

CONFIDENTIAL

Investigation Report to Bishop Franklin
Re: Bishop Soens

On Saturday, April 6, 2002, _____ phoned Regina Education Center, Iowa City numerous times in an agitated state, making allegations against Bishop Soens. Students and some staff were in the building due to scheduled ACT exams. Only a few of the calls were answered, many messages were left on other phones in the building. One administrator, John Allen, was called and did speak with Mr. _____. Mr. _____ also called and left messages on the _____ parish answering machine. A tape was made of these messages. These allegations date back to 1965-66 when Mr. _____ was a student and Bishop Soens was principal at Regina High School.

Through these phone calls and subsequent conversations, Mr. _____ specifically alleged that when principal, Fr. Larry Soens would:

1. On more than one occasion, twist Mr. _____'s nipples. This may have been referred to as "purpling". He alleges this happened to other students as well.
2. On one occasion, in the outer office to Fr. Soen's office, and possibly in the presence of a secretary (whose identity is not clear and the memory of this not strong), Fr. Soens was standing across from Mr. _____. During this discipline-related face-to-face conversation, Mr. _____ felt Fr. Soen's finger run up and down his testicle from outside his pants. Mr. _____ did not know what it meant. He was in shock. The touch was a light stroke. Fr. Soens looked him in the eye and the touching lasted one to three seconds. Mr. _____ thought this could be a method of intimidation during an age when students would be sexually charged.

At the time Mr. _____ called with the allegations on the phone, it appeared that he may have been under the influence of alcohol. His language was off-color and he was quite agitated. He threatened that if the diocese did not contact him by Tuesday, he would be in front of the school with a sign making a public allegation. Bishop Franklin had difficulty reaching Mr. _____ by phone at first so two representatives from the diocese (Mary Wieser and David Montgomery) and one from Regina (Principal Ray Pechous) met with Mr. _____ at his home to tell him that Bishop Franklin was trying to call. During this conversation and a subsequent call Bishop Franklin made to Mr. _____, Mr. _____ apologized for the way he had called Regina. He stated that he was off of his medication, Paxil, and was venting about other problems in his life. He did not, however, recant his allegations. He confirmed that he believes Fr. Soen's conduct was intimidating and controlling. When on the phone, he described it as torturous. He and one of his brothers left Regina the next year. Other siblings remained and graduated. When speaking with Bishop Franklin on April 8th, Mr. _____ stated that he did not wish to take things any further but the Bishop should do what he needed to do.

Because the allegations were received at Regina through numerous phone calls, there were numerous members of the staff who were aware of the allegations. On Monday,

Reporter
No.
1

April 8th, Mrs. Wieser and David Montgomery met with the administration and staff, assuring them that the Diocese of Davenport would investigate. Some board members also knew of the allegations. One of the board members, Mr. _____, had been a student at Regina and confirmed the "purpling". Moreover, while a reluctant witness, he reported that while principal of Regina, Fr. Soens called him into the office on more than one occasion and pinched his testicles between the thumb and forefinger. During one meeting he stated that this occurred while both were seated but later stated that this had occurred while standing in the office. When asked, Mr. _____ stated that he would like to think that it was disciplinary in nature rather than sexual, but he began to think that either before or after the pinching, Father would rub the outside palm of his hands up the thigh. One of _____'s brothers confirmed the "purpling" but not the touching of testicles. Neither the board member nor his brother wish to pursue the matter from their own vantage point.

Both Mr. _____ and Mr. _____ mentioned a set of twins who may be able to also confirm the "purpling". Since we had more than two accounts of the purpling, we did not find it necessary to call these twins. Our Sexual Misconduct Policy strives for as much confidentiality as possible for the sake of both victim and accused. In this matter, both Mr. _____ and the _____ would not like any of this to be public. While many at Regina learned of the accusations and that Bishop Soens is the accused, thus far the matter has been relatively confidential.

Bishop Soens was contacted and informed of his right to counsel. He has obtained civil legal counsel in Dale Tigges and Tim Bottaro. They are aware of the allegations in general terms and received a copy of the tapes from the answering machine messages. Through his counsel, Bishop Soens denies all allegations.

Bishops Hanus, DiNardo, and Franklin agreed that the investigation of this matter would be conducted by the Diocese of Davenport under its Sexual Misconduct Policy. Any report would then be forwarded to Bishop DiNardo because Bishop Soens is retired and serving the Diocese of Sioux City. Bishop Franklin appointed an investigative team of Msgr. Michael Morrissey, V.F., JCL; Msgr. Drake Shafer, V.G.; Mrs. Irene Prior Loftus, J.D. and Chancellor; Mrs. Mary Wieser, Superintendent of Schools; Deacon David Montgomery, Associate Director of Communication; and Mr. John Allen, Assistant Principal, Regina Education Center.

The team conducted the investigation by contacting those mentioned above as well as numerous others.

Fr. Wally Helms confirmed the notion of "purpling" but thought of it as something more playful than disciplinary. He saw Bishop Soens as a role model.

Fr. Ken Kuntz reluctantly relayed a story he heard third hand about a boy who went into Fr. Soen's office to get his brother and Fr. Soens grabbed at his crotch.

Msgr. Parizek, who was a student at Regina, noted that Fr. Soens was placed on a pedestal. While he grabbed and pinched the tendons in the shoulders to get a student's attention, that was considered as nothing sexual.

Reporters
1/4.

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Others contacted within the clergy heard of no incidents while Fr. Soens was at St. Ambrose in charge of the seminarians or in any other setting. Other administrators and faculty who served at Regina with Soens such as Sr. Mary Francile and Fr. Gene Benda were shocked by the allegations and had heard of no such conduct. Many spoke very highly of Bishop Soens as upright, honorable and dedicated to ministry and service.

It appears to the committee members that some actions may have occurred which would not have been appropriate. It is much more difficult to begin to assess whether any actions were sexual in any way rather than a disciplinary method.

The new Charter would not come into play because Bishop Soens is a bishop. However, in looking at the definition of sexual abuse in that Charter, we questioned whether any of this conduct described would be for the adult's gratification.