.ecatholic.com/5523/documents/2024/8/Fact%20Sheet%20on%20Episcopal%20Appointments%202024.pdf?t=1722947484000> (last visited Apr. 4, 2025).

<sup>16</sup> Msgr. Albert A. Kenney served as the Diocesan Administrator between Richard G. Henning’s installation as Archbishop of Boston on October 31, 2024, and the succession of Bruce A. Lewandowski as the Bishop of Providence.

<sup>17</sup> See 42 PA Cons. Stat. § 4552.

indicting the clergy and others named within the report. No such statute exists in Rhode Island, and thus, grand jury investigations are strictly confidential.<sup>18</sup> Only indictments resulting from grand jury investigations become public. For this reason, **a grand jury investigation of the Diocese would not provide the full accounting** that the public deserves.

**For the past six years, the Attorney General has sought legislative authority for grand juries to issue public reports on their findings.** Such legislative reform would have permitted this Office to move quickly and use compulsory process to summons witnesses and obtain documents rather than rely on voluntary disclosures by the Diocese. Most importantly, it would allow the public to review any subsequent grand jury report. In the absence of such legislation, and in the interest of providing Rhode Islanders with a comprehensive understanding of the extent of this crisis, the Attorney General did not empanel a grand jury (with some exceptions described in this Report) and instead utilized the resources of this Office to conduct the Investigation and ultimately produce this Report. To effectuate this, the Attorney General and the Diocese entered into a Memorandum of Understanding (“MOU”) on July 22, 2019. To understand this Report, it is important to first understand the terms of that agreement, which is attached to this Report as Appendix D.

The MOU required the Diocese to provide this Office with files in their possession relating to allegations of “sexual misconduct against a child” by clergy or other personnel dating back to January 1, 1950. Such files included those maintained in the Diocese’s Chancery, as well as those maintained by the Diocese’s investigatory unit, the Office of Compliance (formerly the Office of Education and Compliance, or the “OEC”). It authorized this Office to review responsive documents, including personnel files, policies, procedures, training materials, investigatory files, and other documents. The MOU also permitted the Attorney General to request additional records from the Diocese to ensure that all responsive materials were made available for review.<sup>19</sup> The MOU authorized the Attorney General to use the records and information provided by the Diocese to issue this public Report describing the records and any findings, conclusions, or subsequent legal actions taken as a result of the Office’s review.”<sup>20</sup>

### **C. Investigative Mandate and Methodology**

The Attorney General sought the production of Diocesan files to complete a review of said records in order to: (1) identify any prosecutable cases; (2) identify any credibly accused clergy in active ministry; (3) provide input into improvements of the Diocese’s current policies and procedures for preventing and responding to allegations of sexual misconduct against a child and the Diocese’s cooperation with law enforcement; (4) compile information to create as complete a record as possible

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<sup>18</sup> See R.I. R. Crim. P. 6(e); see *also* R.I. Gen. Laws § 12-11.1-5.1.

<sup>19</sup> Appendix D, § II.F.

<sup>20</sup> *Id.*, § IV.A.

of clergy child sexual abuse in the Diocese; and (5) document the Diocese's responses to complaints of clergy abuse during the Review Period.

Pursuant to the MOU, **this Office received Diocesan files spanning three-quarters of a century** relating to allegations of sexual misconduct against a child by Diocesan personnel. These records included what is known as the “secret archive” files;<sup>21</sup> records of internal investigations conducted by the Diocese; civil litigation materials; treatment records of accused priests; certain financial records pertaining to civil settlements in clergy child sexual abuse cases and treatment costs; Diocesan policies, procedures, and training manuals; meeting agendas; victim files; personnel charts; and other documents and internal communications related to clergy sexual misconduct with children. In addition to records received pursuant to the MOU, the Office reviewed records from many other sources, including law enforcement reports; reporting letters from the Diocese; files maintained by this Office; open-source media reports and publications; press releases; and records gathered by complainants and victim advocacy organizations. We also reviewed reports issued by Attorneys General across the country who have conducted similar investigations of clergy sexual abuse in their respective states.<sup>22</sup>

*Over the course of the Investigation, members of the Office and the State Police **contacted nearly 150 survivors** of clergy child sexual abuse, including multiple interviews and other communications, and attempted to contact many more.*

The Office worked closely with the State Police Special Victims and Major Crimes Units throughout the Investigation. At the outset of the Investigation, the Office and the State Police opened a hotline, staffed by trained State Police detectives, to provide a channel for anyone to confidentially report information on clergy sexual abuse. To spread the word, the Office issued public communications encouraging willing survivors to come forward and report their experiences. Over the course of the Investigation, members of the Office and the State Police **contacted nearly 150 survivors** of clergy child sexual abuse, including multiple interviews and other communications, and attempted to contact many more. *If a survivor is named in this report, it is done with their explicit authorization.*

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<sup>21</sup> The “secret archive” is a repository within each diocese for confidential and sensitive documents, including those pertaining to clergy misconduct.

<sup>22</sup> Investigators reviewed reports on child sexual abuse in dioceses and archdioceses produced by Attorneys General and others in Colorado, Georgia, Illinois, Iowa, Kansas, Maryland, Michigan, Missouri, Nebraska, New Hampshire, Pennsylvania, Vermont, and West Virginia.

Attorneys and staff from the Office met regularly with detectives to exchange information in an effort to identify, investigate, and prosecute viable criminal cases and to provide context and information for this Report. Additionally, when the Investigation uncovered a potentially prosecutable case, the name of the accused individual and all relevant files, including those secured under the MOU, were provided to the State Police. The State Police worked with prosecutors in the Office's Special Victims Unit to investigate these matters.

Although the Investigation sought to compile as complete a record as possible of the extent of clergy child sexual abuse in the Diocese, **we suspect that the files that we reviewed do not contain all incidents of such abuse in the Diocese.** The Investigation made clear that, particularly prior to the 1990s, clergy child sexual abuse was not routinely documented in priests' files, and allegations were often referred to in euphemistic terms that concealed the true nature of the abuse. Even after the 1990s, many personnel files of accused priests were deficient. Some files lacked records from Review Board meetings, correspondence between the Board and the bishops, Board credibility determinations, certain documents relating to investigative outcomes, and correspondence with survivors. Others contained only a few of the materials listed above. Still others contained illegible and undated handwritten notes. We also noted those instances where one would expect to see records, but none were produced.

**There was also evidence of a Diocesan policy or practice of destroying confidential files following priests' deaths** unless there was pending litigation involving the priests. For example, during our review, we found memoranda from 2002 from OEC Director Robert McCarthy regarding two different priests, noting that pursuant to the Diocese's file policy, their confidential files were destroyed upon the priests' deaths. Yet counsel for the Diocese also represented to us during this Investigation that the Diocese did not destroy such files. Some of the facilities to which accused priests were sent for evaluation or treatment similarly recommended that their reports be destroyed and not placed in priests' personnel files. Diocesan records confirm that pages from at least one such report were in fact destroyed, and there may have been others.<sup>23</sup> Other documents were removed by the Diocese from accused clergy's files based on a claim of attorney-client privilege.

**The Investigation also encountered a concerning death of records documenting supervisory Diocesan officials' awareness of misconduct by some clergy, despite extended periods of horrific abuse of multiple individuals.** This

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<sup>23</sup> A handwritten note signed by Monsignor William Varsanyi states that pages from a 1983 report from the House of Affirmation regarding Father Paul Charland were destroyed at the request of the neuropsychologist at the treatment center. These pages are not in the documents produced by the Diocese to this Office. The final page of the same report states: "It is our present policy at the House of Affirmation to recommend that Superiors to whom progress reports are sent, destroy these reports after the resident's discharge. For reasons of future confidentiality, we suggest that these reports should not be seen as part of his permanent records, since the original release form was signed acknowledging you alone as its recipient."

suggests that Diocesan leaders were either somehow, remarkably, unaware that members of its clergy were committing repeated acts of sexual abuse of multiple children in its community, or they were aware but did not create, retain, or produce records memorializing their knowledge and responses.

To ensure that we performed an exhaustive review of relevant materials, this Office made numerous requests for additional documents and information, in accordance with the MOU. The Diocese largely cooperated and responded to most of these requests. On some occasions, however, the Diocese refused to provide information and materials based on an assertion of privilege or provided incomplete or inadequate answers to this Office's inquiries. Other times, the Diocese failed to produce responsive files until our specific follow-up queries about those files. The Diocese also frequently missed the deadlines set by this Office for responding to our requests. These obstacles delayed the completion of the Investigation and, ultimately, limited certain aspects of this Report. Such delays, and lingering questions regarding the completeness of the Diocese's productions, may have been avoided had we used the compulsory process of the grand jury. As already discussed, however, in the absence of a grand jury reporting statute, we would not have been able to make any of our findings public.

**Lastly, we must note one other significant limitation to our Investigation, also of the Diocese's own making: its repeated refusals to make any Diocesan personnel available for in-person interviews with representatives of this Office, which we sought to fill in open questions and factual gaps, and obtain more detail about the Diocese's handling of clergy abuse.** That refusal raised troubling questions about current Diocesan leadership's actual cooperation and commitment to transparency on the issue of child sexual abuse. It also presented a basic methodological constraint: written documents, while a critical source of information (especially in a historical review such as this one), are limited to what their authors deemed appropriate to record. Interviews enable investigators to probe beyond that paper trail for further context and information, including information about informal decision making and unwritten practices. While many individuals involved in the Diocese's historical response are deceased, others are still living, as are the majority of persons who have played a role in the Diocese's more recent handling of clergy abuse matters. **Denied by the Diocese the opportunity to speak with any of those important officials and staff as part of this Investigation—and without the power to compel and publicly report on their testimony in the absence of a grand jury reporting statute—this Report is necessarily limited in large part to what the Diocese's own records reflect about its past and present responses.**

In the end, while we cannot be sure that we saw every document that once contained a child sexual misconduct allegation, or every file of an accused priest, this Investigation was extensive, intricate, and unprecedented in Rhode Island. And the occasional missing piece does not obscure the overall, inevitably damning conclusion: Diocesan clergy sexually abused children, and their superiors, including bishops, often became aware of the abuse, or at the very least suspected it was happening. And those same superiors, including bishops, failed to take the allegations sufficiently

seriously so that additional children would be protected from further abuse by Diocesan clergy.



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## **D. Overview of the Report and Summary of Investigative Findings**

This Report comprises eleven chapters, including the Attorney General's Letter, this Executive Summary, and an epilogue. **Chapter 3** provides an overview of the relevant Rhode Island criminal statutes applicable to sexual abuse of children and sexual misconduct. It also explains how the legal elements of these statutes, and the applicable statutes of limitations, changed over time. These changes in the law often made the prosecution of accused priests who were still living at the time that the accusations were brought impossible.

One of the primary purposes of this Office's Investigation was to determine whether any perpetrators of clergy child sexual abuse could still be criminally charged for their crimes. As detailed in Chapter 3, as a direct result of this Investigation, four Catholic priests were arrested and indicted for child molestation and/or sexual assault while serving as clergy in the Diocese of Providence: Fathers John Petrocelli, Edward Kelley, James Silva, and Kevin Fiset. Three are awaiting trial in Rhode Island courts. They are presumed innocent of all charges unless and until they are proven guilty. Father Edward Kelley was deemed incompetent to stand trial in 2022 and died shortly thereafter. In 2021, the Rhode Island State Police arrested a fifth priest, James Jackson, of the Priestly Fraternity of St. Peter religious society, who served as a pastor at St. Mary's Catholic Parish in Providence, for possessing and transferring child pornography. Jackson pled guilty in June 2023 to a charge of receipt of child pornography and was sentenced in federal district court to six years in prison followed by a term of five years of probation. The Diocese subsequently added his name to its Credibly Accused List.

This Report also contains an appendix, **Appendix A**, that provides information relating to each of **72 clergy** determined by the Attorney General to have been credibly accused of child sexual misconduct in the Diocese of Providence.<sup>24</sup> In deciding whether to include accused clergy in this Report, the Office relied mainly upon personnel files and internal records provided by the Diocese, as well as law enforcement records, records of criminal and civil proceedings, victim and witness interviews, and publicly available information. Sometimes, investigators identified potential perpetrators, but the available information was too scant, indeterminate, or otherwise impossible to substantiate sufficiently to be able to include the names or details of the allegations against these individuals in this Report.

Each summary in Appendix A includes, where possible: (1) a synopsis of documented allegations of child sexual misconduct; (2) the approximate date and location of the abuse; (3) the age and sex of the victim; (4) the accused's assignment history; (5) the status of the priest or deacon; (6) the date(s) the abuse was reported to the Diocese; (7) the Diocese's response to the abuse, including whether the Diocese took any action against the priest, such as transferring him to a new parish or diocese, restricting his authority, preventing his access to children, sending him for psychological evaluation or treatment, or removing him from ministry; (8) whether the Diocese investigated the allegation or referred the allegation to law enforcement; and (9) whether the Diocese placed him on its Credibly Accused List. In describing the abuse, we sought to strike a balance between providing sufficient detail to adequately convey the gravity of the misconduct — particularly considering the Church's history of sanitizing these events — and respecting the dignity and privacy of survivors. We also considered the interests of the accused. **Equally important to understanding the nature of the reported abuse was documenting and describing the Diocese's institutional response, or lack thereof, to the abuse.**

Where the allegations of child sexual misconduct concerned living priests, the Office afforded those priests an opportunity during this Investigation to respond to the allegations, and those responses have been included in the summaries appended to this Report. Some priests did not respond at all, while others categorically denied the allegations against them. In most cases, the accusations of wrongdoing have not been proven in a court of law. Consequently, unless otherwise indicated, the allegations described in this Report do not constitute criminal charges or findings of guilt.

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<sup>24</sup> As previously noted, the phrases “child sexual misconduct” and “child sexual abuse” as used in this Report mean “Sexual Misconduct Perpetrated Against a Child by Diocesan Personnel” as defined in the July 2019 Memorandum of Understanding (MOU) between Attorney General Neronha and Bishop Tobin. See Appendix D, § I.C. Likewise, “credibly accused” as used here and elsewhere in the Report means that an individual is the subject of one or more “Credible Allegation” as set forth in the MOU, namely: “[A]n allegation of Sexual Misconduct Perpetrated Against a Child where there is a reasonable basis to believe that the alleged conduct more likely than not occurred, as determined by the Attorney General.” *Id.*, § I.D.



*This Investigation revealed that the five priests who are alleged to have sexually abused the most children were: **Fathers O’Connell** with **23** victims, **Smyth** and **Robert Marcantonio** each with **17** victims, **Edmond Micarelli**, with **16** victims, and **Michael LaMountain** with **12** victims.*

Additionally, although investigators encountered several reports of clergy who took advantage of their positions of trust and authority to engage in inappropriate sexual relationships with vulnerable young adults who were around or over the age of 18, these clergy are not named in this Report unless any of the other allegations made against them clearly involved minors under the age of 18. Similarly, although we reviewed several allegations against priests and deacons involving sexual misconduct with adults, adult pornography, solicitation, or other financial crimes that fell beyond the scope of the MOU, these allegations are not included in the Report unless they related directly to allegations of child sexual misconduct.

While this Report focuses predominately on the actions (or inaction, as the case may be) of Diocese of Providence clergy and leadership, we also encountered limited information relating to complaints of child sexual misconduct committed by non-Diocesan religious order and extern priests who worked in Rhode Island. The records that the Diocese produced reflecting this information was often more limited; the personnel records of religious order and extern priests are kept by their respective orders and dioceses, not the Diocese of Providence, and those other entities were not parties to the MOU and had no obligation to produce those files to this Office. Still, where investigators were able to use the information available to this Office to examine and substantiate a complaint against a religious order or extern priest concerning alleged sexual misconduct committed in Rhode Island, those details were also included in Appendix A and this Report, provided there was sufficient information to do so.

**Chapter 4** explores the scope of the clergy sexual abuse crisis in the Diocese of Providence. The Investigation **identified over 300 documented victims who reported allegations of child sexual misconduct against 75 clergy**. Though the vast majority of known victims were boys, both boys and girls were abused, and most were in their early teens at the time of the reported abuse.<sup>25</sup> Some parishes were assigned multiple accused priests, and a few had more than one at the same time.

A single priest, Brendan Smyth, allegedly sexually abused at least 17 children over the course of his three-year ministry in Rhode Island, and another, William

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<sup>25</sup> This was calculated by using the age of the complainants when the alleged sexual abuse began.

O’Connell, allegedly sexually abused over 20 during his time as a priest. This Investigation revealed that the five priests who are alleged to have sexually abused the most children were: Fathers O’Connell with 23 victims, Smyth and Robert Marcantonio, each with 17 victims, Edmond Micarelli with 16 victims, and Michael LaMountain, with 12 victims.

The accused priests took advantage of their positions of trust and authority as Catholic clergy for their own sexual gratification. They betrayed the faith and reverence placed in them by parishioners and parents who unwittingly gave them access to their children. They targeted children who were especially vulnerable to isolation and manipulation, including children from troubled homes and children who served as altar boys or attended Catholic schools or youth programs. Many committed horrific acts of sexual abuse in parishioners’ homes, churches, rectories, Catholic schools, and a Catholic-run foster care facility.

Our review also revealed that the **Diocese’s failure to timely and adequately respond to and report allegations** of child sexual misconduct by its clergy likely resulted in the sexual abuse of additional children. Based on the documents the Diocese *itself* provided, we identified at least 13 priests who were accused of abusing over 40 children, under circumstances where it appears the Diocese had some prior notice of possible child sexual misconduct by those same priests—but instead of removing those priests and taking steps to separate them from the priesthood entirely, the Diocese simply transferred them to other parishes (or permitted them to remain at their posts), where they reportedly abused more children. And the actual figures are likely far higher, given how unlikely it is that the Diocese memorialized each and every occasion when it became aware of a clergy abuse complaint.

**The consequences of the clergy sexual abuse crisis in the Diocese of Providence are immeasurable.** Survivors suffered long-term mental, physical, and behavioral health effects, including post-traumatic stress, depression, anxiety, addiction, mental health disorders, chronic physical pain, and legal problems. Survivors spoke of stolen childhoods, broken relationships, drug and alcohol abuse, and attempted suicides. Others reported enduring problems with intimacy and relationships. Still others experienced professional, financial, and economic difficulties. **For many, the damage was irreparable, and in many cases, the Diocese could have prevented it.**

Clergy sexual abuse in Rhode Island appears to have peaked in the 1960s and 1970s and to have declined since. The most recent documented incident of clergy sexual abuse of a child in the Diocese of Providence reportedly occurred in 2011. Although there have been many more recently reported cases, those reports concerned instances of child sexual abuse that occurred many years ago. However, due to the well-documented phenomenon of delayed reporting in child sexual abuse cases, it is also quite possible that abuse perpetrated in recent years has not yet been disclosed.

**Chapters 5 and 6** explore the Diocese’s historical response to child sexual abuse allegations. These sections discuss systemic failures by Church authorities in

handling abuse complaints and protecting its most vulnerable adherents, particularly before the 1990s. We examine how, for much of the Review Period, senior Diocesan leaders prioritized protecting the reputation of the Church and its priests over the welfare of children. Complaints were frequently managed internally to keep the scope of the abuse secret, limit the exposure of the larger institution, and avoid transparency and accountability.

These systemic failures perpetuated a culture where clergy sexual abuse not only occurred on a large scale but persisted longer than should have ever been possible. The similarities between the child sexual misconduct revealed during this Investigation, and the misconduct exposed in other reports on clergy sexual abuse released by Attorneys General in recent years, are striking. These similarities span the nature of the alleged abuse, the characteristics of the victims, the response by the Diocesan leadership, and the approach to complainants. Our Investigation found that Diocesan leaders knew of clergy abuse complaints from at least the earliest part of the Review Period in the 1950s, if not earlier. Yet time and time

again, the Diocesan records show that its leaders failed to properly investigate abuse complaints, failed report the abuse to civil authorities, and failed remove accused priests from positions where they had access to children. **Instead, they went to great lengths to keep the abuse secret.** Known child sexual abusers were frequently transferred by bishops to new parishes in Rhode Island or elsewhere, where in some instances they continued to sexually abuse children. Other accused priests were sent away for periods of “treatment” or “sabbaticals” before being transferred to a new appointment. Several priests who were accused of child sexual abuse were moved by bishops on multiple occasions. Others were granted “medical leave” or “administrative leave” and Diocesan officials placed restrictions on their ministry, obscuring the existence of child sexual abuse allegations against them from the public. Rarely were these measures effective in preventing accused priests from having access to children. Rather, they permitted accused priests to remain in positions where they could, and at times did, victimize additional children.

Further, bishops and senior Diocesan leaders often showed great deference towards accused priests, while displaying bias against victims and their families; they also exhibited a misplaced reliance on treatment facilities to “cure” accused priests, and ignored warnings from treatment providers about accused priests’ risk of recidivism. The Diocesan records show that Diocesan personnel historically obscured

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abuse allegations through euphemisms, and by conflating child abuse with spiritual and moral “failures,” “boundary” violations, and unrelated psychological “problems.” Too often, internal investigations were flawed and incomplete, with untrained Church officials frequently doing little more than speaking with the complainant and accused priest. All too often, the records revealed that the Diocese was skeptical of the victims, deferential towards accused clergy, and sought to discredit survivors.

Perhaps the most fundamental failure was the historical refusal by Diocesan leaders to recognize and treat child sexual abuse as a crime that should be referred to law enforcement and other civil authorities. For much of the Review Period, that refusal was categorical, with Church officials discouraging reporting and invoking religious doctrines to justify withholding evidence of child sexual abuse from law enforcement. It was not until the 1990s and 2000s that the Diocese began referring more such complaints to law enforcement for appropriate criminal investigation and potential prosecution. Even then, however, and for years thereafter, the Diocese maintained a public position that it would refer to civil authorities those complaints of child sexual abuse alleged to have occurred since 1979 (the generally effective cut-off date for a viable prosecution of child sexual abuse, given applicable statutes of limitations), which obscured the fact that most reported instances of clergy abuse occurred *before* then. The Diocese did not *consistently* refer all abuse allegations that were not already subject to Rhode Island’s mandatory reporting statute until 2016, when it entered into a Letter of Understanding with this Office in which the Diocese committed to reporting *all* clergy abuse complaints to this Office and the State Police.



*Yet time and time again, the documents produced by the Diocese show that they failed to properly investigate abuse complaints, report the abuse to civil authorities, or remove accused priests from positions where they had access to children. **Instead, Diocesan leaders went to great lengths to keep the abuse secret.***

For decades, bishops were largely successful in their efforts to cover-up clergy sexual abuse within the Diocese. By the 1990s, in the wake of the public exposure caused by the arrests of multiple Catholic clergy for child sexual abuse in Rhode Island and across the nation, and the rise of civil litigation against Church leaders, the Diocese was forced to change its practices. This resulted in the formulation of the first written Diocesan policies and procedures for responding to accusations of clergy

sexual abuse, and the 1993 creation of the Office of Education and Compliance to investigate reports of sexual misconduct by clergy.

**Chapter 7** recounts the Diocese’s implementation of structural and procedural reforms to its handling of allegations of clergy sexual abuse of children. As noted, these reforms began in the 1990s with the creation of the OEC and continued in the early 2000s. In 2002, in the wake of the *Boston Globe* Spotlight team’s reporting on clergy abuse in the Archdiocese of Boston, and the national outcry that followed, the U.S. Conference of Catholic Bishops (“USCCB”) met in Dallas, Texas, and adopted the *Charter for the Protection of Children and Young People*, commonly referred to as the “Dallas Charter” or “Charter.” The *Dallas Charter*, along with the *Essential Norms*<sup>26</sup> approved by the Vatican, set forth new procedures for the Catholic Church in addressing allegations of child sexual abuse by clergy in the U.S. At the centerpiece of the *Dallas Charter* was the adoption of a “zero tolerance” policy for child sexual abuse: when even a single act of sexual abuse by a priest or deacon, “whenever it occurred,” is admitted or established after an appropriate canonical process, the offending priest or deacon must “be permanently removed from ministry and, if warranted, dismissed from the clerical state.”<sup>27</sup> The *Charter* also mandated that each

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diocese convene an independent advisory board comprised of a majority of laypersons to review allegations of abuse and advise the Bishop on appropriate action; provide extensive training; conduct background checks of clergy and laypersons interacting with children throughout the Church; undergo regular auditing to determine compliance; and communicate with the public about child sexual abuse by clergy in an “open and transparent” manner. The mandates of the *Dallas Charter* and the *Essential Norms* were broad, however, leaving individual dioceses with wide latitude to construct and implement their own specific policies and procedures.

In response, the Diocese of Providence modified its policies and procedures to implement the *Dallas Charter’s* broad principles. Among those improvements, the Diocese established an Advisory Board for the Protection of Children and Young People (“Diocesan Review Board” or “Review Board”), which included lay subject-matter experts, to hear and assess allegations of child sexual abuse and recommend

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<sup>26</sup> The *Essential Norms* constitute canon law for the dioceses in the United States.

<sup>27</sup> Charter, art. 5; Essential Norms, § 8.

appropriate courses of action to the Diocese. And it created an office dedicated to providing pastoral care to victims, their families, and affected members of the faith community, and hired a licensed professional psychologist to lead victim assistance efforts.

Based on the records we reviewed, the Diocese's responses to reported child sexual abuse allegations certainly improved in the late 1990s and early 2000s, whether due to the *Charter*, or out of necessity. Regardless, whereas historically, known accused priests were permitted to remain in ministry after periods of "treatment" or "sabbaticals" or upon transfer to new assignments in other parishes or dioceses, beginning in the 1990s, accused priests were generally placed on administrative leave and prohibited from ministry while complaints were investigated, and steps were taken to remove them from ministry if abuse complaints were substantiated as credible.

Still, our Investigation found that even after 2002, the Diocese's responses to complaints of sexual misconduct by clergy remained spotty and inadequate. As already noted, the Diocese continued to underreport complaints of clergy abuse to law enforcement until the 2016 Letter of Understanding between the Diocese and the Office of the Attorney General effectively addressed the issue. Despite the *Dallas Charter's* "zero tolerance" policy, the Diocese also did not consistently refer accused priests to the Vatican for their potential permanent removal from the priesthood. Rather, bishops permitted some credibly accused priests to quietly retire, resign, or remain on lengthy leaves of absence, without notifying the public of known allegations of child sexual abuse made against them. Other priests were allowed to retire or resign with honorable titles, despite being the subject of child sexual abuse complaints. Some credibly accused priests remain in the priesthood to this day, essentially unsupervised, yet financially supported by the Diocese.

Additionally, the Diocese also typically did not investigate allegations received and made against religious order priests or extern priests who ministered in the Diocese of Providence; instead, it referred those allegations to the priests' orders or home dioceses. In other instances, the Diocese dismissed third-party and anonymous allegations of abuse and made little effort to interview the reported victim or accused priest about these allegations. Similarly, reports of grooming were sometimes dismissed without additional investigation. Our Investigation revealed that the failure to sufficiently investigate allegations led the Diocese to leave credibly accused priests in ministry longer than they should have been. The persistence of some of these issues into the early 2000s and beyond are discussed in **Chapter 8**.

**Ultimately, this Investigation found that the Diocese has meaningfully improved its policies and procedures for responding to reports of sexual abuse in recent years.** Again, civil reporting practices drastically improved after the execution of the 2016 Letter of Understanding between the Diocese and this Office under then-Attorney General Peter Kilmartin ("LOU"). Since the implementation of that agreement, the Diocese reports all allegations of child sexual abuse to law enforcement, regardless of whether the victim is a minor at the time the complaint is made, and regardless of any credibility determination by the Diocese. Importantly, to

the best of this Office's knowledge, under the stewardship of Director Kevin O'Brien, the Office of Compliance has appropriately reported child sexual abuse allegations to this Office and to the State Police. In fact, Director O'Brien referred multiple allegations which, according to records produced by the Diocese, his predecessor did not report.<sup>28</sup>

In addition, the Diocese's present procedures for reporting and responding to clergy abuse allegations are prominently displayed on the Diocese's website. The Diocese also lists on its website the names of credibly accused priests and some religious order members who ministered within the Diocese, though, as we contend in this Report, the list is deficient. The Diocese has also adopted a more pastoral approach towards victims, many of whom have received significant assistance and compensation in the form of reimbursement for therapy and counseling, and other benefits.

***The Investigation has identified certain gaps that persist in areas essential to child protection, including: the Diocese's failure to monitor and supervise accused priests; failure to recognize and address grooming behaviors; a lack of clear investigative guidelines and timeframes; inadequate recordkeeping of the Review Board; and continued lack of transparency when it comes to identifying accused priests and accurately reporting the Diocese's response to allegations.***

**However, there is still considerable room for improvement. Chapter 8** of this Report identifies the Attorney General's concerns with the Diocese's more recent policies, practices, and procedures for preventing and responding to complaints of child sexual misconduct. This Office requested to meet with Diocesan officials on multiple occasions to gain a more fulsome understanding of those policies and practices and their implementation. Our requests were repeatedly and inexplicably rebuffed. Nevertheless, **the Investigation has identified certain gaps that persist in areas essential to child protection**, including: the Diocese's failure to monitor and supervise accused priests; a failure to recognize and address grooming behaviors; a lack of clear investigative guidelines and timeframes; inadequate recordkeeping of the Review Board; and continued lack of transparency when it comes to identifying accused priests and accurately reporting the Diocese's response to allegations. Chapter 8 provides an in-depth explanation of these deficiencies and provides examples drawn from the Diocesan files we reviewed.

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<sup>28</sup> For example, in 2018, Director O'Brien reported allegations against Fathers Roger Belhumeur and Joseph D'Angelo to the Rhode Island State Police after discovering that law enforcement may not have been previously notified of the abuse by the Diocese.

**Chapter 9** outlines a set of recommendations to improve the Diocese’s prospective handling of child sex abuse allegations and investigations, survivor supports, and transparency and accountability. Specifically, we recommend that the Diocese, among other things:

1. Establish a monitoring program for credibly accused clergy;
2. Strengthen preventive measures, such as requiring regular nationwide background checks for all clergy, and investigating and disciplining grooming behaviors;
3. Improve and expand Diocesan policies and procedures for internal investigations of sexual misconduct complaints, including clear deadlines, meaningful oversight, and the use of trauma-informed investigative practices;
4. Tighten oversight of religious order and extern priests;
5. Update and formalize the policies of the Review Board, which should include at least one victim representative;
6. Expand Diocesan policies to more clearly, and expansively, protect vulnerable adults;
7. Reestablish a survivor compensation program administered by a neutral third-party;
8. Adopt a survivors’ rights policy; and
9. Improve transparency by (1) expanding the currently published Credibly Accused List and (2) creating an online document repository for key records relating to the Diocese’s past and present response to the abuse crisis.

**Finally, and of critical importance, we recommend that the Diocese enter into a revised Letter of Understanding with the Attorney General’s Office.**

Currently, the LOU requires the Diocese to report to this Office and the Rhode Island State Police all allegations of certain enumerated criminal violations: child molestation, sexual assault, or assault with intent to commit sexual assault. Reports must be made under the LOU regardless of the present age of the victim or perpetrator, irrespective of the statute of limitations, and without the Diocese making any threshold credibility determination of its own prior to the referral. As we have seen, though, clergy sexual abuse takes many perverse forms in addition to the physical abuse itself—and so **the scope of reportable allegations under the LOU should be expanded to encompass a broader range of offenses involving minors** in addition to child molestation and sexual assault, including: indecent solicitation of a minor; felony and simple assault; child pornography offenses, exploitation for commercial or immoral purposes and disseminating indecent materials; stalking and harassment; contributing to the delinquency of a minor; and endangering the welfare of a child. More broadly, the LOU should extend to reports of grooming behavior. And finally, the LOU should mandate the reporting of such allegations involving vulnerable adults, including young adults and those with disabilities. The LOU should also be updated to clarify that reports to this Office and to the State Police must be made within 24 to 48 hours of receipt by the Diocese (it currently states only that such reports shall be made “promptly”).

Lastly, an updated LOU would enable this Office to meaningfully evaluate the Diocese’s implementation of this Report’s recommendations, as well as the Diocese’s

continued adherence to reporting under the LOU, in the period following publication of this Report. In addition to reporting to this Office any and all complaints that it receives relating to suspected or possible child sexual misconduct, the Diocese should, for a period of five years following this publication, periodically report to this Office on its implementation of this Report's recommendations, and also transmit to this Office the audit reports that the Diocese submits to the United States Conference of Catholic Bishops concerning its adherence to the *Dallas Charter*. The Attorney General calls on Bishop Bruce A. Lewandowski and Monsignor Albert A. Kenney to implement these recommendations.

The final section of this Report, **Chapter 10**, proposes important legislative reforms intended to ensure greater accountability for the Diocese, its officials, and other institutions, including amending Rhode Island's civil statute of limitations for child sexual abuse to permit prospective plaintiffs whose claims previously expired to sue the institutions and supervisors responsible for enabling or covering-up their abuse; enlarging the criminal statute of limitations for second-degree sexual assault; clarifying the state mandatory reporting law to explicitly require the reporting of known or suspected child sexual abuse or neglect committed by clergy and other religious leaders, or any person employed by a church or religious body with supervisory responsibilities over children; and adopting a grand jury reporting statute that authorizes grand juries to issue public reports on their findings, even when they do not return an indictment, subject to court oversight and procedural safeguards.

**Collectively, these reforms are critical for transparency, accountability, and public safety.** Although the harm to victims of clergy child sexual abuse in Rhode Island can never be undone, these proposed reforms will empower survivors to pursue a measure of justice against responsible institutions and their leaders, expose and deter institutional misconduct, help our community learn from past mistakes, and better protect our children.

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**A note on terminology:** in the criminal justice context, "victim" or "complainant" is often used to refer to a person who has reported sexual assault or abuse. In other contexts, however, those individuals prefer to be called "survivors," focusing on their ability to heal, recover, and persevere. Some people we spoke with during this Investigation preferred victim, while others preferred survivor. This Report has employed each of these terms—"complainant," "victim," and "survivor"—interchangeably, depending on the context in which they appear in the Report.

# Chapter III

## Legal Framework and Analysis

A. The Evolution of Sexual Assault Laws in Rhode Island

B. Sexual Assault Laws - R.I. Gen. Laws §§ 11-37-1 et seq.

C. Modern Child Molestation Laws – R.I. Gen. Laws §§ 11-37-8.1 - 8.3

D. Additional Crimes Against Children

E. Laws Used to Prosecute Accomplices, Supervisors, & Organizations

F. Application of the Law to This Investigation

### III. LEGAL FRAMEWORK AND ANALYSIS

In addition to providing Rhode Islanders with a fulsome account of the history of child sexual abuse within the Diocese, **this Investigation sought to identify cases where criminal prosecution may still be viable.** Thus, evidence collected through this Investigation was evaluated against the backdrop of Rhode Island criminal laws used to prosecute child sexual abuse and related offenses. This section offers readers a brief overview of the different criminal laws that this Office considered and explains the main factual and legal hurdles to the prosecution of such cases.

**The legal landscape in Rhode Island changed considerably over the seventy-five-year history that we reviewed.** A fundamental tenet of American criminal law, enshrined in both the Rhode Island and United States Constitutions, is the prohibition against “*ex post facto*” laws—laws that seek to punish people for conduct that was not criminal at the time it was committed, or that seek to retroactively increase the penalties for those crimes.<sup>29</sup> This core legal principle also means that if the conduct in question does not meet the elements of the criminal statutes in effect *at the time the conduct occurred*, it cannot be prosecuted, even if subsequent legal changes mean that same conduct would now constitute a crime under current statutes. The same is true for statutes of limitations, which are laws that set time limits for bringing a legal claim (including charging a criminal offense): the controlling time period is that which was in effect at the time the crime was committed.

Our assessment of potential criminal charges arising from this Investigation thus necessarily required consideration of both modern criminal laws as well as historical ones (and their applicable statutes of limitations) used to prosecute child sexual abuse in Rhode Island.

#### A. The Evolution of Sexual Assault Laws in Rhode Island

Rhode Island’s modern sexual assault and child molestation laws were first enacted in 1979. Because this Investigation stretched back decades earlier, our assessment of potential prosecutions for incidents *before* 1979 required an analysis of the relevant criminal laws in effect during these earlier periods.

Before May 1979, child sexual abuse in Rhode Island was prosecuted under a patchwork of narrower criminal laws that were almost entirely subject to a three-year statute of limitations. These included statutes regarding indecent assault on a child, abominable and detestable crimes against nature, and carnal knowledge. “Indecent assault on a child” applied to victims younger than 13 years old and criminalized any assault that was “so offensive as to affront community standards and such as the common sense of society would regard as immodest, immoral and improper.”<sup>30</sup> The

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<sup>29</sup> See R.I. Const. art. I, § 12; U.S. Const. art. I, § 9, cl. 3; U.S. Const. art. I, § 10, cl. 1.

<sup>30</sup> *State v. Beaulieu*, 110 R.I. 113, 120-21, 290 A.2d 850, 853-54 (1972) (discussing R.I. Gen. Laws § 11-37-6 (repealed)).

statute criminalizing “abominable and detestable crimes against nature” was construed to outlaw oral and anal sex, regardless of the age of the participants,<sup>31</sup> and “carnal knowledge” criminalized the sexual penetration by a male of a female under the age of sixteen (thus, it did not protect male victims).<sup>32</sup> In addition to all three of these offenses being subject to a three-year statute of limitations, the statutes have all since been repealed by the General Assembly. In short, this Office is foreclosed from prosecuting any of those offenses now.

**The only applicable criminal law in effect before May 1979 that was not subject to any limitations period was common law rape.** Rape was defined “as the nonconsensual act of sexual intercourse committed by a man with a woman who is not his wife.”<sup>33</sup> Despite the fact that the rape statute was repealed in May 1979 (when it was replaced by first-degree sexual assault), the Rhode Island Supreme Court upheld a prosecution under the repealed law.<sup>34</sup>

*As such, the only criminal charge that this Office may still legally prosecute based on an incident of child sexual abuse that occurred before May 1979 is common law rape. Critically, that offense was limited to instances of “sexual intercourse,” which required evidence of penile-vaginal penetration, and thus **only applied to instances involving a male and a female.** Unfortunately, **all other cases** from this period are, and have been, **barred by the statute of limitations.***

## **B. Sexual Assault Laws - R.I. Gen. Laws §§ 11-37-1 et seq.**

This Office prosecutes the sexual abuse of children under both Rhode Island’s sexual assault statutes and child molestation statutes. Rhode Island’s child molestation laws, discussed below, only apply to sexual abuse of victims who are “fourteen years of age or under,” (or, prior to 1988, thirteen years of age or under), which means up to the day before the child’s 14<sup>th</sup> birthday under Rhode Island law. The sexual assault statutes are utilized to prosecute cases involving adults or minor victims who are fourteen years old or older (or, prior to 1988, thirteen years old or older). Sexual assault and child molestation are classified as first-degree, involving “sexual penetration,” second-degree, relating to non-penetrative “sexual contact,” or, in the case of sexual assault, “third-degree sexual assault,” which targets adults who have sexual intercourse with minors under specific circumstances discussed below. The primary difference between first- and second- degree sexual assault and first- and second- degree child molestation is that the latter requires proof only of the victim’s age and either penetration (first-degree) or sexual contact (second-degree) and does not require proof of an additional element such as force or coercion.

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<sup>31</sup> See *State v. Souza*, 456 A.2d 775, 781 (R.I. 1983); see also 1998 R.I. Pub. Laws ch. 24, § 1.

<sup>32</sup> See *State v. Ware*, 418 A.2d 1, 3 (R.I. 1980) (citing R.I. Gen. Laws § 11-37-2 (repealed)).

<sup>33</sup> *State v. Babbitt*, 457 A.2d 1049, 1053 (R.I. 1983) (citing R.I. Gen. Laws § 11-37-1 (repealed)).

<sup>34</sup> *Id.* at 1053-55.

## 1. First-Degree Sexual Assault – R.I. Gen. Laws § 11-37-2 (Enacted 1979)

First-degree sexual assault prohibits “[s]exual penetration with another person” (regardless of age or sex) where any of the following circumstances exist: (1) the defendant “knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless;” (2) the defendant “uses force or coercion;” (3) the defendant “overcomes the victim through concealment or surprise;” or (4) the defendant conducts “medical treatment or examination of the victim for the purpose of sexual arousal, gratification, or stimulation.” “Sexual penetration” is defined as “sexual intercourse, cunnilingus, fellatio, and anal intercourse, or any other intrusion, however slight, by any part of a person’s body or by any object into the genital or anal openings of another person’s body, or the victim’s own body upon the accused’s instruction[.]” First-degree sexual assault is punishable by a mandatory sentence of between ten years and life.

When the General Assembly first enacted the first-degree sexual assault statute in May 1979, and until the passage of the first-degree child molestation statute in 1984, it also prohibited the “sexual penetration” of a child under the age of 13.<sup>35</sup>

Although the General Assembly enacted the first-degree sexual assault statute in May 1979, it did not amend the statute of limitations to exempt this offense from the umbrella three-year limitations period until May 1981, when it added first-degree sexual assault to the list of offenses with no statutes of limitations. This two-year lag created some confusion about whether incidents from this period that would be chargeable as first-degree sexual assault are nevertheless time barred, because at the time of the offense the statute of limitations was three years. The Rhode Island Supreme Court has clarified that the three-year statute of limitations does not apply to such offenses, citing the General Assembly’s May 1981 extension of the statute of limitations.<sup>36</sup> Therefore, any offenses committed during that period remained prosecutable.

***For our purposes, this means that this Office is not foreclosed from prosecuting as first-degree sexual assault instances of child sexual abuse that occurred between May 1979 and May 1984 and involved the sexual penetration of a child younger than 13. The same abuse occurring in May 1984 or later also remains prosecutable, as first-degree child molestation (discussed below). As for abuse occurring in May 1979 or later that involved the sexual penetration of a***

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<sup>35</sup> 1979 R.I. Pub. Laws ch. 302, § 1; G.L. 1956, § 11-37-2(A) (first-degree sexual assault on child victim) (repealed May 2, 1984).

<sup>36</sup> See *Brown v. State*, 841 A.2d 1116, 1121-22 (R.I. 2004) (rejecting argument that first-degree sexual assault charges based on instances of child sexual abuse between July 1979 and May 1984 were time barred, because “[t]here has never been a statute of limitations for first-degree sexual assault”); *State v. Gagnon*, No. 2004-2127, 2006 WL 932397, at \*2 (R.I. Sup. Ct. April 5, 2006) (applying *Brown* on *stare decisis* grounds to reject a similarly situated defendant’s contention that first-degree sexual assault charges based on alleged incidents of child sexual abuse occurring between May 1979 and May 1981 were time-barred).

***child 13 years of age or older, this Office may likewise still prosecute that abuse as first-degree sexual assault, where there is additional evidence that the victim was mentally or physically helpless, or the suspect used force or coercion, concealment or surprise, or a façade of medical treatment for the purpose of sexual gratification.***<sup>37</sup>

## **2. Second-Degree Sexual Assault – R.I. Gen. Laws § 11-37-4 (Enacted 1979)**

Second-degree sexual assault prohibits “sexual contact with another person” where any of the following circumstances exist: (1) the defendant “knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless;” (2) the defendant “uses force, [the] element of surprise,<sup>38</sup> or coercion;” or (3) the defendant commits the assault for the purpose of sexual arousal, gratification, or stimulation under the auspices of medical treatment or examination. “Sexual contact” is defined broadly as “the intentional touching of the victim’s or accused’s intimate parts, clothed or unclothed, if that intentional touching can be reasonably construed as intended by the accused to be for the purpose of sexual arousal, gratification, or assault.” Second-degree sexual assault is punishable by a mandatory sentence of between three and fifteen years. There is a three-year statute of limitations for this offense, which, in the opinion of this Office, is too short.

As with first-degree sexual assault, when the General Assembly first enacted the second-degree sexual assault statute in 1979, and until the passage of the second-degree child molestation statute in 1984, second-degree sexual assault included a separate provision that covered sexual contact with a person under the age of 13.<sup>39</sup> When the second-degree child molestation statute was enacted, however, on May 2, 1984, the General Assembly again failed to include it among the offenses for which there is no statute of limitations. That did not happen until June 25, 1985.<sup>40</sup> Thus, for a brief period—from May 2, 1984 until June 25, 1985—second-degree child molestation appeared subject to a three-year limitations window.

In *State v. Pereira*, 973 A.2d 19 (R.I. 2009), however, the Rhode Island Supreme Court upheld the 2005 prosecution of a defendant for second-degree sexual assault based on the defendant’s abuse of his niece (who was seven to nine-years-old at the time) between June 1982 and May 1984. The second-degree sexual assault count was charged under the repealed subsection that applied to child victims. At trial and on

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<sup>37</sup> Additionally, in June 1988, the General Assembly amended the child molestation statutes to extend the applicable victim age to 14 years old—meaning that from that date forward, this Office may also prosecute the sexual penetration of *13 year olds* as first-degree child molestation. P.L. 1988, ch. 219, § 1 (June 1, 1988 amendment, applying child molestation statutes to victims “fourteen (14) years of age or under”).

<sup>38</sup> “Element of surprise” was added by the General Assembly in 2014. See 2014 R.I. Pub. Laws ch. 157, § 1.

<sup>39</sup> See 1979 R.I. Pub. Laws ch. 302, § 2; see also R.I. Gen. Laws § 11-37-4(A) (second-degree sexual assault on child victim) (repealed).

<sup>40</sup> See 1985 R.I. Pub. Laws ch. 195, § 1-2.

appeal, the defendant argued that this charge should have been dismissed on statute of limitations grounds—the limitations period for second-degree sexual assault always having been three years. The Court rejected the argument, on the grounds that the General Assembly’s removal of the three-year limitations period for *child molestation* in June 1985 also extended the statute of limitations for not-yet-time-barred cases of second-degree sexual assault on a child.<sup>41</sup>

***The implication of this ruling is that this Office is not foreclosed from prosecuting an incident of second-degree sexual assault of a child under 13 that occurred between June 1982 and May 1984.<sup>42</sup> The same abuse occurring in May 1984 or later also remains prosecutable, as second-degree child molestation. We are foreclosed, however, from prosecuting a second-degree sexual assault of a child that occurred prior to June 1982, and from prosecuting a second-degree sexual assault of a child 14 years of age or older that occurred outside of the three-year statute of limitations.***

**Since 2022, this Office has introduced legislation to extend the second-degree sexual assault statute of limitations.** In 2022, 2023 and 2024, our proposed legislation aimed to amend the statute of limitations to include second-degree sexual assault among the offenses for which there is no statute of limitations and add third-degree sexual assault to those for which there is a 10-year statute of limitations.<sup>43</sup> Last year, in an effort to facilitate passage by the General Assembly, we sought to amend the statute of limitations for second-degree sexual assault to ten years, and in the case of a victim under the age of 18 at the time of the offense, the ten years would begin to run when the victim turns 18. The proposed legislation did not pass, but we have reintroduced it during the 2026 legislative session.<sup>44</sup>

### **3. Third-Degree Sexual Assault – R.I. Gen. Laws § 11-37-6 (Enacted 1979)**

Third-degree sexual assault, colloquially referred to as “statutory rape,” criminalizes the sexual penetration of a minor between 14 and 16 years old – the legal age of consent in Rhode Island – by a person over the age of 18. In June 2022, the General Assembly, with the Attorney General’s support, expanded third-degree sexual assault to include, with limited exceptions, instances where a person over the age of 18 engages in sexual penetration or contact with a victim who is over the age of 14 and under the age of 18, under circumstances where the suspect holds a position of authority, or has supervisory or disciplinary power, over the victim.<sup>45</sup> However, because

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<sup>41</sup> *State v. Pereira*, 973 A.2d 19, 36 & n.9 (R.I. 2009).

<sup>42</sup> And, as will be discussed below, we can also prosecute the second-degree sexual assault of 13 year-olds that occurred on or after June 1, 1988.

<sup>43</sup> See 2022 HB-7693 (Rep. Carol Hagan McEntee) and SB-2707 (Sen. Cynthia Coyne); see also 2023 HB-5911 (Rep. McEntee) and SN-736 (Sen. Mark McKenney); see also 2024 HB-7629 (Rep. McEntee) and SN-2938 (Sen. McKenney). The House passed the legislation in 2022, 2023 and 2024, but the bills did not make it out of committee in the Senate.

<sup>44</sup> See 2025 HB-6133 (Rep. McEntee). There was no companion bill in the Senate.

<sup>45</sup> See R.I. Gen. Laws § 11-37-6(b)(2).

the law cannot be retroactively applied to prosecute conduct that occurred prior to its passage, it played a limited role in our analysis here.

Third-degree sexual assault is punishable by a term of imprisonment of not more than five years. There is a three-year statute of limitations for this offense. As previously noted, last year, the Attorney General introduced legislation that sought to expand the three-year statute of limitations by providing that the three-years would be measured from the time the victim turned 18. The bill did not pass the House and no companion bill was introduced in the Senate.<sup>46</sup>

## **C. Modern Child Molestation Laws – R.I. Gen. Laws §§ 11-37-8.1 - 8.3**

The primary criminal laws relied on by this Office to prosecute the sexual abuse of children are Rhode Island’s child molestation statutes. These laws, which separate the crime into first and second degrees, make it a felony to engage in sexual penetration or contact with any child who is “fourteen (14) years of age or under.”<sup>47</sup> Those convicted of child molestation must serve lengthy prison sentences and are required to register as sex offenders upon release.<sup>48</sup> *Critically, there is no statute of limitations for first- or second-degree child molestation, meaning this Office is not time-barred from prosecuting as child molestation any instance of sexual penetration of, or sexual contact with, a child younger than 13 that occurred since the enactment of these laws in May 1984 (and with respect to 13 year olds, any instance occurring on or after June 1988).*

### **1. First-Degree Child Molestation - R.I. Gen. Laws § 11-37-8.1 (Enacted 1984)**

This statute prohibits “sexual penetration” of a child who is “fourteen (14) years of age or under.”<sup>49</sup> The term “sexual penetration” is defined in the same manner as it is for the first-degree sexual assault statute. Unlike the first-degree sexual assault statute described above, prosecution under this statute requires no evidence of overcoming the victim through force or coercion, incapacitation, or surprise, or of

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<sup>46</sup> See 2025 HB-6133 (Rep. McEntee).

<sup>47</sup> The Rhode Island Supreme Court ruled that “thirteen (13) years of age or under” means the day prior to a person’s thirteenth birthday and before, and therefore “fourteen (14) years of age or under” means the day prior to a person’s fourteenth birthday and before. Practically speaking, this means a victim must be younger than fourteen years old at the time of the crime. See *State v. Jordan*, 528 A.2d 731, 734-35 (R.I. 1987); *State v. Odiah*, 306 A.3d 1048, 1052-54 (R.I. 2024).

<sup>48</sup> See R.I. Gen. Laws § 11-37.1-3.

<sup>49</sup> When first enacted in 1984, the statute applied to victims 13 years of age or under. See 1984 R.I. Pub. Laws ch. 59, § 2. This was changed to 14 years of age and under when the statute was amended in 1988. See R.I. Gen. Laws § 11-37-8.1; see also 1988 R.I. Pub. Laws ch. 219, § 1. Thus, we cannot prosecute the sexual penetration of thirteen-year-olds that occurred prior to June 1, 1988, unless there is evidence of force or coercion, incapacitation, concealment or surprise, or medical examination for purposes of sexual gratification.

medical treatment for purpose of sexual gratification; evidence of penetration of a child 14 or younger is all that is required.

There is no statute of limitations for this offense. The penalty for a violation of this statute is a mandatory sentence of between 25 years and life in prison. Any person convicted of first-degree child molestation sexual assault is also subject to community supervision for life<sup>50</sup> and, pursuant to the “Jessica Lunsford Child Predator Act of 2006,” certain persons convicted of first-degree child molestation sexual assault must be electronically monitored via an active global positioning system for life and attend a sex offender treatment program during their probation.<sup>51</sup>

## **2. Second-Degree Child Molestation – R.I. Gen. Laws § 11-37-8.3 (Enacted 1984)**

R.I. Gen. Laws § 11-37-8.3 prohibits “sexual contact” with a child who is “fourteen (14) years of age or under.”<sup>52</sup> “Sexual contact” is defined the same way as in the sexual assault context. Proof that the defendant intended the contact to be for the purpose of sexual arousal, gratification, or assault is a necessary element of this offense. “Intimate parts” are defined to include the “genital or anal areas, groin, inner thigh, or buttock of any person or the breast of a female.”

There is no statute of limitations for second-degree child molestation.<sup>53</sup> This offense is punishable by a mandatory sentence of between six and 30 years in prison, and any person convicted of second-degree child molestation is subject to community supervision following that person’s completion of any prison sentence, suspended sentence, and/or probationary term he or she receives for that conviction.<sup>54</sup>

## **D. Additional Crimes Against Children**

There are myriad other criminal statutes that address offenses against minors. Some of these offenses are of recent vintage, making them inapplicable to conduct that occurred years and decades ago. All of them are subject to a three-year statute of limitations which, again, limits their reach.

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<sup>50</sup> See R.I. Gen. Laws § 13-8-30.

<sup>51</sup> See R.I. Gen. Laws § 11-37-8.2.1.

<sup>52</sup> When first enacted in 1984, the age cutoff was 13 years of age or under. This was changed to 14 years of age or under when the statute was amended in 1988. See R.I. Gen. Laws § 11-37-8.3. Thus, we are foreclosed from prosecuting the sexual touching of 13-year-olds before 1988.

<sup>53</sup> See R.I. Gen. Laws § 12-12-17(a).

<sup>54</sup> See R.I. Gen. Laws §§ 11-37-8.4, 13-8-30.

### **1. Contributing to Delinquency - R.I. Gen. Laws § 11-9-4 (Enacted 1908)**

“Contributing to delinquency” criminalizes conduct by any person who knowingly causes any child under sixteen years old “to be guilty of any vicious or immoral conduct,” and by any person who has custody of such a child and permits him or her to “associate with vicious, immoral, or criminal persons.” This offense is punishable by a term of imprisonment of up to one year or a \$500 fine. The statute of limitations for this offense is three years.

### **2. Indecent Solicitation of a Child – R.I. Gen. Laws § 11-37-8.8 (Enacted 2004)**

This statute prohibits individuals from knowingly soliciting a person under 18 years of age, or one whom the person believes is under 18, for the purpose of engaging in an act of prostitution or in any act in violation of chapters 9 (defining myriad offenses against children), 34 (prostitution and lewdness), or 37 (sexual assault) of Title 11. Soliciting means “to command, authorize, urge, incite, request, or advise another to perform an act by any means including, but not limited to, in person, over the phone, in writing, by computer, through the Internet, or by advertisement of any kind.” Indecent solicitation is a felony punishable by up to five years in prison. The statute of limitations for indecent solicitation is three years.

### **3. Child Endangerment – R.I. Gen. Laws § 11-9-5.4 (Enacted 2022)**

In 2022, the General Assembly passed legislation submitted by this Office criminalizing the wanton or reckless act or omission of a parent, guardian, or other person who has custody or control over a child under 18 years old, where those acts or omissions result in a “substantial risk of serious bodily injury to the child” or “sexual abuse” of a child in their care. The law became effective on June 27, 2022, and can only be applied to conduct occurring after that date. Child endangerment is a felony punishable by a term of imprisonment of up to three years, a fine up to \$1,000, or both. The statute of limitations for child endangerment is three years.<sup>55</sup>

## **E. Laws Used to Prosecute Accomplices, Supervisors, & Organizations**

Our review examined not only potential criminal liability of the perpetrators themselves, **but also considered whether other Diocesan officials, or the Diocese itself, may be criminally liable** in connection with the child sexual abuse uncovered through this Investigation. For the reasons described below, we concluded that we could not pursue such prosecutions. This is primarily because (1) prosecution is time-

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<sup>55</sup> This Office also examined the application of Rhode Island laws pertaining to child pornography, which generally prohibit the production, transport, reproduction, and possession of visual depictions of minors engaged in sexually explicit conduct but did not find any prosecutable cases. See R.I. Gen. Laws §§ 11-9-1.1, 1.3.

barred by the applicable statutes of limitation, (2) newly enacted laws which could have been used to address the misconduct cannot be applied retroactively, and (3) there is insufficient evidence to support *criminal*<sup>56</sup> liability of either Diocesan officials as co-conspirators or aiders and abettors, or of relevant Diocesan corporate entities under either of those theories or the principles of corporate criminal liability.

### **1. Duty to Report – R.I. Gen. Laws §§ 40-11-3 (Enacted 1976) and 40-11-3.3 (Enacted 2016)**

Under Rhode Island’s current mandatory reporting statute, first enacted in 1976,<sup>57</sup> “any person” who has reason to believe or suspect that a child has been abused or neglected is required to report that information to the Department of Children, Youth, and Families within 24 hours of learning of it. “Any person” means just that, so **the obligation extends to Diocesan officials and clergy just as it does to all other Rhode Islanders.**

Importantly, the law defines “abused or neglected child” to include a child who is sexually abused or exploited by a parent or “other person responsible for his or her welfare,” which

means the child’s parent; guardian; any individual, eighteen (18) years of age or older, who resides in the home of a parent or guardian and has unsupervised access to a child; foster parent; an employee of a public or private residential home or facility; or any staff person providing out-of-home care (out-of-home care means child day care to include family day care, group day care, and center-based day care).<sup>58</sup>

The statute defines a “child” as “a person under the age of eighteen.”<sup>59</sup> Under the original mandatory reporting statute, there is no legal mandate to report child sexual abuse perpetrated by an individual who is not the parent or does not meet the definition of a “person responsible for his or her welfare.”

In 2016, the General Assembly amended the mandatory reporting statute by adding R.I. Gen. Laws § 40-11-3.3, which requires “any person who has reasonable cause to know or suspect that any child has been the victim of sexual abuse by an employee, agent, contractor, or volunteer of an educational program” to report the abuse to DCYF within 24 hours. This provision is significant in that it applies to all public and

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<sup>56</sup> This Report does not address whether the Diocese or any Diocesan officials may be civilly liable for any conduct discussed herein.

<sup>57</sup> Prior to 1976, the law did not include sexual abuse in the definition of reportable abuse, and only required reporting of instances of “serious physical injury or injuries which reasonably appear[ed] to have been caused by other than accidental means and/or any child reasonably believed to be suffering from ‘battered child syndrome.’” R.I. Gen. Laws § 40-13.1-1 (1964); see 1964 R.I. Pub. Laws 360; 1971 R.I. Pub. Laws ch 45. And prior to 1971, only physicians and medical facilities had a legal duty to report physical abuse. See 1971 R.I. Pub. Laws ch. 45.

<sup>58</sup> R.I. Gen. Laws §§ 40-11-2, 3.

<sup>59</sup> R.I. Gen. Laws § 40-11-2.

private schools, including parochial schools,<sup>60</sup> and expands the original reporting requirement enacted in 1976.

The failure to report known or suspected child abuse pursuant to this law is a misdemeanor, punishable by up to one year in prison, a \$500 fine, or both. **As with many of the other statutes discussed in this sub-section, these laws are subject to a three-year statute of limitations. We did not find evidence that Diocesan personnel violated these statutes within the last three years.** Even if the statute of limitations were not a barrier to prosecution, the mandatory reporting law as currently written might apply to alleged abuse by a few of the priests described herein, where they acted effectively as guardians or *in loco parentis*,<sup>61</sup> but it would not cover alleged abuse by the majority of priests whose relationship with a child fell outside of the narrow definition of “a person responsible for [the] child’s welfare,” and who were not “an employee, agent, contractor, or volunteer of an educational program” after 2016.

Thus, the Diocese has referred suspected clergy sexual abuse of children to the Attorney General and the Rhode Island State Police pursuant to a *voluntary* Letter of Understanding entered into with former Attorney General Peter Kilmartin, not a statutory requirement, since 2016. **One of the legislative recommendations included in this Report is that the General Assembly clarify the “duty to report” law to explicitly require that sexual abuse committed by a member of the clergy be reported to civil authorities.**

## **2. Intimidation of Witnesses and Victims of Crimes – R.I. Gen. Laws § 11-32-5 (Enacted 1980)**

It is unlawful to maliciously and knowingly communicate with another person to intimidate a victim or witness of a crime, or a witness in a criminal proceeding regarding the person’s participation in any criminal proceeding, by expressly or impliedly threatening to commit an unlawful act.<sup>62</sup> A person who violates this subsection of the statute faces up to one year in prison, a fine of up to \$500, or both.<sup>63</sup>

It is also unlawful to attempt to intimidate any victim of a crime or a witness in any criminal proceeding regarding that person’s participation in any criminal proceeding by injuring, or to damage the property of, any person, or to threaten to cause physical injury to, or damage to the property of, that person, or to act for pecuniary gain. Violating this subsection of the statute carries a maximum penalty of

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<sup>60</sup> See R.I. Gen. Laws § 40-11-2 (“‘Educational program’ means any public or private school, including boarding schools, or any home-schooling program.”); see also *Non-Public Schools*, State of Rhode Island Department of Education (Oct. 6, 2025), <https://ride.ri.gov/students-families/education-programs/non-public-schools> (“Non-public schools must follow the same legislative requirements as public schools.”).

<sup>61</sup> *In loco parentis* is a Latin phrase meaning “in the place of a parent” and means “[o]f, relating to, or acting as a temporary guardian or caretaker of a child, taking on all or some of the responsibilities of a parent.” IN LOCO PARENTIS, Black’s Law Dictionary (12th ed. 2024).

<sup>62</sup> See R.I. Gen. Laws § 11-32-5(a).

<sup>63</sup> See *id.*

up to five years imprisonment, a fine of up to \$5,000, or both.<sup>64</sup> This offense is subject to a three-year limitations period.<sup>65</sup>

### 3. Accomplice Liability – R.I. Gen. Laws § 11-1-3 (Enacted 1896)

Rhode Island’s “aiding and abetting” statute provides that a person who materially assists in the commission of a crime shall, upon conviction, receive the same punishment as the individual(s) who actually committed it.<sup>66</sup> “Accomplice liability,” as it is often called, requires proof beyond a reasonable doubt that the accomplice actively and affirmatively participated in the crime in some manner. **Importantly, the Rhode Island Supreme Court has held that “mere negative acquiescence,” or simply failing to act and/or passively allowing a crime to occur, is insufficient.**<sup>67</sup> To be liable as an accomplice, the evidence must also establish that when the person participated in the crime, he shared the same criminal intent as the individual(s) who actually carried out the crime.<sup>68</sup> Where the evidence also shows that the accomplice was present at the scene of the crime, he can be charged with the underlying substantive crime itself.<sup>69</sup> A common example of “aiding and abetting” liability is that of the getaway driver in a burglary: the driver can be charged with the crime of burglary even if she did not enter the home, if there is evidence that she shared the intent of the burglar and affirmatively participated in the crime.<sup>70</sup> Absent proof of presence at the scene, an accomplice can only be charged with the separate offense of being an “accessory before the fact.”<sup>71</sup> A person “who participates in any offense, either as a principal accessory or conspirator, shall be subject to the same statute of limitations as if the person had committed the substantive offense.”<sup>72</sup>

As discussed below, there are several obstacles to prosecuting Diocesan officials under an accomplice theory of liability.

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<sup>64</sup> See R.I. Gen. Laws § 11-32-5(b).

<sup>65</sup> See R.I. Gen. Laws § 12-12-17(c).

<sup>66</sup> See R.I. Gen. Laws § 11-1-3 (“Every person who shall aid, assist, abet, counsel, hire, command, or procure another to commit any crime or offense, shall be proceeded against as a principal or as an accessory before the fact, according to the nature of the offense committed, and upon conviction shall suffer the like punishment as the principal offender is subject to by this title.”).

<sup>67</sup> See, e.g., *State v. Gazerro*, 420 A.2d 816, 828 (R.I. 1980) (quoting *Johnson v. United States*, 195 F.2d 673, 675 (8th Cir. 1952)).

<sup>68</sup> See *State v. Diaz*, 654 A.2d 1195, 1202 (R.I. 1995); see also *Ryan v. Roman Catholic Bishop of Providence*, No. Civ.A. PC95-6524, 2003 WL 22048785, at 5 (R.I. Sup. Ct. Aug. 26, 2003) (Krause, J.) (“It is axiomatic that an aiding and abetting theory cannot survive unless the defendant shared in the criminal intent of the principal, and that the defendant willfully participated in [the crime] as he would in something he himself wishes to bring about.”); *Gazerro*, 420 A.2d at 828; 2 Wayne R. LaFare, *Substantive Criminal Law*, § 13.2(b) (2d ed. 2003).

<sup>69</sup> See *State v. Davis*, 877 A.2d 642, 648 (R.I. 2005).

<sup>70</sup> *State v. Graham*, 941 A.2d 848, 858-59 (R.I. 2008); see also *State v. Colvin*, 82 R.I. 212, 219-21, 107 A.2d 324, 328-29 (1954).

<sup>71</sup> See *State v. McMaugh*, 512 A.2d 824, 831 (R.I. 1986) (citing *Colvin*, 107 A.2d 324).

<sup>72</sup> R.I. Gen. Laws § 12-12-17(d).

#### **4. Conspiracy – R.I. Gen. Laws § 11-1-6 (Enacted 1975)**

Conspiracy is defined as “an agreement by two or more persons to commit an unlawful act or to perform a lawful act for an unlawful purpose.”<sup>73</sup> The crime is complete once the agreement is made; there is no requirement that the agreement actually be carried out, though the State must prove the existence and scope of the unlawful agreement and that each party to the agreement specifically intended to commit the crime in question.<sup>74</sup>

In addition, to the extent that a party to the conspiracy *does* act in furtherance of the agreement, and in doing so he or she commits a crime, Rhode Island law holds that *all* members of the conspiracy may be charged with that crime, as though they themselves committed it and regardless of whether it was the crime they conspired to commit.<sup>75</sup> This is true regardless of whether the co-conspirators were present for or otherwise involved in the commission of that particular crime.<sup>76</sup> Any person who participates in an offense as a conspirator is subject to the same statute of limitations as if the person had committed the substantive offense.<sup>77</sup>

Thus, in terms of one’s potential liability for crimes committed by other persons, conspiracy may cast an even broader net than accomplice liability—but, critically, only where there is proof beyond a reasonable doubt of both an agreement and criminal intent, and where the subsequent crime was committed in furtherance of the aims of the conspiracy. In that circumstance, the limitations period for a conspiracy prosecution is the one that applies to the substantive crime.<sup>78</sup> We did not identify evidence of any provable case of criminal conspiracy during this Investigation.

#### **5. Harboring Criminals – R.I. Gen. Laws § 11-1-4 (Enacted 1844)**

Under Rhode Island’s harboring criminals law, it is a felony punishable by up to five years in prison to knowingly harbor another person who has committed any crime, either as a principal or an accomplice, “with the intent that [the person who committed the crime] shall escape or avoid detection, arrest, trial, or punishment.” To prove a violation of this law, the State must prove beyond a reasonable doubt that a defendant had knowledge that the person committed a crime, was subject to arrest for that crime “either with a warrant or based upon probable cause without a warrant,” and intended to shield the person from the law.<sup>79</sup> This crime is subject to a three-year statute of limitations.

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<sup>73</sup> *State v. Abdullah*, 967 A.2d 469, 474-75 (R.I. 2009) (quoting *State v. Lassiter*, 836 A.2d 1096, 1104 (R.I. 2003)).

<sup>74</sup> *State v. Barton*, 427 A.2d 1311, 1312-1313 (R.I. 1981); *State v. Mastracchio*, 612 A.2d 698, 706 (R.I. 1992); *Abdullah*, 967 A.2d at 475.

<sup>75</sup> See, e.g., *State v. Tully*, 110 A.3d 1181, 1194 (R.I. 2015). *Graham*, 941 A.2d at 857; *State v. Day*, 925 A.2d 962, 988 (R.I. 2007).

<sup>76</sup> See *State v. Barton*, 424 A.2d 1033, 1038 (R.I. 1981).

<sup>77</sup> R.I. Gen. Laws § 12-12-17(d).

<sup>78</sup> *Id.*

<sup>79</sup> See *State v. Acciardo*, 748 A.2d 811, 813 (R.I. 2000); see also *State v. Davis*, 14 R.I. 281, 284 (1883).

While this Investigation certainly identified a number of past instances where it appeared that Diocesan officials, including bishops, knew of allegations that living, actively-serving priests had committed child sexual abuse and other offenses, but refrained from notifying law enforcement and instead permitted those accused priests to remain in ministry, we did not identify any chargeable case of harboring a criminal that could be brought against a living Diocesan official and which fell within the very limited three-year statute of limitations for this offense.

## **6. Compounding or Concealing a Felony – R.I. Gen. Laws § 11-1-5 (Enacted 1896)**

Any person who has knowledge of the commission of any felony offense, and who takes any money, gratuity, or reward, or any engagement, upon an agreement or understanding, express or implied, to compound or conceal that crime or offense, or not to prosecute for the offense, or not to give evidence relative to the offense, has violated this statute. Compounding or concealing a felony has a three-year statute of limitations and carries a maximum penalty of up to five years imprisonment or a fine of up to \$5,000, provided that the imprisonment or fine do not exceed the felony pertaining to this offense.

This Investigation did not uncover any evidence of money, gratuity, reward, or engagement given in exchange for an agreement or understanding to compound or conceal the sexual abuse of children, let alone any such evidence within the applicable limitations period.

## **7. Obstruction of the Judicial System – R.I. Gen. Laws § 11-32-3 (Enacted 1977)**

This statute prohibits corruptly, maliciously, or recklessly attempting to influence, intimidate, impede, or injure his or her person or property, any grand or petit juror, magistrate, judge, or officer in or of any court of this state, or corruptly, maliciously, recklessly, or by threats or force influencing, obstructing, or impeding the due administration of justice.<sup>80</sup> Obstruction of the judicial system has a three-year statute of limitations and carries a maximum penalty of up to five years imprisonment, a fine of up to \$5000, or both.

This Investigation did not reveal proof of Diocesan officials or other clergy obstructing the judicial system.

## **8. Racketeer Influenced and Corrupt Organizations (RICO) Act**

The Office also evaluated, as an alternative theory of potential liability for the Diocese arising from clergy sex abuse, Rhode Island’s Racketeer Influenced and Corrupt Organizations Act or “RICO” statute.<sup>81</sup> This law, and its well-known federal

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<sup>80</sup> R.I. Gen. Laws § 11-32-4(1).

<sup>81</sup> See, e.g., Pursuing Criminal Liability for the Church and its Decision Makers for Their Role in Priest Sexual Abuse, 81 Wash. U. L.Q. 885, Laura Russell, 2003.

counterpart, contain civil and criminal avenues for prosecuting claims against individuals or entities engaged in organized illegal activity, or “racketeering activity,” through the use of an “enterprise.” The term “enterprise” includes both corporations and any other “group of individuals associated for a particular purpose.”<sup>82</sup> Rhode Island’s RICO statute defines “racketeering activity” as one or more specifically enumerated state criminal offenses, including murder, bribery, and extortion. The elements of a RICO offense are (1) the commission of one act of racketeering activity and (2) the use or investment of the proceeds of the racketeering activity in the establishment, conduct, or operation of an enterprise.<sup>83</sup> Violating the RICO statute carries a fine of up to \$10,000, imprisonment for up to ten years, or both. The General Assembly provided for a ten-year limitations period for criminal RICO charges.<sup>84</sup>

Neither sexual assault nor child molestation—the two categories of offenses that most directly criminalize the sexual abuse of children—are included within the definition of “racketeering activity” under Rhode Island’s RICO statute. Though “child exploitations for commercial or immoral purposes in violation of § 11-9-1(b) or (c) or § 11-9-1.1” are included in that definition, we did not find evidence of such conduct by the Diocese.<sup>85</sup> Even if this predicate offense could be interpreted to include non-commercial purposes, a RICO charge requires proof of “use or investment” of the proceeds of the racketeering activity in the establishment, conduct, or operation of the enterprise.<sup>86</sup> We found no evidence to support such a charge against the Diocese, and certainly not within the past ten years. These impediments prevent this Office from bringing criminal charges under the state RICO statute.

## **F. Application of the Law to This Investigation**

### **1. Criminal Prosecutions Resulting from this Investigation**

Seeking to deliver maximum justice for victims, this Office examined every allegation of child sexual abuse within Rhode Island against a living priest or deacon that became known to us as a result of this Investigation. Where the allegations warranted further follow-up, we worked with the State Police to do so. To that end, the State Police interviewed complainants and, where available, witnesses, to substantiate and corroborate allegations in records produced by the Diocese. With respect to complaints that appeared to face legal barriers, such as statutes of limitations, we analyzed the law governing those matters to identify all possible avenues for moving forward.

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<sup>82</sup> R.I. Gen. Laws § 7-15-1.

<sup>83</sup> *State v. Brown*, 486 A.2d 595, 599 (R.I. 1985).

<sup>84</sup> R.I. Gen. Laws § 12-12-17(b).

<sup>85</sup> “Exploitation for commercial or immoral purposes” prohibits selling, distributing, or permitting any child under the age of 18 to be used in any publication, photograph or film suggesting that the child has engaged in or is about to engage in any sexual act, R.I. Gen. Laws § 11-9-1(b), and exhibiting, using, or employing a child under 18 to any person “for the purpose of prostitution or for any other lewd or indecent act.” R.I. Gen. Laws § 11-9-1(c).

<sup>86</sup> *Brown*, 486 A.2d at 599.

Based on this Investigation's findings to date, grand juries indicted four individuals for child sexual abuse that they allegedly committed as Diocesan priests or deacons.

**a. John Petrocelli**

The first criminal case brought as a result of this Investigation was against former Diocesan priest John Petrocelli. In November 2020, John Petrocelli was indicted by a grand jury on three counts of first-degree child molestation and nine counts of second-degree child molestation. The charges stem from Petrocelli's time as an assistant pastor at Holy Family Parish in Woonsocket, between November 1, 1985, and October 3, 1990. As of the publication of this Report, the case against Petrocelli remains pending in Providence County Superior Court and is being handled by prosecutors in the Attorney General Office's Special Victims Unit. Accordingly, this Report does not discuss any allegation(s) against him. Petrocelli is presumed innocent of the charges against him unless and until he is convicted after trial or upon a plea of guilty or nolo contendere.

**b. Edward Kelley**

In May 2021, a Rhode Island grand jury indicted Edward Kelley, charging him with three counts of first-degree sexual assault that allegedly occurred in 1983, while he served as a pastor at St. John's Church in Slatersville (North Smithfield). Once the charges were filed, Kelley was extradited from South Carolina to Rhode Island for prosecution and was held at Eleanor Slater Hospital for a competency evaluation. In February 2022, a court deemed Kelley not competent to stand trial. He died in September 2022, and the case against him was accordingly dismissed as required by state law.

**c. James Silva**

In November 2021, a Rhode Island grand jury indicted former priest James Silva, charging him with two counts of first-degree child molestation sexual assault and nine counts of second-degree child molestation sexual assault, for his alleged abuse of a boy between 1989 and 1990, while Silva was working as Assistant Director with the Diocese's Office of Ministerial Formation in Providence. The case against Silva is pending in Providence County Superior Court and is being prosecuted by the Attorney General's Special Victims Unit. Accordingly, this Report does not discuss any allegation(s) against him. Silva is presumed innocent of the charges against him unless and until he is convicted after trial or upon a plea of guilty or nolo contendere.

**d. Kevin Fiset**

In May 2022, a Rhode Island grand jury indicted former priest Kevin Fiset with one count of first-degree sexual assault. The indictment alleges that Fiset sexually abused a boy between 1981 and 1982 in Burrillville, Rhode Island while Fiset was assigned as a deacon to Our Lady of Victory Church in Ashaway (Hopkinton). The case against Fiset is also pending in Providence County Superior Court and is being handled by prosecutors in the Special Victims Unit. Accordingly, this Report does not

discuss any allegation(s) against him. Fisetto is presumed innocent of the charges against him unless and until he is convicted after trial or upon a plea of guilty or nolo contendere.

## **2. Limitations on the Prosecution of Additional Clergy**

As noted throughout this Report, most of the conduct we reviewed took place decades ago (although in some instances the allegations came to light much more recently). It should come as no surprise then that statutes of limitations present the greatest legal obstacle to the prosecution of individual perpetrators (and other Church officials) for child sexual abuse and related crimes we uncovered during our review. Although there is no statute of limitations for first-degree sexual assault (for offenses committed after May 9, 1979), both second- and third-degree sexual assault are subject to a three-year limitations period. This poses a significant limitation on this Office's ability to prosecute instances of sexual abuse of children who were 14 or older at the time of their abuse. Unless the abuse involved sexual penetration, the criminal case had to have been charged within three years of when the abuse occurred.

And as already discussed, statutes of limitations likewise constrain our ability to prosecute historical instances of sexual abuse involving children younger than 14 years old. Prior to 1979, the sexual assault and child molestation statutes did not exist, and the only criminal offense that remains chargeable is rape, which was limited to nonconsensual sexual intercourse committed by a man with a woman who was not his wife. Sexual penetration of a child that occurred in May 1979 or later may still be prosecuted as first-degree sexual assault or first-degree child molestation only if the child was under 13 years old (or, from June 1988 onward, under 14 years old), or with proof that the victim was mentally or physically helpless or the perpetrator used force or coercion, concealment or surprise, or a façade of medical treatment. Likewise, sexual contact of a child remains prosecutable as either second-degree sexual assault or second-degree child molestation only if the child was under 13 years old and the incident occurred in June 1982 or later (or, for 13 year olds, from June 1988 onward).

This Investigation has confirmed what we have long known, however: it often takes victims of sexual assault—especially child victims—far longer to disclose their abuse. As is outlined in the summaries in Appendix A of this Report, most victims first reported their abuse decades after it took place.

Another obstacle to the further prosecution of additional clergy concerns the understandable reluctance of some victims to participate in the criminal justice process. In assessing whether to bring cases, this Office must evaluate all the evidence available to it, and that includes consideration of the availability and/or willingness of the victim and any other witnesses to testify. It is very difficult, if not impossible, to successfully prosecute a case without their cooperation.

This Investigation has confirmed what we have long known, however: **it often takes victims of sexual assault—especially child victims—far longer to disclose their abuse.**

### 3. Limitations on Prosecution of Diocesan Officials

Our review also considered whether individual senior Diocese of Providence officials may be prosecuted for crimes committed by clergy under their watch according to either an accomplice or co-conspirator theory of liability, those being the two main legal tools for holding persons criminally liable for the actions of others.

Again, the majority of reported instances of clergy abuse in the Diocese of Providence occurred decades ago. Many of the senior officials involved in the Diocesan response to clergy abuse at that time are now deceased. And given the requirement that crimes are prosecuted according to the laws in effect at the time the crimes were committed, many historical instances of abuse are subject to far narrower criminal laws and statutes of limitations.

In addition, as already noted, any criminal case charging an individual as an accomplice or co-conspirator requires proof beyond a reasonable doubt of shared intent, or an agreement, to commit a crime. Critically, neither negligent supervision (a civil theory of liability), or an individual's failure to report a known offense after the fact, suffices for accomplice or co-conspirator criminal liability to attach.<sup>87</sup> As discussed above, aiding and abetting requires proof of a "community of unlawful purposes at the time the act is committed" and "some participation in the criminal act in furtherance of the common design."<sup>88</sup> "The evidence must establish that the defendant knowingly, willfully and intentionally sought by his action or presence to make the principal's criminal transaction succeed."<sup>89</sup> Conspiracy similarly requires proof of an agreement and intent to commit the offense. We did not find evidence within the limited information voluntarily produced to this Office by the Diocese that would support a criminal charge against still-living senior Diocesan officials under either theory.

Finally, we found no evidence that would support a criminal charge under the other principal laws targeting child sexual abuse in Rhode Island, including the mandated reporter statute, or the prohibitions against child exploitation, contributing to the delinquency of a minor, indecent solicitation, harboring criminals, witness intimidation, or obstruction—any of which, in any case, would very likely be foreclosed by the three-year statute of limitations that applies to those offenses. And although this Investigation uncovered evidence that Diocesan leaders engaged in conduct which may have created a substantial risk of sexual abuse of children in their custody

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<sup>87</sup> See, e.g., *Houllahan v. Gelineau*, 296 A.3d 710, 720-722 (R.I. 2023).

<sup>88</sup> *Gazerro*, 420 A.2d at 828 (quoting *Johnson v. United States*, 195 F.2d 673, 675 (8<sup>th</sup> Cir. 1952)).

<sup>89</sup> *Houllahan*, 296 A.3d at 722 (citing *United States v. O'Campo*, 973 F.2d 1015, 1022 (1st Cir. 1992)).

or control, in a manner that implicates the modern child endangerment statute, the conduct at issue in this Investigation occurred well before the effective date of that law (June 27, 2022), and as such cannot be charged.

#### 4. Criminal Liability of the Diocese as a Corporation

We also evaluated whether any evidence identified during this Investigation supported possible criminal charges against the corporate entities comprising the Diocese itself.

What we generally refer to as the “Diocese” consists, as a legal matter, of over 170 distinct corporations, including one for each Diocesan parish, as well as a separate corporation of which the bishop is the sole officer, the Roman Catholic Bishop of Providence (“RCB”).<sup>90</sup> This complex corporate structure did not emerge fortuitously but was likely calculated to limit the legal liability of the Diocese, primarily in the context of civil litigation.<sup>91</sup> **Thus, while the Diocese publicly speaks with one voice, once it enters a courtroom it represents itself as a multitude of legal entities.** Unsurprisingly, this structure has frustrated complainants’ efforts to obtain even civil (monetary) relief against the Diocese—specifically, against Diocesan corporations other than the one that directly employed their abusers.<sup>92</sup>

For purposes of our analysis here, however, it is not necessary for us to delve into the intricacies of the Diocese’s corporate structure. Even assuming that the Roman Catholic Bishop of Providence (RCB) and/or a given parish corporation are the relevant corporate entities, there are other significant legal and practical hurdles to pursuing *criminal* liability against such entities, including the lapse of time between the reported abuse and the present, the status of the perpetrators themselves (many are deceased), and the narrower state of the law when much of the reported abuse occurred.<sup>93</sup>

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<sup>90</sup> A “corporation sole” is “[a] series of successive persons holding an office; a continuous legal personality that is attributed to successive holders of certain monarchical or ecclesiastical positions, such as kings, bishops, rectors, vicars, and the like. This continuous personality is viewed, by legal fiction, as having the qualities of a corporation.” CORPORATION, Black’s Law Dictionary (12th ed. 2024). “Its ‘successor becomes the corporation on his death or resignation, [and has been] limited in the main today to bishops and heads of dioceses.” *Doe v. Gelineau*, 732 A.2d 43, 45 n.3 (R.I. 1999) (quoting Black’s Law Dictionary 342 (6th ed.1990)).

<sup>91</sup> See, e.g., *Tort Claimants Comm. v. Roman Catholic Archbishop (In re Roman Catholic Archbishop)*, 335 B.R. 842, 866-68 (Or. Bankr. Ct. 2005) (noting that separately incorporating all of its parishes would have allowed the archdiocese to hold property in trust for the parishes, thus removing them from the bankruptcy estate and the reach of tort claimants); Mila Gevelin, *As Sex-Abuse Suits Mount, Church Tries to Protect Real-Estate Assets*, The Wall Street Journal (May 15, 2002), <https://www.wsj.com/articles/SB1021421244584746560>.

<sup>92</sup> See, e.g., *Gelineau*, 732 A.2d 43 (R.I. 1999).

<sup>93</sup> Again, we do not opine here on whether Diocesan corporations may be subject to *civil liability* in connection with their failure to take steps to prevent, stop, and report child sexual abuse by its clergy. Those issues have been, and likely will continue to be, the subject of

But what about prosecution of the Diocese for common law rape, first degree sexual assault and first- and second-degree child molestation perpetrated by its clergy, where prosecution of the underlying offense is *not* foreclosed by the statute of limitations? **An analysis of that question must begin with understanding the law of corporate criminal liability.**

It is now generally recognized that corporations may be held criminally liable for crimes committed by employees or agents, where those individuals were acting “within the scope of employment” at the time of the crime.<sup>94</sup> While the Rhode Island Supreme Court has never articulated its own standard regarding this theory of corporate or organizational criminal liability, it has recognized on at least one occasion the general principle that a corporation can be prosecuted for a crime.<sup>95</sup> The “scope of employment” analysis considers “whether the agent is ‘performing acts of the kind which he is authorized to perform,’ and those acts are ‘motivated, at least in part, by an intent to benefit the corporation.’”<sup>96</sup>

In *United States v. Cincotta*, for example, the treasurer of an oil company and the company itself were both criminally charged for defrauding the United States through a scheme that induced the Department of Defense to pay for oil that was never delivered. The company moved to dismiss the charges against it, arguing there was insufficient proof that the treasurer “intended to benefit the corporation” when carrying out the scheme, such that he was not acting within the scope of his employment, and therefore the company should not have been charged. The First Circuit disagreed, and upheld the charges against the company, finding that the proceeds of the scheme passed directly to the company, and not the treasurer individually.<sup>97</sup>

When applying those principles here, it is also important to distinguish criminal liability flowing to the Diocese for the acts of sexual abuse committed by individual priests, versus acts taken, or not taken (i.e., inaction), by the Diocese and its leadership *in response to* learning of that abuse. Certainly, the facts uncovered during this Investigation indicate that the Diocese and its leadership often took steps *in response* to learning about allegations of abuse by individual clergy in a manner that, by all appearances, was intended to benefit the hierarchy and the institution. But this is insufficient to impute criminal liability to the Diocese for the sexual abuse committed by clergy. That would likely require proving that when individual abuser priests

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multiple judicial opinions. See, e.g., *id.*; *Houllahan*, 296 A.3d 710. But those cases are brought by individual plaintiffs and not the Attorney General.

<sup>94</sup> See, e.g., LaFare, *Substantive Criminal Law*, § 13.5 (Enterprise Liability); Model Penal Code § 2.07 (Liability of Corporations); *United States v. Agosto-Vega*, 617 F.3d 541, 552 (1st Cir. 2010) (quoting *United States v. Potter*, 463 F.3d 9, 25 (1st Cir. 2006)); see also Melissa Ku & Lee Pepper, *Corporate Criminal Liability*, 45 Am. Crim. L. Rev. 275, 277 (2008).

<sup>95</sup> *State v. Eastern Coal Co.*, 29 R.I. 254 (1908) (holding that a corporation can be guilty of the crime of conspiracy).

<sup>96</sup> *United States v. Agosto-Vega*, 617 F.3d 541, 552-3 (1st Cir. 2010) (quoting *United States v. Potter*, 463 F.3d 9, 25 (1st Cir. 2006)).

<sup>97</sup> *United States v. Cincotta*, 689 F.2d 238, 241-42 (1st Cir. 1982).

sexually molested children, those priests did so with the intent to benefit the relevant Diocesan corporation(s). Within the limited universe of information made voluntarily available to us by the Diocese during this Investigation, we found no such proof. And as a legal matter, courts have largely rejected the argument that clergy sexual abuse was committed within the scope of the priests' employment, on the ground that the abuse was clearly not a part of those priests' duties or motivated by a desire to benefit the dioceses.<sup>98</sup>

In 1988, Providence Superior Court Judge Americo Campanella rejected a similar argument raised in the *civil* context by the victims of William O'Connell, who sought to hold Bishop Gelineau, Auxiliary Bishop Kenneth Angell, and the RCB, civilly liable for sexual abuse that O'Connell committed at St. Mary's Parish in Bristol between 1982 and 1985. The Superior Court dismissed the claim against the hierarchical defendants, holding that O'Connell "had no authority to do such acts," which "deviat[ed] totally from his sacred vows and the spiritual fabric of his faith."<sup>99</sup>

In sum, the reality is that there are multiple barriers to successfully prosecuting the corporate entities that comprise the Diocese for the child sexual abuse reportedly committed by its clergy. And no Attorney General in any state has secured a conviction against a diocese for crimes arising from the clergy abuse crisis, no doubt for these reasons.

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**Stepping back from the law, the most obvious practical obstacle to prosecuting alleged misconduct occurring decades ago is the sheer passage of time.** Many offending priests discussed in this report are dead. So are many of the bishops, auxiliary bishops, investigators, and other personnel whose conduct is addressed in this Report. And finally, so are many of the victims and witnesses who might have testified against those priests, and without their testimony, criminal prosecution is virtually impossible. These facts have often left many complainants only with civil recourse to hold their abusers and others who caused or contributed to

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<sup>98</sup> Jennifer K. Weinhold, *Beyond the Traditional Scope-of-Employment Analysis in the Clergy Sexual Abuse Context*, 47 U. Louisville L. Rev. 531, 537 (Spring 2009) (citing cases); see, e.g., *Bernie v. Catholic Diocese of Sioux Falls*, 821 N.W.2d 232, 239-240 (S.D. 2012) (Noting that while scope of employment is generally a jury question, "there are occasional cases" where it is "so clear-cut" that the issue becomes a matter of law, including sexual abuse by priests); see also *Doe v. Norwich Roman Catholic Diocesan Corp.*, 268 F.Supp.2d 139, 142-143 (D. Conn. 2003); but see *Fearing v. Bucher*, 977 P.2d 1163, 1166-68 (Or. 1999) (holding that complaint alleging vicarious liability against Archdiocese for sexual abuse by priest contained sufficient allegations that the priest's conduct that was within scope of employment resulted in the acts that caused plaintiff's injury); see *Doe v. Holy See*, 557 F.3d 1066, 1082-83 (9th Cir. 1999) ("An intentional tort is within the scope of employment . . . if conduct that was within the scope of employment was 'a necessary precursor to the' intentional tort and the intentional tort was 'a direct outgrowth of . . . conduct that was within the scope of . . . employment.'").

<sup>99</sup> *Doe v. O'Connell, Gelineau, Angell*, No. C.A. 86-0077, 1988 WL 1016799, at 6-7 (R.I. Sup. Ct. Jan. 28, 1988).

that abuse (by, for example, negligently hiring or supervising offender priests) legally accountable.

Even in the arena of civil litigation, victims face other significant legal obstacles. In 2019, the General Assembly, with the support of this Office, took the significant step of amending the state statute governing civil claims based on sexual abuse or exploitation of a child. The amendment extended the statute of limitations to the later of (1) 35 years, or (2) seven years from the time the victim discovered or reasonably should have discovered that the injury or condition was caused by sexual abuse.<sup>100</sup> The statute has retroactive application and can revive claims that expired prior to its enactment as to “perpetrator” defendants, but only applies prospectively to claims brought against “non-perpetrator defendants.”<sup>101</sup>

The Diocese lobbied against a version of the bill that would have included a three-year window for plaintiffs to bring previously expired claims against perpetrators *and* non-perpetrators and released its List of Credibly Accused Clergy on the same day the current version of the bill—with retroactive application only for “perpetrators”—was signed into law.

In 2023, the Rhode Island Supreme Court reaffirmed the distinction between the perpetrator priests and the organization that employed them. In *Houllahan v. Gelineau*, the Rhode Island Supreme Court defined a “perpetrator” defendant as the individual who actually commits the abuse, and any other individual who aided and abetted that person such that he or she could be charged with sexual assault *as a principal*.<sup>102</sup> The Court held that supervisors or institutions that facilitated or concealed that abuse, but did not engage in conduct that rises to the *level of aiding and abetting*, are considered “non-perpetrator” defendants under the statute, and may not be sued if claims against them already expired under the prior three-year statute of limitations. The statute revives previously expired civil claims only against “perpetrators.” This Office filed *amicus curiae* briefs supporting the constitutionality and retroactive application of the statute to the Diocese *itself*, and further supports currently proposed legislation to revive civil abuse claims against such institutional defendants.

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<sup>100</sup> R.I. Gen. Laws § 9-1-51(a)(1), (2).

<sup>101</sup> R.I. Gen. Laws § 9-1-51(a)(3).

<sup>102</sup> *Houllahan*, 296 A.3d at 721-22; R.I. Gen. Laws § 9-1-51(e).

# Chapter IV

## An Overview of Investigative Findings

A. The Survivors

B. The Abuse

C. The Accused Clergy

D. The Diocese's Historical Response:  
Inaction, Concealment, and  
Revictimization

E. Conclusions

## IV. AN OVERVIEW OF INVESTIGATIVE FINDINGS

Of the many startling facts identified over the course of this Investigation, perhaps the most tragic one is this: **children in Rhode Island were sexually abused by priests and deacons in the Diocese of Providence irrespective of their age, sex, ethnicity, sexual orientation, or socioeconomic or family background.** Due to various factors, including but not limited to the failure of the Diocese to keep complete and accurate records over the past seventy-plus years, as well as the social, psychological, and institutional pressures that stigmatized victims of sexual abuse and discouraged reporting, we will never know the full extent of the abuse, the name of every victim, or the identity of every perpetrator. We do know, however, that there are hundreds of documented survivors.

This chapter, which provides an overview of our findings about the nature and scope of clergy abuse in Rhode Island across the Review Period (1950 to the present), is divided into five parts: (A) The Survivors; (B) The Abuse; (C) The Accused Clergy; (D) The Diocese's Historical Response: Inaction, Concealment, and Revictimization; and (E) Conclusions. The figures in this section comprise the allegations of "Sexual Misconduct Perpetrated Against a Child"<sup>103</sup> by credibly accused clergy uncovered during this Investigation based upon this Office's review and analysis. For more information about the priests who are identified by name in this chapter (and throughout the remainder of this Report), readers should refer to the detailed individual priest summaries contained in Appendix A to this Report.

### A. The Survivors

Every individual's account of their abuse at the hands of a priest is, of course, unique and personal to that survivor. This section relies more than others in this Report on numbers, because quantifying the information reflected in the Diocesan records revealed particular trends and patterns, and it also helps to illustrate at a high level the full, staggering scale of clergy abuse in Rhode Island. **Still, we are mindful that beneath these figures and demographics are individual human beings, whose lives were irreparably altered by the crimes they suffered while still children.** Numbers simply cannot convey their experiences, or the true, tragic toll of clergy abuse more generally. And so woven into this section and chapter, alongside certain statistical information, are the heart wrenching accounts of some individual survivors who permitted us to share parts of their stories.

#### 1. Age and Sex Data

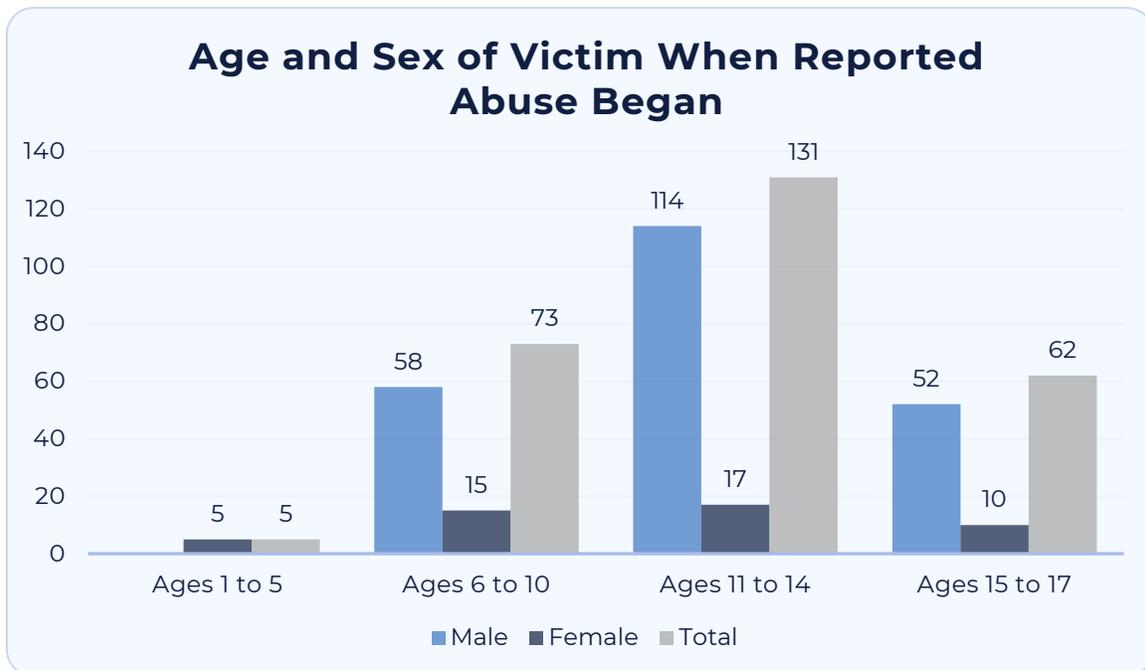
This Investigation found that **75** Diocesan and affiliated religious order and extern clergy who served within Rhode Island allegedly abused at least **315** minors here **between 1950 and 2011** (the date of the last-known documented instance of clergy abuse in Rhode Island). Because many survivors of child sexual abuse never disclose their abuse, these figures are likely conservative. The ratio of male to female

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<sup>103</sup> See Appendix D, Memorandum of Understanding, July 22, 2019.

victims was approximately 5 to 1, and the most prevalent age range when the reported abuse began was 11-14 years old, with an average complainant age of about 12 years old. Notably, these figures align with the data released in a 2004 report by John Jay College of Criminal Justice of the City University of New York, after conducting a nationwide survey of clergy child sexual abuse for the United States Conference of Catholic Bishop’s National Review Board. That report similarly found that the largest group of reported victims was males between the ages of 11 and 14.<sup>104</sup>

**Figure 1**<sup>105</sup>



## 2. Common Survivor Characteristics

Our Investigation identified certain characteristics common to many survivors of clergy abuse in Rhode Island. **These patterns suggest that abuser priests in the Diocese of Providence, as elsewhere, targeted children with particular traits and vulnerabilities.**

<sup>104</sup> John Jay Coll. of Crim. Just., *The Nature and Scope of the Problem of Sexual Abuse of Minors by Priests and Deacons in the United States 1950-2002*, 6, 53 (2004), <https://www.usccb.org/sites/default/files/issues-and-action/child-and-youth-protection/upload/The-Nature-and-Scope-of-Sexual-Abuse-of-Minors-by-Catholic-Priests-and-Deacons-in-the-United-States-1950-2002.pdf>.

<sup>105</sup> Many victims were abused over a number of years. The age indicated in Figure 1 is the age of the victim when the sexual abuse reportedly began. Victims are only counted once unless multiple clergy reportedly abused them. This data excludes those victims whose exact ages were unclear or unknown from the presently available information.

**First, many victims were altar servers or involved in other youth activities in the Diocese at the time of their abuse.** Altar servers are children who report to the priests of a particular parish and assist those priests with Mass and other liturgical ceremonies. Altar servers were typically required to arrive separately from other parishioners and prepare for the services by changing into their vestments in a separate room in the church, known as a sacristy. Parish children who worked as altar servers often spent time alone with their priests which, tragically, presented abuser priests with access and opportunity to groom and abuse these child victims. Many survivors described being singled out by parish priests to perform jobs at the rectory, to assist priests before or after Mass, or to stay late after attending Diocesan schools or religious instruction.

**Second, victims commonly came from particularly devout families and/or families who were especially friendly with their parish priests and welcomed them into their homes.** Here, again, abuser priests enjoyed greater access to victims and took advantage of the trust victims' families placed in them. We also found instances of priests who reportedly sexually abused siblings, further demonstrating the willingness of abuser priests to exploit families' trust.

**Third, there were numerous instances of clergy preying upon vulnerable or troubled children.** In many cases, the victims experienced challenging home lives (some were homeless), difficulties in school, mental health or substance use disorders, strained relationships with family and friends, and/or involvement with the criminal justice system. Some of the victims were orphans, and some lived in residential facilities or other institutional settings at the time of their abuse. Abuser priests capitalized on these vulnerabilities by exploiting their victims' isolation or lack of parental involvement by paying special attention to their child victims, offering jobs at the parish, spending unmonitored time with the children at the rectory, or stepping in as a surrogate father figure.

### **3. Delayed Disclosure of Child Sexual Abuse**

Conversations with survivors of child sexual abuse who shared their experiences with the investigative team, and documents reviewed during this Investigation, consistently revealed that complainants were reticent to speak to others about their abuse. This is hardly surprising considering the depth of trauma these victims experienced. It took many survivors years, and even decades, to finally share with anyone what had been done to them. Some only came to terms with their abuse through intense therapy and counseling. Others disclosed their accounts after learning of news reports about specific priests or other survivors sharing their memories.

Based on the documentation we received from the Diocese, we found that **it took survivors an average of approximately 26 years to report their abuse** to the

Diocese.<sup>106</sup> We recognize that some survivors may have reported their abuse to family, friends, or treatment providers before bringing a formal complaint to the Diocese. Consequently, as discussed in Chapter 3, the legal deadlines for pressing charges or suing accused clergy and responsible institutions—known as statutes of limitations—had expired in nearly all instances. And in many cases, the accused clergy had died by the time complainants were able to come forward: by our count, **at least 21 priests predeceased all complaints against them** (including priests who had a single allegation against them), and **at least 18 predeceased at least one allegation**.

This Investigation confirmed that Rhode Island is not an outlier when it comes to national statistics on delayed disclosures of clergy abuse. According to a 2024 Delayed Disclosure Fact Sheet published by national think-tank CHILD USA, **modern research indicates that the majority of survivors who do disclose child sexual abuse wait decades to come forward:**

Disclosure of [child sexual abuse] is a complex, lifelong process. The process of disclosure often takes decades, and the “ideal” timing of disclosure should be up to the victim. Over **70%** of victims do not disclose within five years of their experience of abuse. Most victims are only able to acknowledge and describe the abuse in adulthood. Approximately **1 in 5** victims of child sexual abuse never disclose their experiences of abuse.<sup>107</sup>

This report also notes that “disclosure to mandated reporters and legal authorities is uncommon,” with **the majority of reports occurring outside of the legal system**.<sup>108</sup> Another study, according to CHILD USA, estimated that **only 10-15% of child sexual abuse is reported to legal authorities**.<sup>109</sup>

Survivors reported a variety of social and psychological barriers to disclosure that are consistent with modern science and research regarding delayed disclosure of child sexual abuse.<sup>110</sup> Victims were hesitant to share their stories due to guilt, embarrassment, shame, anger, confusion, or fear of negative consequences, including threats from their clergy abusers. These feelings are reportedly common in sexual abuse survivors but were seemingly compounded in these cases, where a trusted authority figure—a priest or deacon—was the abuser. As one survivor explained in a 1995 op-ed:

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<sup>106</sup> This figure excludes allegations where it was unclear from available records either when the abuse occurred, or when it was first disclosed. For allegations that identified a decade when the abuse began, the last year in that decade was used. In some instances, complainants disclosed their abuse to a family member or other person after being abused but did not disclose their abuse to the Diocese until much later.

<sup>107</sup> Andrew Ortiz, *Delayed Disclosure*, Child USA (2024), <https://childusa.org/wp-content/uploads/2025/11/Delayed-Disclosure-2024.pdf> (internal citations omitted).

<sup>108</sup> *Id.*

<sup>109</sup> *Id.* (citation omitted).

<sup>110</sup> *Id.* (citation omitted).

Our parents chose the Catholic Church for us, as did their parents for them, secure in the sense that their children would be safe. Unbeknownst to them, there were men entering the priesthood for the security, status and accessibility to children. Since a priest represented God on Earth, these children would innocently believe anything they were told, having no prior warning of danger. While growing up they live in fear and carry a guilt that only the sexually abused can relate to.<sup>111</sup>

Some victims were reluctant to tell their families of their abuse out of fear that they would not be believed or even chastised for saying anything negative about a priest and the institution they had been taught to revere, obey, and love. According to the Diocesan records, during one survivor's 2002 interview with the Diocese's Office of Compliance Director Robert McCarthy, she explained her reluctance to tell anyone what she had endured at the hands of the priest who abused her:

No. I've never told a soul . . . as the time went on and different things happened, I was so ashamed I . . . I didn't talk to anybody. I wouldn't want my family . . . my family, I think, would have disowned me, but they would've blamed me. I mean the Priest was God Almighty and I thought he was too. And actually, I guess, I was so . . . so dumb and so innocent, to me to have a priest give me that kind of attention, not the raping, but the attention of . . . even attention, I thought was like God giving it to me.

Indeed, in the documents and accounts we reviewed, the reactions of family members and friends when victims shared their stories were mixed. In many cases, loved ones were supportive and incredulous at the abuse and the reaction of the Diocese to it; some family members immediately confronted the priest or sought an audience with Diocesan leaders. In others, family members registered disbelief or anger—and not always with the accused priest. In one instance, a survivor recounted that when he told his parents that a priest molested him, his mother slapped him.

***“Since a priest represented God on Earth, these children would innocently believe anything they were told, having no prior warning of danger. While growing up they live in fear and carry a guilt that only the sexually abused can relate to.”***

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<sup>111</sup> Phyllis M. Hutnak, *Your Voice: ‘Forgive and forget’ may not be answer*, Editorial, *The Call*, June 6, 1995, at A-4.

While some survivors reported positive experiences of reporting their abuse to the Diocese and were appreciative of the investigation by Director McCarthy and his successor, Director Kevin O'Brien, others expressed feelings of betrayal or abandonment caused by the perceived lack of contrition by the bishops and other Diocesan leaders, and a perceived skepticism of victims. For example, Margaret McKenna<sup>112</sup>, former President of Lesley University, who has publicly alleged abuse by **Father Peter Tedeschi**<sup>113</sup> in 1960 while he was assigned to Holy Trinity Church in Central Falls, described to members of this Office her 2012 experience interacting with Diocesan officials:

The experience of reporting my abuse to the RI Diocese compliance office was a horrific one, tantamount to suffering further abuse. The intake person, who talked about his experience as a police detective, ended up berating me for questioning the process and his role in it . . . . In the end, the apology from the bishop was . . . "if after 50 years, an apology would make a difference, I apologize." My request to improve the process by making it clear a woman [would be] available to speak to survivors was turned down and my request that . . . the compliance officer[] be reprimanded and/or sent to training was refused. I was convinced that others had had similar experiences with the process, and that at least some had abandoned their attempt to report abuse . . . . I left feeling worse, but believing I had done everything I could . . . .

In a 2014 interview with the Rhode Island State Police, she added that she was "concerned that the behavior of the Diocese of Providence has been deterring other victims to come forward and feel safe about their disclosures."

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<sup>112</sup> The survivors whose names appear in this Report all explicitly consented to being identified by name and have previously spoken publicly about their experiences.

<sup>113</sup> The Diocese lists **Father Tedeschi**, and one other priest, **Monsignor Anthony DeAngelis**, as "publicly accused," as opposed to "credibly accused," clergy. The Diocese explained on its website that the "publicly accused" priests:

retired in good standing. After their deaths, allegations were made against them dating back 37 and 54 years, respectively. Each priest is the subject of a single allegation. The claims were investigated at the time they were received, but could not be verified or substantiated without any corroborating witnesses or facts. Based upon the Director's standards, process and procedure, the accused would not have been included on the list. However, each priest has been the subject of significant publicity at recent legislative hearings. This media coverage eroded the consideration given to reputational harm and warranted a separate category.

Additional information about these priests can be found in Appendix A.

#### 4. Long-Term Harms Experienced by Survivors of Clergy Abuse

Survivors reported profound long-term psychological, physical, and behavioral impacts of clergy abuse. For many, their struggles with post-traumatic stress disorder, anxiety, depression, and other mental health conditions impacted intimate relationships, led to substance abuse and self-harm, and in some tragic instances, drove survivors to suicide. The experience of survivors, along with modern science and research supporting the reality of these long-term impacts, demonstrate the importance of strong support networks, mental health services, and social and legal acceptance and understanding.

Survivors described the fundamental, lifelong impacts of being sexually abused at the very start of their lives. One such person was Dr. Herbert Brennan, a survivor of child sexual abuse by **Father Brendan Smyth**. Dr. Brennan reported that he was targeted by Smyth while serving as an altar server at Our Lady of Mercy Church in East Greenwich. In interviews with investigators from this Office, Dr. Brennan recounted how Smyth repeatedly molested him between 1965 and 1968 when he was between eight and 11 years old.

In his late thirties, Dr. Brennan came across a newspaper article describing the conviction and incarceration of Father Smyth in 1994 in Northern Ireland. Dr. Brennan froze upon seeing a photograph of the priest. He began to recall the details of the abuse and its impact on him. In testimony before the General Assembly, Dr. Brennan recalled how “Smyth would call from his rectory across the street from the school and have the nuns pull me out of my second or third grade classroom . . . [where] I would wait until he entered and took me across the hall to the nurse’s office where he would abuse me,” though sometimes, “as an altar boy, he would molest me in the dressing room next to the altar.” Dr. Brennan reported that, “once done, they would return me to the classroom sworn to silence with the literal fear of God and eternal damnation held over my head.”

The abuse continued for years. Dr. Brennan reported:

I began to miss school over long periods with subjective health issues that could not be proven. I began drinking alcohol in junior high school. I drank way too much alcohol in high school and in my adolescence. Years of professional counseling have kept me from taking the horrible path that many victims of child sexual abuse have found themselves on. Many have taken their own lives, and I understand why.

According to Dr. Brennan, “it was thirty years before my abuse found its way into my consciousness; it was another fifteen years before I found the courage to seek help.” When he summoned the bravery to contact the Diocese, he was told there was only one other complaint against Father Smyth – an incredible assertion, given the fact that the Diocese well knew of multiple allegations against Smyth when they forced him to leave Rhode Island and return to Ireland. As detailed in Smyth’s summary in Appendix A to this Report, Smyth reportedly abused at least 16 other

children during this time in Rhode Island and is listed on the Diocese's Credibly Accused List.

Dr. Ann Hagan Webb has also shared publicly, and with this Office, the lifelong impacts of her sexual abuse as a child. According to Dr. Webb, when she was just a kindergartner at Sacred Heart School in West Warwick, Rhode Island, from 1957 to 1965, she was targeted and repeatedly sexually abused by a parish priest, **Monsignor Anthony DeAngelis**. When Dr. Webb reported her abuse to the Diocese in 1994, three decades later, she penned a heart-wrenching letter detailing its long-term effects. The following are excerpts from that letter, which have been reproduced with her permission:

During kindergarten, I cried every day on the way to school for the first few months. The bus driver would drag me from the house. I can still remember the terror of hearing the bus drive up. My mother thought I was afraid of the bus driver; I wasn't. Often, I would exaggerate some small ache or pain and insist that my mother come get me from school.

..

Over the last 15 months I have had many reactions to these memories, some clearly symptoms of posttraumatic stress disorder, some peculiar to me. I have also come to recognize parts of my lifelong personality that were clearly molded by these experiences . . . . I have experienced two clear anxiety attacks, one quite dangerous. During the last year I have felt extreme anticipatory anxiety . . . . Most often I have simply tolerated this as best I can so I can function with family, friends, and in my work. . .

As I have said before, sleeplessness has always been a problem as [I] have nightmares. During my sleepless hours, I have always been plagued by self-deprecating thoughts that obsessively build to a crescendo of self-hatred and doubt. Although this happens most often at night, it can also happen during the day in times of anxiety or stress . . . . For me, danger lies from within, not with unknown strangers . . . .

**Conversations with Dr. Webb and other survivors revealed that an overwhelming number experienced long-term mental health challenges and the need for significant therapy and counseling to cope with the psychological effects of their abuse.** In addition to mental health and behavioral challenges, some survivors reported enduring issues with relationships, intimacy, and sexuality. Still other complainants reported physical health problems, as well as professional, financial, and economic difficulties that lasted decades. Tragically, several victims of child sexual abuse by clergy in the Diocese attempted or committed suicide.

In a June 1993 letter to Bishop Louis Gelineau, one survivor wrote regarding her abuse at the hands of **Father Alfred Desrosiers**:

Know, Bishop Gelineau, how difficult this is for me. It is time now for healing and to try to go on with my life instead of hiding from the events of the past. I have prayed over these events and feel that definitely some consideration should be given me. My life has been affected tremendously (hopefully, not beyond repair). Because of my love for the church, my suffering today is multiplied by an unfounded sense by guilt. I have been unfair to myself most of my life, blaming myself for the bad things that have happened to me or to those I love. It is important for me to be fair to myself now. If someone other than a priest had emotionally and sexually violated me the way Fr. D did, I would not be concerned or fearful of being greedy or feel guilty about asking for retribution. I want you to look at this as if someone had violated one of your nieces years ago and that her life and that of her children has been negatively effected. I can't begin to tell you the number of types of ways I have been effected on nearly a daily basis. You cannot imagine the ways events of my life have been overshadowed by this abuse. There has not been a Mass I have participated in, including my marriage, the baptisms of my children and my mother's funeral Mass, where I have not brought these events to the Lord and asked Him to heal me.

Other survivors reported that the abuse led to the loss of their Catholic faith. Having reportedly suffered at the hands of religious leaders whom they held in high esteem, survivors described distancing themselves from their parish or the Church. Victims reported that they could no longer seek solace from beliefs that were, in their minds, associated with their trauma. As one survivor put it, his abuser and the bishop “took away my childhood, which no one can replace. They also took away the one thing that helped me to cope with the pain which they caused, my faith. I had a very strong faith and it was a large part of my life, but now it’s gone and it cannot be replaced.” Another survivor who also reported abuse by Father Alfred Desrosiers told the State Police during this Investigation that she had been hospitalized on several occasions due to the abuse she endured as a child, but she also movingly shared that **it was important “to keep saying more; keep the abuse in the light” because “for too many children, time and life stopped at the time of [their] abuse.”** We hope that this Report contributes to that goal.

## **B. The Abuse**

The reports of abuse that we reviewed during this Investigation were, in a word, horrifying. Survivors reported being subjected to months and even years of sexual abuse. It occurred across the Review Period and in myriad settings, including



A survivor who reported abuse by **Father Alfred Desrosiers** told the State Police during this Investigation that she had been hospitalized on several occasions as a result, but she also movingly shared that it was important “to keep saying more; keep the abuse in the light” because **“for too many children, time and life stopped at the time of [their] abuse.”** We hope that this Report contributes to that goal.

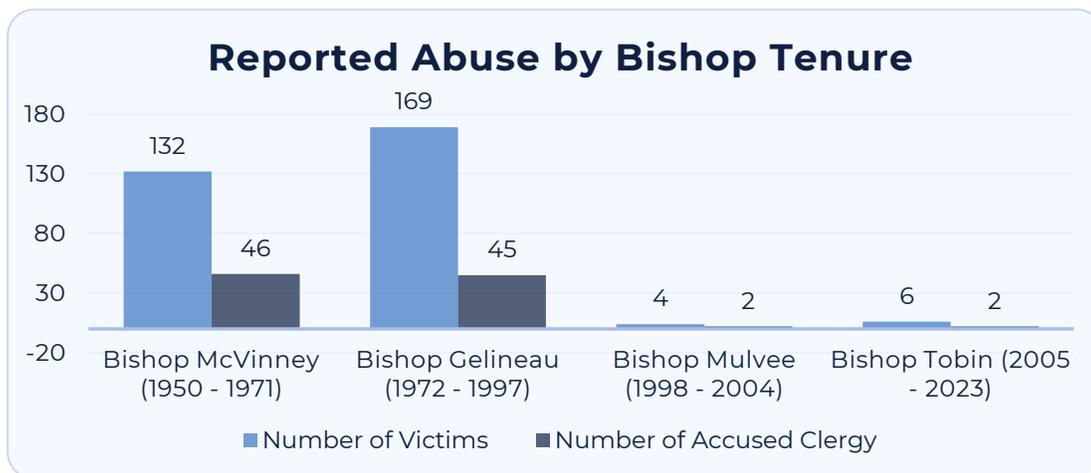
churches and rectories, schools, hospitals, vacation homes and cottages, and even children’s own homes. Many victims reported extensive “grooming” by their abusers, while others described wrestling, swimming, and other seemingly innocuous, but nonetheless disarming, activities with their assailants as a prelude to being sexually abused.

This abuse came in many forms: there was, of course, the physical abuse that included all forms of rape, inappropriate touching, and other assaultive conduct; psychological abuse perpetrated against children whose trust and innocence were manipulated and exploited; the exploitation of victims’ faith; and the use of intimidation and threats to facilitate and conceal the sexual misconduct.

## 1. The Abuse Over Time

As the following graph demonstrates, the vast majority of reported clergy abuse in the Diocese of Providence occurred during Bishops Gelineau’s and McVinney’s tenures:<sup>114</sup>

**Figure 2**



<sup>114</sup> Figures 2 and 3 exclude allegations where it was unclear from available records when the abuse occurred.

Figure 3 illustrates the decades in which child sexual abuse reportedly occurred and the number of clergy accused of committing that abuse. Most complainants reported that their abuse occurred in the 1960s, 1970s, and 1980s. The last known instance of clergy sexual abuse in the Diocese of Providence took place in 2011. **The established fact that survivors of child sexual abuse often delay reporting their abuse for many years may partly explain the relatively fewer instances of reported clergy abuse in more recent decades.**

**Figure 3**



## 2. Behaviors Associated with Reported Sexual Abuse

The Investigation also revealed common behaviors and tactics utilized by clergy to facilitate their abuse of minors and keep the assaults secret, including victim grooming, orchestrating co-sleeping arrangements, exploiting victims’ faith, and even using intimidation and threats.

### a. Victim Grooming

“Grooming” refers to the process by which perpetrators of child sexual abuse develop a relationship with a child “to prepare a victim for sexual abuse by gaining their trust and gradually lowering their resistance to sexual engagement.”<sup>115</sup> The Diocesan records were replete with accounts of priests manipulating their intended child victims in this manner by, for example: spending large amounts of time with them; showering the child with money, gifts, or focused attention; taking him or her out to dinner or on outings; taking the child on overnight trips; hugging or massaging the child; inappropriately questioning the child about sexual topics, such as

<sup>115</sup> Child USA, *What “Grooming” Really Means*, ChildUSA.org (May 5, 2022), <https://childusa.org/what-grooming-really-means/>.

masturbation; bathing or dressing the child; and other violations of a child's privacy. Some clergy also provided children with alcohol or drugs or exposed them to pornography.

One survivor described his experience of being groomed and then sexually assaulted by **Monsignor John Allard** at Immaculate Conception Church in Cranston when he was 15 years old in 1981. The following is an excerpt from his 2013 interview with OEC Director McCarthy:

[REDACTED]

I think it's important, I think that it's important to emphasize that before that first time where, in October of 1981, where he sexually abused me by taking off my clothing in his bed and touching me and fondling my, my penis, before that, in the years leading up to that, probably more so in my, I would say more so in my junior high years, when I was in, say, seventh and eighth grade into ninth grade, leading up to that he was someone who was very charismatic and I was certainly, as a young boy, he was someone I looked up to. He was my priest, he was very outgoing, very friendly, he, he paid a lot of attention to young people, but in particular to me, you know, for an adult, he paid a lot of extra attention to me, probably what would be referred to I'm sure as kind of a little too much.

R. McCarthy

[REDACTED]

Grooming.

Grooming, yes, and during those years before he eventually sexually assaulted me, he showed me a lot of affection, a lot of physical affection through hugs and a comment that he often made to me and sometimes, and it was, for the most part, I don't recall it ever being in front of anybody, I think it was always when we were alone, a lot of times we would be in the Sacristy, uhm, if I was there to serve mass and we were in the Sacristy alone, there may have been other times where we were alone where he would say, "You need a hug." He never asked me for a hug, he never asked me if I wanted a hug, his comment to me was always, "You need a hug" and that's something that I can hear him saying very clearly to this very day.

The Diocesan Review Board deemed this victim's abuse credible after Monsignor Allard admitted that they were true. Bishop Thomas Tobin forwarded the information to the Vatican's Congregation for the Doctrine of Faith on September 1, 2013. **Despite Allard's admission, Tobin recommended that the CDF allow Allard to retire and recommended against his full removal from the priesthood.** In October 2013, the Vatican ordered the Bishop to retire Allard and impose a "life of prayer and penance," permitting Allard to remain a priest. As discussed in greater detail in Chapter 8, Monsignor Allard then went on to serve as a part-time cook in the St. Agatha Church rectory in Woonsocket with little to no documented monitoring by

Diocesan officials. He died in 2018 and is included on the Diocese's Credibly Accused List.

Multiple victims reported abuse that was preceded or followed by seemingly innocuous recreational activities such as swimming, wrestling, or horseplay. Several priests took individuals or groups of minors swimming, and some encouraged them to swim and shower naked. Again, this conduct enabled clergy to attempt to mask sexually abusive behavior in seemingly common childhood activities, or foster the impression in the children's minds that intimate, physical contact with an adult was acceptable.

The reports of abuse by **Father Armand Ventre** illustrate this behavior. Ventre reportedly sexually abused six boys and one mentally disabled man over the course of his 42-year ministry. Three of the reported incidents took place between 1980-1985 when Ventre was the priest at Our Lady of Good Help Church in Burrillville, Rhode Island. That was Ventre's last parish assignment before the Diocese finally forced him to take a leave of absence and subsequently assigned him to the Veterans' Administration Medical Center and Our Lady of Fatima Hospital. One of Ventre's victims reported that Ventre abused him in 1977 when he was 13 years old, while Ventre was assigned to St. Raphael Academy in Pawtucket and was the boy's guidance counselor. At the close of the school year, the boy accepted Father Ventre's invitation to his lake house in Gloucester for several days. According to the victim, one day after swimming, Ventre insisted that the boy needed to bathe due to algae in the lake. Ventre insisted on bathing the boy himself, including the boy's genitals. The victim reported that this occurred at least four times. In addition, he alleged that Ventre slept in the same bed with him despite the availability of other beds in the home. Ventre is included on the Diocese's Credibly Accused List.

Another priest on the Diocese's Credibly Accused List, **Father William Gillooly**, reportedly took a boy who was in third to fifth grade swimming and sunbathing in the nude before taking nude photos of the boy and sexually abusing him in or around 1976. In November 2024, the survivor told this Office that Father Gillooly also used to go to his house and was friendly with his parents. He added that his entire family has been affected by his abuse and that Gillooly betrayed his parents' trust and faith in the Church. Father Gillooly reportedly abused two other boys during his time as a Diocesan priest and the Diocese included him on its List of Credibly Accused Clergy in 2019.

Another example involves **Father Roland Lepire** who reportedly abused at least six boys ranging in ages from 8 to 14 from 1975 to 1980. Lepire reportedly abused most of his victims by wrestling and tickling them until he was able to touch their penises. Lepire reportedly sexually abused two young boys while assigned to St. Aloysius Gonzaga Church in Woonsocket, Rhode Island in the late 1970s. His victims reported that Lepire wrestled with them, touching their genitals both over and under their clothing on multiple occasions. After one victim's mother reportedly complained to the police, Bishop Gelineau decided that Lepire should be transferred to another parish. A 1979 note from Bishop Angell to "Sal" (presumably Father Salvatore Matano, then Director of Priest Personnel), reads:

For confidential reasons, Fr. Roland Lepire now at St. Aloysius, Woon[socket] must be transferred at once. He should not be reassigned in the Woonsocket area. Take this up with the [Priests Personnel Board] on Thurs[day] and arrange for a new assignment within a week (if possible) I will talk to the prospective pastor before the assignment is finalized. Thanks, Sal.

In 1996, while at a treatment center, Lepire admitted to wrestling with a nine-year-old boy in a rectory common area and inappropriately fondling the boy's genitals 19 years earlier. Lepire recounted that the boy's parents had made a police report, but no charges were filed with the understanding that Father Lepire would continue in therapy and be transferred out of that particular parish. Lepire went on to describe Bishop Gelineau's involvement and the continuation of his sexually abusive behavior:

Father states that the Bishop was understanding and transferred him into a new parish assignment with four other priests in a rectory situation. However, within eight months of being in the new assignment, Father Lepire reports that he touched four, twelve-year-old boys, one time each over the period of one month... Father states he did not understand his own behavior; consequently, he approached the Bishop and admitted his wrongdoing. He states that the Bishop removed him from the parish and for the next four months he worked as a chaplain for a community of Brothers and took classes at Providence College.

Additional complaints against Father Lepire came to light in 1995 and 1996. Father Lepire resigned as the pastor of St. Vincent de Paul Parish in 1997. Additional complaints followed and, in 2004, the Vatican officially dismissed Lepire from the priesthood. Additional information regarding Father Lepire and the Diocese's response to the numerous reports of child sexual abuse against him may be found in his priest profile at Appendix A.

## **b. Exploiting Victims' Faith**

Another unmistakable theme that emerged during our Investigation was the powerful role that religion and faith played in both the sexual abuse and subsequent efforts by the priest abusers to conceal it. Priest abusers were uniquely situated to gain and abuse the trust of their victims by virtue of their positions: in the eyes of the faithful, they were the earthly representatives of God – and from that perspective the power differential could not have been greater. **Accused priests reportedly assured child victims that the abuse was religiously acceptable or even mandated, or that it was their responsibility as priests to teach the victims about love and sex, that God approved of the priests' actions, or that the abuse was a way for the victims to help their abusers become better priests.**

Convicted priest **Monsignor Louis Dunn** exemplified this tactic. Monsignor Dunn reportedly sexually assaulted at least five girls and young women (and admitted to having sexual relations with more) during his tenure as a priest of the Diocese of Providence. Dunn's pattern of abuse involved pursuing relationships with vulnerable

girls who were younger than 18 and using his position as a spiritual authority figure to manipulate them into consuming alcohol and drugs and having sex with him.

At Dunn's criminal trial for sexual assault in 1997, one of his victims described how, the first time he sexually abused her, Dunn used Bible verses to justify his sexual advances:

Dunn pulled out his Bible and started reading from the Song of Songs and told me that God told him that he had never been able to be loved by a woman, and God sent me to him as a gift, and that I had to . . . it was like my obligation and responsibility, and he kept reading . . . and I just, I think I just kind of died, and he told me . . . he never felt like he was a man, a whole man because of this, and I was the – I was there because God wanted me to teach him that he could be loved by a woman, I was there to heal him and I believed him.

Dunn went on to induce the victim to engage in repeated sexual activities on a weekly and sometimes daily basis, culminating in an incident where Dunn raped her in her Providence apartment in June 1982. She testified that she believed Dunn when he told her "that this was God's purpose for [her], and that this is what [she] had to do." At the close of the evidence, Rhode Island Superior Court Associate Justice Stephen J. Fortunato, Jr., sitting without a jury, found that the State had proven beyond a reasonable doubt that Dunn had sexually assaulted this victim. Nonetheless, the judge decided, *sua sponte* (independently, without the issue having been raised by the parties), to vacate his own conviction of Dunn after reading letters from parishioners supporting him. This Office appealed and the Supreme Court reinstated the conviction. Judge Fortunato then sentenced Dunn to a 10-year suspended sentence, with probation, over this Office's vigorous objection. Dunn died in 2001. He is included in the Diocese's Credibly Accused List.

In another case, after **Father Oscar Ferland** had reportedly raped an eight- or nine-year-old boy, he reportedly told him that the sexual abuse was the "right thing to do" to get closer to God, and later told him not to tell anyone what happened because "it would affect [the boy's] relationship with God." Ferland reportedly abused at least four children and is listed on the Diocese's Credibly Accused List.

Another priest, **Father Daniel Azzarone**, reportedly told a child, before taking nude photos of him, that "God wants to see you the way you were born" and that "it is not a sin. God still loves you." Azzarone reportedly abused at least eight children in total; he was convicted of two counts of first-degree sexual assault of two altar servers in 2005 and sentenced to serve three years in prison and seven years of probation. He too is listed on the Diocese's List of Credibly Accused Clergy.

Another priest, **Father Alfred Desrosiers**, would reportedly withhold tips from weddings where one victim had worked, until the boy had “earn[ed] [his] penance on [his] knees” by performing oral sex on him. This victim also recalled in an interview with Office of Education and Compliance Director Robert McCarthy that when he asked the priest why he was doing these things to him:

**He said it would make him be a better priest and it would allow him to better serve his parish.**

**Uhm, some of his abuse was also physiological where he said that he did these things to help me grow and that I needed purification and I didn't know what purification meant at the time either but I remember him saying that word.**

In conversations with this Office, this survivor shared that the trauma of his abuse stayed with him past childhood and into his adulthood, and was the primary reason for the dissolution of his marriage. Father Desrosiers reportedly abused at least three other children during his time as a priest and was indicted by a grand jury for the rape of one of those children, a teenage girl, in 1995. She similarly reported that Desrosiers had told her that God had sanctioned his conduct. Desrosiers died before the case could be tried. He is included on the Diocese's Credibly Accused List.

As these examples illustrate, accused clergy reportedly exploited not only the trust that children placed in them as adults and respected authority figures, but also the unique power that accompanied their positions as *religious* leaders in their communities. Simply put, these clergy abusers weaponized their victims' faith against them, sowing fear, confusion, guilt and shame, and securing their obedience and acquiescence to the abuse.

*Simply put, these clergy abusers **weaponized their victims' faith against them, sowing fear, confusion, guilt and shame, and securing their obedience and acquiescence to the abuse.***

### **c. Intimidation and Threats**

The records we reviewed also revealed that some victims were subject to intense intimidation by their abusers. Documents and victim accounts show that these victims were reportedly threatened with further abuse, public humiliation,

physical violence, and even spiritual harm if they did not submit to the abuse or if they disclosed it. In addition to silencing victims, these threats contributed to the life-long psychological and emotional harm they have suffered.

For example, the victim of **Father Alfred Desrosiers** (referenced above) reported that Desrosiers threatened to prevent him from getting into the junior high school he wanted to attend if he told anyone about the abuse and warned him not to do anything that would make his parents not proud of him. Another victim reported that **Father Robert McIntyre** (of St. Aloysius Home) threatened to permanently separate him from his mother if he did not comply with McIntyre's sexual advances. Yet another child reported that **Father Daniel Azzarone** had molested him 30-40 times in a rectory and, according to the boy, "would not take no for an answer."

In 1998, **Father Edmund Fitzgerald** wrote to the parents of a child who reported that Fitzgerald had instructed him to "drop his pants" at the rectory of St. Teresa Church in Pawtucket in the 1960s. The priest wrote:

On the phone today you said you do not know if those things happened or not. Let me tell you honestly and sincerely; [t]hey did not and for that reason it would be very wrong for you or anyone to tell anyone at all that you are under the impression those things did happen. **This is not said in any way as a threat, but only in sincere friendship**, because I care about you and I would not want anything said or done that would be a credit to you or your fine family. Technically and legally it would be slander to spread such stories and, because they are untrue, it becomes malicious slander, which is very serious business.

You may, of course, choose to believe what you want, **but saying anything of that nature to any other person would be to leave yourself and [your wife] open to a very unfortunate situation. Please do not do it, for your own sakes** (emphasis added).

McCarthy interviewed this child's older brother who could not recall the incident involving his brother but described his own experiences with Father Fitzgerald. He told McCarthy that the priest had bought him clothes and "used to tell [him] what looked good on [him][.]" He recalled an incident where Fitzgerald asked him (as a 13-14-year-old) to "remove his clothes to see how [he] was developing," yet denied anything overtly sexual taking place. The boy's father reportedly told McCarthy that his younger son was estranged from the family, and they had no contact information for him, so McCarthy appears not to have interviewed him. McCarthy also interviewed Fitzgerald, who denied the allegations.

Before Fitzgerald died in 2020, a total of eight individuals reported that he had sexually abused them as children. Fitzgerald denied these allegations, and none of the acts could be prosecuted by the time they reached law enforcement due to the expiration of the relevant statutes of limitations. The Diocese included Fitzgerald on its Credibly Accused List.

In another case, a victim recounted that his abuser, **Father Philip Magaldi**, threatened that if he disclosed the abuse to anyone, the boy would “be taken away from [his] family [and] . . . for eternity [he’d] burn in hell.” Magaldi reportedly abused eight other boys over the course of his nearly 40-year ministry in the Diocese. A victim of **Father Michael LaMountain** recounted that LaMountain told him that he would be kidnapped and go to hell if he told anyone about the abuse. LaMountain pled guilty in 1999 to nine felony counts relating to his sexual abuse of five adolescent boys and young men between the 1970s and early 1990s. Fathers Magaldi and LaMountain are both listed on the Diocese’s Credibly Accused List. These examples provide a glimpse into the lengths to which certain priests would reportedly go to abuse children and conceal their crimes.

### 3. Locations of Reported Abuse

We sought to identify locations throughout the state where the most reported instances of clergy abuse occurred. In Figure 4, that data is organized by the number of victims per parish, while in Figure 5 it is organized by the number of accused priests per parish. In both figures, one Diocesan parish led all others: St. Mary’s Church in Cranston.

**Figure 4**

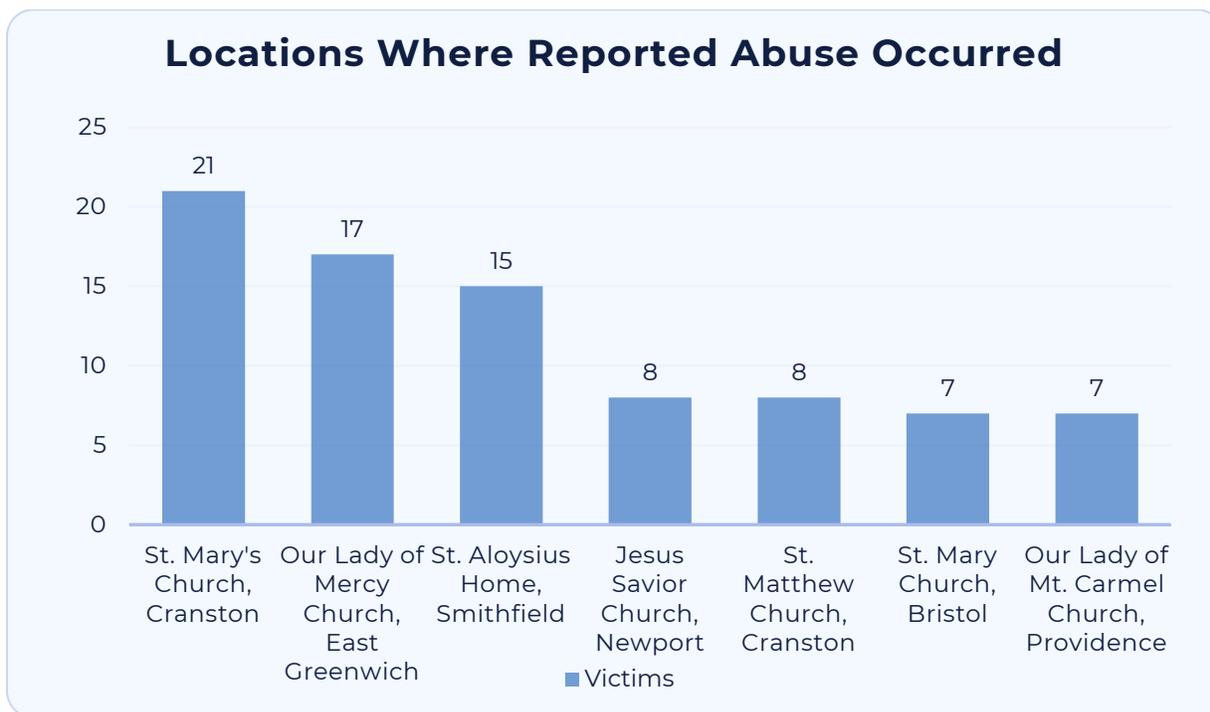
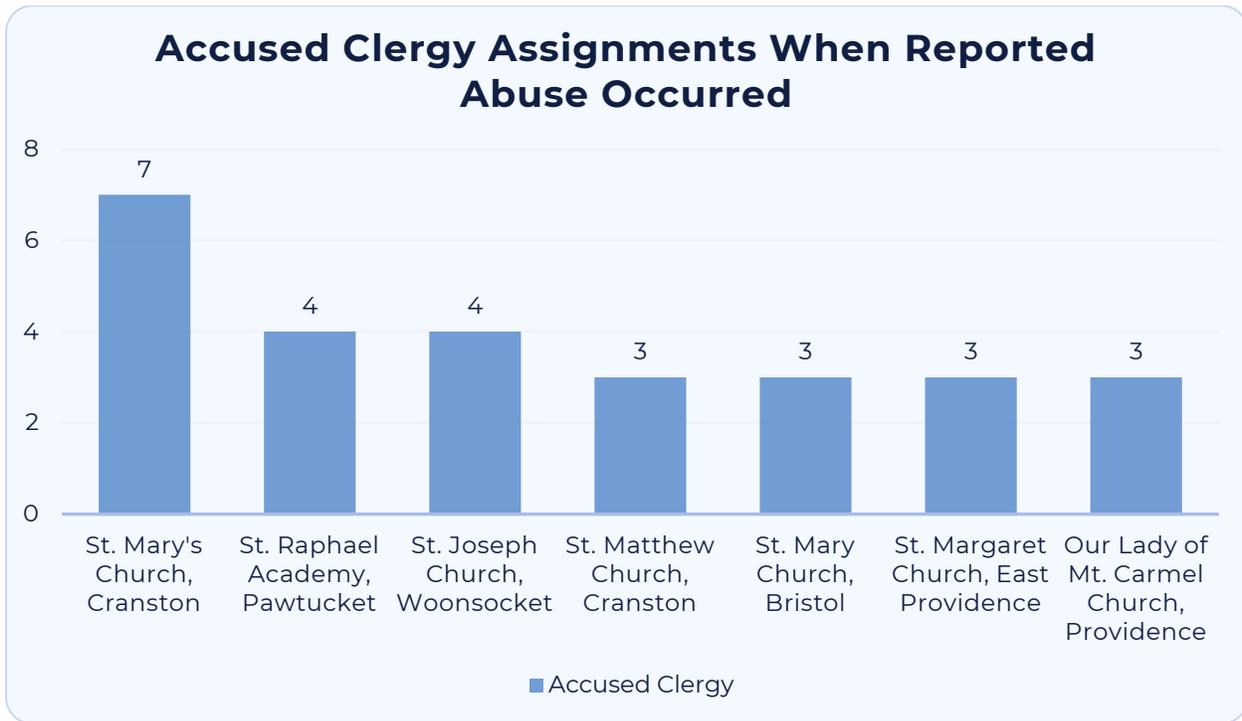


Figure 5



The reported abuse took place in many varied environments, including in churches and rectories, parish schools, during church programs, such as Catholic Youth Organization (“CYO”), in the private homes of priests or parishioners, vehicles, and elsewhere. Multiple priests took children on day trips or overnights to other locations in or out of state and reportedly molested them there.

**a. Churches and Rectories**

Unsurprisingly, much of the reported abuse took place in Diocesan churches and rectories. Targeting children at their place of worship gave clergy easy access to their victims, who often worked as altar servers or participated in religious or recreational activities affiliated with the Church. Children were frequently left unsupervised at these locations by unsuspecting parents. Once under a priest’s supervision and control, victims were groomed with attention and gifts, such as clothing and money. They were invited to overnight visits at the rectory, where abuser priests would entice them to watch films that contained nudity or pornography, serve them alcohol (and at times use drugs together), shower with them, bathe them, or climb into bed with them.

Examples abound. One priest, **Father Paul Henry Leech**, repeatedly abused four boys – ranging in age from 10 to 16 when the abuse began – in their homes and in the rectories of churches in Lincoln and Woonsocket. In 1985, Father Leech pled *nolo contendere* to eight felony counts relating to his abuse of those children, and was sentenced to 15 years in prison, with three years to serve and the balance suspended

with probation. He is listed on the Diocese’s Credibly Accused List. Another priest, **Father Oscar Ferland** (referenced above), reportedly sexually assaulted a boy from the time he was six years old to when he was 10, in the rectory of St. Michael Church in Providence in 1964. He is included on the Diocese’s Credibly Accused List. **Father Francis Santilli** reportedly sexually abused three, and possibly as many as five, altar servers in rectories and sacristies<sup>116</sup> in Providence and Woonsocket in the early 1980s. Santilli would reportedly place the children on his lap and tickle them, and touch their genitals over and under their clothing and/or press his genitals against them. He is also listed on the Diocese’s Credibly Accused List.

### **b. Private Homes and Trips**

As already noted, abuser priests took advantage of the trust placed in them by victims and their families to commit horrific crimes. Parents trusted priests with their children, and invited them to family and social events and into their homes. The sheer depth and depravity of abuser priests’ betrayal of that trust is perhaps best illustrated by this: clergy abuse in the Diocese of Providence reportedly occurred even in children’s own homes and bedrooms, sometimes with unsuspecting parents in the next room.

In an interview with OEC Director Robert McCarthy in 2004, one victim recounted how he had been repeatedly molested by a Diocesan priest, **Father Dennis Brodeur**, at his family’s home in the late 1970s-early 1980s, when he was about 13-14 years old. The priest, whom he met at his local parish, St. Jude’s Parish in Lincoln, was reportedly close friends with the boy’s parents. The victim reported that Father Brodeur spent a lot of time in their home and that, at night, the priest would sometimes enter his bedroom while his parents were home to “tuck [him] in,” and this reportedly escalated to repeated instances of sexual abuse. This was the only known report of abuse against Father Brodeur in the documents produced by the Diocese to this Office. The Diocese included him on its Credibly Accused List.

***The sheer depth and depravity of abuser priests’ betrayal of that trust is perhaps best illustrated by this: clergy abuse in the Diocese of Providence reportedly occurred even in children’s own homes and bedrooms, sometimes with unsuspecting parents in the next room.***

**Father Louis Diogo** of St. Francis Xavier Church in East Providence reportedly sexually abused two sisters in their family home in Massachusetts when he gave them

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<sup>116</sup> A sacristy is a room in a church where vestments and other items are kept.

weekly piano lessons over a two-year period in the late 1950s. The sisters reported that Diogo would kiss and inappropriately touch them, beginning when they were five and 13 years old, respectively. According to one of the sisters, when she was 10 years old, Diogo took her to her aunt's house, placed her on a bed, and began kissing her. She reported that the abuse continued for years even after the piano lessons ended. The Diocese included Father Diogo on its List of Credibly Accused Clergy.

Additionally, we found multiple instances where clergy sexually assaulted minors on overnight trips or at cottages and vacation homes either owned by the priest or by a priest's relative or friend. These sites provided seclusion, uninterrupted access to children, and likely reinforced victims' sense of isolation. For example, **Father Joseph Rocha**, a Dominican Friar assigned to Bishop Hendricken High School from 1977 to 1982, reportedly abused a boy three times during the summer of 1982. The first reported incident occurred on a camping trip to New Hampshire, where Rocha and the complainant shared a bed and Rocha pressed his pelvis into the complainant's buttocks while telling him to remain quiet. Father Rocha reportedly abused the complainant again on a separate trip to a summer home in Cape Cod, when he touched the boy's genitals and again told him to remain quiet. Additional abuse reportedly followed. In 1986, Rocha left the Diocese after unsuccessfully seeking to become incardinated as a Diocesan priest and he left the Dominican Order shortly thereafter. Rocha was later tried and convicted in 2001 of sexually assaulting a 21-year-old mentally disabled man at an assisted living facility in North Providence in 1999 and is listed on the Diocese's List of Credibly Accused Clergy.

According to another survivor, **Father Adrien Menard** would host a group of boys at a cottage on Lake Pascoag in Burrillville in 1963 and devised a game in which the boys would draw cards from a deck to determine sleeping arrangements. Father Menard reportedly rigged the deck so that he and the survivor would always sleep together. Later, Father Menard reportedly joined the boy and his family on a trip to California where he reportedly molested the boy.

### **c. Schools, CYO, and Boy Scouts**

Abuse also reportedly occurred on the premises of Catholic schools in Rhode Island. Priests assigned to these schools reportedly used their authority to remove children from classes and then abused them. This Office identified the following Catholic schools as locations of reported clergy abuse during the Review Period:

- Mount Saint Charles Academy, Woonsocket (middle and high school)
- St. Raphael Academy, Pawtucket (high school)
- St. Joseph's School, West Warwick (pre-k, elementary, and middle)
- Sacred Heart School, West Warwick (pre-k, elementary, and middle)
- St. Joseph's School, Woonsocket (elementary and middle)
- St. Leo the Great School, Pawtucket (elementary and middle)
- St. Luke's School, Barrington (pre-k, elementary, and middle)

**Brother Roger C. Argencourt**, for example, a member of the Brothers of the Sacred Heart religious order, reportedly sexually abused an eighth-grade student at

Mount Saint Charles Academy, where Argencourt was a teacher, in 1985 or 1986. The complainant reported that Argencourt performed oral sex on the complainant after he agreed to help Argencourt carry school supplies to the school's basement. In early 2002, the complainant reported his abuse to the Woonsocket Police Department. They investigated the matter along with this Office, but Argencourt died suddenly, in September 2002, before the matter could be presented to a grand jury. Around the same time that the complainant disclosed his abuse to law enforcement, Brother Argencourt was publicly accused of sexually abusing several other male students at Bishop Guertin High School, another Sacred Heart Brothers-run school in New Hampshire, where Argencourt taught both before and after his tenure at Mount Saint Charles. Argencourt is not listed on the Diocese's List of Credibly Accused Clergy.

We also encountered several reports of abuse of children who were involved in CYO or other church-sponsored youth programs. CYO programs offer children the opportunity to participate in sports and other activities after school and on weekends. We found similar reports of abuse by Diocesan priests involved with the Boy Scouts of America, including at Camp Yawgoog, an 1,800-acre reservation for scouting located in Rockville, Rhode Island, and operated by the Narragansett Council of the Boy Scouts of America.

Based on records produced by the Diocese, at least two priests reportedly abused children while involved with the Boy Scouts, including at Camp Yawgoog.<sup>117</sup> These priests reportedly used their positions with the Scouts to gain access to unaccompanied children, establish relationships with them, and then molest them. A single priest, **Father Edmond Micarelli**, reportedly sexually abused at least 12 minors between the ages of eight and 15 in the 1960s and 1970s while serving as a Boy Scouts chaplain at Camp Yawgoog. In notes from a 1990 meeting between Auxiliary Bishop Angell, Monsignor Salvatore Matano, and one of Micarelli's victims, Matano described how the boy came to know the priest through the Camp and was then abused:

[Complainant's] father died. Around this time, 1963-1964, aged 15-16 (maybe 14-15) he alleges the association began. [Complainant] worked at Camp Yawgoog [in] '63-64 and Father Micarelli was the Catholic Chaplain. Father Micarelli, according to [Complainant], befriended him;

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<sup>117</sup> The alleged abuse at Camp Yawgoog was not limited to priests. In 2019, **James Clawson**, a former assistant chaplain and eucharistic minister at St. John Bosco Chapel at Camp Yawgoog, pled *nolo contendere* to 11 counts of first-degree sexual assault of a disabled 18-year-old resident at a group home in Rhode Island in 2018 and five minors when they were boy scouts at Camp Yawgoog in the 1980s. Clawson was sentenced to 60 years in prison, with 40 years to serve and 20 years suspended with probation. Clawson had also previously served as a liaison between the Boy Scouts and St. Bernard's Church in North Kingstown, which hosted meetings of a cub scout troop in its parish center. Clawson was also reportedly affiliated with Immaculate Conception Church in Westerly. The Boy Scouts conducted an internal investigation which, according to an internal 2019 Diocesan email, revealed that Clawson's personnel file contained "several infractions which should have raised [red] flags, and had those been shared [with the Diocese] would have prohibited his active role both at the Chapel and in Catholic Scouting."

Father Micarelli was like a father and a big brother. [Complainant] says that after his meeting with Father Micarelli, Father would take him to his summer camp. [Complainant] alleges that either the first winter or the second winter after their meeting Father Micarelli sodomized him in his sleep and had made advances toward him. [Complainant] went with Father Micarelli less frequently after this incident but continued to be friendly with Father Micarelli and his family . . . . According to [Complainant], Father would befriend trouble[d] kids and become friendly with their families and “actually have sex with the kids in their homes.”

In 2003, Father Micarelli submitted a request for voluntary laicization to the Vatican, which was supported by Bishop Mulvee. Remarkably, the Vatican *denied* the request, citing Micarelli’s age and “the fact that he is living quietly in Florida celebrating Mass in private.” The CDF requested that the Bishop restrict his ministry to the celebration of Mass in private, but Micarelli was allowed to “live out his days as a priest.” The Diocese included Micarelli on its List of Credibly Accused Clergy in 2019.

Another priest, **Father Edward Kelley**, reportedly met his 14-year-old victim in 1976 while Kelley was serving as the new Boy Scouts Troop Chaplain.<sup>118</sup> The victim alleged that the priest would pinch the boy’s buttocks, tell sexual jokes, talk about masturbation, until eventually having sex with him multiple times. In a 1994 interview with Diocesan Minister for Priests Normand Godin, the victim described a trip he took with the priest and other scouts:

I remember an episode when I was 16 years old [REDACTED].  
[REDACTED].  
I went on a camping trip [REDACTED] with 10 other Boy Scouts and Fr. Kelley who was the only adult on the camping trip. The whole theme of the trip was to experience what it was like to live like an authentic Indian. Fr. Kelley would walk around with only a tiny loin cloth on. All of us could see his genitals. During the night, he would sleep with me naked in my "lean-to." He would fondle me repeatedly trying to sexually arouse me. I was too nervous to get sexually aroused. I didn't want the other kids to know so I resisted Father and kept telling him that this was the wrong place and time to do this. I got very little sleep that night. When I woke up he was lying on top of me naked.

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<sup>118</sup> While we found no personnel document confirming that Kelley served as Boy Scouts Chaplain in the records produced by the Diocese, on May 29, 1973, he wrote a letter to the Personnel Board of the Diocese requesting that he be appointed assistant to the Scout Chaplain. Records show that the Scout Chaplain at that time was Father Micarelli.

This victim was found dead a few years later from an apparent suicide. In 1987, as a part of a diocesan investigation into claims that Kelley was residing with a boy in the rectory of St. Agatha Church in Woonsocket, a parish employee reported that Kelley had “described past ‘lock-ins’ he has had with boy scouts where he has locked the door and had the youth strip naked to show them how to prevent hypothermia” and “had them sleep naked explaining that this is a way not to attract wild beasts.” In 2021, a grand jury indicted Kelley following an investigation by the State Police and this Office on three counts of first-degree sexual assault of that boy. The Diocese did not include Kelley on its Credibly Accused List when it was originally released in 2019 but added him in 2022 following his indictment. Father Kelley was found incompetent to stand trial in 2022 and died before the case could be tried.

#### **d. St. Aloysius Home**

St. Aloysius Home was a foster-care and treatment facility in Smithfield that operated from 1939 to 1994 by a corporation called the Rhode Island Catholic Orphan Asylum Corporation. St. Aloysius provided emergency shelter, residential treatment, and a foster-care program for children in the custody of the Rhode Island Department of Children, Youth, and Families (“DCYF”). The Diocese owned the land and the building, appointed the facility’s administrator, and the Bishop was the President of the corporation. According to a brochure from 1991, the goal of St. Aloysius Home was “to provide comprehensive treatment services to enable the child to return to a family or community setting.”

Two Diocesan priests, **Fathers Robert McIntyre** and **Rene Guertin**, are together alleged to have sexually abused or attempted to sexually abuse 15 children at St. Aloysius Home from the 1950s to the 1980s. Both are listed on the Diocese’s Credibly Accused List and are deceased. Neither was ever criminally charged. Father McIntyre was assigned to St. Aloysius Home in 1971 and became director of the facility in 1978. Over the course of his 23 years there, McIntyre reportedly sexually abused at least 11 of the home’s seven- to 15-year-old male residents. According to documents produced by the Diocese, the Diocese first learned of allegations against McIntyre in 1993. Father Guertin was assigned as a chaplain at St. Aloysius beginning in 1946, and as the Recreation Director beginning in 1948, and served there until 1969. He reportedly sexually abused one child and attempted to sexually abuse another in the 1950s and reportedly sexually abused two children in the 1960s while assigned there. According to documents produced by the Diocese, officials first learned of Father Guertin’s reported abuse in 2007, at which point Guertin was deceased. However, records also show that Diocesan officials learned in 1973 that a 14-year-old girl was living in a church rectory with Guertin; we found no record of any action by any Diocesan official in response to this information.

Survivors reported that they experienced severe mental, physical, and sexual abuse at the hands of priests and staff members at St. Aloysius. One survivor reported that Father Guertin made him strip naked and assaulted him with a stick when he told him of sexual abuse by older boys at the facility. Another victim, a woman, reported that a nun would bring her to Father Guertin’s bedroom as a child, where he

would sexually abuse her, and that the nun knew about the molestations. She described one such incident to the Diocesan investigator in an interview in 2015:

Yes, I wanted, we were going to watch the Wizard of Oz in color for the first time and they had a beautiful conference room and had these big, huge tables and chairs and you could really hide. Sister [REDACTED] was pissed because I, I knew she was coming. I could hear the squeak of her, I knew her footsteps and I started to hide in the chairs and she came under the table and literally pulled me out and brought me to Father Guertin's room and oh, and also after you know the molestation, he would give us the candy, but when we, when I came out, Sister [REDACTED] would take the candy and call me filthy, dirty little girl and...

The child sexual abuse at St. Aloysius Home first became public in 1992 when sixteen boys alleged that they were sexually abused at the facility. That year, three former lay staff members and an outside optometrist were indicted for child molestation involving boys at St. Aloysius.<sup>119</sup> In 1993, DCYF removed children in its custody from St. Aloysius following the allegations “and troubling findings by the state child advocate and an independent consultant.”<sup>120</sup> The consultant, a physician, submitted a confidential report to DCYF that was critical of various policies and practices of St. Aloysius—including some of the same practices identified by this Office during our Investigation, such as delayed and selective reporting of abuse allegations to authorities. Ultimately, State Child Advocate Lauren D’Ambra, now a Family Court Judge and former member of the Diocese’s Review Board, secured orders from the Family Court to require notification of abuse complaints to DCYF prior to any internal investigations by St. Aloysius Home.

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<sup>119</sup> One of the staff members pled *nolo contendere* to an amended charge of simple assault and received a year’s probation. He reportedly became a youth basketball coach in Providence and served in the Diocese’s youth ministry, before committing suicide in 2015 after being charged with second-degree sexual assault of a 15-year-old boy. Another staff member pled *nolo contendere* to five counts of second-degree child molestation and the court sentenced him to a 10-year suspended sentence with probation on each of the five counts, to run concurrently. A Superior Court jury acquitted the third staffer of seven counts of second-degree child molestation. The optometrist pled *nolo contendere* to an amended charge of two counts of simple assault and battery and the court sentenced him to one year of probation on each count, to run concurrently.

<sup>120</sup> Amanda Milkovits, *Memory of Childhood Rape by Priest Motivates Warwick Man to Fight for Other Victims*, The Providence Journal (Nov. 23, 2018, 4:10 PM), <https://www.providencejournal.com/story/news/courts/2018/11/23/memory-of-childhood-rape-by-priest-motivates-warwick-man-to-fight-for-other-victims/6586032007/>.

In 1993, DCYF announced that the State would end its contract with St. Aloysius. Bishop Gelineau released a statement on June 23, 1993, lamenting the State’s decision, despite the reports of child sexual abuse of multiple victims over multiple years:

I have every confidence in the administration and staff at the home, which for so many years has provided excellent care for so many troubled and abused children. . . . I am proud of the 150-year record of this facility in providing help to neglected and abused children . . . . I am confident that no substance will be found in recent charges by the parents of two youths that sexual abuse has been ignored or tolerated at St. Aloysius. The staff at the home is, in fact, nationally recognized for leadership in designing programs to cope with the problem of child abuse.

St. Aloysius Home subsequently closed in 1994. The victims who reported abuse there found no relief in their civil lawsuits against the Diocese and others. In 1999, the Rhode Island Supreme Court ruled that the bishop’s “corporation sole,”<sup>121</sup> the Roman Catholic Bishop (“RCB”) of Providence, was not liable for the sexual abuse of a dozen plaintiffs that allegedly occurred at St. Aloysius, because there was insufficient evidence that the RCB organized and controlled St. Aloysius’s affairs.<sup>122</sup> That year, a jury found DCYF, St. Aloysius Home, and McIntyre not liable following a civil trial in a case brought by another former resident in Providence Superior Court.

In 2002, the Rhode Island Supreme Court ruled that a suit brought by yet another former resident of the orphanage against Bishop Gelineau, the RCB, St. Aloysius, McIntyre, the State, and officers of DCYF, for sexual abuse he allegedly suffered as a child, was properly dismissed on statute of limitations grounds because the plaintiff did not sufficiently demonstrate that he suffered from an “unsound mind,” i.e., an inability to manage one’s day-to-day affairs, which would toll the statute of limitations pursuant to R.I. Gen. Laws § 9-1-19.<sup>123</sup>

### e. Hospitals

In addition to the institutional setting of St. Aloysius, we also encountered reports of clergy sexual abuse of children in another setting where they were particularly vulnerable: in the hospital.

For example, the parents of a 12-year-old boy reportedly asked **Father Richard Meglio** to give “care and comfort and spiritual guidance” to the boy while he was in the hospital due to psychological distress in 1972. According to a civil complaint filed

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<sup>121</sup> A “corporation sole” is “[a] series of successive persons holding an office; a continuous legal personality that is attributed to successive holders of certain monarchical or ecclesiastical positions, such as kings, bishops, rectors, vicars, and the like. This continuous personality is viewed, by legal fiction, as having the qualities of a corporation.” CORPORATION, Black’s Law Dictionary (12th ed. 2024).

<sup>122</sup> See *Doe v. Gelineau*, 732 A.2d 43, 49 (R.I. 1999).

<sup>123</sup> See *Roe v. Gelineau*, 794 A.2d 476, 486-88 (R.I. 2002).

by the complainant against the Diocese in July 1994, Father Meglio regularly took the boy from Butler Hospital to the church and rectory of Our Lady of Grace Church in Johnston and sexually abused him there. The complainant further reported that another pastor at Our Lady of Grace Church in Johnston knew about the abuse but did not inform anybody or take any action to prevent it. Fifteen years earlier, in July 1979, Auxiliary Bishop Angell had written Bishop Gelineau to advise him that the pastor of Our Lady of Grace Church wished to have Meglio reassigned. He noted that “[the Personnel] Board has no significant knowledge regarding Father Meglio thus they are not about to offer any reasons why he should be reassigned,” but that the pastor claimed that Meglio “completes his work but is out every night of the week.” In 1980, Meglio was transferred to Sacred Heart Church in West Warwick, RI. This document appears to corroborate the complainant’s report that a priest at Our Lady of Grace had at least some suspicion of Meglio’s misconduct. The Diocese ultimately settled the lawsuit with the complainant’s estate for \$500,000 in 2003. (The complainant had died in 1997 after years of struggling with mental health and substance abuse). Father Meglio is included on the Diocese’s List of Credibly Accused Clergy.

In another instance, **Father Normand Demers** reportedly sexually assaulted a 13-year-old boy in 1970 inside the Fatima Hospital living quarters, where Demers was assigned. Demers asked the boy’s mother, who was a patient at the time, if he could take her son swimming and out to dinner. She agreed, and Demers picked him up but then claimed that he needed to return to the hospital rectory to retrieve his swimsuit. While there, Demers reportedly wrestled with the boy, grabbed the child’s groin once over his bathing suit, and rubbed up against him. Demers was the subject of nine additional reports that he sexually abused boys and young men during the Review Period, and the Diocese later listed him on its Credibly Accused List.

### **C. The Accused Clergy**

When the Diocese published its List of Credibly Accused Clergy in the Diocese of Providence in July 2019, it listed **51 priests and deacons**, categorized as living or deceased and Diocesan or Religious Order, including two priests listed as “publicly accused.” Since that time, and during the pendency of this Investigation, the Diocese **added four names** to the List: **Fathers Edward Kelley** (after his indictment by this Office), **George McCra**, **Francis Santilli**, and **James Jackson**, bringing the total to **55**.

**The true number of clergy abusers in Rhode Island is likely far higher than what the Diocese represents. This Report includes 75 clergy deemed by this Office to have been credibly accused of child sexual abuse within the Diocese during the Review Period.** Of those, 59 were Diocesan priests, two were Diocesan deacons, 13 were religious order members, and one was an extern priest. In reaching this determination, the Office relied on records produced by the Diocese, victim and witness accounts, court and law enforcement records, as well as admissions made by the accused clergy themselves. It bears noting, however, that our determination that certain accusations were credible is not tantamount to findings of guilt in court. Most of the priests listed here were never prosecuted or convicted of the alleged conduct, and thus by law are presumed innocent.

As shown in the figures below, the vast majority of credibly accused priests are alleged to have abused multiple victims. Most of the accused clergy reportedly abused minors of one sex, though we also found some who reportedly sexually abused both males and females.

**Figure 6<sup>124</sup>**

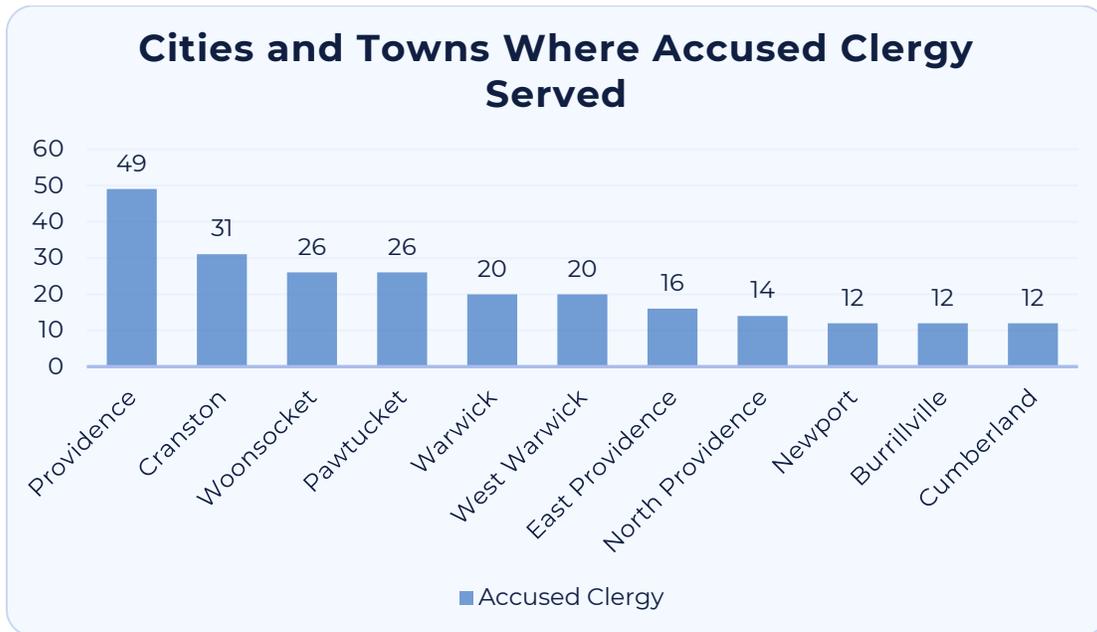


We also sought to identify not only where those clergy reportedly committed their abuse during the Review Period (as described in Figures 4 and 5 above), but also where they served within Rhode Island, regardless of whether they faced abuse allegations at any particular assignment. Based on that analysis, it appears that credibly accused clergy discussed in this Report served across Rhode Island, from Woonsocket to Westerly, Tiverton to West Greenwich. The following graph identifies the 11 cities and towns where the highest number of accused clergy served over the course of their ministries, with most of those clergy serving in Providence, Cranston, Woonsocket, and Pawtucket.

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<sup>124</sup> This data does not include Father James Jackson and Deacon Edward Sadowski, who were convicted of child pornography crimes and are, to this Office's knowledge, not alleged to have sexually abused any children themselves.

**Figure 7**



Further, we examined the parishes where accused clergy served. The data shows that of the more than 115 Diocesan parishes in the state, 15 parishes were home to five or more accused clergy during the Review Period, and 10 accused clergy cycled through a single church: St. Mary's Church in Cranston. **The other churches where five or more accused clergy served were:**

- Blessed Sacrament Church, Providence
- Cathedral of SS. Peter and Paul, Providence
- Church of Our Lady of Mount Carmel, Providence
- Sacred Heart Church, West Warwick
- SS. Peter and Paul Church, West Warwick
- St. Agatha Church, Woonsocket
- St. Agnes Church, Providence
- St. Ann Church, Providence
- St. Brendan Church, East Providence
- St. Joseph Church, Woonsocket
- St. Lawrence Church, North Providence
- St. Leo the Great Church, Pawtucket
- St. Matthew Church, Cranston
- St. Vincent de Paul Church, Coventry

Our Investigation also found that accused clergy were frequently placed in **hospitals and medical centers** following allegations of sexual misconduct. Eight such accused clergy served at St. Joseph's Hospital in Providence, and accused clergy also served in the following facilities:

- Eleanor Slater Hospital, Cranston
- Mount St. Rita Health Centre, Cumberland
- Our Lady of Fatima Hospital, North Providence
- Rhode Island Hospital, Providence
- Rhode Island Medical Center, Cranston
- Veterans' Administration Medical Center, Providence

Alarming, credibly accused Diocesan clergy also served in several **educational institutions** in Rhode Island. Four accused clergy served at St. Raphael Academy in Pawtucket, and four served at LaSalle Academy in Providence. In addition, as many as seven accused clergy served at Our Lady of Providence Seminary,<sup>125</sup> a preparatory school for students studying to join the priesthood, during this time. Accused clergy also served at the following schools in the state:

- Bishop Hendricken High School, Warwick
- Bryant University, Smithfield
- Mount Saint Charles Academy, Woonsocket
- Notre Dame High School, Central Falls
- Roger Williams University, Bristol
- St. Francis Xavier Academy, Providence
- St. Joseph School, West Warwick
- St. Leo the Great School, Pawtucket
- St. Luke's School, Barrington
- St. Mary Academy – Bay View, East Providence
- St. Philip's School, Smithfield
- University of Rhode Island, South Kingstown

## 1. Warning Signs

The Investigation found that in virtually all reported cases, the priests capitalized on their access to minors through the Church and sought out frequent and prolonged contact with youth by, for example, allowing minors to congregate in or around parish rectories, seeking assignments or volunteer opportunities involving children, and demonstrating excessive involvement in children's lives. Reports of abuse or suspected abuse were often preceded by or included concerns regarding priests spending large amounts of time with adolescents (typically teenage boys), having groups of minors spend time in rectories, or hiring children to perform tasks around churches and rectories. **Our review concluded that the Diocese did not take these warning signals sufficiently seriously.**

For example, in August 2002, then-Chancellor John Darcy wrote a confidential memorandum about a meeting with a priest, **Father Barry Meehan**, who was assigned to St. Timothy Church in Warwick. The memo reveals that a nun had relayed

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<sup>125</sup> Our Lady of Providence Seminary originally operated in Warwick before moving to Providence in 1983.

concerns to Bishop Robert Mulvee raised by unidentified persons about Father Meehan's associations with boys who hung around the rectory. During the meeting, Father Meehan was reportedly "not surprised at all" about the concerns and acknowledged that he began assisting the boys with homework and they "may have become dependent on each other." Notably, Chancellor Darcy's focus at the meeting was "NOT about any allegations against [Father Meehan]," (emphasis in original) or to prevent further questionable associations that could place minors in danger. Rather, as expressed in the memorandum, "[t]he concerns were the perception of some people that his association with young men during his assignment at St. John's seemed inappropriate." Darcy added, "[w]e discussed that in the current crisis in the Church, appearance becomes reality for many people," and noted that their conversation served as a warning "to express my personal concerns for his effective pastoral ministry."

Twelve years later, in 2014, Father Meehan was charged with five counts of first-degree sexual assault for allegedly molesting a boy and a young man between 1986 and 1992. He pled not guilty and died in 2016 before his case could be tried. Documents reveal that he reportedly abused at least three other boys in the 1980s and 2000s. He was dismissed from the clerical state in March 2015 and included by the Diocese on its 2019 Credibly Accused List.

Another priest who prompted warnings about his associations with minors was **Father William O'Connell**. In 1978, a fellow priest listed a number of concerns about O'Connell in a letter to Bishop Louis Gelineau and Auxiliary Bishop Kenneth Angell. One of the problems he brought to his superiors' attention was, as he called it, a "scandal of little boys" that involved Father O'Connell bringing boys on overnight trips. Rather than setting off alarm bells and spurring officials into action, Bishop Gelineau deemed the priest's report "unconvincing," and Auxiliary Bishop Angell instructed the priest to gather more evidence. In 1984, another priest likewise advised Angell of his own concerns about Father O'Connell's conduct with young boys. Again, Angell directed the reporting priest to gather evidence and took no action. Father O'Connell was arrested shortly thereafter and eventually pled nolo contendere to 26 counts related to his sexual abuse of two boys. The court sentenced him to one year in prison, after which he was ordered to return to a treatment center in Maryland, Saint Luke Institute. In all, O'Connell reportedly abused at least 23 boys between 1950 and 1985.

In 1993, a complainant reported to the Rhode Island State Police that **Father Peter Scagnelli** had sexually abused him in the late 1970s at St. Timothy Church in Warwick. He reported that Father Scagnelli regularly invited teenagers to sleep at the rectory, provided them with alcohol, and would wrestle with altar boys and touch their penises before Mass in the sanctuary area of the church. Another complainant alleged that on one occasion, shortly after Father O'Connell had been arrested in 1985, the pastor of Our Lady of Mount Carmel Church in Bristol told Father Scagnelli not to have any more boys upstairs in the rectory—while the complainant hid under a desk in Scagnelli's office, at Scagnelli's instruction. That account, if credited, suggests that others in the church at least suspected Father Scagnelli of misconduct, but there is no evidence that they took any action to investigate these concerns at the time. In total, the Diocese received nine complaints of abuse or grooming against Father

Scagnelli, including seven while he was living. The Diocese listed Father Scagnelli on its 2019 List of Credibly Accused Clergy.

Accused priests also sought out assignments with youth early on in their careers. For example, the Diocesan personnel file of **Father Paul Henry Leech**, discussed above, contained multiple lay evaluations from his time as a deacon preparing for the priesthood<sup>126</sup> that noted that he “appears to have a greater interest in the youth of our parish,” and spent “a great deal of time with the youngsters in the recess yard” at St. Philip’s School. Father Leech was later convicted of sexually assaulting four children and is listed on the Diocese’s Credibly Accused List. Similarly, an evaluation of **Father Roland Lepire** noted that his most successful activity was “working with young people,” and that he had shown initiative and creativity in his parish work “especially in attracting and acquiring the trust and love of young people.” Father Lepire admitted to molesting numerous boys and was ultimately dismissed from the clerical state and included on the Diocese’s Credibly Accused List.

While in the cases of Fathers Leech and Lepire it does not appear that the Diocese found any cause for concern in their “gravitation” towards youth, there are other cases where Diocesan officials appeared to recognize the potential for future problems. Documents obtained during this Investigation revealed multiple instances where supervisors and others expressed concerns about priests in training during seminary and in applications for ordination to the priesthood. They ranged from comments regarding maturity and emotional development, to notes about their personal traits and associations with minors. To be sure, these comments take on a different hue when viewed through the clarifying lens of hindsight. In addition, the authors often wrote in vague or obscure language, making it difficult to discern their true intentions – though it is also undoubtedly true, as discussed later in this Report, that Church officials employed such vague language when discussing child sexual abuse. It must also be noted that at times it was difficult to distinguish concerns about sexual attraction to minor boys from concerns about homosexuality in general, because the Church often mistakenly conflated the two and historically considered homosexuality to be a sin on par with the abuse of children.<sup>127</sup>

Nevertheless, the examination of these materials revealed early warning signals in the personnel files of certain priests, who were later accused of sexual misconduct with children, which were either ignored or dismissed by Diocesan officials. For instance, the records produced by the Diocese demonstrate that officials received warning signs about **Father Michael LaMountain** (referenced above) from the time of his entry into priesthood. In a June 1976 evaluation of LaMountain’s diaconate at St. Catherine Church in Warwick, for example, his clergy supervisor wrote that while he was in favor of LaMountain’s ordination, “one cause of concern is [La Mountain’s] relationship with youths. I feel that at times he should not be so close to them.”

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<sup>126</sup> Men preparing for the priesthood first serve, and are ordained, as deacons before being ordained as priests.

<sup>127</sup> For example, there were references to “problematic relationships,” which we understand to possibly reference same-sex relationships between consenting individuals of the same age.

Regarding his maturity, the supervisor added “[m]y only comment has been that he tends to spend a little too much time with youth. He would do well [to] be with adult friends a little more . . . . When he arrived here there was some kiddishness and horsing around with the youth. He was too familiar, but since there has been appreciable growth.” There is no indication that the Diocese heeded the writer’s warnings; Father LaMountain would go on to plead guilty in 1999 to nine felony counts relating to his sexual abuse of five adolescent boys between the 1970s and early 1990s.

## 2. Clergy Admissions

While the prevailing response by priests confronted with accusations of child sexual abuse was denial, prevarication, equivocation, or silence, some priests admitted to their abuse. These admissions were not consistently passed on to law enforcement – far from it – nor did they typically result in the Diocese removing the priests from ministry. Far more common than direct admissions were occasions when accused clergy would concede seemingly-innocuous details (such as knowing the complainant or spending time with him or her at the rectory) but deny that anything sexual or inappropriate had occurred.

In all, we identified at least 22 clergy who admitted some degree of misconduct to Diocesan officials or others, including 13 who pled *nolo contendere* or guilty to sexual assault involving children or child pornography charges in Rhode Island and elsewhere. Beyond the courtroom, accused priests admitted to abuse in a variety of settings, including “treatment centers,” and during confrontations by either Church officials or even victims or their families. For example, the family of a victim who was sexually abused by **Father Robert Carpentier** in the 1970s reported his abuse to Auxiliary Bishop Angell in 1992. The victim’s mother stated that she had confronted Father Carpentier a few months prior and that he had admitted it. According to Bishop Angell’s handwritten notes, in a subsequent meeting between Angell, Bishop Gelineau, and Father Carpentier, Carpentier admitted “that indeed he had sexually molested [the victim] when the latter was 13 years old” and agreed to resign from his position at St. John the Evangelist Church in North Smithfield. **Despite his admission, there is no indication in the Diocesan files produced to this Office that Diocese officials notified law enforcement about the abuse (or Carpentier’s admission) at that time.** The victim filed a civil suit against Carpentier and Diocese officials that year, which ultimately settled as a part of the landmark 2002 settlement between the Diocese and 36 survivors of clergy abuse for \$13.5 million. The Diocese sent Father

In all, we identified at least **22 clergy** who admitted misconduct to Diocesan officials or others, including **13** who pled *nolo contendere* or guilty to sexual assault involving children or child pornography charges in Rhode Island and elsewhere.

Carpentier to be evaluated at a treatment center in Hartford, Connecticut, and then on a sabbatical at Boston College. He remained on a “leave of absence” until his “official” retirement in 2006 and received support from the Diocese until he died in May 2012.

In another case, **Father William O’Neill** reportedly sexually abused two unrelated children, a boy and a girl, in the late 1960s and early 1970s. The girl’s brother reported her abuse to Bishop Gelineau in 1995. At that time, O’Neill was no longer a priest but was working as a music minister at St. Jude Church in Lincoln. In an August 1996 interview with Director McCarthy, O’Neill admitted to sexually abusing the 9 or 10-year-old girl, recalling for McCarthy that he had awoken during a camping trip lying next to the girl; he had an erection and ejaculated, adding, “I remember being between her legs when it occurred.” O’Neill also informed McCarthy that the pastor at St. Jude, where O’Neill worked at the time of his 1996 interview, had imposed a “no close door policy between Mr. O’Neill and any of his students.” McCarthy later learned from the St. Jude pastor that this was due to another incident where O’Neill allegedly slapped the buttocks of two girls.

Despite Father O’Neill’s admission; McCarthy’s determination that there were “sufficient facts to warrant a guilty finding” as to the allegation; *and* the additional incident relayed by the pastor, Bishop Gelineau ultimately decided that O’Neill would remain at St. Jude, under the pastor’s conditions, which he did until he died in 2000. The Diocese included O’Neill on its Credibly Accused List. There is no record indicating that any Diocesan official ever reported the abuse allegation, O’Neill’s admission, or the other allegations, to law enforcement.

### **3. Criminal Cases and Laicization**

In proportion to the overall number of identified credibly accused clergy in the Diocese of Providence, a frustratingly small number were held criminally responsible for their conduct. Twenty were charged with crimes in connection with sexual misconduct that occurred in Rhode Island or elsewhere, and 14 were convicted (either following a trial or by plea): **Fathers Daniel Azzarone, Paul Henry Leech, William O’Connell, Michael LaMountain, Joseph Abruzzese, Louis Dunn,<sup>128</sup> James Silva,<sup>129</sup> Brendan Smyth, James Campbell, Joseph Rocha,<sup>130</sup> James Jackson, Eugene Corbesero, and Deacons Laurence Gagnon, and Edward Sadowski.** Three priests died while their matters were pending: **Fathers Alfred Desrosiers, Barry Meehan, and Edward Kelley.** Father **Armand Ventre** was acquitted of having allegedly sexually assaulted three minors. The cases against three priests – Fathers John Petrocelli, James Silva and Kevin Fissette – remain pending as of the date of this Report.

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<sup>128</sup> Father Louis Dunn was convicted in 1997 of first-degree sexual assault of an adult woman.

<sup>129</sup> Father James Silva was convicted in 1995 of second-degree sexual assault of an adult man.

<sup>130</sup> Father Joseph Rocha was convicted in 1999 of sexually assaulting a 21-year-old mentally disabled man at an assisted living facility in North Providence, after Rocha left the priesthood.

Too often, criminal charges could not be brought because the statute of limitations had expired by the time the abuse was disclosed, or because the accused priest was dead by that time. Apart from facing (or not facing) criminal charges, the majority of clergy on the Diocese’s Credibly Accused List and discussed throughout this Report were permitted by the Diocese to remain priests. Only 12 priests were laicized by the Vatican, either through their own requests or due to actions brought by Diocesan or other Church officials.<sup>131</sup> Of those, three were laicized for reasons apparently unrelated to allegations of child sexual misconduct. At least three others, **Monsignor John Allard, Father Timothy Gorton, and Father B. Samuel Turillo**,<sup>132</sup> were permitted to retire into “a life of prayer and penance,”<sup>133</sup> and others were placed on indefinite leaves of absence or permitted to retire.

#### **D. The Diocese’s Historical Response: Inaction, Concealment, and Revictimization**

In a 1994 statement, a victim of **Father Robert Marcantonio** expressed his bewilderment and frustration with the Diocese’s inaction following his abuse:

Even though Bishop Gelineau became Bishop in 1972, after I was abused, I cannot understand why he waited until 1989 to suspend Father Marcantonio. I can only conclude that when complaints are not publicly brought against priests, then no one knows and no one is warned. I don’t want the same thing to ever happen again where any priest, not just Robert Marcantonio, can go on abusing children for years and years and from church to church. I still don’t know who can be trusted. Are people still remaining silent about others?

**We concluded that the Diocese’s historical failure to timely and appropriately respond to clergy abuse complaints resulted in the sexual abuse of additional Rhode Island children.** This includes several instances where the Diocese

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<sup>131</sup> Roland Lepire, James Silva, Michael LaMountain, Joseph D’Angelo, Daniel Azzarone, James Campbell, James Jackson, William O’Neill, Hugh Rafferty, Barry Meehan, Eugene Corbesero, and Paul Tousignant.

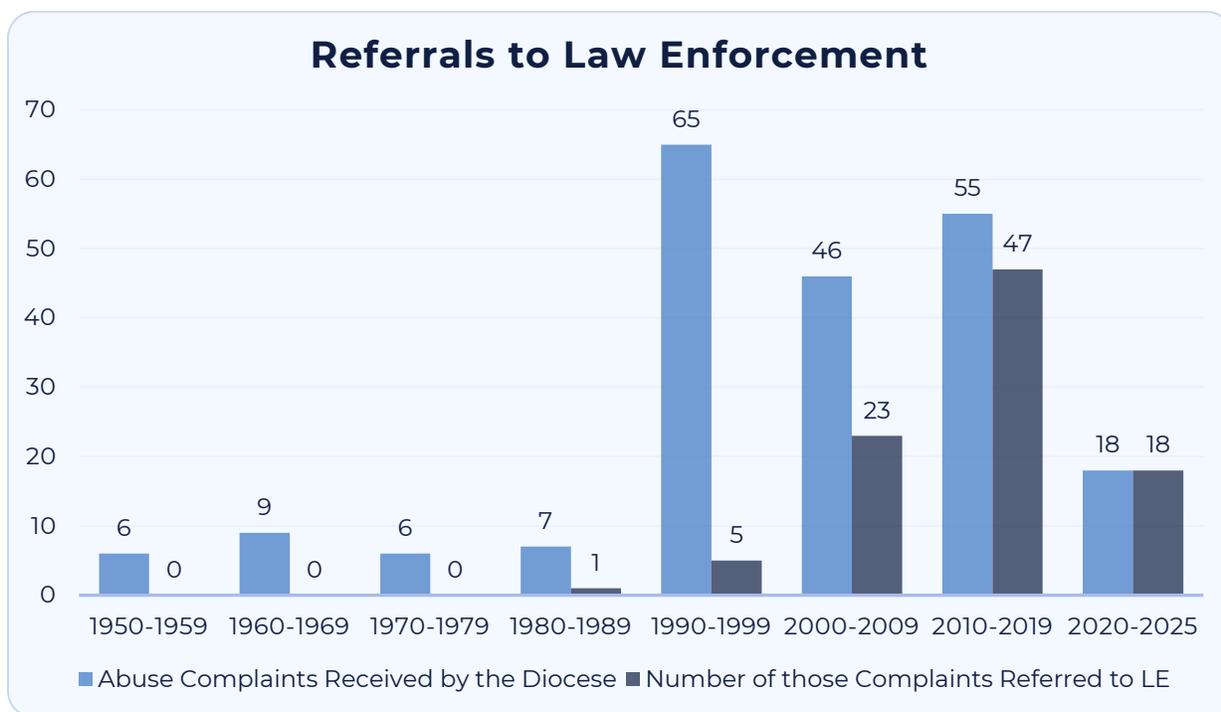
<sup>132</sup> Bishop Tobin also recommended that the Vatican penalize Father Francis Santilli with a life of prayer and penance, but it is unclear from the documents provided to this Office whether this penalty was issued as of the date of this Report.

<sup>133</sup> A “life of prayer and penance” refers to a permanent penalty, often imposed upon elderly or infirm priests, where a priest is “expected to dedicate his life to praying for victims and repenting of his past offenses,” and may not exercise public ministry or present himself as a priest. See *Questions and Answers Regarding the Canonical Process for the Resolution of Allegations of Sexual Abuse of Minors by Priests and Deacons*, USCCB, <https://www.usccb.org/upload/FAQs-canonical-process-sexual-abuse.pdf> (last visited Apr. 4, 2025); see also *Essential Norms*, § 8(b) (“If the penalty of dismissal from the clerical state has not been applied (e.g., for reasons of advanced age or infirmity), the offender ought to lead a life of prayer and penance. He will not be permitted to celebrate Mass publicly or to administer the sacraments. He is to be instructed not to wear clerical garb, or to present himself publicly as a priest.”).

failed to refer complaints of abuse to law enforcement—a failure discussed at length in Chapter 6. As also noted in that chapter, the Diocese’s failure to refer clergy abuse complaints to law enforcement was, for much of the Review Period, seemingly absolute: though the Diocesan records produced to this Office establish that the Diocese received dozens of abuse complaints during the first several decades of the Review Period, the very first documented referral of such a complaint by Diocesan representatives to civil authorities did not occur, based on our review of the Diocesan records, until 1989, when a Diocesan attorney may have relayed a complaint against Father Michael LaMountain to DCF (the predecessor to DCYF).

While Diocesan records indicate that the proportion of complaints that the Diocese received and then reported to civil authorities steadily rose from the 1990s onward, as the below figure illustrates, **unacceptable disparities remained until the Diocese entered into a Letter of Understanding with this Office in 2016, pursuant to which the Diocese committed to referring all allegations of child sexual abuse to this Office and the State Police.** But even well into the 2000s, the Diocese continued to withhold certain kinds of abuse complaints that it received, including those that the Diocese deemed not credible after an internal investigation, those that could be described as “grooming” or that did not clearly relay criminal misconduct, as well as complaints that, in the Diocese’s *own* determination, fell beyond the relevant criminal statute of limitations and were therefore likely not prosecutable.

**Figure 8**



By our tally, since the formation of the OEC in 1993, the Diocese contemporaneously referred **93 allegations** to law enforcement, with **55 referrals**

between 1993 and 2015 and **38 referrals** since 2016, when Kevin O'Brien became the OEC Director. However, we identified **119 instances** when Diocesan leaders *failed* to contemporaneously refer allegations of clergy child sexual abuse against priests or deacons to law enforcement, including **79** after formation of the OEC in 1993.<sup>134</sup>

From the Diocese's own records, we identified numerous instances where the Diocese had *documented* notice of alleged child sexual misconduct yet those clergy remained in ministry and then abused additional children. By our tally, over 40 victims were reportedly abused by at least 13 priests under circumstances where, the Diocesan records suggest, the Diocese had received some prior notice of possible child sexual misconduct by those same priests. It is likely that this number underrepresents this occurrence because it does not account for instances where the Diocese likely knew of, but did not document, allegations of misconduct, nor does it account for the Diocesan officials' failure, or unwillingness, to identify and act on red flags and warning signs before sexual abuse reportedly occurred.

**By our tally, over 40 victims were reportedly abused by at least 13 priests under circumstances where, the Diocesan records suggest, the Diocese had received some prior notice of possible child sexual misconduct by those same priests.**

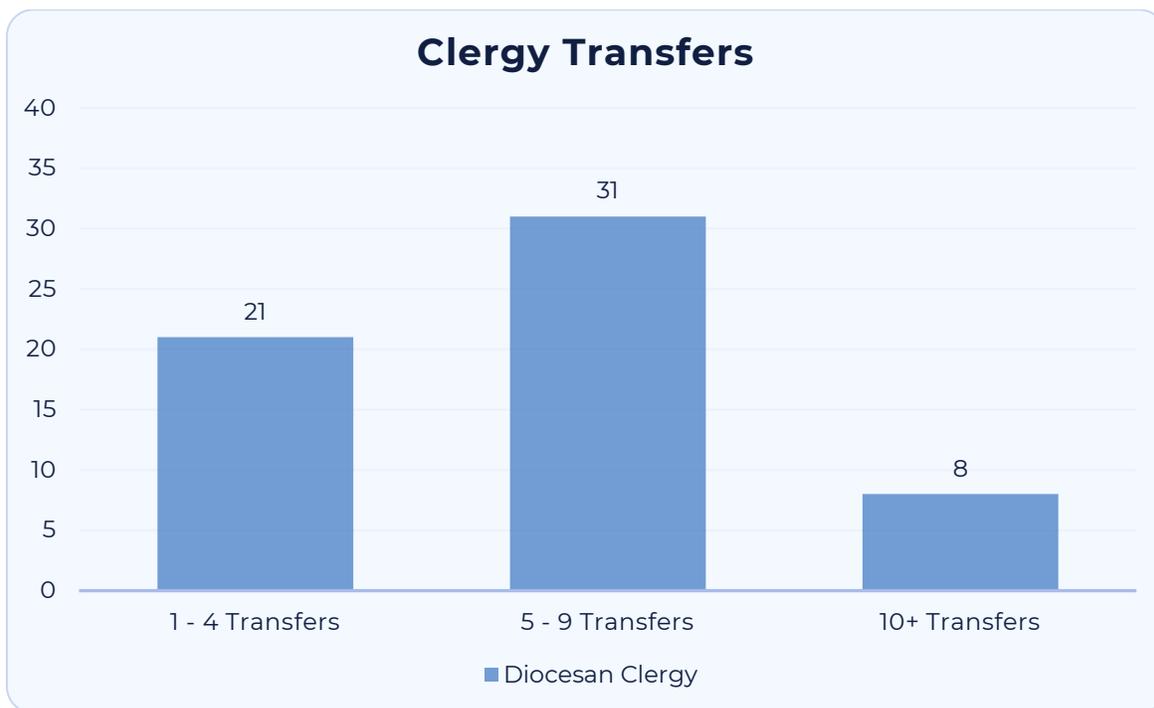
The Diocese of Providence also engaged in the tactic of transferring accused clergy to different parishes within Rhode Island following allegations of child sexual abuse without warning anyone (let alone informing law enforcement). These transfers placed these priests in new environments with continued access to children, thus enabling them to abuse additional victims. The graph below shows the transfers of accused Diocesan clergy during their ministry with the Diocese of Providence.<sup>135</sup>

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<sup>134</sup> These figures, and those in Figure 8, are based on the 75 clergy identified in this Report. The figures exclude those instances where the Diocese did not refer the complaint to law enforcement, and the accused priest or deacon was deceased at the time of the complaint or the records suggest that law enforcement was already on notice of the allegations at the time the Diocese received them. They also only include referrals to law enforcement that the Diocese made within approximately one year of receiving the complaint (an exceedingly liberal standard for what might count as a "contemporaneous" referral of a complaint to law enforcement).

<sup>135</sup> These figures exclude religious order members, who frequently served in a single or temporary assignment in the Diocese and for whom we did not consistently receive full assignment histories from the Diocese. It also excludes an extern priest, **Father Thomas Manu**, and a Diocesan priest, **Father Alfred Santagata**, for whom we did not receive a full assignment history.

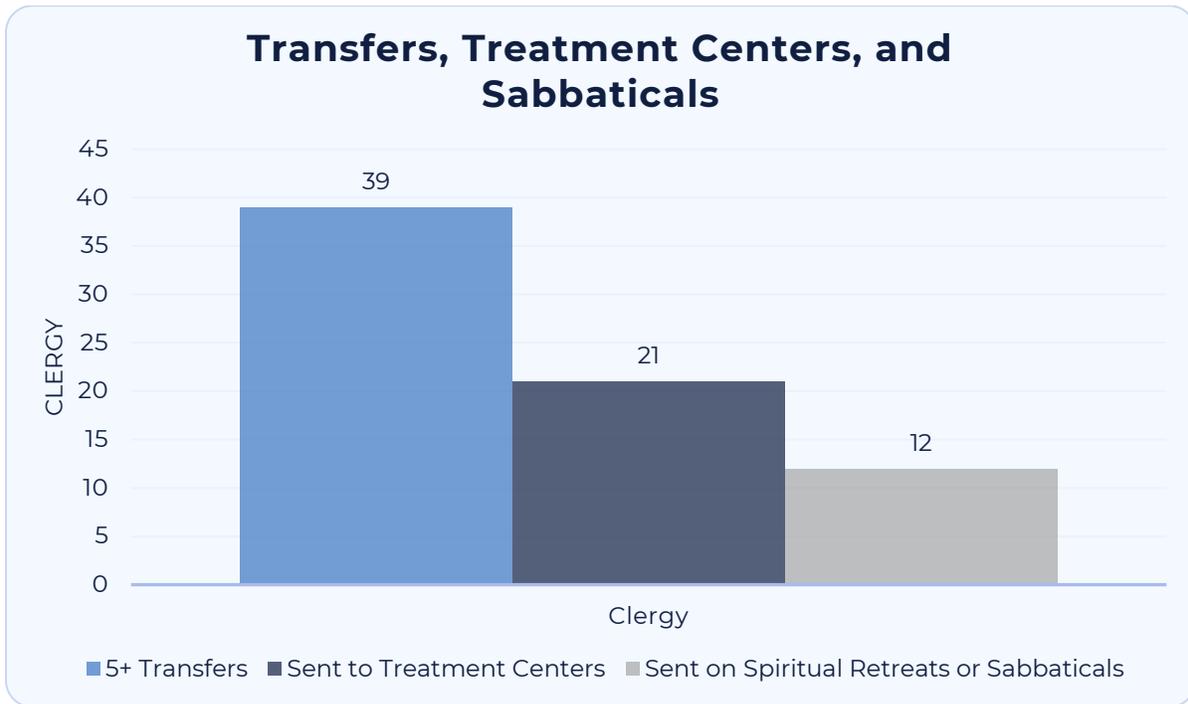
**Figure 9**



On average, an accused priest or deacon served in approximately eight different assignments during his career here. The fact that so many of the accused priests served in multiple locations during their tenures is consistent with the findings of other attorneys general investigations and national reporting about clergy sexual abuse. We also identified multiple instances where a priest was transferred shortly after the misconduct allegedly occurred, but the personnel file did not record the reason for the transfer and there was no contemporaneous record of abuse being reported in the files. Those instances are noted in the clergy summaries in Appendix A to this Report. The deliberate tactic of transferring priests is discussed at greater length in Chapter 5 of this Report.

In addition to transfers, the Diocese also sent at least 21 priests to treatment centers for evaluations or for treatment. The Diocese also sent 12 priests accused of child sexual misconduct to spiritual retreats or sabbaticals. Together with parish transfers, these practices betrayed a long-standing strategy employed by the Diocese – primarily by Bishops McVinney and Gelineau – to conceal the abuse from the public and civil authorities and mollify victims. These practices – which mercifully ended by the early 2000s – are explained in detail in Chapter 5.

**Figure 10**



## **E. Conclusions**

As noted at the outset, we recognize the difficulties and inherent limitations of reducing decades of child sexual abuse in the Diocese of Providence, involving dozens of individual victims each with their unique pain, to numbers and generalizations. But doing so helps shed light on the sheer magnitude of the problem. It may also help Church leaders, and leaders of other religious organizations or entities that serve youth, recognize danger signs.

### **To summarize, we found the following patterns:**

- Accused Diocesan clergy mainly targeted boys, ranging in age from 11-14;
- Boys were abused at a ratio of about 5 to 1 to girls;
- Many of the victims were vulnerable in some significant way: some socioeconomically, others experienced challenging home lives, difficulties in school, mental health or substance use disorders, or strained relationships with family and friends. These victims did not have many, if any, trusted adults in their life, which made disclosing their abuse even more unlikely;
- While many victims were targeted when they were apart from their families (overnight trips, altar service, scouts, school, dinners out, priests' cottages), a surprising number of cases occurred in victims' own homes;
- There were often early warning signs (even as early as seminary) or other questionable behaviors by the priests that should have raised red flags to the Diocese;

- The abuse left the survivors with years of trauma, and many have endured mental health issues, substance abuse problems, and involvement in the criminal justice system;
- Fearful of not being believed, of the stigma that accompanied sexual abuse, or of retaliation threatened by abusive clergy, many survivors waited years, or even decades, to disclose their abuse; and
- At least three victims committed suicide, and several more attempted it.

As noted, the majority of accused clergy were accused of abusing between two and five children. But some victims reported abuse at the hands of several different priests. As disturbing as any other fact in this Report, at least six priests reportedly abused 10 or more children:

Priest	Number of reported child victims
William O’Connell	23
Brendan Smyth	17
Robert Marcantonio	17
Edmond Micarelli	16
Michael LaMountain	12
Robert McIntyre	11

Additional patterns emerged: most of the time, accused priests abused either boys, or girls – not both. However, we found exceptions to that rule. Additionally, in most cases, there were multiple instances of abuse (whether involving one victim or more than one victim), and in many cases the abuse lasted multiple years. Indeed, there were several instances where the relationship persisted into the victim’s early adulthood. **Many times, the abuse only ended because the opportunity to abuse the child ended:** the child or their family moved, the priest was transferred to another parish, and/or was given explicit instructions to cease contact with the child. In only a small number of instances did the abuse end because the child, a parent, or a witness contemporaneously reported it.

Unfortunately, in the vast majority of cases, accused priests escaped responsibility, both from civil authorities and from the Diocese. **Only 20, or roughly 26%, of the clergy identified in this Report were ever criminally charged, and even fewer – just 14 – were convicted.** A smaller number still – 12, or 16% – of the accused clergy were laicized or dismissed from the clerical state.

In most cases where Diocesan officials confronted priests with abuse allegations, they denied it, and these denials were frequently accepted by Diocesan officials with little or no effective investigation. Of course, due to delayed disclosures (on average, a delay of about 26 years), there were many instances where the accusation did not surface until after the priest was deceased. But even accepting

that the Diocese did not have contemporaneous knowledge of every instance of abuse reported here, our Investigation revealed that Diocesan leadership knew much more than they cared to admit to the public.

**The hard truth is this: for decades, the Diocese sought to minimize, contain, and conceal clergy child sexual abuse within its ranks, and prioritized its own reputation, and the accused clergy, at the expense of victims.**

# Chapter V

## The Diocese of Providence's Historical Approaches to Child Sexual Abuse: 1950-2000

- A. Protecting the Diocese through a Culture of Secrecy
- B. Transferring Accused Clergy to New Assignments
- C. The Diocese's Use of "Spiritual Retreats" and "Sabbaticals"
- D. The Diocese's Use of Treatment Centers
- E. The Diocese Advocated for Priests Criminally Charged with Child Sex Offenses
- F. The Diocese Made Misleading Statements to the Public Regarding its Knowledge of Clergy Abuse Complaints
- G. The Diocese Used Euphemisms and Veiled Language to Minimize Child Sexual Abuse Complaints

## V. THE DIOCESE OF PROVIDENCE'S HISTORICAL APPROACHES TO CHILD SEXUAL ABUSE: 1950 – 2000

For much of the Review Period (defined as 1950 to the present), the Diocese of Providence's response to complaints of child sexual abuse committed by its clergy was driven, whenever possible, by a single focus: **concealment**. To that end, the Diocese employed many of the same methods used by other Catholic dioceses and archdioceses that have been identified in similar reports released by Attorneys General across the country. These included:

- Promoting a culture of secrecy.
- Transferring accused priests to other assignments in Rhode Island and elsewhere.
- Sending accused priests away to spiritual retreats, sabbaticals, and treatment centers.
- Advocating for Diocesan priests criminally charged with child sex offenses.
- Misleading the public regarding the Diocese's knowledge of accused priests.
- Using euphemistic words and veiled language to minimize child sexual abuse complaints.

Through these practices, **the Diocese prioritized protecting its own reputation at the expense of survivors and the public**, while minimizing the legal and public fallout from complaints of child sexual abuse by Diocesan clergy. Realistically, these tactics served only to keep predator priests within the priesthood, where they could – and often did – continue to abuse children.

### A. Protecting the Diocese through a Culture of Secrecy

For decades, bishops and other senior Diocesan leaders endeavored to avoid “scandal,”<sup>136</sup> and prioritized protecting the interests and reputation of the Diocese of Providence and the wider Catholic Church over the safety of children. Through a culture and veil of secrecy, bishops and other senior Diocesan officials concealed clergy sexual misconduct by taking steps to protect offending priests and prevent this crisis from escaping into the public realm. This effort to minimize reputational harm permeated the Diocese's historical response to clergy sexual abuse.

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<sup>136</sup> “Scandal” has two meanings as used by the Church, and the Diocesan records we reviewed suggest that bishops referred to both. First, in the colloquial sense, “scandal” is a wrong that leads to public outrage. Second, theologically, it is “an attitude or behavior which leads another to do evil. The person who gives scandal becomes his neighbor's tempter. He damages virtue and integrity; he may even draw his brother into spiritual death. Scandal is a grave offense if by deed or omission another is deliberately led into grave offense.” David Dashiell, *The Sin of Scandal - and How Not to Commit it*, Catholic Answers (Nov. 5, 2020), <https://www.catholic.com/magazine/online-edition/understanding-scandal>.

## 1. Successive Bishops Prioritized Avoiding “Scandal” and Protecting the Diocese’s Reputation.

Our review of the Diocesan records produced to this Office leaves no doubt that successive bishops and other senior Diocesan leaders were well aware of child sexual abuse committed by Diocesan clergy since at least the beginning of the Review Period. Likewise, these records show that the Diocesan leadership prioritized keeping that abuse, and the Church’s internal procedures for “managing” accused priests, confidential. Canon law provisions and Vatican directives mandating secrecy in dealing with clergy sexual misconduct allegations date back over a century, and the Diocesan records were replete with similar references to a need to avoid “scandal” when it came to responding to complaints of child sexual misconduct committed by Diocesan priests.

In 1970, for example, following accusations that Diocesan priest Robert Marcantonio had abused “ten to fifteen” different boys, Bishop Russell McVinney informed Father Marcantonio that he “could not in good conscience assign you to priestly work in this diocese,” and pushed unsuccessfully for Marcantonio to voluntarily leave the priesthood. There is no indication in the Diocesan records produced to this Office that Bishop McVinney took further steps to have Marcantonio removed from the priesthood, or that the Bishop or any other Diocesan official sought to identify Marcantonio’s victims, investigate these allegations, or refer them to law enforcement for appropriate investigation and potential prosecution. Instead, with Bishop McVinney’s approval, Father Marcantonio moved to Iowa, where he participated in “psychotherapy” with a fellow priest, enrolled at Iowa State University, and resided on campus in student housing with young men.

The following year, 1971, Bishop McVinney stated in a letter to Marcantonio’s priest-therapist in Iowa that while he “[a]ssume[d] that [Marcantonio] would like to return to Providence some time . . . because of the scandal that was somewhat widespread, the accused priest would be better off working elsewhere. Since he seems to be well adjusted to Iowa, perhaps [the Archbishop] would be willing to keep him there. We want this man to live a good priestly life in the best and most favorable surroundings.” Bishop McVinney echoed these sentiments in a similar letter a few

*Through these practices, the Diocese prioritized protecting its own reputation at the expense of survivors and the public, while minimizing the legal and public fallout from complaints of child sexual abuse by Diocesan clergy. **Realistically, these tactics served only to keep predator priests within the priesthood, where they could – and often did – continue to abuse children.***

months later to the Archbishop of Dubuque, in which he wrote that Marcantonio's "case has been a rather serious one here, so much so that I hesitate to have Father Marcantonio return to do priestly work in this diocese. *We must by all means avoid scandal, even the scandalum pusillorum.*<sup>137</sup> A renewal of your faculties might make it possible for him to become acclimated in Iowa and wish to remain there for his priestly work. This is my fond hope."

Father Marcantonio remained in Iowa for several more years, living and studying at Iowa State University and serving (with priestly faculties arranged by Bishop McVinney and granted by the Archbishop of Dubuque) at a parish in Ames, where the university is located. Bishop Louis Gelineau, who succeeded Bishop McVinney in 1972, knew why Marcantonio was in Iowa – but rather than take steps to investigate Marcantonio's abuse, remove him from the priesthood, or notify law enforcement of the allegations against him, Bishop Gelineau gave Marcantonio permission to remain in Iowa to obtain his doctorate in psychology. Three years later, in 1975, Bishop Gelineau quietly invited Father Marcantonio back to the Diocese of Providence as a part-time assistant at St. John Vianney Church in Cumberland. Father Marcantonio would later be accused of sexually abusing three boys in Iowa during his time there, as well as several more boys upon his return to Rhode Island, where he remained in ministry until 1989. There is no indication in the Diocesan records produced to this Office that the Diocese referred any child sexual misconduct complaint against Marcantonio to law enforcement while Marcantonio was still alive. He died in 1999 and was included on the Diocese's Credibly Accused List in 2019.<sup>138</sup>

Like Bishop McVinney, Bishop Gelineau prioritized avoiding scandal, as illustrated by his handling of complaints against Father Normand Demers. According to an anonymous letter in Father Normand Demers' personnel file, in April 1985, a priest spoke with a physician regarding concerns that Demers "had pictures of naked boys" and that there were "boys living in the rectory" at St. Joseph's Church in Providence. And in letters to Bishop Gelineau around the same time, a religious sister cited concerns about Demers having "inappropriate material" in the rectory of St. Joseph's, including nude photographs of males and females, and referenced nine "young men" living in the rectory under his care. The only evidence of the Diocese's response to these allegations is a February 1986 letter from Bishop Gelineau to the religious sister, prompted by the sister threatening to bring her complaint to the media after she received no response from Bishop Gelineau to her prior letters. In his letter to her, Gelineau asked the sister not to report the information because of the scandal that it could cause, particularly given the recent arrests of other Diocesan

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<sup>137</sup> This Latin phrase translates to "scandal of little ones" or "scandal of the weak," and was used by Catholic saint and philosopher Thomas Aquinas to refer to a "scandal" that "proceeds from weakness or ignorance." *Summa Theologiae*, II-II, Question 43 (On Scandal).

<sup>138</sup> For additional information regarding the complaints against Father Marcantonio and the other Diocesan priests referenced in this chapter, as well as further information about the Diocese of Providence's handling of those complaints, we recommend that the reader consult the priest summaries that are attached to this Report as Appendix A.

priests for sexually assaulting minors (euphemistically referred to by Bishop Gelineau as “special difficulties”):

The issues you raise with regard to Father Demers are very serious ones. You may be sure that I take them that way. With the special difficulties we have had in the Diocese recently, I certainly want to avoid any further causes for scandal. I would hope, therefore, that you would not go to the public media. This would certainly be very harmful to us.

You mention the ultimate good of the Church, and it is my conviction now that by bringing it to my attention, you have fulfilled your responsibilities and I would ask you to leave the rest in my hands.

A few weeks later, the religious sister responded via letter. She noted that, “[o]n the contrary, my responsibility is not fulfilled until such time as you have taken action to meet the many spiritual needs of the parish.” As she poignantly put it, “[t]o do nothing is to permit situations to continue.” There is no indication that Bishop Gelineau or the Diocese took any action as a result of the sister’s concerns. Father Demers was accused of abusing at least ten boys and young men during his tenure as a Diocesan priest, including several after this 1986 episode, and he is included on the Diocese’s Credibly Accused List.

The need to avoid “scandal” remained a prominent consideration in Diocesan bishops’ handling of clergy abuse complaints into the 21<sup>st</sup> century. For example, while Father Joseph Abruzzese had pled *nolo contendere* (no contest) in 1994 to sexually assaulting a teenage boy, he remained a priest (albeit without permission to exercise public ministry), with Bishop Gelineau allowing him to reside in a rectory with church support. In November 2002, Bishop Gelineau’s successor, Bishop Robert Mulvee, wrote to the Vatican (at Father Abruzzese’s request) to commence a canonical inquiry into the 1994 incident. Bishop Mulvee wrote that “[u]ntil such time” as he heard back from the Vatican, “the removal of priestly faculties and the exercise of public ministry will remain in effect due to the public nature of the scandal as reported in the newspapers, television and radio media outlets of the arena.”

Bishop Thomas Tobin, Bishop Mulvee’s successor, similarly had the reputational damage to the Church top of mind as he considered Father Abruzzese’s subsequent request to be restored to active ministry. In a July 13, 2012, letter to the Vatican, Bishop Tobin addressed Father Abruzzese’s “persistent request” to return to active ministry notwithstanding his conviction:

I provide these to respectfully remind the [Vatican] of the precarious position I find myself in when confronted by Father Abruzzese’s persistent request to be restored to active ministry within the Diocese. As I wrote to Father Abruzzese, I still believe that *given the public perception of his case, the very probable reaction of both the media and*

*victims' advocacy groups preclude the possibility. The resulting scandal could be disastrous. Another question remains: even if he were to be reinstated here, how effective would his ministry be? (Emphasis added)*

Bishop Tobin added that he was open to Father Abruzzese potentially serving in other dioceses but noted that he would consider the request only after ensuring that the bishop of the other diocese “was fully informed about Father’s situation.” Abruzzese did not return to ministry and, despite his *nolo* plea (which, under Rhode Island law, is the same as a plea of guilty), continues to maintain his innocence.

## **2. Diocesan Leaders Adopted Policies and Procedures that Protected Accused Priests and the Diocese.**

Even as the clergy abuse crisis started to escape the cloak of secrecy of the Catholic Church in the 1980s—as a result of several high-profile arrests of abuser priests in the Diocese of Providence and elsewhere, and against a rise of civil litigation against the Church—**Diocesan officials took additional steps to conceal abuse complaints and prevent further reputational damage.** Here, Church officials (including those in the Diocese of Providence) doubled down on favoring “in-house” responses to clergy child sexual abuse, encouraging pedophile priests to self-report to bishops and promising them confidentiality if they did. Later, the Diocese of Providence invoked religious rules and doctrines to justify withholding information about child sexual abuse allegations from law enforcement authorities.

### **a. The 1985 Executive Session Meeting**

In 1984, Father Gilbert Gauthé, a priest of the Diocese of Lafayette in Louisiana, became the first Catholic priest in the United States to face widely publicized criminal allegations of child sexual abuse. Gauthé made national headlines when he was indicted on 34 counts of sex crimes against children. Later, in October 1986, Gauthé pled guilty to 11 counts of child molestation and was sentenced to 20 years in prison. He ultimately admitted to having molested at least 37 boys, most of whom had been altar servers between the ages of seven and nine. Lafayette Diocese officials reportedly knew of Gauthé’s criminal activities for 10 years before he was arrested. Civil claimants eventually secured more than \$10 million in settlements and legal fees from the Diocese of Lafayette.

The Gauthé prosecution, and the rising fear of criminal or civil liability, likely motivated Catholic Church leaders in the United States to shift their response to the clergy sexual abuse crisis. As the Bishop of Albany described:

I think that the Gauthé case made bishops and church leaders aware of the liability to which they were exposed once sexual abuse occurred, especially if they didn’t address it immediately, and of the potential consequences if there was a re-offense following such behavior. In other words, you were effectively on notice if you had someone who was a danger to the community, and if you didn’t take serious steps to protect the community, you were opening yourself to major liability. And that, I

think, put that whole dimension of the issue before the bishops and the Church in a way it hadn't been present before.<sup>139</sup>

In 1985, the year following Father Gauthé's high-profile arrest, the National Conference of Catholic Bishops ("NCCB")<sup>140</sup> held an executive session meeting in Collegetown, Minnesota, where the issue of child sexual abuse reportedly featured prominently on the agenda. Records indicate that Bishop Gelineau and Auxiliary Bishop Angell attended the meeting. Significantly, Bishop Angell was reportedly one of only three presenters at the meeting, along with a psychologist and the United States Catholic Conference's ("USCC")<sup>141</sup> legal counsel. This Office requested a copy of Bishop Angell's presentation, and any supporting materials, from the Diocese during this investigation. The Diocese responded that it did not "know of the . . . presentation[.]"<sup>142</sup> According to public reports, however, while the psychologist discussed clinical considerations and the USCC lawyer addressed legal issues, Bishop Angell addressed the bishops in attendance "from the vantage point of one who had such problem priests."<sup>143</sup>

#### **b. The 1985 Deanery Meetings and the Promise of Confidentiality**

At the same time as the Gauthé prosecution, the Diocese of Providence faced a similar crisis at home involving two of its own priests: in 1984, Father P. Henry Leech was arrested and charged in Rhode Island with the criminal sexual abuse of four children; the next year, 1985, Father William O'Connell was indicted in a separate case for sexually abusing two other children. Both Leech and O'Connell ultimately pled *nolo contendere* to charges against them and were sentenced to terms of imprisonment (and less than a decade later, O'Connell was again arrested, convicted, and sentenced to prison for additional child sex offenses in New Jersey).

In a June 1985 letter to the Vatican summarizing the criminal cases against Leech and O'Connell, Bishop Gelineau emphasized the negative publicity and harm done to the *Church* as a result of the priests' arrests. Regarding Leech, Gelineau wrote that "he can never serve as a priest here again *because of the publicity the case has received*. I doubt also that he should serve as a priest anywhere. There will be, therefore, the possibility of a reduction to the lay state." Gelineau likewise observed

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<sup>139</sup> Timothy D. Lytton, *Holding Bishops Accountable: How Lawsuits Helped the Catholic Church Confront Clergy Sexual Abuse*, 17 (Harvard University Press, 2008).

<sup>140</sup> "The NCCB attended to the Church's own affairs in this country. Its committees were exclusively bishops and their secretariats." *Our Story*, USCCB, <https://www.usccb.org/about> (last visited Apr. 4, 2025).

<sup>141</sup> "In USCC, the bishops collaborated with other Catholics to address issues that concern the Church as part of the larger society. Its committees also included lay people, clergy and religious." The NCCB and the USCC combined to form the USCCB in July 2001. *Our Story*, USCCB, <https://www.usccb.org/about> (last visited Apr. 4, 2025).

<sup>142</sup> Letter from Partridge, Snow & Hahn LLP to Office of the Attorney General (Jan. 20, 2023).

<sup>143</sup> Jason Berry, *Lead Us Not into Temptation: Catholic Priests and the Sexual Abuse of Children*, 112, Doubleday (1992).

that “there was media coverage” because of the arrests, and “there is no doubt but what much harm was done . . . I am sure that when the trials come up there will be more adverse publicity. Again, I feel certain that neither will ever be able to function as priests again.” Bishop Gelineau closed his letter by noting that he would continue to try to handle these matters “in the best way possible to avoid harm to the Church.”

To that end, Bishop Gelineau convened a series of meetings in 1985 with all active Diocesan priests, informally known as the “Deanery Meetings.” At the beginning of the meeting, an attorney for the Diocese “explained the gravity of the legal implications,” and discussed “the implications of the priest-penitent statute in the Rhode Island General Laws, obligations to report child abuse under the statute relating to the Department for Children & Their Families, and the legal consequences of substance abuse and other addictive behavior, both for priests and for laymen seeking spiritual help and guidance from their priests.”

After this portion of the presentation, the lawyer reportedly left the room and Bishops Angell and/or Gelineau spoke to the collection of priests privately. **According to a 1989 affidavit by Bishop Angell in connection with a lawsuit filed by one of Father O’Connell’s victims, Bishop Angell implored priests to go to the bishops for help if they were “experiencing pedophilia or any other deviant behavior.” A priest told *The Providence Journal* that Bishop Angell advised those in attendance that “[i]f you yourself have a problem, come forward . . . We’re going to keep it in [the] strictest confidence and we’ll get you help. If you know of somebody else, tell us about it.”**<sup>144</sup> This report was confirmed by a document attached to Angell’s affidavit:

DEANERY MEETINGS -- MARCH 1985  
Talk delivered by Bishop Kenneth A. Angell  
(Excerpt)

Thank you for your attention and participation. We are in this together. I would ask your prayers for Henry Leech and Bill O'Connell. Pray for them, for the alleged victims and their families. Pray for our Church of Providence.

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<sup>144</sup> Sheryl Stolberg & Scott Mackay, *From the Journal Archives in 1985: Diocese’s Safety Net for Priests in Question*, *The Providence Journal* (Apr. 10, 2016, 10:01 AM), <https://www.providencejournal.com/story/news/2016/04/10/from-journal-archives-in-1985-dioceses-safety-net-for-priests-in-question/31993882007/>.

One final note -- if you personally are in any trouble, whether it be pedophilia or any deviant behavior, please come in and talk to me. In God's name, I ask you to do so. I think you know me -- I will keep your confidence. I promise you that. I will tell no one without your approval. I know this is difficult but, just maybe, I can help or get help for you. I have already spoken to Bishop Gelineau about this. See him if you prefer -- he, also, will keep your confidence. A major part of our ministry is to minister to the ministers. But I am not naive either. I know you will have some hesitation in talking to us. But, at least go to a fellow priest -- get help. There is no point of leading a double life. It is wrong and you know it. But, more importantly, you need help. Please seek out that help.

Bishop Gelineau later confirmed in a 1997 affidavit that "each of these seminars included a presentation of law to alert Diocesan clergy of their obligation to report episodes of abuse to appropriate civil authorities but also to alert them to their obligations in some circumstances to keep information confidential." He also testified that there were obligations under canon law to keep information he received about priests' conduct confidential, and that he "must have the discretion of [not] revealing any knowledge of a priest's misconduct so that [he] may cajole and persuade him to reform his life" and "help that priest continue his ministry so that the Sacraments . . . are readily and immediately available to the faithful." **Bishop Gelineau added that "[s]ome [priests] did come forward privately to seek help in reforming their lives, and I have maintained and will continue to maintain confidentiality."**

In 1988, the United States Conference of Catholic Bishops ("USCCB"), a national organization of the Catholic Bishops in the United States, released the first national statement by the Church on clergy sexual abuse of minors. The bishops publicly affirmed that they were "deeply committed to addressing such incidents positively, to making strong efforts to prevent child abuse, to repairing whatever damage has been done, and to bringing the healing ministry of the Church to bear wherever possible." The statement emphasized that child abuse is "a particular concern for both secular and religious organizations" and that "pedophilia is neither a church nor a clerical problem exclusively, but one affecting religious and secular groups alike."

Less than two months after the release of the USCCB's 1988 statement, its General Counsel sent an internal memorandum to "Diocesan Bishops and Diocesan Attorneys" with the subject, "Defending Dioceses Against Liability Claims for Sexual Assaults." In this memorandum, the General Counsel discussed the various legal theories used by claimants to hold bishops and dioceses liable for sexual assault committed by diocesan personnel. The memo noted that while several of those theories had already been successfully resisted by the Church, two others were potentially "problematic:" negligent hiring and negligent supervision. **In closing, the**

**General Counsel set forth three principles to mitigate liability: ordaining only those suitable for unrestricted service, immediately withdrawing clergy following responsible complaints of child abuse, and establishing written guidelines for the handling of such cases. As discussed below, in the ensuing years, the Diocese of Providence failed to consistently follow these principles.**

**c. Further Assertions of Confidentiality: Seal of Confession, “Internal Forum,” and R.I. Gen. Laws § 9-17-23**

The promise of confidentiality extended by Bishops Gelineau and Angell at the 1985 Deanery Meetings was subsequently codified in formal Diocesan policies regarding sexual misconduct with minors.

In 1990, Bishop Gelineau promulgated the Diocese’s first written policies and procedures for responding to complaints of sexual misconduct. The policy included a provision regarding “cooperation with law enforcement,” which declared that the Diocese would “cooperate with law enforcement or governmental authorities and to complete necessary reporting, as required by law, *provided that the cooperation does not require violation of legal rights of other persons, including rights of privacy and confidentiality based upon the seal of the Sacrament of Reconciliation and pursuant to the notion of Internal Forum*” (emphasis added).

Though the Diocese has significantly revised its policies over the years, culminating in the Child Protection and Outreach Policy now in effect, this same qualifier remains in place to this day, in nearly verbatim form, in the Child Protection and Outreach Policy’s provision regarding “Cooperation with Civil Authorities.”<sup>145</sup> By its terms, that provision still exempts from disclosure to civil authorities (and, therefore, maintains as secret within the confines of the Church) *any* information—possibly up to and including admissions by persons (including priests) that they have sexually abused a child—that the Diocese learns of either in Confession or in a setting the Diocese would characterize as within the “notion of Internal Forum.”

In a 1997 affidavit prepared in connection with a civil lawsuit filed by a victim of Father William C. O’Connell against Bishops Gelineau and Angell and other Diocesan defendants, Bishop Gelineau explained the operation of both Confession and Internal Forum. Confession, Bishop Gelineau explained, is a sacrament of the Catholic faith in which an individual (the penitent) privately confesses his or her sins to a priest. In this setting, Bishop Gelineau averred, “no priest may disclose to any other person facts and circumstances which he learns in the administration of the Sacrament of reconciliation. Neither may he act upon such information without disclosing it.”

**Thus, pursuant to this doctrine and the Diocese’s written policy, a priest hearing confession may not disclose to authorities, or act upon, a confessing**

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<sup>145</sup> *Diocesan Child Protection and Outreach Policy*, Diocese of Providence, <https://dioceseofprovidence.org/diocesan-child-protection-and-outreach-policy>.

**individual's admission to, or report of, child sexual abuse, as he is always bound by the Seal of Confession.** Furthermore, the Diocese's policy's reference to "necessary reporting, as required by law" further limits the Diocese's "cooperation" to only that which is legally mandated. As further explained in subsequent chapters of this Report, there is a wide gulf between what the Diocese is "legally required" to report under Rhode Island's mandatory reporting law and what it *should* report if it is truly committed to preventing child sexual abuse and misconduct by its priests

**Under the same Diocesan policy, reports of child sexual abuse, and even admissions to that abuse, made *outside* of confession may *also* be kept confidential by the Diocese on the alternative ground that the information falls under the Church's amorphous concept of the "Internal Forum."** In his 1997 affidavit, Bishop Gelineau described "Internal Forum" as "the confidentiality necessary for candid disclosure and discussion between a priest and another person of facts and circumstances in the other person's life which have moral and spiritual implications." He went on to note that the confidentiality it requires applies even when the person disclosing the information is a priest. In such circumstances, Bishop Gelineau claimed, the listener (which may include the Bishop) "may use but not reveal information relating to a priest's misconduct."

**The consequences of this policy and doctrine were, and remain, clearly problematic:** even outside of Confession, if a priest (or any other individual) discloses to another priest or bishop that he sexually abused, or is even actively sexually abusing, a child, the Diocese of Providence may withhold that information from law enforcement on the grounds of "Internal Forum," so long as the conversation can be characterized as having "moral and spiritual implications." It is unknown how many reports of, and/or clergy admissions to, child sexual abuse the Diocese of Providence has withheld from civil authorities pursuant to this notion of "Internal Forum"—and since we were denied any opportunity to interview Church officials as part of this Investigation, we could not obtain the answer to that question.

An April 1993 memorandum from Diocesan attorney William T. Murphy regarding **Father Daniel Azzarone** illustrates how the Diocese has applied this doctrine. In the memo, Murphy recounted a meeting with Father Azzarone during which Murphy confronted Azzarone about a recent allegation of abuse against him. According to attorney Murphy, he told Father Azzarone that he "and others, found [the priest's] inability to recall such a singular event as incredible." Murphy said he advised Azzarone "to disclose whatever details he might recall to the Most Reverend Bishop," writing that he:

*emphasized that if there were misconduct which in other circumstances ought to be reported to governmental authorities his volunteering that information to the Most Reverend Bishop, in the internal forum, would provide some significant measure of protection. I told him pointedly that if there were such details, I did not want to know them. I was rather forceful in my comments.*

According to an August 1993 memorandum authored by Bishop Gelineau, Father Azzarone indeed met with Gelineau a few months later. Gelineau wrote that Azzarone denied any wrongdoing during their meeting; nevertheless, the Bishop told Azzarone that “this whole matter placed us in a very difficult situation,” and he specified four conditions to Azzarone remaining in ministry: (1) Bishop Gelineau “would have to inform Father Lonardo” (who was Azzarone’s supervisor at St. Mary’s Parish in Cranston) of “all,” and “have [Lonardo] to [sic] be very vigilant” (an undated handwritten note adds here that Azzarone “should give up any responsibilities with youth”); (2) Azzarone would have to regularly check-in with the Minister for Priests, Father Normand Godin; (3) Robert McCarthy, Director of the Diocese’s then-newly-established Office of Education and Compliance (OEC), “would have to be informed and give advice;” and (4) Azzarone would have to give “great emphasis to his spiritual life. He claims he does this now, but I told him more and constant emphasis is in order.”

Father Azzarone remained in ministry for several more years, during which time he sexually abused at least two other teenage boys. He was indicted for his abuse of those two boys in 2002, and pled *nolo contendere* in September 2005 to two counts of first-degree sexual assault, admitting that he coerced the teens into having sex with him in the St. Mary’s rectory. Azzarone was sentenced to ten years in prison, with three years to serve and seven years of probation.

In a December 2007 *Providence Journal* article, a lawyer for the Diocese explained that attorney Murphy had “advised Azzarone to talk to the bishop because it was clear that the priest was not going to say anything to Murphy.” This lawyer further stated that “[t]he bishop was the only person [Azzarone] could come clean with if he believed that he could speak to him in pure confidence, with no repercussions, except for whatever action the bishop would take.” **Bishop Thomas Tobin, who served as Bishop of the Diocese from 2005 to 2023, stated in the same article that “things would be handled differently today . . . If a priest comes to me today and says ‘Bishop, I want to tell you something confidentially,’ and what he tells me is about sexual abuse, he knows that cannot remain confidential.”**<sup>146</sup>

This Office cannot assess the accuracy of Bishop Tobin’s assertion: while the Diocese now regularly refers to law enforcement complaints that it receives from victims about child sexual misconduct, we simply do not know whether the Diocese includes in such referrals complaints or admissions about abuse that are made in a setting the Diocese considers to be confidential or otherwise protected by the “Internal Forum.” Though we sought to interview members of the Diocese on this topic (among others), the Diocese repeatedly declined our requests. As noted, however, the Diocese’s current Child Protection and Outreach Policy exempts from its provision regarding “cooperation with civil authorities” information communicated “pursuant to the notion of Internal Forum”—suggesting that, at least in principle, the Diocese still regards certain disclosures of and admissions to abuse made outside of confession as privileged. **Needless to say, the ambiguities of this concept and the**

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<sup>146</sup> Mike Stanton & Tom Mooney, *The Abuse Files*, *The Providence Journal*, Dec. 3, 2007, at 8.

**potential for its abuse—given how easily a conversation with a priest may be characterized as having “spiritual implications”—means the Diocese’s continued assertion of “Internal Forum” is a matter of serious concern.**

As a further basis for withholding information about clergy abuse from civil authorities, the Diocese has relied on a 1960 Rhode Island state law, still in effect today, that purports to confer a broad privilege on certain “confidential communications” involving priests, R.I. Gen. Laws § 9-17-23.

In March 1993, a woman disclosed to Father Normand Godin, then-Minister for Priests, and to Father Jacques Plante, Assistant Chancellor and Secretary to the Bishop, that she had been sexually abused by **Father Alfred Desrosiers** in the early 1970s, when she was 15 to 17 years old and a CYO participant at St. Joan of Arc Church in Cumberland. According to the Diocesan records, Msgr. Plante relayed the details of the woman’s complaint in a memorandum to Bishop Gelineau, who then met with Father Desrosiers about it in early April 1993. In his own memorandum regarding that meeting, Bishop Gelineau wrote that Father Desrosiers admitted to an “*affair*” (as Gelineau put it) with the victim—at which point Bishop Gelineau suspended him from ministry.

In 1994, following a protracted back and forth with the victim’s lawyer, the Diocese referred her complaint to the Rhode Island State Police. During the ensuing investigation, both Bishop Gelineau and Father Godin gave statements to the State Police regarding conversations they had with Father Desrosiers about the victim’s allegations. Bishop Gelineau in particular told the State Police in an August 1995 interview that Desrosiers admitted to him during their meeting that he had engaged in an “inappropriate relationship” with the 15-year-old victim that was romantic in nature; that Desrosiers “regretted very much that this relationship had taken place”; and that Gelineau told Desrosiers “he would no longer able to perform his duties” and immediately relieved him as pastor. Soon after, Gelineau gave a similar statement to the Office of the Attorney General. The following year, 1995, a Rhode Island grand jury indicted Father Desrosiers for raping the victim in 1972.

*As a further basis for withholding information about clergy abuse from civil authorities, **the Diocese has relied on a 1960 Rhode Island state law, still in effect today, that purports to confer a broad privilege on certain “confidential communications” involving priests, R.I. Gen. Laws § 9-17-23.***

Yet when the State sought to call Bishop Gelineau and Father Godin as witnesses in the forthcoming criminal trial to testify about their conversations with

Desrosiers concerning the victim—including Desrosiers’s admission to Bishop Gelineau during their April 1993 meeting of his “inappropriate relationship” with the 15-year-old girl—the priests claimed that those discussions were now confidential and privileged under § 9-17-23. Father Desrosiers, Bishop Gelineau, and Father Godin were then called to testify at pretrial hearings to evaluate the claim of privilege. **There was no question that the conversations with Desrosiers had not occurred in Confession; rather, the issue was whether Gelineau and Godin were still precluded from testifying under the second clause of § 9-17-23, which extends a privilege not just to statements made in Confession, but more broadly to communications made to clergy in their “professional” capacities.** Now, as then, the law states: “No duly ordained minister of the gospel, priest, or rabbi of any denomination shall be allowed in giving testimony to disclose any confidential communication, *properly entrusted to him or her in his or her professional capacity, and necessary and proper to enable him or her to discharge the functions of his or her office in the usual course of practice or discipline, without the consent of the person making the communication.*”<sup>147</sup>

The hearing was reportedly the first time in the United States that a Catholic bishop was required to testify in a criminal case regarding alleged child sexual abuse by a priest in his diocese. When testifying, Bishop Gelineau acknowledged that his meeting with Desrosiers concerned his “administrative” removal of Desrosiers from his parish in the wake of the victim’s allegations—but he also added that as Bishop he was the spiritual advisor to priests, spoke to Desrosiers during their meeting in that capacity, and said the information discussed during the meeting was entrusted to him “in [his] professional capacity as bishop” and was “necessary and proper to enable [him] to discharge the functions of [his] office in the usual course of practice.” Father Godin also testified that he had met with Desrosiers in his capacity as Desrosiers’s “spiritual and psychological advisor.” Both priests refused to further disclose the conversations’ details, claiming the information was confidential under canon law.

**In June 1997, Superior Court Associate Justice Thomas Needham ruled that neither Bishop Gelineau nor Father Godin could be compelled to testify at Father Desrosiers’s upcoming trial, citing § 9-17-23. The week after Judge Needham’s ruling, Bishop Gelineau announced his retirement.** The State appealed this ruling to the Rhode Island Supreme Court, but Desrosiers died in February 2001, while the appeal was still pending—thus terminating the State’s criminal case against him. Accordingly, **the Rhode Island Supreme Court never had the opportunity to interpret this statute**—which, importantly, applies *only* to “testimony,” and not to communications with law enforcement or mandated reports.

In this Office’s opinion, judges and juries should be entitled to receive into evidence and consider at trial clergy admissions to child sexual abuse made beyond the scope of the clergy-penitent privilege, which is generally limited to statements in Confession or similar confidential communications made to clergy for the purpose of

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<sup>147</sup> R.I. Gen. Laws § 9-17-23 (emphasis added).

receiving *spiritual* advice or absolution.<sup>148</sup> Accordingly, where (as in the case of Father Desrosiers) a bishop meets with a priest primarily for the *administrative* purpose of suspending him from ministry following a complaint of child sexual abuse, in connection with the bishop’s overall responsibility of managing his diocese, an admission by the accused priest in that setting should, at least in most circumstances, come into evidence—meaning the bishop should be compelled to testify to the admission at trial. In our view, it should not be the case that the bishop can be precluded from testifying about such critical evidence simply because of the generalized “spiritual” dimension of a bishop’s relationship with his priests, or where the “spiritual” wellbeing of the accused priest was a secondary topic during the meeting. **Insofar as § 9-17-23 can be read to confer a privilege on such non-spiritual, administrative discussions** (on the basis that they constitute “professional” communications covered by statute’s second sentence), **the Attorney General strongly recommends that the statute be revised to narrow its scope.**

## **B. Transferring Accused Clergy to New Assignments**

In the 2018 publication of the revised *Dallas Charter*, American bishops included a “Statement of Episcopal Commitment” that affirmed the importance of accountability, and acknowledged the Church’s indefensible history of transferring priests to new assignments following allegations of child sexual abuse – a practice that has become known as “priest shuffling:”

We bishops pledge again to respond to the demands of the Charter in a way that manifests our accountability to God, to God’s people, and to one another. Individually and together, we acknowledge mistakes in the past when some bishops transferred, from one assignment to another, priests who abused minors. We recognize our roles in the suffering this has caused, and we continue to ask forgiveness for it.

Bishops of the Diocese of Providence were no exception: they frequently transferred Diocesan priests accused of child sexual misconduct to new assignments—often to other parishes within Rhode Island, and sometimes to locations beyond the state. For example, Bishop Russell McVinney transferred Father Charles Dolan, who reportedly sexually abused at least two girls, 16 times between his ordination in 1930 and his retirement in 1971. Similarly, Father Edward Kelley, who is accused of sexually abusing three boys, was transferred by Bishop McVinney and his successor, Bishop Louis Gelineau, a total of 12 times between 1968 and 1993, including five times in his first 10 years as a priest. Bishops transferred Father Edmund Fitzgerald, who reportedly abused at least eight children, a total of 12 times during his 40-plus years in active ministry from 1957-1998. And Father William O’Connell, who reportedly sexually assaulted 23 minors, was transferred 10 times between 1950-1985.

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<sup>148</sup> See, e.g., *Trammel v. United States*, 445 U.S. 40, 51 (1980) (“The priest-penitent privilege recognizes the human need to disclose to a spiritual counselor, in total and absolute confidence, what are believed to be flawed acts or thoughts and to receive priestly consolation and guidance in return.”).

Even relatively recently, the Diocese has portrayed the practice of transferring priests as commonplace and not necessarily undertaken in response to abuse allegations. For example, in response to media inquiries in 2019 about the multiple transfers of some priests on the Credibly Accused List, a Diocesan spokesperson argued that reassignments were “common to enrich a priest’s vocation with diverse educational and pastoral experiences. Hundreds of good and faithful priests have been reassigned or transferred to different parishes and special assignments throughout their years in ministry,” she said. “It would be a grave disservice to paint them with a broad brush implying that their reassignment indicates any type of wrongdoing.”<sup>149</sup>

While it is true that transfers alone do not necessarily indicate any kind of misconduct, it is also undeniable that transfers were used by the Diocese to respond to allegations and admissions of abuse, and that many accused priests were transferred repeatedly during their careers. As noted in Chapter 4 of this Report, of the Diocesan clergy included in this Report, **21 were transferred at least 1-5 times; 31 were transferred 5-9 times; and 8 were transferred 10 or more times** over the course of their ministries.<sup>150</sup>



*Of the Diocesan clergy included in this Report, **21 were transferred at least 1-5 times, 31 were transferred 5-9 times, and 8 were transferred 10 or more times** over the course of their ministries.*

These reassignments avoided prolonged attention on accused clergy, and because they were generally unaccompanied by warnings, notifications to law enforcement, or restrictions on accused priests’ proximity to children, they enabled further sexual abuse of minors. A naïve and grossly misguided belief that a change of environment would change the priests’ behaviors may have also played a role in this practice. Regardless of the motivation, transfers were frequently orchestrated in lieu

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<sup>149</sup> Eli Sherman et al., *Priests Accused of Sex Abuse Served in Almost Every RI City and Town*, WPRI (Dec. 10, 2019, 10:25 AM) <https://www.wpri.com/target-12/priests-accused-of-sex-abuse-served-in-almost-every-ri-city-and-town/>.

<sup>150</sup> These figures do not include extern priest, Father Thomas Manu, and Diocesan priest, Father Alfred Santagata, for whom we did not receive a full assignment history.

of, not in addition to, referring allegations and even admissions of child sexual abuse to law enforcement.

## **1. Transfers Reduced the Risk of Negative Publicity and Scandal for the Diocese and its Leaders.**

Records produced by the Diocese of Providence show that, during the early decades of the Review Period, the Diocese regularly transferred accused priests to ministerial assignments in other parishes both in Rhode Island and elsewhere, where the priests continued to have access to children. The following examples illustrate the practice of reassigning priests who threatened to expose the Diocese to scandal due to allegations of sexual abuse.

### *Father Joseph McCra*

One of the most egregious examples of transfers concerns Father Joseph McCra. McCra was accused of abusing two boys (and of attempting to abuse others) between 1951 and 1964. McCra was transferred nine times during his priesthood, from 1931-1964. The Diocese added Father McCra to its List of Credibly Accused Priests in 2023, only after outreach by this Office. The Diocese stated that he had been inadvertently omitted when the List was initially released in 2019.

The Diocesan records produced to this Office included two letters from personnel at our Lady of Lourdes Church in Providence in 1951 and 1952 containing specific allegations of child sexual misconduct by McCra there. In the first letter, a sexton at the church swore that he observed McCra insert his hands into the pants of a boy he was wrestling. It is not clear what, if any, action was taken in response to this complaint. In a second letter, from 1952, an assistant at the church wrote to Bishop McVinney about McCra's relationship with a boy whom McCra spent an inordinate amount of time: "[n]o doubt Your Excellency is quite aware of this unpleasant situation. However, should some unfortunate incident come to light in the future, I would not relish the thought that possibly I failed in my duty toward Your Excellency, by not making known the unpriestly behavior of the Rev. George (sic.) McCra." Four months later, McCra was placed on a short leave of absence and then almost immediately transferred to St. Joseph's Parish in Woonsocket. Only eight months later, the pastor of St. Joseph's wrote to Bishop McVinney to complain that "[McCra] does not seem at present in a condition to exercise a fruitful ministry."

Yet another transfer soon followed: in November 1953, Bishop McVinney reassigned McCra to Our Lady of Consolation Church in Pawtucket. McVinney warned McCra:

You will understand by this appointment that it is no vindication of your erratic and intolerable conduct manifested in the past. I am interested in safeguarding your priesthood and in saving your immortal soul. Try now to cooperate with God's grace and enter this new field of priestly work with zeal and genuine devotedness and with a sense of true fellowship for your priestly associates. If I receive any more complaints about your conduct I shall be forced to remove you from the roll of those available for priestly service in the diocese.

While at Our Lady of Consolation in Pawtucket, McCra's sexual abuse of children reportedly continued. In sworn affidavits from December 1955, two complainants, who were minors at the time, swore that McCra brought them to his vacation home in Pascoag on different occasions in 1954-1955, served them alcohol, and sexually abused one and attempted to abuse the other.

Bishop McVinney suspended McCra from the priesthood in early 1956. A Chancery file from January 1956 documenting McCra's suspension notes:

When the [Bishop] was informed by sworn depositions of the shameful and heinous crimes committed by him with several children (or boys), on December 9, 1955, he deprived him of his office without any hope of exercising sacred ministry in the Diocese of Providence in the future. The [Bishop] ordered him to continue his spiritual exercise, but he neglected this and took up residence with a friend . . .

In a 1956 letter from Bishop McVinney to Father McCra, the Bishop expressed his "hope" that "through mature reflection," Father McCra could "recover some of the early zeal of [his] priestly life." In the same letter—sent just three months after the Diocese had received the two sworn affidavits detailing McCra's recent abuse at his vacation home—Bishop McVinney reinstated McCra's authority to say Catholic mass and to "assist with work in any parishes that might need your service over the week-ends." And the following month, April 1956, Bishop McVinney reassigned McCra as chaplain to Stella Maris Home for Convalescents in Newport, noting that his reassignment was an attempt to keep McCra in ministry:

You are hereby assigned as Chaplain to Stella Maris Home for Convalescents, Newport, Rhode Island.

You will take up residence there before Thursday, April 5th. You will understand that this assignment is prompted by my desire to keep you in the priestly ministry with the hope that, being chastened, your priestly zeal may be renewed.

In 1958, Bishop McVinney assigned Father McCra to be the chaplain to the Novitiate of the Brothers of the Sacred Heart in Harrisville. By March 1961, McCra was suspended again, though the records produced by the Diocese to this Office do not specify the reason. According to a letter from McCra to McVinney, McCra moved to a priests' home in Montreal, Canada. McCra again asked McVinney to reinstate his faculties, even as he admitted to "immoral touches . . . once in a while." Once again, Bishop McVinney acceded to McCra's request, assigning him six months later, in September 1961, as an assistant pastor to St. Ann's Parish in Woonsocket with no apparent restrictions. Father McCra remained at St. Ann's until his death in May 1964. At no time were the complaints against Father McCra ever referred to law enforcement.

#### *Father B. Samuel Turillo*

The case of Father B. Samuel Turillo offers another early example of how the Diocese of Providence frequently used parish transfers as a means of responding to child sexual abuse complaints. Father Turillo, who is accused of sexually abusing at least two boys, and possibly others, during his nearly 50 years as a Diocesan priest, was reassigned nine times while in active ministry from 1946 to 1994. The Diocesan records produced to us indicate that several of those parish transfers were in response to child sexual abuse complaints or suspicions against him.

According to one Chancery Office record found among Turillo's produced files, which was (according to another Diocesan record in Turillo's materials) translated from Latin by a Church official in 2016, in March 1953, Father Turillo "was accused of having committed sexual misconduct with several young boys of the Parish of Sacred Heart in [West Warwick], R.I." There is no indication in the Diocesan records produced to this Office that the Diocese undertook any investigation of this complaint or referred it to law enforcement. Nor do the records offer any indication of the identities of these victims. The same Latin-translated document states that Bishop McVinney, "because of the suspicious circumstances of the matter, sent [Turillo] to the Monastery of Saint Gabriel in Brighton, Mass., to do penance. Having rightly completed nearly

two weeks of spiritual exercises, the same priest was verbally appointed assistant pastor of the Church of Saint Mary in Cranston, R.I.”

Father Turillo remained at Saint Mary’s in Cranston for about a year before being transferred to Holy Angels Church in Barrington in 1954. While there, sometime between 1956-1958, Turillo allegedly molested an 11-year-old boy at the Maple Avenue School in Barrington, which was located across the street from Holy Angels Church. Though Father Turillo was still alive when the complainant reported the incident to the Diocese in 2016, and the Diocese then referred it to the Rhode Island State Police, prosecution was precluded by the expiration of the statute of limitations. When OEC Director Kevin O’Brien interviewed the complainant, the complainant mentioned another boy who may also have been abused by Father Turillo around the same time. O’Brien later noted that although there was no direct evidence of Turillo abusing the second boy, he found it “interesting that the name [the complainant] provided after all these years was mentioned in the file and linked to [Turillo].”

In January 1962, Father Turillo wrote Bishop McVinney to request a transfer from Holy Angels to chaplaincy work, ostensibly due to an injury. But another Latin-translated document in Turillo’s files indicates that just a few months later, in April 1962, a Barrington police officer informed Bishop McVinney that Turillo had committed “serious sexual misconduct with scandal resulting” while at Holy Angels. Though the timing and nature of these allegations are not entirely clear, the same document indicates at the end, “for previous and similar accusation, see the Secret Archive of the Bishop of Providence”—possibly a reference to the other documented abuse complaint against Father Turillo from 1953 at Sacred Heart in Warwick. As a result of the 1962 complaint, the document states, Bishop McVinney “severely admonished [Turillo] and removed him from the office of assistant pastor and appointed him chaplain of St. Joseph Hospital, Providence.” In a separate internal memorandum regarding the transfer, **Bishop McVinney also wrote: “I gave [Turillo] an ultimatum. If ever I hear another word about this sex perversity I shall strip him of his priestly faculties and send him home.”**

Just five months later, in September 1962, Bishop McVinney transferred Father Turillo again, this time to St. Anthony’s Church in Woonsocket. There is no indication in the Diocesan records produced to this Office of the reason for this transfer. In August 1965, the Pastor of St. Anthony’s wrote to Bishop McVinney requesting that Turillo be transferred again to a different parish as “a matter of conscience” that was “getting serious.” Again, the Diocesan records produced to this Office provide no further detail of the nature of the pastor’s concerns, but once more the Bishop transferred Turillo, a week later, to Saint Ann Church in Providence.

Father Turillo was transferred several more times before retiring from Sacred Heart Parish in West Warwick in June 1994, with the honorary title of pastor emeritus, and a congratulatory letter from **Bishop Gelineau praising him as “an outstanding priest of the Diocese over these many years.”** It was only in 2016, when, as described above, a survivor reported directly to the Diocese that he was abused by Turillo in Barrington between 1956 and 1958 that Bishop Thomas Tobin revoked Turillo’s faculties (Turillo was by this point in his 90s) and referred the complaint against him

to the Vatican and to law enforcement. It does not appear that the referral mentioned any of the other complaints against Turillo that prompted Bishop McVinney to transfer him during the 1950s. Instead of removing Turillo from the priesthood altogether, the Vatican ultimately imposed on him the penalty of a “life of prayer and penance.”<sup>151</sup> Turillo’s name appeared on the Diocese’s original July 2019 Credibly Accused List, and he died in 2023.

### *Father Joseph D’Angelo*

The Diocese’s practice of transferring priests accused of child sexual abuse to new parish assignments continued under Bishop Louis Gelineau, who succeeded Bishop McVinney in 1972. Father Joseph D’Angelo, for example, who served as a Diocesan priest for just four years (between 1979 and 1983), is accused of sexually abusing at least four boys during his tenure and was transferred four times before his indefinite suspension.

In January 1980, while Father D’Angelo was assigned as Assistant Pastor at St. Augustin’s Church in Newport, the pastor of the church wrote a letter to Bishop Gelineau to complain about D’Angelo’s behavior, while vaguely adding: “I have tried heroically to cover up the situation so that parishioners will not be scandalized but, with the passage of time, it is becoming impossible to do this much longer . . . for the good of souls and all concerned, something has to be done.” While the letter itself does not clarify what this “situation” involved, another undated statement by the same pastor, also found among D’Angelo’s records, states that D’Angelo was “annoying an altar boy,” whose mother threatened to report the behavior to the media.

There is no indication in the records produced to this Office that Bishop Gelineau or any other Diocesan official investigated this report or contacted civil authorities, but Gelineau did transfer Father D’Angelo later that same year to Our Lady of Mt. Carmel Church in Providence. According to an undated formal statement attributed to the pastor of that church, likewise found among Father D’Angelo’s files, D’Angelo was put in charge of both the church’s religious education program as well as twelve altar boys. But D’Angelo was subsequently removed from the latter responsibility, the statement reads, “because he was continually harassing the boys and embracing them . . . Father was in the habit of trying to get the boys to go to confession in a room adjoining the sacristy. Although the boys would come out upset, [the pastor] could not interrogate Father because of the seal of Confession.” The pastor closed his statement by emphasizing that D’Angelo posed “a very, very serious problem,” adding that he “should never have been ordained” and now “should be restricted or suspended for the good of the Church.”

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<sup>151</sup> “Life of prayer and penance” is a canonical penalty short of dismissal from the clerical state, whereby a priest is precluded from celebrating Mass publicly, administering the sacraments, wearing clerical garb, and presenting himself publicly as a priest.

One of the Our Lady of Mt. Carmel altar boys reportedly told his parents about the harassment, and two boys reported years later that D’Angelo had sexually abused them during his tenure at Our Lady of Mt. Carmel. One of the boys reported to the Rhode Island State Police in 2019 that he went to the pastor of the church and told him that he no longer wanted to serve mass with D’Angelo. The pastor reportedly asked him why, and whether D’Angelo “put his hands on you or something.” The complainant said that he responded with a “knowing look,” and the pastor replied, “[i]t’s all right, you won’t serve Mass with him anymore.”

Yet again, rather than investigate these matters or refer them to law enforcement, Bishop Gelineau reassigned Father D’Angelo twice in 1981—first to Rhode Island Hospital and then to St. Margaret Parish in East Providence later that year. At the latter assignment, D’Angelo reportedly abused two more boys, ages 11 and 12. At that point, in July 1983, Bishop Gelineau suspended D’Angelo and directed him “to a period of study and evaluation with the Paraclete Fathers in New Mexico.” Instead, D’Angelo reportedly fled to Rome to plead his case to the Vatican.

While it appears that Father D’Angelo was permitted to return to ministry in Italy, he did not, according to the Diocesan records produced to this Office, ever return to the Diocese of Providence. He was ultimately “dismissed from the clerical state” by the Vatican in September 2006 and is included on the Diocese’s Credibly Accused List. D’Angelo reportedly died in January 2026.

## **2. Transfers Created a False Impression that the Diocese Had Acted to Prevent Accused Clergy from Having Further Access to Children.**

In addition to preventing negative publicity arising from clergy abuse complaints, and protecting the Church’s reputation, it appears that the Diocese of Providence also used parish transfers as a means of appeasing complainants, their families, and concerned parishioners. By simply transferring an accused priest away from the setting that gave rise to an abuse complaint, the Diocese created the false impression that it had acted decisively, and that an accused priest no longer posed any risk—thereby reducing the odds that a complaint about the priest would reach law enforcement or the broader public.

### *Monsignor Louis Dunn*

Monsignor Louis Dunn’s pattern of abuse involved pursuing relationships with vulnerable girls and women beginning when they were younger than 18 years old and continuing into their early 20s. In 1967, the father of a University of Rhode Island freshman whom Dunn had reportedly sexually assaulted contacted the Diocese to complain about Dunn’s behavior towards young women at Christ the King Parish in South Kingstown. In a letter he authored thirty years later as part of Dunn’s criminal sentencing, the father stated that he “asked for personal help and for action that Dunn be removed as a threat to young girls. My efforts fell on deaf ears.” In a sworn affidavit prepared around the same time as his sentencing letter, the father wrote that Bishop McVinney would not speak with him about his complaint against Dunn, and he was

instead referred to Msgr. Daniel P. Reilly. According to the affidavit, he “met personally with Monsignor [Daniel P.] Reilly on more than one occasion about Monsignor Dunn’s inappropriate and criminal behavior involving young girls, summarizing Monsignor Dunn’s behavior in detail. Reilly told me in one of the meetings that this was ‘a standing problem with Dunn’ and ‘he was certain it was not as bad as I thought’ . . . Reilly informed me that Dunn would be transferred, and he believed ‘this would take care of the problem.’”

It did not. **Rather than investigate these incidents, restrict Dunn’s ministry, or notify law enforcement, Bishop McVinney simply transferred Dunn in 1967 to St. Thomas Church in Providence,** where—tragically but unsurprisingly, given what the Diocese already knew—Dunn was accused of sexually assaulting several more women. The same concerned father who complained to the Diocese before Dunn’s transfer met again with Msgr. Reilly after learning of additional complaints about Dunn at St. Thomas. But again, according to the father’s affidavit, Msgr. Reilly said to him, “‘What do you expect me to do? If I were to put him in jail...’ young girls ‘would go to visit him.’”

This time, Dunn was not transferred; rather, he was permitted to remain at St. Thomas for nearly three more decades—until a woman publicly disclosed in late 1993 and early 1994 that she had been in a sexually abusive relationship with Dunn during the late 1970s and 1980s. At that point, according to the Diocesan records, Bishop Gelineau briefly placed Dunn on administrative leave before granting his request to retire in June 1994 for reasons of “failing health” and the “stress and pressures of the duties as pastor,” with Bishop Gelineau thanking Dunn for his “wonderful” and “fine work” and wishing him “many happy years of retirement.”

Two years later, in 1996, a Rhode Island grand jury indicted Dunn on one count of rape of a young woman at Christ the King in South Kingstown in 1965, and another count of first-degree sexual assault of a 21-year-old woman (the same woman who had just recently come forward) in June 1982, in the rectory of St. Thomas Church. While Rhode Island Superior Court Associate Justice Stephen J. Fortunato, Jr. acquitted Dunn of the rape of the first victim based on his finding that there was insufficient evidence that Dunn used force or coercion, he ultimately convicted Dunn of first-degree sexual assault of the second victim and sentenced him (over this

*By simply transferring an accused priest away from the setting that gave rise to an abuse complaint, the **Diocese created the false impression that it had acted decisively, and that an accused priest no longer posed any risk—**thereby reducing the odds that a complaint about the priest would reach law enforcement or the broader public.*

Office's vigorous objection) to a 10-year suspended sentence with probation. Dunn was ordered to remain in the retirement facility where he was then residing, and he died there in 2001. The Diocese included Dunn on its original July 2019 Credibly Accused List.

### *Father Roland Lepire*

As already discussed, Father Roland Lepire sexually abused at least six boys from 1975 to 1980 at parish assignments in Woonsocket, Cranston, and Central Falls. The Diocesan records produced to this Office indicate that Bishop Gelineau repeatedly transferred Lepire following allegations that he had sexually abused boys at his parish assignment. First, in February 1979, after the mother of one of Lepire's victims complained to the Woonsocket Police that Lepire had put his hands down her son's pants at St. Aloysius Church, Bishop Gelineau transferred Lepire to St. Mary's Church in Cranston. According to a 1996 treatment evaluation, Lepire stated that after a boy's parents complained to the police that he had groped their son's genitals at St. Aloysius, "no charges were filed with the understanding that [he] would continue in therapy and that he would be transferred out of that particular parish . . . the Bishop was understanding and transferred him into a new parish assignment with four other priests in a rectory situation."

At St. Mary's, Lepire abused several more boys. In May 1980, according to the Diocesan records, Bishop Gelineau wrote to Auxiliary Bishop Angell and the Diocesan Personnel Board that he was removing Lepire from St. Mary's because "[i]t appears that any parish involvement and ministry for him places too much pressure and results in depression bordering on illness. At this time a parish assignment for [Lepire] is not possible." According to the same 1996 evaluation just mentioned, Lepire clarified the actual basis for his removal from St. Mary's: "[w]ithin eight months of being in the new assignment . . . he touched four twelve-year old boys, one time each over the period of one month . . . he approached the Bishop and admitted his wrongdoing. [Lepire] states that the Bishop removed him from the parish and for the next four months he worked as a chaplain for a community of Brothers and took classes at Providence College."

Bishop Gelineau again returned Lepire to parish duties in September 1980 with a reassignment to St. Matthew's Parish in Central Falls. There, Lepire reportedly sexually abused two more boys. Despite his history and the danger he posed to minors, Lepire remained in ministry until 1996, when one of his victims sued Lepire and the Diocese. At that time, Bishop Gelineau placed Lepire on administrative leave and suspended his faculties, but the Diocese did not initiate canonical proceedings against him until another one of Lepire's victims reported his abuse to the Diocese in 2002, and insisted that the Diocese commence a canonical process to remove Lepire from the priesthood. The Vatican ultimately defrocked Lepire in 2004, and he died in 2025.

### **3. Transfers Allowed Accused Priests to Minister to Unsuspecting Congregations and Placed Additional Children at Risk.**

Parishioners were frequently left unaware of the reason for accused priests' transfers. This includes parishioners at both the parishes from which the priests were transferred as well as the ones to which they were sent. We reviewed many letters from parishioners inquiring about accused priests' transfers, with some pleading that the priests be allowed to remain in their positions. So strong was the devotion to the Church and its priests that we even found a few letters requesting that priests whose accusations had become publicly known be allowed to remain at their parishes. **The Diocese also withheld from the church communities to which it transferred these accused priests the details of the complaints that had been made against them, enabling these priests to again manipulate parishioners' trust and gain access to children.**

For instance, as described below, in the early 1980s, following allegations that Father Paul Charland had sexually abused a teenage girl while assigned to St. Raphael's Academy in Pawtucket, Bishop Gelineau temporarily sent him to treatment before returning him to ministry, where he was again accused of sexual misconduct.

In January 1982, a priest who ran a retreat program in Pawtucket was informed by a layperson that Father Charland had repeatedly kissed and groped a 15-year-old girl. The priest reportedly confronted Charland and then notified Auxiliary Bishop Angell in a letter, writing: "In my presence [Charland] could not deny the report that in his Saint Raphael Academy office an underclass student, age 15, told me first-hand of being kissed by him on the lips, and of feeling his tongue inside of her mouth." The priest wrote that he and Angell had discussed concerns about Charland three months earlier. Charland reportedly excused his own conduct as simply "overly friendly" and a "misunderstanding," but the priest who wrote to Bishop Angell felt the problem was more serious. "His behavior, I have found out, covers ten years. Incidents are reported to me by youth, a single adult male formerly in Fr. [Charland's] employ, as well as by a married couple. I am not recommending any suspension . . . . But not to force him into a counseling process is a disservice to him, the kids, and to the church."

Following this complaint, around May 1982, Bishop Gelineau sent Charland to the House of Affirmation, a treatment center in Massachusetts. Less than a year later, Charland began a new assignment at Saints John & Paul Church in Coventry. He remained in ministry for the next decade, moving throughout several parishes in Woonsocket, Tiverton, and North Providence. In 1992, Father Charland's arrival at St. Paul the Apostle Church in Foster caused several parishioners to write to Diocesan officials expressing concerns about their new pastor and rumors of his conduct with children. "I am afraid that our parish children are at risk," wrote one parishioner. Diocesan Chancellor William Varsanyi assured the parishioners that their concerns were unfounded. "I am writing to you again concerning . . . your pastor," he wrote in a December 1992 letter to a parishioner. "Having discussed your concerns with Father Charland and with a number of knowledgeable people, I can assure you that your fears are groundless. If you have any specific complaints against Father Charland, feel free and obligated to let us know about them. If not, please do not be guided by

rumors and gossip but, instead, give Father the support he deserves to be an effective pastor of his parish.”

Charland was still serving at St. Paul the Apostle in Foste in the early 2000s when multiple women came forward to accuse him of sexual misconduct when they were young teenagers. In 2002, the young woman who Charland reportedly abused at St. Raphael when she was 15 years old reported her abuse directly to the Diocese. The following year, 2003, a second complainant reported to the State Police that Charland had likewise sexually assaulted her in 1999, when she was 15 years old. She alleged that Charland invited her family to join him on his sailboat for the day. On that trip, Charland reportedly groped her repeatedly and kissed her on the mouth. Because those allegations constituted a second-degree sexual assault subject to only a three-year statute of limitations, which by then had closed, the State Police closed its investigation of the complaint.<sup>152</sup>

Diocesan investigator Robert McCarthy then interviewed Father Charland in early February 2003. During the interview, Charland admitted to kissing the first complainant on the lips in 1980. Charland also confirmed that he had been sailing with the second complainant and her parents, though he denied any intentionally inappropriate touching. The Diocesan Child Protection Board reviewed the 1999 boating incident in June 2003. Then-Auxiliary Bishop McManus subsequently issued a Canonical warning to Charland in a July 2003 letter, threatening suspension unless Charland complied with the Board’s orders: that Charland invite only clergy onto his boat, and that Charland arrange for a psychological evaluation on the issue of “maintaining appropriate boundaries.” The Board’s recommendations did *not* include a change in assignment, however, and so notwithstanding the multiple complaints and concerns of parishioners, Charland remained at St. Paul the Apostle in Foster for several more years. He was ultimately suspended from ministry in 2011 after another woman accused him of sexual misconduct against her when she was an adult, and the Diocese included him on its Credibly Accused List.

#### **4. Ostensibly Benign Transfers Coincided with Abuse that Was First Reported Years Later.**

We identified several examples where Diocesan records do not contain any express reason for the transfer of an accused priest at the time the transfer occurred, but later disclosures show that an abuse complaint was made around the same time as the transfer. Given the frequency with which the Diocese transferred accused priests following abuse complaints, it is reasonable to infer that, here too, the Diocese either knew of or suspected that the priest had engaged in sexual misconduct and for that reason transferred him to another parish.

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<sup>152</sup> This Office has supported recent legislative efforts to enlarge the statute of limitations for second-degree sexual assault. For a more detailed discussion of those efforts, see Chapter 10.

### *Father Charles Dolan*

Father Charles Dolan had served at St. Brendan's Church in Riverside for only one year, from 1952 to 1953, when he was transferred to St. Anthony's Church in Woonsocket. Though we found no records documenting the reason for this transfer at the time it occurred, a complainant reported to the Diocese in 1992 that Dolan had sexually abused her in the early 1950s while assigned to St. Brendan's, immediately prior to his move to St. Anthony's. She further alleged that Dolan sexually abused her sister and "numerous little girls" there as well. Bishop McVinney transferred Dolan 16 times over the course of his 40-year ministry and Dolan is included on the Diocese's Credibly Accused List.

### *Father Timothy Gorton*

In 2012, a man reported to Narragansett police that Father Timothy Gorton sexually assaulted him inside the rectory of St. Joseph Church in Cumberland and at a beach house in Narragansett in 1983 when he was 12 years old. Although the Diocese did not produce any records documenting Diocesan officials' contemporaneous knowledge of the alleged abuse, the Diocese transferred Gorton from St. Joseph's in Cumberland to St. Joseph's in Newport a year after the reported assaults took place. He was transferred seven times over the course of his 30-year ministry in the Diocese. He is included on the Diocese's Credibly Accused List.

### *Father Edmund Fitzgerald*

According to Diocesan records, the Diocese first became aware of a report of sexual abuse against Father Edmund Fitzgerald around March 1993. Yet well before that date, in the 1960s through the 1980s, Bishops McVinney and Gelineau transferred Father Fitzgerald no less than nine times, to parishes, a hospital, and a seminary. Several complainants would later allege that Fitzgerald sexually abused them in the late 1960s at St. Teresa's Church in Pawtucket, where Fitzgerald spent the first 12 years of his career as a priest, and from which the Diocese transferred Fitzgerald in June 1969. There is no documented reason for the transfer from St. Teresa in his personnel file. Fitzgerald reportedly sexually abused at least eight children and is included on the Diocese's Credibly Accused List.

## **5. The Diocese Also Transferred Accused Priests to Non-Parish Assignments with Vulnerable Populations.**

Repeatedly during the Review Period, the Diocese transferred priests accused of sexually abusing children to non-parish assignments that included hospitals and assisted living facilities. This was plainly and grossly problematic for at least two reasons: **first**, it appears that bishops moved accused priests to assignments with populations that were sequestered from the general public and far less likely to complain about a priest's present or past misconduct; and **second**, in those assignments, accused priests had continued proximity and access to children or other vulnerable populations.

For example, Father B. Samuel Turillo had been the subject of several child sexual misconduct complaints by the time Bishop Russell McVinney reassigned him to St. Joseph's Hospital in Providence in 1962. As noted above, Turillo was accused in early 1952 of kissing and groping a boy at a CYO basketball game at West Warwick Junior High School and was again accused in March 1953 of sexual misconduct involving several unidentified young boys at West Warwick's Sacred Heart Church. In April 1962, after learning of yet another allegation of "serious sexual misconduct" involving Turillo, Bishop McVinney "severely admonished [Turillo] . . . and appointed him chaplain of St. Joseph Hospital, Providence." Father Turillo served there for just five months before being transferred yet again—for reasons that are not disclosed in the Diocesan records produced to this Office—to St. Anthony's Parish in Woonsocket in September 1962.

Similarly, in 1987, Bishop Louis Gelineau assigned Father Armand Ventre as chaplain at the Fatima Unit of St. Joseph's Hospital in North Providence. These assignments marked Ventre's return to full-time priestly duties following his 1986 acquittal of criminal charges that he had sexually abused three boys in the early 1980s, while serving as a priest at Our Lady of Good Help in Burrillville. During his very first year as chaplain at St. Joseph's Hospital, Ventre was accused of having an inappropriate relationship with a 24-year-old mentally disabled man who resided in a group home. The young man's mother complained about Ventre's excessive contact with her son, including multiple overnight visits where the two reportedly slept in the same bed. Ventre reportedly admitted to Bishop Gelineau that he slept in the same bed as the young man. Bishop Gelineau admonished Ventre and ordered him never to allow youth to visit his cottage again, or he would suspend his faculties. Gelineau also referred Ventre to the St. Luke Institute, a known treatment center for accused priests, but apparently permitted Ventre to remain as chaplain at St. Joseph's Hospital.

In 1989, Ventre was *again* accused of inappropriate conduct at St. Joseph's Hospital, this time involving a 14-year-old boy he met at the hospital. Ventre allegedly spent "an excessive amount of time" with the boy and showered him with gifts, prompting another hospital chaplain to voice concerns to Bishop Gelineau. Despite these and other complaints concerning the risk that Ventre continued to pose to children—including a November 1995 assessment by Robert McCarthy, then the Diocese's Director of the Office of Education of Compliance, that Ventre posed an "extreme risk"—Bishops Gelineau and Mulvee permitted Ventre to remain at St. Joseph's Hospital until his December 1999 retirement.

Likewise, in April 1998, even though Father Edmund Fitzgerald had already been the subject of several child sexual abuse allegations, Bishop Mulvee transferred him to serve as the Director of Catholic Pastoral Care at Eleanor Slater Hospital, which treats patients with long-term illnesses and mental health conditions. Fitzgerald was suspended only four months later, when a complainant came forward to allege that Fitzgerald had sexually abused him when he was an altar boy during the 1960s.

**The preceding examples point to one inescapable conclusion:** for decades, Diocesan leaders sought to conceal abuse complaints by simply transferring accused priests to new assignments, without meaningfully investigating complaints, referring them to law enforcement, restricting priests' faculties, or notifying parishioners of the accusations. The Diocesan records are damning: successive bishops were more concerned with keeping accused priests in ministry and minimizing scandal than with addressing their alleged crimes and preventing opportunities for further sexual abuse of children.



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### C. The Diocese's Use of "Spiritual Retreats" and "Sabbaticals"

In addition to transferring accused clergy to new parish assignments, bishops in the Diocese of Providence also sent accused priests on "spiritual retreats" and "sabbaticals." This was a more common practice during the early part of the Review Period, before the rise of "treatment centers" (discussed further below) that purported to treat and heal accused priests through the use of modern science and medicine. Before then, and when it came to the use of retreats and sabbaticals as a response to complaints of child sexual abuse, the Church, including the Diocese of Providence, appeared to regard the sexual abuse of children by clergy primarily as a *spiritual* failing, to be overcome through a priest's renewed focus on his faith and vocation. These practices are subject to many of the same general critiques as parish transfers: **by sending accused priests on retreats and sabbaticals, bishops had another way of removing priests from the settings in which they were accused and where the "scandal" had arisen, and appeasing complainants that the Diocese was taking these matters seriously, while helping to conceal the abuse.** And more particularly, by treating clergy abuse as a *spiritual* matter that affected *priests*, the Diocese ignored both the "temporal" concern that the sexual abuse of children is a crime that should be reported to *civil* (secular) authorities, and wholly disregarded the people most obviously affected by clergy abuse: victims and their families.

One of the more noteworthy and notorious early locations for these “spiritual retreats”—and one to which the Diocese of Providence sent several of its accused priests during the Review Period—was the **Via Coeli Monastery in Jemez Springs, New Mexico**, operated by the Congregation of the Servants of the Paraclete. Father Gerald Fitzgerald founded the Servants of the Paraclete in 1947 to provide “care and affirmation of Priests and Brothers in need of spiritual, emotional and psychological renewal.” Though at its inception Via Coeli, which labeled itself a “home for aged and infirm priests,” assisted priests struggling with substance abuse (and the Diocese of Providence appears to have referred priests there for that purpose as well), it quickly became known for hosting priests accused of sexually abusing children. As Father Joseph D’Angelo (who would later appear on the Diocese’s Credibly Accused List) wrote to Bishop Gelineau, “[t]he implication of an assignment to Via Coeli is well enough known as to need no further comment.”

The Diocese of Providence supported and relied upon Via Coeli and the Servants of the Paraclete from nearly their founding. In June 1949, for example, Father Charles Dolan, whom Bishop McVinney referred to as a “sick priest” and whom the Diocese would later include on its Credibly Accused List, stayed at Via Coeli for several months before returning to active duty in the Diocese that September. Likewise, Father John O’Neil spent several months at Via Coeli in 1950. Though the Diocesan records produced to this Office do not clarify the reason(s) for these referrals to Via Coeli, both priests were later accused of sexually abusing minors. In addition, in October 1951, Bishop Russell McVinney responded to Father Fitzgerald’s written solicitation for McVinney’s “spiritual and material contribution” to Via Coeli—specifically, for its continued efforts toward “alleviation of one of the perplexing problems that confronts Ordinaries from time to time” (Fitzgerald did not elaborate on what he was referring to)—with a check for \$100 (equating to roughly \$1,200 in modern U.S. dollars).

Around the same time that the Diocese began sending priests to Via Coeli, it also opened a similar spiritual retreat-style facility here in Rhode Island, **“Queen of the Clergy Villa” in Escoheag, West Greenwich**. Records maintained by the Rhode Island Department of State indicate that the “retreat house” was formally incorporated by Bishop McVinney and other senior Diocesan leaders in October 1950, “for the purpose of the care of aged and infirm Priests, according to the discipline, ritual, and teachings of the Roman Catholic Church.”<sup>153</sup> Here, too, the Diocese sent several accused priests during the early part of the Review Period—though, like Via Coeli, Queen of the Clergy received priests with substance abuse and other problems, as well. Father John O’Neil, for example, spent several stints at Queen of the Clergy:

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<sup>153</sup> We are unable to determine from the limited Diocesan records produced to this Office how long Queen of the Clergy Villa operated and the status of the property now. The final reference in the records to Queen of the Clergy as an operating retreat center for Diocesan priests is from 1957. In December 1993, the Diocese of Providence changed the legal name of the related corporation from “Our Lady, Queen of the Clergy, Retreat House” to simply “Our Lady, Queen of the Clergy,” and it appears to have subsequently been used to pay ongoing compensation and benefits to retired Diocesan priests, including several who retired in the wake of child sexual misconduct complaints, and whom the Diocese has since deemed credibly accused.

first, as a “trial” assignment following his return from his stay at Via Coeli in 1950, and again in 1957, for “spiritual rejuvenation or at least rehabilitation” after Bishop McVinney ordered him to leave his assignment at St. Rose Parish in Warwick “to obviate any serious scandal.” Likewise, Father Joseph McCra landed at Queen of the Clergy in early 1956, after Bishop McVinney suspended his faculties late the previous year in the wake of complaints that McCra had sexually abused several young boys.

In the same October 1951 solicitation from Father Gerald Fitzgerald to Bishop McVinney seeking donations to Via Coeli and the Servants of the Paraclete, Fitzgerald added at the end of his letter a hand-written line, “P.S. How goes the Villa by the Sea? And our alumni?” Bishop McVinney responded:

I am thoroughly satisfied with the accomplishments at Queen of the Clergy Villa in my diocese. We have returned to the priestly ministry three whom Father Dempsey had under his care since the opening. Right now we have no patients. It is not easy to sell the priests on the idea, but I feel that we have completely justified the existence of the institution and look forward to accomplishing great things in the future.

Via Coeli and Queen of the Clergy were not the only “spiritual retreats” to which the Diocese sent priests accused of child sexual misconduct during this early period. Father Joseph McCra was again accused of sexual abuse following his 1956 stay at Queen of the Clergy in Escoheag; in March 1961, he wrote to Bishop McVinney that he was at “Fraternite Sacerdotale,” a spiritual retreat center in Montreal, “to be straightened out. I told them the truth, immoral touches, a human weakness once in a while. They will correct me within shortly.” Bishop McVinney allowed McCra to return to full-time ministry just six months later. Similarly, as noted above, Father B. Samuel Turillo was accused in early March 1953 of abusing several young boys at Sacred Heart Church in West Warwick. According to an undated memorandum in Turillo’s personnel file, translated from Latin, Bishop McVinney, “because of the suspicious circumstances of the matter, sent [Turillo] to the Monastery of Saint Gabriel in Brighton, Mass., to do penance. Having rightly completed nearly two weeks of spiritual exercises, the same priest was verbally appointed assistant pastor of the Church of Saint Mary in Cranston, R.I.” Fathers McCra and Turillo would both later be named on the Diocese’s List of Credibly Accused Clergy.

Beginning in the 1960s, and expanding during the 1970s and 1980s, clergy abuse came to be viewed not just as a spiritual crisis, but even more so a mental health problem warranting “treatment” with the possibility of a “cure.” And so the Diocese, in step with the broader Church at the time, began sending more of its accused priests to so-called “treatment centers.” (Even the Servants of the Paraclete, of Via Coeli in New Mexico, soon transitioned to this “treatment” model—reframing itself a “spiritual *and psychological* renewal center for priests and brothers,” and employing a team of medical and psychological professionals.) Treatment centers are discussed at length in the next subsection. **Even during this later period, though, and into the 1990s, the Diocese continued sending certain priests accused of child sexual misconduct on extended “sabbaticals,” often for theological study—and so continued to reveal the deeply troubling view that clergy abuse could and should be addressed**

**internally, simply by allowing accused priests to “refocus” for a time on their vocation and the spiritual calling of the priesthood.**

As with parish transfers, or even treatment center referrals, sabbaticals alone are not determinative of any wrongdoing. But by the 1990s, the Diocese of Providence had an identifiable practice of placing certain priests accused of sexually abusing minors on sabbatical leave. In an internal memorandum in 1993 to Bishop Gelineau, Msgr. Robert Evans, Chancellor and Director of the Office of Priests’ Personnel, wrote that “it is not unusual that priests in special circumstances”—which he illustrated with reference to three accused priests, one who went to prison and two who went to treatment centers—“to be on sabbatical.” Sabbaticals afforded bishops and the Diocese yet another seemingly innocuous option for removing accused priests from their assignments, sequestering them for a time, and quelling speculation, rumors, and “scandal.” But sabbaticals were not therapeutic programs—it does not appear there was any significant mental health treatment afforded accused priests through sabbaticals, for example—and worse, **accused priests on sabbatical sometimes remained in proximity to young people.** As discussed below, the Diocese sent several accused priests on study sabbaticals at Catholic universities, including Boston College and the University of Notre Dame. The Diocese often paid for these periods using a “sabbatical fund,” and continued paying the salaries of priests “on sabbatical” from the Clergy Special Assignment Fund.

*Father Robert Carpentier*

In 1992, Father Robert Carpentier drafted a letter to his parishioners at St. John the Evangelist in North Smithfield announcing that, with Bishop Gelineau’s blessing, he was taking a “medical leave of absence” due to “mental tiredness and anxieties.” In reality, he was sent to the Institute of Living in Hartford, Connecticut, after admitting to Bishop Gelineau and Auxiliary Bishop Angell that he sexually abused a 13-year-old boy while serving as pastor at St. Agatha Church in Woonsocket in 1973 or 1974. According to the complainant, Carpentier had abused him for over a year, including fondling, masturbation, and oral sex. Remarkably, notwithstanding the gravity of the allegation and Carpentier’s admission, the Diocese did not report the complaint to law enforcement. According to Bishop Gelineau’s notes regarding Carpentier’s discharge from the Institute, they found “no problem . . . that needs attention,” and Carpentier was deemed “not a pedophile!” (emphasis in original). Carpentier nonetheless remained on leave from priestly duties, and in a June 1992 letter he expressed his desire to Bishop Gelineau to take a “sabbatical” in a priestly community.

In September 1992, Carpentier began a church-funded sabbatical at Boston College’s “Sabbatical Renewal in Ministry” program. Program materials from Carpentier’s files indicate the sabbatical involved attending a weekly lecture and seminar and completing at least one course per semester. There is no indication in the Diocesan records produced to this Office that the Diocese informed Boston College that Carpentier had admitted earlier that year to sexually abusing a child. That October, however, Carpentier’s now-adult victim sued Carpentier and the Diocese (the suit was later part of the landmark 2002 settlement between the Diocese and 36

victims of clergy abuse for \$13.5 million). Later that month, as news of the suit broke, the head of the sabbatical program called to speak with Bishop Gelineau regarding Carpentier's "present situation." Handwritten notes on a memorandum recounting that conversation state that "she is not sure of what will happen. This is not a therapeutic program. Will be in touch as time goes on." It appears the Diocese and the sabbatical program opted to keep Carpentier enrolled. Bishop Gelineau noted in a May 1993 internal memorandum that they needed to "buy time till [the] court case is resolved."

Bishop Gelineau and Father Carpentier met again in October 1993, when the Bishop advised Carpentier to keep a "very low profile" until his civil case was settled; once it was, they could "be free to discuss what options there are for the future." The Bishop also said that the Diocese would continue to support Carpentier the following year, but he encouraged Carpentier to try to find work to help with his expenses. It appears that Carpentier continued at Boston College's Institute of Religious Education and Pastoral Ministry through spring 1994. In November 1993, Monsignor Evans authorized the Diocese's fiscal office to continue paying Carpentier's salary, room and board, and tuition payments "from January 1994 until further notice at the level currently in effect." Carpentier, now dead, remained on a leave of absence until he retired in 2006. Like so many other clergy discussed in this Report, he was never prosecuted, let alone punished, for his crimes.

#### *Father Alfred Desrosiers*

As described above, in March 1993, a woman contacted the Diocese to disclose that Father Alfred Desrosiers had repeatedly sexually abused her two decades earlier, starting when she was approximately 15 years old and working part time in the rectory of St. Joan of Arc Church in Cumberland. According to Diocesan records produced to this Office, Bishop Gelineau subsequently met with Father Desrosiers, who *admitted* to having an "affair" with the complainant. In response, Bishop Gelineau arranged a "sabbatical/continuing education program" for Desrosiers at the Boston College Institute of Religious Education and Pastoral Ministry. Gelineau wrote a letter of recommendation to Boston College on Desrosiers's behalf, noting that while Desrosiers was "presently on a leave of absence from any assignment in the Diocese, [ ] **he is a priest in good standing** . . . I know of nothing that would prevent him from taking full advantage of the program or that would compromise the integrity of it" (emphasis added). There is no indication in the Diocesan records that Gelineau or anyone else notified Boston College of Desrosiers's admission. While attending the Boston College sabbatical, Desrosiers lived in residence at Regina Cleri (St. Joseph Church) in Providence and commuted to Boston. The Diocese continued to pay him a salary and paid for the educational program.

In October 1993, Bishop Gelineau granted approval for Desrosiers to continue his "sabbatical" at Boston College for another semester. In November 1993, after somehow learning of the allegations against Father Desrosiers, the sabbatical program coordinator—the same woman who had contacted the Diocese the previous year to question the propriety of Father Robert Carpentier's placement in Boston College's sabbatical program—visited Bishop Gelineau to express concern about

Desrosiers's fitness for the sabbatical, According to Bishop Gelineau's memorandum of that meeting, she *again* emphasized that the program was "not therapeutic," and expressed dismay at having been misled about the circumstances of Desrosiers's attendance:

She is very disturbed that we did not indicate to her the whole story about Fr. Desrosiers. She learned just recently that there was a possibility of a lawsuit and the possibility that Fr. Desrosiers would not be able to return to ministry. She emphasizes that their program is not therapeutic. It is geared to giving people a time away from ministry, but prepares them to return to ministry with renewed vigor. She feels it is very unfair that we sent Fr. Desrosiers to the program as we did. It is most probably not the type of program he needs, she feels. They want to be of help, as they tried to do with Fr. Carpentier, but they cannot upset the others in the program by taking on candidates who should most likely be in another type of program.

In an extraordinary follow-up memorandum to Bishop Gelineau, Monsignor Robert Evans described how they could address the coordinator's concerns. He suggested that "rather than answer Sister's questions in writing," the Bishop should authorize the Minister for Priests, Father Normand Godin, to meet with her and communicate that it was possible Desrosiers would return to ministry; that Desrosiers "[was] not in need of a therapeutic program" but was attending counseling; that while future publicity was possible, the complainant was working with the Diocesan attorney and officials, making widespread publicity unlikely; and that publicity had ensued in Father Carpentier's case but "was not reported in the Boston area." A handwritten note shows that Bishop Gelineau approved these recommendations in November 1993. Records indicate that Desrosiers remained at Boston College through spring 1994.

The complainant filed a lawsuit against Father Desrosiers and Diocesan officials in February 1994. Despite having received her allegations in March 1993, the Diocese did not refer them to law enforcement until 1994, which led to a criminal investigation. On September 13, 1995, a Rhode Island grand jury indicted Desrosiers on one count of rape of the complainant. Desrosiers pled not guilty, and the matter was still pending in February 2001 when Desrosiers died, thus terminating the State's criminal case against him. Internal Diocesan records show that the complainant's civil suit against Desrosiers and the Diocese went to arbitration and settled for over \$300,000.

#### *Father Armand Ventre*

The Diocese sent Father Armand Ventre, discussed above, on a sabbatical at the Religious Leaders Program at the University of Notre Dame from September 1986 to June 1987, after he was acquitted of sexual assault charges following a Superior Court bench trial. While at Notre Dame, Ventre engaged in individual and group counseling "on the side" through the University's counseling services. However, in a

1994 report by Monsignor George Frappier to Bishop Gelineau concerning Ventre's continued viability as a pastor, he stated "the program [at Notre Dame] did not address the relevant issues . . . [and the doctor's medical report of Ventre] seems professionally superficial and at best [indicates] Father Ventre's denial, anger, and worry about a next parish assignment."

After Father Ventre returned to the Diocese from his sabbatical, Bishop Gelineau refused to reassign him to a parish but instead assigned him as chaplain to Saint Joseph's Hospital. While there, Ventre was the subject of ongoing accusations of inappropriate behavior and conduct toward children and mentally disabled adults. **Despite the many complaints against him, and an internal recognition by senior Diocesan personnel that Ventre posed "an extreme risk," Ventre remained in active ministry until his retirement in 1999.**

*Father Peter Scagnelli*

In 1991, Bishop Gelineau assigned Father Peter Scagnelli to "sabbatical studies" at St. Anselm Abbey, affiliated with the nearby St. Anselm College, in Goffstown, New Hampshire. While the Diocese did not produce any contemporaneous records explaining the reason for this reassignment, subsequent disclosures show that it occurred shortly after Scagnelli allegedly sexually abused his seventh victim, an 11-year-old boy who Scagnelli reportedly abused in the rectory of Sacred Heart Parish in Woonsocket. In a February 1991 letter to Bishop Gelineau seeking to be released from his then-current assignment at St. Anthony Parish in Woonsocket, in order to work at St. Anselm in New Hampshire, Scagnelli noted the need for a false narrative to present to the public: "[f]or the purpose of public information, should this be necessary, this time could be considered a sabbatical. Confidentially to you and to the Abbot and his Council, however, this will be for me a time of vocational discernment."

The Diocese received the first two documented complaints against Father Scagnelli in 1993. The complainants reported that Scagnelli had sexually abused them when they were children in the 1970s—one was 16-17 years old, and the other was 12-13 years old at the time of the alleged abuse. The second victim reported that, in addition to touching and masturbation, Scagnelli had forced him to engage in oral sex. In a 1994 memorandum by Director Robert McCarthy, of the Diocese's newly-established Office of Education and Compliance, to Bishop Gelineau, McCarthy suggested that the Diocese warn the abbot of St. Anselm about the child sexual abuse allegations, noting that Scagnelli "places himself and the college in great jeopardy should these two separate and unrelated allegations be true." It is not clear from the records in our possession whether the Diocese ever delivered this warning. In 2007, a man reported to the Diocese that from 1994 to 1995, when he was about 24 or 25 years old, Scagnelli sexually assaulted him while he was living and studying at St. Anselm College.

During his two decades as a Diocesan priest, Father Scagnelli served in 10 different parishes and is accused of abusing six children and two young men at three of those parishes, as well as at St. Anselm in New Hampshire. He was indefinitely suspended in 1994 and died in 2017, still an incardinated priest in the Diocese of Providence. Scagnelli is included on the Diocese's Credibly Accused List.

## D. The Diocese's Use of Treatment Centers

In addition to reassignments and the use of spiritual retreats and sabbaticals, bishops and other senior officials in the Diocese of Providence also relied considerably on “treatment centers” as a further means of handling priests accused of child sexual misconduct. Based on our review of the Diocesan records, from 1950 to the date of this Report, **the Diocese of Providence sent at least 21 clergy with documented allegations of child sexual abuse to treatment centers for evaluation or treatment.** While this practice began during the 1960s and 1970s, it greatly expanded in the Diocese of Providence during the 1980s and 1990s, under the leadership of Bishop Louis Gelineau. Under Bishop Gelineau's direction, Kenneth Angell, the Auxiliary Bishop in Providence from 1974 to 1992, was likewise heavily involved in arranging and supervising referrals of Diocesan clergy to treatment centers. Father Normand Godin, Minister for Priests from 1991 to 2008, also helped to coordinate psychological evaluations and oversaw priests' treatment.

On the one hand, the Diocese's use of treatment centers was simply another manifestation of the already-existing practice of removing and sequestering accused priests in order to appease complainants and parishioners. At the same time, “treatment” offered to both the Diocese and those whom the Diocese sought to appease a unique promise: that through modern science and medicine, accused priests could be definitively “treated” and possibly even “cured.” Father Robert Marcantonio, for example, who had been accused of sexually abusing “ten to fifteen different boys,” was deemed cured after just ten months of “intensive psychotherapy” in Iowa in 1971, his priest-therapist informing Auxiliary Bishop (then, still Father) Angell that Marcantonio's “psychological problem has been resolved.” Despite having “successfully accomplished [his] therapeutic goal[s]” in Iowa, Father Marcantonio would go on to reoffend in both Iowa and upon his subsequent return to Rhode Island, at Bishop Gelineau's invitation, in 1975. **Certainly, psychiatric treatment might be helpful to some offenders, but the Diocese's overreliance and misplaced faith in the power of such treatment to prevent future abuse was at best absurdly Pollyannaish and at worst a cynical pretext for facilitating the return of accused priests to active ministry.**

The Diocese of Providence was far from a lone actor when it came to the use of treatment centers: **according to a 1995 survey commissioned by the National Conference of Catholic Bishops (NCCB), 87% of bishops (127 out of 145 dioceses surveyed) reported using “centers for assessment, treatment, and long-term care of priests involved with sexual abuse of minors.”**<sup>154</sup> In fact, it seems that reliance on treatment centers became part of the Church's “playbook”: in the wake of the Father Gilbert Gauthé abuse scandal in 1984, discussed at the beginning of this chapter, a confidential 1985 report prepared for the NCCB, titled “The Problem of Sexual Molestation by Roman Catholic Clergy: Meeting the Problem in a Comprehensive and Responsible Manner” (commonly known as “The Manual”) counseled bishops on the

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<sup>154</sup> Nat'l Conf. of Catholic Bishops, *Restoring Trust* vol. II, pt. 2, at 33 (1995) (survey of 145 dioceses showing 127 had used treatment centers).

need for a uniform approach to the increasing numbers of reports of child sexual abuse by Catholic priests within their dioceses. The Manual's authors warned that dioceses across the country could face financial calamity due to the lawsuits that would result from the widespread child sexual abuse within the Church. The Manual recommended, among other things, that dioceses send accused priests for in-patient residential assessment and treatment, warning that simply transferring them to new assignments would likely expose dioceses to substantial civil liability. Of course, what such a strategy contemplated and assumed is that accused priests *would* reoffend. A treatment center evaluation opining that the priest presented a "low risk" simply armed the Church with

plausible deniability when the priest did end up abusing another child. Indeed, during our review we saw numerous references to priests posing a "low risk" to reoffend—as long as they would not be left with children unsupervised.

***Despite having “successfully accomplished [his] therapeutic goal[s]” in Iowa, Father Marcantonio would go on to reoffend in both Iowa and upon his subsequent return to Rhode Island, at Bishop Gelineau’s invitation, in 1975.***

**Here we address but a few of the many problems presented by the Diocese’s overreliance on treatment centers.** First and foremost, treatment appears to have served at least as a precursor, if not a pretext, to keeping priests accused of child sexual misconduct in active ministry. Additionally, the Diocesan records indicate that bishops and other senior Diocesan officials frequently ignored warnings from treatment providers themselves about priests’ risk to children, and on other occasions myopically focused on the absence of specific diagnoses, such as pedophilia, in order to return accused priests to active ministry. **And tragically, but predictably, several Diocesan priests who received treatment and were then returned to ministry went on to abuse again.**

## **1. Treatment Centers Used by the Diocese**

By the 1990s, referrals of accused priests to treatment centers had become commonplace in the Diocese of Providence. In a 1992 letter from Diocesan attorney William T. Murphy to a doctor at the National Institute for the Study, Prevention and Treatment of Sexual Trauma, attorney Murphy noted “[t]he Most Reverend Bishop has, as a matter of practice, referred for appropriate evaluation those priests who are the subject of serious complaints.” Bishop Gelineau confirmed this in a January 1993 letter response to a complainant in which he described “exactly what is being done in this Diocese respecting claims of sexual misconduct by priests”:

Sometimes such misconduct can be so habitual that it is pathological. We are told that serious scientific inquiry into

the pathology of sexual deviation has been available only since the early 1980's. It reveals that priests are susceptible to such pathological conduct at the same frequency as laymen. When it appears that a priest of this Diocese has suffered from such a pathology, he is referred to appropriate treatment centers. This is a somewhat complicated process, since it involves health insurance and the like; but it is done.

Church-affiliated centers used by the Diocese of Providence during the Review Period included:

- Servants of the Paraclete facilities in New Mexico;
- Saint Luke Institute in Maryland;<sup>155</sup>
- House of Affirmation in Massachusetts;<sup>156</sup>
- St. John Vianney Center (Villa St. John Vianney) in Pennsylvania;<sup>157</sup>
- Southdown Institute in Ontario in Canada.<sup>158</sup>

The Diocese's frequent use of treatment centers that were formally affiliated with the Church reflect its preference and strategy of addressing clergy abuse "in house." Still, the Diocese also utilized certain facilities that, while not officially affiliated with the Church, nevertheless had some connection to it.<sup>159</sup> Such secular treatment facilities used by the Diocese included:

- Institute of Living in Connecticut;<sup>160</sup>

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<sup>155</sup> From the mid-1980s to early 1990s, the Diocese sent clergy to the Saint Luke Institute in Maryland. The Saint Luke Institute was perhaps the most prominent treatment center in the United States for priests with psychosexual disorders.

<sup>156</sup> The Diocese sent priests to the House of Affirmation in Whitinsville, Massachusetts in the early to mid-1980s. The House of Affirmation operated from 1973 to 1990 and was co-founded by Father Thomas Kane, a Worcester priest who would later be accused of child sexual abuse and embezzlement and was ultimately laicized by the Vatican.

<sup>157</sup> From the mid-1990s to the early 2000s, the Diocese sent clergy to the St. John Vianney Center. St. John Vianney remains in operation, though as of 2020, it is reportedly no longer affiliated with the Archdiocese of Philadelphia.

<sup>158</sup> The Southdown Institute was reportedly founded in 1966 with the support of Canada's bishops. Southdown remains in operation as of the date of this report.

<sup>159</sup> The founder of the National Institute at Johns Hopkins (and its predecessor the Sexual Disorders Clinic), was a consultant to the NCCB's Ad Hoc Committee on Sexual Abuse. See USCCB, *Restoring Trust: A Pastoral Response to Sexual Abuse Vol. III* (November 1996), <https://www.usccb.org/resources/Restoring%20Trust%20Vol%20III.pdf>. The Institute of Living reportedly treated "[s]cores of priests from all over the country . . . , priests have worked for the institute, and one of its doctors was knighted by Pope Pius XII in 1951." *Hartford Institute for Living Doctors Say the Church Used Them to Keep Abusive Priests on the Job*, Hartford Courant (December 6, 2018), <https://www.courant.com/hc-egan-0324-story.html>.

<sup>160</sup> The Institute of Living was founded under a different name in 1822 and claims to be "one of the first mental health centers in the United States, and the first hospital of any kind in

- National Institute for the Study, Prevention and Treatment of Sexual Trauma at Johns Hopkins Medical Center (“National Institute”) (formerly the Sexual Disorders Clinic at Johns Hopkins Hospital) in Maryland.<sup>161</sup>

Some, though not all, of the treatment centers used by the Diocese appear to have been JCAHO<sup>162</sup> accredited institutions, licensed by state authorities, and seemingly employed credentialed mental health practitioners.

While it is unclear exactly how the Diocese paid for the evaluation and/or treatment of every priest, records indicate that some payments to treatment centers were made from a fund called the “Clergy Special Assignment Fund.” This fund was also used to support priests who had been placed on leave due to allegations or admissions of child sexual abuse. Following inquiries from this Office regarding the sources of this and other funds used by the Diocese, the Diocese represented that it could not definitively identify the sources of these funds over the course of the Review Period, but stated that the Special Assignment Fund draws “from general revenues, parish assessments, and priest assessments.”<sup>163</sup> Based on this response, we can only conclude that any donations or collections from parishioners that the Diocese placed in “general revenues,” or contributed to “parish assessments,” supported priests—including priests accused of child sexual abuse—whom the Diocese placed on leave. At least as of 2022, the Diocese continued to use the Special Assignment Fund to compensate priests who were placed on leaves of absence due to allegations of sexual misconduct with children.

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Connecticut.” The Institute of Living remains in operation and is a division of Hartford Hospital. It reportedly “no longer has a formal relationship with the Catholic Church and its clergy treatment program has been eliminated.” Caitlin Flynn, *Why the Institute of Living’s Clergy Treatment Program Closed its Doors*, Bustle (June 4, 2017), <https://www.bustle.com/p/is-the-institute-of-living-still-open-the-keepers-highlights-father-maskells-time-at-the-hospital-59745>.

<sup>161</sup> According to the National Institute’s website, “[i]n 1980 . . . a sexual disorders clinic was formally established at The Johns Hopkins Hospital[,]” and in 1991, the National Institute was established. See *Our History*, National Institute for the Study, Prevention and Treatment of Sexual Trauma, <https://www.fredberlinmd.com/>. (last visited June 10, 2025).

<sup>162</sup> The JCAHO, or Joint Commission on Accreditation of Healthcare Organizations, is a nonprofit organization in the U.S. that evaluates and accredits health care organizations and programs. Documents indicate that the Saint Luke Institute gained JCAHO accreditation in 1985 and the St. John Vianney Center obtained JCAHO accreditation in 1989. Southdown Institute claims to be accredited by Accreditation Canada, which “is a national not-for-profit, independent organization that conducts external third-party reviews to assess the safety and quality of health care organizations’ services based on standards of excellence.” It is unclear whether Via Coeli, the Institute of Living, House of Affirmation, or the National Institute for the Study, Prevention and Treatment of Sexual Trauma were JCAHO accredited, but a brochure for the Servants of the Paracletes’ Albuquerque Villa from 1981 indicates that it was not a licensed medical facility.

<sup>163</sup> Upon further inquiry about the scope and sources of these “general revenues,” the Diocese responded only that “general revenues” is a “commonly used accounting term and covers all revenues from any sources not otherwise segregated.”

Some treatment facilities, including House of Affirmation and Via Coeli, permitted accused priests to serve in local parishes during and immediately following their treatment, and records show Diocesan leaders were aware of this practice. In one instance, Servants of the Paraclete officials appeared to view this service as a trial period designed to test whether the priest would be able to control his sexual urges, seemingly oblivious or indifferent to the dangers of exposing children to a known abuser. Survivors in other states later sued the Servants of the Paraclete for abuse by priests treated at their facilities. The religious order reportedly settled the claims for over \$5 million in 1993.

Treatment centers have subsequently argued that the Church withheld information about priests' histories, leading to inaccurate diagnoses of accused priests and uninformed conclusions about their ability to minister. As one psychologist who served as the clinical director at the Southdown Institute observed, "making a diagnosis of pedophilia is in part based on the frequency of the behavior, and it was difficult to do so without full knowledge of all instances of sexual abuse."<sup>164</sup> Of course, these treatment providers should have also known that the likelihood of having a complete account of a priest's sexual misconduct was rather small, given that the vast majority of complaints are made years, if not decades, after the abuse.

Based on the records available to us, the Diocese of Providence provided treatment centers with varied amounts of background information about accused priests. In some instances, providers were left to rely primarily on the self-reports of priests themselves along with summaries of the allegations provided by Diocesan officials. On another occasion, the Diocese declined to provide an examining psychiatrist access to the accused priest's confidential personnel file, and the priest himself declined to authorize the release of records from another treatment center to which the priest had previously been sent following an abuse complaint.

## **2. Treatment as a Precursor to Returning Accused Priests to Active Ministry**

Although the Diocese ostensibly sent accused clergy to treatment centers for therapeutic reasons—and in response to credible allegations that these priests had sexually abused children—the Diocese frequently returned such priests to active ministry following a treatment center evaluation and/or subsequent course of treatment. Based on our review of the Diocesan records, of the 19 Diocesan priests on the current Credibly Accused List who received an evaluation and/or treatment following one or more allegations that the priest had sexually abused a minor, **10 such priests (or more than half) were subsequently returned to active ministry in the Diocese of Providence, and at least four were later accused or convicted of additional sexual abuse or assaults upon their return.**

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<sup>164</sup> Mark Gollom, *Southdown Institute: A 'Shield' for the Church or a Place to Provide 'Meaningful' Help for Pedophile Priests?*, CBC News (Aug. 24, 2018) <https://www.cbc.ca/news/canada/catholic-priests-southdown-sexual-abuse-1.4794478>.

On its website, the Diocese offers the following explanation as to why such priests were allowed “back into service” in Rhode Island:

The relationship of a diocese to a priest is more like a family than a business relationship. Even a priest who sins seriously remains a priest. Priests, like others, can suffer from disabling psychological problems. For most of these problems, like alcoholism, there has never been a question that, if a priest receives effective treatment, he can resume his ministry. Sexual abuse is gravely immoral behavior which can also be a manifestation of various degrees of psychological illness. Previously the depth of some of these illnesses, such as pedophile [sic], was not fully understood, and in the past, some priests were returned to parishes even though, as we now understand, their treatment was ineffective. In the last two decades, society as a whole, has come to realize how great a problem this is.<sup>165</sup>

The Diocese’s explanation rings hollow. First, to state the obvious, the fact that a priest accused of molesting a child “remains a priest,” as a canonical or spiritual matter, plainly does not require or warrant the Diocese returning that priest to active ministry where he has continued access to children. And as for the Diocese’s reliance on the supposed unsettled state of science and medicine around the time it sent priests to treatment (such that the “depth” of pedophilia and the “effectiveness” of its treatment were less certain), this Office is not remotely convinced that this renders the Diocese’s actions somehow less unreasonable or negligent. Based on our Review, the Diocese was at least constructively aware by the 1980s and 1990s (when the majority of Diocesan priests were sent to treatment and many subsequently returned to active ministry) of the risk that accused priests might reoffend if presented with the opportunity. And stepping back from this, it requires no scientific or medical expertise to grasp that a priest who has used his position of authority to sexually molest children must *never again* be placed in a setting where that could happen once more. This was and is obvious common sense, not the realm of expert opinion.



***It requires no scientific or medical expertise to grasp that a priest who has used his position of authority to sexually molest children must never again be placed in a setting where that could happen once more.***

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<sup>165</sup> *Frequently Asked Questions*, Diocese of Providence, <https://dioceseofprovidence.org/frequently-asked-questions-1> (last visited Apr. 7, 2025).

### 3. The Diocese Ignored Provider Warnings and Overemphasized Formal Diagnoses.

The Diocese's explanation about its misplaced reliance on the efficacy of treatment obscures at least one other critical fact: repeatedly, treatment centers *themselves* warned the Diocese of Providence about risks that priests sent for evaluation or treatment continued to pose, **yet the Diocese appears to have disregarded those warnings and returned priests to ministry with few or no restrictions, where they had continued access to young people.** The following few examples illustrate the point:

- In 1983, the Servants of the Paraclete wrote, regarding one Diocesan priest repeatedly sent there for treatment following a series of child sexual abuse complaints, “[w]e recommend that [Father] not be given an assignment working with young people . . . It seems that this only intensifies his experience of problems and could prove to be dangerous to his well-being and to the well-being of those young people.” Though it appears the Diocese made some effort in the short-term to effectuate this recommendation by limiting the priest to office work, Bishop Gelineau eventually allowed the priest to return to part-time ministry, during which time he was accused of sexually assaulting one boy as well as an 18-year-old male.
- In 1989, the Sexual Disorders Clinic at Johns Hopkins was asked to evaluate a Diocesan priest who had recently been accused of skinny dipping with and possibly touching the genitals of an adolescent boy. Though the evaluation recommended that no further treatment was necessary at the time, the evaluator also warned: “I would certainly suggest that this patient not be engaged in any sort of activity in the conduct of his duties within the Church which would bring him into unsupervised contact with adolescent males.” We found no indication in the Diocesan records that it took any concrete steps to implement this restriction; rather, this priest remained in full-time ministry at a parish for several more years, during which time he sexually abused several more boys.
- Another Diocesan priest was referred to the Saint Luke Institute in Maryland in late 1989 and early 1990, following a series of child sexual misconduct complaints against him spanning decades. Upon his discharge at the end of a six-month period of treatment, Saint Luke providers expressed to Auxiliary Bishop Angell their belief that while the priest could “again function in parish ministry . . . it would be prudent that [Father] minimize private contact with under-aged young people by conducting parish activities involving a private meeting with a young person in the proximity of another adult. This may help protect both [Father] and the diocese from any scandal or allegations of a cover-up.” Within months, Bishop Gelineau assigned the priest to a new parish, and there is no indication in the Diocesan records that he or any other Diocesan official took steps to restrict this priest's contact with young people. To the contrary, the records indicate that the

priest was meeting privately with young men almost immediately upon his resumption of parish duties, and he was later accused of sexually assaulting at least one young man in the period following his treatment at Saint Luke's.

- In 1993, another Diocesan priest was referred to the National Institute for the Study, Prevention and Treatment of Sexual Trauma (the successor to the Sexual Disorders Clinic at Johns Hopkins) for an evaluation in response to allegations that he sexually abused several boys. Though refraining from any formal diagnosis of a sexual disorder, the National Institute recommended that the priest undergo additional testing, including a polygraph, and stated that if the priest “does not pass the polygraph or does show sexual arousal to young people, there would be need for further exploration and explanation.” While the subsequent polygraph test indicated that the priest’s responses were “deceptive,” the Diocese refrained from any “further exploration” or treatment; instead, Bishop Gelineau simply accepted the priest’s denials and allowed him to remain in active ministry with virtually no supervision. In the ensuing years, at the parish where he was allowed to remain, this priest also went on to sexually abuse several more boys.

In some of these and other instances, the Diocese also appears to have unduly relied on the absence of a formal diagnosis of a sexual disorder such as pedophilia as a further justification for returning accused priests to active ministry. For example, according to a 1994 letter from Diocesan lawyer William T. Murphy to then-Vicar General Msgr. Salvatore Matano, the priest who failed the polygraph examination in 1993 “received a strong caution respecting his behavior, but in the absence of a psychosexual pathology was allowed to continue in ministry.” This same overemphasis on the need for a formal diagnosis is likewise evident in a 1989 letter from attorney Murphy to the Sexual Disorders Clinic at Johns Hopkins regarding Father Robert Marcantonio. Though Marcantonio had, as noted, been deemed “cured” some 15 years earlier, the Diocese now sought a second opinion from the clinic, in the face of a lawsuit alleging that Marcantonio had raped an altar boy years earlier, “to determine the extent to which, if any, Fr. Marcantonio is suffering from a sexual disorder which would interfere with his ministry as a Catholic priest.” By this time, in addition to the lawsuit’s allegations, the Diocese had received allegations that Marcantonio had abused “ten to fifteen boys” around 1970 (for which two other psychologists had deemed Marcantonio “incurable”), as well as a 1981 complaint that Marcantonio had “propositioned” two teenagers at Rhode Island College while serving as the head of campus ministry there. It should have been plain, in other words, that no formal diagnosis was needed to conclude that Marcantonio should never again serve as a priest and be in proximity to young people.

This overemphasis on formal diagnoses was problematic for at least two reasons. **First**, as should have been obvious, a diagnosis or, more importantly, non-diagnosis, of pedophilia (or any other disorder) was not necessarily determinative of whether the reported abuse occurred, nor whether abuse may occur again. A priest could have sexually abused a child without meeting specific diagnostic criteria at the time of assessment. As the President of Saint Luke Institute stated publicly in 1993, in

connection with a controversy regarding an accused priest in another state: “that St. Luke did not discover any evidence that [a priest] was a pedophile could be entirely correct and [could] still lead to a recommendation against working with children based on other diagnoses.” Focusing on specific diagnoses distracted from the two critical issues: whether the abuse had occurred and whether the priest would remain a risk to minors. **Second**, pedophilia is a narrowly defined term, referring only to sexual attraction towards pre-pubescent minors (typically children under the age of 11). It does not refer to those who are attracted to pubescent or post-pubescent minors. Indeed, the average age of child sexual abuse victims revealed during this Investigation was about 12, and almost no accused priests were diagnosed by the treatment centers or other providers as “pedophiles.” The Diocese’s narrow reliance on these diagnoses meant that accused priests received seemingly favorable reports when in fact they remained a risk to minors and should not have been permitted to return to ministry where they had access to children.

*As with the Diocese’s other historical responses to clergy abuse complaints, treatment centers were used to avoid scandal, keep priests in ministry, and protect the institution and its leaders from liability. **In other words, “treatment” was another facet of a strategy designed to conceal abuse and protect the Church, at the expense of victims and the public.***

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**The treatment centers, the Diocese, and the Catholic Church now acknowledge that, in hindsight, the practice of referring accused priests to these facilities, and relying upon their assessments to restore those priests to ministry, was deeply flawed.** As the Vatican now concedes, “[t]he bishop was expected to ‘heal’ rather than ‘punish.’ An over-optimistic idea of the benefits of psychological therapy guided many decisions concerning Diocesan or religious personnel, sometimes without adequate regard for the possibility of recidivism.”<sup>166</sup>

That is one way to look at it. Another, less charitable interpretation, which in our view is supported by the Diocesan records produced to this Office, is that, as with the Diocese’s other historical responses to clergy abuse complaints, treatment centers were used to avoid scandal, keep priests in ministry, and protect the institution and its leaders from liability. In other words, “treatment” was another facet of a strategy

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<sup>166</sup> The Norms of the Motu Proprio, *Sacramentorum Sanctitatis Tutela* (Historical Introduction), The Holy See, [https://www.vatican.va/resources/resources\\_introd-storica\\_en.html](https://www.vatican.va/resources/resources_introd-storica_en.html) (last visited Feb. 22, 2026).

designed to conceal abuse and protect the Church, at the expense of victims and the public.

## **E. The Diocese Advocated for Priests Criminally Charged with Child Sex Offenses.**

It is by now publicly very well known that numerous clergy were criminally charged during the Review Period for sexually abusing children or child pornography offenses in Rhode Island. By our tally, **15 clergy** have been so charged, including 14 Diocesan priests and deacons. As a general matter, many Catholic dioceses paid for the criminal defense of priests accused of sexually abusing minors, and in multiple cases during the 1980s and 1990s, the Diocese of Providence did the same.<sup>167</sup> Yet during this Investigation, this Office identified several instances in which the Diocese of Providence appeared to go a step further, helping to coordinate defense efforts and strategy, and even independently (separate and apart from the efforts being made by priests' own defense lawyers) seeking leniency for Diocesan priests facing criminal child sexual abuse charges. This only further demonstrates the lengths to which bishops and others in the Diocese of Providence went to try and shield offender priests from being held fully accountable for their actions.

In early July 1984, for example, Father Paul Henry Leech was charged with sexually abusing four different 13- to 15-year-old boys between 1982 and 1984 at St. Joseph's Parish in Woonsocket and St. Jude's in Lincoln. While Bishop Gelineau formally suspended Leech's priestly duties on July 9, the Diocesan records suggest that the Diocese had in fact coordinated Leech's "emergency" admission to House of Affirmation, a treatment center in Whitinsville, MA, in early May, upon the revelation that Rhode Island authorities had begun investigating Leech. During the pendency of Leech's criminal case, the Diocese not only paid for the costs of his defense (and financially supported Leech generally), but also independently advocated for Leech in the legal proceedings both before and after sentencing. In a June 1985 letter to the Vatican while the case was still pending, Bishop Gelineau wrote that "[t]hrough legal counsel, we made every effort for plea-bargaining, but this has been unsuccessful." There is no further indication in the Diocesan records what those efforts were, but this was not the only case in which the Diocese inserted itself in discussions between prosecutors and defense attorneys.

Leech ultimately pled *nolo contendere* that August, just before his trial was set to begin, and his sentencing was scheduled for Monday, October 7, 1985, before Superior Court Judge John Orton. According to a memorandum found in Leech's

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<sup>167</sup> Among the Diocesan records produced to this Office, for instance, is a November 1985 invoice from Father Paul Henry Leech's defense attorney for services rendered in the criminal case, which had ended the previous month with Leech's criminal sentencing; the invoice was addressed to the Diocese's attorney, William T. Murphy, who then relayed it to Auxiliary Bishop Kenneth Angell. A handwritten note at the bottom of the invoice indicates that Bishop Angell "approved" the payment with an "RCB check"—possibly a reference to the corporate entity representing the Roman Catholic Bishop of Providence.

personnel records from Auxiliary Bishop Angell to Bishop Gelineau, dated October 4, 1985 (the Friday before Leech's Monday sentencing), Msgr. Salvatore Matano, then-Diocesan co-chancellor, was "contacted by Bill Murphy, our legal counsel, and Father Matano will be in Judge Orton's chambers on this coming Monday, at 9:20AM." There is no further record of the substance of Matano's meeting with Judge Orton, who that day sentenced Leech to 15 years imprisonment, with 12 years suspended with probation. While Leech was in prison, in October 1986, Auxiliary Bishop Angell also wrote a letter to the parole board in support of Leech's request for release, which was granted by the new year, 1987.

Father Leech was part of a trio of Diocesan priests criminally charged around this same time period for sexually abusing minors, the other two being Fathers William O'Connell and Armand Ventre, who were indicted in April and July 1985, respectively.<sup>168</sup> All three cases received national news coverage. Records produced by the Diocese relating to Father O'Connell demonstrate that the Diocese helped O'Connell prepare his criminal defense by coordinating his post-indictment treatment at Saint Luke Institute in Maryland.

Following Father O'Connell's arrest, his defense attorney reached out to Saint Luke Institute directly for an evaluation and possible treatment of his client. Upon being contacted by Father O'Connell's defense attorney, Father Michael R. Peterson, St. Luke's founder and director,<sup>169</sup> wrote to Bishop Gelineau in early September 1985 asking for his permission to treat Father O'Connell at Saint Luke, stating that the treatment would not only help O'Connell address his problems, but it also "may be helpful in establishing important mitigating circumstances relating to the criminal charges so that Fr. O'Connell may be better able to defend himself if it comes to a criminal trial in the near future." The same day, Father Peterson wrote to O'Connell's defense lawyer, noting that after O'Connell was evaluated, "I will be in an excellent position to write a lengthy evaluation letter that may be helpful to you and the Court." Further, Peterson wrote, "I hope that this letter will be helpful in persuading Bishop Gelineau in supporting more this very sick priest and reconsidering his initial desire for him simply to leave the Diocese of Providence which is contrary to Canon Law . . . . I would prefer not to get in any type of political battle with Bishop Gelineau over these issues, since I would also like to try and be helpful to the two other priests currently under indictment for similarly alleged crimes."<sup>170</sup> Bishop Gelineau responded to

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<sup>168</sup> All three priests were prosecuted by Attorney General Arlene Violet, who had assumed office in January 1985 as the first female attorney general in the United States. Prior to taking office, she had been a nun for 23 years with the Sisters of Mercy, a Catholic religious order. Attorney General Violet resigned from the order after Bishop Gelineau reportedly refused to allow her to serve as a nun while also running for office.

<sup>169</sup> Father Peterson was one of the authors of "the Manual," the confidential NCCB report mentioned in this chapter's section on treatment centers. Publicly-available digital copies of both the Manual and Father Peterson's "guidelines" on how to handle offender priests can be found on the Bishop Accountability website at the following link: [https://www.bishop-accountability.org/reports/1985\\_12\\_09\\_Peterson\\_Guidelines/](https://www.bishop-accountability.org/reports/1985_12_09_Peterson_Guidelines/) (last visited November 1, 2025).

<sup>170</sup> This is almost certainly a reference to Fathers Leech and Ventre. While there is no indication in the Diocesan records that Father Leech was ever treated at Saint Luke Institute (he was, at

Father Peterson the next day (copying O’Connell’s defense lawyer), stating he was “most happy to grant permission” for the evaluation and treatment and that the Diocese would pay for it, and thanking Peterson and Saint Luke Institute for the “most valuable” service, “especially at this time in the history of society and the Church.”

Saint Luke Institute discharged Father O’Connell in May 1986 so he could “face the legal charges against him.” The following month, O’Connell pled *nolo contendere* to over two-dozen crimes relating to his abuse of two teenage boys; he was sentenced to one year in prison and ordered to return to the Saint Luke Institute upon his release to continue treatment. The one-year sentence, which O’Connell was permitted to serve on work-release, was reportedly based in part on “statements from [Saint Luke Institute] officials that anything longer than a year’s absence from the program would negate the effects of the treatment.”<sup>171</sup>

Father O’Connell returned to Saint Luke Institute upon his release and remained a resident there until the end of February 1988. A month before his discharge, however, the new director of Saint Luke Institute called Auxiliary Bishop Angell to say that the staff at Saint Luke remained “very concerned” about O’Connell and that he was a “high risk for relapse.” Asked by Bishop Angell why then Saint Luke would release O’Connell, the director reportedly (according to a handwritten memo by Bishop Angell) responded that Saint Luke had “done all they can for [O’Connell]” but that he would continue outpatient treatment. Six years later, O’Connell was arrested again in New Jersey on 20 charges of various child sex offenses, including the sexual assault of a 12-year-old boy and the creation and possession of child pornography. He was sentenced in February 1995 to 10 years in a New Jersey treatment center for sex offenders, and he died in custody there in May 1996.

The Diocese’s coordination with and participation in the defense of priests criminally charged with sexually abusing minors continued into the 1990s. In March 1995, the Diocese learned that the State Police had begun investigating Father Michael LaMountain for suspected child sexual abuse in Rhode Island. That same day, Bishop Gelineau suspended LaMountain’s priestly faculties, and within a week the Diocese had helped LaMountain procure a defense attorney. This was not LaMountain’s first brush with the law: the Diocese had also corresponded with Maryland law enforcement authorities two years earlier while those authorities investigated a complaint that LaMountain had sexually abused a 14-year-old boy there as a seminarian during the early 1970s. Maryland prosecutors ultimately declined to charge the case due to insufficient evidence. By the time of the Rhode Island State

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the time of Father Peterson’s letter to Gelineau, residing at the House of Affirmation and awaiting sentencing), Saint Luke Institute did later evaluate Father Armand Ventre in 1988 and treated him for several years thereafter—not in connection with his criminal case, but following his acquittal, when the Diocese received a *fifth* child sexual misconduct complaint against him. The Diocesan records also indicate that Saint Luke Institute was engaged to evaluate and/or treat Fathers Paul Charland and Normand Demers, who likewise appear on the Diocese’s List of Credibly Accused Clergy.

<sup>171</sup> Tim Murphy, *Bristol Priest Sentenced to Year in Work-Release on Sex Charges*, *The Providence Journal*, June 24, 1986, at A-1, A-2.

Police investigation of LaMountain in 1995, the Diocese had also received at least two other abuse complaints against him, in 1989 and in early 1993.

In October 1997, LaMountain was indicted for sexually abusing and assaulting five boys and young men between the 1970s and early 1990s. The Diocese remained in contact with LaMountain's criminal defense attorney during the pendency of the criminal case. And according to a June 1998 memo by Diocesan Director of Compliance, Robert McCarthy, McCarthy met that month with LaMountain's defense attorney and an Assistant Attorney General to discuss the case and a possible sentence. The prosecutor explained that the Office would be seeking jail for LaMountain, given the state sentencing guidelines' recommendation of a 20-30-year prison sentence for a first-degree sexual assault conviction. In response, McCarthy wrote that he "interjected" with the suggestion that LaMountain be given "a sentence of eighteen months in minimum security with eligibility for parole in ten months followed by [LaMountain] being sent away to a [treatment] program." In January 1999, as part of a negotiated plea agreement approved by LaMountain's victims, the priest pled guilty to nine felonies but was spared prison time, instead receiving a 12-year suspended sentence with probation with a condition that he undergo sex offender counseling.

## **F. The Diocese Made Misleading Statements to the Public Regarding its Knowledge of Clergy Abuse Complaints.**

On other occasions, the Diocese of Providence's concealment of clergy abuse was even more brazen, issuing misleading public statements misrepresenting what the Diocese knew about accused priests and their conduct. On several occasions, this involved misleading statements to the media in which the Diocese falsely denied previous knowledge of accused priests' misconduct. Other times, the Diocese misinformed parishioners about the actual circumstances of a priest's removal from ministry. In both scenarios, the Diocese's public representations were at odds with what the Diocesan records produced to this Office indicate was the actual state of the Diocese's knowledge and awareness at the time the statements were made.

One particularly egregious example involves false statements that the Diocese made to the news media in 1995 regarding notorious priest abuser John Gerard Brendan Smyth. Father Smyth was a Norbertine religious order priest who served as assistant pastor at Our Lady of Mercy Church (OLM) in East Greenwich from 1965-1968. During just those three years, Father Smyth is alleged to have sexually molested 17 children. Despite receiving several contemporaneous complaints that Father Smyth was sexually abusing children while serving at OLM, the Diocese never referred those complaints to law enforcement, and Smyth was never prosecuted in Rhode Island for his sexual abuse of children here. Smyth was nonetheless later criminally convicted in the United Kingdom on a host of child sexual abuse charges there spanning nearly 40 years, and by the time of his death in a U.K. prison in 1997, Smyth's U.K. convictions involved his sexual abuse of 41 children.

The Diocesan records establish that the Diocese received at least four separate complaints against Father Smyth during his tenure at OLM, all involving his sexual abuse of altar boys there. Upon being confronted about these complaints in February 1968 by Monsignor William Varsanyi, of the Diocese's Chancery Office, Father Smyth reportedly "admitted freely that the charges were true and that the most recent incidents were not the only ones." Smyth was directed to discontinue his involvement with supervising altar servers and return to his parish until Bishop Russell McVinney decided what to do. According to Diocesan records, on February 13, 1968, Bishop McVinney ordered Smyth to leave the Diocese of Providence within two weeks and return to Holy Trinity Abbey in Ireland. Bishop McVinney reportedly called Holy Trinity Abbey around this time and told a Norbertine priest there that "Smyth was being put on a plane back to Ireland in disgrace after it was discovered that he had been sexually abusing children in Rhode Island."

Nearly three decades later, as the fallout of Father Smyth's crimes came into public view, *The Providence Journal* published a story about Smyth and his time in Rhode Island. In the February 6, 1995, article, a spokesman for Bishop Gelineau told the paper that the Diocesan records concerning Smyth "are very sketchy," but also that "the diocese has no record of the priest having a problem with sexual abuse while he was in Rhode Island."<sup>172</sup> **As just noted, the records that the Diocese produced to this Office as part of this investigation plainly contradict the assertion that the Diocese had no knowledge of Smyth's crimes while he was here.** What is more, among the records shared with this Office is a January 1995 memorandum from the Diocesan Director of Communications to Bishop Gelineau, in advance of the *Journal's* story, sharing what the Director had just told the *Journal*, including the misrepresentation that "[t]here is no evidence of any wrongdoing on [Smyth's] part while he lived in Rhode Island," as well as a further misrepresentation that Smyth "left on his own accord" from Rhode Island (when in fact Bishop McVinney ordered him to leave). To make matters worse, the Director's memo also noted that the details he had just shared with *The Providence Journal* were "based on" a recent conversation he had with Monsignor Varsanyi, who was copied on the memo and still working at the time. To recall, Monsignor Varsanyi was, according to the Diocesan records, the very official who in 1968 confronted Smyth about his sexual abuse of altar boys at Our Lady of Mercy, prompting Bishop McVinney to order Smyth to immediately leave the Diocese of Providence.

During this same general timeframe (the late 1990s and early 2000s), the Diocese made additional misrepresentations about its prior knowledge of abuse complaints involving other notorious Diocesan priests who, like Smyth, were facing criminal charges at the time of the statements, Fathers Michael LaMountain and Daniel Azzarone.

In January 1999, Father LaMountain pled guilty to nine felony counts relating to his sexual abuse and assault of five adolescent boys and young men between the

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<sup>172</sup> Richard C. Dujardin, *Abbot: Priest Molested R.I. Children*, *The Providence Journal*, February 6, 1995, at A-1.

1970s and early 1990s. In a press release issued the day of LaMountain's plea, Bishop Robert Mulvee (who had succeeded Bishop Gelineau in 1997) stated through a spokesman that "[c]harges of past misconduct by Fr. LaMountain came to light in March of 1995, when a report came directly to Bishop Gelineau . . . [who] immediately placed Fr. LaMountain on an indefinite leave of absence." While it was technically true that Bishop Gelineau first learned in March 1995 of the particular acts of abuse that resulted in the criminal charges against LaMountain, the Diocesan records produced to this Office establish that the Diocese, and specifically Bishop Gelineau, were well aware by March 1995 of previous, unrelated abuse complaints from other individuals. These included a 1989 allegation that prompted Bishop Gelineau and Auxiliary Bishop Angell to refer LaMountain to the Sexual Disorders Clinic at Johns Hopkins Hospital in Baltimore, as well as a separate 1993 complaint that triggered an in-depth criminal investigation by Maryland law enforcement authorities—and in neither case is there any indication that Bishop Gelineau took the step of placing LaMountain on leave or informing law enforcement authorities about the complaints at the time.

Nevertheless, the Diocese doubled down on its denials in another public statement in May 2002. At that time, a *Providence Journal* reporter wrote the Diocese, asking in connection with a forthcoming article about LaMountain whether "the Diocese ever received a complaint about him, and whether any investigations were done – even if they were found not to be credible or unsubstantiated." The Diocese replied to the journalist that "[t]he first complaint about Fr. LaMountain came directly to Bishop Gelineau on March 3, 1995 . . . There were no previous complaints that we know of against LaMountain." **This was, as noted, demonstrably false.** And asked whether LaMountain was ever "sent for treatment," the Diocese replied that there was "no indication of [LaMountain] having received counseling prior to" his 1999 conviction, despite the fact that Bishop Gelineau referred LaMountain for an evaluation at the Sexual Disorders Clinic at Johns Hopkins Hospital in 1989.

The Diocese of Providence made several similarly misleading statements in late 2001 and 2002 regarding its knowledge of prior complaints against Father Daniel Azzarone, in the wake of Azzarone's November 2001 arrest for sexually assaulting a 16-year-old boy. Upon his arrest, Azzarone was immediately suspended from ministry (he was at the time serving as assistant pastor of St. Mary's in Cranston), and, according to reporting by the *Boston Globe's* Spotlight team, a spokesman for Bishop Mulvee had cited Azzarone's suspension "as a good example of the bishop's 'zero tolerance' policy toward abusers."<sup>173</sup> Yet, as pointed out in same-day articles in the *Globe* and *The Providence Journal* in March 2002—and as confirmed by the Diocesan records produced to this Office—the Diocese had in fact already received, by the time of Azzarone's arrest and suspension, two earlier abuse complaints against him: one in 1992, accusing Azzarone of having sex with a teenage boy, which prompted Bishop Gelineau to refer Azzarone for an evaluation at the National Institute for the Study, Prevention, and Treatment of Sexual Trauma; and another concerning Azzarone's alleged abuse of a mentally ill 15-year-old boy, which first reached the Diocese in 1985, and was again raised with Church officials by the boy's mother directly in 1999. While

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<sup>173</sup> Matt Carroll, *Suspended Priest Was Accused Earlier*, *Boston Globe*, Mar. 20, 2002, at A30.

admitting to the *Globe* that the Diocese was in fact aware of these earlier complaints, a Diocesan spokesperson stated that the Bishop did not suspend Azzarone at those times because the Diocese had deemed those complaints “unsubstantiated,” while adding nevertheless that “[z]ero tolerance remains the policy of the Bishop of Providence.” At the same time, the Diocese represented to *The Providence Journal* that Bishop Mulvee was personally unaware of the 1999 complaint made by the mother of one of Azzarone’s victims, stating that “[a] top church official did not tell [Bishop Mulvee] . . . since the authorities had been unable to substantiate the claim.”<sup>174</sup> The Diocesan records appear to contradict this statement, because Bishop Mulvee is listed as a recipient of a confidential 1999 memorandum from Director of Compliance Robert McCarthy that summarizes the mother’s complaint.

## **G. The Diocese Used Euphemisms and Veiled Language to Minimize Child Sexual Abuse Complaints.**

Throughout our review of the tens of thousands of files produced by the Diocese, we were repeatedly struck by the Diocese’s choice of language which, it became abundantly clear, was **deliberately designed to sanitize reports of child sexual abuse and minimize their severity.** The Diocese regularly used euphemisms and veiled or vague language to refer to allegations of sexual abuse of minors and related misconduct by its clergy. For example, Diocesan leaders referred to allegations of sexual fondling of minors as “inappropriate contact” and failure to “maintain[] appropriate boundaries.” Priests accused of sexually abusing minors were the subjects of “criticism or complaints,” involved in “unusual events” and “sexual improprieties,” or experienced “moral problems,” “depression,” or “difficulties.” A priest who admitted to having sexual contact with a girl beginning when she was 15 had an “affair.”

Diocesan leaders also characterized accused priests as suffering from mental health or substance use issues without referencing abuse allegations made against these same priests. In internal communications, Diocesan officials referred to accused priests as “sick,” “strange,” or “suffering from serious psychological problems” or “alcoholism,” rather than clearly documenting the details of child sexual abuse reports the Diocese had received against these priests. Diocesan officials also called adult men swimming nude with minors “skinny dipping,” and often referred to victims who were teenage boys as “young men” rather than boys, children, teenagers, or minors.

The Diocese’s linguistic preferences were neither arbitrary nor inconsequential. First, they minimized the seriousness of the allegations, thereby denigrating the experiences and suffering of the victims. Second, they minimized the risk posed by these priests to their young parishioners: a priest who had engaged in “affairs,” or had “moral problems,” or “difficulties,” posed less of a risk, and required less attention and urgency, than one who had “sexually abused” or repeatedly “sexually molested” or

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<sup>174</sup> Jonathan D. Rockoff, *Mother Warned Church about Accused Priest*, *The Providence Journal*, March 20, 2002.

even “assaulted” or “raped” children. Third, the use of euphemisms helped contain the spread of information. The fewer people who understood the true nature of the conduct, the greater the likelihood of preventing it from reaching the public and secular officials and, ultimately, from resulting in scandals, investigations, or arrests.

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In addition, this obfuscation allowed Diocesan leaders to feign ignorance and maintain plausible deniability when new allegations came to light – as they often did. On more than one occasion, the Diocese sought to explain its inaction by pointing to earlier allegations as “smoke” or merely “inappropriate conduct.” Because Diocesan files seldom referred to sexual abuse precisely, it was difficult to tell what Diocesan officials knew and when they knew it. What does “immaturity,” “harassing,” or “annoying an altar boy” mean? In the case of Father D’Angelo, in whose file these notations were found, they could have meant fondling the genitals, masturbation, or fellatio – all of which he was accused of doing to multiple pre-teen and teenage boys. The complaint that D’Angelo was “annoying an altar boy” was made to the Diocese by a priest in 1980. Despite multiple, serious concerns about his “psychological problems” and “immaturity” which were reported to the Diocese in 1980 and 1981, D’Angelo was reassigned to another parish, St. Margaret’s, where, between 1981 and 1983, he reportedly sexually abused at least two other boys.

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The documentary record kept and produced by the Diocese of Providence relating to its historical responses to the clergy abuse crisis, from approximately 1950 to 2000, depicts an organization struggling to contain scandal and reputational damage. For the many failures of Bishops McVinney, Gelineau, and Mulvee, and the Diocese they led during this period, children paid the price. The practices of priest transfers, sabbaticals, treatment centers, and public obfuscation were, in our view, entirely inconsistent with the response one would expect from the Church, an entity that professes to be a moral and ethical leader in the community. Equally troubling from a prosecutorial perspective was the Diocese’s decades-long failure to report suspected criminal misconduct to law enforcement. That failure is addressed in the next chapter.

# Chapter VI

## The Diocese of Providence's Past Failures to Refer Child Sexual Abuse Complaints to Law Enforcement

A. Historically, the Diocese Did Not Report Complaints of Child Sexual Abuse to Law Enforcement

B. The Diocese's Failures to Report Suspected Abuse Hindered Criminal Investigations and Potential Prosecutions

C. While Reporting Began to Improve in the 1990s, the Diocese Continued to Withhold Many Abuse Complaints Against Living Priests

D. The 2016 Letter of Understanding Between the Diocese and this Office Led to Substantial Improvements in Reporting

## VI. THE DIOCESE OF PROVIDENCE'S PAST FAILURES TO REFER CHILD SEXUAL ABUSE COMPLAINTS TO LAW ENFORCEMENT

Perhaps the most fundamental failure by the Diocese of Providence was its past unwillingness to refer abuse allegations of which it was aware to state or local law enforcement or DCYF, so that they could be appropriately documented, investigated, and potentially prosecuted. Although this reporting was not, and in most cases still is not, technically required under Rhode Island's mandatory reporting law (or the Diocese's own policies), there certainly were no legal barriers to referring clergy abuse complaints to law enforcement—and no one should *require* a legal mandate to report the sexual abuse of children. That is especially true for an institution so uniquely and historically plagued by the scourge of child sexual abuse as the Catholic Church. **By shielding complaints from civil authorities, the Diocese failed its parishioners, victims, and the community at large.** It had the predictable (and perhaps even intended) effect of keeping law enforcement from independently investigating suspected child sexual abuse by Diocesan clergy—thereby depriving victims of justice, enabling priests and the Diocese of Providence to dodge accountability, needlessly placing more children at risk, and helping to keep the clergy abuse crisis in the shadows for far too long.

### A. Historically, the Diocese Did Not Report Complaints of Child Sexual Abuse to Law Enforcement.

The Diocese's failure to refer clergy abuse complaints to law enforcement was, for much of the Review Period, seemingly absolute: though the Diocesan records produced to this Office establish that the Diocese received dozens of abuse complaints during the first several decades of the Review Period, the very first documented referral of such a complaint by Diocesan representatives to civil authorities did not occur, based on our review of the Diocesan records, until 1989, when Diocesan attorney William T. Murphy may have relayed a complaint against Father Michael LaMountain to DCF (the predecessor to DCYF). To be sure, Rhode Island civil authorities were aware of and investigated certain clergy abuse complaints from before that time—indeed, by 1989, several Diocesan priests had already been investigated, prosecuted, and criminally convicted for child sex offenses here—but in every such instance that this Office identified, the authorities had apparently first been contacted by a victim or a third party, not the Diocese of Providence.<sup>175</sup>

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<sup>175</sup> It is theoretically possible the Diocese historically reported at least some complaints of child sexual abuse to civil authorities by undocumented means, whether over the phone or in person. But this Office found no support for that possibility (such as a note or a memo referring to subsequent communications between the authorities and the Diocese about a complaint that the Diocese first reported orally). It would also be squarely at odds with this Office's other findings respecting the Diocese's prevailing, historical responses to clergy abuse complaints, which, as discussed at length in the previous chapter, appear to have been driven primarily by

This lack of historical reporting was also effectively confirmed by the deposition testimony of multiple senior Diocesan officials. In a 2002 deposition, then-Bishop of Worcester Daniel P. Reilly testified that when he was the Secretary to the Bishop of Providence (a position he held from 1954 to 1964), he received an allegation that a priest had sexually abused multiple minors and brought the complaint to the attention of Bishop Russell McVinney. Asked whether he called the police, Reilly responded that he had not, because “[t]hat was something that didn’t take place in those days.” He added that the parents could call, “[b]ut there was no policy in the diocese at that time as to how you would do it. The bishop said, ‘We will handle it.’ Now it’s totally different all these years later.” Similarly, in a 1997 deposition, Auxiliary Bishop Kenneth Angell testified that, prior to the formation of the Office of Education and Compliance in 1993, the Diocese simply followed the advice of counsel regarding whether to refer abuse complaints to law enforcement, even if the Diocese’s internal “investigation determined that there had been some sexual activity.”

## **B. The Diocese’s Failure to Report Suspected Abuse Hindered Criminal Investigations and Potential Prosecutions.**

The most obvious consequence of the Diocese’s historical failure to report abuse complaints to civil authorities is that it may have prevented additional Diocesan clergy from being criminally charged and prosecuted for their crimes. On many occasions, Diocesan officials learned of alleged abuse around the time it reportedly occurred, such that the applicable statute of limitations had not yet foreclosed the possibility that, as a legal matter, the accused priest could be criminally charged for that abuse. Yet all too frequently, the Diocese failed to contemporaneously (or, during the first four decades of the Review Period, ever) refer those complaints to the authorities, at the tremendous expense of victims and the public. To the contrary, and as already discussed in this Report, the Diocese typically permitted accused priests to remain in ministry, where they continued to have access to and frequently did abuse more children. For example:

- **1952-53:** The Diocesan records relating to **Father B. Samuel Turillo** suggest that the Diocese learned of, but withheld from local authorities, abuse allegations against him in 1952 and 1953. As already discussed, in or around February 1952, a boy alleged that Turillo touched and kissed him the previous month at a CYO basketball game at West Warwick Junior High School. Just over a year later, in March 1953, Turillo was again accused of sexual assault involving several young boys at Sacred Heart Church in West Warwick. There is no indication that the Diocese referred either complaint to law enforcement, even though it appears the Diocese learned of the alleged abuse soon after it occurred, meaning it was likely not time barred. Rather than notify the authorities, Bishop Russell

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an effort to conceal, rather than disclose, complaints about the sexual abuse of children by Diocesan priests and deacons.

McVinney sent Father Turillo to the Monastery of St. Gabriel in Brighton, Massachusetts, for two weeks of “penance” and “spiritual exercises,” after which Turillo was returned to full-time ministry, and reportedly sexually assaulted another young boy between 1956 and 1958 at Holy Angels Church in Barrington. While the Diocese did communicate with Barrington Police in 1962 in connection with an unrelated complaint that Turillo had sexually assaulted an adult there, there is no indication that the Diocese shared with them any information about Turillo’s alleged child sexual abuse in Barrington or West Warwick. And despite receiving additional complaints of misconduct against Turillo, the Diocese permitted him to remain in full-time ministry until his retirement in 1994. By the time that Turillo’s Barrington victim reported his abuse to the Diocese in 2016 (and the Diocese promptly referred that complaint to the State Police), it was no longer legally possible to charge Turillo, who was still alive at the time.

- **1965-67:** As previously noted, the Diocesan records indicate that between 1965 and 1967, Bishop Russell McVinney received several reports of sexual misconduct by **Msgr. Louis Dunn** toward young women at Christ the King Church, located on the campus of the University of Rhode Island in South Kingstown. In 1965, a URI student reportedly wrote a letter to Bishop McVinney informing him that Dunn had made unwanted sexual advances on her college roommate in the rectory of Christ the King. And in 1967, the father of another University of Rhode Island freshman whom Dunn had sexually assaulted two years earlier (by giving her drugs and alcohol and having sex with her beginning when she was 17 years old) contacted Bishop McVinney and Msgr. Daniel P. Reilly to inform them “in detail” of Dunn’s “inappropriate and criminal behaviour involving young girls.” Rather than report these complaints to law enforcement, Bishop McVinney transferred Dunn to St. Thomas Parish in Providence—where he served for nearly three more decades and continued to prey on additional underage girls. Dunn would later be criminally charged in 1996 for raping young women at both locations, and convicted for his sexual assault of one of his victims at St. Thomas Parish—but had the Diocese contacted the police about the complaints of Dunn’s misconduct at Christ the King at the time those were received in the mid-1960s, it is possible that Dunn’s subsequent victims might have been spared.



*Rather than report these complaints to law enforcement, Bishop McVinney transferred Dunn to St. Thomas Parish in Providence—where he served for nearly three more decades, and continued there to prey on additional underage girls... **had the Diocese contacted the police about the complaints of Dunn’s misconduct at Christ the King at the time those were received in the mid-1960s, it is possible Dunn’s subsequent victims might have been spared.***

- **1970: Father Roger Belhumeur** reportedly sexually assaulted a teenage boy 30-40 times between 1969 and 1970 while assigned as Assistant Pastor of St. Rose of Lima in Warwick. The alleged abuse reportedly stopped when the victim's father complained in a May 1970 letter to "the authorities of the Diocese of Providence." A signature on the letter suggests that it was received by then-Chancellor of the Diocese of Providence, and future Bishop of Worcester, Msgr. Daniel P. Reilly. There is no indication that the Diocese referred this complaint to law enforcement or took any other action at the time; had the Diocese done so, a prosecution of Belhumeur for a number of offenses, including indecent assault of a child, may have been viable. Instead, Belhumeur was transferred several times, including to a position in Newport, where he again allegedly sexually abused an 11 or 12-year-old altar boy around 1975 at St. Mary's Church.
- **1983: Father Joseph D'Angelo** reportedly sexually abused at least four boys during his four-year ministry in Rhode Island between 1980 and 1983. The Diocesan records indicate that the Diocese was aware of several complaints regarding D'Angelo's possible sexual misconduct with children by 1983, but it does not appear that the Diocese relayed any of this information to Rhode Island law enforcement until 2007 or later, by which point one complainant had died, several others did not wish to pursue their complaints, and much of the conduct was barred by the statute of limitations. Had the Diocese notified law enforcement by 1983 of the many concerns that it had about Father D'Angelo's alleged misconduct, it is quite possible that D'Angelo could have been prosecuted for sexual assault. In 1980, for example, D'Angelo allegedly sexually abused two boys while serving at Our Lady of Mt. Carmel Church. One of these victims, who formally disclosed to the Diocese in 2019 that D'Angelo had forcibly penetrated him while he was serving as an altar boy there, indicated that around the time of his abuse, he communicated to the pastor of Our Lady of Mt. Carmel, a monsignor, that D'Angelo had touched him inappropriately. Soon after this, he said, D'Angelo was transferred—a possible indication that the boy's complaint was relayed and acted upon. The Diocesan records also contain a 1983 statement by this same monsignor remarking that D'Angelo harassed and embraced altar boys, and that altar boys were upset when returning from confession with Father D'Angelo. In 1981, Bishop Gelineau transferred D'Angelo to St. Margaret Church in East Providence, where he was later accused of sexually abusing two more boys. One, who formally disclosed to the Diocese in 2018, explained that soon after the alleged abuse, he and his mother confronted D'Angelo in the St. Margaret rectory; D'Angelo reportedly apologized, and the senior pastor, also a monsignor, was present and aware of the discussion, but the police were not notified and no prosecution followed.
- **1989:** In 1989, the Diocese received a complaint that a now-retired priest engaged in inappropriate conduct, including excessive touching and hugging, of several boys during a ski trip for a Catholic youth organization in New Hampshire. The boys were reportedly between the ages of 14 and 16. The report alleged that the priest placed his hand in a boy's pants. A Diocesan priest and several concerned parents reported this incident to Auxiliary Bishop Angell at the time. The priest denied touching any of the boys inappropriately and

submitted to a psychological evaluation. The Diocese did not report the incident to law enforcement or to DCYF and accordingly no investigation was conducted which could have determined whether any criminal misconduct occurred. The Diocese received subsequent complaints against this priest alleging inappropriate sexual conduct with adults in the 1990s and early 2000s. Despite these complaints, it appears that the Diocese never revisited or reported the 1989 complaint involving the three minors to law enforcement. And the records produced by the Diocese did not contain sufficient information for this Office to investigate these allegations further.

- **1995:** In 1995, the pastor of St. Gregory the Great Parish in Warwick informed the Director of the Diocese's Office of Education and Compliance, Robert McCarthy, that he had received a letter from a woman reporting that in the mid-1960s, when she was 13 years old, **Father Hugh Rafferty** raped her in his bedroom at the rectory of St. Matthew Parish in Cranston. At the time of the report, Rafferty was no longer an ordained priest; he had been laicized by Pope Paul VI in 1977. It does not appear that Director McCarthy took any steps to investigate the woman's complaint. An undated OEC case list indicates that, in November 1995, the complainant did not wish to pursue the matter "after being advised of Rafferty's current status" – an apparent reference to the fact that Rafferty was no longer a priest. Rafferty died six years later. Because the allegations included rape, criminal prosecution might have been possible had law enforcement been notified of this report at the time it was made. But it was not until 2016, after the complainant reported her abuse to the Diocese a *second* time, that OEC Director Kevin O'Brien (McCarthy's successor) referred the allegation to law enforcement. By that time, Rafferty had been dead for 15 years.

On other occasions, the Diocese appears to have withheld its knowledge of child sexual abuse allegations against certain priests even where the Diocese knew that law enforcement was already investigating those individuals. Such omissions deprived the police of essential context for investigating the particular complaint(s) at hand, and potentially deprived prosecutors of additional witnesses in resultant criminal cases. For example:

- **1985:** In June 1985, **Father Armand Ventre** was criminally charged for his alleged sexual abuse of three young teenage boys during the early 1980s. The Rhode Island State Police investigation began after one of the boys disclosed the alleged abuse to his therapist, which prompted referrals first to DCYF and then to the State Police. By the time of the State Police investigation, the Diocesan records indicate that Bishop Louis Gelineau and Father Salvatore Matano (then of the Priests' Personnel Office) were already aware of at least one prior complaint of child sexual misconduct against Ventre: a 1977 allegation that Ventre had repeatedly touched the genitals of a 13-year-old student of St. Raphael Academy in Pawtucket, where Ventre was then assigned. After being confronted by Bishop Gelineau about the complaint, Ventre resigned from the school. Yet there is no indication in the Diocesan records that either Bishop Gelineau, Father Matano, or any other Diocesan official informed law

enforcement of the complaint, either at the time it first surfaced or during the subsequent criminal investigation and prosecution of Ventre in the 1980s.

- **1993-95:** In September 1993, the Diocese learned that Baltimore law enforcement authorities were investigating an allegation that **Father Michael LaMountain** had sexually abused a 14-year-old boy two decades earlier while training at a Maryland seminary. Director Robert McCarthy, of the Diocese's newly established Office of Education and Compliance, was soon engaged in an "ongoing dialogue" with the Baltimore authorities, who informed him that the complainant had also alleged that LaMountain abused him in Rhode Island. There is no indication in the Diocesan records that either Director McCarthy or any other Diocesan official notified Rhode Island law enforcement at that time regarding LaMountain's alleged crimes here, and LaMountain was ultimately not charged by the Baltimore authorities due to insufficient evidence. In March 1995, the Diocese learned that the Rhode Island State Police had begun another criminal investigation into LaMountain for additional suspected child sexual abuse here. Within weeks, the Diocese heard from several of LaMountain's victims—including an individual who reported to Director McCarthy that LaMountain had violently raped him years earlier, and that LaMountain had also abused a family member. Despite finding the complainant "very credible and truthful," and recognizing the particular severity of his complaint (McCarthy wrote to Bishop Gelineau that the allegations were "the first known case involving physical violence . . . involving a member of the clergy"), it does not appear that McCarthy ever notified the State Police of these allegations. This was likely because the complainant reportedly told McCarthy during his March 1995 interview that he did not wish to speak with police at that time. It appears that McCarthy maintained his silence about this complaint in the face of a voluntary request for information from the State Police in August 1995, as part of its criminal investigation, seeking "documents relating to any previous investigations or allegations regarding sexual misconduct by Father LaMountain." It appears Director McCarthy did, however, respond by providing the details of the Baltimore allegations from two years earlier, including the fact that some abuse reportedly occurred in Rhode Island.
- **1998:** In August 1998, the Diocese was contacted by a complainant who alleged that **Father Edmund Fitzgerald** had repeatedly sexually abused him while he was an altar boy at St. Teresa Church in Pawtucket between 1961 and 1968. While Director McCarthy notified the Rhode Island State Police of this complaint within days of interviewing the complainant, there is no indication that he shared with law enforcement—then or any other time—the Diocese's knowledge of two prior complaints that it received about Father Fitzgerald, in 1993 and early 1998.

Strikingly, these issues occurred *both before and after* the Diocese of Providence began professing a "policy of full cooperation with law enforcement" in the early 1990s. Bishop Gelineau himself, in an August 1994 op-ed published in *The Providence Journal* titled "How we're dealing with abuse," similarly represented that the Diocese had "established a cooperative working network with state and local

police, the Department of Children, Youth and Families, the [A]ttorney [G]eneral's [O]ffice, and others."<sup>176</sup> Though the Diocese *had*, by this time, communicated with Rhode Island law enforcement in connection with a select few abuse complaints (albeit almost entirely in circumstances where law enforcement first became involved as the result of the outreach of a third party and not the Diocese), the Bishop's representation of a more general "cooperative working network" that was "established" by the Diocese vastly overstated the case, to put it mildly.

Indeed, despite such public pronouncements, **the actual Diocesan policy in effect through the 1990s said nothing at all about affirmatively cooperating with law enforcement:** the relevant provision, labeled "cooperation with law enforcement authorities," stated only that "[n]othing in these policies shall be construed as an instruction not to cooperate with law enforcement and governmental authorities, as required by law, provided that the cooperation does not require violation of legal rights of other persons, including rights of privacy and confidentiality based upon secrecy in the Sacrament of Reconciliation and pursuant to the notion of Internal Forum."

As described in the previous chapter, the exceptions in this policy nearly swallowed the rule. Notwithstanding Bishop Gelineau's public framing, this was merely a policy statement that the Diocese was not directing its personnel *not* to cooperate—rather than anything actually requiring Diocesan personnel to affirmatively cooperate with law enforcement. Even then, the Diocese's policy applied only where "cooperation" was "required by law"—as where an abuse complaint must be reported to authorities under the state's mandatory reporting law, for instance, or where the Diocese is obligated to furnish information pursuant to a judicial warrant or subpoena—but in no such scenario can the provision of information be characterized as "cooperation," because whereas "cooperation" implies some *voluntary* action, this was and is simply doing what the law requires. Finally, the Diocese's "cooperation" provision ended with the qualification—still present in the Diocese's current Child Protection and Outreach Policy—outlining the various purported bases for continuing to withhold information from civil authorities. In short, while the provision's label ("cooperation with law enforcement authorities") allowed Bishop Gelineau to tell the public that the Diocese had a "policy of full cooperation with law enforcement," **in actual substance, this was hardly a policy of cooperation at all.**

### **C. While Reporting Began to Improve in the 1990s, the Diocese Continued to Withhold Many Abuse Complaints Against Living Priests.**

The Diocese's law enforcement reporting practices began to marginally improve in the 1990s, following several high-profile prosecutions of clergy in the

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<sup>176</sup> Louis E. Gelineau, *How we're dealing with abuse*, The Providence Journal, Aug. 11, 1994, at A3.

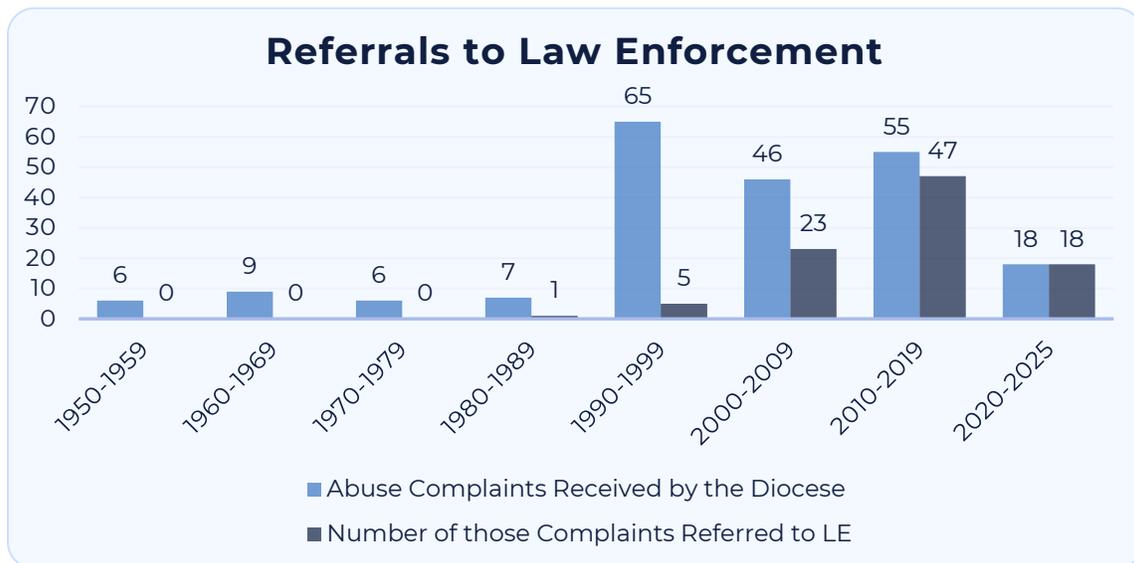
Diocese of Providence and elsewhere, and against the rising tide of civil litigation against the Church. This change began with the 1990 adoption of the first formal Diocesan policy addressing sexual misconduct (which mandated the internal reporting of abuse complaints, and included the aforementioned provision regarding “Cooperation with Law Enforcement Authorities”), followed by the creation of the Office of Education and Compliance in 1993. More on this in Chapter 7 of this Report. The very first documented instance of a Diocesan referral of an abuse complaint to a police department occurred the following year, in early 1994, regarding a complaint of sexual assault by Father Alfred Desrosiers. Even that referral was delayed, however: the Diocesan records reflect that the Diocese had been on notice of the complaint since at least March 1993 (at which time Bishop Gelineau suspended Desrosiers and arranged for him to attend a sabbatical at Boston College). Following a protracted back-and-forth between lawyers for the Diocese and the victim, the Diocese notified the Rhode Island State Police of the complaint in February 1994, and the following year Desrosiers was indicted for raping the victim when she was 15.

The subsequent criminal case against Father Desrosiers further revealed significant tensions between the Diocese’s budding “policy of cooperation” and its still prevalent and deeply held insistence on privacy and confidentiality. As already described, when prosecutors sought to introduce at Desrosiers’s forthcoming trial statements by Bishop Gelineau and Father Norman Godin concerning admissions that Desrosiers had reportedly made to them regarding his sexual relationship with the 15-year-old complainant, the priests claimed that those conversations were confidential (and therefore inadmissible under Rhode Island law). A Superior Court judge agreed, and Desrosiers died while that issue remained on appeal, prior to any decision or trial. In short, a prosecution that began alongside a new Diocesan policy of “cooperation” and disclosure died in the wake of an invocation of Church confidentiality.

The Diocese continued to significantly underreport clergy abuse complaints to law enforcement for several more decades, until the 2016 Letter of Understanding (LOU) between the Diocese and the Office of the Attorney General (discussed further below) finally addressed this problem, with the Diocese agreeing to refer *every* complaint that it receives to this Office and the Rhode Island State Police, regardless of the Diocese’s own assessment of the credibility of the complaint. The Diocese’s continued underreporting of complaints in the interim appears to have had several possible causes. One considerable factor is that the relevant Diocesan policies did not—and, in fact, to this day *still* do not—*require* the reporting of most clergy abuse complaints to law enforcement agencies. Instead, those policies mandate the external reporting of only a narrow subset of complaints that meet the statutory definition of child abuse and neglect under Rhode Island’s mandatory reporting law. (Expanding that definition to clearly apply to clergy abuse is the focus of one of our legislative recommendations in Chapter 10 of this Report.) For the remaining majority of clergy abuse complaints that did not meet that statutory definition, the Diocese’s decision whether to report any such complaint to civil authorities was, until the 2016 LOU, both entirely voluntary *and* made on a case-by-case basis, subject to the Diocese’s internal and often flawed practices, self-interest, and a lingering culture of secrecy and concealment.

This is not to say that the Diocese’s reporting practices were not improving: the Diocesan records indicate that the proportion of complaints that the Diocese received and then reported to civil authorities steadily rose from the 1990s onward, as the below figure illustrates. Still, the Diocese continued to withhold certain kinds of abuse complaints that it received, including those that the Diocese deemed not credible after an internal investigation, those that could be described as “grooming” or that did not clearly involve criminal misconduct, as well as complaints that, in the Diocese’s own determination, fell beyond the relevant criminal statute of limitations and were therefore likely not prosecutable.

**Figure 8**



By our tally, since the formation of the OEC in 1993, the Diocese contemporaneously referred 93 allegations to law enforcement, with 55 referrals between 1993 and 2015 and 38 referrals since 2016, after Kevin O’Brien became the OEC Director. However, we identified 119 instances when Diocesan leaders *failed* to contemporaneously refer allegations of clergy sexual abuse to law enforcement, including 79 after the formation of the OEC in 1993.<sup>177</sup>

The Diocese’s continued withholding of most clergy abuse complaints from civil authorities during the 1990s and into the 2000s must also be juxtaposed with its seemingly more liberal policy of cooperation during that same period when it came

<sup>177</sup> These figures, and those in Figure 8, are based on the 75 clergy identified in this Report and Appendix A. The figures exclude instances where the accused was deceased at the time of the complaint, or where it appears that law enforcement was already on notice of the allegations by the time the Diocese became aware of them. They only include referrals to law enforcement that the Diocese made within approximately one year of receiving the complaint (an exceedingly liberal standard for what might count as a “contemporaneous” referral of an abuse complaint to law enforcement).

to priests accused of misconduct that did *not* involve child sexual abuse—more specifically, priests suspected of stealing money from the Diocese’s parishes. In 1990, Father Phillip Magaldi was indicted for embezzling funds from St. Anthony Church in North Providence (he was also subsequently accused of child sexual misconduct and now appears on the Diocese’s List of Credibly Accused Clergy); and in 1998, Father Roger Allaire was similarly charged for stealing from St. Francis Assisi Church in Wakefield. Both priests admitted to their crimes and were sentenced. According to the Diocesan records, in each instance, the suspected misconduct was first identified and brought to the attention of Rhode Island law enforcement by the Diocese, with the Diocese sharing information it had learned through its internal investigations of the suspected thefts—

facts which the Diocese also shared with its insurer, Catholic Mutual, when it later sought to be reimbursed for the stolen funds. In one 1993 letter to the Office of the Attorney General seeking its assistance with the Diocese’s efforts to recover money stolen by Father Magaldi, Diocesan attorney William T. Murphy wrote that “officials of the Diocese of Providence have provided the most thorough cooperation available to the Office of the Attorney General in investigating and ultimately prosecuting Rev. Philip Magaldi on account of his defalcations from [St. Anthony’s].” Tragically, it appears the Diocese was far more eager to affirmatively assist law enforcement in this manner when its own finances, as opposed to the safety of children, were at stake.

Starting in the early 2000s, as public scrutiny and outrage grew over the Church’s historical, systemic coverup of child sexual abuse, successive Attorneys General of Rhode Island attempted to engage the Diocese of Providence for the purpose of establishing a process for the reporting of allegations of child sexual abuse that went beyond the limited requirements of the state’s mandatory reporting law. While these early efforts did not result in any finalized agreement, in response, the Diocese repeatedly maintained in both public statements and private representations to members of this Office that it had effectively disclosed, and would continue to disclose, *all* known allegations of child sexual misconduct occurring *since 1979* (the generally effective cutoff date under Rhode Island law for a prosecutable incident of child sexual abuse). In early 2002 for example, in response to Attorney General Sheldon Whitehouse’s request that the Diocese disclose the identities of accused priests, the Diocese responded (and the Office of the Attorney General subsequently

*The Diocesan records indicate that the proportion of complaints that the Diocese received and then reported to civil authorities steadily rose from the 1990s onward... **Still, the Diocese continued to withhold certain kinds of abuse complaints that it received...***

published in a press release) that **“all known allegations of sexual misconduct against minors occurring since 1979 have been disclosed to law enforcement.”**<sup>178</sup>

Though on its face this was another noteworthy step in the Diocese’s long-delayed march towards genuine transparency and accountability, the Diocese’s purported practice of reporting all complaints occurring since 1979 likewise contained serious flaws. For one, it perpetuated a distorted view that the *Diocese*, rather than law enforcement, could permissibly screen out and withhold from civil authorities complaints of alleged abuse from before 1979 that the *Diocese* unilaterally determined were time barred and not prosecutable. These are obviously determinations for trained police and prosecutors—assessing the credibility of witnesses and analyzing whether criminal charges are factually and legally supported are core law enforcement functions—and emphatically *not* the domain of clergy and employees of a religious institution. That the Diocese employed (and still employs) a retired police officer as its lead investigator and Director of Compliance by no means equips or permits the Diocese, a religious institution, to substitute itself for law enforcement. Such determinations about potentially criminal conduct are exclusively the function of civil, secular government authorities; here, religious organizations play no greater role than any private citizen.

The Diocese’s continued practice of withholding historical complaints also disregarded the many other justifications for reporting *all* such allegations, whether old or new, to law enforcement. **First**, particularly when it comes to priests who are still in active ministry, or in positions where they have contact with children, it should matter little whether prosecution of the alleged abuse is time-barred or not – civil authorities should investigate in order to determine whether the individual poses any continuing risk to children. **Second**, the proper investigation of an allegation of historical abuse that on its face may be time barred could lead to the discovery of additional abuse that *is* prosecutable, and/or the discovery of additional victims. **Third**, even abuse that is time barred may nevertheless be used as corroborating evidence in a subsequent prosecutable case against the same perpetrator. And, more generally, knowledge of a history of prior, similar complaints, prosecutable or not, provides essential context for an investigation of a suspected abuser.

For example, in 2005, the Diocese received a complaint from a man who alleged that in the mid-1970s, a priest wrestled with him and other altar boys between the ages of 9-13 at a Newport parish. According to the complainant, the priest grabbed the complainant’s genitals above his clothing and attempted to put his hands down the complainant’s pants. Director McCarthy investigated the complaint and spoke to other altar boys (and the complainant’s brother) who all reportedly denied being touched, and McCarthy determined that the complaint was

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<sup>178</sup> On at least one other occasion, counsel for the Diocese went even further, telling the *Boston Globe* for an October 2007 article, “[v]irtually every case involving a living priest has been reported to local law enforcement officials.” Michael Paulson, *New R.I. Report Raises Questions on Clergy Abuse*, *Boston Globe*, Oct. 20, 2007. The Diocesan records establish that this was demonstrably untrue.

“unsustained.” There is no indication in the Diocesan records that McCarthy reported the allegation to law enforcement at time. Though it is true that the conduct alleged likely could not have been prosecuted due to the applicable statute of limitations, it still should have been reported to law enforcement, and DCYF at a minimum, because the accused priest was still in active ministry.

Furthermore, though the Diocese’s “revised” position (beginning around 2002) indicated that it would, in fact, consistently notify civil authorities when the Diocese learned of alleged abuse occurring since 1979, the Diocesan records show this was not always the case. As one example, a complainant reported to the Diocese in April 2002 that Father Paul Charland kissed and groped her when she was a 15-year-old student at St. Raphael’s School in Pawtucket in 1980 or 1981. The Diocesan records indicate that this alleged abuse was originally reported to the Diocese by a third party around the time it occurred, and was dealt with, not surprisingly, by sending Charland to treatment and transferring him. When the complainant herself contacted the Diocese to report her abuse in April 2002, Director McCarthy refrained from contacting law enforcement at the time—despite the fact that Charland remained in active service—apparently because the complainant told McCarthy she did not wish to pursue charges. It appears that the State Police were only informed of this complaint the following year, 2003, after the State Police notified the Diocese of another complaint against Charland.

Finally, the Diocese’s stated practice of reporting complaints of child sexual abuse from only 1979 forward necessarily meant that the Diocese would – and did – continue to withhold from civil authorities and the public most complaints that the Diocese received regarding alleged clergy abuse from *before* 1979. This is especially significant because, as identified in the landmark 2004 John Jay College study prepared for the United States Conference of Catholic Bishops, and as further confirmed by our own findings during this Investigation, the majority of reported incidents of clergy abuse occurred *before* 1979.<sup>179</sup> Thus, for any given abuse complaint that the Diocese received, the odds were that it would not be reportable under the Diocese’s own criterion. This only further helped to conceal the full scope of the clergy abuse crisis in Rhode Island.

The following are examples of abuse complaints that the Diocese received and withheld during the early 2000s, concerning priests who were both still living at the time of the Diocese’s receipt, and whom the Diocese would ultimately include on its Credibly Accused List.

- **2002:** The Diocese failed to refer complaints that it received in 2002 and 1998 against **Father Philip Magaldi**, who by then had been criminally charged twice in Rhode Island and convicted once, albeit for non-abuse-related offenses. In a 2002 interview with Director McCarthy, a complainant alleged that Magaldi

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<sup>179</sup> See Figure 3 in Chapter 4 of this Report; see also JOHN JAY COLL. OF CRIM. JUST., *The Nature and Scope of Sexual Abuse of Minors by Catholic Priests and Deacons in the United States 1950-2002* fig. 1.1 (Feb. 2004).

repeatedly sexually assaulted him for over a decade, beginning in 1973 when he was 15 years old. And previously, in November 1998, Director McCarthy interviewed a complainant who alleged that Father Magaldi repeatedly sexually abused him during the late 1970s and early 1980s, beginning when he was around 14 years old; twice, the complainant said, Magaldi raped him in a hotel room in Worcester, Massachusetts. There is no indication in the Diocesan records that McCarthy or any other Diocesan employee or representative ever relayed these allegations to law enforcement.

- **2002:** The Diocese also apparently failed to refer to law enforcement several complaints against **Father William Tanguay** that it received in 2002. In June 2002, a complainant reported to Director McCarthy that he had been sexually abused by Father Tanguay in 1965 when he was 15 years old. The next month (July 2002), another complainant called Director McCarthy to report that beginning in 1975, Father Tanguay had offered him food and money in exchange for sex inside the rectory at St. Michael the Archangel Church in Providence. Although the Diocese had, by the time that it received these complaints, been in recent contact with the Office of the Attorney General in connection with other, similar complaints the Diocese had previously received about Tanguay (including a March 2000 complaint that Tanguay had paid a homeless, 16-year-old boy for sex), it does not appear that Director McCarthy or any other Diocesan employee or representative informed the Office of the Attorney General or any other civil authority regarding these 2002 allegations.
- **2005:** A complainant disclosed in a September 2005 interview with Director McCarthy that he had been sexually abused dozens of times as a young teenager by **Father Roger Belhumeur**. The alleged abuse occurred around 1969 while the boy was working in the rectory of St. Rose of Lima in Warwick. While investigating the 2005 complaint, Director McCarthy discovered a 1970 letter written by the complainant's own father, imploring the Diocese to act against Belhumeur for his abuse of the complainant. Though McCarthy wrote that he was "convinced of [Complainant A's] veracity and truthfulness," he nevertheless "saw no need at this time to interview Father Belhumeur, who is 80 years of age[.]" Nor did McCarthy or any other Diocesan personnel contact the authorities about the allegations, and Belhumeur died five years later, in 2010. Only in 2018 did McCarthy's successor, OEC Director Kevin O'Brien, notify the Rhode Island State Police about the complaint after realizing that it had not previously been reported.
- **2006:** In 2006, two sisters reported to the Diocese that **Father Louis Diogo** repeatedly sexually abused them when they were about 10 and 14 years old in the late 1950s and early 1960s. At the time of the alleged abuse, Diogo was assigned to St. Francis Xavier Church in East Providence. This was the second set of allegations against Diogo, with two other sisters making similar accusations against him in 1993. There is no record of Director McCarthy forwarding these allegations to law enforcement even though Diogo was still alive at the time (he was 85 years old).

That the Diocese deemed such complaints unworthy of being immediately referred to the authorities is, in this Office's view, stunning—and all the more so when considering that, by this time, numerous Diocesan clergy had already been prosecuted and convicted of offenses related to child sexual abuse; the Diocese had already paid millions of dollars to settle civil abuse claims; the Diocese was already under heightened law enforcement scrutiny, best evidenced by the direct efforts of successive Attorneys General of Rhode Island to identify accused clergy and ensure the reporting of all abuse complaints; and against the backdrop of the extraordinary public backlash that had begun to unfold over the Church's longstanding concealment of clergy abuse. And this is to say nothing of the other categories of abuse complaints that the Diocese also continued to withhold: the many complaints the Diocese received against deceased priests, as well as complaints disclosed in circumstances that the Diocese expressly carved out (and still carves out) from its policy of "cooperation with law enforcement," including Confession and "Internal Forum."

#### **D. The 2016 Letter of Understanding Between the Diocese and this Office Led to Substantial Improvements in Reporting.**

While the Diocese's reporting practices continued to improve into the 2010s—indeed, between 2010 and 2015, the Diocese notified the Rhode Island State Police of dozens of complaints that it received, including many that the State Police ultimately determined fell outside of the applicable statute of limitations—clear problems remained, particularly with the Diocese's case-by-case approach to investigating complaints, and only reporting to the authorities those that met the Diocese's subjective and changing thresholds. These problems, and the ongoing need for measures that *effectively* ensured the Diocese reported *all* clergy abuse complaints to the authorities, were made plain by the Diocese's 2011 mishandling of a complaint made against Deacon Laurence Gagnon.

On June 17, 2011, Director Robert McCarthy received a letter from the principal of St. Joseph School in West Warwick. The letter relayed a complaint the principal had received the previous day that Deacon Gagnon, who worked at the school, had pulled down the pants of several sixth-grade boys during a recent incident there. Rather than immediately notifying the authorities, the following Monday (June 20), McCarthy met with both the reporting principal and the parish pastor. According to a transcript of the meeting, the principal expressed his view that they were required to notify DCYF of the allegations under the state's mandatory reporting law. Without having interviewed any of the witnesses, McCarthy disagreed with the principal and stated that he did not view Gagnon's conduct as criminal, but only as "poor judgment." He added that he did not view this as a "reportable" offense: "What sexual assault do you have? What abuse do you have here? What neglect do you have here? You have bad judgment. Bad judgment is not a crime in this state." The pastor apparently agreed with McCarthy, expressing that if Gagnon had not retired (Gagnon had announced his retirement earlier that same day), the pastor would not have terminated him over the

allegations but instead would have told Gagnon to stay “in the shadows, until [it] all played out.”<sup>180</sup>

Law enforcement did not become involved for several more days, until the principal contacted McCarthy again two days after their initial meeting to express his ongoing concern about whether DCYF should be notified. McCarthy reportedly “advised him to go ahead and do so,” so the principal did, and was redirected by DCYF to the West Warwick Police Department. A patrolman took the principal’s statement that same day and forwarded it to detectives. Meanwhile, despite knowing that law enforcement was now investigating, Director McCarthy still proceeded to interview Deacon Gagnon, who admitted that he had pulled down the boys’ pants. McCarthy nonetheless reassured Gagnon that his conduct was not criminal and that calling the police or DCYF was unnecessary, because McCarthy did not “see a violation of the law.” As such, there is no indication that McCarthy sought to interview the complainants or their parents. Nor did McCarthy contact the police at this time, including to notify them of Gagnon’s admission.

During the subsequent investigation by the West Warwick Police, detectives identified several more complainants who made clear this was not an isolated incident of “pantsing”: several disclosed that Gagnon had touched their groins repeatedly, including two who added that Gagnon acknowledged to them his actions could get him arrested or put in jail. When Gagnon was himself interviewed by the police in early August, he reportedly brought a transcript of McCarthy’s interview of him and stated that he had been “cleared” by the Diocese. Gagnon nevertheless confessed during the police interview to fondling the genitals of several boys. He was arrested a few days later and charged with several counts of second-degree child molestation (for which he was subsequently indicted). In April 2013, Gagnon pled *nolo contendere* (no contest) to three counts of second-degree child molestation and was sentenced to 10 years in prison with one year to serve, the balance suspended with probation. He was also required to register as a sex offender.

The Diocese’s mishandling of the Gagnon episode laid bare the many continued problems with its investigatory and law enforcement reporting practices. McCarthy, who had been the Diocese’s sole investigator and Director of Compliance since the OEC’s founding in 1993, immediately prejudged the facts without interviewing any of the actual witnesses to the reported conduct. And it appears likely that McCarthy’s instinctive determination that the complaint did not need to be reported (it is unclear from the Diocesan records whether any other Diocesan personnel were involved in that decision) would have been the end of the matter, had

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<sup>180</sup> As noted above, this was not the first time the Diocese received notice of such misconduct against clergy and failed to report them. In 1989, the Diocese received similar allegations that a priest who was chaperoning a CYO ski trip excessively touched and hugged several boys on the trip, including possibly inserting his hands into one boy’s pants. Those allegations were never reported to the police, and, because there was no investigation, it is unknown whether the priest broke any laws or not. Here, again, Director McCarthy capitalized on ambiguities in the complaint.

it not been for the continued concern of the school principal. Equally troubling is the fact that McCarthy knew of the West Warwick Police investigation yet still went ahead with an interview of Gagnon, the suspect, and after that, still did not contact the police or share with them the details of Gagnon's interview and admissions (though Gagnon himself felt free to do this, given his perception that McCarthy had "cleared" him of any wrongdoing). In short, the incident reignited grave concerns about the existence of unreported complaints of serious wrongdoing, and lingering doubts about the actual extent of the Diocese's professed policy of "full cooperation" with law enforcement.

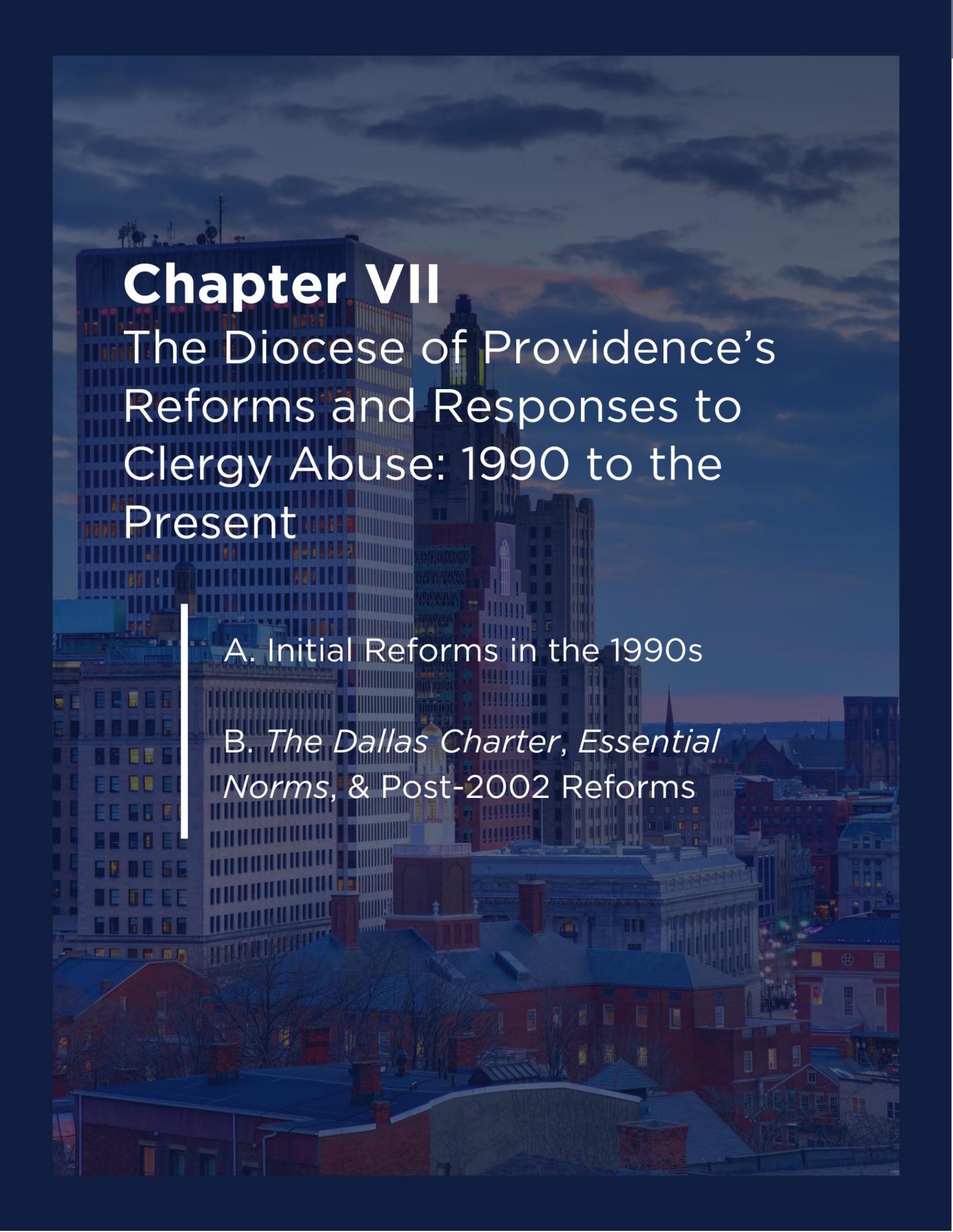
Following this, Office of the Attorney General representatives attempted to reengage the Diocese regarding a process for ensuring the consistent reporting of complaints of child sexual abuse to the proper authorities. Those efforts finally came to fruition four years later, following the appointment of a new Director of Compliance for the Diocese, Kevin O'Brien, and renewed discussions between Attorney General Peter Kilmartin and Bishop Tobin, in the August 2016 Letter of Understanding ("LOU") (attached as Appendix E). Since the LOU, the Diocese has agreed to immediately notify law enforcement of *any* complaint it receives concerning child sexual abuse, and critically without any regard to credibility, statutes of limitations, victim age, or whether the perpetrator is alive or dead. **In many respects the 2016 LOU has effectively solved the historical problem of the Diocese withholding from civil authorities its knowledge of abuse allegations against clergy, though there is still room for improvement, as noted in Chapter 9.**



***In many respects the LOU has effectively solved the historical problem of the Diocese withholding from civil authorities its knowledge of abuse allegations against clergy, though there is still room for improvement...***

While voluntary, the Diocese's law enforcement reporting has greatly improved since the LOU's execution, and **we have not identified any instances where it appears that the Diocese has failed to timely disclose an abuse allegation to law enforcement.** To the contrary, recent Diocesan referrals have led to prosecutable cases, and Director O'Brien also undertook efforts to refer to law enforcement historical abuse complaints that had been received or documented by his predecessors but where it appeared there was no law enforcement notification on file. Though there is work left to be done, the Diocese, and particularly Director O'Brien, deserve recognition for these important steps.

As discussed in greater detail in Chapter 9, however, **the LOU could be significantly improved by expanding the definition of the criminal conduct that must be reported, as well as by addressing the reporting of conduct that, while perhaps not criminal on its face, might lead to the discovery of child sexual misconduct. Additionally, the current LOU does not resolve whether the Diocese must also report abuse complaints disclosed to a priest or bishop in Confession or in a setting the Diocese would characterize as within the “Internal Forum.”** Thus, while we have no evidence that the Diocese is aware of child sexual misconduct by its clergy that it has *not* reported, as former United States Defense Secretary Donald Rumsfeld famously said, “there are known unknowns; that is to say we know there are some things we do not know.”



# Chapter VII

## The Diocese of Providence's Reforms and Responses to Clergy Abuse: 1990 to the Present

A. Initial Reforms in the 1990s

B. *The Dallas Charter, Essential  
Norms, & Post-2002 Reforms*

## VII. THE DIOCESE OF PROVIDENCE'S REFORMS AND RESPONSES TO CLERGY ABUSE: 1990 TO THE PRESENT

Although bishops and other senior leaders of the Diocese of Providence were, for the most part, successful for decades in their efforts to conceal clergy abuse in Rhode Island, by the early 1990s, increasing publicity over the scandal, and the attendant legal and financial pressures facing the Diocese, forced Bishop Gelineau and his colleagues to begin reforming their practices.

**The Diocese implemented these changes, which are the focus of this chapter, in two general phases:** the **first**, in the early 1990s, represented the Diocese's initial coordinated response to clergy abuse, which it had finally begun around this time to publicly acknowledge was indeed a systemic problem. Those early efforts included Bishop Gelineau's promulgation of the first formal Diocesan policies addressing sexual misconduct, and the 1993 establishment of the Office of Education and Compliance, tasked with investigating sexual misconduct complaints (including complaints of child sexual abuse) involving Diocesan personnel. The **second** phase of the Diocese's reforms began in 2002, and effectively continues to this day, in response to the USCCB's adoption of the "Charter for the Protection of Children and Young People" (also known as the *Dallas Charter*), the Church's national policy framework for addressing clergy abuse in the United States, as well as the *Essential Norms*, which implemented the *Dallas Charter* and are binding canon law on all American dioceses, including the Diocese of Providence. The *Charter* and *Norms* required the Diocese to adopt a host of additional compliance measures to further address child sexual abuse, including a "zero tolerance" policy mandating the permanent removal of a priest from ministry for a single substantiated act of sexual abuse, and the creation of a review board consisting of a majority of laypersons to assist the Bishop in responding to child sexual abuse.

While many of these revised practices were indeed meaningful steps toward a desperately needed, effective response by the Diocese of Providence to the clergy abuse crisis—it must also be said that the Diocese did not undertake these changes wholly of its own accord, out of an independent commitment to best practices, or as acts of genuine contrition for its historical misdeeds and concealment of clergy abuse. The Diocesan records establish incontrovertibly that long before these changes—at least decades—bishops and other senior Diocesan leaders knew they had a grave problem on their hands with abuser priests. This was perhaps best succinctly expressed by Bishop Gelineau in his reported response to learning in 1981 of yet another abuse complaint against a notorious abuser priest: "Oh no, not again!"

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## **A. Initial Reforms in the 1990s**

The Diocese of Providence's reformed responses to clergy abuse began during the early 1990s, in the wake of several high-profile prosecutions and criminal investigations into then-still-active Diocesan clergy, as well as a growing wave of civil litigation against priests and Diocesan leaders.

### **1. Early Diocesan Policies Targeting Clergy Abuse**

In late June 1990, Bishop Gelineau promulgated the very first official version of the Diocese's "policy and procedures concerning reports of sexual misconduct," which took effect on July 1 of that year. In his cover letter to Diocesan clergy, Bishop Gelineau explained the policy as follows:

We are each painfully aware that sexual misconduct is a reality in our society. As ministers of the Roman Catholic Church, we are each public persons and official representatives of that Church. As such, we have an obligation to protect the integrity and good name of the Church and its ministers in both our words and in our personal conduct and the conduct of those serving with us. As ministers of the Lord, we are obliged to live a life that will be a source of encouragement to our people and a source of strength for each other. We are called to holiness and called to assist the faithful and one another in this earthly pilgrimage. The enclosed guidelines are designed to strengthen us in our calling.

When situations arise, such as those described, they must be handled with dispatch and with extreme prudence in light of the concerns and attitudes of society, as well as our own responsibilities before God as His ministers and as representatives of His Church. These procedures are set before you not because of any real or imagined past failures, nor in any attempt to create alarm or a climate of paranoia. Rather, they are set forth in recognition of human frailty and for the protection of the priests, deacons, religious and laity of our Church.

This sexual misconduct policy is to be distributed to all parish clergy, religious, lay employees and volunteers. Each should sign an acknowledgment of receipt.

The policy declared “sexual misconduct” to constitute a violation of the Diocese’s employment agreement. It narrowly defined “sexual misconduct” as the physical touching by a “subject” (defined as a parish employee or volunteer) of the “private parts” of another that occurred on parish grounds or was “occasioned by the association of the subject with an activity of the parish.” It required the immediate internal reporting of complaints of such conduct in order to bring the matter “to the attention of the Vicar General as rapidly as possible.” The Vicar General was then to commence an internal investigation, and was authorized to suspend the accused individual where there were “reasonable grounds to believe” sexual misconduct had occurred, pending a more fulsome inquiry. The policy also authorized the Vicar General to condition a suspect’s return to work on his undergoing a psychological examination, and contained a provision regarding “cooperation with law enforcement authorities” that declared the policy should not “be construed as an instruction not to cooperate with law enforcement . . . as required by law,” subject, however, to purported “rights of privacy and confidentiality” that justify withholding information.

**The many limitations and weaknesses of such a policy are, at least now, plainly obvious:** it did not prohibit or even apply to physical touching of non-intimate body parts, for instance, nor did it extend to the various kinds of non-physical sexual misconduct that so often precedes an actual physical assault, such as verbal harassment, stalking, exposure to pornography and alcohol, or other grooming activities. The fact that the policy was limited to sexual misconduct perpetrated by “employees” or “volunteers” raised at least an ambiguity as to whether it even applied to misconduct by parish priests, whom the Diocese appears to have treated for compensation purposes as independent contractors, not employees. And as already noted in the previous chapter regarding the Diocese’s law enforcement reporting (and the historical lack thereof), the provision regarding “cooperation with law enforcement authorities” did not require or encourage the involvement of civil authorities when it came to most complaints of sexual abuse; the policy’s reporting provisions were thus designed to keep such matters almost entirely internal, consistent with the Diocese’s past practices.

None of this prevented the Diocese from publicly claiming at the time that its policy was “one of the hardest hitting misconduct policies in the nation” (a claim the

Diocese repeats to this day), and part of a suite of reforms that, rather than being “directed at legal defense,” were – as Bishop Gelineau wrote – aimed at “do[ing] all in our power to eliminate the scourge of clergy sexual abuse and assist its victims.”<sup>181</sup> In fact, it is quite clear that the Diocese’s sexual misconduct policy appears to have first been generated, at least in significant part, *precisely* as a litigation defense measure, in coordination with the Diocese’s insurance carrier at the time, Catholic Mutual.<sup>182</sup> A week after Bishop Gelineau circulated the new sexual misconduct policy to his clergy, the Diocese’s Chief Financial Officer addressed the same audience in an internal memorandum regarding Diocesan insurance programs. Among the “key provisions” of the coming year’s insurance package, he wrote, was a 10% premium discount for parishes “implementing diocesan risk management policies.” The CFO wrote further: “We have received several inquiries regarding the risk management policy forwarded to you last week by Bishop Gelineau. Enclosed is a form that you must use for acknowledgment of receipt of the policy . . . Please call me . . . if you have any questions on this policy or the discount on the 1990-'91 billing.” Thus, while it is certainly possible that genuine contrition played a role, it is also undeniable that here, as on so many other occasions, the Diocese acted in response to economic motivations, as any other corporation would.

## 2. The “Sensitive Issues Committee”

Next, in February 1992, Bishop Gelineau established the euphemistically named “Sensitive Issues Committee.” The Bishop wrote that the purpose of the Committee was to “examine[] our present strategies and develop[] new ones to increase our prevention education and response procedures in order that we may do everything possible to avoid any incidents of sexual abuse in the future.” The “Sensitive Issues Committee’s” original 15 members included Auxiliary Bishop Angell as Chairman, several more Diocesan priests, and a host of other individuals, religious and lay, representing a variety of Diocesan interests: two lawyers, William T. Murphy and another whom the Diocese had repeatedly engaged to represent accused priests in civil and criminal cases; the Diocese’s Chief Finance Officer, as well as its Vicar for Planning and Finance; a physician who had also been the former director of the Department of Children, Youth, and Families; and the Diocese’s Director of Communications.

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<sup>181</sup> Michael Brown, *Two years later, policy still to be fully implemented*, *The Providence Visitor*, Sept. 3, 1992, at 1; Louis E. Gelineau, *How we’re dealing with abuse*, *The Providence Journal*, Aug. 11, 1994, at A3.

<sup>182</sup> The Catholic Mutual Relief Society continues to operate as a nonprofit insurer of Catholic-owned property. According to *The Providence Journal*, it was “founded more than 100 years ago by bishops. The society is a separate entity from the church but has offices in about 70 diocesan offices, and dioceses set the premiums they pay on property . . . By its charter, Catholic Mutual can only insure property owned by the church.” Andrew Goldsmith, *Priest Ordered to Make Restitution*, *The Providence Journal*, Aug. 21, 1999, at A-3. The Diocesan records indicate that during the early 1990s, the Catholic Mutual claims manager with whom Diocesan personnel frequently engaged occupied space within the Diocese’s Chancery Office.

Among the Diocesan priests on the Sensitive Issues Committee was **Father Robert J. McIntyre**, who at the time was still the Director of St. Aloysius Home, a Diocesan-affiliated orphanage located in Smithfield. But St. Aloysius attained notoriety the same year that the Committee was established, when 16 boys alleged that they had been sexually abused there. The following year, in 1993, several former workers were criminally charged with molesting boys at St. Aloysius, and the State subsequently removed children from the orphanage and terminated its placement contract there. St. Aloysius ultimately closed its doors in or around January 1994, after which the Diocese began receiving complaints specifically identifying Father McIntyre as one of the perpetrators of child sexual abuse there. In total, the Diocese has received a dozen such complaints, and in 2019 it named Father McIntyre on its List of Credibly Accused Clergy.

In November 1992, a subcommittee of the Sensitive Issues Committee finalized and submitted to Bishop Gelineau a series of recommendations, titled “Recommendations for a Procedure to Respond to Allegations of Sexual Misconduct by Priests with Minors.” Here, the Committee proposed several additional steps the Diocese could, and soon would, take, in addition to the recently enacted sexual misconduct policy. The Committee’s recommendations, coupled with the new policy, represented the crux of the first phase of the Diocese’s institutional reforms.

### **3. Establishing the Office of Education and Compliance**

The Sensitive Issues Committee’s first — and most significant and enduring — recommendation was for the Diocese to hire a “full time Case Manager” to receive and investigate child sexual abuse complaints, “insure [sic] prompt notification of appropriate civil authorities” regarding those complaints, and monitor the Diocese’s overall compliance efforts addressing the issue. Bishop Gelineau accepted this recommendation, and in May 1993 the Diocese publicly announced that it was hiring for the new role of “Education & Compliance Coordinator for Sexual Concerns.” The job’s stated duties included ensuring compliance with the Diocese’s sexual misconduct policy, coordinating education and training of Diocesan personnel regarding sexual misconduct, receiving and investigating complaints of sexual misconduct, notifying Diocesan personnel (including the Bishop, Vicar General, Co-Chancellor, Diocesan Attorney, and Diocesan Insurer) of those complaints, notifying civil authorities “when the law requires such notification,” and maintaining confidential files for all such cases. Among the required qualifications, in addition to relevant investigative experience and training, was to be a practicing Roman Catholic.

For the new position, Bishop Gelineau hired Robert M. McCarthy, a retired Massachusetts State Police Detective Lieutenant with 25 years of law enforcement experience. He began on September 7, 1993, and was immediately put to work addressing the deluge of sexual misconduct complaints that the Diocese was receiving at that time. While just the fact that the Diocese required the assistance of a full-time professional to respond to complaints of child sexual abuse was, itself, a sufficient indicator of a grave problem, the Diocesan records from around the time of McCarthy’s hiring help illustrate just how pervasive that problem was: during his first four months on the job, from September through December 1993, Director McCarthy

opened 28 separate cases of reported past and present misconduct. Of those, 20 identified a Diocesan priest as the alleged “perpetrator,” including 11 priests the Diocese would later name on its Credibly Accused List (all of whom were still living at the time Director McCarthy opened these cases). Quite clearly, the volume of complaints was more than any religious institution could handle; McCarthy’s experience was needed to help right the ship.

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From the time of McCarthy’s initial hiring until the present, the Office of Education and Compliance (recently renamed the Office of Compliance), and its Director in particular, have played a central role in the Diocese’s response to the clergy abuse crisis—perhaps *the* most central role, beyond senior religious officials like the Bishop and Vicar General who have ultimate say over the Diocese’s internal handling of clergy abuse matters. As further described below in the subsection about internal Diocesan investigations, it is the Director who receives and investigates complaints of abuse, conveys his findings to senior Diocesan decisionmakers, and is the principal contact when the Diocese has chosen to engage with local law enforcement. While the Director’s investigations have, at least as a formal matter, been subject to limited oversight by one or more of the Bishop’s advisory boards, the Diocesan records suggest that as a practical matter the Director has had near total freedom when it comes to investigating a particular complaint of abuse. This includes the Director’s decisions regarding whether and when to interview victims, accused priests, or other witnesses to alleged abuse; whether and how to administer polygraphs (Director McCarthy confirmed in a 2007 deposition that this decision was exclusively his to make); when *not* to investigate any further, where the Director has found that a complaint has not risen to a particular threshold of wrongdoing; as well as the Director’s findings on critical investigatory questions, such as the credibility of complainants.

Robert McCarthy served as the Diocese’s Compliance Director for 22 years until his retirement in 2015. He was succeeded by a 23-year law enforcement veteran and retired Rhode Island State Police Major, Kevin O’Brien who, among other things, oversaw the publication of the Diocese’s Credibly Accused List in 2019. In January 2026, another Rhode Island State Police veteran, Lt. Col. Robert A. Creamer, succeeded O’Brien as Compliance Director.

#### 4. Financial Assistance for Therapy on a “Nonprejudicial Basis”

Beyond laying the groundwork for the OEC, the Sensitive Issues Committee also presented to Bishop Gelineau several recommendations concerning the Diocese’s “pastoral response” to clergy abuse that likewise influenced how the Diocese handled abuse complaints going forward. One of the original subcommittee’s December 1992 recommendations to Bishop Gelineau was to establish a “Victim Assistance Ministry” that included “one or more pastorally trained individuals who would be available to the alleged victim, the alleged victim’s family and any other party who may need pastoral support[.]” Though it does not appear that the Diocese established anything resembling a “Victim Assistance Ministry” devoted to pastoral counseling until 2003, when it created as part of its implementation of the *Dallas Charter* and *Essential Norms* the Office of Outreach and Prevention (discussed further below), the Committee continued to study the topic of pastoral responses to abuse.

In April 1993, the Sensitive Issues Committee presented to Bishop Gelineau a second formal policy respecting clergy abuse, titled “Pastoral Response to Victims of Alleged Sexual Abuse.” The policy, which the Bishop approved, stated that where the Diocese received an allegation of sexual misconduct (as defined in the Diocese’s recently-enacted sexual misconduct policy), “victims will receive an offer of psychological counseling on a *nonprejudicial basis*,” meaning the offer would not limit a victim’s right to file a lawsuit. The policy further provided that “the Most Reverend Bishop, after such consultation as he desires, may discontinue funding for therapy. Such consultation will include advice from the victim’s therapist and also might include the services of third-party utilization review, in much the same manner as health care insurers now submit medical records to health care review specialists.” The policy appears to have been the formalization of a practice the Diocese was already engaged in, albeit in a limited number of cases, since the 1980s.

Bishop Gelineau soon publicly highlighted the Diocese’s provision of “nonprejudicial psychological counseling” as the hallmark of its reformed response to clergy abuse. Yet privately, this offer was often framed as a magnanimous “act of charity” or a “gift” on the part of the Diocese. As Father Bernard Lavin wrote to a victim of Father Leech in 1987, the offer was “not given because of any belief or fear that any official in the Diocese . . . is responsible for the conduct which you have described.” Sadly, this reflected the Diocese’s continued avoidance of not just institutional legal responsibility but also moral responsibility for the clergy sexual abuse crisis. **Framing payment for therapy as a “gift” or “charity” completely sidestepped acceptance of any responsibility, especially in cases where the Diocese was responsible for keeping an abuser priest in active ministry.**

Despite Bishop Gelineau’s public framing and the Diocese’s new formal policy regarding its “pastoral response,” in practice the Diocese’s offers of financial assistance for therapy still came with **several significant strings attached**. The Diocese conditioned its offers on victims agreeing, under the auspices of “third party review,” to disclose their confidential health information, not just to third party reviewers but also to the Diocese’s own employees. “A therapist’s notes, comments,

and other records reflecting treatment,” the Diocese’s lawyer, William T. Murphy, wrote, “must be available upon request for review by a third-party reviewer, to confirm the appropriateness of treatment and the existence of some linkage between the therapy provided and the alleged misconduct.” In practice, that information was disclosed in the first instance to Diocesan personnel—initially to Diocesan attorney Murphy, and later to Director McCarthy upon his hiring. In other words, not third parties at all. The medical release forms that the Diocese prepared and furnished to victims provided as much, and the records confirm that Murphy and McCarthy, as well as Bishop Gelineau and other senior Diocesan officials, received substantive information regarding victims’ diagnoses and treatments. Such requests for information were needlessly intrusive and intimidating, and, not surprisingly, mentioned nowhere in the Diocese’s many public statements regarding its “pastoral response.”

Given that the Diocese’s lawyer had access to this information—the same lawyer, in fact, who regularly defended the Diocese in civil litigation arising from claims of clergy abuse—the practice was not just personally invasive, but potentially legally intrusive. The medical releases afforded early, unfettered access to information regarding a potential plaintiff that was otherwise privileged, highly germane to that individual’s allegations, possible claims, and damages, and which the Diocese could otherwise only potentially obtain through civil discovery that would necessarily be limited (as compared to the Diocese’s requests, as part of this program, for complainants’ “complete medical records” or “entire psychiatric record”), and subject to strict court oversight due to the protections afforded to confidential health information. Since the work that a lawyer does in anticipation of litigation is privileged, however, and was therefore not included in the records the Diocese voluntarily produced to this Office, it was impossible for us to determine in this Investigation whether confidential health information ostensibly obtained for “third party review” was in fact utilized for other such purposes by the Diocese, including to assess its litigation risk and potential liability. Not surprisingly, the possibility that the Diocese’s lawyers could access and use information contained in therapy records in a manner that might prejudice a future case was yet another incentive for victims to reject the Diocese’s “nonprejudicial” offer, as those represented by counsel often did.

In June 1994, soon after his hiring, Director McCarthy circulated a memorandum to Bishop Gelineau, attorney Murphy, and others in Diocesan leadership, identifying what he deemed “deficiencies” in the “mental health component” of the Diocese’s response to sexual misconduct complaints. By this time, McCarthy had become involved in helping to administer this part of the Diocesan response, alongside attorney Murphy. Director McCarthy raised several concerns that were almost entirely focused on the Diocese’s own financial interests, instead of the interests of victims and the need to assist their healing from the trauma of sexual abuse by Diocesan priests: he pointed to a lack of guidelines for determining who is a “qualified provider . . . to perform the needed services at a competitive rate that assures quality care at the lowest possible price”; the absence of clinical review of victims’ treatment records by “qualified persons acting on behalf of the Diocese” to evaluate the “appropriateness, effectiveness, and necessary duration” of treatment, without which “we will hemorrhage forever as a third party payer [sic]”; and his

“serious questions regarding the accuracy of some of the diagnosis [sic] and need for continued psychotherapy based on some of the incidents as reported to this office.” McCarthy therefore proposed “halt[ing] all payments to all clients until we first evaluate our current methods . . . and then proceed with caution in establishing a comprehensive review with qualified mental health professionals doing a forensic overview of each and every case we are currently paying for.”

That same month (June 1994), the Tuesday Group (as discussed below, a group of Diocesan insiders who gathered weekly to discuss responses to clergy abuse) heard a presentation by a psychologist to “discuss the utilization review process examining psychotherapy treatment to ensure that it is appropriate and cost effective.” Seemingly in response to this presentation, and McCarthy’s insistence on such controls to protect the Diocese’s finances, the Diocese engaged at least one third-party professional: a board-certified psychiatrist affiliated with Brown University and Rhode Island Hospital, to review complainants’ counseling and therapy records. Though it may have been reasonable for the Diocese to attempt to impose *some* reasonable controls to ensure it paid for therapy only in appropriate circumstances, the Diocesan records establish that this process, too, was needlessly invasive of victims’ privacy. Dr. Ann Hagan Webb, who reported to the Diocese that she was abused by Monsignor Anthony DeAngelis between 1957 and 1964, was told by attorney Murphy that if she was “willing to provide her entire psychiatric record, including not only reports but contemporaneous notes taken by all therapists, there is a possibility that there will be some assistance.” Dr. Webb told this Office that she felt she had no option but to “give them what they requested in order to receive help.” Diocesan records show that the Diocese’s expert, upon review of Dr. Webb’s files, questioned her treatment by the licensed therapist and the ultimate veracity of her claims, and shared those views with the Diocese’s lawyer.

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In addition to requiring victims to permit the Diocese to effectively “listen in” on their therapy as a condition of receiving the Diocese’s financial assistance, it

appears the Diocese also sought to control victims' choice of therapists. The Diocese's 1993 pastoral response policy stated that "psychological counseling is ordinarily available from properly degreed therapists, who are State licensed/certified including those of the staffs of Diocesan institutions, such as Catholic Social Services." In fact, the Diocese maintained a list of "approved therapists" that it provided to victims as part of its offers of therapy, and while victims were not required to select a therapist from this list, the Diocesan records show that several did. The Diocese's use of this list apparently began around April 1995, when Monsignor George Frappier faxed to Director McCarthy "the approved list of therapists we use for Clergy of the Diocese of Providence. I promised to send you a copy for your files and usage, when you want to suggest names to alleged victims for non-prejudicial counseling, according to Diocesan policy." Troublingly, this list included at least three providers who, Diocesan records confirm, treated priests accused of sexually abusing minors. One had even characterized a priest's accuser as a "profit seeking sociopath" in a letter to Bishop Gelineau in 1992 (though that priest was later included on the Diocese's Credibly Accused List). Another provider on the list was Father Normand Godin, who was not only a psychotherapist, but also the Diocese's Minister for Priests, responsible for providing spiritual support and advocacy to priests accused of sexual misconduct. At best, the Diocese's compilation and use of this "approved" therapist list constituted poor judgment; at worst, it was a calculated attempt to direct victims to trusted providers who would be skeptical, if not conflicted, when it came to victims' accounts. The Diocese continued providing the list to complainants at least into the early 2000s.

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Today, the Diocese continues to offer victims "non-prejudicial psychological counseling" through its Office of Outreach and Prevention. Dr. Webb described a far more positive experience around 2004 receiving assistance from the Office of Outreach and Prevention, explaining that the Diocese agreed to pay for her therapy outright and she was required to submit only minimal treatment updates and bills for payment.<sup>183</sup> In response to written inquiries from this Office, the Diocese reported that

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<sup>183</sup> The original Child Protection and Outreach Policy promulgated by the Diocese in January 2004 in response to the *Dallas Charter* and *Essential Norms* contained detailed provisions regarding its provision of "counseling assistance," specifically for individuals without health insurance. Those stated that the Diocese would authorize payment for up to twenty-five sessions of individual psychotherapy with a licensed clinician. After six months of weekly

it has spent approximately \$3 million on counseling for complainants—\$700,000 from 1980 to 2001, and another \$2.3 million, for approximately 112 complainants, from 2002 to 2019—though it is uncertain how much of that money was spent on “non-prejudicial psychological counseling” as opposed to therapy that the Diocese offered and paid for in an effort to resolve time-barred claims that had been asserted against it. **And because the Diocese refused to make officials available for interviews by this Office, it also remains unclear whether victims are still required to release treatment records to the Diocese and/or third parties, and whether the Diocese still provides victims with a list of Diocese-approved therapists.**

## 5. The “Tuesday Group” & the “Consistory”

In addition to drafting a new pastoral response policy and opening the door for the creation of the Office of Education and Compliance, the Sensitive Issues Committee also recommended to Bishop Gelineau that the Diocese appoint an **“Advisory Review Committee”** consisting of religious *and* lay professionals “to advise the Bishop” in responding to abuse complaints against Diocesan priests.” This led to the establishment of two groups: **the Consistory**, which included laypersons (and so reflected the spirit of the Committee’s recommendation), but met only a handful of times and so had virtually no lasting impact; and the **Tuesday Group**, an “inner circle” of solely Diocesan personnel who met weekly in attorney Murphy’s office and had more significant involvement in the Diocesan response during the 1990s.

In principle, the Consistory was a noteworthy step: the Sensitive Issues Committee’s recommendation was, to this Office’s knowledge (based on the Diocesan records in our possession), the very first documented expression within the Diocese of a need for greater independent and layperson input into the Diocese’s response to clergy abuse. And somewhat remarkably, the recommendation came a decade before the Church officially mandated, through the 2002 *Dallas Charter and Essential Norms*, that every diocese in the United States establish a majority-lay advisory board to assist bishops in addressing clergy abuse—meaning, in this respect, that the Diocese of Providence had positioned itself to be an early mover on a

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therapy (twenty-five sessions), if additional sessions are requested, a written clinical treatment report from the treating clinician will be required to authorize a continuation of therapy with additional financial assistance from the Office of Human Formation and Outreach. Three months of an individual’s involvement in marital therapy (twelve sessions) may also be authorized in accordance with the above criteria. Requests for financial assistance for weekly sessions of individual therapy beyond twelve months or marital therapy beyond six months will be reviewed by a Clinical Advisory Panel comprised of licensed mental health professionals not in the employ of the Diocese. The Clinical Advisory Panel will advise the Coordinator of the Office of Human Formation and Outreach as to the clinical basis for a continuation of therapy with additional financial assistance. Around March 2010, according to the Diocesan records, the Review Board struck these provisions in their entirety and replaced them with the following: “Any support offered by the Office of Outreach and Prevention is pastoral in nature and not an expression of guilt or liability on the part of anyone. The Office of Outreach and Prevention may, at its discretion, review, revise, limit or withdraw any assistance it provides under this policy.”

significant, meaningful reform. Bishop Gelineau appeared to accept the Committee's innovative recommendation: in August 1994, he declared, as yet another milestone of the Diocese's reformed response to clergy abuse, that he had "established an on-call advisory group of independent experts from various related disciplines (psychiatry, judicial, law enforcement, treatment, etc.) to review the handling of problems and responses." In a later deposition, Director McCarthy similarly testified that the Consistory offered "expertise that could look at the cases and based on their training and experience see if I missed anything, 'cause I welcome people to take a look at my work, and somebody that I believe that was competent to do that from different disciplines."

The Consistory had the first of its only two documented meetings in September 1994. Among the non-Diocesan members in the group were a physician, a psychiatrist, and a former judge, in addition to several non-Diocesan priests, as well as Diocesan attorney Murphy, Director McCarthy, and Father Normand Godin (the Diocese of Providence's Minister of Priests).<sup>184</sup> In advance of the meeting, Director McCarthy circulated to members a "review packet" summarizing five separate OEC cases, which, McCarthy wrote, he and Bishop Gelineau had determined "would be appropriate for [the Consistory's] review and comments based on your experience, training and common sense." At the end of each case summary were specific questions or issues that Bishop Gelineau expressly sought the Consistory's advice on: one asked what the Diocese's stance should be with respect to Fr. Abruzzese's "priestly ministry" in the event he "pled *nolo contendere* to [the] charges" he faced, alleging that he sexually assaulted a 16-year-old boy; another asked, in connection with Dr. Ann Hagan Webb's recently-received complaint against Monsignor Anthony DeAngelis, "[s]hould an investigation be undertaken on allegations made against a member of the clergy or anyone who is deceased," and "what are the moral, legal and financial obligations of the Diocese if any?" Formal minutes were kept of the Consistory's five-hour meeting on these issues, reflecting members' individual and collective responses to each of Bishop Gelineau's questions.

Despite its apparent significance, the Consistory did not meet again until over a year later, in November 1995. Ahead of that meeting, Director McCarthy again circulated a "review packet" with information and questions regarding each topic on which Bishop Gelineau sought the Consistory's advice. These included several cases relating to Father Peter Scagnelli (another priest whom the Diocese ultimately concluded was credibly accused), and "issues relating to the spiritual, financial, administrative, and legal matters of those members of the clergy who are on administrative leave because of allegations of sexual misconduct." It does not appear that the Consistory kept formal minutes of this meeting, though Director McCarthy relayed some of its deliberations in confidential memos to Bishops Gelineau and Mulvee: one described the group's views on "issues related to administrative leave for clergy accused of sexual misconduct," while another reflected the Consistory's response to Bishop Gelineau's request that the group also consider a transfer request

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<sup>184</sup> One of the non-Diocesan priests on the Consistory, Father Edward J. Byington, would later be identified by the Diocese of Fall River as "credibly accused" of child sexual abuse.

by Father Armand Ventre, whose misconduct was by that time well known. McCarthy reported that the Consistory unanimously denied this request on the ground that Ventre “was an extreme risk and public relations nightmare,” with one member noting that “the Church has a duty to protect itself and those it serves.” While denying the transfer request, Bishop Gelineau nonetheless permitted Ventre to remain in active ministry at Saint Joseph Hospital for several more years.

The only other indication in the Diocesan records of any subsequent gathering of the Consistory is a reference in an agenda line item from a March 1998 meeting of the Tuesday Group pointing to a planned meeting of the Consistory and the Bishop later that month, to discuss a particular OEC case concerning a physical assault of a Diocesan priest (apparently unrelated to any allegation of child sexual abuse). The Diocese produced no other records substantiating that such a meeting actually took place or what that discussion entailed. This appears to have marked the end of a promising but short-lived and barely-utilized reform, which the Diocese did not pursue further until Bishop Mulvee announced his creation of the majority-layperson Review Board in 2002, in response to the *Dallas Charter*.

The far more active group that *did* apparently steer the Diocese’s response to clergy abuse during this period was the “Tuesday Group,” which lacked the independence and the lay perspective of the Consistory, and most of its formality. As Director McCarthy testified in a 2007 deposition, “the Tuesday group, also known as the conclave, was designed specifically to eliminate phone tag and deal with the people internally within the diocese that could offer input regarding any of the[] cases” of alleged clergy sexual abuse that McCarthy was then investigating. This “inner circle” of senior Diocesan leaders met weekly at attorney Murphy’s office (typically on Tuesdays) to discuss individual OEC cases as well as broader topics relating to the Diocese’s clergy abuse response. Its members, in addition to Director McCarthy and attorney Murphy, were Monsignor George Frappier (Vicar for Social Ministry), Father Normand Godin (Minister for Priests), William Halpin (Communications Director), and eventually Monsignor Paul Theroux (Moderator of the Curia). Meeting agendas indicate that the Tuesday Group operated from approximately May 1994 until at least January 2001. Though Bishop Gelineau attended at least a few Tuesday Group meetings, and was copied on some of the meeting’s agendas, it does not appear that the Tuesday Group kept formal minutes or even recorded the substance of its deliberations, nor did it formally report those discussions or any group recommendations to Bishop Gelineau. However, it is possible that in response to this Investigation, the Diocese designated such records as attorney work product or privileged attorney client communications and did not produce them to us. **Yet given the seniority of the group’s members, the frequency with which they met, and the topics they addressed as indicated on Tuesday Group agendas, the group appears to have been a significant, informal component of the Diocese’s decision making regarding its responses to clergy abuse during the 1990s.**

## **B. The Dallas Charter, Essential Norms, & Post-2002 Reforms**

In June 2002, the United States Conference of Catholic Bishops (USCCB) met in Dallas, Texas, to discuss the need for a coordinated, national response to the clergy abuse crisis. Until then, the Church had been responding to complaints of clergy abuse on a diocese-by-diocese basis, resulting in disparate responses to still-mounting claims. The immediate catalyst for the Dallas meeting was the extraordinary national backlash prompted by the *Boston Globe* Spotlight team's reporting regarding clergy abuse and its coverup in the Archdiocese of Boston—though many Rhode Islanders were already well acquainted by this time with our own local version of the same scandal, occurring just 50 miles south.

At the June 2002 meeting in Dallas, the USCCB adopted a formal policy statement called the **“Charter for the Protection of Children and Young People,”** now commonly referred to as the **Dallas Charter**, which outlined a series of new steps that bishops in every American diocese committed to take as part of the Church's reformed, coordinated response to clergy abuse. Central among the *Dallas Charter's* provisions were strengthened mechanisms for responding to and reporting abuse complaints, a commitment to permanently removing priests for even a single substantiated act of abuse, and the establishment of a majority-lay review board to assist bishops in their response. Since the *Charter* was technically a non-binding expression of policy, the USCCB met again in November 2002 in order to convert the principles into binding requirements for each diocese, which it accomplished through the **Essential Norms**. The *Norms* were formally adopted at the November 2002 meeting, and subsequently recognized by the Vatican in December, establishing them as binding canon law on all American dioceses and archdioceses.

### **Central among the Dallas Charter's provisions were**

***strengthened mechanisms for responding to and reporting abuse complaints,***

***a commitment to permanently removing priests for even a single substantiated act of abuse,***

***and the establishment of a majority-lay review board to assist bishops in their response.***

The impact of the *Dallas Charter* was felt in Rhode Island just a month after its adoption, when Judge Robert D. Krause of the Rhode Island Superior Court cited its provisions regarding the need for greater transparency as a further grounds for

ordering the Diocese to open its confidential records.<sup>185</sup> **This, in turn, led to the historic settlement of dozens of abuse cases against the Diocese later that year.** Meeting minutes from a subsequent September 2002 gathering of the Diocese’s “Council of Priests” (consisting of Bishop Mulvee, Monsignors McCaffrey, Newbold, Theroux, and Varsanyi, and other priests) reflect the rather absurd critique of Judge Krause’s decision, that “Judge Krause neglected to take into account the fact that the canonical norms are still awaiting the *recognition* of the Holy See before formal application in the United States.” Such a statement demonstrates that, even in 2002, change—no matter how necessary—was not met with overwhelming enthusiasm in the hierarchy of the Diocese of Providence.

**As enacted, the original 13 Essential Norms decreed an updated framework that mandated how the Diocese of Providence and all other dioceses must respond to clergy abuse.** The *Essential Norms* required (and still require), among other things, that each diocese (1) “have a written policy on the sexual abuse of minors” (*Norm 2*); (2) “designate a competent person to coordinate assistance for the immediate pastoral care of persons who claim to have been sexually abused” (*Norm 3*); (3) “have a review board” consisting of a majority of laypersons to “function as a confidential consultative body to the bishop” (*Norms 4 & 5*); and (4) follow particular protocols when receiving and responding to “an allegation of sexual abuse of a minor by a priest or deacon,” including a duty to investigate the complaint, a duty to notify the Vatican “where there is sufficient evidence” that the abuse occurred, and a “zero tolerance” standard requiring the permanent removal of a priest where “even a single act of sexual abuse” has been “admitted or is established after an appropriate process in accord with canon law,” which may include the priest’s “dismissal from the clerical state, if the case so warrants” (*Norms 6-8*). The *Essential Norms* define a minor as a person “below the age of eighteen years” or a person “who habitually lacks the use of reason.”

The *Essential Norms* also adopted a broad definition of “sexual abuse” that, unlike the Diocese’s earlier sexual misconduct policies, **does not require any physical touching of a victim:**

Sexual abuse of a minor includes sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification. Sexual abuse has been defined by different civil authorities in various ways, and these norms do not adopt any particular definition provided in civil law. Rather, the transgressions in question relate to obligations arising from divine commands regarding human sexual interaction as conveyed to us by the sixth commandment of the Decalogue. Thus, the norm to be considered in assessing an allegation of sexual abuse of a minor is whether conduct or interaction with a minor qualifies as an external, objectively grave violation of the sixth Commandment . . . . A canonical

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<sup>185</sup> See Memorandum and Order Compelling Discovery, *White v. Gelineau*, No. PC-1993-0089 (R.I. Super. Ct. July 1, 2002).

offence against the sixth commandment of the Decalogue need not be a complete act of intercourse. **Nor, to be objectively grave, does an act need to involve force, physical contact, or a discernible harmful outcome.**<sup>186</sup>

## 1. The Diocesan Review Board

Evidently moved by the spirit of reform outlined in the *Dallas Charter*, and even before the *Essential Norms* took binding effect later that year (such that American dioceses were required to establish majority-lay review boards), Bishop Mulvee in September 2002 announced the **“Diocesan Advisory Board for the Protection of Children and Young People.”** This Board functions to this day “as a confidential consultative body to the Bishop advising him in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry.” Reflecting the mandates of the *Dallas Charter* and the *Essential Norms*, the Board consists of a majority of laypersons not employed by the Diocese. **As of the time of this Report, its current members are:**

- Major Michael Quinn (retired RI State Police Major);
- Father John Unsworth (Pastor Emeritus, St. Bernard Church, Wickford);
- Karen Pinch (Town Manager, Town of Richmond and retired Lt. Col. of the RI State Police);
- Bishop Jeffrey A. Williams, D.MIN. (Pastor, The Kings Cathedral, Cranston);
- The Honorable Stephen Isherwood (Associate Judge in Rhode Island District Court);
- Lt. Col. Kevin Barry (retired Lt. Col. of the State Police);
- Dr. Sherrie Sharp (Board-certified child psychiatrist); and
- Father Michael J. Najim (Vicar for Priests/Pastor, St. Philip Church, Greenville, RI)

Review Board members are appointed by the Bishop to five-year terms, but may serve successive terms seemingly without limit. Major Michael Quinn (ret.) has served on the Board since 2005, and Father John Unsworth has served on the Board since 2012. Former Attorney General Dennis J. Roberts II served on the Review Board from its inception until he passed away in 2021 (and prior to serving as the Board’s longtime chair, Mr. Roberts also assisted Bishop Mulvee in selecting the Board’s original members in July 2002). The Diocese represents that “others who attend

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<sup>186</sup> Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons, Preamble (U.S. Conf. of Catholic Bishops 2002) (promulgated June 14, 2002; recognition granted Dec. 8, 2002). Sexual abuse also includes “the acquisition, possession, or distribution by a cleric of pornographic images of minors . . . for the purposes of sexual gratification by whatever means or using whatever technology.” It appears based on revisions to the *Dallas Charter* that until 2011, child pornography was defined as “pornographic images of minors under the age of fourteen.” In 2011, it appears that definition was broadened to include the “federal legal age for defining child pornography, which includes pornographic images of minors under the age of eighteen[.]” See U.S. Conf. of Catholic Bishops, *Charter for the Protection of Children and Young People* at 17 n.1 (2018 rev.)

regularly” include the Bishop, the Director of Compliance, the Director of the Office of Outreach & Prevention, and the Diocese’s outside counsel.

Disturbingly, among the Review Board’s early members was Father Francis Santilli, who served on the Board from 2009 until 2012, when the Diocese received the first documented complaint of child sexual abuse against him. Though the Diocese received several additional abuse complaints against Father Santilli in 2014 and 2021, it did not remove him from active ministry and add him to the List of Credibly Accused Clergy until 2022. Only the Diocese can explain why this plainly necessary action took so long.

These facts only further demonstrate just how systemically infected the Diocese of Providence was by clergy abuse, and clergy abusers, even into the 2000s: a priest ultimately identified by the Church as a “credibly accused” child sexual abuser served on *each* of the three main advisory bodies established by the Bishop to help the Diocese of Providence eliminate clergy abuse—first, Father Robert McIntyre on the Sensitive Issues Committee, then Father Edward Byington on the Consistory, and finally Father Santilli on the Diocesan Review Board.

The Review Board’s mandate, as expressed in the Diocese’s Child Protection and Outreach Policy, is to:

- Review diocesan policies and procedures and recommend ways in which they can be strengthened, improved or modified;
- Evaluate the implementation of the policies throughout the diocese and its ministries in order to deal consistently and fairly with both victims and those who are accused;
- Assist in developing appropriate mechanisms to ensure compliance with the policies;
- Assess the effectiveness of victim assistance efforts by the Diocese and make recommendations for improvement;
- Review and advise on standards of conduct for those in positions of trust and on education, training and outreach programs for clergy, staff, educators and others, as well as safe environment programs for children and young people.

Accordingly, the Review Board’s stated mandate is broad. Given its apparent significance to the Diocese’s present-day responses to clergy abuse, this Office requested the Review Board’s meeting materials. In response, the Diocese produced a limited set of meeting agendas and related records, but represented that the Diocese has never kept official minutes or notes from Review Board meetings. So limited, and given the Diocese’s refusal to make officials available for interviews, it is difficult for this Office to meaningfully evaluate and describe how the Review Board functions, what its deliberations actually consist of, what advice the Review Board provides to the Bishop, and the efficacy of that advice and whether the Bishop adheres to it. And no matter how impressive the resumes of the Review Board’s members may, in some instances, be, we simply cannot say whether the Review Board’s import is real or illusory, or something in between.

Still, the limited Review Board records that the Diocese *does* maintain and produced to this Office allow for some insights. The Review Board met for the first time in August 2002. A memorandum from Monsignor Theroux to Bishop Mulvee a day before that meeting indicates that members had already been provided copies of the Diocese’s sexual misconduct policies and the *Dallas Charter*. Monsignor Theroux suggested to Bishop Mulvee that the Board’s “initial tasks” should include “review[ing] our present policy and procedures and make recommendations for changes and clarifications in light of the Bishops’ Charter,” and to that end “meet with Bob McCarthy and probably also Fr. Norm Godin”; evaluating “the recommendation in the Charter that there be a pastoral outreach person to deal with victims. We have never actually had a designated person or office to do this”<sup>187</sup>; and developing “standards for ministerial behavior for clergy and other church personnel.” A document provided with Review Board agendas containing a “schedule and summary of meetings” from August 2002 through May 2003 indicates that the Board also discussed at its first meeting “general parameters and record-keeping. The Board agree[d] not to have minutes of meetings.” The rationale behind this decision is not stated here or elsewhere, but in the view of this Office, as will be discussed later, the absence of minutes is problematic and should be remedied moving forward. Likewise, according to another memo from Monsignor Theroux to the Board’s members in advance of the next meeting in September 2002, the Board planned to further discuss “the wording of the confidentiality agreement proposed by the Board.”

According to Review Board agendas, the Board met monthly through the fall and spring of 2002 to 2003, discussing such varied topics as potential revisions to Diocesan policies; recent discussions between the Diocese and the Office of the Attorney General regarding the identities of priests accused of abuse; the early 2003 hiring of Dr. Michael Hansen as the Diocese’s new Coordinator of Human Formation and Outreach; and a “discussion of policies regarding providing financial assistance for therapy of victims.” Around this time, the Board began its longstanding practice of receiving regular updates from Director McCarthy about particular OEC cases and investigations. It also began more frequently discussing a topic of particular significance at that point, settlements of civil claims of abuse. Again, the substance of these discussions is not known to us.

Records from this period, and related correspondence between lawyers for the Diocese and plaintiffs’ counsel, show that the Review Board was specifically and substantially involved in late 2002 and early 2003 in questions concerning what, if any, financial compensation the Diocese owed to abuse victims whose claims fell beyond the civil statute of limitations. According to one letter from Diocesan counsel to a plaintiff’s attorney, the Review Board assisted in developing what became known as the “high-low arbitration” program—discussed in further detail in the below subsection on the Diocese’s compensation programs of the early 2000s—under which plaintiffs could agree to submit their claims to binding arbitration for an award

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<sup>187</sup> Bishop Gelineau had nonetheless claimed in August 1994 that the Diocese had already “established a pastoral response program for alleged victims, to include nonprejudicial psychological counseling and assignment of an appropriate spiritual counselor.”

amount between \$10,000 and \$50,000. It appears from other correspondence around this time that the Review Board in fact set those amount limits, and specifically considered and rejected multiple requests by plaintiffs' lawyers to set a higher award ceiling, including one request that a plaintiffs' lawyer presented in person at a Review Board meeting in early 2004. That presentation apparently came about as a result of the lawyer's request to meet with Bishop Mulvee himself to discuss outstanding claims; in response, Diocesan attorney Murphy explained in a letter that "[t]he Most Reverend Bishop believes that in accord with the policy recommendations of the Dallas Conference he should consult with his advisory board on any proposed modification to its currently recommended plan . . . . The Most Reverend Bishop believes that before there is any private meeting . . . you should have the opportunity to put your views before the entire advisory board."

The limited records produced by the Diocese suggest that the Review Board remained at least somewhat involved in the topic of settlements for several more years: a "settlement subcommittee" of the Review Board existed at least until late 2006; in 2007, the Board was consulted as part of the decision to end the "high-low arbitration" program; and in late 2008, the Board apparently continued to receive certain "settlement request updates" regarding specific complaints. One such complaint concerned Father Brendan Smyth's sexual abuse of an elementary school student at Our Lady of Mercy in East Greenwich during the 1960s. Though a summary of the complaint apparently prepared for the Review Board deemed it a "credible story," a subsequent letter from the Diocese's lawyer to the victim's representative stated that "[a]fter consideration of all the circumstances, the Board recommended to the Bishop that it would not be appropriate to authorize payment of a liability-based compensation settlement," and instead offered limited assistance to pay for counseling expenses.

Regarding its involvement in the Diocese's internal handling of individual complaints of clergy abuse, Review Board agendas show that from its inception, the Board has regularly received updates from the Director of the Office of Education and Compliance (now the Office of Compliance) about specific cases, involving both historical and newly-raised allegations. Director of Compliance Kevin O'Brien, who succeeded Robert McCarthy in 2015, offered the following brief glimpse into contemporary Review Board meetings in a 2022 email to the family member of one victim: "At the board meeting I typically present my findings to members who may then ask questions, engage in discussion, and provide guidance and advisement to the Bishop who ultimately determines whether there is enough credibility to apply measures and/or penalties as applicable under canon law (i.e., if a priest has his faculties removed, etc.)." A small number of recent OEC case files similarly reflect that the Review Board rendered credibility determinations in those cases. **But in the absence of any record memorializing the Review Board's deliberations (i.e., minutes), it is impossible to know the basis for the Review Board's decisions in such cases, specifically including what standard it may have applied when determining the credibility of allegations.**

Agendas and other materials also point to the Board's involvement in broader issues concerning the Diocese's response to clergy abuse and its handling of accused

priests. In late 2013, several meetings focused on the topics of housing and monitoring for priests accused of sexual misconduct, and the Board's records likewise included a 2015 draft of "funeral guidelines for priests permanently removed from ministry." By early 2018, the Review Board had begun to discuss a "draft of clergy list," presumably in reference to the List of Credibly Accused Clergy that the Diocese published the following year. A document prepared for a Review Board meeting in April 2019 likewise listed 15 accused priests (only one of whom was still alive at the time – and several that the Diocese included on its Credibly Accused List that it published three months later), noting for each the dates of alleged abuse and whether the Diocese had any "law enforcement notification on file."

## **2. The Diocesan Child Protection and Outreach Policy**

In response to the *Dallas Charter*, and the *Essential Norms'* requirement that each diocese have a "written policy on the sexual abuse of minors," Bishop Mulvey in January 2004 promulgated the first version of the Diocese's Child Protection and Outreach Policy. The policy's statement of purpose expressly states that it is intended to implement the provisions of the *Charter* and the *Norms*. It supplanted the Diocese's previous sexual misconduct policy that had been in effect since 1990.

Among the Child Protection Policy's noteworthy provisions are an expanded definition of sexual abuse (no longer limited, as its previous sexual misconduct policies were, to the physical touching of "private parts")<sup>188</sup>; a code of ethical conduct applicable to all Diocesan clergy, staff, and volunteers who work with minors; mandatory education and training regarding the prevention, identification, and reporting of child sexual abuse; and required background screenings for Diocesan staff and volunteers.

The Child Protection Policy also contains expanded provisions regarding the internal reporting and responding to complaints of sexual misconduct and abuse. The Policy requires the investigation of those complaints by the Office of Compliance. Specifically for complaints of "sexual abuse of a minor by a priest or deacon," the Policy provides that where the Director of Compliance's preliminary investigation "so indicates," the Bishop must relieve the priest of his ministerial duties and refer the complaint to the Vatican for further canonical proceedings; at that stage, the Bishop may also direct the priest to undergo "appropriate medical and/or psychological evaluation[.]" The Policy also formalizes the role and mandate of the Review Board, and states that, "in determining an appropriate response" to clergy abuse complaints, the Bishop "will confer with the [Review Board]." Significantly, while the Policy references the "zero tolerance" standard of the *Charter* and *Norms*, it rests final decision-making authority regarding the ultimate outcome of any clergy abuse

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<sup>188</sup> The policy defines "sexual abuse" as "any act of vaginal, anal or oral intercourse, vaginal or anal penetrations, or any other forms of inappropriate touching, exhibitionism for sexual gratification, or acts of sexual exploitation performed by an adult with a child." It also includes within its description of "types of abuse" the "acquisition, possession and distribution of pornographic images of children."

complaint (i.e., the execution of that standard) with Rome: “[w]hen sexual abuse of a minor is admitted or established following an appropriate process in accord with canon law, even for a single act of sexual abuse committed recently or in the distant past, the offending priest or deacon will be permanently removed from ministry, not excluding dismissal from the clerical state, if the case so warrants.”

Finally, though the Child Protection Policy contains several provisions referencing referrals of abuse complaints to civil authorities—one standalone section concerning “civil reporting requirements,” and another subsection regarding “cooperation with civil authorities”—the substance of those provisions goes no further than the earliest sexual misconduct policy from 1990. Still, only those complaints that qualify as reportable abuse or neglect under Rhode Island’s mandatory reporting law trigger the Policy’s civil reporting and law enforcement cooperation provisions (though the Child Protection Policy does also provide that the Diocese “will advise [victims] of their right to make a report to civil authorities”). And as noted in previous chapters, the Child Protection Policy’s provision about law enforcement cooperation repeats, nearly verbatim, the same problematic qualification that appeared in the original 1990 policy: the Diocese will “cooperate with law enforcement and governmental authorities and [] complete necessary reporting, as required by law, **provided that the cooperation does not require violation of legal rights of other persons, including rights of privacy and confidentiality based upon the seal of the Sacrament of Reconciliation and pursuant to the notion of Internal Forum.**”



***Among the Child Protection Policy’s noteworthy provisions are an expanded definition of sexual abuse (no longer limited, as its previous sexual misconduct policies were, to the physical touching of “private parts”); a code of ethical conduct applicable to all Diocesan clergy, staff, and volunteers who work with minors; mandatory education and training regarding the prevention, identification, and reporting of child sexual abuse; and required background screenings for Diocesan staff and volunteers.***

The current Diocesan Child Protection and Outreach Policy may be found on the Diocese of Providence website. Though the Policy is, in many respects, robust and comprehensive, as discussed here and in Chapter 9, there remains room for improvement and clarification. And, as with any other organization, the value of a policy can only be assessed through an organization’s adherence to it — an issue we raise in the following chapters.

### 3. The Office of Outreach and Prevention

Originally called the Office of Human Formation and Victim Outreach, the Office of Outreach and Prevention (“OOP”) was established in 2003, following the mandates of the *Dallas Charter*. According to the Diocese, Bishop Mulvee established the OOP “in order to promote healing and reconciliation by offering compassionate and timely pastoral care to those who report abuse, their immediate families and to those of the affected faith community.” The Child Protection Policy also contains expanded provisions governing the Diocese’s pastoral response to clergy abuse that reference the role of OOP. The OOP coordinates pastoral care to survivors of sexual abuse and coordinates payment or reimbursement of costs for psychological counseling for victims of sexual abuse perpetrated by Diocesan personnel.

As of the date of this Report, the Director of the OOP is Dr. Michael Hansen, Ph.D., who also serves as Victim Assistance Coordinator for the Diocese. Dr. Hansen has been a practicing psychologist in Rhode Island for over 25 years, with many years of clinical experience in counseling abuse victims. Dr. Hansen was named Director of the OOP upon its inception in 2003.<sup>189</sup> His responsibilities include coordinating Safe Environment Training for clergy, employees, and volunteers who have regular contact with children and young people. In his other role as Victim Assistance Coordinator, Dr. Hansen is responsible for ensuring that victims of child sexual abuse receive support, referrals, and reimbursement for counseling. **We have received nothing but positive feedback regarding Dr. Hansen’s work with survivors.**

### 4. Training to Detect and Prevent Clergy Abuse

The Diocese represents both in its policies and on its website that all Diocesan clergy, staff, and volunteers who have regular contact with children through Diocesan schools or youth programs are required to undergo periodic training focusing on the prevention, identification, and reporting of child abuse, including child sexual abuse. The Diocese implemented its current training program, “Safe Environment Training,” around 2004, in direct response to the *Dallas Charter’s* commitment that every diocese maintain “programs to create a safe environment for children and young people.” Though originally an annual requirement, the Diocese now requires its personnel to complete this training within their first year of service and then every three years.

It appears that this Safe Environment Training consists only of a brief slide presentation available on the Diocese’s website (or a 15-minute video of those slides with audio),<sup>190</sup> containing bullet points about certain symptoms that a child who is being abused might exhibit; reviewing reporting obligations under Rhode Island’s mandatory reporting law and the Diocese’s policies; and two slides with bullet points

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<sup>189</sup> Paula Loud, a retired detective lieutenant with the Massachusetts State Police, took over for a period of time starting in 2007, but Dr. Hansen resumed the role in 2014.

<sup>190</sup> Diocese of Providence, *Safe Environment Training*, <https://dioceseofprovidence.org/safe-environment-training-powerpoints>.

on “indicators of possible predatory behavior in adults,” including “violations of privacy,” with the example being “contact for no apparent reason using texting, Facebook My space and other social networking, etc.” It is not clear from either the presentation itself or other Diocesan records produced to this Office when, if ever, the Diocese has updated this training.

Under the Child Protection and Outreach Policy, the Diocese delegates virtually all responsibility for overseeing Safe Environment Training to local parishes and schools, including decisions about how this information is conveyed to employees and volunteers (i.e., online or in person, and whether it is delivered as a standalone set of slides or as part of a more engaging in-person presentation), as well as maintaining attendance records to ensure Diocesan personnel are actually completing the training.<sup>191</sup> As such, it was difficult to gauge during this Investigation (which focused on Diocesan leadership) whether or not, in practice, Safe Environment Training is, as the presentation seems to indicate, mostly a perfunctory “check of the box” that Diocesan priests and others can complete (if at all) wherever and whenever they wish. Even then, we found virtually no indication in the Diocesan records produced to this Office of any efforts taken by the Office of Compliance or Diocesan leadership to audit local records to ensure that these trainings are actually being delivered in parishes and schools in a timely and effective way, or that Diocesan personnel who work within the hierarchy and *not* at the local level are likewise receiving Safe Environment Training.

The Diocese further represents that it provides an annual boundaries training called “Circle of Grace,” first implemented around 2010, to children in Diocesan schools and youth programs. Again, however, Diocesan policy delegates this training to local schools and parishes, and we likewise found no indication in the Diocesan records of any efforts by leadership to ensure the timely and effective delivery of such youth trainings.

## **5. Compensation Programs of the Early 2000s**

In 2002, after nearly a decade of litigation, the Diocese settled civil abuse claims brought by 36 complainants for approximately \$13.5 million. After the settlement, some victims whose claims fell beyond the statute of limitations (and therefore were not legally entitled to participate in that settlement) continued to press the Diocese for just compensation, and so Bishop Mulvee, in consultation with the Review Board, enacted time-limited compensation programs for those claims—specifically the Diocese’s “high-low arbitration program” and “compensation grant program.” Under these programs, complainants could either receive a flat award of \$25,000, or submit

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<sup>191</sup> The current policy states, in pertinent part: “Pastors, principals and agency administrators will ensure that all appropriate personnel receive essential information and training as outlined and will maintain a record of training completion. Copies of attendance records and number of training sessions will be maintained at the local school or parish level.” Diocese of Providence, *Diocesan Child Protection and Outreach Policy*, Section 3.4, <https://dioceseofprovidence.org/diocesan-child-protection-and-outreach-policy>.

their claims to a binding arbitration process for an award ranging between \$10,000 and \$50,000. Participation required the release of claims, or an agreement not to sue the Diocese. Dozens of complainants reportedly participated, until the Diocese discontinued the programs in 2007, on the ostensible basis that they had “run their course” after the 2002 settlement (despite the fact that the Diocese continued to hear into 2007 from plaintiffs attorneys who helped structure the programs and represented additional clients who sought to arbitrate their claims).

*In 2002, after nearly a decade of litigation, the Diocese settled civil abuse claims brought by **36 complainants** for approximately **\$13.5 million.***

Along with its attorneys, Monsignor Paul Theroux represented the Diocese in these programs. Theroux was the Moderator of the Curia at that time (and Vicar General beginning in 2004), a position he likened to the Bishop’s Chief of Staff. Theroux would reportedly sit across from the complainants (and their attorneys), listen to their accounts of abuse at the hands of the Diocese’s clergy, and, at least at times, offer an apology. In a 2005 *Providence Journal* article, Theroux acknowledged “[t]he degree of pain is overwhelming. You begin to realize that we may have settled with 90 victims, but

when you multiply all the family members or all the people affected, you really start to realize the ripple effect, and how many people have been severely hurt by these offenses.”<sup>192</sup> Some complainants reportedly found this apology and reconciliation aspect of the programs to be helpful, as well.

On the one hand, these compensation programs were beneficial to victims whose claims were time-barred, and who therefore stood to receive no other financial compensation from the Diocese for their pain and suffering. **Other aspects of the programs were, however, troubling.** These included the comparatively modest award amounts, doubtlessly incommensurate to the pain and suffering endured by victims at the hands of Diocesan priests, as well as the time-limited nature of the programs. The Diocese made these programs available for only five years, yet, since 2007, scores of additional victims of sexual abuse by Diocesan clergy have continued to come forward—including those moved to do so when the Diocese chose to publish its List of Credibly Accused Clergy in 2019. As discussed further in Chapter 9, **we recommend that the Diocese reinstitute a fair compensation program:** surely, the Diocese can and should endeavor to fairly compensate those additional victims, as well.

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<sup>192</sup> Jenniver Levitz, *Diocese Still Settling Abuse Cases*, The Providence Journal, July 18, 2005.

## 6. Internal Diocesan Investigations of Clergy Abuse Complaints

When it comes to internal investigations of complaints of clergy abuse, it appears that, since 2002, the Diocese (through the Director of the Office of Compliance) has frequently, but not always, followed a similar set of steps. Upon receiving an allegation of clergy sexual abuse, the Diocese typically refers the matter to the Director of Compliance, who then speaks with the complainant and records the details of the allegations. Every complaint is assigned a case number used to track the matter. The Director records the initial details of the allegations in a standardized complaint form, referred to as a “face sheet.” This form contains the general “gist” of the complaint, the name and contact information of the complainant, and a recommendation for next steps in the investigation. In the past, these forms were addressed to the Bishop, other Diocesan leaders, and an attorney for the Diocese; beginning in 2016, they were addressed to Bishop Robert Evans (Auxiliary Bishop), Monsignor Albert Kenney (Vicar General and Moderator of the Curia), Father Timothy Reilly (Chancellor), Dr. Michael Hansen, and Attorney Eugene Bernardo.

***“The degree of pain is overwhelming. You begin to realize that we may have settled with 90 victims, but when you multiply all the family members or all the people affected, you really start to realize the ripple effect, and how many people have been severely hurt by these offenses.”***

*Monsignor Paul Theroux*

Typically, the Director first interviews the complainant. Interviews of complainants are usually held in person at the Office of Compliance on St. Mary’s Drive in Cranston, are tape-recorded, and subsequently transcribed. Records indicate that the Director usually conducts the interview alone, though on occasion the complainant’s attorney, family member, or other support person have been present. Dr. Michael Hansen, the current Director of the Office of Outreach and Prevention and the Diocese’s Victim Assistance Coordinator, is also occasionally present. During the interviews, complainants are invited to recount the abuse and to provide a physical description of the assailant. They are asked about the frequency, duration, location, and details of the allegations, whether they disclosed the alleged abuse to anyone else, and, if so, when and to whom the disclosure(s) were made. In addition, complainants are asked if they know of any other individuals who were abused by the same priest, and in the past, whether the complainant recognized specific names of others who previously brought abuse complaints against the same priest. Finally, our review has demonstrated that, in many cases, Directors McCarthy and O’Brien have asked the complainant whether they would be willing to submit to a polygraph examination. McCarthy would arrange for a polygraph in virtually every instance where the complainant assented, and would often deem the complainant’s refusal to take a polygraph an indication that their accusation lacked credibility.

After the interview, the complainant is sent a copy of his or her transcript to review for accuracy, and, upon review, the transcript is added to the case file for that complaint. The transcription is also reportedly available to “anyone having a legitimate interest in the case that requests it[,] i.e., the Bishop, Vicar General, legal counsel, or possibly law enforcement and/or the Attorney General’s Office.” **Over the course of this investigation, this Office has reviewed hundreds of these transcripts.**

Records show that OEC investigations routinely (though not always) involve interviews of accused priests, witnesses, and others; reviews of personnel and OEC records; visits to scenes of alleged abuse; and research using publicly-available sources. The Director typically also offers the accused priest an opportunity to sit for a polygraph examination, and McCarthy heavily relied on the results of these examinations in deciding whether to credit the allegations.

The OEC Director advises senior Diocesan officials of his progress and presents his findings in a “Case Report” to the Bishop and the Diocesan Review Board. Recently-retired Director O’Brien explained in a 2022 email to a complainant that he was “not necessarily tasked with establishing guilt or innocence but rather with conducting a thorough investigation and gathering the facts and circumstances and then presenting the information to the Bishop’s [Review Board] for review.” Critically, Diocesan investigations of alleged misconduct by its personnel are not law enforcement or criminal investigations; they are *canonical* investigations, conducted on behalf of the Bishop pursuant to canon law, for the limited purpose of establishing whether or not a canonical delict, i.e., a violation of canon law, such as sexual abuse of a minor, has occurred.

While the Review Board can make recommendations regarding credibility of the accusation, in the end, it is the Bishop—and the Bishop alone—who determines, as Director O’Brien put it in a 2022 email to a complainant, “whether there is enough credibility to apply measures and/or penalties as applicable under canon law,” such as suspending the priest from ministry and/or removing the priest’s faculties. If the Bishop determines—in his sole discretion—that the allegation has a “semblance of truth,” i.e., it is “not manifestly false or frivolous,” it is our understanding that he must, under canon law, notify the Vatican (specifically the Dicastery for the Doctrine of the Faith, or “DDF”), which will advise the Bishop how to proceed. According to the United States Conference of Catholic Bishops, “[t]he general rule is that all cases are referred to the [DDF].”<sup>193</sup> The Bishop must refer all the necessary information regarding the allegation to the DDF (known as the *acta*), and issue an opinion (known as the *votum*) on the necessary measures in the short and long term. Ultimately, the DDF can either decide the case on its own, order a canonical trial of the accused priest by the Diocese, or order the Bishop to address the allegation through an administrative penal process.

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<sup>193</sup> Questions and Answers Regarding the Canonical Process for the Resolution of Allegations of Sexual Abuse of Minors by Priests and Deacons, USCCB, <https://www.usccb.org/upload/FAQs-canonical-process-sexual-abuse.pdf> (last visited Apr. 7, 2025).

In cases where a priest has been convicted in a court of law, or has admitted to the abuse, the DDF may ask the Pope to dismiss the priest from the clerical state “*ex officio*,” or without a formal canonical legal process.

According to the *Dallas Charter*’s zero tolerance policy, “[w]hen sexual abuse of a minor is admitted or established following an appropriate process in accord with canon law, even for a single act of sexual abuse committed recently or in the distant past, the offending priest or deacon will be permanently removed from ministry, not excluding dismissal from the clerical state, if the case so warrants.” The priest may be removed from the clerical state or, because of “advanced age or infirmity,” sentenced to a “life of prayer and penance,” meaning he cannot wear clerical garb or present himself as a priest, celebrate mass, or administer the sacraments. **Critically, the *Dallas Charter* explicitly prohibits the transfer of a priest or deacon who has committed an act of sexual abuse of a minor for ministerial assignment to another diocese or religious province.**

Only the Vatican has the authority to *permanently* remove a priest from ministry or dismiss him from the clerical state. Therefore, it is incumbent upon the Bishop of the Diocese of Providence to follow the referral policy mandated by the *Dallas Charter* and *Essential Norms*, which requires him to promptly and objectively investigate complaints of sexual abuse against minors and refer allegations having a “semblance of truth” to the DDF for adjudication.

According to our review, since 2001 (when, as a result of Pope John Paul II’s decree, the DDF obtained canonical jurisdiction over child sexual abuse allegations), the bishops of the Diocese of Providence have referred **nine** priests to the DDF. **As further discussed in Chapter 8, however, it does not appear that that the mandatory process for referring accused priests to the Vatican was uniformly followed.**

## **7. *Dallas Charter* Compliance Audits**

Since 2003, the United States Conference of Catholic Bishops (USCCB) has conducted audits of the dioceses in the U.S., including the Diocese of Providence, to assess their compliance with the *Dallas Charter*.<sup>194</sup> Every three years, auditors from a third-party firm hired by the USCCB<sup>195</sup> visit dioceses to reportedly conduct interviews and review “supporting documentation.”<sup>196</sup> Dioceses then receive letters from the auditors verifying their compliance or non-compliance with the *Charter*, and the USCCB publishes an annual report on the overall implementation of the *Charter* across the U.S. based on the auditors’ findings.

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<sup>194</sup> The audits do not address Articles 8 through 11 of the *Charter* because these articles pertain to accountability across the U.S. and do not involve individual dioceses.

<sup>195</sup> Since 2011, StoneBridge Business Partners has performed audit and data collection services for the USCCB. Before 2011, The Gavin Group, Inc. performed these functions.

<sup>196</sup> USCCB, 2024 ANNUAL REPORT, 15 (June 2025), [https://www.usccb.org/resources/2024%20CYP%20Annual%20Report%20\(Digital\).pdf](https://www.usccb.org/resources/2024%20CYP%20Annual%20Report%20(Digital).pdf).

Documents produced by the Diocese show that the auditors have found it compliant with the *Dallas Charter* since 2003, and for years the Diocese has touted its compliance with the *Charter* pursuant to these audits.<sup>197</sup> **While the Diocese’s continued compliance with the *Charter* is commendable, it is important to note the limitations of these audits, and of the *Charter* generally.**

**First, the *Dallas Charter*—as a nonbinding and aspirational document—sets forth only general goals and principles that are easily satisfied.** In 2013, for example, auditors found that the Diocese of Providence was in compliance with the *Charter*, despite observing that its policies did not expressly prohibit the acquisition, possession, or distribution of child pornography, and recommended that the Diocese update its definition of “sexual abuse” to include such conduct, in accordance with the 2011 revision to the *Charter*. Auditors also observed that the Diocese’s Minimum Standards for Rectory Living policy did not include any guidelines for screening visiting clergy, and recommended that the Diocese add a specific policy and procedure regarding the same. The Diocese subsequently updated its policies, but these deficiencies did not affect the Diocese’s ability to satisfy the low bar of compliance with the *Charter*.

**The *Dallas Charter*’s broad mandates are also susceptible to varying interpretations and thus fail to address specific deficiencies and gaps in the Diocese’s response to child sexual abuse, including those identified in this Report.** For example, the *Charter* requires each diocese to have a policy and procedure addressing sexual abuse of children by clergy, but does not provide any additional guidelines on what those policies and procedures must entail.<sup>198</sup> The USCCB’s 2024 Annual Report observed that “the current 196 dioceses and eparchies that make up the [USCCB] each implement the *Charter* per their own policies, procedures and interpretation of the document. The result is 196 different implementations of the *Charter*.”<sup>199</sup> Similarly, the *Charter* does not contain any instructions or guidelines on how dioceses should conduct investigations to establish the credibility of allegations of child sexual abuse.

**Finally, the scope of these audits is unclear.** It is unknown what “supporting documentation” the auditors review during the on-site visits, whom they interview and how, or what information they collect and verify. And, as noted in the 2024 Annual Report, participation in the audits is voluntary because the *Charter* itself does not require dioceses to participate.<sup>200</sup>

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<sup>197</sup> In 2003, the USCCB audited the Diocese itself and listed one “Instruction” to the Diocese for it to be in compliance with the *Charter*. This “Instruction” was for the “lay advisory board [to] review a recently received allegation of sexual abuse of a minor and provide the results of its review to the bishop.” The USCCB noted that “[a]s of December 1, 2003, the Instruction had been addressed” and the Diocese was therefore in compliance with the *Charter*. The USCCB also issued four “Commendations” to the Diocese.

<sup>198</sup> *Charter*, Art. 2.

<sup>199</sup> USCCB, 2024 ANNUAL REPORT, 12 (June 2025), [https://www.usccb.org/resources/2024%20CYP%20Annual%20Report%20\(Digital\).pdf](https://www.usccb.org/resources/2024%20CYP%20Annual%20Report%20(Digital).pdf).

<sup>200</sup> *Id.* at 13.

In addition to the audits conducted every three years, dioceses annually submit information to the auditing firm (and to the USCCB) in chart form (Chart A/B and Chart C/D), including certain details regarding every allegation of sexual abuse of a minor by any priest or deacon that the dioceses received during that year.<sup>201</sup> These details include: whether the complainant was an adult or minor at the time of reporting; the date of the report; when the abuse occurred; whether the priest or deacon was diocesan, religious, or extern; the status of the accused as of the date of the audit; whether he was named in prior audits; the status of the claim; and whether the complaint has been referred to the Review Board. Dioceses also provide information regarding the number of priests, deacons, and other personnel who have and have not received relevant training and background checks. Each bishop receives a Participation Letter communicating that his diocese has submitted these Charts.

Our review has revealed that the Diocese has submitted these charts and received the corresponding Participation Letters since at least 2009. **These self-reports, however, are more akin to survey responses and are not audits in any meaningful sense.** Dioceses are not required to submit any supporting documentation with the charts, and the 2024 Annual Report noted “a history of incomplete or inaccurate data in the submission of the Charts” by dioceses generally.<sup>202</sup> Our review of the Charts submitted by the Diocese of Providence in 2011 and 2012, for example, revealed a serious omission: they do not contain any reference to the allegations brought in 2011 against Deacon Laurence Gagnon, who was ultimately convicted of second-degree child molestation.

Moreover, although the information in the charts is compiled and included in the annual reports submitted by the USCCB, they do not measure compliance with the *Dallas Charter*. Indeed, in the 2024 Annual Report, the auditors confirmed that “[c]ompliance with the *Charter* can only be effectively determined by participation in an on-site audit.”<sup>203</sup>

**In short, the Diocese should continue to seek compliance with the *Dallas Charter's* goals, but it is important to recognize that the *Charter* constitutes a floor, not a ceiling.** To that end, this Report includes recommendations in Chapter 9 that go well beyond the mandates of the *Dallas Charter* and will vastly improve the Diocese’s prevention of, and response to, child sexual abuse.

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<sup>201</sup> Dioceses also reportedly submit information to the Center for Applied Research on new allegations of sexual abuse of minors and the clergy against whom these allegations were made, and on the amount of money dioceses have expended because of allegations and for child protection efforts. The documents produced by the Diocese only included a survey response for 2015.

<sup>202</sup> USCCB, 2024 ANNUAL REPORT, 13 (June 2025), [https://www.usccb.org/resources/2024%20CYP%20Annual%20Report%20\(Digital\).pdf](https://www.usccb.org/resources/2024%20CYP%20Annual%20Report%20(Digital).pdf).

<sup>203</sup> *Id.* at 13, 15.

# Chapter VIII

## The Attorney General's Concerns with the Diocese of Providence's Modern Responses to the Clergy Abuse Crisis

- A. Inconsistent and Inadequate Investigations of Child Sexual Abuse
- B. Failure to Document Review Board Investigations and Determinations
- C. The Church's "Zero Tolerance" Policy vs. the Diocese's Limited Referrals to the Vatican
- D. No Monitoring of Priests Credibly Accused of Child Sexual Abuse
- E. Continued Lack of Transparency and Accountability
- F. Turning a Blind Eye Toward Religious Order Priests

## VIII. THE ATTORNEY GENERAL'S CONCERNS WITH THE DIOCESE OF PROVIDENCE'S MODERN RESPONSES TO THE CLERGY ABUSE CRISIS

There is no question that the Diocese's modern responses and reforms, particularly those that followed the USCCB's adoption of the *Dallas Charter* and the *Essential Norms* in 2002, marked a significant improvement to the Diocese's overall handling of clergy abuse, as compared to its historical practices and inaction. This includes, for example, the Diocese's expanded and improved pastoral response to abuse victims through the Office of Outreach & Prevention. Even more significantly, as a measure to *prevent* clergy abuse, the Diocese largely—though not entirely<sup>204</sup>—stopped the practice of transferring accused priests to new assignments, placing them on “sabbaticals,” or sending them to “treatment” in lieu of removing those priests and reporting complaints against them to law enforcement. After 2002, the Diocese generally placed accused priests on administrative leave upon receiving a complaint, prohibited them from ministry while the complaint was investigated, and took steps to permanently remove them from ministry if the Diocese deemed the complaint credible. But these improvements occurred gradually and were not consistently or uniformly implemented, particularly in the early 2000s.

**Yet even with these changes, the Attorney General is convinced, based on this Investigation, that more work is needed.** Gaps persist in Diocesan practices and policies that are essential to identifying, addressing, and preventing child sexual abuse within the Diocese of Providence. As already mentioned, and as further described below, these include a lack of clear written guidelines, timeframes, and other meaningful controls over internal Diocesan investigations of suspected clergy abuse; the absence of record keeping by the Review Board; the Diocese's lack of any policy or practice for monitoring living, credibly accused clergy; as well as other issues relating to public transparency and survivor supports. Additionally, notwithstanding the Diocese's 2019 publication of its List of Credibly Accused Clergy, the List remains deficient: this Investigation identified 20 additional Diocesan and religious order clergy who have been accused of child sexual abuse but whom the Diocese has not included on its List, despite being aware of those complaints; and further, the List omits facts essential to a full public accounting of clergy abuse, including the dates and locations of each incident of alleged abuse, and the named priests' full assignment histories, inclusive of temporary and non-parish assignments.

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<sup>204</sup> For example, the Diocese received two complaints of child sexual misconduct against Father Paul Charland in 2002 and 2003, alleging second-degree sexual assault of teenaged girls in the 1980s and 1998. Following these reports, which were deemed credible by the Diocese, Charland was sent for a psychological evaluation and then returned to parish ministry at St. Paul the Apostle Church in Foster until 2006. He was then sent for a second evaluation after which he was assigned as a chaplain at a health center and nursing homes. Finally, in 2011, after a third complainant came forward and alleged that Charland touched her inappropriately – when she was an adult, not a child – the Diocese granted Charland early retirement.

## A. Inconsistent and Inadequate Investigations of Child Sexual Abuse

The Attorney General has continued concerns with the Diocese's internal investigations of clergy abuse complaints. Despite the assistance of a full-time investigator and an office specifically designed and devoted to those investigations—not to mention the modern commitments in the *Dallas Charter*, *Essential Norms*, and the Diocese's Child Protection Policy to investigate each and every clergy abuse complaint that it receives—the records demonstrate that the Diocese has failed in recent years to conduct consistently thorough, timely, and appropriate internal investigations, and sometimes failed to investigate at all.

While the reasons for not investigating seem to have varied, one common theme involves complaints against priests who, by the time the Diocese received a complaint, were either dead, retired, or had otherwise been removed from ministry. In our judgment, this reflects an overly-narrow view of the object of internal investigations like these: while ensuring that any credibly accused priest is immediately removed from active ministry is certainly one purpose, it is not the only one. The Diocese owes to its victims and to the public a moral duty to fully and completely investigate *all* allegations of abuse, whether an accused priest is alive, dead, active, or inactive, as a means of providing closure to victims, and shedding complete daylight on the Diocese's dark past.

***The Diocese owes to its victims and to the public a moral duty to fully and completely investigate all historical allegations of abuse, whether an accused priest is alive, dead, active, or inactive, as a means of providing closure to victims, and shedding complete daylight on the Diocese's dark past.***

Additionally, Diocesan investigators failed in several cases to seek out and interview additional potential victims or witnesses to alleged abuse. In at least one recent instance, this led directly to the Diocese permitting a priest it would later identify as credibly accused to remain in active ministry for several more years. **Again, by failing to pursue all such leads, and fully investigating all potential abuse complaints, the Diocese continued to conceal the full scope of the abuse crisis.**

In still other instances, the Diocese overlooked and inadequately addressed reports of grooming and inappropriate boundary violations involving children, on the distorted view that because such conduct did not, at first blush, clearly violate Rhode Island law, the Diocese had no legal obligation—or, for that matter, a moral or civic obligation—to report it to civil authorities or investigate any further. The 2011 case involving Deacon Laurence Gagnon, whose reported misconduct—pulling down the pants of several male students at the school where he worked—Director McCarthy

dismissed as “bad judgment,” and in all likelihood would not have been thoroughly investigated and criminally charged if not for a conscientious layperson who notified the police, is a case in point for why vigilance regarding grooming is critical. As already discussed in Chapter 6, the police investigation uncovered evidence that led to Gagnon being charged and later convicted of second-degree child molestation. Needless to say, the Diocese should know better: after all that has been said in this Report regarding its historical inaction and concealment, the modern Diocese of Providence must act *before* abuse occurs, and grooming is a tell-tale sign that it will. **To avert its eyes from these signals is to perpetuate the risk that more children will be abused.**

At bottom, the Diocese’s continued recent struggles with the quality of its internal investigations, as described below, relates in significant part to a lack of adequate controls, including concrete, written guidance for *how* those investigations should be undertaken. Though important and influential in other areas of the Church’s response to clergy abuse, nothing in the *Dallas Charter, Essential Norms*, or the Diocese’s own Child Protection Policy provides those standards. Rather, they are all silent on such crucial questions as the timing of clergy abuse investigations (including how soon an investigation should commence and conclude, so the matter can be promptly presented to the Bishop and potentially the Vatican); the techniques Diocesan investigators may use (such as the use of polygraphs); standards of evidence and credibility; and meaningful, regular oversight of the Director of Compliance by the Review Board. As a result, the Diocese continues to investigate abuse complaints as it always has—entirely on a case-by-case basis—and this doubtlessly contributes to the issues and disparities discussed in this chapter and in the summaries contained in Appendix A. These issues, and their proposed solutions, are addressed further in this Report’s final chapters.

## **1. Failure to Identify Grooming Behavior and Other Inappropriate Conduct with Children**

The Diocese of Providence still seems to struggle with accurately identifying grooming behavior—that is, conduct commonly used to build trust with victims as a prelude to the physical acts of sexual abuse. We found several examples of priests who were accused of a pattern of targeting youth through identifiable grooming behaviors. Priests were reported to have inappropriately questioned children about sexual topics, spent time alone with minors, bought expensive gifts for children, taken minors out to dinner and on overnight trips, provided minors with alcohol and/or pornography, and hugged, wrestled, or engaged in other conduct that made children uncomfortable. The Diocese was too quick to dismiss or excuse such reports of grooming or other inappropriate boundary violations with children, despite the strong possibility that sexual abuse could be, and in certain cases was, revealed upon further investigation by law enforcement.

As recently as 2022, the Diocese received several complaints that an active priest inappropriately questioned students about their sexual orientation and sexual activity during Confession. This was not the first time the priest was accused of questioning children about sexual topics in that setting; parishioners had previously

complained about similar conduct less than a year earlier at another Diocesan school. That earlier incident was reported to the school and a local parish priest but was never, according to Diocesan officials, relayed to Diocesan leaders.

Shortly after receiving the 2022 complaint, senior Diocesan officials spoke with the accused priest, and the Diocese released a statement that his “errors in pastoral judgment” had been addressed. Yet the priest was observed delivering Mass at his local parish the following day, prompting several parents of the children involved in the incident to file a police report. The same day the report was filed, the Diocese announced that the priest had been placed on administrative leave. Bishop Tobin revoked his faculties and ordered him to participate in ongoing educational training, among other conditions.

Less than six months later, Bishop Tobin restored the priest’s faculties, including his faculties to hear Confession, transferred him, and returned him to active ministry without advising parishioners about steps the Diocese took to satisfy itself that the priest did not present any risk of children. Not surprisingly, concerned parishioners complained to Bishop Tobin who ultimately relented and removed the priest. Though he no longer appears to have a parish assignment, it is our understanding that this priest remains available to fill in or substitute for other priests. Bishop Tobin’s approach was reminiscent of the “transfer rather than warn” mentality of prior decades. In light of the widespread knowledge among parishioners about this priest’s conduct, a better approach would have been a more direct acknowledgement that this priest required, at the very least, additional training and oversight, and that his ministry with children would be restricted either permanently or until the Diocese could be certain that he would adhere to proper boundaries. In response to a request for information from this Office, the Diocese stated that it had no documented reports of child sexual misconduct against the priest.

In another recent case, the Diocese has continued to allow a priest who was likewise accused of a pattern of inappropriate conduct with teens and young adults, including as recently as 2012, to continue to function as a substitute or stand-in priest in the Diocese, without any apparent restrictions or special oversight. Based on the evidence available to us, it does not appear that this priest sexually assaulted a minor, and the priest has denied ever doing so. However, the records reflect that this priest has admitted to a range of concerning and inappropriate conduct, including taking children out to expensive dinners, buying expensive gifts for children, and taking a child alone on an overnight trip where they shared a hotel room. He was also accused of repeatedly texting, writing, and calling minors and young adults. Although the reported conduct did not rise to a criminal offense, the allegations were concerning enough that one would expect any organization to take concrete, documented steps to ensure that the priest has been appropriately counseled and supervised.

## **2. Failure to Consistently Investigate Third-Party or Anonymous Reports of Abuse Against Active Priests**

The Diocesan records indicate that even after 2002, the Diocese failed to consistently investigate third-party and anonymous reports of child sexual abuse or

other misconduct. During Director McCarthy's tenure at the Office of Compliance, the Diocese sometimes dismissed these allegations as hearsay and made no further inquiry into them. The Diocese did not attempt to corroborate these complaints by, for example, interviewing the identified victim, interviewing the accused priest, or inquiring of Diocesan staff, parishioners, or other potential sources of information in the parishes where the reported abuse took place. The failure to conduct even a limited or preliminary inquiry of these reports led the Diocese to leave accused priests in active ministry on at least two occasions and created a significant risk to children.

#### *Father Barry Meehan*

Father Barry Meehan, who appears on the Diocese's List of Credibly Accused Clergy, is one example. The Diocese was first alerted to concerns about Father Meehan's conduct in 1998, when a parishioner of St. John the Baptist Church in West Warwick reported to Director McCarthy that she suspected Meehan was having an inappropriate relationship with a 15-year-old boy, whom the parishioner observed at the parish rectory "every day," frequently near the rectory bedrooms. Although the parishioner provided Director McCarthy with the names of three boys who were reportedly often in the rectory near Meehan, there is no indication McCarthy or anyone else interviewed any of the boys or their families, or alerted law enforcement at the time.

Similar concerns were reported to then-Diocesan Chancellor John Darcy in 2002, when a nun from St. Timothy parish reported Meehan's close relationships with young boys in the rectory. The nun relayed classic grooming behavior, including that Meehan had provided some of the boys with credit cards, lent one a car, and took others to dinner. The Diocese dismissed these warning signs, with Chancellor Darcy writing that the nun made "absolutely NO suggestions of physical and/or sexual improprieties at any time between Fr. Meehan and these young men." Again, there is no record that Chancellor Darcy spoke with any of the boys, their families, reported the nun's complaint to Director McCarthy, or otherwise sought to investigate it.

The Diocese received several additional complaints, both third-party and direct, over the next several years. In 2006, a complainant contacted Monsignor Paul Theroux, then-Moderator of the Curiam, and reported that Father Meehan had sexually abused him in the 1980s, when he was 15 years old. The victim did not appear for a scheduled interview with Director McCarthy, however, and after Father Meehan denied the allegations in an interview with McCarthy, the Diocese's Review Board voted unanimously that the allegation was unsubstantiated, and that Meehan should remain in ministry until the victim cooperated. Additionally, in 2010 and 2011, the Diocese received three anonymous complaints urging Bishop Tobin to remove Father Meehan from St. Timothy's Church in Warwick (where Meehan was then assigned), and warning of a "potential scandal" arising from a "parade of 'boys'" working with Meehan in the rectory. **Though the Diocese unquestionably had received enough warning signs by this time to investigate these anonymous complaints, there is no record that the Diocese did.**

**It was not until 2012 and 2013 that the Diocese was finally moved to action, upon its receipt of several additional, direct complaints of sexual abuse by Father Meehan.** In mid-2012, the same complainant who came forward in 2006 contacted the Diocese again to reiterate his allegations, at which point Director McCarthy referred the matter to State Police. That December, two more victims reported their abuse by Father Meehan to the Diocese. Only at that point did Bishop Tobin suspend Meehan's faculties and place him on administrative leave, and Director McCarthy notified the State Police about those additional complaints—which ultimately led to Father Meehan's indictment in 2014.

Yet even now the Diocese prevaricated. Though Bishop Tobin referred the 2012 complaints against Father Meehan to the Vatican in mid-2013, he misleadingly omitted from his referral any mention of the several other complaints against Meehan that the Diocese had received by that time (such as in 2006 or 1998). And incredibly, despite the now-ample evidence to the contrary, Bishop Tobin wrote in his *votum* to the Vatican: "I do not believe Father Meehan to be a danger to young people. However, due to the nature of the allegations, I deem Father Meehan unsuitable for any future ministry with children or youth. I believe that Father Meehan's future effectiveness as a parish priest has been severely undermined by these allegations." Similarly, in March 2014, the Diocese advised Meehan that the Vatican had recommended that he apply for laicization, with Vicar General Albert Kenney explaining to Meehan that an alternative penal process "could open the floodgates for a potential 'field day' for SNAP [Survivors Network of those Abused by Priests] and other victim-rights groups, and that the negative publicity would be overwhelming."

**In November 2014, Father Meehan was arrested and indicted on five counts of first-degree sexual assault on the two victims who came forward in 2012.** Records show that Bishop Tobin met with Meehan on May 7, 2015, to advise him that, according to a letter from the CDF, he was dismissed from the clerical state and could no longer function as a priest. Meehan died of a heart attack in December 2016, less than a month before the start of his criminal trial and while his appeal of his dismissal, and his petition for voluntary laicization, were still pending with the Vatican. In 2015, one of the complainants in Meehan's criminal case wrote to Vicar General Kenney to complain that the Holy Name Parish bulletin had published Mass intentions for Meehan three times in the past two years, noting that, to his knowledge, "there have been more announced Masses for . . . Barry Meehan than there have been for all victims of priest sexual abuse in this diocese."

#### *Father Francis Santilli*

A second recent example of the Diocese's failure to investigate third-party reports of abuse involved another priest who the Diocese eventually (but not initially) included on its Credibly Accused List, Father Francis Santilli.

In 2014, Dennis Laprade reported to the Diocese that Father Santilli sexually abused him in the early 1980s, when he was an altar boy at Our Lady of Lourdes Parish

in Providence.<sup>205</sup> This was not the first complaint the Diocese had received against Santilli: two years earlier, in 2012, another complainant had reported to OEC Director McCarthy that Santilli had sexually abused him and his brother, though both the Diocese and the State Police (to whom McCarthy had referred the complaint) ultimately closed their investigations due to the complainant's lack of responsiveness. During the Diocese's 2014 investigation into Mr. Laprade's complaint, Mr. Laprade **identified by name** two brothers who had served with him as altar boys at the parish, and who he suspected may also have been abused by Father Santilli. **There is no indication in the Diocesan records, however, that Director McCarthy or anyone else with the Diocese tried contacting those individuals.** And though Director McCarthy did refer Mr. Laprade's complaint to the State Police within a week of receiving it, there is no indication that his referral included any mention of the identities of those additional potential victims. The State Police closed its investigation after determining the complaint was time-barred. **Bishop Tobin permitted Father Santilli to remain in ministry** after the Diocese's Review Board determined in July 2014 that neither of the complaints it had received against Father Santilli could be sustained, "and that there was no moral certitude to establish guilt on Father Santilli at this time." When the Diocese published its List of Credibly Accused Clergy in July 2019, Santilli's name was not on it.

In late December 2021, a woman reported to Dr. Michael Hansen, the Diocese's Director of the Office of Outreach and Prevention (as well as to this Office and the Rhode Island State Police) that Father Santilli had sexually abused her two brothers during the early 1980s. These were the same brothers first identified as possible victims by Mr. Laprade in 2014, Scott and David Ross. Upon receiving a transcript of the State Police's recent interview of Scott Ross, as well as a request from the Office of the Attorney General inquiring as to the status of Father Santilli and the steps the Diocese proposed to take in response to this latest complaint, Bishop Tobin on February 3, 2022 suspended Father Santilli's faculties and placed him on administrative leave pending the outcome of an internal investigation. The state criminal investigation into the Ross complaint was ultimately closed, once again because the three-year statute of limitations applicable to incidents of second-degree sexual assault (which Mr. Ross alleged) precluded charging Father Santilli.

In March 2022, the Diocese's Review Board deemed Ross's complaint against Santilli to be credible, at which point the Diocese added Santilli to its List of Credibly Accused Clergy. And in July 2022, Bishop Tobin referred Father Santilli to the Vatican. At the time of the publication of this Report, the case remains pending with the Vatican and its outcome is not yet known.

**This case lays bare the consequences of the Diocese not following up on third-party complaints.** The Diocese first learned of Scott Ross—whose complaint ultimately served as the basis for Father Santilli's indefinite removal from ministry,

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<sup>205</sup> Mr. Laprade, as well as Mr. Scott Ross (discussed in the next paragraph), authorized this Office to include their names in this Report. Mr. Ross's brother, David, committed suicide in 1997.

inclusion on the Credibly Accused List, and referral to the Vatican—*eight years* before his formal complaint was raised with the Diocese and law enforcement. **Had Bishop Tobin and the Diocese not failed to interview Mr. Ross at that point, it seems almost certain that the disciplinary measures the Diocese took against Father Santilli in 2022—including his removal from ministry—would have instead been imposed in 2014.**

### **3. Failure to Consistently Investigate Allegations Against Deceased Priests or Priests No Longer in Active Ministry**

Even after the adoption of the *Dallas Charter* in 2002, the Diocese failed to consistently investigate child sexual abuse complaints made against priests who were no longer in active ministry, including priests who were suspended, retired, resigned, laicized, or deceased by the time the Diocese received the complaint. **According to the Diocesan records, into the early 2000s, the Diocese expressed internally the position that it did not need to investigate complaints against priests who had already been removed from ministry.**

This was not only contrary to the *Charter's* emphasis on greater accountability and transparency. **It was a contradiction of the very letter of the *Essential Norms*, which mandates the Diocese to conduct a “preliminary investigation” into each clergy abuse complaint received, without any qualification or limitation regarding the accused priest’s status.** It was also contrary to the public commitments the Diocese made by that time (and since) to its victims and the public that it was, and is, doing everything in its power to address clergy sexual abuse. In the interests of full transparency and accountability for its past failures, and out of respect to its victims, the Diocese should investigate complaints against priests who are no longer in active ministry, including those who are deceased.



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The Diocese now seems to acknowledge the significance of such complaints, given its inclusion on its List of Credibly Accused List priests who are deceased (including some who died long ago). Clearly, then, the Diocese recognizes the significant public interest in fully investigating and disclosing *all* known credibly accused abusers within the Diocese, whether active or inactive, alive or dead; **and to the extent the Diocese averts its eyes from these kinds of complaints, it conceals from itself and the public the full scope of the tragedy.** Finally, the Diocese is

uniquely positioned to investigate complaints against inactive and deceased priests, given its singular access to historical records and other internal information about those priests, and the fact that since many of these complaints involve historical conduct that is no longer prosecutable, they are often beyond the mandates and resources of civil law enforcement. Examples follow.

*Father John Doran*

In 2002, a complainant reported to the Diocese that Father John Doran repeatedly abused him while he was an altar boy in the early 1960s at St. Patrick Church in Cranston. Director McCarthy interviewed the complainant, who stated that Doran pressed his penis against him from behind, grabbed his genitals, kissed him, and tried to make him touch Doran's genitals. The complainant told McCarthy that he suspected other altar boys may have been similarly abused by Doran and mentioned the name of one acquaintance who also served as an altar boy at St. Patrick at the time. Doran had been dead for a decade at the time this complainant made his report and, according to McCarthy, Doran's confidential files had been destroyed. It does not appear that McCarthy attempted to contact the altar boy identified by the complainant or anyone else who might have had information about these allegations. **There is no indication in the Diocesan records that the complainant's allegations against Doran were referred to law enforcement, presented to the Review Board, or that Doran was considered for inclusion on the Diocese's List of Credibly Accused Clergy.**

*Father Robert Marcantonio*

In 2002, in response to a complaint alleging child sexual abuse by Father Robert Marcantonio, an investigator with this Office contacted Director McCarthy to ask whether the Diocese had ever received a complaint about Marcantonio. According to the Diocesan records, Marcantonio was suspended from ministry in 1989 and passed away in 1999. McCarthy replied that Marcantonio's "file [was] approximately one foot thick" but "no investigation had been done by [the Office of Education and Compliance] as Father Marcantonio had been suspended prior to my [McCarthy's] arrival, and, therefore, under Canon Law 1717 there would be no reason for me to conduct an inquiry."

Indeed, by the time of Marcantonio's death, the Diocese had received **a dozen abuse complaints** against him: one each in 1970, 1981, 1989; four in 1992; three in 1993; one in 1994; and one in 1995. **There is no indication in the records produced by the Diocese to this Office that the Diocese ever referred a child sexual misconduct complaint against Marcantonio to law enforcement while Marcantonio was still alive.** There is also no indication within those same records that the Diocese investigated any of these allegations after he was suspended from ministry. The Diocese continued to receive additional allegations against Marcantonio after his death; some, but not all, were investigated and reported to law enforcement. The Diocese ultimately named Marcantonio on its Credibly Accused List.

*Father Roland Lepire*

In March 2003, the survivor of a reported 1980 “brutal sexual assault” by Father Roland Lepire at St. Matthew Parish in Central Falls sued the Diocese, and Diocesan attorney William T. Murphy conveyed information about the suit to Director McCarthy. As already noted, the Diocesan records reflect that the Diocese was on notice of abuse complaints against Father Lepire dating back to 1979. At the time of the March 2003 lawsuit, Lepire was alive but remained on administrative leave, which Bishop Gelineau had first imposed in 1996 after another one of Lepire’s victims had sued the Diocese. According to an internal memorandum authored by Director McCarthy concerning the March 2003 complaint, Murphy reportedly said that, “[n]o further investigation need be made about these claimants or the alleged perpetrator, since the Priest has been removed from ministry.”

Lepire was ultimately laicized in 2004, as a result of a canonical process first set into motion due only to the insistence of yet another one of Lepire’s victims, who contacted the Diocese in 2002 regarding his own abuse by Lepire at St. Mary Church in Cranston in 1978 or 1979. Lepire subsequently admitted to sexually abusing several children, as reflected in his 2003 letter to the Pope, and in Bishop Robert Mulvee’s 2003 letter to the Vatican, where Mulvee wrote that Lepire had “admitted that he had inappropriately touched several 12-year-old boys since his ordination.” During a 2004 meeting with Bishop Mulvee and Chancellor John Darcy, Lepire reportedly made another admission and then, in Darcy’s words, “surprisingly spoke of two other similar incidents.” There is no indication in the Diocesan records produced to this Office that any Diocesan official sought to identify additional victims or report these critical admissions to law enforcement. **Yet again, the Diocese’s failure to investigate or refer this information to law enforcement meant that the extent of potential abuse remained concealed in secret archive and personnel files, and prevented the possible discovery of additional victims.** Lepire was never prosecuted. He is included on the Diocese’s Credibly Accused List, and died in 2025.

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Under the more recent leadership of Director of Compliance Kevin O’Brien, the Diocese has demonstrated an improved commitment to investigating and disclosing complaints against priests no longer in active ministry, deceased or otherwise, primarily through its continued referral of all such complaints to the State Police and this Office in accordance with the 2016 Letter of Understanding. **Likewise, the Diocesan records reflect that Director O’Brien did investigate several more recent complaints against priests who, though still living, were no longer in active ministry by the time of the Diocese’s receipt of the allegations—including, for instance, Father John Tormey.** As a matter of full transparency and accountability, and to ensure that the Diocese’s Credibly Accused List is as comprehensive as possible, the Diocese can and should internally investigate *all* such complaints against inactive or deceased priests. Victims deserved to be heard, their allegations deserve to be pursued as far as the facts and evidence permit, and the public deserves to be informed by the Diocese about *every* known credibly accused priest.

#### 4. Treating a Law Enforcement Agency's Decision Not to Prosecute as an Exoneration of an Accused Priest

Our Investigation also revealed that the Diocese has, at times, chosen to interpret the decision by civil authorities to not prosecute a priest as a full exoneration and as justification for restoring the accused priest to ministry. **Plainly, the decision not to prosecute a priest does not necessarily mean the allegations were found not to be credible, nor does it mean that the priest is fit to minister to children.** Often, prosecution was foreclosed due to expiration of the statute of limitations, or an inability to prove an essential element of the crime, such as the victim's age at the time of the abuse, or the use of penetration or force. Additionally, prosecutorial authorities, or the complainants, may decide not to proceed for a variety of reasons including the health and age of the complainant or the accused. Some complainants simply did not want to press charges because they could not bear the thought of testifying in public about their experience. Additionally, a criminal case must be proven "beyond a reasonable doubt," which is the highest burden of proof in the law. **But that is not the standard that should be used by the Diocese when determining whether to keep a priest in a position of trust where they might pose a risk to children.**

As recently as 2017, the Diocese restored a priest to ministry after a legal technicality precluded his criminal prosecution for video voyeurism of a young adult. Though Director O'Brien acknowledged in a memo to Bishop Tobin that the priest narrowly escaped criminal prosecution, and the priest admitted to Diocesan officials to having surreptitiously photographed the complainant, Bishop Tobin nevertheless restored the priest's faculties. The priest went on to serve in chaplain positions in two hospitals in Rhode Island. Only after this Office raised concerns with the Diocese, in 2020, about this priest having access to vulnerable populations in his assignments, the Diocese decided to retire him.

On another occasion in 2005, the Diocese did not investigate child sexual abuse allegations it received against an extern priest, Father Thomas Manu, after the complainant attended an interview with OEC Director McCarthy but did not move forward with filing a criminal complaint. Director McCarthy appropriately waited until the State Police concluded their investigation of the complaint so as not to interfere with an ongoing criminal investigation. However, after the State Police informed McCarthy that they were closing their investigation due to lack of cooperation from the complainant, it does not appear that the Diocese conducted any further investigation. McCarthy determined the complainant was credible and recommended to Monsignor Theroux that Manu be confronted and interviewed and that his out-of-state superior be informed of the allegations. However, there is no record in the files produced to the Attorney General that Bishop Mulvee acted on either of McCarthy's recommendations. Father Manu returned to his regular summer parish assignment in Rhode Island for the following two years until the complainant's father contacted the Diocese to complain in 2007. Only at that point was the Review Board notified and unanimously agreed the priest should not be allowed to return to the Diocese.

**Ultimately, the Diocese's investigation or assessment of a priest's suitability for ministry should not depend on criminal proceedings against the accused.** While such proceedings may certainly inform the Diocese's actions, in the absence of a criminal prosecution or conviction, the Diocese must conduct its own thorough investigation of sexual misconduct allegations and determine whether the priest should remain in a position where they continue to pose a risk to children.

#### **5. Use of Polygraphs and Lack of Trauma-Informed, Survivor-Centric Practices**

The Diocesan records produced to this Office reflect that the Diocese has failed to consistently employ trauma-informed investigative practices, which has only exacerbated the harm to survivors.

Although many survivors received compassion and support from the Diocese, many others were disappointed during the disclosure process and were critical of it. Several reported that the personnel they engaged with during the reporting process did not communicate with them clearly or sensitively. Others felt that the Diocese treated them as suspects rather than victims. This often, though not always, occurred in connection with the Diocese's request that victims submit to polygraph examinations. Most of the complaints were directed toward the methods of the former director of the Office of Education of Compliance, Robert McCarthy; we received far fewer survivor complaints regarding the practices of McCarthy's successor, Director Kevin O'Brien, who recently retired.

Concerningly, the Diocese has treated complainants' "failing" a polygraph or refusing to submit to a polygraph examination as a significant factor in deeming sexual abuse complaints not credible, despite the fact that the use of polygraphs with victims of sexual abuse is widely understood to be contrary to standard best practices.<sup>206</sup> In fact, even a request to administer a polygraph to an abuse victim who is an adult at the time of an investigation is strongly discouraged.<sup>207</sup> Yet it appears that the Diocese has continued to employ this tactic.

*The Diocese can and should also fully investigate these complaints as an internal matter: **victims deserved to be heard, their allegations deserve to be fully pursued, and the public deserves to be informed by the Diocese about every known credibly accused priest.***

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<sup>206</sup> See *The Attorney General Guidelines for Victim and Witness Assistance, 2022 Edition*, United States Department of Justice (Mar. 31, 2023), [https://www.justice.gov/d9/pages/attachments/2022/10/21/new\\_ag\\_guidlines\\_for\\_vwa.pdf](https://www.justice.gov/d9/pages/attachments/2022/10/21/new_ag_guidlines_for_vwa.pdf)

<sup>207</sup> See *id.* at 45.

Even worse, the Diocese has permitted *priests* to return to ministry after “failing” a polygraph. Father Daniel Azzarone, for example, agreed to submit to a polygraph examination in 1993 after he was accused of child sexual misconduct. During the polygraph he was asked whether he had sexual contact with the complainant, which he denied. The polygraph indicated that Azzarone’s denials were not truthful. Nevertheless, only a month later, Bishop Gelineau returned Azzarone to parish ministry at St. Mary’s in Cranston, subject to limited oversight and restrictions. Father Normand Godin, the Minister for Priests, who was charged with counseling Father Azzarone, shared his opinion of the polygraph with Bishop Gelineau in a letter: “in regards to the polygraph report, I question both the validity of the test and have reservations as to the manner and conditions in which this test was administered to Rev. Azzarone. Reverend Azzarone has stated that he was extremely nervous when undergoing this testing . . .” **In other words, the Diocese itself recognized the limitations of the test, and the possibility of invalid results, if the subject of the exam was one of its own.**

*Father Peter Scagnelli*

Though this example also predates 2002, the Diocese’s investigation of child sexual abuse complaints against Father Peter Scagnelli illustrates **the risk of overreliance on polygraph examinations of victims, and, as noted above, this policy – to our knowledge – remains unchanged.** Scagnelli was accused of sexually abusing six boys and two young men from 1977-1995 at St. Timonhy Parish in Warwick, Our Lady of Mount Carmel Parish in Bristol, Sacred Heart Parish in Woonsocket, and St. Anselm Abbey in Manchester, New Hampshire. The first two complainants came forward in April and December in 1993. A third complainant came forward in 1995. The allegations by the three complainants were similar and there was no indication that the three complainants knew each other. Director McCarthy proceeded with his investigation of the complaints after being advised by the State Police that prosecution was foreclosed by the statute of limitations. McCarthy interviewed Scagnelli about the three complainants; he denied sexually abusing the boys and initially agreed to a polygraph examination, but later canceled.

McCarthy scheduled a polygraph examination of the third complainant in June 1995. The polygraphist conducting that examination concluded that the complainant “had not told the entire truth.” Nevertheless, in November 1995, an advisory group to the Bishop known as the “Consistory” deemed the allegations brought by the three complainants to be credible and recommended that Scagnelli remain on administrative leave and undergo a psychological evaluation. Despite this conclusion, McCarthy went ahead and scheduled a polygraph examination of the second complainant in March 1996. Again, the polygraphist concluded that the complainant “has not told the entire truth.” To his credit, McCarthy brought in a second examiner to review the polygraph examinations with the original polygraphist and with McCarthy, and they decided to administer a second exam. The second complainant took another polygraph, administered by a different examiner, in August 1996 and passed it. The first complainant also agreed to sit for a polygraph in October 1996 – more than three years after he first came forward. This complainant passed his polygraph exam as well.

While the polygraph examination may be a useful investigative tool, particularly when it is administered by a highly trained professional, the potential for inaccurate interpretations is high, which is why **the results of polygraph examinations are inadmissible in criminal trials in many states including Rhode Island.** Here, all three complainants had to submit to multiple, intrusive interviews about their abuse. One of them had to submit to two polygraph exams with different results. And yet, McCarthy had three separate, unrelated, detailed complaints against Scagnelli which he clearly credited, and which the Consistory had credited. This process needlessly strained the victims – for no apparent reason.

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*Father Edmund Fitzgerald*

The Diocese's investigation of Father Edmund Fitzgerald offers a similar cautionary tale about the Diocese's misguided reliance on polygraphs. Father Fitzgerald was accused of sexually abusing at least eight children during his tenure as a priest with the Diocese of Providence. The first complainant came forward in 1993, but Fitzgerald was not permanently suspended until 2002, when the fourth and fifth complainants came forward. The first complainant to come forward, in 1993, alleged that Fitzgerald had abused her when she was 12 years old and working in the rectory of St. Mary of the Bay Church in Warren. Director McCarthy interviewed the complainant three times. During these interviews, the complainant maintained a consistent version of events and successfully picked Fitzgerald out of a 51-photo lineup that McCarthy had prepared. Nevertheless, McCarthy asked the complainant to submit to a polygraph examination. McCarthy also directed Fitzgerald to submit to a polygraph. Ultimately, the polygraphist opined that the complainant was lying and Fitzgerald was telling the truth, and according to the polygraphist, the complainant had admitted that certain aspects of her allegation had not occurred. **On that basis, the matter was closed, the complaint was never forwarded to law enforcement, and Fitzgerald remained an active-duty priest in the Diocese.**

Bishop Mulvee transferred Fitzgerald to another parish, Jesus Saviour, in Newport several years later. When the transfer was announced, a second complainant came forward to report that Fitzgerald had instructed his younger son

to “drop his pants.” McCarthy investigated and learned from the complainant’s older son that there was an incident where Fitzgerald asked the older boy “to remove his clothes to see how he was developing.” McCarthy concluded that no criminal misconduct has taken place, the Diocese did not refer the complaint to law enforcement, and the transfer went through. A third complainant came forward in 1998 and alleged that Fitzgerald forced him to engage in oral sex. This time, McCarthy forwarded the complaint to the State Police and Fitzgerald was temporarily suspended (though it does not appear that McCarthy informed the State Police of the other two known complaints). McCarthy interviewed the third complainant extensively and concluded that the allegations were likely unfounded. A fourth complainant came forward in 2002, and then a fifth the same year. After interviewing the fifth complainant in 2002, McCarthy wrote Monsignor Theroux, summarizing the five sets of allegations, and recommended that although Fitzgerald was retired, he “still has faculties and is still currently serving,” and “needs to be confronted again and also offered a polygraph examination.”

McCarthy asked the fifth complainant to submit to a polygraph examination in July 2002. The polygraphist concluded that the complainant’s response to the polygraph appeared “definitely truthful.” With respect to Fitzgerald, the polygraphist concluded that the results were “inconclusive.” Bishop McManus suspended Fitzgerald’s faculties in 2002 and the complaints against him were referred to the Diocesan Review Board. There are no records indicating what, if anything, came of the Review Board’s deliberations (assuming there were any), but what is clear is that Fitzgerald’s faculties remained suspended for the remainder of his life.

Between 2017 and 2019, three more complainants came forward. The eighth, and last, complainant to come forward was also a woman. She alleged that when she was approximately 12 or 13 years old, Fitzgerald abused her at St. Mary of the Bay in Warren – where the first complainant also alleged she had been abused around the same time, when she too was 12 years old.

**Records indicate that Director McCarthy routinely utilized polygraph examinations throughout his tenure as head of OEC.<sup>208</sup>** McCarthy’s belief in the importance of polygraphs was apparent from his interactions with complainants. In a 1996 interview, McCarthy told a complainant that they needed to build “an airtight case,” that this was achieved by documenting allegations, and that to refute any potential denials or accusations of lies, “we need you, number one, to take the polygraph.” Ten years later, in a 2007 memorandum, McCarthy noted that “[a complainant’s] failure to take the polygraph that he had been offered and requested might speak volumes.” On another occasion in 2002, in a transcript of an interview of a priest accused of child sexual abuse, McCarthy stated: “My recommendation uh, is gonna be if you pass the polygraph and [the victim] fails it, you go back into active

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<sup>208</sup> According to documents reviewed by the Attorney General, McCarthy primarily utilized four polygraph examiners over the course of his time with the Diocese. Two of those were also retired from the Massachusetts State Police.

ministry A.S.A.P. If you don't, then my recommendation is gonna be uh, not at this time."

Director McCarthy's successor, Kevin O'Brien, also occasionally requested that victims and accused priests submit to polygraph examinations, including as recently as 2022. It is unclear whether the Diocese continues to administer polygraphs to complainants, though there is no indication in the Diocesan records that the practice has definitively ended.

In addition, several survivors reported feeling re-traumatized by Diocesan investigators' questions during the interview process. How questions are phrased during forensic interviews of trauma victims is important. Investigators using trauma-informed interview techniques generally avoid "why" questions, which may be perceived by the victim as blaming them for their actions or inactions or for information that, due to stress or trauma, they may be unable to recall. For example, several survivors were reportedly asked by Director McCarthy why they did not say "no" or "stop," try to get away, or why they did not call out for help during a sexual assault. Others were asked why they did not tell anyone about the sexual assault. One survivor who disclosed that he was sexually abused was asked in 2002 if he had any other "homosexual events" before and after the abuse. Questions like these could easily be misinterpreted as "blaming the victim." And such questions are particularly offensive when they relate to sexual abuse of a child at the hands of a trusted adult like a priest or deacon.

***It is unclear whether the Diocese continues to administer polygraphs to complainants, though there is no indication in the Diocesan records that the practice has definitively ended.***

Sexual abuse victims face a variety of barriers to outcry and disclosure: during abuse, victims sometimes experience tonic immobility (a rigid, unmoving state in response to intense fear) or dissociation (feeling disconnected from their own bodies);<sup>209</sup> others may choose not to resist or disclose the abuse if the perpetrator is a family member or someone close to the family;<sup>210</sup> still others do not immediately

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<sup>209</sup> See Andrew Ortiz, *Delayed Disclosure 2024 FactSheet*, Child USA (2024) <https://childusa.org/wp-content/uploads/2024/06/Delayed-Disclosure-2024.pdf> (citing Dorthie Cross et al., *Neurobiological Development in the Context of Childhood Trauma*, 24 *Clinical psychology: a publication of the Division of Clinical Psychology of the American Psychological Association* 111-124 (2017) ("Notably, individuals with histories of childhood trauma often report depersonalized dissociation, or feeling disconnected from their own bodies.")).

<sup>210</sup> See *id.* (citing, Ramona Alaggia et al., *Facilitators and Barriers to Child Sexual Abuse (CSA) Disclosures: A Research Update (2000-2016)*, 20 *Trauma Violence & Abuse* 260-283, 277 (2019) ("In addition, relationship with perpetrator is a factor whereby research indicates that

report sexual abuse out of fear of negative consequences, especially when they receive threats from the perpetrator<sup>211</sup> or experience shame.<sup>212</sup> And, as identified by the national think-tank CHILD USA, “[t]hese trauma responses often outweigh the desire or intention to stopping or even talking about the abuse. Many victims also experience confusion, distrust in their memory, and fear of being emotionally hurt or not being believed.”<sup>213</sup> **Consistent with trauma-informed interview techniques, behaviors of victims of child sexual abuse must be sensitively evaluated and explored during the interview process to avoid re-traumatizing victims and allow for accurate assessments of abuse complaints. Examples of the Diocese’s failure in this respect follow.**

*Father Francis Santilli*

In addition to shedding light on the Diocese’s failure to investigate third-party complaints, the case of Father Francis Santilli—and the experiences of two of his victims, Dennis Laprade and Scott Ross—also illustrate the Diocese’s recent problematic use of polygraphs and its failure to apply trauma-informed investigatory techniques.

In 2014, Dennis Laprade decided to report his complaint of child sexual abuse by Father Santilli to the Diocese after learning in the news that another former altar boy had raised a similar complaint against Santilli, who at that point was still in active ministry. Laprade thought, “if he could do it, I could do it.” Laprade met with Director McCarthy at his office. During his interview, he was told that his complaint was a “he said, he said.” He was then asked to take a polygraph examination, which he refused. “All that they were going to do was try to prove I was wrong,” Laprade explained in 2022 to *The Providence Journal*. “But I had nothing to gain from it. The statute of limitation[s] [for prosecution] was over. I was just a guy coming forward, abused when I was young, and they did nothing about it but sweep it under the rug.”<sup>214</sup>

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disclosure is made more difficult when the perpetrator is a family member or close to the family.”).

<sup>211</sup> See *id.* (citing Delphine Collun-Vezina et al., *A Preliminary Mapping of Individual, Relational, and Social Factors That Impede Disclosure of Childhood Sexual Abuse*, 43 *Child Abuse & Neglect* 123-134, 128 (2015) (Internalized victim-blaming encompasses experiences of embarrassment and shame, which were often related to self-blame and feeling responsible for the abuse”)).

<sup>212</sup> See *id.* (citing David A Wolfe et al., *The Impact of Child Abuse in Community Institutions and Organizations: Advancing Professional and Scientific Understanding*, 10 *Clinical Psychology: Science and Practice* 179-191 (2003) (“Individuals who were unaware at the time that they were being abused may also experience feelings of shame and humiliation once they realize what happened.”)).

<sup>213</sup> *Id.* (citing Dafna Tener & Sharon B Murphy, *Adult Disclosures of Child Sexual Abuse: A Literature Review*, 16 *Trauma, Violence, and Abuse* 379-505 (2014)).

<sup>214</sup> Tim Mooney, *Suspended Smithfield Priest Had Faced Previous Allegations of Sexual Abuse*, *The Providence Journal* (Feb. 4, 2022, 5:29 PM).

After Laprade refused to take the polygraph, he says he never heard from the Diocese again. Although the Diocese’s files reveal that Laprade’s complaint against Father Santilli exhibited strong indicia of credibility—including detailed allegations, a similar *modus operandi* to a prior allegation of sexual abuse reported against Santilli by a different complainant, an accurate physical description of Santilli corroborated by photographs of the priest at the time of the sexual assault, and internal Diocesan records confirming that Santilli was indeed assigned to the church where Laprade reported being sexually abused—the Diocese’s Review Board determined that the allegations could not be substantiated. “How could I not be credible?” Laprade stated in 2022 to *The Providence Journal*. “I’ve always been married, always had a job, never been in trouble with the law. And I had nothing to gain.”<sup>215</sup>

Scott Ross did not report his alleged abuse by Father Santilli until the 25th anniversary of his brother David’s death by suicide, which Ross and his sister believe may have resulted, at least in part, from Santilli’s alleged sexual abuse of David as a child. Ross went first to the police, who determined that the allegation was outside of the statute of limitations, and who then notified the Diocese with Ross’s consent. Ross told members of this Office in a 2023 interview that, as a result of his childhood trauma, he “had his innocence stripped away, his childhood stripped away,” which made him “angry and sad for others who continue to go through this.”

In 2022, Ross told Director of Compliance Kevin O’Brien what Father Santilli had done to him. O’Brien told Ross that the Diocese had received other reports alleging that Santilli had sexually abused children, but he did not reveal that the Diocese had previously been told that Santilli may have targeted Ross. During his interview, O’Brien asked Ross multiple times if he ever told Santilli to “knock it off” or “stop it.” Ross replied that, as a young child, he lacked the vocabulary or range of emotional experience to draw such a boundary against an authority figure. O’Brien told Ross that his allegations against Santilli were a “third strike.” As McCarthy had done with Laprade, O’Brien asked Ross to take a polygraph examination. Ross felt that this request was “totally inappropriate.” When asked how this request impacted him, Ross told members of this Office that he felt he was treated as a suspect, and that “if I did not take the polygraph, my truth wasn’t real.”

After his meeting with O’Brien, Ross said he was “in a state of shock, profound rage, and contempt at the revictimizing” he experienced during his interview. Ross reported that he received “no follow up whatsoever” from the Diocese after reporting Santilli. The files we reviewed appear to confirm this. Ross was surprised to learn from media reports that Santilli had been removed from ministry and placed on the Diocese’s Credibly Accused List in 2022.

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<sup>215</sup> *Id.*

Bishop Tobin referred Father Santilli to the Vatican in 2022 and requested that Santilli be penalized with a life of prayer and penance. In his *votum*, Bishop Tobin noted that though “the accusations regarding Fr. Santilli’s behavior are repugnant . . . Fr. Francis Santilli has also exercised his priesthood for over 40 years in an exemplary fashion, and without scandal. These circumstances should be taken into consideration in the adjudication of eventual penalties, if warranted.” **That one’s conduct can be characterized as “exemplary” while also as “repugnant” betrays much about Bishop Tobin’s**

**and the Diocese’s attitude towards child sexual abuse reports.** At the time of this Report’s publication, Santilli had not been removed from the priesthood.

***When asked how this request impacted him, Ross told members of this Office that he felt he was treated as a suspect, and that “if I did not take the polygraph, my truth wasn’t real.”***

## **B. Failure to Document Review Board Investigations and Determinations**

As described in Chapter 7, in 2002, the United States Conference of Catholic Bishops mandated through the *Dallas Charter* and *Essential Norms* that each diocese establish an advisory board consisting of a majority of laypersons to serve as a “confidential consultative body to the bishop,” primarily “in his assessment of allegations of sexual abuse of minors and in his determination of a cleric’s suitability for ministry.” In response, Bishop Mulvey established the “Diocesan Advisory Board for the Protection of Children and Young People,” i.e., the Review Board, which to this day serves as the Bishop’s advisor in responding to clergy abuse complaints. In our assessment, the Review Board can and should function as an important check on the Diocese’s handling of clergy abuse—not in the sense that the Review Board has any formal veto power over the Bishop’s ultimate decision (the *Norms* make clear the Review Board serves as an advisor to the Bishop), but because the Bishop is required under the *Norms* to consult with the Review Board when responding to specific complaints, and so the Bishop’s response is, in the least, necessarily informed by, if not reflective of, the Review Board’s lay perspective. Surely, even just the fact that a body of independent laypersons now observes the Bishop’s decision making on clergy abuse matters exerts its own significant, positive influence.

**Still, the Review Board operates in near-total secrecy:** the sparse materials from its earliest meetings reflect that at the very outset, its members deliberately chose not to keep meeting minutes or notes and at least discussed the potential for a confidentiality agreement. What little documentation there is regarding subsequent Review Board meetings is reflected mostly on meeting agendas and occasional references to the Board’s meetings or findings in particular OEC case memoranda. This near-total absence of recordkeeping makes it impossible to determine whether

and how the Review Board is complying with its mandate, as set forth in the Diocese's Child Protection Policy or the binding *Essential Norms*. While it is clear that the Review Board has met monthly (or every other month) to discuss certain OEC cases, and in some cases reached formal credibility determinations regarding complainants, the bases for those decisions and the standards the Board might have applied in determining credibility are unknown—and apparently not even internally tracked.

Other Diocesan records referencing Review Board business raise serious questions about whether the Board is complying with its other duties. For example, in a 2022 audit conducted by a third-party on behalf of the USCCB to assess the Diocese's compliance with the *Dallas Charter* (as discussed in Chapter 7), while the auditor concluded that the Diocese was in compliance with all of the “audited articles within the *Charter*” for the preceding three-year period, it flagged for Bishop Tobin that “it does not appear that the [Review Board] is regularly reviewing the policies and procedures for the purpose of identifying necessary revisions or potential improvements,” and suggested that the Review Board “regularly review the ‘Diocesan Child Protection and Outreach Policy’ to determine whether revisions are necessary[.]”

**The auditor's finding that the Review Board did not appear to be fulfilling its other principal duty of regularly reviewing Diocesan policies and procedures calls into question both the soundness of the auditor's conclusion that the Diocese is in compliance with the *Dallas Charter* as well as the overall rigor of those audits.**

It is also unclear how regularly the Review Board meets, whether the Board's determinations must be unanimous, and what investigative and personnel materials are made available to the Board for its review. Although some dioceses have adopted by-laws for their Review Boards, it does not appear that the Diocese of Providence has done the same. In the decades since the *Dallas Charter* was adopted, it appears that the Diocese of Providence has failed to adopt formal guidelines governing credibility determinations, voting procedures, record-keeping and retention, how information is disseminated to Board members, or other agreed-upon standards of operation. It is also not clear that Review Board members receive continuing education, for example on best practices in child abuse prevention or investigations.

**In the absence of records of the Review Board's discussions or determinations, we cannot ascertain the Board's role, effectiveness, or influence respecting child sexual abuse allegations against Diocesan clergy.** For example, an agenda from an April 2, 2019, Review Board meeting held in advance of the

Diocese's publication of its Credibly Accused List indicates that Board members may have considered abuse allegations against several priests who were not ultimately included on the List at the meeting, and that the Diocese was aware that it had made no law enforcement notifications for many of these priests. However, because the Diocese failed to produce Review Board minutes or records of determinations from this and other Board meetings, we cannot confirm whether board members had any role in reviewing these allegations or in determining whether to name certain priests as credibly accused.

What we do know is that **even Catholic Church officials have warned that the Diocese of Providence's failure to generate records of the Review Board's work impedes canonical proceedings against accused priests.** In 2016, a canonical assessor appointed by Bishop Tobin to conduct an administrative penal process against a priest accused of sexual abuse of a minor noted:

The *Essential Norms* requires Bishops to receive the assistance of a review board in reaching the conclusion that an accusation is credible. The Acta<sup>216</sup> provide an Agenda indicating that the [Review Board] met on 12 May 2009 at 1:00pm but there is no record of any discussion of the case . . . or any formal recommendations to the diocesan Bishop or that the case was even discussed at all. Due to the lack of any input to the case from the [Review] Board, it is difficult to arrive at another proper evaluation of the proofs provided to support the allegations of the complainant.

**Considering the Board's crucial role in responding to allegations of clergy sexual abuse, this Office sought to interview its members and Diocesan officials to gain a more fulsome understanding of how the Board functions, to inform our evaluation of its current and historical efficacy, and make recommendations for improvement. These requests were inexplicably denied.** Consequently, it is impossible to know whether the Review Board now hears all allegations of child sexual abuse, as required by the *Dallas Charter*, or simply just a fraction; whether the Review Board receives complete access to accused priests' files and other important information necessary to accurately evaluate sexual abuse complaints or accused priests' suitability for continued ministry; or what, if any, independent investigation the Review Board conducts of sexual abuse allegations.

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<sup>216</sup> An "acta" is the complete record, including a collection of documents and testimonies, relating to allegations of Catholic delicts (including those of child sexual abuse).

## C. The Church's "Zero Tolerance" Policy vs. the Diocese's Limited Referrals to the Vatican

Another central tenet of the *Dallas Charter* and the *Essential Norms* is the Church's "zero tolerance" policy for complaints of clergy abuse. As set forth in the *Norms*, this policy formally states that where "even a single act of sexual abuse [by a priest or deacon] is admitted or established after an appropriate investigation in accord with canon law, the offending priest or deacon must be permanently removed from ministry and, if warranted, dismissed from the clerical state." According to the Diocese's implementation of that standard in its Child Protection and Outreach Policy, "zero tolerance" first requires the Diocese to undertake a "preliminary investigation" into every complaint of clergy abuse that it receives. Where such an investigation "so indicates, the Bishop will notify the [Vatican]" about the complaint, commencing a canonical inquiry and adjudication by Rome that includes the possible imposition of canonical penalties, up to and including the accused priest's complete removal from the priesthood. In terms of the actual standard that applies to the bishop's decision whether to refer the matter to Rome in the first place, the USCCB has explained that "[t]he general rule is that all cases are referred to the [Vatican][,]" unless "the allegation is manifestly false. In other words, if there is *any semblance of truth at all to the allegation*, the bishop seeks the intervention of the [Vatican]."<sup>217</sup> (emphasis added)



...since 2002, **only nine priests** have been referred by Diocesan bishops to the Vatican due to clergy abuse complaints. This is in comparison to the **21 Diocesan priests** who, by our tally, have been the subject of **dozens of abuse complaints** received by the Diocese since 2003 (the effective date of the Norms).

**At least on the face of the Diocese's purported policy of "zero tolerance," it would seem that most if not all 21 priests, as opposed to half that number, should have been referred by the bishop to the Vatican.**

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<sup>217</sup> Questions and Answers Regarding the Canonical Process for the Resolution of Allegations of Sexual Abuse of Minors by Priests and Deacons, U.S. Conference of Catholic Bishops (May 13, 2010), <https://www.usccb.org/news/2010/questions-and-answers-regarding-canonical-process-resolution-allegations-sexual-abuse>.

For decades, the Diocese of Providence has held itself out to the public as deeply committed to a policy of “zero tolerance.” Even before the USCCB’s June 2002 meeting that produced the *Dallas Charter and Norms*, Auxiliary Bishop Robert McManus proclaimed in a March 2002 op-ed that “officials of the Diocese of Providence take this moral obligation with utmost seriousness and have implemented for a number of years a ‘zero tolerance’ policy concerning sexual abuse of minors.”<sup>218</sup>

**The Diocesan records produced to this Office establish that bishops in the Diocese of Providence did not consistently follow the “zero tolerance” mandate of referring all non-frivolous complaints of clergy abuse to the Vatican for canonical adjudication and the accused priests’ potential removal from the priesthood.** According to those records, since 2002, only nine priests have been referred by Diocesan bishops to the Vatican due to clergy abuse complaints.<sup>219</sup> This is in comparison to the 21 Diocesan priests who, by our tally, have been the subject of dozens of abuse complaints received by the Diocese since 2003 (the effective date of the *Essential Norms*). In all of those instances, at the time the Diocese received the complaint, the accused priest was both still living (though several have since died) and had, according to the Diocesan records at our disposal, not been canonically removed from the priesthood (either through laicization or dismissal from the clerical state). At least on the face of the Diocese’s purported policy of “zero tolerance,” it would seem that most if not all 21 priests, as opposed to half that number, should have been referred by the bishop to the Vatican.

What is more, it appears the Diocese continues to financially support such accused priests. The Diocese stated in an April 2022 letter to this Office that bishops have a “duty of maintenance” under canon law “to the priests incardinated in their dioceses,” which “persists unless and until [a] priest leaves, or is removed from, the clerical state.” This duty, the Diocese explained, obligates bishops to “take care that provision is made for their [priests’] decent support and social assistance.”<sup>220</sup> Based on the records and information provided by the Diocese during this Investigation, it appears that there currently are nine living Diocesan clergy who have been deemed credibly accused by the Diocese but who have not, to the best of our knowledge, left or been removed from the clerical state: Father Joseph Abruzzese, Father Paul Charland, Father Kevin Fisette, Father Paul Henry Leech, Father Richard Meglio, Father John Petrocelli, Deacon Edward Sadowski, Father Francis Santilli, and Father William Tanguay. In other words, though it appears that all of these priests and deacons have been suspended or retired in the wake of complaints of clergy abuse, it is also our understanding that they remain “incardinated” in the Diocese, such that

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<sup>218</sup> Auxiliary Bishop Robert J. McManus, *The Providence Visitor*, March 20, 2002.

<sup>219</sup> The Diocese referred two additional priests to the Vatican: one complainant brought his complaint to the Vatican directly, and the Vatican asked the Diocese for information regarding the priest, and another complainant requested that the Diocese forward his canonical complaint to the Vatican. A twelfth priest applied for laicization himself, and the Diocese wrote a letter supporting the request.

<sup>220</sup> Letter from Partridge Snow & Hahn LLP to Office of the Attorney General (Apr. 5, 2022).

they continue to receive “maintenance” from the bishop. Information gathered during this Investigation confirms that a number of these priests still receive financial support and other benefits (like health insurance) from the Diocese, even though the Diocese has deemed them credibly accused of child sexual abuse.

*...though it appears that all of these priests and deacons have been suspended or retired in the wake of complaints of clergy abuse, it is also our understanding that they remain “incardinated” in the Diocese, such that **they continue to receive “maintenance” from the bishop.***

For example, based on the information we reviewed, one such credibly accused priest continued to receive financial support from the Diocese since his suspension from ministry decades ago. Diocesan records confirm that this priest was paid at least half a million dollars, inclusive of a salary, room and board, car insurance, and health insurance benefits, since his suspension, including modest “salary increases” along the way. It does not appear that this priest was subject to any monitoring by the Diocese of Providence during his suspension. Likewise, in 2022, Bishop Tobin authorized another credibly accused priest who had been suspended from ministry to be compensated from the “Priest Special Assignment Fund” at the same level as a retired priest. Though Bishop Tobin referred this priest to the Vatican, based on the information we have, this priest has not left, been laicized, or removed from, the clerical state—and so it would appear that his “maintenance” is ongoing.

In response to inquiries from this Office about the source of compensation to priests who have been removed from ministry, the Diocese stated only that “payment of priest salaries and benefits come[s] from ‘general revenues.’”<sup>221</sup> When further pressed about the source of such “general revenues,” the Diocese failed to offer any further detail, responding only that “‘General Revenues’ is a commonly used accounting term and covers all revenues from any source not otherwise segregated.”<sup>222</sup> Still, the Diocese also stated in 2022 that certain specific funds—including at least one fund that records show the Diocese used to support credibly accused clergy in past years, the “Clergy Special Assignment Fund” (which we suspect is identical to the “Priest Special Assignment Fund” referenced above)—received funding from “general revenues, *parish assessments*, and priest assessments.”<sup>223</sup> We understand “parish assessments” to be financial contributions from individual local parishes to the Diocese of Providence.

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<sup>221</sup> Letter from Partridge Snow & Hahn LLP to Office of the Attorney General (Oct. 19, 2020).

<sup>222</sup> Letter from Partridge Snow & Hahn LLP to Office of the Attorney General (Apr. 5, 2022).

<sup>223</sup> *Id.* (emphasis added).

The Diocesan records also show that in several other recent cases involving clergy abuse allegations that were plainly not frivolous, instead of referring those cases to the Vatican, bishops permitted the accused priests to quietly retire with benefits, resign with their reputations intact, or remain on lengthy leaves of absence. In other cases, referrals were inexplicably delayed, sometimes for years. **The Diocese's apparent failure to follow the Church's own, much-touted zero-tolerance policy suggests, yet again, that there exists a gulf between the Diocese's public statements and its leadership's actual attitudes towards accused priests and their victims.**

Father Paul Charland, for example, who appears on the Diocese's List of Credibly Accused Clergy and is accused of abusing at least two children over the course of his 40-year ministry, **was apparently never referred to the Vatican for removal from the priesthood.** Although the Diocese received separate child sexual misconduct complaints against Charland in 2002 and 2003, the Diocese inexplicably did not even suspend Charland from ministry until it received a third complaint, involving an adult, in 2011.

In 2011, at the request of Auxiliary Bishop Robert Evans, a canon law professor working at Boston College reviewed the allegations against Father Charland. Following his review, he wrote to Auxiliary Bishop Evans that the 2002 and 2003 complaints should have been reported to the Vatican. He also expressed that "[t]he investigator [McCarthy] should have greater familiarity with his canonical role." Four days later, Bishop Tobin permitted Charland to retire and suspended him from public ministry pending the outcome of a canonical investigation. Bishop Tobin acknowledged in a decree that the complaints received in 2002 and 2003 "were examined informally by diocesan officials but without reaching a formal conclusion," and that "even though the evidence suggested that a violation of [canon law] had taken place, a report was never forwarded to the uniquely competent Supreme Tribunal of the Congregation for the Doctrine of Faith for determination of how the disputed facts of the case would be properly adjudicated."

**Despite Bishop Tobin's admission, it does not appear that the Bishop subsequently directed the Diocese to report any of the complaints made against Charland to the Vatican.** Worse, in July 2016, Bishop Tobin instructed *against* submitting to the Vatican the allegations of a woman who accused Charland of abusing her as a child in the 1980s, based on Tobin's view that her allegations were not credible and the fact that "[t]he *Essential Norms* do not require a diocese to inform the Vatican if an allegation is determined to lack credibility." There is no separate record reflecting the basis of the Bishop's negative credibility determination about this complaint.

While Rome has the ultimate say in the outcome of any given canonical proceeding against a priest accused of child sexual abuse, the Diocesan records also suggest that **local bishops, including the Bishop of Providence, can and do still wield considerable influence in affecting those outcomes, including in ways that diminish the effect of the "zero tolerance" policy.**

In 2010, for example, Bishop Tobin referred a credibly accused priest to the Vatican but recommended that the Vatican withhold review of the priest's case for three years so that there would be additional time for any further complainants against the priest to come forward and for the priest to plan his future. The canon law professor referenced above reviewed this priest's file and remarked in an August 2011 memorandum to Auxiliary Bishop Evans that **Bishop Tobin's votum, or authoritative opinion, was "very unusual in its recommendation of a delay of three years."** During this delay, the accused priest applied for several jobs, including two non-denominational chaplain positions, even though his faculties were suspended. The priest ultimately accepted secular employment, while still retaining his status as a priest.

**On several other occasions, it appears that the Diocese refused to initiate, or delayed, canonical proceedings against accused priests because of their advanced age.** In 2006, one of the victims of Father Louis Diogo pressed the Diocese to ensure that Diogo was permanently removed from the clerical state for his reported sexual abuse of several young girls. Monsignor Paul Theroux responded that "the Bishop [Tobin] has done all that he can do in response to this situation," namely suspending Diogo's faculties, adding, "although you would like to see him removed from the clerical state, that penalty is beyond the authority of the Bishop and, quite frankly, the Holy See is generally not inclined to take such an extreme measure when the priest is 85 years of age[,] preferring to restrict his ability to function as a priest as Bishop Tobin has already done." Diogo lived for another nine years, and there is no indication in the Diocesan records that the Diocese ever referred known allegations against him to the Vatican.

Similarly, in 2016, Bishop Tobin halted the laicization proceedings of Father Peter Scagnelli (discussed above) after Scagnelli's canonical advisor informed Tobin that Scagnelli was terminally ill. **Tobin remarked in a note at the time, "I presume that Scagnelli's case will be on hold. God will resolve it for us!"** Scagnelli died the following year, still an incardinated priest. At the time of his death, the Diocese had received eight sexual abuse complaints, and one grooming complaint, against him, beginning in 1993. Though Bishop Mulvee referred Scagnelli to the Vatican in 2004, records produced by the Diocese to this Office reflect that Bishop Tobin took *eight years* to supply additional information requested by the Vatican in 2005 to adjudicate Scagnelli's case, whereupon the Vatican promptly recommended Scagnelli's laicization. In 2014, Bishop Tobin instructed the Vatican to go forward with *ex officio* dismissal from the clerical state after Scagnelli refused to request voluntary laicization. Bishop Tobin again deferred Scagnelli's laicization in 2016 based on his declining health.

Finally, in referring several priests on the Diocese's List of Credibly Accused Clergy to the Vatican, Bishop Tobin apparently advocated against defrocking those priests entirely and instead recommended permitting them to remain in the priesthood, subject to a private life of "prayer and penance," meaning they would never again publicly serve as priests. In four separate referrals between 2012 and 2016 for Fathers Timothy Gorton, Barry Meehan, John Allard, and B. Samuel Turillo, Bishop Tobin cited those priests' ages and told the Vatican: "I do not believe [Father] to be a

danger to young people.” The Vatican apparently agreed, and ordered “prayer and penance” for Fathers Gorton, Allard, and Turillo (as opposed to an outright removal from the clerical state), while recommending that Father Meehan (who at the time was awaiting trial on several counts of first-degree sexual assault for his alleged rape of multiple teenage boys in the late 1980s and early 1990s) alternatively seek voluntary laicization. Meehan died in 2016 before his criminal trial and while his petition for voluntary laicization was still pending with the Vatican.

## D. No Monitoring of Priests Credibly Accused of Child Sexual Abuse

One cited rationale for the Church’s reluctance to remove accused priests from the priesthood entirely is **continued supervision**: whereas laicization severs *all* connections that the Church has with an accused individual, by permitting that individual to remain a priest, the Church retains some authority over him. This rationale may carry some superficial appeal until it becomes clear that: (1) it is inconsistently applied; (2) it is typically not the rationale the Diocese gave to the priests, the Vatican, and even the complainants in allowing the priests to remain in the priesthood; rather, age and infirmity seemed to drive those decisions; and (3) we found very little evidence that the Diocese is engaged in *any* such monitoring, on either a formal or informal basis. To the contrary, **we identified several instances where the Diocese failed to even know the whereabouts of known offenders**—that is, Diocesan priests who were either criminally convicted of child sexual abuse or admitted to abusing minors to Diocesan officials. This is despite the fact that, as noted above, the Diocese continues to provide financial support to these credibly accused (and in some cases, convicted) priests.

*Father William O’Connell*

William O’Connell—perhaps the most notorious abuser priest within the Diocese of Providence during the period of our review—remained a priest for nearly a decade, with *no monitoring*, following his 1986 conviction in Rhode Island for child sexual abuse. O’Connell moved to New Jersey, where he supplemented his Diocesan income with photography work *at local parishes and Catholic schools*. He was arrested in New Jersey in 1994 and later pled guilty there to several child-abuse-related crimes after police found thousands of photographs of naked boys inside O’Connell’s home. **There is no evidence in the Diocesan records produced to the Attorney General that the Diocese ever sought to remove Father O’Connell from the priesthood.**

A Diocesan spokesperson told the media in August 1994, in response to news of Father O’Connell’s New Jersey arrest, that **O’Connell “sort of disappeared into the woods”** after he served one year in a work-release program for his Rhode Island convictions, claiming that Bishop Gelineau “couldn’t force the priest to constantly

inform the diocese of his whereabouts.”<sup>224</sup> A contemporaneous internal memorandum to “Diocesan Leadership,” however, noted that the Diocese continued to deposit pension payments directly into O’Connell’s account in a Rhode Island bank. Further, while claiming that “Bishop Gelineau had no personal knowledge of where William O’Connell was residing,” the Diocese did acknowledge in an internal memorandum:

[I]t is possible that others in the Diocese may have known of his present address, so we are looking at ways to tighten our policies in this regard as best we can. It is certainly our present policy to notify local Church authorities when we know of the whereabouts of a known offender. However, the Church cannot force a former priest to report his whereabouts, unless he is willing to do so.

Around the time of Father O’Connell’s New Jersey arrest in 1994, the Diocese conceded that it needed to make a better effort to monitor priests, like O’Connell, who presented a known risk to children. **Yet two decades later, in 2013—well after the implementation of the *Dallas Charter and Essential Norms*—the Diocese publicly admitted that it *still* had no program to monitor known abuser priests**, telling the media, in response to questions about the then-recent suspension of Monsignor John Allard (discussed further below), that it had “no set program in place to monitor ex-priests who admit to molestation.”<sup>225</sup>

The Attorney General’s Investigation confirms that, to date, **the Diocese of Providence has failed to adopt or implement any formal policy or procedure for monitoring accused clergy** placed on leave due to child sexual abuse allegations, notwithstanding that it is quite capable of doing so. Though such monitoring is an increasingly standard practice among dioceses across the country, the records produced by the Diocese of Providence contain no evidence that the Diocese has adopted or implemented any standardized or consistent plan for monitoring accused priests’ whereabouts, statuses, or compliance with their terms of ministry. Consequently, the Diocese cannot be sure

Around the time of Father O’Connell’s New Jersey arrest in 1994, the Diocese conceded that it needed to make a better effort to monitor priests like O’Connell, who presented a known risk to children. **Yet two decades later, in 2013—well after the implementation of the *Dallas Charter and Essential Norms*—the Diocese publicly admitted that it *still* had no program to monitor known abuser priests...**

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<sup>224</sup> Elizabeth Abbott, *Mother decries silence over priest’s crimes*, The Providence Sunday Journal, August 14, 1994, at B-4.

<sup>225</sup> Katie Davis, *I-Team: Priest won’t be monitored*, turnto10.com (February 26, 2013), <https://turnto10.com/archive/i-team-priest-wont-be-monitored>.

whether these priests are abiding by the terms of their suspensions or, to the contrary, living or working in proximity to children. **This endangers children and is, in a word, unacceptable.**

*Monsignor John Allard*

In 2013, a complainant reported to the Diocese that Monsignor Allard began abusing him in 1981, when he was 15 years old, and continued for about two years. Director McCarthy soon confronted Allard about the allegations, and Allard admitted to 20-25 instances of sexual abuse. Allard told McCarthy that he “never raped him or anything like that. It was more fondling, touching kind of thing.” McCarthy immediately reported Allard’s admission to Monsignor Albert Kenney, the Diocesan Vicar General. The day after Allard’s admission, Auxiliary Bishop Robert Evans wrote to Allard to inform him that the Diocese’s Review Board found the allegations against him to be credible, and that Bishop Tobin had placed him on administrative leave, prohibited him from saying Mass and performing other sacraments, barred him from appearing publicly in clerical attire, and mandated that he vacate St. Agatha’s rectory in Woonsocket.

Despite finding that the complaint against Monsignor Allard was credible, Bishop Tobin’s *votum* to the Vatican recommended *against* Allard’s full removal from the priesthood, instead advocating for his retirement. He wrote:

Monsignor Allard is 64 years old, and will never again serve in active ministry. At this time, I do not believe he is a danger to young people, and I respectfully remind the Congregation that this is the first and only known allegation of abuse against him. For these compelling and grave reasons, I do not recommend that the Congregation impose a penalty; and I believe that an extrajudicial or penal process is not necessary in this manner. I respectfully request that the Congregation, due to his age, allow the accused to request early retirement from me. This would give the accused “senior priest status” and allow him to dedicate his retirement to private prayer and penance.

Publicly, however, Tobin told reporters in response to questions about Allard that “[a]llegations of abuse, even if they occurred many years ago, are taken very seriously and acted upon in accordance with the Charter for the Protection of Children and Young People and Diocesan Policy.”<sup>226</sup>

The following month, in accordance with Bishop Tobin’s request, the Vatican ordered Bishop Tobin to retire Allard from ministry and impose upon him “a life of prayer and penance,” which is typically reserved for priests who are not suited for dismissal due to age or infirmity. But Allard was only 64 years old at the time, and there is no indication in the records that he was “infirm” at the time. The Vatican also

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<sup>226</sup> *Woonsocket priest placed on administrative leave*, Rhode Island Catholic (Mar. 4, 2013, 11:34 AM) <https://thericatholic.com/stories/woonsocket-priest-placed-on-administrative-leave,5614>.

informed Tobin that “further canonical and pastoral vigilance regarding [Allard] is left to [your] discretion . . . including monitoring and ensuring that the priest is not a danger to minors.”

**There is no indication in the Diocesan records produced to this Office that Bishop Tobin or any other Diocesan official undertook any such monitoring efforts.** As noted, the Diocese told the media at the time of Allard’s forced retirement that it had “no set program in place” to monitor priests who, like Allard, admitted to child sexual misconduct. And of course, the fact that the Diocese lacked any policy for monitoring priests who, like Allard, had *admitted* to abusing children strongly implies that it lacked any such policy (we found none) or practice for priests who were *accused* of, but had not yet admitted to or been convicted of, child sexual misconduct.

*...despite finding that the complaint against Monsignor Allard was credible, **Bishop Tobin’s votum to the Vatican recommended against Allard’s full removal from the priesthood, instead advocating for his retirement.***

What is more, while Monsignor Allard was directed as part of his 2013 suspension to vacate his parish at St. Agatha’s in Woonsocket, he returned to work there just over a year later, as a part-time cook in the parish rectory. It appears the Diocese was not even *aware* of this arrangement for several months, until a Diocesan auditor flagged it during a routine audit of St. Agatha’s finances in June 2015. Even then, upon learning of the situation, Bishop Tobin responded only by instructing the parish to stop *compensating* Allard, noting in a letter that “this step is prudent given the sensitive nature of [Allard’s] status and the subsequent publicity following his resignation as pastor, especially considering the reason for it. It could serve as a source of confusion for the Faithful and even a matter of scandal were it to be made known that parish funds were used in this fashion, despite however well-intentioned it may be.” Allard’s presence at the parish, according to Auxiliary Bishop Evans, did “not appear to be in violation of any diocesan guidelines.” This, despite the fact that Father Allard’s acts of abuse occurred, among other locations, on parish grounds.

*Father Francis Santilli*

**Even more recent examples confirm that, to this day, the Diocese continues to lack any standardized policies or practices for monitoring credibly accused priests.** In early 2022, for instance, during the pendency of this Investigation, Bishop Tobin suspended the faculties of Father Francis Santilli (discussed above), after the Diocese received its third child sexual abuse complaint against him. The Diocese

ultimately deemed the complaint credible and added Santilli to its List of Credibly Accused Priests later that year. Although Bishop Tobin referred Santilli to the Vatican in 2022, it does not appear as of the time of this Report that Santilli has been canonically penalized or removed from the priesthood. Diocesan records produced to this Office indicate that the Diocese continues to pay Santilli's salary and benefits. And in response to our specific requests, the Diocese of Providence produced no records indicating that it has undertaken any monitoring of Santilli since his suspension.

**The Diocese's failure to adequately monitor credibly accused priests after their suspension, resignation, or retirement is inexplicable**, particularly as the Diocese continues, in many cases, to provide financial support to these same priests, and the ability to retain control over them is one of the primary justifications offered by the Diocese for not seeking laicization.

## **E. Continued Lack of Transparency and Accountability**

In July 2019, the Diocese of Providence released its List of Credibly Accused Clergy (the "Credibly Accused List" or "List"). The List identifies Diocesan priests and deacons (as well as certain religious order priests) who, in the judgement of the Diocese, have been credibly accused of sexually abusing children. For each priest or deacon, the List provides his name, date of birth, ordination date, "current status" (i.e., "removed from ministry," "left ministry," or "died"), and a limited assignment history. When the Diocese first published its Credibly Accused List, Bishop Tobin explained that it was intended as "an expression of the transparency [the Diocese] want[s] to encourage, and the accountability we need to accept."<sup>227</sup>

The List, according to the Diocese, is the result of a comprehensive review by the Director of Compliance of clergy records dating back to 1950. In deciding whether a priest or deacon has been "credibly accused," such that he should appear on the List, the Director "exercised his own independent, expert judgment," sometimes in consultation with the Director of Outreach and Prevention and/or the Diocesan Review Board.<sup>228</sup> Here, the Diocese explains, the Director "considered a variety of complex and competing considerations," including:

[W]hether the allegation was anonymous; the consistency of witness testimony; the accuracy or inaccuracy of details provided in the accusation; any physical evidence; whether the accused had an opportunity to respond to the allegation, and if so, his credibility and response; whether the accused was the subject of more than one

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<sup>227</sup> Thomas J. Tobin, *Letter To My Brothers and Sisters in the Diocese of Providence*, Diocese of Providence (June 28, 2019), <https://files.ecatholic.com/5523/documents/2019/6/TL%20-%20Bp%20Tobin%20Ltr%20June%202019.pdf?t=1560882645000>.

<sup>228</sup> *FAQs Relative to the Release of The List of Credibly Accused Clergy in the Diocese of Providence*, Diocese of Providence <https://dioceseofprovidence.org/faqs-re-the-list> (last visited Apr. 7, 2025).

allegation; the scope and spectrum of the alleged conduct; any additional information obtained from law enforcement; and the existence or absence of any corroborating evidence or witnesses.<sup>229</sup>

**We have determined based on this Investigation that the List is deficient in several key respects.**

### **1. The Diocese’s Credibly Accused List Omits Critical Information.**

First and foremost, **the List fails to include the names of several additional clergy against whom there also have been made credible child sexual misconduct allegations.** Significantly, this includes certain priests who were deceased by the time their victims came forward, and/or were the subject of a single, credible abuse allegation. To state the obvious, the Diocese’s List, or any “credibly accused list” speaks to *accusations*, not convictions. While occasionally the Diocese, and this Office, receive complaints that can very quickly be dismissed as lacking any indicia of credibility, or alternatively can very quickly be verified (such as when the accused admits the conduct), most complaints are more difficult to evaluate. In cases where there is a delayed report of sexual assault, frequently there is little or no corroboration of the complaint; there is no forensic evidence, and there are usually no witnesses to a sexual assault. That is the nature of these crimes.

Every day, in Rhode Island courtrooms, defendants are charged, tried, and convicted of sexual assault or child molestation of a single victim, often without much more evidence than the victim’s testimony. To be sure, there are times when juries cannot find a defendant guilty beyond a reasonable doubt based solely on the testimony of the victim. **But if a Rhode Island jury is entitled to trust the testimony of a single, credible witness to convict under the highest standard of proof the law provides—beyond a reasonable doubt—surely the Diocese can and should do the same.**

As has been discussed at length elsewhere in this Report, most victims of child sexual abuse disclose, if at all, well into adulthood, typically in their 50s. By then, it is not surprising that their older abusers have died. And while this Report uncovered a troubling number of cases where priests abused multiple victims, it is not uncommon for there to be a single known victim of a person accused of child sexual abuse. Neither of these facts—a deceased suspect, or a single victim alleging a single incident—itself indicates that a complaint is unreliable or lacks credibility.

In the end, we recognize that the Diocese must bring its own judgment to bear on these decisions, and reasonable minds may differ as to whether to include a particular priest on a *credibly* accused list – which by its very name, implies the exercise of judgment and opinion. Still, if transparency and accountability are the goal, as the Diocese has represented, then the Diocese should strive to be as inclusive as it

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<sup>229</sup> *Id.*

can. And, if the Diocese adds additional context and information to its List, as discussed below, such information will aid the public's assessment of the listed clergy.

**The Credibly Accused List as currently constituted also omits certain critical facts that are essential to full transparency and accountability.** These include:

- The number of known victims;
- Basic details of each such complaint, including the victim's age and sex, when and where the reported abuse occurred, the nature of that abuse, and the year it was reported to the Diocese;
- Whether and when the Diocese referred it to law enforcement;
- Whether and when the Diocese referred the matter to the Vatican for canonical adjudication; and,
- Whether the accused priest has admitted or denied the allegation, or had died before they were accused.

**The Diocese of Providence should follow the path of other dioceses in including this information on its List.** For example, the Archdiocese of Milwaukee (WI) provides a narrative for each credibly accused priest that describes the number of allegations against him, details of those allegations (including the nature of the abuse, when and where it occurred, and the age and sex of each victim), and details about the Archdiocese's response (such as whether and when it referred a complaint to either law enforcement or the Vatican, and the extent to which the Archdiocese restricted the priest's faculties). Similar details can be found in lists published by the Dioceses of San Bernadino (CA), Sacramento (CA), Sioux City (IA), Des Moines (IA), Dubuque (IA), and Springfield (MA).

**The Diocese's Credibly Accused List also fails to fully and accurately disclose credibly accused priests' assignment histories and statuses.** With respect to assignment histories, the Diocese largely restricted the published information to priests' *formal* parish assignments within Rhode Island, while excluding their part-time or temporary assignments as well as out-of-state assignments. However, our Investigation found that the Diocese frequently reassigned accused priests, placed them on temporary assignments, and/or transferred them to other states for periods of time. It should go without saying that full transparency, accountability, and public safety (in the case of living priests) demand the disclosure of each credibly accused priest's *entire* career path, since each and every assignment—whether full-time or part-time, formal or temporary, in Rhode Island or elsewhere—is another possible location of abuse. Similarly, our Investigation found that the Diocese frequently placed known offenders on “medical leave” or “sabbatical,” or sent them for “treatment;” others were placed on indefinite leaves of absence for years, or even decades, prior to their “retirement,” resignation, or death. Yet the Diocese chose not to publish these key details with respect to all clergy on its List. **These omissions serve only to obscure the Diocese's true handling of the clergy abuse crisis.**

We find the List’s description of each credibly accused priest’s “status” similarly lacking. For most credibly accused priests, the List states only that each priest was “removed from ministry” on a given date. Yet the Diocese offers no explanation for what “removed” means. Our review of the Diocesan records found that “removed” in this context can mean a number of different things—from a priest being placed on administrative leave, to retired with full benefits, to “removed” through a canonical proceeding that may, or may not, result in the priest’s full termination from the priesthood and the Church. Each of these statuses is different and accompanied by differing levels of restrictions on the priest’s ability to minister. **To say only that a priest was “removed” on a given date is at best incomplete, and at worst misleading. In other words, it may shield the Diocese’s failure to take meaningful steps to protect children from abuse.**

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One glaring example of how the List is deficient in these respects involves Father Edmund Fitzgerald, previously discussed. At the time of this Report, the List states that Fitzgerald was “removed from ministry 8/27/1998.” From this, a reader might reasonably conclude that in August 1998, the Diocese permanently removed Fitzgerald from the priesthood—or at least permanently barred him from serving as a Diocesan priest ministering to the public. **What the List fails to clarify is that Fitzgerald’s August 1998 “removal” was in fact just a temporary suspension of his faculties, which the Diocese reinstated just six months later, despite three known complaints of child sexual abuse against him at the time.** To the extent Father Fitzgerald did not have a permanent assignment after this temporary suspension (as his assignment history on the List suggests), this was primarily a function of Fitzgerald’s *voluntary* retirement in December of that year, not because of any clear personnel decision by the Diocese in response to the multiple abuse complaints against him. **In reality, as noted in his summary in Appendix A, Father Fitzgerald continued to engage in part-time ministry at parishes throughout the state for several more years, until his second suspension in June 2002. None of those part-time assignments appear on the Diocese’s List, either. The Diocese never sought to remove Father Fitzgerald from the clerical state.**

The Diocese has stated that deciding whether to place particular clergy on its Credibly Accused List was, ultimately, left to the discretion of the Director of Compliance.<sup>230</sup> We sought no less than three times to meet with the Director, in order to gain a better understanding of, among other things, the bases for his decision making. Troublingly, the Diocese, through its counsel, repeatedly refused our requests to meet with the Director (just as it refused our requests to interview any Diocesan personnel as part of this Investigation). This lack of cooperation has further frustrated our ability to understand the Diocese’s decision-making regarding the composition of its Credibly Accused List.

## **2. Names of Clergy Added to the Credibly Accused List During this Investigation.**

Directly as a result of this Office’s Investigation, the Diocese added the following four priests to its List:

- Father Edward Kelley
- Father James Jackson
- Father Francis Santilli
- Father Joseph McCra

Of particular note, the Diocese’s original List failed to include Father Joseph McCra, who reportedly abused at least two children and attempted to abuse others. Father McCra was only added in 2023, after our review uncovered a handwritten note in a Diocesan file stating that McCra was “accused in 1951 of molesting boys at his villa at a lake in Pascoag – relieved of duties.” In response to our request, the Diocese then provided Father McCra’s files, which revealed that Bishop McVinney, who led the Diocese from 1948 until 1971, was fully aware of the allegations against McCra, but repeatedly reassigned him to positions within the Diocese where McCra continued to have access to, and reportedly abused, children.

**We call on the Diocese to consider adding those additional 20 priests whose names are published in Appendix A of this Report and who are not listed on the Diocese’s own List.** In each of these cases, the attached summaries set forth the basis for their inclusion on the List.

## **F. Turning a Blind Eye Toward Religious Order Priests**

While our Investigation focused predominately on the Diocese, and the actions of Diocesan clergy, we could not ignore the troubling information we received concerning allegations against religious order priests, and the Diocese’s handling of those allegations.

Religious orders represent about a third of all Catholic clergy in America. They serve within most American dioceses, including the Diocese of Providence. On a day-

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<sup>230</sup> *Id.*

to-day basis, religious order members serve at the direction of their order superiors, and the orders—distinct from dioceses—largely control their ministry assignments. But the relationship between dioceses and religious orders is frequently intertwined: religious order priests often serve a variety of functions *within* dioceses, including saying mass and ministering the sacraments at diocesan parishes, and teaching in diocesan schools. Therefore, the distinction between religious order and diocesan priests is often not apparent to parishioners and the public. Importantly, though, the authority for religious order priests to serve within a given diocese flows from that diocese’s bishop, whose grant of faculties provides the formal authorization for priests to serve there. In this way, **religious order priests operate at the discretion of the bishop, who retains the authority to revoke their faculties.**

This Office requested that the Diocese produce the files of *all* clergy accused of child sexual abuse in the Diocese’s possession. While the files we received pertaining to Diocesan clergy were often extensive, the records concerning religious order priests were typically more limited. According to the Diocese, this is because the personnel records of religious order priests are kept by their respective orders, meaning they are only incidentally and partially maintained by the Diocese. **Still, the limited Diocesan records we received contained evidence that several religious order priests assigned to Diocesan parishes were accused of sexually abusing children both in Rhode Island and elsewhere.**

**Much like its handling of abuse complaints against its own clergy, we found that the Diocese of Providence has had an inconsistent and often ineffective response to complaints against religious order priests.** Through the early 2000s, allegations against religious order priests were generally referred to the priests’ orders and were neither investigated by the Diocese nor reported by the Diocese to law enforcement. More recently, these complaints are generally referred to Rhode Island law enforcement, and the religious order is notified. But the extent to which the Diocese independently investigates these complaints remains unclear. The Diocese often defers to a religious order’s representations and any investigation it undertakes. The problematic nature of the Diocese’s approach is perhaps best illustrated by its response to abuse allegations that were raised in the mid-2000s against Father Aaron Joseph Cote, a Dominican Order priest who served in Rhode Island.

Father Cote reportedly sexually abused a 14-year-old boy repeatedly between 2001 and 2002 while assigned to a parish in Maryland. The complainant reported the abuse to the Archdiocese of Washington in 2003, and just six days later, in late August, the Dominican Friars transferred Cote to St. Pius V Church in Providence. St. Pius V is located directly in front of a primary school and is immediately across the street from the Providence College campus. Bishop Mulvee approved the transfer while the criminal investigation was pending, though he restricted Cote from public ministry pending the investigation’s outcome.

In the fall of 2003, the head of the Dominican Province, Father Dominic Izzo, informed the Diocese of Providence’s Review Board that Maryland authorities had closed the criminal investigation into Cote because the complainant “had chosen not to press the allegation.” Father Izzo also noted that “Father Cote’s personnel file was

thoroughly gone through to look for any previous allegation of sexual abuse or misconduct. None was found.” Izzo therefore concluded that “the investigation of Father Cote has been closed since there is no evidence of [sic] to support the allegation,” and suggested that “the Review Board . . . recommend that [Father Cote] continue to exercise his priestly faculties at the Church of St. Pius V, Providence, RI.”

**Bishop Tobin lifted the restrictions on Father Cote, and Cote continued to serve as Assistant Pastor at St. Pius V from approximately August 2003 to November 2005.** It is not clear whether Cote interacted with minors during his time there, though records show that he asked not to be involved directly in youth ministry due to what he perceived as a vulnerability to false allegations. Diocesan Monsignor Paul Theroux later stated publicly that “we felt that [Cote] had been cleared.”<sup>231</sup> There is no record that the Diocese independently investigated the allegations against Cote, such as by interviewing the complainant, or requesting Cote’s personnel file from the Dominican Order—and so how the Monsignor could have concluded that Cote had been “cleared” is not at all evident.

**Had the Diocese requested and examined Cote’s files, it would have learned of additional allegations of inappropriate conduct with children.** The Diocese also would have learned that Church authorities were so worried about Cote’s behavior with children dating back to his seminary days that it considered not ordaining him as a priest at all. Further, if the Diocese had contacted the Maryland law enforcement authorities investigating the 2003 abuse allegations against Cote, the Diocese would have learned that the criminal investigation was *not* in fact closed due to a lack of evidence; it was only suspended due to the complainant’s unavailability for an interview—and the Maryland authorities indicated a willingness to reopen the investigation if the complainant changed his mind (which he ultimately did). Dennis Roberts, the former Attorney General of Rhode Island (1979-1985) who led the Diocesan Review Board that heard Cote’s case, was reportedly dumbfounded upon learning in 2007 of the information that the Dominican Order had omitted from its reports to the Diocese, remarking, “they didn’t tell us the whole truth.”

In 2005, the original complainant from Maryland sued Cote, the Dominican Order, and other defendants in Superior Court in the District of Columbia. Upon learning of the suit, the Diocese barred Cote from engaging in public ministry but noted that because Cote was with the Dominican Order, it was up to the Order to place Cote on formal administrative leave. The Dominican Order did so within days and immediately transferred Cote to another Dominican parish in New York City (St. Vincent Ferrer). The civil case reportedly settled in 2007 for \$1.2 million. In 2008, Cote was criminally charged with sexually abusing the complainant in Maryland, and the following year he was convicted of a third-degree sex offense, sentenced to 10 years of probation, and required to register as a sex offender. Cote died in 2012.

Today, Cote is listed as credibly accused by the Archdiocese of Washington D.C. and the Dominican Friars, Province of St. Joseph. He also appears on the credibly

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<sup>231</sup> Tom Mooney, *Suit Prompts Diocese to Suspend Priest*, Providence Journal, Nov. 17, 2005.

accused lists of the Diocese of Columbus and the Diocese of Springfield, as a credibly accused member of a religious order who exercised public ministry in those dioceses. **Even though he served in Rhode Island for years, Cote is not included on the Diocese of Providence's Credibly Accused List.**

Unfortunately, Cote is not an isolated case. **We identified several additional credibly accused religious order clergy who likewise served within the Diocese for extended periods but who do not appear on the Diocese's Credibly Accused List.** These include Christian Brother Raphael Edes and Columban Order priests John Crafton and Francis Keaney. (A list of clergy who served in the Diocese of Providence and who have been publicly deemed credibly accused by another diocese or religious order may be found in Appendix C).

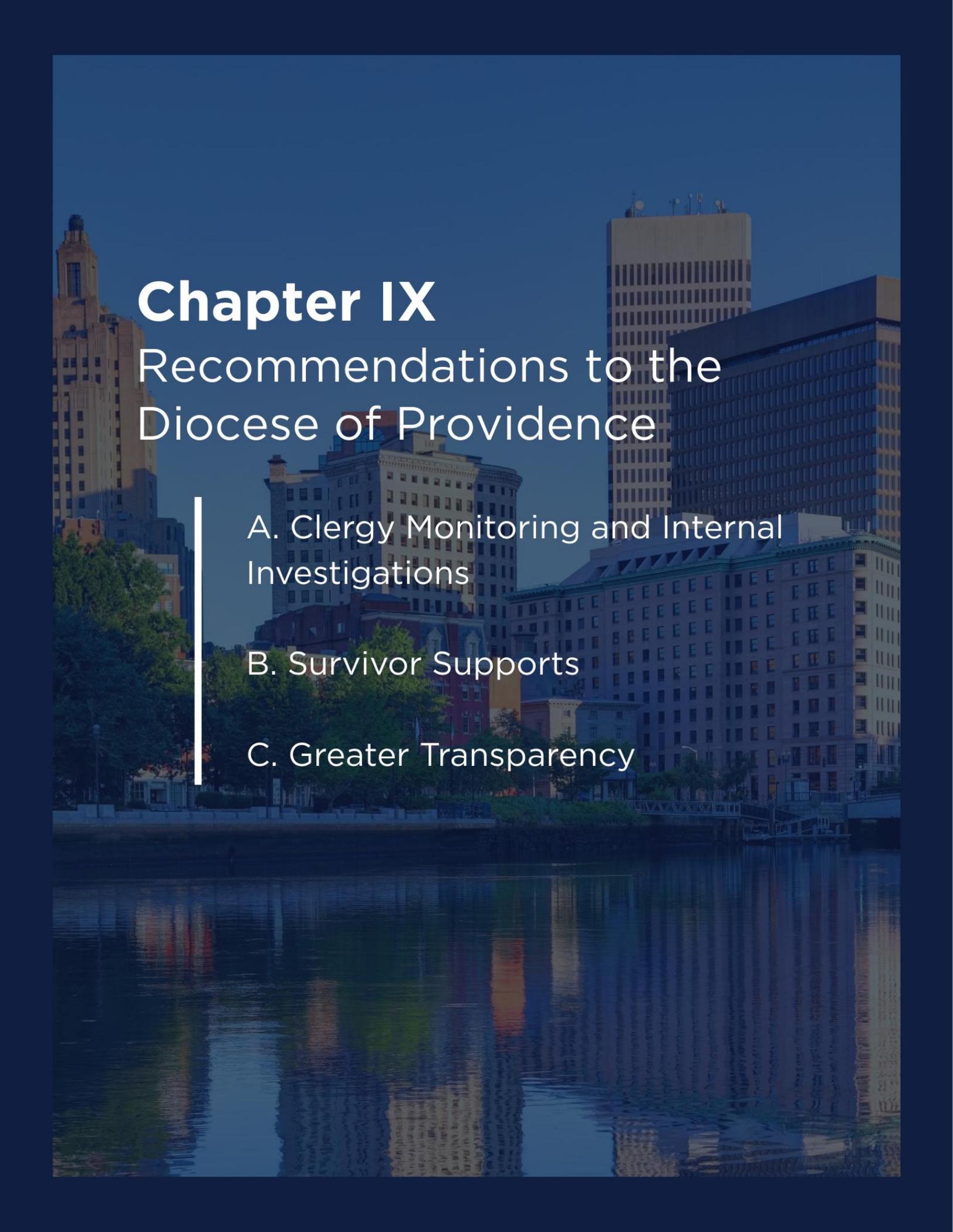
Brother Raphael Edes, who served for nearly two decades at St. Raphael Academy in Pawtucket, is the subject of at least three separate allegations of sexual abuse that have been deemed credible by either the Diocese or the Christian Brothers. Two of Edes' accusers were students at St. Raphael and reported that Edes abused them there between 1986 and 1990. In 2018, Director O'Brien, deemed one of these complainants credible, and noted that Edes had "two additional credible allegations on file with the Congregation of Christian Brothers." While a Review Board agenda from February 2019 indicates that the Board discussed Edes in advance of the publication of the Diocese's Credibly Accused List, there is no further record of its determination, apart from the fact that Edes is not on the List. The State Police interviewed Edes in 2025 as part of this Investigation. Edes admitted to what he considered to be consensual sexual contact with one of the St. Raphael complainants, but he denied the other allegations.

Similarly, Columban Order priests John Crafton and Francis Keaney are both listed on the Columban Order's credibly accused list, served within the Diocese for significant periods, but do not appear on the Diocese's Credibly Accused List. Father John Crafton was accused of sexually abusing a young girl for several years during the 1960s while he was residing at the Columban seminary in Bristol. The complainant reported her abuse to the Diocese twice, in 1994 and 2006. There is no indication the Diocese investigated her allegations, or referred them to law enforcement, likely (but, as already discussed, unjustifiably) because Crafton had died in 1989. Likewise, in 2003, Bishop Mulvee learned from the Columbans that Father Francis Keaney, who at

***Dennis Roberts, the former Attorney General of Rhode Island (1979-1985) who led the Diocesan Review Board that heard Cote's case, was reportedly dumbfounded upon learning in 2007 of the information that the Dominican Order had omitted from its reports to the Diocese, remarking, "they didn't tell us the whole truth."***

that time was residing in the Columban's Bristol residence and possessed faculties from the Diocese of Providence, had admitted to inappropriate relationships with underage girls while working in the Philippines. In response, Bishop Robert Mulvey revoked Keaney's faculties. Both priests were deemed credibly accused by the Columbans in 2022, yet the Diocese does not name them on its List.

**By omitting these and other credibly accused religious order clergy from the Diocese's own Credibly Accused List, the Diocese leaves the public with an incomplete picture of the scope of the child sexual abuse crisis in Rhode Island. Religious order clergy may only minister within the Diocese if granted faculties by the Bishop. In our view, this imposes on the bishop a duty to ensure that these priests do not pose a risk to minors, and a responsibility to disclose to the public the names of all credibly accused religious order priests who have served here.**

A photograph of a city skyline at dusk or dawn, with several tall buildings and a river in the foreground. The sky is a deep blue, and the buildings are lit up, with their lights reflecting on the water. The overall mood is calm and professional.

# Chapter IX

## Recommendations to the Diocese of Providence

A. Clergy Monitoring and Internal  
Investigations

B. Survivor Supports

C. Greater Transparency

## IX. RECOMMENDATIONS TO THE DIOCESE OF PROVIDENCE

### A. Clergy Monitoring and Internal Investigations

#### 1. Establish a monitoring program for credibly accused priests.

We begin our recommendations with what is in our view the most pressing safety issue: the Diocese of Providence’s failure to adopt any formal or informal policy or practice for monitoring known, living, credibly accused clergy. Based on the Diocese’s Credibly Accused List, there are at least a dozen such priests—and according to the information available to our Office, nine of those priests have not been laicized or removed from the Church altogether, **meaning they remain the Bishop’s responsibility**. In the wake of this scandal, and all that has been revealed in this Report, **the fact that the Diocese still lacks any policy for monitoring these individuals defies logic and experience.**

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Adequate monitoring of credibly accused personnel placed on administrative leave due to child sexual abuse allegations is essential to ensuring the safety of children and the community. As this Report demonstrates, most credibly accused priests were never prosecuted due to procedural impediments like expired statutes of limitations, and because the Diocese historically failed to refer any abuse complaint to law enforcement until the 1990s. Because they were never prosecuted, they have not been subject to any sex offender registration, community notification, or monitoring requirements that otherwise might have been imposed following a conviction. As the entity responsible for employing, financially supporting, and in many cases, historically shielding, these clergy from prosecution, the Diocese should take steps to implement appropriate policies to ensure the safety of children and the community.

**The Diocese of Providence should follow in the footsteps of other dioceses and retain a lay monitor with law enforcement experience to develop individualized safety plans for every credibly accused priest.** Implementing safety plans for priests “confined to prayer and penance” was among the 2018 recommendations from the National Review Board for the Protection of Children and Young People, and this has since been implemented by (among others) the Archdioceses of Philadelphia, Chicago, and St. Louis, and the Dioceses of Brooklyn and

Buffalo. These plans generally impose conditions designed to ensure that a priest does not pose any danger to minors, including requisite mental health treatment, restrictions on the priest's place of living, employment, and internet usage, and limitations on the priest's interactions with children. These safety plans should be subject to regular, at a minimum annual, reviews by the monitor or the Office of Compliance. Clergy who fail to comply with a safety plan should face consequences, such as a potential loss of financial support. At an absolute minimum, the Director of Compliance should regularly monitor credibly accused priests' locations and ensure that they have no contact with minors—and in the event that a priest still does have contact with minors, or where there are other grounds to believe the priest continues to pose a risk to minors, the Diocese should immediately notify law enforcement.

## 2. Strengthen preventive measures.

The Attorney General has identified several additional steps that the Diocese of Providence can and should take in order to strengthen its policies and practices aimed at stopping child sexual abuse *before* it happens. As discussed below, these include requiring regular **nationwide background checks** for *all* clergy; mandating the complete and thorough **investigation and disciplining of grooming behaviors**; updating and **improving preventive trainings** and **internal reporting procedures** for Diocesan personnel; ensuring **safe clergy assignments**; and enhancing **electronic communications guidelines**.

**First**, the Diocese of Providence should require all clergy, including visiting non-Diocesan clergy, to undergo regular nationwide background checks as a condition of receiving and maintaining priestly faculties here. Though it is far from the case that all predators have a criminal history, it is still essential that the Diocese conduct thorough background checks in order to catch any red flags that *are* documented in our criminal justice system. The Diocese's current policy requires Diocesan clergy to undergo a state background check, known as a "BCI," every three years, and all visiting non-Diocesan clergy who are here for more than 30 days must likewise receive a BCI (though it is unclear whether those clergy must also regularly update those background checks). But a *state* background check is, as it sounds, limited only to an individual's criminal history in Rhode Island, and does not reveal whether

### Recommended preventative measures include:

- ✓ Nationwide background checks for all clergy
- ✓ Mandated investigation and disciplining of grooming behaviors
- ✓ Improved preventative trainings and internal reporting procedures
- ✓ Ensuring safe clergy assignments
- ✓ Enhancing electronic communications guidelines

that person has an out-of-state or federal criminal record. Given how frequently priests from outside of Rhode Island have come to work and serve here, it is critical that the Diocese also check those other sources of information. The Diocese should therefore amend its policy and use the authority granted to it by the General Assembly in R.I. Gen. Laws § 12-1-17 (“Background checks for employees of religious organizations”) to require that *all* clergy in the Diocese, including visiting non-Diocesan clergy, undergo regular *nationwide* background checks as a condition of serving in Rhode Island. While it appears the Diocese already requires some personnel to undergo a national background check—namely, clergy, staff, and volunteers who have regular contact with minors in the context of Diocesan schools or youth programs—this also seems to be a one-time requirement, and also does not extend to individuals who do not work in schools or youth programs but who nonetheless have contact with minors in other settings (such as parish pastors engaged in routine ministry).

**Second**, the Diocese of Providence must strengthen its policies and practices for investigating and disciplining grooming behaviors. These are actions an individual (typically an adult) may use to build trust, gain control, and eliminate boundaries, in order to sexually exploit and abuse a victim, and are often the early warning signs that an individual is preparing to sexually abuse a minor or is already doing so. They include excessive attention or flattery, a gradual elimination of boundaries through discussions and activities, isolating the victim and spending increasing amounts of time alone with him or her, gift giving or favors, and excessive or unwanted physical touching. This Report is replete with past examples, and the issue is plainly one that

*By acting only when conduct rises to the level of physical sexual abuse, the Diocese can miss important warning signs and opportunities to prevent abuse.*

the Diocese still struggles to effectively address. As recently as 2022, the Diocese stumbled in its handling of a priest who had repeatedly been accused of asking children inappropriate sexual questions during confession—first failing to suspend the priest until several concerned parents filed a police report, and then failing, when the Diocese reinstated the priest, to explain to the public the steps it had taken to ensure the safety of children. By acting only when conduct rises to the level of physical sexual abuse, the Diocese can miss important warning signs and opportunities to *prevent* abuse.

The Diocese’s current Child Protection and Outreach Policy purports to address, in some manner, most forms of grooming—mainly by formally prohibiting these behaviors and the settings in which they might occur, and purporting to train personnel regarding appropriate boundaries. Given the Diocese’s poor handling of the aforementioned 2022 incident, however, we question the efficacy of these policies and trainings in practice. What is more, the Child Protection and Outreach Policy says little about reporting and responding to grooming behaviors specifically: its Code of Ethical Conduct says that “adults will report abuse or inappropriate activities involving

a minor to appropriate personnel immediately”—without explaining what “inappropriate activities” consist of, and whether they include grooming behaviors—and the Policy also imposes a more general duty to report violations of any of its standards to the “local authority,” the Moderator of the Curia, and the Director of the Office of Compliance. As to where those reports go from here, and how the Diocese actually responds to them, the Policy is mostly silent; it states only that the “fail[ure] to uphold these standards will be subject to corrective action and/or disciplinary action depending on the specific nature and circumstances of the offense.” And the remainder of the relevant portions of the Policy are limited to formalizing the Diocese’s response to actual allegations of abuse, as opposed to the broader set of warning signs regarding possible future child sexual misconduct, including grooming behaviors.

Accordingly, the Attorney General recommends that the Diocese implement the following improvements to its Child Protection and Outreach Policy: (1) clearly define grooming behaviors; (2) mandate that Diocesan personnel and volunteers have a duty to watch for suspected grooming behaviors, and an obligation to promptly report them to the Office of Compliance; (3) require the Office of Compliance to immediately refer any such report of suspected grooming behavior to law enforcement, and then promptly undertake an internal investigation; and (4) state clearly that the Diocese will promptly discipline any individual found to have engaged in grooming behavior, up to including suspension and termination.

**Third**, the Diocese should **update and expand its Safe Environment Training**. As already noted, it is unclear whether, if ever, the Diocese has updated this training, though Bishop Lewandowski approved its continued use upon his succession last year. At a minimum, the Diocese should expand the training’s discussion of grooming behavior beyond the two basic slides in the slide presentation currently available on the Diocese’s website and use real-world examples (perhaps ones referenced in this Report) to fully explain the warning signs and dangers of grooming. The Diocese should also consider engaging with outside experts, such as organizations that support sexual assault victims, to provide live training sessions and update its training materials to the extent it has not already done so. Additionally, while current Diocesan policy delegates virtually all responsibility for this training to local parishes and schools, the Diocesan leadership should enact measures to ensure that all Diocesan personnel, including clergy, are *in fact* actively receiving this training in an effective way, such as by requiring local Diocesan entities to submit training attendance records to the Office of Compliance, and/or by periodically auditing schools and parishes to ensure the regular and effective delivery of this preventive training.

**Fourth**, the Diocese must ensure that clergy who have engaged in problematic or inappropriate behaviors relating to minors or vulnerable adults, even when that conduct does not rise to criminal misconduct or warrant suspension or termination, are properly monitored and assigned to locations where those behaviors cannot recur. This is in response to the Diocese’s historical practice of assigning “problem priests” to hospitals, supply ministry, or single-priest parishes where they were insufficiently supervised.

**Fifth**, the Child Protection and Outreach Policy should also be updated to specifically address **electronic communications**. It is now well known that predators use online communications to recruit and groom their victims, and the United States Conference of Catholic Bishops likewise recognized this threat when it noted in a 2017 report about child protection that dioceses updating their policies should pay special attention “to proper uses of technology, including e-mail, or social media.” The Diocese should therefore update its Policy to impose strong limitations on priests’ electronic communications with children, and the Code of Ethical Conduct should ban priests from interacting with individual minors on social media. **Alternatively, the Diocese should consider banning clergy from private electronic communications with children altogether, as was done recently by the Diocese of Fall River.**

**Sixth**, the Child Protection and Outreach Policy should be updated to specifically require all Diocesan personnel and volunteers to immediately and directly notify the Office of Compliance, *in addition to* reporting (as the policy currently requires) to their supervisors or the local authority. This would ensure both a more expeditious report to the Office of Compliance, and thereby to civil authorities, and remove a layer of reporting which could result in inaccurate delivery of information. Currently, the policy requires reporting “to the local authority (Agency Director, Pastor, and Principal) or to the immediate supervisor of the employee or volunteer. Supervisory personnel shall then immediately inform the Moderator of the Curia who shall in turn notify the Director of the Office of Compliance.” While we take no issue with the requirement that reports be made to supervisory personnel, or to the Moderator, waiting for these two layers of report to take place *before* a report to the Director of the Office of Compliance seems risky and potentially overly time-consuming. Requiring a dual report is a sensible belt-and-suspenders approach that will expedite dissemination of information and reduce the likelihood that the information provided by the reporting party will be inaccurately, or only partially, transmitted.

More generally, we recommend that, as with the training materials, the Child Protection Policy should be updated, revised for clarity. For instance, its use of the word “employee” leaves unclear whether this includes clergy (which in some instances the Diocese has deemed independent contractors), and so we recommend using the term “personnel” instead. To the extent it is not already, the policy should also be **published in Spanish and Portuguese**, as some of the Diocese’s training materials already are. The Diocese should engage with its outside counsel, auditors, and experts in the child protection field to accomplish these improvements.

### **3. Improve and expand Diocesan policies and procedures for internal investigations of sexual misconduct complaints.**

This Investigation found that from the time that Bishop Gelineau established the Office of Education and Compliance in 1993, the Diocese of Providence has struggled with the quality and depth of its internal investigations of complaints of sexual misconduct. While it is absolutely paramount that the Diocese continue to immediately refer all such complaints to civil authorities, the Diocese’s own

investigation of those complaints also serves important functions, both internally and for victims and the public, and so it is essential that they are properly conducted. Historically, the Diocese’s investigations have been plagued by such issues as open-ended and indefinite timeframes and a lack of clear deadlines; failures to interview complainants, material witnesses, additional potential victims, and even accused priests themselves; inappropriate investigative techniques such as the use of polygraphs on victims; uncertain standards of evidence and credibility; unsupported factual and legal conclusions by the Director of Compliance; a lack of clear, meaningful, regular oversight of the Director’s investigatory decisions; and an overall lack of transparency, including the absence of regular, clear communication with complainants about the status of their cases. While most of these issues dramatically improved under the leadership of Director Kevin O’Brien, who served as head of the Office of Compliance from 2015 until recently, some problems have persisted; and in any case, what is in our view a key underlying cause for all of these issues—the lack of clear guidance about internal investigations in the Diocese’s own policies—remains wholly unaddressed.

**To that end, the Attorney General strongly recommends that the Diocese expand its Child Protection and Outreach Policy to provide concrete written guidelines for how the Office of Compliance must investigate complaints of sexual misconduct.** At present, that policy says little more than that upon receipt of such a complaint, the Director of Compliance will commence a “preliminary investigation.” The following substantive and procedural recommendations aim to fill that gap and ensure that the Diocese promptly, thoroughly, and fairly investigates *each and every* sexual misconduct complaint that it receives. As importantly, these provisions will also help ensure that *all* interested parties to a sexual misconduct complaint—survivors, the accused, investigators, the Review Board, Church leadership, and the public—are operating from a common set of expectations.<sup>232</sup>

In terms of substantive improvements, the Attorney General believes that a reformed investigative policy should, at a minimum, include the following:

**First**, the policy should state that the Diocese (and the Director of Compliance specifically) will investigate each and every complaint of sexual misconduct that the Diocese receives, regardless of the age or status of the accused individual or the date when the misconduct is alleged to have occurred. This should help resolve the historical problem, discussed in previous chapters, of the Diocese failing to adequately investigate (or not investigating at all) complaints against priests who were deceased or no longer in active ministry at the time a complaint was received.

**Second**, the revised policy should explicitly require the Director of Compliance, in investigating each such complaint, to make reasonable efforts to interview the complainant, the accused individual, and any and all material witnesses identified by

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<sup>232</sup> Insofar as any of these proposals are already meaningfully addressed in other Church policies or protocols, including canon law, the Diocese should incorporate those into its own written policies, and do so in plain language that a layperson can understand.

either party, as well as any additional individuals identified during the investigation who may reasonably possess information relevant to a determination of whether or not the complaint is credible.

**Third**, this revised policy should clarify specifically that, where feasible, the Director of Compliance will investigate complaints and information learned through anonymous and third-party sources (i.e., individuals other than the victim(s)). That a victim discloses to a family member or friend (or any other person) as opposed to directly to the Diocese is no excuse not to investigate when that information reaches the Diocese with sufficient detail for the Director of Compliance to begin investigating. Likewise, while recognizing that anonymous complaints may not offer such a clear starting point, and some may justifiably be met with skepticism, others may contain sufficient detail and context, and the Director of Compliance should at least undertake a limited review of that information (as opposed to categorically dismissing it, as was done in the past) to determine whether further investigation is warranted.

**Fourth**, the policy should articulate a clear standard for what the Diocese deems a “credible” accusation of sexual misconduct. Any such standard must also clarify that even a single, credible complaint of sexual misconduct—meaning that individual’s credible testimony standing alone, without requiring additional corroborating evidence—is sufficient to deem the perpetrator “credibly accused.” If Rhode Island juries can find a person guilty based solely on the credible testimony of one such victim, surely the Diocese can and should act similarly.

**Fifth**, a revised policy should clarify permissible and required investigative techniques, such as the mandatory use of recorded, transcribed interviews. Most importantly, these provisions must prohibit the further use of polygraphs on victims—a troubling investigatory practice that has been carried into the present day. The wide range of emotional responses exhibited by survivors of child sexual abuse renders traditional “lie detection” techniques like the use of polygraphs ineffective. That is likely why many states have laws prohibiting law enforcement from offering or requiring a polygraph examination for sexual assault victims, or from using the results of such an examination to determine whether a victim’s account is credible. According to the 2020 Rhode Island Statewide Task Force to Address Adult Sexual Assault Model Protocol for Response to Adult Sexual Assault Cases (“Model Protocol”), any adult, youth or child victim of an alleged sexual offense should not be asked to take a polygraph test.<sup>233</sup> The 2005 federal Violence Against Women Act strictly prohibits law enforcement officers, prosecutors, or other government officials from requiring sex offense victims to submit to a polygraph examination or other truth-telling device as a condition for proceeding with an investigation or prosecution of a sex offense, and stipulates that any state that requires victims of a sexual offense to

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<sup>233</sup> See *Rhode Island Statewide Task Force to Address Adult Sexual Assault, A Model Protocol for Response to Sexual Assault Cases*, Day One RI (Jan. 1, 2020), <https://dayoneri.org/wp-content/uploads/2025/01/A-Model-Protocol-for-Response-to-Sexual-Assault-Cases-First-Edition-Jan.-2020.pdf>.

take such an exam will be ineligible for certain grants.<sup>234</sup> In addition, according to the National Sexual Violence Resource Center, 25 states prohibit law enforcement officials from requiring or, in some cases, even requesting victims of sexual offenses to undergo polygraph examinations as a condition of proceeding with investigations.<sup>235</sup> Despite this clear guidance at both the state and federal levels, we found that at least as recently as 2022, the Diocese has continued to ask victims to submit to polygraph examinations. To the extent this continues, it must end, now.

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***To the extent this continues, it must end, now.***

The Attorney General also recommends that the Diocese train its personnel in appropriate, trauma-informed practices and incorporate this requirement into its policies. This training should extend to *all* Diocesan personnel who are involved in any way with the Diocesan response to child sexual misconduct allegations, including clergy, victim assistance coordinators, and Review Board members, in addition to Office of Compliance investigators and staff. At a minimum, this training must address (a) the effects of trauma on memory formation, recall, and behavior; (b) the dynamics of a relationship involving child sexual abuse; (c) the reasons for and appropriate methods of handling delayed disclosures; (d) and the appropriate methods for making credibility determinations in child sexual abuse cases.

Without this training, Diocesan personnel may continue to misinterpret, as indicia of unreliability or a lack of credibility, some of the effects of child sexual abuse. Indeed, as noted in previous sections of this Report, the Diocese's failure to employ a trauma-informed response resulted in several survivors being either reluctant or unwilling to pursue their complaints. Childhood memories are often vague to begin with, and this is even more true in the case of traumatic memories from childhood (including sexual abuse) due to repression, disassociation, and the limited ability of a still-developing brain to process these events.<sup>236</sup> Cognitively and behaviorally,

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<sup>234</sup> See Violence Against Women and Department of Justice Reauthorization Act of 2005, H.R. 3402, 109th Cong. (2005); 28 CFR § 90.16; 34 U.S.C. § 10451.

<sup>235</sup> See *Legislation Regulating Polygraph Use*, National Sexual Violence Resource Center, <https://www.nsvrc.org/legislation-regulating-polygraph-use> (last visited Apr. 7, 2025).

<sup>236</sup> Andrew Ortiz, *Delayed Disclosure 2024 FactSheet*, Child USA (2024), <https://childusa.org/wp-content/uploads/2024/06/Delayed-Disclosure-2024.pdf> (citing Dorthie Cross et al., *Neurobiological Development in the Context of Childhood Trauma*, 24

survivors may also exhibit a host of common symptoms that could be misinterpreted—for example, disassociation and a lack of emotional expression when recounting their abuse. More generally, survivors of traumatic events often struggle with long-term post-traumatic stress, depression, anxiety, and challenges in interpersonal relationships, as well as with other mental health and substance abuse disorders. Some, possibly due to mental health or addiction struggles, have criminal histories. In short, what to the mind of an untrained investigator might appear as hallmarks of an unreliable, unstable, or uncooperative witness, an investigator trained in trauma-informed techniques will recognize as the possible after-effects of child sexual abuse.

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In terms of additional policy revisions to ensure the fundamental fairness and integrity of the Diocese's investigative *process*, the Attorney General offers the following procedural recommendations:

**First**, impose reasonable timeframes and expected deadlines for the completion of Diocesan investigations. Far too often, the Diocese's internal investigations of clergy abuse complaints have been open-ended, sometimes lingering for years without any resolution. This left victims completely in the dark as to the status of their complaints and unjustly denied them some measure of closure. This indefiniteness also fundamentally undermines the Catholic Church's "zero tolerance" policy: under the Diocese's implementation of that standard in the Child Protection and Outreach Policy, it is only upon the completion of a "preliminary investigation" that the Bishop decides whether to refer the complaint to the Vatican for further proceedings. But the Diocese's policy is wholly silent on how long such an investigation should take. Recognizing that it is often difficult to predict the direction or duration of any investigation, the Diocese's written policy should at least articulate an expected timeframe for completion, so that the accused, complainants, and investigators all know what to expect. **In 2024, for example, the Diocese of Brooklyn pledged to reach a credibility determination for sexual abuse complaints within 20 days of receiving them. The Diocese of Providence can and should do the same.** Barring exceptional circumstances, full investigations should conclude within six months. Exceptions should also be made for instances that are under criminal investigation by civil authorities.

**Second**, the revised investigative policy should include provisions to ensure meaningful, regular oversight of investigations, and the Director of Compliance's investigative decision-making, by the Diocese's Review Board. On too many

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*Clinical Psychol.: A Publication of the Div. of Clinical Psychology of the Am. Psychol. Ass'n* 111-24 (2017)) ("Under adverse neurobiological conditions, such as those shaped by frequent or enduring trauma, the individual and connected functions of the hippocampus, PFC, and amygdala can be impacted in ways that not only facilitate inappropriate associations among perceptual, contextual, and attributional information about traumatic events, but also diminish capacity for consciously managing recollections of the events and moderating fear responses to the recollections").

occasions has the Director of Compliance acted unilaterally and without any meaningful oversight; such unchecked decisions could and sometimes did lead to unsupported factual and legal conclusions and fundamentally unjust and unsafe outcomes. While the few Review Board materials produced by the Diocese generally indicate that the Director of Compliance discusses some investigative matters at Review Board meetings, the substance and depth of those discussions remains unknown. A revised investigative policy should clarify that with respect to every sexual misconduct complaint under investigation, the Director of Compliance will provide the Review Board with regular, detailed updates as to all of those investigations, including the details of every witness interview, additional possible investigative steps, the Director's credibility assessments, and any other pertinent facts.

**Third**, the revised policy should mandate regular, transparent communications with complainants. This should begin at the very outset of the investigation, when the Office of Compliance should clearly explain its role in a manner that will avoid confusion. Such an explanation must clarify that (a) the Diocese is conducting a canonical, not a criminal, inquiry; (b) the Director of the Office of Compliance works for and is paid by the Diocese to undertake those canonical investigations, and that he is not law enforcement; (c) the information the complainant shares with the Diocese will be communicated to other Diocesan officials and possibly outside counsel for the Diocese, and may be used by the Diocese in its defense of a civil claim brought against it by the complainant; and (d) the Diocese will likewise share the complainant's information and allegations with the State Police and the Office of the Attorney General, whose contact information the Diocese should provide to the complainant. Such a referral does not compel complainants to cooperate with law enforcement, but it will ensure that law enforcement is at least aware of every potential case and will be available to assist the complainant, including by providing victim services from experienced staff, if and when they are ready. Finally, this policy should explicitly state that the Director of Compliance will provide each complainant with regular updates, no less than every 30 days, regarding the status of the investigation into their complaint, including findings and next steps.

**Fourth**, in any case where either the complainant or the accused requests it, or in the case of complaints made against senior Diocesan clergy, including those in leadership positions, we recommend that the Diocese engage an external third-party, such as a law firm, to carry out the investigations of those complaints. Again, given that the Director of Compliance is ultimately an employee of the Diocese who reports to the bishop—the ultimate decisionmaker when it comes to the outcomes of complaints and priest discipline more generally—some have reasonably questioned the impartiality of Diocesan investigations and whether they can trust the Director of Compliance to investigate their allegations in a neutral manner. By eliminating even the appearance of bias, the Diocese can help regain the trust of victims and the public.

#### **4. Properly monitor and investigate religious order and extern priests.**

As already noted, to minister in Rhode Island, Catholic religious order and extern priests generally require a grant of priestly faculties from the Bishop of the

Diocese of Providence. Given the prevalence and significance of such non-Diocesan clergy in Rhode Island (as already discussed in Chapter 8), and the Bishop's gatekeeping role over their faculties, the Attorney General believes that **the Diocese and the Bishop in particular have an attendant responsibility for ensuring that, as with all Diocesan personnel, the religious order and extern priests who serve here do not pose a risk to Rhode Island's young people.**

The *Dallas Charter* and its implementing *Essential Norms* impose a limited duty to preliminarily screen visiting clergy. Article 13 of the *Dallas Charter* states that for any visiting clergy who seeks to engage in ministry in a particular diocese, "the evaluation of his background may be satisfied through a written attestation of suitability for ministry supplied by his proper ordinary/major superior to the diocese/eparchy." *Essential Norm* 12 requires that before visiting clergy can be transferred to the receiving diocese, "his diocesan/eparchial bishop shall forward . . . to the [receiving bishop] any and all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people."

The Diocese of Providence's own implementation of these requirements is situated, somewhat awkwardly, in its "Guidelines for Rectory Living." That policy requires any visiting clergy to obtain a "'Letter of Good Standing' from his diocesan bishop or religious superior well in advance of his visit," which "should" (among other things) "be recently-issued (i.e., dated within 12 months of the visit)," "include the specific date(s) of and purpose of the visit," and "include mention that the particular priest or deacon is currently compliant with *Safe Environment Training* or a similar program in his home diocese." It is the duty of the "host pastor" to transmit this letter to the Diocese's Office of the Chancellor. If the visit is for over 30 days, the policy also requires the visiting priest to obtain proof of the completion of *Safe Environment Training* and to complete a BCI; only once the Diocese receives these items, the policy states, "a faculties letter will be issued."

**It is not clear from the Diocesan records in our possession how steadfastly the Diocese adheres to this requirement. Regardless, more can and should be done.** For one, the Diocese should not simply accept at face value the representations of a visiting priest's religious order or home diocese when evaluating whether he might pose any safety concerns (such that he should not receive faculties). Indeed, the case of Father Aaron Joseph Cote (from nearly two decades ago) illustrates the risk of that approach: there, in considerable part due to misrepresentations about Cote's history and suitability made by the head of his order to the Bishop and the Review Board, Cote was permitted to retain his faculties and serve here for nearly two years (2003 to 2005), when in reality Cote's order was aware of several child sexual misconduct allegations against him. And he was, as we noted in the prior chapter, later criminally convicted for sexually abusing an altar boy in 2001 and 2002.

We therefore recommend that for any religious order or extern priest who seeks faculties to serve in the Diocese, the Diocese should not simply rely on a letter of good standing from his bishop or order superior, but also: (a) **affirmatively ask** the priest's religious order or diocese whether the priest has ever been the subject of a

child sexual misconduct complaint, including grooming behavior or other warning signs (and if so, request all available information about such complaint(s)); and (b) request the priest's personnel file and conduct an independent review of it, prior to any grant of faculties, to ensure there are in fact no previous complaints or warning signs that the priest may pose a danger to minors. Either the failure to respond to the Diocese's inquiry, or any red flag in the personnel records, should, at a minimum, warrant the Bishop's refusal to grant faculties.

Whereas the Diocese's current policy (and the *Essential Norm* that it purports to implement) shifts primary responsibility in this matter to the visiting priest's order or home diocese to procure and send the necessary "Letter of Good Standing," and any other information, to the Diocese, **we believe that properly ensuring the safety of parishioners in Rhode Island warrants the Diocese's own involvement in vetting visiting priests.** And finally, while we recognize that the Diocese's current policy simply mirrors the *Dallas Charter's* statement that the screening of visiting clergy "may be satisfied through a written attestation of suitability," the *Charter* represents only a floor, not a ceiling, of the steps any diocese may take to ensure the safety of children—and here, we believe there is considerable room for improvement beyond the *Charter's* minimum standards.

We also take the view that the responsibility for monitoring religious order and extern priests is an ongoing one, and does not begin and end with the Bishop's grant of faculties. Therefore, we believe the Diocese should also take reasonable steps to supervise visiting clergy while they serve here in Rhode Island, to ensure that they too—like Diocesan clergy themselves—are abiding by the Diocese's Child Protection and Outreach Policy.

**Finally, in the event the Diocese receives a child sexual misconduct complaint against a religious order or extern priest, we believe the Diocese should take substantially the same steps it takes when responding to a child sexual misconduct complaint against one of its own priests.** The Diocese should (1) immediately refer the complaint to law enforcement, (2) suspend the priest's faculties pending an investigation, (3) notify the priest's religious order or home diocese of the complaint, and (4) commence an internal investigation. It appears to us that the Diocese's current practice already complies with the first three of these; undertaking an independent investigation into allegations against a religious order priest, though, would depart from the Diocese's historical practice of forwarding a complaint to the priest's religious order and deferring to its representations and findings. Yet if past is prologue, the Diocese cannot be sure that the religious order will conduct a speedy, thorough investigation into the complaint, especially if the order is located outside Rhode Island. And while it may be up to the visiting priest's religious order or home diocese to decide whether the priest should ultimately be suspended or removed altogether, in the event of a finding that the complaint against him is credible, we believe the Bishop should, at a minimum, immediately prohibit the priest from serving in the Diocese, and ensure that all relevant findings and information from the Diocese's investigation are transmitted to both law enforcement authorities and the priest's religious order or home diocese.

## 5. Update and formalize the policies and practices of the Review Board to ensure meaningful civilian input.

The *Dallas Charter* established review boards as an important civilian check on each diocese's handling of child sexual misconduct complaints. The United States Conference of Catholic Bishops imposed the requirement of a review board as only the second of the *Dallas Charter's* 17 articles, and its mandate that the board consist of a majority of "lay persons not in the employ of the diocese" reflects the Church's own recognition that meaningful, unbiased, civilian input is essential to local dioceses' proper handling of child sexual misconduct allegations. Echoing the *Charter*, the Diocese of Providence's Child Protection and Outreach Policy states that its Review Board, comprised mostly of laypersons, "functions as a confidential consultative body to the Bishop in his assessment of allegations of sexual abuse of minors and determination of a cleric's suitability for ministry as necessary." The Review Board's responsibilities also include regularly reviewing, and recommending improvements to, Diocesan policies and procedures in this area.

In spite of its apparent significance to the Diocese's modern response to child sexual misconduct allegations, we faced significant hurdles during this Investigation to even understanding the Review Board's actual practices, let alone its true efficacy, due to the lack of available information about it. The Diocese represented that, to its knowledge, there are *no* minutes or notes from the Review Board's meetings. **Nor would the Diocese agree to answer questions about the Review Board in person, given its steadfast refusal to sit down for interviews on this or any other subject.** And so, our assessment was limited mostly to Diocesan records mentioning only the fact of a Review Board meeting on a given subject—but little regarding the actual substance of those meetings—as well as certain information shared about the Review Board by non-Diocesan witnesses, and some publicly available facts.

**Hence, our principal recommendation is that the Diocese properly formalize the Review Board's role and procedures.**

**First**, the Review Board should have formal bylaws that are published on the Diocese's website that set forth its composition, the procedures it employs to evaluate and respond to abuse complaints, and any other functions the Review Board serves.

**Second**, the Diocese should clearly delineate the standard the Board uses to measure an allegation's credibility. As discussed in Chapter 8, Diocesan records indicate that the Board used a "moral certitude" standard when determining that allegations against Father Francis Santilli could not be sustained, and that therefore Santilli should continue in ministry, in 2014. This burden of proof is akin to "beyond a reasonable doubt" in the criminal justice context and is a far cry from the "believable and plausible, reasonable and probable, or preponderance of evidence" standards



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that other review boards have applied, and the United States Conference of Catholic Bishops has recommended, in determining the credibility of an allegation.<sup>237</sup> It is unclear whether the Diocese of Providence's Review Board continues to employ this high bar when determining the suitability of clergy for continued ministry with access to children. If so, the Diocese should implement a more appropriate standard in line with other review boards, with its own Credibly Accused List, and with the 2019 Memorandum of Understanding, such that an allegation is credible if it is reasonable to believe that the alleged conduct more likely than not occurred. In any event, the Diocese should adopt and publish whatever standard it uses to judge the credibility of sexual abuse allegations in its bylaws. Transparent standards help guarantee that all allegations are evaluated according to the same reasonable criteria.

Additionally, the Review Board should start recording its meetings through minutes or notes that memorialize attendance at each meeting, the meeting's agenda, the contents of the Review Board's deliberations and any relevant findings as to each subject discussed, the basis for those findings, and any recommendations that the Review Board makes to the Bishop. **More specifically, we recommend that the Review Board prepare a written summary of its findings for each allegation**, which catalogues (1) the identity of the accused priest; (2) the identity of the complainant; (3) any evidence the Review Board considered in making its determination; (4) the board's credibility vote; (5) the specific basis for the Board's credibility determination; (6) any specific recommendations made or adopted by the Board regarding an accused priest's suitability for ministry; (7) any recommended restrictions on an accused priest's ministry; and (8) any recommendations or updates to the Diocese policies or procedures for responding to sexual abuse allegations. These records should be maintained in the OEC files. To the extent the Review Board's

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<sup>237</sup> *Diocesan Review Board Resource Booklet*, USCCB, <https://www.usccb.org/issues-and-action/child-and-youth-protection/upload/2012-Diocesan-Review-Board-Resource.pdf> (last visited Oct. 26, 2025).

findings or recommendations are communicated to the Bishop through channels other than during the Review Board's meetings, those communications should likewise be recorded and maintained. If the Bishop deviates from a Review Board's recommendation, that should be documented in the OEC file and communicated to the Board. If an allegation is not presented to the Review Board, that fact and the reason why should be documented, and this determination should be conveyed to the complainant.

Furthermore, where the allegations of abuse concern a living priest, we recommend that the Diocese follow in the footsteps of the Diocese of Brooklyn and set forth accelerated timelines for investigation and credibility determinations that are communicated to the complainant. Complaints against living priests should be brought before the Review Board within 30 days whenever possible, and the accused priest should be placed on leave until a final determination is made.

Although we recognize that the Review Board's status as a "confidential consultative body" means that it must be able to conduct its deliberations in private, this certainly does not require, or even justify, a total lack of recordkeeping.

***Furthermore, where the allegations of abuse concern a living priest, we recommend that the Diocese follow in the footsteps of the Diocese of Brooklyn and set forth accelerated timelines for investigation and credibility determinations that are communicated to the complainant.***

**If the Review Board does not even keep notes, how does it (or the Bishop, or the Diocese more generally) keep an accurate track record of its findings and recommendations?**

And how might the Diocese know when it is time for the Review Board to again review and update Diocesan policies and procedures? And, how are the independent auditors who review the Diocese's practices every three years able to evaluate whether the Review Board is operating as it should? From what we can tell, the Review Board relies for answers to these questions solely on the individual memories of its members (who, of course, change over time). **Even the grand jury, for which secrecy is sacrosanct, maintains a record of its meetings, recordings or transcripts of the testimony that it hears, and documentation of its votes.** The grand jury's reports to the presiding justice are recorded, whether

it returns an indictment or not. The same should be true here. And just as the rules governing grand jury secrecy ensure that grand jury records are maintained confidentially, proper recordkeeping practices can help to ensure that Review Board records remain secret, available only to those Diocesan personnel who require access.

We also believe that the Diocese should work to ensure that the Review Board's makeup and practices align as closely as possible with its role of providing the Bishop with meaningful and unbiased civilian input. Neither the Bishop, nor high-level Diocesan personnel or its lawyers, should be present during Review Board deliberations. To the extent that the Review Board requires legal advice, it should be given resources by the Diocese to pay for and consult its own lawyer. The Review Board should also be empowered to independently examine evidence, instead of having to rely exclusively on reports about facts presented by Diocesan employees like the Director of Compliance.

In addition, the Diocese's current practice of refusing to allow survivors the opportunity to appear before the Review Board frustrates and runs directly counter to the Review Board's mandate. **Any victim or accused priest who requests it should be given an opportunity to appear before the Review Board, to provide information and evidence, and to bring counsel or another support person with them.** This will ensure that the Review Board is both victim-oriented and equipped with the complete and accurate information required to make determinations about the credibility of abuse allegations and the Diocese's response to abuse complaints. Equally important, it will allow survivors to share their stories with the institution that oversaw their abusers.

**Finally, and perhaps most importantly, we recommend that the Review Board include at least one member who is a survivor of clergy abuse, or a close family member of a survivor, to ensure that Review Board deliberations appropriately factor in the survivor's perspective.** This perspective is essential to understanding the impact of child sexual abuse on victims, which can only help the Review Board, and the Bishop, in their evaluation of complaints and formulating survivor-friendly policies and practices.

*Finally, and perhaps most importantly, we recommend that the Review Board include at least one member who is a survivor of clergy abuse, or a close family member of a survivor, to ensure that Review Board deliberations appropriately factor in the survivor's perspective.*

**6. Expand the Child Protection and Outreach Policy to clearly apply to vulnerable populations or adopt a separate policy for this purpose.**

Though our Investigation focused primarily on clergy abuse of children, we also encountered examples of Diocesan priests abusing other vulnerable populations,

including young adults and seminarians, as well as examples where the Diocese placed known accused priests in assignments that specifically ministered to vulnerable populations, such as hospitalized individuals, people with disabilities, and the elderly, thereby recklessly placing those individuals at risk. **Since 2010, the Catholic Church has recognized vulnerable adults alongside minors as a special category of persons in need of protection. Several American dioceses and archdioceses, including those in St. Paul and Minneapolis, Louisville, Miami, Washington, and Buffalo, provide robust protections for vulnerable adults in their own child protection policies.**

The Diocese of Providence's current Child Protection Policy defines a minor "also . . . [as] an individual over the age of 18 who habitually lacks the use of reason." **We see two issues** with folding in vulnerable populations to the Child Protection Policy in this manner. **First**, the Policy states that this definition of a minor applies only "for purposes of reporting," leaving unclear whether protections extend to other critical areas such as prevention, training, screening, and investigations, and whether the Office of Compliance or Review Board play any role in the investigation of such allegations.

**Second**, this definition is unduly narrow and fails to account for the broader range of circumstances that can render adults vulnerable to abuse. By contrast, other dioceses and archdioceses in the United States have adopted more comprehensive approaches by incorporating more expansive definitions of vulnerable adults in their protection policies, and in some cases by renaming those policies to reflect this broader scope. For example, the Diocese of Buffalo, in its *Policies and Procedures for the Protection of Children, Young People, and Vulnerable Adults*, defines a "vulnerable adult" as "a person who is impaired by reason of mental illness, mental deficiency, physical illness, or disability to the extent that he or she lacks sufficient understanding or capacity to make or communicate responsible decisions concerning his or her person or to manage his or her affairs effectively." Similarly, the Archdiocese of Washington's *Safe Environment Policy for the Protection of Minors and Vulnerable Adults* defines a "vulnerable adult" as "a person eighteen (18) years or older who either (a) habitually possesses an imperfect use of reason; or (b) is in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally limits his/her ability to understand, or to want (consent), or to otherwise resist an offense." The Episcopal Diocese of Rhode Island has gone further by adopting a stand-alone model policy devoted to the protection of vulnerable adults, encompassing the elderly, adults receiving ministry in their home, adults who are infirm or diminished in capacity due to age, illness, or disability, and adults whose agency is compromised in pastoral relationships due to crisis.

**When compared with these models, the Diocese's current approach falls short.** Adults who are elderly, dependent, mentally or physically impaired, institutionalized, or otherwise isolated may be highly vulnerable to abuse without "habitually lack[ing] the use of reason." **A more comprehensive policy would recognize these realities and clearly state that protections for vulnerable adults apply not only for "reporting" purposes, but also to prevention, education,**

**training, investigation, screening, and oversight.** Expanding the policy in this way would reflect best practices and more effectively safeguard all vulnerable populations.

## **B. Survivor Supports**

### **1. Reestablish a survivor compensation program.**

Following the mass settlement of the nearly decade-long clergy abuse litigation in 2002, the Diocese of Providence implemented a “compensation grant program” and “high-low arbitration program.” Through these programs, the Diocese compensated survivors on a range of between \$10,000 and \$50,000 for the sexual abuse they suffered at the hands of Diocesan clergy. Significantly, survivors were permitted to participate in these programs irrespective of whether legal claims for their abuse would have been allowed under the applicable statute of limitations. These programs also offered a forum for survivors to address the Diocese and explain the impacts of the abuse and the Diocesan response (or lack thereof). **Bishop Tobin terminated these programs in 2007, on the grounds that they were time-limited and intended only to “clear the decks” of follow-up litigation after the 2002 mass settlement.**<sup>238</sup>

In the nearly two decades since Bishop Tobin terminated these compensation programs, survivors of child sexual abuse by Diocesan priests have continued to come forward. Our Office has spoken with a number of them. Survivors disclose their abuse on their own time, not the Diocese’s, and for their own reasons. While some have chosen to pursue justice through the court system, others have not—but that does not mean that these survivors are not also deserving of just compensation from the Diocese for the abuse that they suffered at the hands of Diocesan priests.

**We therefore recommend that the Diocese of Providence establish a new, independent financial compensation program for survivors, modeled after ones already adopted by other prominent archdioceses and dioceses during the last decade.**<sup>239</sup> These programs share a common design. Most importantly, they are available to survivors irrespective of whether survivors’ claims are timely under the civil statute of limitations. Equally significant, they are independent of Church control: survivors submit their claims to independent administrators who have sole discretion to decide compensation amounts, and those decisions are binding on the relevant diocese and cannot be appealed or overturned. Additionally, these programs are non-adversarial, confidential, and voluntary—meaning survivors are not required to participate in the program or accept the offered award. Nor do survivors require legal

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<sup>238</sup> Mike Stanton & Tom Mooney, The Abuse files: Lawsuits Unearth Secret Church Papers, Shedding New Light on allegations of Priest Sex Abuse Going Back Decades, Providence Journal (Dec. 2, 2007), [https://www.bishop-accountability.org/news2007/11\\_12/2007\\_12\\_02\\_Stanton\\_TheAbuse.htm](https://www.bishop-accountability.org/news2007/11_12/2007_12_02_Stanton_TheAbuse.htm).

<sup>239</sup> See, for example, the Independent Reconciliation and Compensation Program (IRCP) established by the Archdiocese of New York in 2016. <https://www.archny.org/independent-reconciliation-and-compensation-program-ircp>.

representation to participate, but they have generally been afforded the chance to consult with a lawyer paid for by the program prior to accepting any award, to ensure they understand the program's terms. To accept an award, survivors must sign a full release of all claims against all parties relating to their abuse. There have generally been no set caps on award amounts through these programs. And though award amounts may be lower than what a survivor might ultimately obtain through litigation, another core feature of these programs is speed: claims have been resolved and awards paid in a matter of months, rather than the years it often takes to fully litigate a civil case.

***We therefore recommend that the Diocese of Providence establish a new, independent financial compensation program for survivors, modeled after ones already adopted by other prominent archdioceses and dioceses during the last decade. These programs share a common design.***

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These programs began around 2016, when the **Archdiocese of New York** announced its landmark "Independent Reconciliation and Compensation Program" (IRCP), which was designed and administered by the nationally-recognized disaster claims expert Kenneth Feinberg (who most famously administered the September 11th Victim Compensation Fund). The Archdiocese of New York financed the IRCP through a loan secured by its property holdings, and paid 189 survivors a total of approximately \$40 million in compensation awards. Likewise, in the wake of the Pennsylvania State Grand Jury Report on clergy sexual abuse in August 2018, the **Archdiocese of Philadelphia** announced its own Independent Reconciliation and Reparations Program (IRRP). The Archdiocese of Philadelphia reportedly paid at least \$78 million to 438 survivors through the IRRP. In both New York and Pennsylvania, other dioceses soon followed these archdioceses' lead and adopted independent

compensation programs of their own. Similarly, in 2019, six major dioceses in **California** (including the Archdiocese of Los Angeles) established their own Independent Compensation Program, through which 197 survivors were paid approximately \$24 million dollars. While award determinations under these programs were made on a case-by-case basis, based on factors such as the nature and extent of the abuse and harm to the specific survivor, the above figures point to an average program award amount of approximately \$100,000 to \$200,000 per eligible survivor.

**We recognize that no dollar figure will ever adequately reflect or compensate for what survivors of clergy sexual abuse have endured.** But just compensation is nevertheless a critical step towards reconciliation and closure; it offers restitution to survivors who have borne the enormous costs of the harm caused by abuser priests and their employing dioceses, including the tangible costs for mental health treatment, physical health care, lost wages, and the other financial disruptions that flow from trauma. For the Diocese of Providence, an independent financial compensation program could complement the Diocese's current practice of reimbursing complainants for their out-of-pocket counseling costs. Additionally, financial compensation along the lines of these programs amounts to a powerful, symbolic, voluntary, and public acknowledgment of the Church's own responsibility for the harm survivors have suffered. Finally, the success of these programs speaks to a fact already mentioned: while civil litigation is one way for survivors to seek compensation and accountability, it is not the only way, or in many cases, the preferred or viable way. **Leading American archdioceses and dioceses have**

***But just compensation is nevertheless a critical step towards reconciliation and closure:*** *it offers restitution to survivors who have borne the enormous costs of the harm caused by abuser priests and their employing dioceses, including the tangible costs for mental health treatment, physical health care, lost wages, and the other financial disruptions that flow from trauma....*

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**recognized the benefit of non-adversarial compensation programs, and we strongly recommend that the Diocese of Providence embrace this option as well.**

## **2. Adopt a “survivors’ rights” policy.**

More generally, we believe the Diocese should update its policies to clearly set forth what survivors who contact the Diocese should expect. Historically, survivors have experienced unreasonable delays in the resolution of their cases, have not been informed of developments in their cases in a timely fashion, have been denied opportunities to meet with those reviewing the credibility of their complaints, and their identities have been revealed to other complainants and to the accused without their knowledge or consent.

**The Diocese should adopt a formal policy that advises survivors of their right to** (1) report their complaint to civil authorities directly; (2) provide evidence in support of their complaints; (3) appear before the Review Board; (4) receive regular updates from the Diocese regarding the status of the investigation into their complaints; (5) have their complaints promptly investigated by the Diocese and resolved on a reasonable timeline; (6) be informed of the status of the accused priest(s) (including but not limited to whether he remains in active ministry and any Diocesan oversight or monitoring of the priest); (7) retain counsel; and (8) obtain care from a duly licensed health care professional of their own choosing. Absent exceptional circumstances, the Diocese should strive to resolve all complaints within three months. **Additionally, this policy should recognize survivors’ rights to confidentiality, be treated with dignity and respect, and be free from intimidation or harassment.** The Diocese should make clear to survivors that their right to confidentiality is limited by Rhode Island’s mandatory reporting laws, and that the Diocese will disclose the survivor’s allegations, identity, and contact information to the State Police and the Office of the Attorney General.

The Diocese should conspicuously publish these rights on its website, and survivors should be informed of them immediately upon making a complaint.

## **3. Hold a public forum for survivors and establish an online document repository for key records relating to the Diocese’s past and present response to the abuse crisis.**

When the Diocese released its Credibly Accused List in July 2019, Bishop Tobin issued a letter of apology on behalf of the Diocese and the Church. And earlier, in September 2018, the Diocese held a “special day of prayer and penance,” which involved a mass devoted to the victims of the clergy abuse scandal, and the Bishop’s undertaking a 24-hour fast. **While these were laudable steps, the Diocese can and should do more to satisfy survivors’ expectations for accountability and transparency.**

**First, we believe the Diocese should host a forum for willing survivors and their family members to publicly address the Diocese and share the impact that clergy abuse, and the Diocese’s response to it, have had on their lives.** This should

be attended by the Bishop and other high-ranking officials in the Diocese. It does not appear to us that the Diocese has ever afforded survivors such an opportunity, either at the 2019 special mass or any other event, and in our view it is a necessary step in the reconciliation process. It is one thing for the Diocese to publicly communicate *its* apologies to a general audience; it would be quite another for the Diocese to permit survivors to publicly communicate *their* pain to an audience that includes the Church. As this Report reveals, far too much—including the Diocese’s interactions with survivors—has occurred behind closed doors.

**In addition, within six months of the publication of this Report, the Diocese should set up and maintain a document repository for key materials pertaining to its past and present response to the clergy abuse crisis.** That should include critical historical records and other materials that were provided to this Office in the course of this investigation (redacted to preserve the privacy of victims, third parties, privileged information, and other sensitive information), this Report, and materials illustrating the Diocese’s current practices. We believe the Diocese should consider making available annual reports from the Review Board and/or the Office of Compliance that summarize their work for the year. We also suggest that the Diocese give survivors the opportunity to submit victim impact statements that may be anonymized and published on the Diocese’s website.

## **C. Greater Transparency**

### **1. Expand the List of Credibly Accused Clergy.**

**The Diocese’s choice to publish its List of Credibly Accused Clergy in July 2019 was a major step towards transparency and accountability—but as we note in the previous chapter, the List requires expansion, in terms of both names and the details about those who are named.** **First**, we strongly recommend that the Diocese add to its Credibly Accused List the 20 individuals included in Appendix A who do not already appear on the Diocese’s List. **Second**, we recommend that the Diocese expand the information that it provides with respect to each credibly accused clergy on the List. At present, the List provides only his name, date of birth, ordination date, “current status,” and a limited assignment history. We recommend that this set of information be expanded to include, among other details: (1) the number of the priest or deacon’s known victims; (2) each victim’s age and sex; (3) when and where each incident of abuse occurred; (4) the year that each complaint was first brought to the Diocese; (5) details regarding the Diocese’s own response to each complaint, including whether and when it referred the complaint to law enforcement; (6) the priest’s complete assignment history (including part-time or temporary assignments, sabbaticals, and leaves of absences); (7) an accurate and transparent description of the priest’s “status,” including whether he has been criminally charged or convicted, laicized, removed from the clerical state, or forcibly or voluntarily retired; and (8) the restrictions, if any, that the Diocese placed on that priest.

Likewise, we recommend that the Diocese expand its List to include additional credibly accused religious order and extern clergy who served in Rhode Island. This should include any religious order or extern priest that the Diocese determines, based

on its own investigation, has been credibly accused of child sexual abuse. Our clergy summaries in Appendix A include several such religious order priests who currently do not appear on the Diocese's List. Further, our Office identified an additional 11 religious order and extern clergy who have been deemed credibly accused by a religious order or another diocese, and who at some point in their careers served within the Diocese of Providence; we have included a list of those clergy in Appendix C. Other dioceses have chosen to include these religious order clergy on their credibly accused lists—including the Diocese of Fall River, the Diocese of Richmond, and the Archdiocese of Baltimore—and we believe the Diocese of Providence should follow suit.

## **2. Improve notification procedures for credibly accused priests.**

In the interests of safety and transparency, we believe the Diocese should also update its Child Protection Policy to provide for improved notification procedures regarding child sexual misconduct allegations against priests. Upon *receipt* of a complaint against any living member of the clergy, the Diocese should immediately notify both law enforcement (in accordance with the provisions of the 2016 Letter of Understanding) as well as the accused's past and present Diocese(s) and/or religious order(s) regarding the allegations the Diocese has received. This can and should be done confidentially, and is intended to ensure the swift investigation of the complaint by civil authorities and to notify the relevant Church entities that may possess material information and which, in the case of a priest who at the time of the complaint works for another diocese, may also have the authority or duty to investigate the complaint. And for all clergy, living or dead, the Diocese should adopt a policy and practice of informing all relevant parties—including all of the accused's past and present dioceses, religious orders, employing parishes, schools, and other entities (here and elsewhere); all victims of whom the Diocese is aware; and law enforcement (including all pertinent information that the Diocese has gathered during its internal investigation of the complaint)—within 30 days of a determination that the complaint is credible. **Unannounced, intermittent updates to the Credibly Accused List do not fulfill this important responsibility. Broad, effective notifications along these lines may also encourage additional victims to come forward.**

## **3. Execute a new Letter of Understanding with the Attorney General.**

The 2016 Letter of Understanding (“LOU”) between the Diocese of Providence and the Attorney General, discussed at length in Chapter 6, had an undeniable and lasting impact on improving the reporting of child abuse allegations by the Diocese to civil authorities. Yet, while it was an important milestone towards improved transparency and accountability, in the wake of this Investigation and Report, we believe more can and should be done. **Accordingly, we recommend that the Diocese enter into a new LOU with this Office to broaden the scope of reportable conduct and facilitate continued oversight of the Diocese's response to the clergy abuse crisis.**

Currently, the LOU requires the Diocese to report to the Rhode Island State Police and this Office all allegations of certain enumerated criminal violations: child molestation, sexual assault, or assault with intent to commit sexual assault. Reports must be made under the LOU regardless of the present age of the victim or perpetrator, irrespective of the statute of limitations, and without the Diocese making any threshold credibility determination of its own prior to the referral. Likewise, it is our understanding that the Diocese presently reports anonymous and third-party complaints, as well as allegations where it is not clear whether all elements of a given offense (such as penetration or victim age) are clearly met, since those details are frequently clarified during an investigation. **The Diocese should of course continue referring all such complaints.**

As we have seen, though, clergy sexual abuse takes many forms in addition to the physical abuse itself—and so **the scope of reportable allegations under the LOU should be expanded** to encompass a broader range of offenses involving minors in addition to child molestation and sexual assault, including: indecent solicitation of a minor; felony and simple assault; child pornography offenses, exploitation for commercial or immoral purposes, and disseminating indecent materials; stalking and harassment; contributing to the delinquency of a minor; and endangering the welfare of a child. More broadly, the LOU should extend to reports of grooming behavior. And finally, the LOU should mandate the reporting of such allegations involving vulnerable adults, including young adults and those with disabilities.

**Relatedly, the LOU should be updated to expand the amount of information that the Diocese provides to this Office.** First, with respect to each reportable allegation, we believe the Diocese should include all information and documents in its possession to facilitate a preliminary inquiry by law enforcement. And the Diocese should supplement information it provides to law enforcement and this Office with respect to reported allegations, where it receives additional information.

The LOU should also be updated to clarify that reports to this Office and to the State Police must be made within 24 to 48 hours of receipt by the Diocese. It currently states only that such reports shall be made “promptly.” While the timeliness of the Diocese’s reporting has significantly improved in recent years, we have nonetheless observed instances when reports were inexplicably delayed. Once, the Diocese waited four months to report an allegation of misconduct by an active priest, who died the very day before it made the report. And

***We recommend that the Diocese enter into a new LOU with this Office to broaden the scope of reportable conduct and facilitate continued oversight of the Diocese’s response to the clergy abuse crisis.***

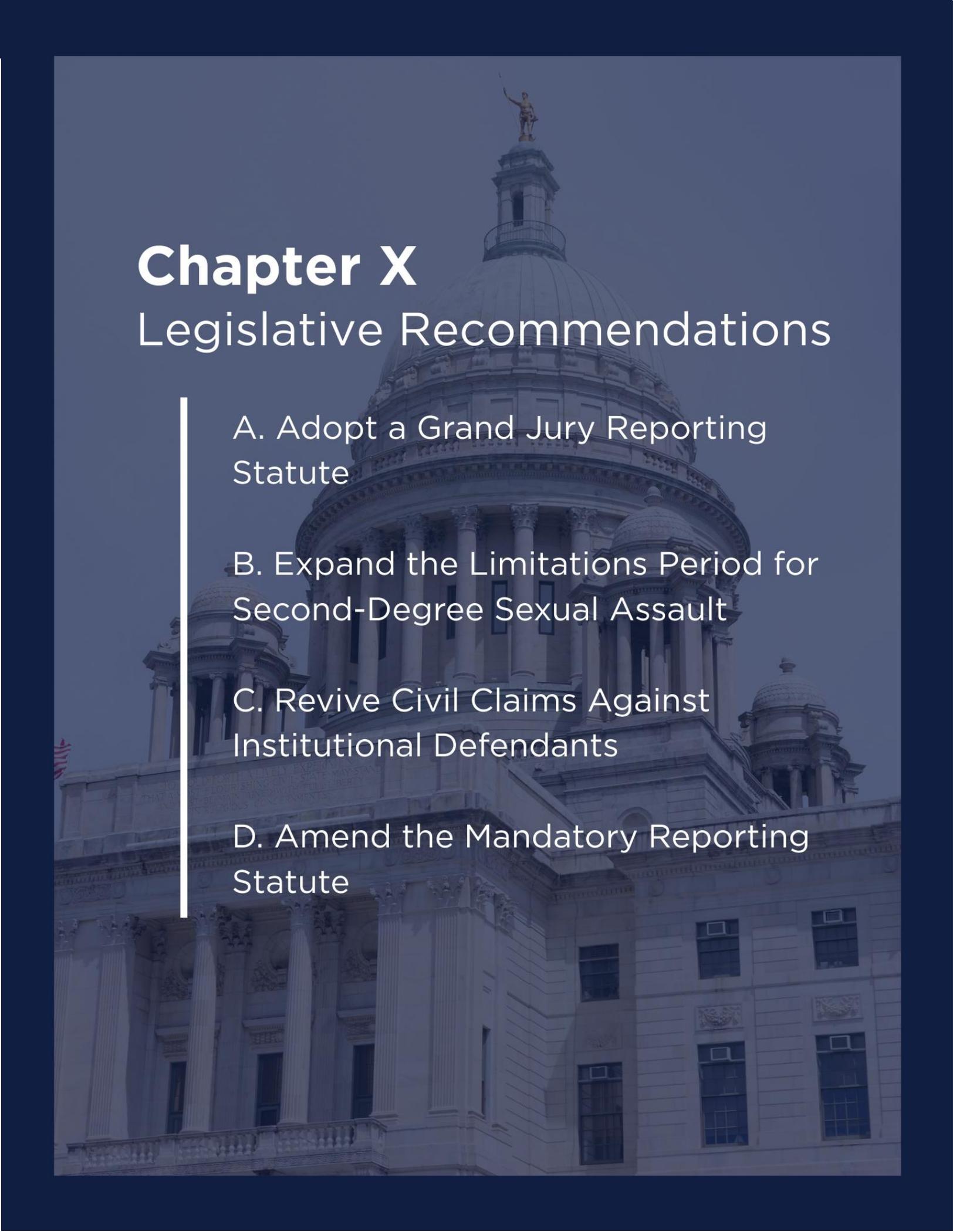
in 2025, we learned that the Office of Compliance conducted a full recorded interview of a complainant before reporting the allegation to the Rhode Island State Police and this Office. **The Diocese should not delay its LOU reporting while it pursues internal investigative steps.** In cases where the subject of the report is still alive, the Diocese should refrain from any investigation until it consults with the State Police and this Office to preserve the integrity of any criminal investigation. In those cases, the priest should remain suspended until the completion of both the criminal investigation and the Diocese's internal one.

**Lastly, an updated LOU would allow this Office to evaluate the Diocese's implementation of this Report's recommendations and the Diocese's continued adherence to the LOU.**

**First**, the Diocese should agree to produce to this Office its annual *Dallas Charter* audit materials. Every three years, the United States Conference of Catholic Bishops audits the Diocese (and every other American diocese) to determine its compliance with the *Dallas Charter* and each year the USCCB collects information from dioceses to be included in its annual report. This requires the Diocese to disclose to the USCCB certain details about each clergy sexual abuse allegation it received during the year, including the date of the report, the date of the alleged abuse, and the complainant's age. The Diocese also sends information to the USCCB regarding the number of priests, deacons, and other personnel who have and have not received relevant training and background checks. As much of the information contained in the audit materials should already reflect the reports that the Diocese makes to law enforcement under the LOU, sharing these materials with the Attorney General should not be unduly burdensome. We also encourage the Diocese to make these audits independently available to the public (even if in summary form or with appropriate redactions) .

**Second**, for the five years following this Report, the Diocese should produce to this Office an annual report that (1) summarizes the Diocese's receipt and handling of every child sexual misconduct complaint that it received during the given year, including basic details of each complaint and the Diocese's response; (2) discloses all changes made to the Diocese's Credibly Accused List during that year; (3) identifies updates or changes to any relevant Diocesan policy, as well as any changes to the Diocesan personnel involved in handling child sexual misconduct complaints; and (4) describes the Diocese's implementation of the recommendations in this chapter of this Report, including an explanation for why the Diocese has declined to implement a recommended change.

**We believe Rhode Islanders deserve insight into the Diocese's handling of this crisis after this Report is published**, and therefore we intend to publish these annual reports (subject to appropriate redactions) on our website and encourage the Diocese to do the same.



# Chapter X

## Legislative Recommendations

- A. Adopt a Grand Jury Reporting Statute
- B. Expand the Limitations Period for Second-Degree Sexual Assault
- C. Revive Civil Claims Against Institutional Defendants
- D. Amend the Mandatory Reporting Statute

## X. LEGISLATIVE RECOMMENDATIONS

### 1. Adopt a Grand Jury Reporting Statute.

For the last **six years**, the Attorney General has proposed legislation that would allow Rhode Island grand juries to issue, with court oversight, reports describing their findings and conclusions. Whereas a trial jury decides civil and criminal trials, the grand jury investigates potential crimes and brings criminal charges in the form of indictments. We continue to advocate for a grand jury reporting statute because it would give Rhode Islanders an essential tool for public awareness and accountability in matters that are not prosecutable for any number of reasons, but which nevertheless implicate the public interest and warrant the public's attention. Grand juries have also played a key role in certain other states' investigations and subsequent reports about the clergy abuse crisis: reports issued in both Pennsylvania and Maryland, for instance, were supported by information obtained using the grand jury's unique and powerful investigative authority.

***We continue to advocate for a grand jury reporting statute because it would give Rhode Islanders an essential tool for public awareness and accountability in matters that are not prosecutable for any number of reasons, but which nevertheless implicate the public interest and warrant the public's attention.***

Grand juries have the power to compel the production of documents and the appearance of witnesses to testify under oath, and thus they are an extraordinarily effective tool for investigating possible criminal misconduct. At the same time, under current law, grand jury investigations and proceedings are secret. While a grand jury's decision to bring criminal charges is itself public by virtue of the indictments that it returns, a grand jury is generally unable to otherwise speak to its findings and decisions, including any decision *not* to return an indictment, in the absence of a reporting statute. Rhode Island is among the states that lack such a law, and so our grand juries speak solely through the indictments they bring. They are otherwise silent.

As we noted at the outset of this Report, it was this absence of a grand jury reporting statute in Rhode Island, paired with the Attorney General's firm conviction that Rhode Islanders deserve a full, transparent accounting of the Diocese of

Providence's handling of the clergy abuse crisis, that drove our decision to investigate the Diocese without the use of a grand jury—because only in this way could we issue this Report regarding our findings. Our use of the grand jury was therefore limited to investigating and charging the prosecutable clergy abuse cases that we identified along the way, and our Report does not discuss those matters. **By contrast, in states with grand jury reporting statutes, the grand jury is empowered to both investigate and charge criminal cases, and to issue public reports that describe its investigations and findings.** In Pennsylvania, for example, a state grand jury was able to compel the testimony of dozens of witnesses and the production of thousands of pages of documents in support of both the charges that it brought against select clergy as well as its subsequent report regarding child sexual abuse in six Pennsylvania dioceses.

**More broadly, grand juries sometimes consider acts or omissions that fall short of criminal misconduct yet still concern the public interest, and it is here too that a reporting statute would be useful.** For example, a grand jury might consider allegations of official misconduct in public office and may decline to return an indictment but instead recommend disciplinary action against a public official or other reforms. Likewise, grand juries might investigate use of force by law enforcement and conclude that the use of force was lawful. In cases involving death or serious bodily injury, the public will want to understand the bases for the grand jury's conclusions. It is very much to the public's benefit that allegations of official misconduct, and any institutional policies that contributed to it, be revealed in an official way. Grand jury reports that do not charge any individual with the commission of a crime could still serve as a useful tool for legislators to recognize gaps in the law or develop protections that would otherwise go unnoticed due to a lack of transparency.

The proposed legislation that this Office continues to support would allow Rhode Island grand juries to issue reports, **subject to substantive and procedural safeguards and court oversight to ensure that reports are issued only in appropriate cases and that subjects of those reports are given fair notice and a meaningful opportunity to respond prior to their publication.** Our proposal would

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allow grand juries, with the consent of at least 12 jurors (the same required to return an indictment), to submit under seal to the presiding justice of the Superior Court a report concerning non-prosecutable misconduct in either matters that involve public officials or matters that the grand jury determines substantially affect the public interest. Before accepting the report, the presiding justice must find that (a) at least one of the two threshold reporting criteria (public official or public interest as determined by the grand jury) has been satisfied; (b) the report is limited to those subjects, and does not disclose information that is confidential, privileged, private and/or not reasonably related to the report's subject matter, or information that would prejudice another legal matter or investigation; (c) the report is based on facts revealed during the grand jury's investigation and is supported by a preponderance of the evidence; and (d) each named person in the report was afforded a reasonable opportunity to testify before the grand jury prior to the filing of the report when possible. Moreover, before the court makes the report available as a public record, each named person must be given (e) notice and an opportunity to respond to the report in writing, which the court may include as an appendix to the report, and (f) the right to appeal the presiding justice's decision to make the report publicly available to the Rhode Island Supreme Court (with the report remaining under seal during the pendency of that appeal).

We believe that these criteria afford adequate legal protection to the subjects of a grand jury report, while providing the grand jury, and Rhode Islanders more broadly, with a much-needed voice beyond solely indictments when investigating matters that substantially affect the public interest.

## **2. Expand the Limitations Period for Second-Degree Sexual Assault.**

While our Investigation has resulted in four criminal prosecutions against Diocesan clergy, there were many more cases this Office simply could not prosecute because the criminal statute of limitations had expired, including many instances of second-degree sexual assault. To recall, second-degree sexual assault typically involves non-penetrative sexual contact with another person regardless of his or her age. Touching or fondling the genitals of a person, including over their clothes, meets this definition of sexual contact, and we found this kind of abuse by clergy over and over during this Investigation. **Second-degree sexual assault is currently subject to a mere three-year limitations period**, however, and as such, virtually every historical instance of it that we encountered was time barred and not prosecutable.

**Statutes of limitations reflect our societal judgment about how much time we believe should be allowed to pass between the events giving rise to a case and the filing of the case itself.** Those judgments are necessarily informed by our collective knowledge and experiences, which, of course, are constantly evolving. Second-degree sexual assault has been subject to a three-year limitations period since its enactment in 1981, now almost fifty years ago. We now know, through research and several decades of unfortunate experience, that many child sexual abuse victims delay disclosing their abuse—not just for a few years, but well into adulthood.

One estimate puts that figure **between 55 and 70 percent of victims**.<sup>240</sup> Non-profit think tank Child USA estimates that **the average age when a child victim discloses is 52**.<sup>241</sup> We believe a legislative fix is needed to reflect the reality that delayed reporting is commonplace among sexual abuse victims, particularly young and vulnerable victims. In our view, it makes no sense that the sexual touching of a 13-year-old has *no* statute of limitations, because that act generally qualifies as child molestation, while the very same touching of a 14-year-old can only be prosecuted within three years.

***Statutes of limitations reflect our societal judgment about how much time we believe should be allowed to pass between the events giving rise to a case and the filing of the case itself.***

**This Office has spearheaded recent efforts in the General Assembly to expand the limitations period for second-degree sexual assault, and it will continue to do so.** In 2022, 2023 and 2024, our proposed legislation, introduced by Representative Carol McEntee, sought to eliminate the statute of limitations for second-degree sexual assault. Although the bill passed the House all three years, it did not clear the Senate. If the General Assembly cannot coalesce around this proposal, it should at minimum consider enlarging the statute of limitations for second-degree sexual assault to ten years from the date of the offense or from the time the victim turned 18, whichever is longer. We introduced this revised proposal in the last legislative session and intend to reintroduce it this year. Extending the statute of limitations in this fashion makes sense as it acknowledges the reality of delayed reporting, particularly among young people, while taking into account the important fairness interests served by statutes of limitations.

### **3. Revive Civil Claims Against Institutional Defendants.**

In addition to criminal prosecutions, victims of child sexual abuse may seek redress for the injuries they suffered through civil litigation against the perpetrators of their abuse and those who supervised or employed them. For many victims, civil litigation is the only avenue for redress because, as we just discussed, the criminal statute of limitations might have run, foreclosing prosecution of their abuser. Furthermore, other persons and institutions, such as supervisors and employers,

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<sup>240</sup> London K., Bruck M., Wright D. B., Ceci S. J. (2008). Review of the contemporary literature on how children report sexual abuse to others: Findings, methodological issues, and implications for forensic interviewers.

<sup>241</sup> Child USA, Statute of Limitations Fact Sheet 2019 (Mar. 2020), <https://childusa.org/wp-content/uploads/2020/03/SOLFactSheet2019.pdf>.

might not have violated any criminal laws but might still be civilly liable for breaching a duty of care to the victims. While this Office does not bring civil claims on behalf of individual victims, the Attorney General, by virtue of his authority to represent the public interest, has a significant interest in ensuring that survivor-plaintiffs are able to obtain redress and compensation for their injuries, and accountability for their abusers, to the fullest extent possible in our courts.

Like criminal statutes of limitations, civil statutes of limitations establish a timeframe following the abuse within which plaintiffs must file a lawsuit against responsible parties. Statutes of limitations especially matter in clergy abuse cases because they can provide an accused priest or diocese a complete defense against a claim, no matter how culpable they may have been in the abuse. To be sure, statutes of limitations play an important function in our legal system, offering certainty and protection to potential defendants against the surprise of “stale” claims (or criminal charges) that are based on facts and evidence whose reliability has grown questionable with the passage of time. **But the interests of defendants must be balanced against those of plaintiffs who seek to hold them accountable.** And here, especially given the severity of the offense and the harm to the victims, as well as what we now know about delayed disclosures in child sexual abuse cases, we believe the balancing clearly favors the interests of survivors, and warrants an expansion of the statute of limitations for civil claims stemming from child sexual abuse, alongside the expanded limitations period for second-degree sexual assault.

Until 2019, Rhode Island’s statute of limitations for civil claims for sexual abuse or exploitation of a child was just seven years. Before that, it was a mere three. In 2019, the General Assembly passed legislation that expanded the civil limitations period to 35 years from the act(s) of the abuse (commencing when a plaintiff turns 18 years old—so until a plaintiff is 53), or seven years from when the plaintiff discovered or should have discovered his or her injuries, whichever is longer.<sup>242</sup> Known colloquially as **“Annie’s Law,”** it was named for Rhode Island clergy sexual abuse survivor Dr. Ann Hagan Webb, who has become an important advocate for fellow survivors of clergy abuse, and who was interviewed for this Report. Critically, Annie’s Law also revived civil claims against “perpetrator defendants”; this meant that civil claims that had expired under the previous statute of limitations could, subject to the new limitations period, be filed in court. Annie’s Law stated that these revived claims were subject to the same new limitations window as all other claims (i.e., until a plaintiff turns 53, or seven years from discovery of the injuries).

While Annie’s Law was a major step toward increased justice and accountability, in 2023, the Rhode Island Supreme Court held in *Houllahan v. Gelineau* that the law’s claims revival provision applied only to civil claims against *individual* perpetrators of abuse (e.g., priest abusers themselves), and did not extend to claims

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<sup>242</sup> Some states have chosen to eliminate their statute of limitations for civil child sexual abuse claims altogether. See, e.g., Md. Code Ann, Cts. & Jud. Proc. § 5-117 (Maryland). Our General Assembly has considered, and rejected, such a proposal in recent years. See, e.g., 2023—H 5909 and 2023-H5909A.

against their supervisors or employing institutions that helped to facilitate or conceal the abuse. As we have seen in this Report, however, institutions often bear their own responsibility for scores of children being victimized by individuals they employ and/or are responsible for—and it is typically these institutional defendants, rather than individual perpetrators like priests, that have the financial resources to justly and adequately compensate survivors of the abuse they suffered. **Thus, the impact of Annie’s Law has been greatly blunted, as most claims against the Diocese and its leaders for the negligent employment or supervision of priests who sexually abused minors remain time barred.**<sup>243</sup> Child USA presently ranks Rhode Island’s claims revival provision among the worst in the country, because it only revives expired claims against perpetrators and not institutions, like the Diocese, and generally only until the victim reaches the age of 53.<sup>244</sup>



<sup>243</sup> See *Houllahan*, 296 A.3d 710. In *Houllahan v. Gelineau*, the Rhode Island Supreme Court held that supervisors or institutions that facilitated or concealed abuse, but did not engage in conduct that rises to the level of aiding and abetting, are considered “non-perpetrator” defendants under the 2019 amendment to R.I. Gen. Laws § 9-1-51, and may not be sued if claims against them already expired under the prior applicable statute of limitations set forth in R.I. Gen. Laws 1956 § 9-1-14(b). For any claims for sexual abuse arising before 2019 against “non-perpetrator” defendants, the applicable civil statute of limitations is three years, or three years after discovery of injuries. This effectively means that the civil statute of limitations for claims against the Diocese and its leaders for facilitating or concealing child sexual abuse expired decades before the average victim told anyone they were abused.

<sup>244</sup> *SOL Revival/Window Law Ranking*, Child USA (June 1, 2024), <https://childusa.org/sol-rankings/>.

**At a minimum, we recommend that the General Assembly amend Annie’s Law to clarify that it revives previously expired claims against *institutional* defendants, in addition to reviving those claims against *individuals*.** Beyond giving survivors a reasonable opportunity to hold accountable *all* parties responsible for their abuse, and a fair chance to obtain just compensation through the courts, revival laws such as this have positive systemic benefits: they incentivize institutions and organizations to implement abuse prevention policies, shift costs from victims and taxpayers to enabling institutions, and better educate institutions and the public about the signs and impacts of child sexual abuse so that it can be prevented in the future.<sup>245</sup>

Based on our current statute of limitations, our proposed amendment would likely subject revived claims against institutions to the same limitations period applicable to all other civil claims for child sexual abuse—meaning survivors would generally have until they are 53 years old, or within seven years from when they “discovered or reasonably should have discovered” their injuries from the abuse, whichever is later, to file their revived claims against institutional defendants, or else their claims remain time-barred. Recognizing that this would still leave some survivors without adequate legal recourse—specifically, survivors with previously-lapsed claims who are older than 53 years old at the time this amendment would go into effect—we propose an additional legislative fix.

**Revival laws such as this have positive systemic benefits:**

- ✓ incentivize institutions and organizations to implement abuse prevention policies
- ✓ shift costs from victims and taxpayers to enabling institutions
- ✓ better educate institutions and the public about the signs and impacts of child sexual abuse so that it can be prevented in the future

To ensure that *all* living survivors are given a fair opportunity to assert claims against both individual and institutional defendants—and not just those who can satisfy an applicable limitations period—some states have enacted time-limited laws that both revive previously-lapsed claims *and* temporarily lift any limitations period for those claims. These are typically referred to as “revival windows” or “lookback windows.” For example, in 2019, New York enacted its Child Victims Act, which (in pertinent part) established a one-year “revival window” (later extended by another year) that allowed survivors with previously-expired civil claims for abuse to file those claims against both individual and institutional defendants in New York courts during

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<sup>245</sup> See Alice Nasar Hanan, Esq., *Revival Laws for Child Sex Abuse*, Child USA (June 6, 2024), <https://childusa.org/wp-content/uploads/2023/11/US-WindowsRevival-Laws-for-CSA-Since-2002-11.1.23.pdf>.

that one-year window. At the close of the revival window, any eligible claims that were not filed were once again time-barred. Similar laws have been enacted in nearly a dozen other states and territories.<sup>246</sup> According to Child USA, “states opening revival windows for time-barred claims against all defendants have seen a modest and manageable number of lawsuits and brought long overdue justice to victims of child sexual abuse.”

Hence, in addition to our support of an amendment to Annie’s Law that extends the revival provision to previously-expired claims against institutional defendants, **our Office supports legislation creating a revival window of between one and three years for those claims that would still fall outside the 35-year statute of limitations.** This would ensure that *all* survivors in Rhode Island are afforded a meaningful opportunity to file their claims against individual and institutional defendants in court if they so choose.

**Finally, but importantly, we note that our support for expanded statutes of limitations in criminal and civil child sexual abuse cases is *in addition to the recommendation we have made in the previous chapter that the Diocese establish an independent compensation program.*** These are two sides of the same coin: some survivors may wish to pursue their claims through the courts, and we believe these legislative improvements would help them do so; others may prefer the privacy and efficiency of resolving their claims through an independent compensation program, and we fully support that option as well. Survivors deserve this choice.

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***Survivors deserve this choice.***

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<sup>246</sup> According to Child USA, revival windows have been opened either temporarily or permanently against all types of defendants in Arkansas, California, Delaware, Hawaii, Louisiana, New Jersey, New York, Guam, Maryland, the Northern Mariana Islands, and Vermont. See *SOL Revival/Window Law Ranking*, Child USA, <https://childusa.org/sol-rankings/> (last updated June 2024).

#### 4. Amend the Mandatory Reporting Statute.

As our Report reveals, **the Diocese of Providence historically and systemically failed to refer allegations of child sexual abuse by clergy to law enforcement.** This only concealed the abuse that the Diocese knew about and put children at enormous risk. Even today, the Diocese’s law enforcement reporting is, to a large degree, voluntary; most of its reporting of clergy abuse is not mandated by law, but rather is the function of the existing Letter of Understanding that took effect in 2016.

The current “mandated reporter” law, originally enacted in 1976, requires “any person” who knows or suspects that a child has been “abused or neglected” to report that information to Rhode Island’s Department of Children, Youth, and Families (DCYF) within 24 hours.<sup>247</sup> “Abused or neglected child” is defined in the statute as “a child whose physical or mental health or welfare is harmed, or threatened with harm, when his or her parent or other person responsible for his or her welfare” abuses or neglects him. Pertinent here, “person responsible for his or her welfare” is defined narrowly, and is limited to certain custodial-type arrangements: “the child’s parent; guardian; any individual, eighteen (18) years of age or older, who resides in the home of a parent or guardian and has unsupervised access to a child; foster parent; an employee of a public or private residential home or facility; or any staff person providing out-of-home care (out-of-home care means child day care to include family day care, group day care, and center-based day care).” Where DCYF investigates and finds reasonable cause to know or suspect that a child has been subjected to criminal abuse or neglect, it must forward that information to law enforcement.

The General Assembly amended the statute in 2016 to expressly require reporting to DCYF of sexual abuse by “an employee, agent, contractor, or volunteer of an educational program as defined in § 40-11-2,” and mandated that DCYF “immediately forward the report to state police and local law enforcement[.]”<sup>248</sup> “Educational program” is defined as any public or private school, including boarding schools, or any home-schooling program.<sup>249</sup>

**We propose amending the mandatory reporting law so that the reporting obligation extends beyond the circumstances covered by the present statute—such as abuse or neglect by a caregiver, and sexual abuse in an educational program—to clearly require the reporting of known or suspected clergy abuse, irrespective of the context in which it occurs, as well as other forms of child abuse or neglect in educational and religious settings.** In pertinent part, our draft legislation requires that any person with reason to know or suspect that a child is the victim of “physical, mental, or sexual abuse or neglect by an employee, agent,

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<sup>247</sup> R.I. Gen. Laws § 40-11-3. A separate statute requires “any person, other than the victim, who knows or has reason to know that a first-degree sexual assault or attempted first degree sexual assault is taking place in his or her presence” to immediately notify law enforcement. R.I. Gen. Laws § 11-37-3.1.

<sup>248</sup> R.I. Gen. Laws § 40-11-3.3.

<sup>249</sup> *Id.*

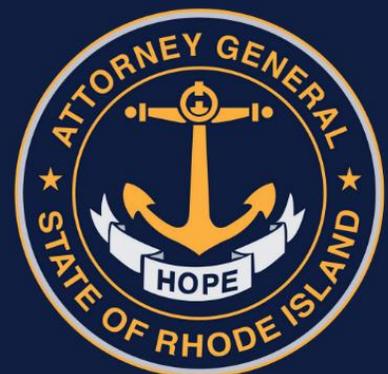
contractor, **member of the clergy**, or volunteer of an **educational program or a religious organization**, or by a child attending such an educational program,” must report the allegation directly to both DCYF and the police within 24 hours. Our draft legislation also requires DCYF to immediately forward any such report to this Office and the Child Advocacy Center, and to immediately notify this Office (among other entities) in the event DCYF substantiates the complaint.



# Chapter XI

## Epilogue

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## XI. EPILOGUE

Our Investigation confirmed what many victims and their families have long known: for decades, bishops and other senior leaders of the Diocese of Providence helped to conceal child sexual abuse committed by Diocesan priests, and acted to protect the accused priests themselves, at the enormous expense of victims, their families, and the broader public. Rather than heed victims' cries and engage with civil authorities to put a stop to this crisis, the Diocese acted as much of the Catholic Church did during the 20<sup>th</sup> century: it circled the wagons, protected its own, and allowed the crisis to metastasize. The Diocesan records establish that Bishops McVinney and Gelineau in particular (whose tenures ran from 1948 to 1971, and 1971 to 1997, respectively) repeatedly returned known abusers to active ministry, with the tragic yet predictable result that additional Rhode Island children were abused. Generations of victims were left with lifelong physical, mental, and spiritual anguish as a result of the actions, and inaction, of these and other men who steered the Diocese's handling of clergy abuse during much of the Review Period. And the scale of this avoidable tragedy is staggering: across just seventy years, in a state as small as our own, the Diocese of Providence employed at least **75 credibly accused abuser priests**, who are accused (and in some cases were found guilty) of sexually abusing and assaulting **over 300 victims**.

**It is also true that the situation appears to have significantly improved**, though it remains unclear to us the degree to which those improvements are attributable to reforms enacted by the Church in response to this crisis—like the establishment of the Office of Education and Compliance in 1993; the “zero tolerance” policy of the 2002 *Dallas Charter and Essential Norms*; and the Diocese of Providence's corresponding Child Protection and Outreach Policy—as opposed to a broader set of social, cultural, and legal changes that occurred across the Review Period—such as the enactment of modern mandatory reporting and sexual assault statutes in the 1970s and 80s; a growing public recognition of clergy abuse and a corresponding heightened vigilance by parents and caregivers; and the recent decline in the Church's overall influence (with fewer Americans entering the priesthood,<sup>250</sup> regularly attending church, or even identifying as Christian<sup>251</sup>). Indeed, given the notable decline in reported instances of clergy sexual abuse in the 1980s and 1990s—prior to the implementation of many of the Church's reforms—it appears that

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<sup>250</sup> Center for Applied Research in the Apostolate (CARA), Georgetown University, *Frequently Requested Church Statistics*, <https://cara.georgetown.edu/frequently-requested-church-statistics/> (last visited Feb. 17, 2026).

<sup>251</sup> Jason DeRose, *Christianity Declines Among U.S. Adults While Religiously Unaffiliated Grows, Study Says*, NPR (Feb. 26, 2025, 5:00 AM), <https://www.npr.org/2025/02/26/nx-s1-5298180/christianity-declines-among-u-s-adults-while-religiously-unaffiliated-grows-study-says>.

at least some of that decline may be attributable to these broader trends, rather than any particular action taken by the Diocese or the Catholic Church.

**Most importantly, to our knowledge, no credibly accused abuser priest is currently serving in active ministry in the Diocese of Providence (whereas over 30 such priests were in active ministry in each of the decades during the 60s, 70s, and 80s).** The most recent known instance of clergy abuse in the Diocese of Providence occurred in 2011 (Deacon Laurence Gagnon), some fifteen years ago. Relatedly, it appears that by the turn of the century, the Diocese had mostly (but not entirely) **ceased the practice of returning known offenders to active ministry**—and this doubtlessly decreased the likelihood that more children would be abused. Still, our knowledge of clergy abuse in the Diocese is limited to *reported* cases, and since it is now well documented that child victims often report their abuse, if at all, decades after it occurred, **time will tell us, more than anything else, whether in fact clergy abuse in the Diocese of Providence is largely a historical problem**, as these figures suggest, and as the Diocese insists, as opposed to an ongoing one.

*Indeed, clergy abuse in the Diocese of Providence is still very much a living history... **Though statutes of limitations pose a hurdle to the further prosecution of abusers, there is no such limitations period on the pain that victims and their families are forced to endure to this day.***

Indeed, clergy abuse in the Diocese of Providence is still very much a living history. Based on what we have seen and described in this Report, it seems quite likely that there remain victims who have yet to tell their stories, and abusers whose names have not yet been identified. Though statutes of limitations pose a hurdle to the further prosecution of abusers, there is no such limitations period on the pain that victims and their families are forced to endure to this day. Likewise, the Diocese's own responses to the clergy abuse crisis continue to evolve. **Only in the last decade** has the Diocese of Providence taken what in this Office's view are some of the most **significant, voluntary steps toward meaningful transparency and accountability**: its ongoing commitment under the 2016 LOU to refer *all* child sexual misconduct complaints, regardless of credibility findings, to this Office and the Rhode Island State Police; the Diocese's 2019 publication of its Credibly Accused List; and, of course, the Diocese's voluntary production of historical records to this Office under the 2019 MOU. Taking Bishop Lewandowski at his recent word that the Diocese "knew what was in

the files,”<sup>252</sup> it is a credit to the Diocese that it volunteered information that portrayed the institution, and so many actors within it, in such damning light.

***The present Diocese of Providence is all too quick, however, to distance itself from the woefully inadequate responses of the past.*** In our view, that is a mistake that only perpetuates the pain and suffering of the Church’s victims. As one victim told us, he “wished they would come out and admit fault . . . but they never will.” This was a sentiment shared by many survivors with whom we spoke. What is more, we continue to observe in the policies and actions of the *present-day* Diocese of Providence troubling echoes of the institution that for so long responded to clergy abuse through concealment, deflection, and obfuscation—telling us that there is, without a doubt, more necessary work ahead. Though publicly touting its commitment to transparency, for example, the Diocese *still* exempts from its law enforcement reporting policies information disclosed in the “internal forum,” a concept broader and more elusive than the bounds of the well-established clergy-penitent privilege (confession), and which was used in the past to withhold priests’ admissions about clergy abuse from victims and juries. Similarly, when reports recently surfaced about a priest asking children concerning sexual questions in Confession (a possible red flag for future abuse), the Diocese placed the priest on leave (for “pastoral study and reflection”) before reassigning him, without telling the public the steps it had taken to ensure that the priest was not a danger to children. Likewise, the Diocese’s recent public apology to victims for failing to keep them safe made no mention of the fact that the Diocese continues in its persistent opposition to legislative reform aimed at giving those same victims a chance at meaningful justice for their abuse, namely a revised civil statute of limitations for claims against institutional enablers of abuse. In the wake of this Investigation, it is impossible not to view such recent actions by the Diocese as the long shadows of its past reaching into the present.

***We saw similar reflections of the “old” institution during this Investigation,*** in our interactions with the Diocese. As noted in the Report, the Diocese rejected multiple requests by this Office to make *any* personnel available for interviews. Counsel for the Diocese also repeatedly delayed in responding to, and in some cases simply did not answer, our written requests for documents and information. These were the choices that the *current* Diocese and its representatives made, which needlessly delayed our ability to complete this Investigation and Report, and call into question the sincerity of the Diocese’s professed commitments to transparency and accountability. That same unwillingness to meaningfully engage with this Office continued to the very end of this process.

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<sup>252</sup> WPRI, *Newsmakers: Bishop Bruce Lewandowski* (Dec. 19, 2025), available at <https://www.youtube.com/watch?v=vHXJO0xW4yY&t=979s> (16:13).

In January of this year, in advance of this Report’s release, the Attorney General provided the Diocese with the draft Report for its review and comment—the Diocese having expressly conditioned its voluntary production of records to this Office on receiving such an opportunity. In response to the Diocese’s request for a lengthy extension of time, the Attorney General agreed to provide the Diocese with an additional ten business days, beyond the ten the Diocese agreed to under the MOU, with a deadline of February 5, 2026. In effect, the Diocese had nearly a month to review the Report. We also repeatedly invited representatives of the Diocese to meet and confer in person or otherwise to discuss the Report’s findings and recommendations.

*Likewise, the Diocese’s recent public apology to victims for failing to keep them safe made no mention of the fact that the Diocese continues in its persistent opposition to legislative reform aimed at giving those same victims a chance at meaningful justice for their abuse, namely a revised civil statute of limitations for claims against institutional enablers of abuse. **In the wake of this Investigation, it is impossible not to view such recent actions by the Diocese as the long shadows of its past reaching into the present.***

The Diocese declined those invitations, and also declined to offer any comments to the draft Report, instead expressing to this Office (through counsel) its views that the Attorney General had not afforded “enough time to allow meaningful review and edits by the Diocese,” and that the draft Report paints “a false picture that the children of the Diocese are somehow still at risk based upon decades-old, tragic, and long since acknowledged failings of the past.” Despite the fact that several of this Office’s requests for information and documents remain outstanding—including some first posed nearly two years ago, on such key topics as the priestly status of living, credibly accused priests—the Diocese declared that it was formally terminating the MOU, leaving those and other questions unanswered. Seemingly in response to this Office’s recommendations in Chapter 9 to improve the Diocese’s current policies and procedures for preventing and responding to clergy abuse—one of the chief goals articulated in the MOU—the Diocese stated only that it would “carefully study” those proposals. It added that it “fully intends to continue its longstanding cooperation with law enforcement with regard to any allegation of child sexual abuse, including its policy of proactively and promptly informing law enforcement of any complaints it

receives regardless of credibility and working closely to ensure that crimes are prosecuted.”

The Diocese of Providence has certainly come a long way since the failings of prior decades. And we do not doubt the sincerity or good-faith intentions of individual personnel working within the Diocese to help it move beyond its sordid past in a meaningful, just, and compassionate way, including in particular the recent leadership of the Office of Compliance and the Office of Outreach & Prevention. They have done a commendable job serving not only the Diocese but also survivors and parishioners. **But the spirit with which Diocesan leadership responds to this Report should reflect those same commitments.** To that end, we urge Bishop Lewandowski and the Diocese to implement our recommendations, and more generally to do everything in their power—beyond solely what is legally required—to further guarantee the safety of children, and to ensure that the Diocese’s victims receive the full measure of justice they deserve.

Know, Bishop Gelineau, how difficult this is for me. It is time now for healing and to try to go on with my life instead of hiding from the events of the past. I have prayed over these events and feel that definitely some consideration should be given me. My life has been affected tremendously (hopefully, not beyond repair). Because of my love for church, my suffering today is multiplied by an unfounded sense by guilt. I have been unfair to myself most of a life, blaming myself for the bad things that have happened to those I love. It is important for me to be fair to myself now. If someone other than a priest had emotionally and sexually violated me the way Fr. D did, I would not be concerned or fearful of being greedy or feel guilty about asking for retribution. I want you to look at this as someone who had violated one of your nieces years ago and her life and that of her children has been negatively affected. I can't begin to tell you the number of ways I have been effected on nearly a daily basis. You cannot imagine the ways events of my life have been overshadowed by this abuse. There has not been a Mass participated in, including my marriage, the baptisms of children and my mother's funeral.

He said it would make him be a better priest and it would allow him to better serve his parish.

Uhm, some of his abuse was also physiological where he said that he did these things to help me grow and that I needed purification and I didn't know what purification meant at the time either but I remember him saying that word.

I remember an episode when I was 16

I went on a camping trip with other Boy Scouts and Fr. Kelley who was an adult on the camping trip. The whole theme of the trip was to experience what it was like to live like an authentic Indian. Fr. Kelley would walk around with only a tiny loin cloth on. All of us could see his genitals. During the night, he would sleep with me naked in my "lean-to." He fondled me repeatedly trying to sexually arouse me. I was so nervous to get sexually aroused. I didn't want the other kids to know so I resisted Father and kept telling him that this was the wrong place and time to do this. I got very little sleep that night. When I woke up he was naked.

She is very disturbed that we did not indicate the whole story about Fr. Desrosiers. She learned just recently that there was a possibility of a lawsuit and the possibility that Fr. Desrosiers would not be able to return to ministry. She emphasizes that their program is not therapeutic, geared to giving people a time away from ministry, but to return to ministry with renewed vigor. She feels very unfair that we sent Fr. Desrosiers to the program. It is most probably not the type of program he needs. They want to be of help, as they tried to do with Carpenter, but they cannot upset the others in the program by taking on candidates who should most likely be in another type of program.

Home for Convalescents, Newport, Rhode Island.

You will take up residence there before Thursday, April 5th. You will understand that this assignment is prompted by my desire to keep you in the priestly ministry with the hope that, being chastened, your priestly zeal may be renewed.

I think it's important, I think that it's important to emphasize that before that first time where, in October of 1981, where he sexually abused me by taking off my clothing in his bed and touching me and fondling my penis, before that, in the years leading up to that, probably more so in my, I would say more so in my junior high years, when I was in, say, seventh and eighth grade into ninth grade, leading up to that he was someone who was very charismatic and I was certainly, as a young boy, he was someone I looked up to. He was my priest, he was very outgoing, very friendly, he, he paid a lot of attention to young people, but in particular to me, you know, for an adult, he paid a lot of extra attention to me, probably what would be referred to I'm sure as kind of a little too much.

R. McCarthy

Grooming.

Grooming, yes, and during those years before he eventually sexually assaulted me, he showed me a lot of affection, a lot of physical affection through hugs and a comment that he often made to me and sometimes, and it was, for the most part, I don't recall it ever being in front of anybody, I think it was always when we were alone, a lot of times we would be in the Sacristy, uhm, if I was there to serve mass and we were in the Sacristy alone, there may have been other times where we were alone where he would say, "You need a hug." He never asked me for a hug, he never asked me if I wanted a hug, his comment to me was always, "You need a hug" and that's something that I can hear him saying very clearly to this very day.

You will understand by this appointment that it is no vindication of your erratic and intolerable conduct manifested in the past. I am interested in safeguarding your priesthood and in saving your immortal soul. Try now to cooperate with God's grace and enter this new field of priestly work with zeal and genuine devotedness and with a sense of true fellowship for your priestly associates. If I receive any more complaints about your conduct I shall be forced to remove you from the roll of those available for priestly service in the diocese.

(Excerpt)

Thank you for your attention and participation. We are in this together. I would ask your prayers for Henry Leech and Bill O'Connell. Pray for them, for the alleged victims and their families. Pray for our Church of Providence.

One final note -- if you personally are in any trouble, whether it be pedophilia or any deviant behavior, please come in and talk to me. In God's name, I ask you to do so. I think you know me -- I will keep your confidence. I promise you that. I will tell no one without your approval. I know this is difficult but, just maybe, I can help or get help for you. I have already spoken to Bishop Gelineau about this. See him if you prefer -- he, also, will keep your confidence. A major part of our ministry is to minister to the ministers. But I am not naive either. I know you will have some hesitation in talking to us. But, at least go to a fellow priest -- get help. There is no point of leading a double life. It is wrong and you know

The issues you raise with regard to Father Demers are very serious ones. You may be sure that I take them that way. With the special difficulties we have had in the Diocese recently, I certainly want to avoid any further causes for scandal. I would hope, therefore, that you would not go to the public media. This would certainly be very harmful to us.

You mention the ultimate good of the Church, and it is my conviction now that by bringing it to my attention, you have fulfilled your responsibilities and I would ask you to leave the rest in my hands.

ella Maris

we were going to watch the Wizard of Oz in color for the first time. They had a beautiful conference room and had these big, comfortable chairs and you could really hide. Sister [redacted] was with me, I knew she was coming. I could hear the squeak of her footsteps and I started to hide in the chairs and she came to the table and literally pulled me out and brought me to her room and oh, and also after you know the molestation, she gave us the candy, but when we, when I came out, Sister [redacted] would take the candy and call me filthy, dirty little girl and...

