

REV. FRANCIS DE LUCA



CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Ufficio

19 December 2006

Pror. N. 460/2003-24019
(Un response fac mentio huius numeri)

CONFIDENTIAL

Your Excellency,

The Congregation for the Doctrine of the Faith received, on 14 November 2006, your correspondence in the case regarding the alleged sexual abuse of minors by Reverend Francis G. DELUCA, a priest of your diocese. In your *votum* which accompanied the case you request an *ex officio* dismissal from the clerical state.

After a careful examination of the case the Congregation is inclined to agree with your request. It was noted, however, that there is no reference to a response from Reverend DeLuca concerning your decision. Before a request for dismissal from the clerical state is presented to the Holy Father, it has been the practice of the Congregation for the Doctrine of the Faith to allow the cleric himself to ask for a dispensation from the obligations of priesthood, including celibacy. I would ask you to arrange a meeting with Reverend DeLuca allowing him to know the seriousness of the penalty you are requesting. Knowing the difficulty he has experienced living the obligations of priesthood, Reverend DeLuca may choose to request a dispensation from them himself. A request for such a dispensation should denote that the cleric recognizes it as a grace granted to him. His letter to the Holy Father should indicate he understands the seriousness of the matter and is penitent for his actions.

Before proceeding further with this case we will await the results of your consultation with Reverend DeLuca. Once you have had the opportunity to arrange a meeting with him please notify this Dicastery.

With prayerful support and best wishes, I remain

Yours devotedly in the Lord,

✠ Angelo AMATO, SDB
Titular Archbishop of Sila
Secretary

His Excellency
The Most Reverend Michael A SALTARELLI
Bishop of Wilmington
Post Office Box 2030

Wilmington, DE 19899-2030
DeLuca PDF page 156 of 953

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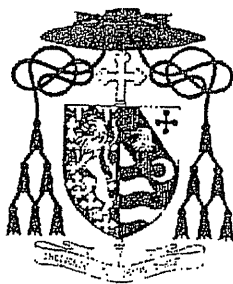
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Conf # 74



OFFICE OF THE BISHOP

DIOCESE OF WILMINGTON

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November 8, 2006

William Cardinal Levada
Congregation for the Doctrine of the Faith
00120 Citta del Vaticano
Palazzo del S. Uffizio Rome
Italy

Your Eminence:

I write you with an urgent request for the removal from the clerical state and dispensation from the obligation of celibacy for Fr. Francis G. DeLuca [original Prot. N. 460/2003-20154], a 77 year old prayer and penance priest [Essential Norms 8b], who was just arrested on October 20, 2006 for recent sexual abuse involving a minor [touch, fondling, masturbation, alcohol, pornography] in Syracuse NY [where he retired after being removed from active ministry by then Bishop Robert E. Mulvey in 1993].

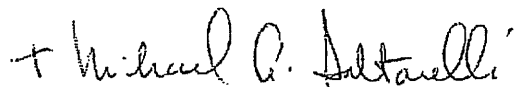
I ask that Fr. DeLuca, because of the serial nature of his abuse [all involving his admission] with the most recent abuse occurring repeatedly from 2001 to 2006 be removed from the clerical state and given a dispensation from celibacy immediately and as soon as possible to prevent further scandal [the media coverage in both Wilmington and Syracuse has been intense], and to emphasize categorically to Fr. DeLuca that the abusive behavior will not be tolerated.

I had hoped that Fr. DeLuca could live the life of prayer and penance prescribed by section 8B of the *Essential Norms*. It is clear that that is not possible. Now 77 years old, he will likely live his remaining years of life either in jail or in house confinement.

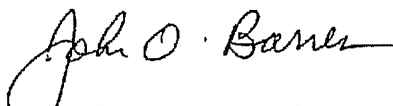
You will find this votum amply supported by the enclosed summary [according to the directives of the CDF] and relevant appendices. Msgr. John Barres, our Chancellor, alerted Augustine

DiNoia, OP, of the CDF by email on Friday, October 14, 2006 that this case would be sent to the Congregation. I'm grateful to you and the Congregation for your assistance.

Sincerely yours in Christ,



Most Reverend Michael A. Saltarelli
Bishop of Wilmington



Rev. Msgr. John O. Barres, JCD
Chancellor



Patricia S. Bossi
Notary for the Curia

PATRICIA SLEPESKY-BOSSI
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires Sept. 24, 2009

Diocese of Wilmington, Delaware (USA)

Bishop Michael Saltarelli

CDF Prot. N. 460/03 -18329

Rev. Francis G. DeLuca

Date of Birth : 8/1/29 Age: 77 years old

Ordination: February 3, 1958

Removed from Active Ministry: November 29, 1993

Years of Ministry: 35 years

Original Diocese of Incardination: Diocese of Wilmington, DE (USA)

Ministry in/transfer to other Diocese: Not applicable

Fr. DeLuca's address:

Rev. Francis G. DeLuca

100 Pastime Drive, Apt. 307

Syracuse, NY 13208-1562

Procurator: Msgr. John O. Barres, STD, JCL
Chancellor, Diocese of Wilmington
PO Box 2030
1925 Delaware Avenue
Wilmington, DE 19899-2030

FR. DELUCA'S ASSIGNMENTS:

1958-1961: St. Francis de Sales, Salisbury, MD, Parochial Vicar

1961-1966: St. John the Beloved, Wilmington, DE, Parochial Vicar

Chaplain at Ferris Industrial School for Boys

1966-1969: St. Elizabeth, Wilmington, DE, Parochial Vicar

1969-1972: Holy Spirit, New Castle, DE, Parochial Vicar

1972-1976: Holy Spirit, New Castle, DE, Pastor

1976-1989: St. Matthew, Wilmington, DE, Pastor

Serves as Dean of New Castle Deanery, Diocesan Liturgical

Commission

1989-1993: St. Joseph on the Brandywine, Wilmington, DE, Parochial Vicar

1993: Removed from Active Ministry because of the sexual abuse of minors and Retired

Current Status: Fr. DeLuca lives in Syracuse, NY in retirement in his own residence. The Bishop of the Diocese of Syracuse, NY had been notified. Fr. DeLuca was arrested on Thursday, October 19, 2006 by the Syracuse police.

ACCUSATIONS AGAINST FR. DELUCA

Year: Began circa 2001, repeated approximately monthly and continued until May or June 2006.

Victim: Michael Dingle [Fr. DeLuca's grand nephew] and apparently [Redacted] witnessed some of the abuse.

Imputable Acts: Fr. DeLuca admitted the abuse, claiming it was limited to touch, fondling and masturbation. But also admitted use of pornography when the boy reached 16. [See Appendix 1 and 1a – especially highlighted News Journal of October 26, 2006] DeLuca gave the boy alcohol to drink, bought him jewelry, games and clothes and deposited about \$9000 in a bank account in the youth's name. [Appendix 1a, October 29, 2006 Syracuse Paper]

Denunciation: October 2006

Year: 1958-1960

Victim: Michael Ward and approximately five other unnamed boys Fr. DeLuca was involved with.

Age: Not exactly clear in documentation but they were altar boys so most likely between 10 and 13 years old.

Imputable Acts: Psychological report [see Appendix 2] says that [Redacted - Conf. Med. Recs.]

[Redacted] Legal complaint [see Appendix 3] states Fr. DeLuca "unlawfully fondled, molested, touched, abused, sexually assaulted and/or battered..." 12-5-93 Notes of Vicar for Clergy Msgr. Lemon [Appendix 4] confirm the physical description in the legal complaint].

Denunciation: 1993

Year: 1960s

Victim: W-007

Age: 12 or 13

Imputable Acts: Sexual abuse occurred 5 or 6 times though the documentation does not detail the nature of the abuse. [see Appendix 5, documentation of Vicar General Msgr. J. Thomas Cini]

Denunciation: 2004

CIVIL PROCEEDINGS AGAINST FR. DELUCA (Tony Flynn)

1) October 19, 2006 Arrest by the Syracuse NY police.

2) February 12, 2003 brief issued by Attorney Mark Waterfill [Dann Pecarr Newman & Kleiman]. This legal complaint was not followed up on [see Diocese of Wilmington Attorney Anthony Flynn letter to Insurer Stephen M. Waldorf, Appendix 3, For more detail, see Anthony Flynn's highlighted October 23, 2006 email to Msgr. Barres giving more detail which is included at the back of Appendix 3].

MEASURES ADOPTED BY THE DIOCESE

December 1993: Fr. DeLuca speaks with Fr. Benedict Groeschel at Trinity Retreat House, Larchmont, NY.

December 6-9, 1993: Fr. DeLuca receives an assessment at [Redacted - Conf. Med. Re] [Redacted - Conf. Med. Re] (See Appendix 2)

December 13, 1993 Letter from Bishop Robert E. Mulvey (Bishop of the Diocese of Wilmington) to Fr. DeLuca: "Accepting your resignation and approving early retirement is a very painful duty for me. I remember your years of faithful service to this diocese. Only you can agonize more than I over the tragedy that your actions of so many years ago has caused you and the Church. Having heard the report from [Redacted - Conf. Med. Re] this is the only way we can address the real grave pastoral concern that confronts us because of those actions. It is understood that you will not function publicly as a priest without seeking specific permission to do so." (See Appendix 6)

September 30, 2003: Letter from Bishop Saltarelli to Fr. DeLuca applying the Essential Norms (8b) to Fr. DeLuca (See Appendix 7a)

October 2, 2003: Letter from Bishop Saltarelli to Bishop Moynihan, Bishop of the Diocese of Syracuse, informing him that Fr. DeLuca resides in his Diocese. (See Appendix 7b)

October 2006: This petition to the CDF for removal from the clerical state and laicization.

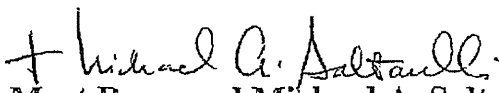
SUSTENANCE PROVIDED BY THE DIOCESE TO FR. DELUCA
What a retired priest of the Diocese of Wilmington would receive.

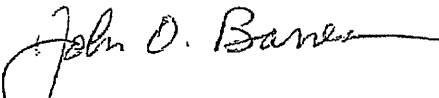
RESPONSE MADE BY FR. DELUCA

Fr. DeLuca has made repeated admissions of the sexual abuse of minors. See documentation and appendices above.

BISHOP SALTARELLI'S VOTUM

I ask that Fr. DeLuca, because of the serial nature of his abuse [all involving his admission] with the most recent abuse occurring repeatedly from 2001 to 2006 be removed from the clerical state and given a dispensation from celibacy immediately and as soon as possible given the intense media coverage of his case. I had hoped that Fr. DeLuca could live the life of prayer and penance prescribed by section 8B of the *Essential Norms*. It is clear that that is not possible. Now 77 years old, he will likely live his remaining years of life either in jail or in house confinement.


Most Reverend Michael A. Saltarelli
Bishop of Wilmington


Rev. Msgr. John O. Barres
Chancellor

11/8/06

seal

BEFORE THE CONGREGATION FOR THE DOCTRINE OF THE FAITH

IN THE MATTER OF

REV. FRANCIS G. DeLUCA

List of Appendices

Appendices Relating to Proofs of the Facts of Accusations against Father DeLuca.

Appendix 1: Bishop Thomas Costello October, 2006 memorandum detailing accusations against Father DeLuca.

Appendix 1A: Media coverage of Father DeLuca's arrest .

Appendix 2: Psychological Report.

Appendix 3: Legal Complaint

Appendix 3 A: Memorandum from Msgr. Cini to Msgr. Barres relative to Father DeLuca's admission to abuse

Appendix 4: Notes of Vicar for Clergy, Msgr. Lemon, 12/5/1993 confirming confirming physical description in complaint.

Appendix 5: Memo to File: W-007 detailing the fact of the sexual abuse he experienced.

Appendix 6: December 13, 1993 letter of Rev. Francis DeLuca from Bishop Mulvey, accepting retirement from active ministry as a priest.

Appendix 7A: September 30, 2003 letter from Bishop Saltarelli to Father DeLuca applying the Essential Norms.

Appendix 7B: October 2, 2003 letter from Bishop Saltarelli to Bishop Moynihan informing him Father DeLuca resides in the Diocese of Syracuse, NY.

Appendix 8B

Bishop Saltarelli's previous correspondence with the
CDF in regard to Fr. DeLuca (Prot. N. 476/2003-20154)

+ Michael A. Saltarelli

Most Reverend Michael A. Saltarelli
Bishop of Wilmington

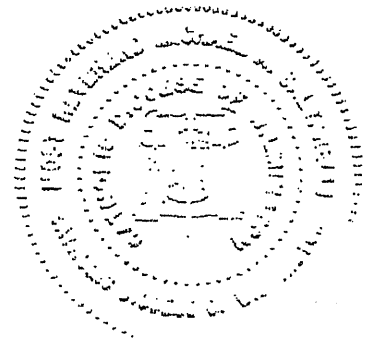
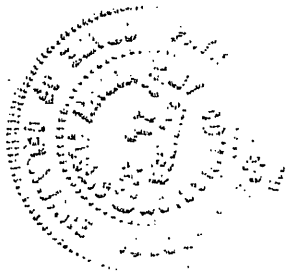
Patricia S. Bossi

Patricia S. Bossi
Notary for the Curia

October 30, 2006

John O. Barres

Rev. Msgr. John O. Barres
Chancellor



APPENDIX 1



DIOCESE OF SYRACUSE BISHOP'S OFFICE

MOST REV. THOMAS J. COSTELLO, V.G.
Former Auxiliary Bishop of Syracuse

M E M O

RECEIVED

OCT 27 2006

BISHOP'S OFF

TO: TO FILE
RE: FRANCIS DE LUCA

[Redacted] (Liverpool) reported a concern re child sex abuse to Msgr. C. Lemon of Wilmington. The alleged victim is Michael Dingle (turned 18 on 9/21/06); the accused is Francis DeLuca (100 Pastime Dr., Syracuse 13208; phone [Redacted]). Msgr. Lemon informed me of the accusation.

F. DeLuca has been in Syracuse for c. 13 years; returning here from Wilmington, pursuant to charges of inappropriate behavior. He attends daily Mass frequently at the Dominican Monastery and on weekends in various north-side parishes. I think he does not celebrate privately, but of this I am not certain.

The alleged abuse with Michael (who is a blood relative of DeLuca) began c. 5 years ago and was repeated approximately "monthly". The place was DeLuca's residence. [Redacted] is aware of the inappropriate behavior, witnessed some of it, but apparently is not himself a victim. The abuse of Michael came to light in the late Spring of 2006; the last instance was in May or June, and since July there has been no contact between DeLuca and Michael, who had been the favorite (grand) nephew.

I met on 9/29 with [Redacted], advising her that she might wish to report the allegations to law enforcement officials, and notifying her that we would report the accusation to the D.A. since the alleged crime was current. She subsequently did notify the Syracuse Police Department which after investigation arrested DeLuca on 10/19 charged him with criminal sexual abuse of a child and subsequently released him with a court appearance (arraignment) scheduled for 10/24 when D.A. will bring charges.



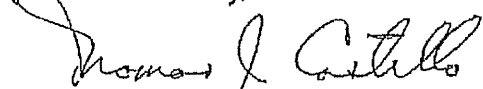
MEMO TO FILE (DeLuca)

Page 2 of 2

On 10/4 I met with F. DeLuca who admitted the abuse, claiming it was limited to touch and masturbation (whether mutual not indicated).

Our victim assistance coordinator (Teresa Secreti) has met with [Redacted] Michael Dingle. Michael did have some (perhaps four) sessions with a counselor selected by his family. F. DeLuca was billed and paid for this assistance. The experience was not helpful; Michael was found to be universally angry. Michael did not do well with this counselor; currently he is resisting further psychological assistance, but T. Secreti continues to meet with him and is somewhat hopeful that he may eventually agree to some therapeutic intervention.

I have shared our information first with C. Lemon, more recently with T. Flynn (302-571-6675).



Most Rev. Thomas J. Costello, V.G.
Auxiliary Bishop
Vicar for Priests

October 20, 2006

APPENDIX 1A

The Post-Standard LOCAL

SATURDAY, OCTOBER 21, 2006

SECTION
B

Retired priest accused of abuse

**Syracuse police say crime
took place over several
years with underage boy.**

By Peter Lyman
Staff writer

A retired Catholic priest unaffiliated with the Syracuse diocese has been accused of having repeated sexual contact with an underage boy over the course of several years, Syracuse police said Friday.

Francis G. Deluca, 77, of 100 Pastime Drive, Syracuse, was arrested Thursday and charged with one count of second-degree sexual abuse, two counts of third-degree sexual abuse and two counts of endangering the welfare of a child, all misdemeanors, according to an arrest report. He was issued an appearance ticket and released.

The alleged abuse began when the boy was 12 or 13 and continued for several years, said Lt. Joseph Cecile, speaking for police. The police investigation began after the boy, who has since turned 18, told his mother about the alleged abuse, and she reported it to police, Cecile said.

The alleged abuse involved

hand-to-genital contact, Cecile said. The Post-Standard does not identify alleged victims of sex-related crimes.

Deluca is not a priest in the Roman Catholic Diocese of Syracuse, said Danielle Cummings, assistant chancellor and diocese spokeswoman. "I believe he is not" still ministering as a priest, she said.

"He was a priest in the Wilmington, Del., diocese," Cummings said. "He has been here several years," but she could not say exactly how long.

Election records show Deluca registered to vote in Syracuse in 1994.

A telephone call to Deluca's residence was not returned Friday night.

The victim's mother told police Deluca moved here from Delaware after retiring for health reasons, Cecile said.

Deluca's name does not appear on sex offender registries in either New York or Delaware. The Roman Catholic Diocese of Wilmington couldn't be reached Friday.

Peter Lyman can be reached at plyman@syracuse.com or 470-5070.

Accused ex-priest had been barred

**Delaware diocese defrocked
Francis G. DeLuca after
abuse-of-minors report.**

By Nancy Buczek
Staff writer

A retired Catholic priest charged by Syracuse police with sexually abusing a minor was permanently barred from the ministry in 1993 after his former diocese found he had abused minors, there, a representative of that diocese said Saturday.

"It breaks my heart to learn that someone in Syracuse may have been victimized by a removed priest of our diocese," said the Most Rev. Michael Salvatore, bishop of the Diocese of Wilmington, Del., said in a statement after learning of Francis G. DeLuca's arrest.

DeLuca, 77, of 100 Lashme Drive, Syracuse, could not be reached for comment Friday or Saturday.

Wilmington diocesan officials received a report in 1993 that DeLuca sexually abused a minor in Wilmington in the 1960s. Diocesan officials contacted the victim and confirmed that he had been molested by DeLuca, according to a diocesan statement. The diocese con-

DELUCA, PAGE B-3

DeLuca is not a priest with Syracuse Diocese, diocesan official says

DELUCA, FROM PAGE B-1

firmed that "about three or four" individuals had been molested by DeLuca in the 1960s, said Bob Krebs, a spokesman for the Wilmington diocese.

DeLuca was immediately and permanently removed from ministry, barred from functioning publicly as a priest and sent for psychological evaluation, according to the statement. DeLu-

ca then was allowed to retire and chose to move to his hometown, Syracuse.

Syracuse police charged DeLuca on Thursday with one count of second-degree sexual abuse, two counts of third-degree sexual abuse and two counts of endangering the welfare of a child, all misdemeanors. The alleged abuse began when the boy, now 18, was 12 or 13 years old and involved hand-to-genital contact,

said Lt. Joseph Cecile, speaking for police.

The police investigation began after the boy told his mother about the alleged abuse, and she reported it to police, Cecile said. The Post-Standard does not identify alleged victims of sex-related crimes.

DeLuca is not a priest in the Syracuse diocese, said Danielle Cummings, assistant chancellor and diocese spokeswoman.

The Wilmington diocese shared information about the 1993 allegation with the Delaware Attorney General's Office in 2002. Krebs said DeLuca was not charged with a crime in Delaware, and that's why he isn't listed in Delaware or New York sex offender registries.

Barbara Blaine, president of the national group SNAP, The Survivors Network of those Abused by Priests, said she's

heard many stories of priests who have abused minors in one town and then move and do it again elsewhere. She said she believes church leaders are protecting those priests.

"What's so damaging about that is, unfortunately, the excuses keep leaving more children at risk," Blaine said.

Nancy Buczek can be reached at nbuczek@syracuse.com or 470-2173.

...is illustrative of the
...schools have carved out in their districts.
But that identity, some say, would be tested by a report
issued last week by a coalition of business, education
and community leaders.

The report, Vision 2015, concluded Delaware schools
are making some gains but are failing to keep pace glob-
ally. It sets six goals, including higher academic stan-
dards, investing in early childhood education and giving
teachers and administrators the tools to do a better job.

The plan also calls for a statewide curriculum, giving
principals more control and - to the horror of students
- it could lengthen the school day or the school year by
140 hours and cost taxpayers, potentially, almost \$70 mil-
lion.

See VISION — A15

Former Del. priest accused of sex abuse arrested in New York

By BETH MILLER
The News Journal

A former Diocese of Wilmington
priest, allowed to retire in 1993 after al-
legations of child sexual abuse sur-
faced, was arrested last week in Syra-
cuse, N.Y., on the same charges.

Francis G. DeLuca, 77, a priest in
Wilmington for 35 years, left in 1993
when former Bishop Robert E. Mulvey
removed him from the ministry and al-
lowed him to retire early.

DeLuca then moved to Syracuse,
his hometown.

DeLuca now is charged with sexu-
ally abusing a Syracuse boy for several
years, from the time the boy was 12 or
13 until the boy told his mother when
he was 17, according to published re-
ports. He is now 18.

DeLuca was arrested Thursday and
charged with one count of second-de-
gree sexual abuse, two counts of third-

See ARREST — A6



Retired priest
Francis G.
DeLuca
served in the
Diocese of
Wilmington
for 35 years.

INSIDE:

Archdiocese
investigates
priest in Foley
scandal. A21

A dedicated mot

WILMINGTON — The
boxing gym in the Williar-
derson Community Cente
open with a broken 90-pou
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INSIDE: One-time juvenile delinq

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Arrest: Sexual abuse in Del. allegedly happened in 1960s

FROM PAGE A1

-degree sexual abuse and two counts of endangering the welfare of a child, Syracuse police Lt. Joseph Cecile said. DeLuca was given an appearance ticket and released, Cecile said.

All are misdemeanors, and each count is punishable by up to one year in prison, Cecile said.

"Even the victim doesn't know how many times" he was fondled, Cecile said. "But he stayed over there quite often and whenever he did stay over there it usually happened. It's been continuing, but he finally told his parents after the last incident."

DeLuca did not return messages left at his home.

"It breaks my heart to learn that someone in Syracuse may have been victimized by a removed priest of our diocese," Diocese of Wilmington Bishop Michael A. Saltarelli said in a statement released Saturday. "My sincere apology and pledge of continued prayers go out to this young man and to all victims and their families."

Diocese spokesman Robert G. Krebs said church officials got a report in 1993 that DeLuca had sexually abused a child in the 1960s. After the report was confirmed, Mulvey removed DeLuca from the ministry, barred him from functioning publicly as a priest, sent him for a psychological evaluation and allowed him to retire to Syracuse.

DeLuca's conduct was never made public by the diocese until Saturday when the news of his arrest in New York was published in The Post-Standard, a Syracuse newspaper.

FRANCIS G. DELUCA

BORN: 1929

ORDAINED: 1958

SERVED: St. Francis de Sales, Salisbury, Md. (1958-61); St. John the Beloved, Milltown (1961-66); St. Elizabeth, Wilmington (1966-69); Holy Spirit, New Castle (1969-76); St. Matthew, Christiana Hundred (1976-89); St. Joseph on the Brandywine, Greenville (1989-93).

DISMISSED FROM MINISTRY: 1993

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"At least he took him out of the ministry," Pare said.

Diocese officials urge anyone victimized by a priest, deacon or layperson to report the abuse to the state attorney general or the appropriate Maryland State's Attorney. Instructions and information about counseling services are available at the diocese Web site: www.cdow.org.

Senior reporter Cris Barrish contributed to this article.

Contact Beth Miller at 324-2784 or bmiller@delawareonline.com.

TV NEWS SHOWS

Guest lineup for today's TV news shows:

ABC's "This Week" — President Bush; Sen. John Kerry, D-Mass.; professional bowler Kelly Kulick. (10:30 a.m., WMOT/47 and WMAR/2; 10 a.m. WPVI/6)

CBS' "Face the Nation" — Sens. Charles Schumer, D-N.Y., and Elizabeth Dole, R-N.C. (10:30 a.m., KYW/3 and WBOC/16; 11 a.m., WJZ/13)

NBC's "Meet the Press" — Sen. Barack Obama, D-Ill. (10:30 a.m., WCAU/10; 10 a.m., WBAL/11)

CNN's "Late Edition" — Senate Majority Leader Bill Frist, R-Tenn.; Sens. Jack Reed, D-R.I., and Kay Bailey Hutchison, R-Texas; former secretary of state Alexander Haig; former national security adviser Zbigniew Brzezinski. (11 a.m.)


"Fox News Sunday" — Sens. Richard Lugar, R-Ind., John Warner, R-Va., Joe Biden, D-Del., and Carl Levin, D-Mich.; business mogul Richard Branson. (9 a.m., WTIG/5, WTXF/29 and WBFF/45)



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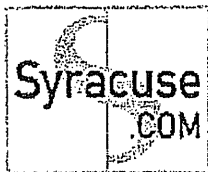
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Delaware scientists search sea, sand and Arctic for clues



Sea level
rise

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The Post-Standard

Accused ex-priest had been barred

Delaware diocese defrocked Francis G. DeLuca after abuse-of-minors report.

Sunday, October 22, 2006

By Nancy Buczek
Staff writer

A retired Catholic priest charged by Syracuse police with sexually abusing a minor was permanently barred from the ministry in 1993 after his former diocese found he had abused minors there, a representative of that diocese said Saturday.

"It breaks my heart to learn that someone in Syracuse may have been victimized by a removed priest of our diocese," said the Most Rev. Michael Saltarelli, bishop of the Diocese of Wilmington, Del., said in a statement after learning of Francis G. DeLuca's arrest.

DeLuca, 77, of 100 Pastime Drive, Syracuse, could not be reached for comment Friday or Saturday.

Wilmington diocesan officials received a report in 1993 that DeLuca sexually abused a minor in Wilmington in the 1960s. Diocesan officials contacted the victim and confirmed that he had been molested by DeLuca, according to a diocesan statement. The diocese con-

firmed that "about three or four" individuals had been molested by DeLuca in the 1960s, said Bob Krebs, a spokesman for the Wilmington diocese.

DeLuca was immediately and permanently removed from ministry, barred from functioning publicly as a priest and sent for psychological evaluation, according to the statement. DeLuca then was allowed to retire and chose to move to his hometown, Syracuse.

Syracuse police charged DeLuca on Thursday with one count of second-degree sexual abuse, two counts of third-degree sexual abuse and two counts of endangering the welfare of a child, all misdemeanors. The alleged abuse began when the boy, now 18, was 12 or 13 years old and involved hand-to-genital contact, said Lt. Joseph Cecile, speaking for police.

The police investigation began after the boy told his mother about the alleged abuse, and she reported it to police, Cecile said. The Post-Standard does not identify alleged victims of sex-related crimes.

DeLuca is not a priest in the Syracuse diocese, said Danielle Cummings, assistant chancellor and diocese spokeswoman.

The Wilmington diocese shared information about the 1993 allegation with the Delaware Attorney General's Office in 2002. Krebs said DeLuca was not charged with a crime in Delaware, and that's why he isn't listed in Delaware or New York sex offender registries.

Barbara Blaine, president of the national group SNAP, The Survivors Network of those Abused by Priests, said she's heard many stories of priests who have abused minors in one town and then move and do it again elsewhere. She said she believes church leaders are protecting those priests.

"What's so damaging about that is, unfortunately, the excuses keep leaving more children at risk," Blaine said.

Nancy Buczek can be reached at nbuczek@syracuse.com or 470-2173.

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Former Del. priest arrested in New York

Man was accused here of 1960s sex abuse

By BETH MILLER, The News Journal

Posted Sunday, October 22, 2006

A former Diocese of Wilmington priest, allowed to retire in 1993 after allegations of child sexual abuse surfaced, was arrested last week in Syracuse, N.Y., on the same charges.

Francis G. DeLuca, 77, a priest in Wilmington for 35 years, left in 1993 when former Bishop Robert E. Mulvee removed him from the ministry and allowed him to retire early.

DeLuca then moved to Syracuse, his hometown.

DeLuca now is charged with sexually abusing a Syracuse boy for several years, from the time the boy was 12 or 13 until the boy told his mother when he was 17, according to published reports. He is now 18.

DeLuca was arrested Thursday and charged with one count of second-degree sexual abuse, two counts of third-degree sexual abuse and two counts of endangering the welfare of a child, Syracuse police Lt. Joseph Cecile said. DeLuca was given an appearance ticket and released, Cecile said.

All are misdemeanors, and each count is punishable by up to one year in prison, Cecile said.

"Even the victim doesn't know how many times" he was fondled, Cecile said. "But he stayed over there quite often and whenever he did stay over there it usually happened. It's been continuing, but he finally told his parents after the last incident."



Retired priest Francis G. DeLuca served in the Diocese of Wilmington for 35 years.

DeLuca did not return messages left at his home.

"It breaks my heart to learn that someone in Syracuse may have been victimized by a removed priest of our diocese," Diocese of Wilmington Bishop Michael A. Saltarelli said in a statement released Saturday. "My sincere apology and pledge of continued prayers go out to this young man and to all victims and their families."

Diocese spokesman Robert G. Krebs said church officials got a report in 1993 that DeLuca had sexually abused a child in the 1960s. After the report was confirmed, Mulvee removed DeLuca from the ministry, barred him from functioning publicly as a priest, sent him for a psychological evaluation and allowed him to retire to Syracuse.

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DeLuca's conduct was never made public by the diocese until Saturday when the news of his arrest in New York was published in The Post-Standard, a Syracuse newspaper.

The sexual abuse allegations against DeLuca were not reported to the Delaware attorney general until 2002, after the national scandal of child sexual abuse by priests emerged in the media.

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Senior reporter Cris Barrish contributed to this article.
Contact Beth Miller at 324-2784 or bmiller@delawareonline.com.

FRANCIS G. DELUCA

BORN: 1929

ORDAINED: 1958

SERVED: St. Francis de Sales, Salisbury, Md. (1958-61); St. John the Beloved, Milltown (1961-66); St. Elizabeth, Wilmington (1966-69); Holy Spirit, New Castle (1969-76); St. Matthew, Christiana Hundred (1976-89); St. Joseph on the Brandywine, Greenville (1989-93).

DISMISSED FROM MINISTRY: 1993

STORYCHAT

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Posted: Sun Oct 22, 2006 6:44 pm

BW you need to take a moment and cool down. I only asked a question and did not make a statement that all priests are perverts. I do not bash anyones religion. You can believe what you want. It just seems every time you pick up a paper or turn on the news, another priest is being accused or charged with a sex crime against little boys. Is it a Catholic good deed to call someone an idiot for expressing an opinion? Come now.

Posted: Sun Oct 22, 2006 5:50 pm

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☒ No

Trust me, Wilmington knew about DeLuca's dark side in the early sixties. Go to bishopaccountability.org website, scroll down to the article written by Steven Church. I think it's "the hidden abuse". Does this sound like someone we know??? He should have been reported to the authorities, the LEGAL authorities, AND removed then. NOT sent to another parish, then another and yet another. GOD and the diocese only know at this point who else reported him and allowed the church to bully them into believing that "they" would take care of it. Taking total advantage of the people's faith in the church. God has not abused anyone---the church is run by humans--powerful human--who made choices. The priests are human and also made choices. God wants us to live like Jesus did. If we choose to follow evil temptation that isn't God's will. I believe that these pedophiles and protectors of pedophiles will have to answer to God one day. Maybe they should also keep that in mind. No one is perfect but hurting innocent children and hiding behind a collar to protect your name and your money has got to be the worst sin of all. I hope that all of this gives the unheard victims out there the courage and strength to finally have a voice. To all of the unheard victims I feel sorry and my heart breaks for you and the terrible secret that you've had to hide at the hands of people we've been taught to RESPECT and follow to be more like Jesus. What a joke. No wonder the catholic church is falling apart. My prayers go out to all of you---even the pedophiles.

Posted: Sun Oct 22, 2006 5:15 pm

I am sorry that you were molested as a child. I hope you have since told people including the civil authorities who that person was as is.

Having said that a number of thoughts come to mind about the DeLuca situation and the Diocese of Wilmington.

Bishop Mulvey removed DeLuca from his ministry work, according to the article, in 1993 allowing him to petition for retirement or senior status. Mulvey did this, at least, before he, that is Mulvey, was sent up to the New England area to clean up some like situations there. However, none of them were ever really cleaned up.

Mulvey and the Diocese of Wilmington, according to the article, never told any civil authorities, like the police, at the time of his removal, why he was being removed, did they? Neither did they tell any of the parishes where DeLuca served, including my own, WHY HE WAS BEING RETIRED EARLY, DID THEY?

The present Bishop Sartorelli says that "It breaks my heart to learn that someone in Syracuse may have been victimized by a removed priest of our diocese," and goes on to say "My sincere apology and pledge of continued prayers go out to this young man and to all victims and their families."

As Father Tom Doyle, OP, an expert witness in the Grand Jury Investigation in the Archdiocese of Philadelphia and elsewhere would say, "What a lot of bull crap."

And I say, what arrogance! Sartorelli is going to pray and it breaks his heart....

What did Sartorelli, and Mulvey for that matter, think was going to happen? Did they think this guy would not continue to molest? Who could possibly think that? Yes, Mulvey bears responsibility. And if there are others like DeLuca out there, Sartorelli will be responsible. Michael, you had better check those files and do what must be done!

DeLuca's conduct was never made public to the people that mattered. Yes, well, the diocese probably did turn his name in to the Delaware attorney general in 2002 for all the good that did! Right?

AND STILL THE DIOCESE OF WILMINGTON AND THE ARCHDIOCESE OF PHILADELPHIA REFUSE TO GIVE THE NAMES OF THESE KNOWN ABUSERS, LIVING OR DEAD, RETIRED OR NOT, IN THE UNITED STATES, ROME, IRELAND OR ELSEWHERE TO THE PEOPLE IN THE PARISHES AND DIOCESES WHERE THEY HAVE SERVED.

UNBELIEVABLE!

The church, and that means the hierarchy, continues to be behind the curve in this sad affair. Get real. There are probably hundreds more than the "60 people" the Wilmington Diocese acknowledges. The 60 are only those they know of.

Other than the known abusers who are dead, the diocese knows where they are because the diocese is still sending checks to them. Believe it.

They may not be in ministry in the diocese, but they may be helping up in their retirement somewhere else. The diocese has not policy on that and they are not inclined to have one.

I am not inclined to give Mulvey any credit, as Bill Pare, spokesman for the northern chapter of Voice of the Faithful does, for having at least taking "him out of the ministry." Mulvey really did not do that, he just let him retire elsewhere. He was not REMOVED FROM MINISTRY. The old "out of sight, out of mind" philosophy kicks in, you know?

Bishop Mulvey did us a terrible disservice. How many others have been handled in this way? Bishop Sartorelli continues the same policy.

IF YOU LIVE IN DELAWARE YOU CAN SUPPORT THE NECESSARY CHANGES IN THE CHURCH

"LOOK BACK WINDOW" IN THE LEGISLATION TO GET INDIVIDUALS LIKE DELUCA INTO A COURT OF LAW FACING THEIR ACCUSERS FOR THE WRONGS DONE SO MANY YEARS AGO. THE INSTITUTIONAL CHURCH HAS FAILED US IN THIS. IT IS UP TO THE PEOPLE TO MAKE THEM ACCOUNTABLE.

Posted: Sun Oct 22, 2006 5:02 pm

I am sickened that this behavior is still to this day, being hidden from all of us. We have a right to know who these child molesters are. How much longer is the church going to protect the molesters at the expense of God's children? How many others are still out there afraid to speak or not even realizing that this is abuse of the highest order? I had no idea that this priest was "retired". I remember when he simply disappeared. How many others is the bishop hiding under the guise of "retirement"? The statue of limitations should be repealed immediately. The Catholic Church should truly ask forgiveness for their sins and take the punishment. This church needs to be purged so that God can bless His church again with vocations and plenty of sheep. Isn't this what we pray for every Sunday in church? How can God send good men to be priests when the filth and corruption is still running rampant? As an aside, being molested by a man who represents God, is the ultimate destroyer of a person's psyche. We are taught that no matter what happens we can always turn to God. Well, who do the victims turn to now, when it appears that even God has abused them?

Wise up Bishop!

Posted: Sun Oct 22, 2006 4:44 pm

I am embarrassed to say that I am a catholic. I think it is far worse when a priest does something like this than the typical sick person. To use God to your advantage to prey on children.

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Accused priest not in N.Y. ministry

Syracuse diocese: DeLuca not working for church when alleged abuse occurred

By BETH MILLER, The News Journal

Posted Tuesday, October 24, 2006

Syracuse officials say the former Diocese of Wilmington priest arrested on child sexual-abuse charges last week was not serving in a New York church when the incidents allegedly occurred.

Danielle Cummings, a spokeswoman for the Diocese of Syracuse, said Francis G. DeLuca has not served in any capacity in the diocese, where he has lived since he was removed from ministry in Wilmington after similar allegations arose against him in 1993.

Cummings said Wilmington church officials notified Syracuse officials in 2002 that DeLuca was living in their area and should not serve in any priestly capacity. That notice was given to comply with a 2002 charter adopted by the U.S. Conference of Catholic Bishops requiring dioceses to report abuse allegations to civil authorities and to notify other dioceses when priests with credible allegations moved into their area.

Syracuse police spokesman Lt. Joseph Cecile said he could not say how DeLuca, 77, came into contact with the alleged Syracuse victim, now 18 years old, because it could reveal the boy's identity. The alleged abuse did not occur in a ministry context, Cecile said. The charges against DeLuca were made after the boy told his mother that DeLuca had abused him from the time he was 12 or 13 until he was 17 years old.

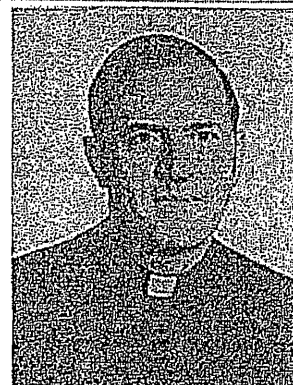
No other victims have come forward to New York police since DeLuca was arrested Thursday, Cecile said, and DeLuca has been cooperative. Police do not believe he poses a risk to anyone else in the community.

DeLuca was removed from ministry in Delaware in 1993, after 35 years of service, when allegations surfaced of sexual abuse from the 1960s. Former Bishop Robert Mulvee allowed DeLuca to retire and return to his native Syracuse.

The priest never faced prosecution in Delaware, but he soon will appear in court in Syracuse to hear the charges against him: two counts of third-degree sexual abuse, two counts of second-degree sexual abuse and one count of endangering the welfare of a child. Cecile said the offenses were described as hand-to-genital contact.

A former altar boy said he was stunned by the news and doesn't believe any of the allegations. Vincent Testa served as an altar boy for several years during the time DeLuca was pastor of St. Matthew's Church in Christiana Hundred, from 1976-82.

"I was flabbergasted," said Testa, who works for New Castle County. "He was a good mentor to everybody in the school. He taught us the right way to be. He helped us



Francis G. DeLuca was removed from ministry in Delaware in 1993.

along if we had problems. I do not believe any of it."

Contact Beth Miller at 324-2784 or bmiller@delawareonline.com.

STORYCHAT



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Posted by: **MA**- Tue Oct 24, 2006 6:53 am

The recent arrest of a Delaware priest who was allowed to retire to Syracuse, N.Y. without notifying the laity or any of the parishes where he served, including mine, that he was a known sexual abuser points out the flaws that have long existed in the church's clerical system.

Did former Bishop Robert E. Mulvee think that Francis G. DeLuca, 77, would not continue in his perfidy of sexually abusing children? DeLuca was allowed to take early retirement, or senior status as it is called and was never really punished. He continues to receive a church pension and benefits, no doubt. Why would he consider changing behavior that has been so successful for so long?

Mulvee is directly responsible, morally if not legally, for DeLuca's actions because he was known to be a pedophile and a heads up was given to no one.

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O

OUR VIEW

WILMINGTON DIOCESE

Lastest priest scandal again raises questions about Church's silence

There is something deeply unsettling about the latest tale of priestly abuse that made headlines over the weekend.

A former Wilmington priest has been arrested in Syracuse, N.Y., and charged with molesting a 12-year-old boy. This news is bad enough. But it gets worse.

Apparently, in 1993, Wilmington Catholic Diocese officials had received similar complaints about the priest when he was stationed here. The then-Bishop Robert E. Mulvey removed him from the ministry and sent him packing ... to do what? Prey on other 12-year-old boys?

The argument can be made that the original Delaware incident happened in the 1960s but came to light 30 years later, long after the statute of limitations ran out. The diocese could rightly say that no criminal charges could be brought against the priest and therefore kept quiet about the matter.

But that wall of silence crumbled in the past few years and the Wilmington Diocese had ample opportunity to make public the complaints against this particular priest. But it declined to do so.

Is it possible that the latest victim could have been spared if the diocese had gone public?

Over the years, much of the hierarchy's response has been disingenuous. In 1985, the bishops were given a report about the problem with a relative handful of priests. But the bishops did nothing. In the early 1990s, scandals popped up all over the country. The scandals exploded in 2002 when the Boston Globe published a damning series of abuse and coverups in the that city's diocese. It led to stories, suits and outrage across the nation. The bishops met in Rome, then in Dallas. They formulated a tough policy and acknowledged the names of many abusers.

According to the Wilmington Diocese, it stripped the priest in question of his priestly duties and allowed him to retire. Certainly that is an improvement over the earlier practice of transferring culprits from parish to parish.

But was the diocese's 1993 action enough? Was its refusal to name this priest recently justified?

The answer is no.

for once
2006
and after this



"AH

Condemn irresponsible owners, not the breed

In an Oct. 19 article in the County Police Cpl. Trinidad Navarro's editorialization that all pit bulls should be euthanized shows ignorance. Doesn't it pit bulls such as filed in the Belver dogs that are being owners as status s

Many of the abused and trained sive. It is the irresponsible who should be not the dog breed politically correct almost all pit bulls in rough neighborhoods dogs are viewed as

I am sure there are plenty of loving and responsible owners of these neighborhood dogs. They don't appear to be Cpl. Navarro's charge on having a dog named, but I can't say they will just be another breed of plenty of responsible owners out there well behaved and then any other dog.

My wish is that regardless of breed responsible pet owners with love and

Del. diocese had warned N.Y. of priest

In wake of scandal, letter sent in 2003

By BETH MILLER
The News Journal

The arrest of a former Delaware priest on child sexual abuse charges in New York last week removed the hope some church officials held that such abusive behavior was a thing of the distant past.

Francis G. DeLuca, 77, was charged with repeated sexual abuse of a Syracuse boy. The abuse, prosecutors say, occurred after the scandal of child sexual abuse by priests emerged nationally in 2002, after the U.S. Conference of Catholic Bishops adopted stronger policies to protect children and improve reporting practices.

The time frame is also after Wilmington diocese officials notified Syracuse diocese officials of DeLuca's residence there.

"In the 4½ years I have been doing this, it was always some consolation that the most recent complaints of abuse we were aware of was 20 years old," Tony Flynn, attorney for the Diocese of Wilmington, said Tuesday. "That Father DeLuca may have abused

See CHURCH — A6



Francis G. DeLuca, 77, is accused of sexually abusing a boy from Syracuse, N.Y.

ONLINE

Go to www.delawareonline.com to read correspondence from the Diocese of Wilmington regarding Francis G. DeLuca.

Church: 4 made claims to Del. diocese

FROM PAGE A1
someone now is just awful."

DeLuca was removed from ministry after 35 years and "allowed to retire" to his hometown of Syracuse in 1993, after 1960s-era cases surfaced in Delaware, Wilmington diocese spokesman Robert G. Krebs said.

Diocese informed in 2003

A December 1993 letter from former Bishop Robert E. Mulvey notes the bishop accepted DeLuca's retirement from active public ministry as a priest for "reasons of health." Later in the letter, Mulvey said he remembered DeLuca's "years of faithful service" and that only DeLuca could agonize more than Mulvey "over the tragedy that your actions of so many years ago has caused you and the Church."

But it was another 10 years before the Wilmington diocese told Syracuse church officials about his past. Bishop Michael A. Saltarelli notified Syracuse officials in an October 2003 letter that DeLuca had been removed from active ministry because of "credible allegations of the sexual abuse of minors." The letter was sent in compliance with reporting requirements adopted in 2002. Those requirements, adopted by the bishops conference, were intended to end the practice of moving predatory priests from one parish or diocese to another.

Saltarelli sent DeLuca a letter in September 2003, putting in writing the diocese's "understanding" with the priest that he would not celebrate Mass publicly or administer the sacraments, that he would not wear clerical garb or present himself publicly as a priest.

DeLuca was not serving as a priest during the period of the most recent allegations, Wilmington and Syracuse church officials say.

He was not charged in previous alleged cases, so authorities did not monitor his behavior and contact with children.

The Syracuse accuser, now 18, told his mother he was molested by DeLuca from the time he was 12 or 13 until he was 17.

Chief Deputy Michael Kerwin, of the Syracuse police department, said it bothers him that sexual predators may be living in his jurisdiction without his knowledge. "We are always concerned - whether it's a paroled bank robber or a paroled rapist or a paroled child molester."

Preying on innocent boys

At least four people have made allegations about DeLuca to the Wilmington diocese, Flynn said Tuesday. The wife of one alleged victim made an anonymous report, Flynn said, and it was unclear whether that man was among the four who came forward.

One Delaware man, who said he was a victim and asked that his name not be published, said he fears there are many more.

"I think a pattern was developed back in the '60s by this man, by preying on innocent boys in the 11 to 14 age range and every few years preying on someone new," said the man, who said he was victimized about 40 years ago. "If true, there must be a great deal of men who are suffering alone with what was perpetrated on them by Francis DeLuca. They most likely will never come forward because of embarrassment and fear of being found out by their friends and family."

"I know because that is the way I feel and why I will not divulge my name. I have been in and out of counseling for 20-some years, and talking with

professionals has helped me deal with the pain of my adolescence."

A lawsuit filed a few years ago in Indiana dates one alleged victim's abuse to 1958-60. The suit was dropped, as was an attempt to prosecute DeLuca in Maryland, where he was accused of abusing in the 1960s a different boy on a trip there.

Maryland has no statute of limitations for felonies such as child sex abuse, said Elizabeth Ireland, assistant state's attorney in Wicomico County, where DeLuca once served at a parish in Salisbury. But the acts DeLuca was accused of were not

considered felonies then.

"It would be a felony now," Ireland said, "but back in 1962 and 1963, the law in Maryland didn't make the nature of the abuse he engaged in criminal. That's how unenlightened we were."

Ireland said that victim still suffers - and she wishes she could do more for him. "I hate it that there's no redress for this man," she said. "My victim is in his late 50s and is daily impacted by this breach of trust. There's nothing I can do about it, and it's very frustrating."

Contact Beth Miller at 324-2784 or bmmiller@delawareonline.com.

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The Post-Standard

Warning of suspected priest pedophile may have come too late

10/25/2006, 7:09 p.m. ET

The Associated Press

WILMINGTON, Del. (AP) — Catholic Church officials in New York were warned several years ago that a former Delaware priest arrested on child sexual abuse charges last week was a suspected pedophile, but only after the man allegedly began molesting a New York boy.

Francis G. DeLuca, 77, was arrested Oct. 19 and charged with repeated sexual abuse of a Syracuse, N.Y. boy.

DeLuca was removed from the ministry in Delaware in 1993 after officials with the Catholic Diocese of Wilmington learned of credible sexual abuse allegations against him dating to the 1960s.

A former Wilmington bishop accepted DeLuca's early retirement in December 2003 "for reasons of health" and forbade him from engaging in active public ministry without permission, according to documents obtained by The (Wilmington) News Journal.

"Only you can agonize more than I over the tragedy that your actions of so many years ago has (sic) caused you and the Church," Bishop Robert Mulvee wrote in a 1993 letter to DeLuca. "... Frank, you will always have a special place in my prayers and Masses."

DeLuca moved back to his hometown of Syracuse, but the Wilmington diocese did not inform Syracuse church officials about his past until 10 years later.

Bishop Michael A. Saltarelli of Wilmington notified Syracuse officials in an October 2003 letter that DeLuca had been removed from active ministry because of "credible allegations of the sexual abuse of minors."

The Syracuse accuser, now 18, told his mother he was molested by DeLuca from the time he was 12 or 13 until he was 17.

DeLuca was not serving as a priest during the period of the most recent allegations, according to Wilmington and Syracuse church officials. He was never charged or convicted in connection with the previous allegations, so authorities did not monitor his behavior or contact with children.

Tony Flynn, an attorney for the Wilmington diocese, said there was no procedure or policy in place in the 1990s requiring church officials to alert their counterparts elsewhere of credible abuse allegations against a cleric.

The U.S. Conference of Catholic Bishops adopted stronger policies to protect children and improve reporting practices following a nationwide church sex abuse scandal surfaced in 2002.

Flynn, who said at least four people have made allegations about DeLuca to the Wilmington

diocese, said diocesan officials in Wilmington may have corresponded with church officials in Syracuse regarding DeLuca prior to 2003.

Danielle Cummings, a spokeswoman for the Syracuse diocese, said she was unaware of any prior correspondence.

Paul Hanrahan, an attorney representing the Syracuse diocese, did not immediately return a telephone call from The Associated Press on Wednesday.

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Police: Priest from Del. admits N.Y. child abuse

Five years of molestation were detailed to authorities

By BETH MILLER
The News Journal

Former Delaware priest Francis G. DeLuca has confessed to molesting a boy during a five-year period, according to a report released by Syracuse, N.Y., police.

DeLuca, 77, served in the Catholic Diocese of Wilmington for 35 years before he was forced into retirement and stripped of his priestly duties in 1993, when similar allegations arose against him here. Diocese officials said he was allowed to retire to keep his benefits.



Francis G. DeLuca was charged with several counts of sex abuse.

After retirement, he returned to Syracuse, his hometown. Syracuse police picked up DeLuca at his apartment Oct. 19 and questioned him about a local mother's complaint that he molested her son, now 18.

In a 90-minute interview, DeLuca told police the boy periodically spent the night at his apartment, usually on weekends. He told police he started to fondle the boy when the boy was 12 or 13 years old. After the boy reached 16 or 17, DeLuca said he added pornographic movies to the meetings, police said. The meetings continued until earlier this year, he told police. DeLuca also provided a three-page affidavit, which was not released, police said.

Wilmington diocese officials have said at least four people here have made similar complaints against DeLuca, all dating to the 1960s.

DeLuca was ordained in 1958, serving first at St. Francis de Sales in Salisbury, Md. He then served in five parishes in New Castle County: St. John the Beloved in Milltown, St. Elizabeth in Wilmington, Holy Spirit in New Castle, St. Matthew in Christiana Hundred, and St. Joseph on the Brandywine in Greenville.

Reporting practices and protective measures changed after reports of child sexual abuse by priests emerged nationally in 2002. The Diocese of Wilmington has acknowledged that more than 60 victims have made credible allegations against at least 30 priests, many of whom are dead.

In 2003, Wilmington Bishop Michael A. Saltarelli notified the Syracuse bishop of credible allegations of sexual abuse against DeLuca.

Syracuse Assistant District Attorney Kari Armstrong said Wednesday a court date for DeLuca has not been set.

Local Section B.31 News Journal Thurs. Oct 26, 2006

"You can't prove that something has never happened," Best said. "I think the fact that you can't find any stories about this suggests it doesn't happen."

Locally, police in Delaware have also reported few verifiable instances of tainted candy.

Former Wilmington police sergeant Marty See HALLOWEEN — B5



The News Journal/CARLA VARISCO

Joel Best, a UD sociology professor who has studied reports of candy-tampering, says parents shouldn't worry.

h the kids



The News Journal/ROBERT CRAIG
graders at Albert H. Jones Elementary
of Commerce.

o school for day



Defrocking of priest requested

Diocese seeks Vatican action following sexual abuse charges

By BETH MILLER
The News Journal

Officials of the Catholic Diocese of Wilmington confirmed Thursday that they have asked the Vatican to remove from the priesthood the former Delaware priest arrested last week on charges of sexually abusing a Syracuse, N.Y., boy.

Diocese spokesman Robert G. Krebs said the diocese made the request to the Congregation for the Doctrine of the Faith last Friday, the day after the Rev. Francis G. DeLuca, 77, was arrested and charged with several counts of sexual abuse and one count of endangering the welfare of a child.

Syracuse police say DeLuca confessed to molesting the boy, now 18, over a five-year period. He was arraigned Wednesday, according to Assistant District Attorney Kari Armstrong. He is scheduled to appear in Syracuse City Court on Nov. 18, Armstrong said.

DeLuca was removed from public ministry and forced to retire in 1993, when allegations of sexual abuse arose while he was a priest in Delaware.

"Removal from ministry is just that — removal from a public role," Krebs said Thursday. "But in the eyes of the church you're still a priest until you're laicized."

Laicization — what some people call "defrocking" — can be requested by a priest, bishop or diocese, Krebs said. The process can take months, he said.

Krebs could not say Thursday if the Wilmington diocese has ever requested a laicization or if there were any other such requests pending.

DeLuca was a priest in Delaware for 35 years, then moved to Syracuse in 1993 after being removed from ministry here. He has not returned phone messages left by The News Journal.

Contact Beth Miller at 324-2784 or bmiller@delawareonline.com.



The Rev. Francis G. DeLuca, 77, confessed to molesting a boy over a five-year period, police said.

Section B - Page 1 News Journal

10-27-06

Wilmington, DE

Church defends policy on priest

Victims' advocates: Disclose the charges. Dioceses: We followed our protocols.

By Renée K. Gadoua
Staff writer

The bishops of the Syracuse and Wilmington, Del., dioceses should have warned the community that a retired Roman Catholic priest accused of sexually abusing minors was living unsupervised in Syracuse, victims' advocates say.

"The fact is they had a dangerous predator, and they didn't disclose that," said David Clohessy, executive director of the national organization Survivors Network of those Abused by Priests.

The case of the Rev. Francis G. DeLuca — charged Oct. 19 with five misdemeanors accusing him of repeated sexual contact with an underage boy — reveals flaws in the church's response to the clergy sexual abuse scandal, Clohessy said.

"They should have used every means possible to warn Catholics about him," he said. "Virtually no diocese does that. We believe it's the bare minimum approach. It's the moral approach."

The dioceses disagree. The Wilmington Diocese followed its policy and fulfilled its obligation informing Syracuse Bishop Charles Moynihan that DeLuca was living in Syracuse. DeLuca wasn't charged with a crime in Delaware, so no criminal record followed him.

There's really not that much we could have done except smudge on his forehead," Robert G. Krebs, a spokesman for the Wilmington Dio-

the Syracuse Diocese can't do more because DeLuca isn't affiliated with the diocese. Moynihan has up to five years over him, said Danielle

SUNDAY, OCTOBER 29, 2006



SECTION B

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Bishops' audit found both d

BISHOPS' FROM PAGE B-1

Cummings, assistant chancellor and diocesan spokeswoman.

Cummings said the Syracuse Diocese remains committed to assisting victims and trying to prevent abuse through its program of training and background checks.

"The worst part is a child was hurt," she said of the DeLuca case. "Let's see if we can make the system better."

Neither DeLuca nor his lawyer, Emil Rossi, could be reached for comment.

DeLuca, who now lives at 100 Pastime Drive, Syracuse, was ordained in 1958 and ministered in the Wilmington Diocese for 35 years before he was dismissed from public ministry in 1993 after he was accused of sexually abusing a minor in the 1960s.

He retired and moved to Syracuse, but the Wilmington Diocese wasn't required to inform the Syracuse Diocese until 10 years later. That notification followed the U.S. Conference of Catholic Bishops' policy.

Since then, the Syracuse Diocese received no complaints that DeLuca was presenting himself as a priest or ministering publicly, Cummings said.

In July, a youth told his parents about alleged abuse by DeLuca in Syracuse, according to a city police report.

In his statement to police, DeLuca says he fondled a Syracuse boy numerous times over five years. He also said he showed the boy pornographic movies. The last abuse occurred in the spring, according to the police report.

The youth said in a statement

Voice of the accused

"I started touching (the youth) and continued to do it for my own sexual pleasure. Though sometimes I did it just for his pleasure. This close relationship developed into areas that it should not have. I know better and should not have done that to him. ... I also knew that once he turned 18 years old, it would have to come to an end.

I would do anything to repair the damage I have done. ..."

From Oct. 19, 2006, statement by the Rev. Francis G. DeLuca to Syracuse police

Voice of the victim

"I knew that it was not right, and there was something wrong with what he was doing. It made me feel bad. I never told anyone about this because I was afraid of what they might think. I was afraid that if my friends found out, they would think I was dirty — not clean."

From Oct. 19, 2006, statement to Syracuse police

to police that DeLuca sometimes gave him alcohol to drink, bought him jewelry, games and clothes, and deposited about \$9,000 in a bank account in the youth's name.

The Post-Standard does not identify victims of alleged sex crimes.

DeLuca was arraigned Tuesday in Syracuse City Court and granted pretrial release. An order

of protection was issued, barring DeLuca from contact with the youth.

Onondaga County First Chief Assistant District Attorney Rick Trunfio said the misdemeanor charges are based on the victim's age and the severity of the offense. The alleged abuse began when the youth, now 18, was 13 or 14, police said. Trunfio would not comment on whether church officials could have

dioceses to be in compliance

RECORD

Warning to bishop

"Dear Bishop Michael A. Saltarelli: In accordance with the Essential Norms, I am alerting you that the Reverend Francis DeLuca of the Diocese of Wilmington, who has been removed from active ministry because of credible allegations of the sexual abuse of minors, is living in your diocese in the town of Syracuse, N.Y."

From Oct. 2, 2003, from Wilmington Bishop Michael A. Saltarelli

Reminder to Father DeLuca

"In accord with the Essential Norms, you are not permitted to celebrate Mass publicly or to administer the sacraments. You may not wear clerical garb or present yourself publicly as a priest. You are to lead a life of prayer and penance."

"These are painful days for the Church and I know that they have been painful days for you personally. I will continue to keep you and your intentions in my prayers."

From Sept. 30, 2003, letter to the Rev. Francis G. DeLuca from Wilmington Bishop Michael A. Saltarelli

the abuse.

"All aspects of the case, including the chain of disclosure, is being investigated," he said.

In audits conducted by the U.S. bishops conference, both the Wilmington and Syracuse dioceses were found to be in compliance with policies to protect children from sexual abuse. Both dioceses have policies that include training for church volunteers and employees and require

background checks for people who work with children. Both dioceses urge people to report abuse to civil authorities.

Neither diocese has disclosed the names of priests accused of sexual abuse.

Clohesy said up to 600 priests could be living in the United States in circumstances like DeLuca's: retired and receiving a church pension, not charged with a crime nor appear-

The Rev. Francis DeLuca



1993: He was dismissed from public ministry of the Roman Catholic Church in Wilmington, Del., after being

accused of sexually abusing a minor there in the 1960s. He retired to Syracuse.

2002: Three or four other victims accused DeLuca of abusing them in Delaware, according to the Wilmington Diocese.

2003: The Wilmington Diocese, following a policy approved by the U.S. Conference of Catholic Bishops, notified the Roman Catholic Diocese of Syracuse that DeLuca was living in a private residence in Syracuse.

Oct. 19: He was charged with five misdemeanor counts of sexually abusing an underage boy in Syracuse. A day later, the Wilmington Diocese initiated a process requesting the Vatican remove DeLuca from the priesthood.

Source: Wilmington, Syracuse dioceses

ing on any sex-offender list; and free of any supervision or counseling.

"They seem to allow them to retire and move on," said Charles Bailey, of Baldwinsville, a leader in a local chapter of Survivors Network of those Abused by Priests and a survivor of clergy sexual abuse.

"Nothing stops them. They only change addresses," said Bailey, whose self-published book about his experience will be released next month.

Renée K. Gadon can be reached at rgadon@syracuse.com or 470-2203.

APPENDIX 2

APPENDIX 3

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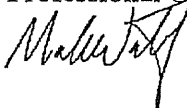
RE: John Doe (Michael Ward) v. Francis DeLuca,
St. John The Beloved Catholic Church, and
The Catholic Diocese of Wilmington

Dear Mr. Flynn:

Enclosed is a courtesy copy of the Complaint which we are filing this date in the above-captioned matter. If you have any questions, please let me know.

Very truly yours,

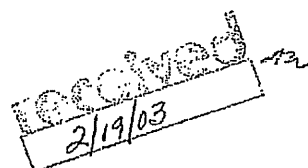
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cc: Michael Ward



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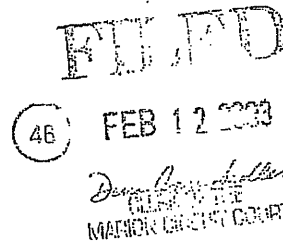
JOHN DOE,

Plaintiff

v.

FRANCIS DELUCA, ST. JOHN THE
BELOVED CATHOLIC CHURCH, and
the CATHOLIC DIOCESE OF
WILMINGTON,

Defendants.



COMPLAINT

Plaintiff, JOHN DOE, by counsel, hereby brings this complaint against Defendants, FRANCIS DELUCA, ST. JOHN THE BELOVED CATHOLIC CHURCH, and the CATHOLIC DIOCESE OF WILMINGTON, Delaware, and in support thereof states:

1. This Complaint is brought by Plaintiff, JOHN DOE, who is a resident of Indianapolis, Indiana and former member of ST. JOHN THE BELOVED CATHOLIC CHURCH in the CATHOLIC DIOCESE OF WILMINGTON, Delaware, where FRANCIS DELUCA worked as a priest. The Plaintiff, JOHN DOE, complains of assault, battery, negligence and breach of implied contract.

2. This Court has venue over this cause in that the Plaintiff is a resident of Indianapolis, Indiana.

3. The Plaintiff, JOHN DOE, was a minor at all times material hereto, but has now attained the age of majority.

4. Defendant, CATHOLIC DIOCESE OF WILMINGTON, was and is an ecclesiastical nomenclature that designates those members of the Roman Catholic Church who reside in the Counties of New Castle, Kent and Sussex in the State of Delaware and the Counties of Caroline, Cecil, Dorchester, Kent, Queen Anne, Somerset, Talbot, Wicomico and Worcester in Maryland. The Diocese maintains its principal place of business and/or main office in Wilmington, Delaware and is divided into parishes of which ST. JOHN THE BELOVED CATHOLIC CHURCH, an unincorporated association, is but one.

5. Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, was and is an unincorporated association of the CATHOLIC DIOCESE OF WILMINGTON, doing business in the State of Delaware. At all times material hereto, the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, in conjunction with the Defendant, CATHOLIC DIOCESE OF WILMINGTON, owned, managed, controlled and/or supervised the business of the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, for the benefit of those persons working at the church and for the benefit of those parishioners who are members of that parish, including the Plaintiff, JOHN DOE.

6. Upon information and belief the Defendant, FRANCIS DELUCA, is currently a resident of the State of New York.

7. At all times material hereto, the Defendant, FRANCIS DELUCA, was employed by the Defendant, CATHOLIC DIOCESE OF WILMINGTON, as an Associate Pastor, during the time of the incidents complained of herein.

8. On numerous occasions during the time that the Plaintiff, JOHN DOE, was a parishioner of the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, the Defendant, FRANCIS DELUCA, unlawfully fondled, molested, touched, abused, sexually

assaulted and/or battered the Plaintiff, JOHN DOE, while an Associate Pastor at the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH.

9. The first instance of sexual abuse, as described more particularly in paragraph 9, occurred in a Manhattan hotel in 1958, while the Plaintiff, JOHN DOE, the Defendant, FRANCIS DELUCA, and others were on a retreat sponsored by Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH.

10. FRANCIS DELUCA's sexual abuse of the Plaintiff, as described more particularly in paragraph 9, continued until 1960.

11. FRANCIS DELUCA fraudulently concealed the abuse from the Plaintiff, JOHN DOE, and from JOHN DOE's parents, preventing them from learning of the abuse.

12. FRANCIS DELUCA violated a fiduciary duty to JOHN DOE to report the abuse to authorities.

COUNT I

NEGLIGENCE AGAINST ST. JOHN THE BELOVED CATHOLIC CHURCH AND THE CATHOLIC DIOCESE OF WILMINGTON

13. The Plaintiff, JOHN DOE, reavers and realleges paragraphs 1 through 12 of the Complaint as if the same were fully set out herein.

14. At all times material hereto, the Plaintiff, JOHN DOE, was a parishioner at ST. JOHN THE BELOVED CATHOLIC CHURCH and was involved in many activities at said church.

15. At all times material hereto, the Defendant, FRANCIS DELUCA, was acting in the course and scope of his employment with the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH and the Defendant, CATHOLIC DIOCESE OF WILMINGTON.

16. On numerous occasions during the time that the Plaintiff, JOHN DOE, was participating in activities at or sponsored by the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, and a parishioner at the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, the Defendant, FRANCIS DELUCA, unlawfully fondled, molested, touched, abused, sexually assaulted and/or battered the Plaintiff, JOHN DOE, while an Associate Pastor at the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, and both on the premises of the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH and elsewhere.

17. At all times material hereto, the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH and/or the Defendant, CATHOLIC DIOCESE OF WILMINGTON, owed to its employees and parishioners, especially those of tender years such as the Plaintiff, JOHN DOE, the duty of hiring persons reasonably suited for teaching, counseling, spiritually guiding, supervising and leading employees and parishioners of the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH.

18. The Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH and/or the Defendant, CATHOLIC DIOCESE OF WILMINGTON, their agents, servants, and/or employees, breached their duty to the Plaintiff, JOHN DOE, in one or more of the following ways:

A. Negligently hiring the Defendant, FRANCIS DELUCA, who the said Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH and/or the Defendant, CATHOLIC DIOCESE OF WILMINGTON, knew or in the exercise of reasonable care,

should have known, was unsuited for teaching, counseling, spiritually guiding, supervising and leading employees and parishioners of then tender years such as the Plaintiff, JOHN DOE.

B. Negligently failing to make inquiries into the Defendant, FRANCIS DELUCA's background, qualifications, reputation, work history, and/or criminal history prior to employing him in the capacity of Associate Pastor; or in the alternative,

i. The Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, and/or the Defendant, CATHOLIC DIOCESE OF WILMINGTON, did make such inquiries, but did so in an unreasonable, negligent and/or incomplete manner; or in the alternative,

ii. The Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, and/or the Defendant, CATHOLIC DIOCESE OF WILMINGTON, did make reasonably inquiries, but failed to act on such information in a reasonably prudent manner for the protection and safety of the employees and parishioners of the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, and/or the Defendant, CATHOLIC DIOCESE OF WILMINGTON, and the Plaintiff, JOHN DOE, in particular.

C. Negligently failing to have any procedures for conducting background checks prior to hiring its associate pastors/priests or other persons responsible for the supervision of its employees or parishioners; or in the alternative;

i. Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, and/or the Defendant, CATHOLIC DIOCESE OF WILMINGTON, did have

procedures for conducting background checks as described above, but failed to implement said procedures; or in the alternative,

ii. Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, and/or the Defendant, CATHOLIC DIOCESE OF WILMINGTON, did have procedures for conducting background checks as described above, but implemented said procedures in a careless or negligent manner.

D. Negligently placing the Plaintiff, JOHN DOE, under the supervision of the Defendant, FRANCIS DELUCA, when the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, and the Defendant, CATHOLIC DIOCESE OF WILMINGTON, knew, or in the exercise of reasonable care should have known, that the Defendant, FRANCIS DELUCA, had propensities to commit acts of sexual assault, and/or molestation, and/or indecent conduct upon other persons, and especially young children such as the Plaintiff, JOHN DOE.

E. Negligently retaining the Defendant, FRANCIS DELUCA, as a priest employed by the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, and/or the Defendant, CATHOLIC DIOCESE OF WILMINGTON, notwithstanding the fact that said defendant knew or should have known that FRANCIS DELUCA had committed several sexual assaults and/or batteries.

F. Negligently placing the Plaintiff, JOHN DOE, under the supervision of the Defendant, FRANCIS DELUCA, when the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH and/or the Defendant, CATHOLIC DIOCESE OF WILMINGTON, knew or in the exercise of reasonable care, should have known, that the Defendant, FRANCIS DELUCA, had propensities to commit acts of sexual assault,

molestation, abuse, and/or indecent sexual conduct upon young children such as the Plaintiff, JOHN DOE.

G. Negligently failing to report immediately one or more prior incidents of suspected child abuse and/or assault to civil authorities.

H. Instead of reporting the prior incident(s) to the civil authorities, the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, and the Defendant, CATHOLIC DIOCESE OF WILMINGTON, allowed the Defendant, FRANCIS DELUCA, to continue to teach, counsel, spiritually guide, supervise and lead its employees and parishioners at ST. JOHN THE BELOVED CATHOLIC CHURCH.

I. Negligently failing to follow its own procedures, rules and regulations dealing with reprimands and/or sexual misconduct by priests, termination notices, reports of firings of priests, obtaining a recommendation from previous and/or the most recent employer, record keeping, performance of priest evaluations and treatment, and the reporting of child abuse and/or suspected child abuse.

J. Negligently failing to use reasonable care in reviewing the work record of the Defendant, FRANCIS DELUCA, and/or failing to use reasonable care in reprimanding and/or failing to suspend the Defendant, FRANCIS DELUCA, when circumstances dictated that the Defendant, FRANCIS DELUCA, should have been reprimanded and/or suspended.

K. Negligently failing to use reasonable care in determining, subsequent to hire, whether the Defendant, FRANCIS DELUCA, was qualified and/or mentally fit to teach, counsel, spiritually guide, supervise and lead employees and parishioners of the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, and of the Defendant,

CATHOLIC DIOCESE OF WILMINGTON, including children of tender years such as the Plaintiff, JOHN DOE.

19. As a direct and proximate result of the negligence of the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, and the Defendant, CATHOLIC DIOCESE OF WILMINGTON, the Plaintiff, JOHN DOE, was unlawfully fondled, molested, touched, abused, sexually assaulted and/or battered. The Plaintiff, JOHN DOE, has suffered grievous mental pain, anguish, and suffering, as well as deep psychological fear; his mental, psychological, religious, and social development has been permanently marred; his ability to lead and enjoy a normal life has and will continue to be impaired, his ability to engage in close, personal relationships has and will continue to be impaired; all of the said injuries are permanent and continuing in nature, and the Plaintiff, JOHN DOE, will suffer such losses and impairments in the future.

20. As a direct and proximate result of the negligence of the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, and the Defendant, CATHOLIC DIOCESE OF WILMINGTON, the Plaintiff, JOHN DOE, has in the past and will in the future be caused to pay sums of money for the psychological treatment and other expenses related to the injuries sustained by him.

WHEREFORE, the Plaintiff, JOHN DOE, demands judgment against the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON, and each of them for compensatory damages and for such other and further relief as the court deems just and proper.

COUNT II

RESPONDEAT SUPERIOR

21. The Plaintiff, JOHN DOE, reavers and realleges paragraphs 1 through 20 of the Complaint as if the same were fully set out herein.

22. On numerous occasions, the Defendant, FRANCIS DELUCA, an employee in the course and scope of his employment with the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON, unlawfully, violently, maliciously and in a grossly negligent manner, and without justification therefore, sexually assaulted, molested, fondled, abused and battered the then minor Plaintiff, JOHN DOE.

23. The said molestations and other acts occurred while the employee was performing his duties as a priest and while he was supervising other employees/parishioners of the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, and Defendant, CATHOLIC DIOCESE OF WILMINGTON, who were entrusted to his care and control, and were done and performed in furtherance and during the course of the daily operation of the church itself.

24. At the time of the above-described molestations and other acts, the Plaintiff, JOHN DOE, was in the care, control, and custody of the Defendants, FRANCIS DELUCA, ST. JOHN THE BELOVED CATHOLIC CHURCH, and the CATHOLIC DIOCESE OF WILMINGTON.

25. At the time of the above-described molestations and other acts, the Defendants, FRANCIS DELUCA, ST. JOHN THE BELOVED CATHOLIC CHURCH, and the CATHOLIC DIOCESE OF WILMINGTON, had undertaken to spiritually guide, counsel, instruct, supervise and safeguard the then minor Plaintiff, JOHN DOE.

26. The conduct of the Defendant, FRANCIS DELUCA, as described hereinabove, was, at least in part, perpetrated under the guise of better serving the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON.

27. At the time of the above-described molestations and other acts, the Plaintiff, JOHN DOE, entrusted his bodily safety to the care and control of the Defendant ST. JOHN THE BELOVED CATHOLIC CHURCH, and the CATHOLIC DIOCESE OF WILMINGTON's employee's, including the Defendant, FRANCIS DELUCA.

28. At the time of the above-described molestations and other acts, the Plaintiff, JOHN DOE, could not freely or independently walk away from the control of the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON's employees, including the Defendant, FRANCIS DELUCA.

29. By virtue of all of the foregoing and the unique relationship hereinbefore described, the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON, and their employees were under a special duty to protect the then minor Plaintiff, JOHN DOE, while said Plaintiff was in the Defendants' custody, care, and/or control.

30. At the time of the above-described molestations and other acts, the Defendant, FRANCIS DELUCA, purported to act and/or speak on behalf of his principals, the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON.

31. Further, the Plaintiff, JOHN DOE, relied on the Defendant, FRANCIS DELUCA's, apparent authority while the Defendant, FRANCIS DELUCA, was accomplishing said torts and engaging in the subject tortious conduct.

32. Further, The Defendant, FRANCIS DELUCA, was aided in the commission of his tortious conduct by the existence of his agency relationship with the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON.

33. The Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON, knew or should have known that said employee was a threat to others including, but not limited to, the then minor Plaintiff, JOHN DOE.

34. The subject tortious conduct was committed by the Defendant, FRANCIS DELUCA, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON, during the course of his employment. That is, the tortious conduct was committed in the apparent furtherance of a purpose or interest of the employer, the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON.

35. The Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON, were responsible for bringing the Defendant, FRANCIS DELUCA, into contact with the Plaintiff, JOHN DOE.

36. The tortious conduct occurred within the time and space limits of the Defendant, FRANCIS DELUCA's, employment and was engaged in, at least in part, by the Defendant, FRANCIS DELUCA's perceived desire to better serve his employers, the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON.

37. Between 1958 and 1960, the Defendant, FRANCIS DELUCA, sexually assaulted, molested and fondled the then minor Plaintiff, JOHN DOE, while said Plaintiff was under the

care, custody, and control of the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON.

38. As a direct result of the foregoing, the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON, are vicariously liable for said torts committed by their employee, the Defendant, FRANCIS DELUCA.

39. Between 1958 and 1960, the Defendant, FRANCIS DELUCA, an employee in the course and scope of his employment with the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON, unlawfully, violently, maliciously in a grossly negligent manner, and without justification therefore, sexually assaulted and battered the Plaintiff, JOHN DOE.

40. Said assaults occurred while the employee was performing his duties of supervising employees and counseling parishioners in his care, including the Plaintiff, JOHN DOE. Under the doctrine of *Respondeat superior*, the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON, are responsible for the loss, injury, and damage sustained by the Plaintiff, JOHN DOE.

41. The Plaintiff, JOHN DOE, suffered grievous pain, anguish, and suffering, as well as deep psychological fear; his mental, psychological and social development has been permanently marred; his ability to lead and enjoy a normal life has and will continue to be impaired; his ability to engage in close, personal relationships has and will continue to be impaired; all of the said injuries are permanent and continuing in nature, and the Plaintiff, JOHN DOE, will suffer such losses and impairments in the future.

42. The Plaintiff, JOHN DOE, has in the past and will in the future be caused to pay sums of money for the psychological treatment and other expenses related to the injuries sustained by him.

WHEREFORE, the Plaintiff, JOHN DOE, demands judgment against the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON, and each of them for compensatory damages and for such other and further relief as the court deems just and proper.

COUNT III

IMPLIED CONTRACT AGAINST ST. JOHN THE BELOVED CATHOLIC CHURCH AND THE CATHOLIC DIOCESE OF WILMINGTON

43. The Plaintiff, JOHN DOE, reavers and realleges paragraphs 1 through 42 of the Complaint as if the same were fully set out herein.

44. At all times material hereto, the Plaintiff, JOHN DOE, was a parishioner of ST. JOHN THE BELOVED CATHOLIC CHURCH, which was being supervised and controlled by the Defendant, CATHOLIC DIOCESE OF WILMINGTON.

45. At all times material hereto, the Defendant, FRANCIS DELUCA, was employed by the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH, and/or the Defendant, CATHOLIC DIOCESE OF WILMINGTON.

46. At all times material hereto, the Defendant, FRANCIS DELUCA, was acting in the course and scope of his employment with the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and/or the CATHOLIC DIOCESE OF WILMINGTON.

47. On numerous occasions between 1958 and 1960, the Defendant, FRANCIS DELUCA, unlawfully fondled, molested, touched, abused, sexually assaulted and/or battered the then minor Plaintiff, JOHN DOE, while he was employed by the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and/or the CATHOLIC DIOCESE OF WILMINGTON.

48. At all times material hereto, the Plaintiff, JOHN DOE, was a parishioner of ST. JOHN THE BELOVED CATHOLIC CHURCH and an active participant in church-sponsored and supervised programs.

49. By virtue of said church-sponsorship and supervision of programs, the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON, were contractually obligated and responsible for the Plaintiff's safety, health, and well-being while the Plaintiff participated in church-sponsored and supervised programs.

50. The Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON, breached the above-described implied contract as a result of their employee's sexual assault, molestation, battery, fondling and/or indecent conduct perpetrated upon the then minor Plaintiff, JOHN DOE.

51. Further, the above-described implied contract was breached by the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON, when they hired and subsequently retained the Defendant, FRANCIS DELUCA, despite the fact that his prior employment record indicated that his character, demeanor, background and temperament would be and were detrimental to the health, safety and welfare of the employees and parishioners of the Defendant, ST. JOHN THE BELOVED CATHOLIC CHURCH.

52. Further, the above-described implied contract was breached by the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON, when they failed to properly monitor, supervise and/or evaluate the Defendant, FRANCIS DELUCA's activities prior to the perpetration of the subject molestations.

53. Further, the above-described implied contract was breached by the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON, when they failed to terminate the employment of the Defendant, FRANCIS DELUCA, thereby submitting those with whom he came into contact, including the then minor Plaintiff, JOHN DOE, to a risk of bodily harm.

54. The Plaintiff, JOHN DOE, suffered grievous pain, anguish, and suffering, as well as deep psychological fear; his mental, psychological and social development has been permanently marred; his ability to lead and enjoy a normal life has and will continue to be impaired; his ability to engage in close, personal relationships has and will continue to be impaired; all of the said injuries are permanent and continuing in nature, and the Plaintiff, JOHN DOE, will suffer such losses and impairments in the future.

55. The Plaintiff, JOHN DOE, has in the past and will in the future be caused to pay sums of money for the psychological treatment and other expenses related to the injuries sustained by him.

WHEREFORE, the Plaintiff, JOHN DOE, demands judgment against the Defendants, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON, and each of them for compensatory damages and for such other and further relief as the court deems just and proper.

COUNT IV

ASSAULT AND BATTERY AGAINST FRANCIS DELUCA

56. The Plaintiff incorporates by reference paragraphs 1 through 55 of the Complaint as if the same were fully set out herein.

57. The Defendant, FRANCIS DELUCA, did commit and perpetrate an indecent sexual assault and battery upon the Plaintiff, JOHN DOE, as hereinbefore more particularly in paragraph 9.

58. As a direct and proximate result of the indecent, sexual assault and battery perpetrated by the Defendant, FRANCIS DELUCA, the then minor Plaintiff, JOHN DOE, was unlawfully fondled, touched, abused, sexually assaulted and/or molested.

59. The Plaintiff, JOHN DOE, suffered grievous pain, anguish, and suffering, as well as deep psychological fear; his mental, psychological and social development has been permanently marred; his ability to lead and enjoy a normal life has and will continue to be impaired; his ability to engage in close, personal relationships has and will continue to be impaired; all of the said injuries are permanent and continuing in nature, and the Plaintiff, JOHN DOE, will suffer such losses and impairments in the future.

60. The Plaintiff, JOHN DOE, has in the past and will continue in the future, been caused to pay sums of money for the psychological treatment and other expenses related to the injuries sustained by him.

WHEREFORE, the Plaintiff, JOHN DOE, demands judgment against the Defendant, FRANCIS DELUCA, for compensatory damages and for such other and further relief as this court deems just and proper.

COUNT V

FRAUDULENT CONCEALMENT

61. The Plaintiff incorporates by reference paragraphs 1 through 60 of the Complaint as if the same were fully set out herein.

62. The Defendant, FRANCIS DELUCA, concealed the fact of the abuse from the Plaintiff, JOHN DOE, and from the plaintiff's parents, who would have been able to bring an action within the period of limitation after discovery of the cause of action.

63. The Defendant, FRANCIS DELUCA, had a fiduciary duty to the Plaintiff, JOHN DOE, and violated that fiduciary duty by failing to disclose the abuse of the Plaintiff, JOHN DOE.

64. The Plaintiff, JOHN DOE, suffered grievous pain, anguish, and suffering, as well as deep psychological fear; his mental, psychological and social development has been permanently marred; his ability to lead and enjoy a normal life has and will continue to be impaired; his ability to engage in close, personal relationships has and will continue to be impaired; all of the said injuries are permanent and continuing in nature, and the Plaintiff, JOHN DOE, will suffer such losses and impairments in the future.

65. As a result of the fraudulent concealment by the Defendant, FRANCIS DELUCA, the Plaintiff, JOHN DOE, was unable to discern the source of the suffering described in paragraph 64 for over 40 years, and therefore was unable until recently to seek redress for the harm inflicted by the Defendant, FRANCIS DELUCA.

66. The Plaintiff, JOHN DOE, has in the past and will continue in the future, been caused to pay sums of money for the psychological treatment and other expenses related to the injuries sustained by him.

PUNITIVE DAMAGES

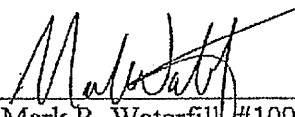
67. Pursuant to Delaware law, the Plaintiff, JOHN DOE, reserves the right to amend this Complaint for the purpose of asserting claims for punitive damages against each of the three Defendants, FRANCIS DELUCA, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON, on each count, after a reasonable showing by evidence in the record or proffered by the Plaintiff that would provide a reasonable basis for recovery of such damages including, but not limited to, a showing that the conduct on the part of the Defendants, FRANCIS DELUCA, ST. JOHN THE BELOVED CATHOLIC CHURCH and the CATHOLIC DIOCESE OF WILMINGTON, was willful, wanton, malicious, and in reckless disregard of the rights of the Plaintiff.

DEMAND FOR JURY TRIAL ON ALL COUNTS

68. The Plaintiff demands a trial by jury on all counts of all issues so triable.

DANN PECAR NEWMAN & KLEIMAN
Professional Corporation

By: _____


Mark R. Waterfill, #10935-49
Attorney for Plaintiff, JOHN DOE

DANN PECAR NEWMAN & KLEIMAN, P.C.
2300 One American Square
Box 82008
Indianapolis, IN 46282
(317) 632-3232

APPENDIX 3A

FILE COPY

CONFIDENTIAL

INTEROFFICE MEMORANDUM

To: Msgr. Barres
From: Msgr. J. Thomas Cini
Subject: Fr. DeLuca
Date: October 28, 2003
CC: Bishop Saltarelli

Redacted - Non-Res.

In response to your memorandum of October 20, 2003 wherein you note the need for some testimony relating to an admission by Fr. DeLuca, please note the following.

Documentation is in the file, written by Msgr. C. Lemon, stating that on November 29, 1993 Msgr. Lemon "confronted Frank at the rectory ... reviewed the testimony I (he) had received from M. and his parents - stated the allegation and (I) asked if it was true. No denial." The testimony goes on to state that Fr. DeLuca went to "Trinity" to discuss with Benedict Groeschel and

Redacted - Conf. Med. Recs.

Redacted - Conf. Med. Recs.

Redacted - Conf. Med. Recs.

✓ *"In a telephone conversation with Frank on September 17, 2002, I told him of the allegation made by Michael Ward and Ward's retention of counsel. In that conversation I stated we were a little confused since [redacted] was abused by another priest. Did M. Ward mistakenly identify Fr. DeLuca? I said, "Would I be correct in concluding Mike Ward was probably mistaken in accusing you (Frank)?" Fr. DeLuca responded, "I (you) would not be correct" in that conclusion. Fr. DeLuca went on to describe the incident: "There was one time on a trip ..."*

APPENDIX 4

12-5-93

In March of 1993, while investigating an allegation of clergy abuse involving another priest, (who happened to be stationed with Fr. De Luca) I was told about Fr. De Luca's abusive involvement with Mike Schulte. Since the matter was related to me on a third party basis, I encouraged the person to have the family contact me directly. No contact was forthcoming at that time.

On October 28, 1993, I received a call from Mike Schulte and met with him on October 30, 1993.

Mike related how he had been molested by Fr. De Luca when he was an altar boy at St. John the Beloved Parish. He remembers two specific incidents -

both overnight, one in Philadelphia and one in

Richmond, Virginia. He described his memory of the first incident, "Fr. De Luca came to me in my bed with his hot, sweaty body and started to feel me all over." Mike was somewhat vague about the second incident even though he perceives that he was molested. He suggested that if I needed more details, he would be willing to undergo some deep psychiatric probing. He is willing to confront Father De Luca - face to face and said that he would be willing to develop a list of boys whom he suspects that Fr. De Luca has abused. He related that one day he went to look for Fr. De Luca to get his car keys and remembered that when Father came to the

door, Mike could see a young boy pulling his pants up.

At the time of the abuse, Mike told his parents his mother could not believe it and his father went to the Bishop's Office where he was told that the matter would be looked into.

Subsequently, Fr. De Luca was transferred.

On November 5, 1993, I interviewed Mike's parents and they verified Mike's story.

On November 27, 1993, I met with Mike Schulte for a second time, reviewed his story and tried to elicit more information. He held to his original testimony and restated that he wanted to make sure that this molestation

was not happening now nor will it ever happen again.

On November 29, 1993 I confronted Fr. DeLuca at the rectory with the testimony from Mike and his parents. There was no denial about the overnights and while Fr. DeLuca admitted that "something" happened, he claimed that there was no sexual contact, no fondling, no touching private parts, no sodomizing nor penetration. It was more of a "physical closeness" thing.

On November 30, 1993 I accompanied Fr. DeLuca to Trinity Retreat House in Larchmont, New York for a few days of quiet reflection prior to his being Redacted - Conf. Med. Recs. while at

Trinity Fr. DeLuca has had several talks
with the Assistant Director who is a priest,
very knowledgeable in clergy abuse allegation
cases.

Rev. Msgr. Clement J. Lemon

APPENDIX 5

CONFIDENTIAL

Memo to File
W-007

Mr. W-007 contacted this office in late August 2004 after a friend of his strongly urged him to report to the Catholic diocese the abuse he suffered back in the 1960's. I met with Mr. W-007 on September 13, 2004 at St. Ann's Parish at 10:00 in the morning. Our discussion lasted about 1 hour and 40 minutes. The discussion was pleasant. Mr. W-007 was respectful, mature, and unemotional in his relaying his account of the abuse and his problems, at least in part caused by the abuse. The communication between us was excellent.

In addition to hearing what Mr. W-007 had to say, I tried to apologize on behalf of the church, acknowledging the fact that we had mismanaged the abuse issue in the past, particularly in regard to the priest he had spoken of. I encouraged him to call me at any time should he have any need for further discussion, spiritual direction, or advice he thought I could give him. In addition to offering an apology, I also advised him of the policy of the Diocese, to provide assistance for on-going counsel, therapy, and spiritual guidance; our willingness to pay out of pocket costs for any professional services he would require; and our willingness to pay for out of pocket costs he had to absorb up to this time related to therapy, counseling, or testing related to the abuse.

He reported that the abuser is Fr. Frank DeLuca. Mr. W-007 stated that he was 12 or 13 when the abuse occurred. He described how Father paid particular attention to him in little ways, expressing thanks for the boy's faithfulness of serving Mass, asking him to help do errands around the rectory or for him. At one point he was invited to help count the collection. One day Father said they needed to do some things at the rectory that involved several hours so he should ask his parents if he could stay overnight. Permission was given. That night the first abuse was committed. He made reference to yet another abusive incident on a trip to Salisbury. Fr. DeLuca asked Mr. W-007's parents if he could ride down to Salisbury with the priest. It would be an overnight. He also made mention of Father allowing him to drive his brand new 1962 black, red interior, Chevrolet. All in all, although he did not go into any detail, in answer to my question, Mr. W-007 said that the abuse occurred five or six times. He described himself as having been ashamed. He tried to avoid Father whenever possible. He went on to Salesianum. I asked him if he suffered any kind of cruelty or abuse by priests at Salesianum. No abuse. One priest did hit him with a trigonometry book. He reacted and pushed the priest. I think he also hit the priest, for which he had been suspended.

He never told his parents of the abuse because he thought (a) they would not believe him; (b) because of the high regard they had for priests. He had an uncle who was a priest and an aunt who is a religious nun. It was also during a time when you just did not say anything about such things. He is aware of at least one more victim whom he named to me (who has yet to come forward). He did warn his brother to stay away from Fr. DeLuca, but did not indicate why. In later years, raising his own boys, he forbade them to serve Mass as a protective step.

He knew the name of the Bishop who administered the Diocese at the time of the abuse. And he also knew that Fr. DeLuca obviously was transferred. I stated that Fr.

all/ W-007

DeLuca was transferred, that diocesan officials at that time probably were aware of the abuse, but that is the way it was handled. I apologized for the cover up and for the church's inability to cope appropriately with the situation. He expressed thanks for my candor. I also shared with him the fact that another case involving Fr. DeLuca had come to light in the late 1980's or early 1990's (need to check the files) and at that time, the then Bishop, removed Fr. DeLuca from ministry permanently. Fr. DeLuca has not able to function publicly as a priest since then. In view of the Charter, the present Bishop also restricted Father even further, forbidding him from representing himself as a priest, wearing the collar, etc.

Mr. W-007 is 55 years of age. He is married with two sons, I believe he said they were ages 1 and 2, both are students at the University of Delaware. He is a member of St. John the Beloved Parish in Wilmington, DE (it appears he is a lifelong member ... he grew up there and there is where the abuse began). He is a salesman for [REDACTED]. He makes a good appearance. His self expression is concise, vocabulary is good. He was unhesitant explaining the abuse and his personal problems and most willing to share all of his concerns. Mr. W-007 went to St. John the Beloved Elementary School; he was a server at Mass. He described himself as very service oriented when he was a kid, always willing to help people. He spoke of even having thought about being a priest in the 6th and 7th grades ... prior to the abuse. He went to Salesianum High School for his first three years of high school and he finished his senior year at Dickenson High School. Following his graduation ... I am not sure if it was immediately after graduation or sometime after that ... he and a number of buddies joined the Marine Corps. He gave service to his country in Vietnam in 1969 and 1970. In the course of our discussion he did not discuss what went on in Vietnam but did make an oblique remark about having been stationed near the area where Lt. Calley "did his thing." Sometime after returning home from the service (W-007 stated that he never thought he would come home alive), he married. For the first 10 years of their marriage there were no children. He described himself as getting into the bottle early, perhaps for a sustained period of time for 5 or 6 years. When he and his wife were finally blessed with children he decided to change his life so that he could model appropriately to his children. He had kept the secret of his abuse from anyone and everyone. He said that he lived in fear that people would find out. The abuse was multiple and he apparently blames himself for having allowed it to go on.

W-007 related that after having had their first child, there was an accident one day where his tea spilled on his little boy. He rushed him to the hospital thinking he had scalded him. It was at that point he broke down and told his wife that he was under much pressure about things that happened in his life, among them the abuse. This was the first time he made a disclosure to anyone.

He suggested that he has been bothered by a number of happenings in his life, but in particular the abuse ... especially when there was pressure. However, he put on a good face, to use his expression, to be supportive to his two boys and to his wife, although he did admit to having a very short fuse, being angry often, and getting upset over little things, particularly with his wife. (He later related that his wife came from a verbally abusive mother.) In recent years he has been suffering from depression ...

probably suffered from depression in the past but did not or refused to recognize it. He was active in his parish; athletics, coaching kids; a member of the Athletic Association. He had not practiced his faith until his children came along. Then he decided that he had to model to them. He returned to church. He says he never went to confession since he was 13 years of age.

He described having to fight with his demons through most of his adolescent and adult life, suppressing the abuse. It was on the occasion of the terrible events of 9-11 that pressure began to build up and his worries were in such an extreme that he lost much sleep, worried about all kinds of things, had flashbacks of what happened in his life. He described his basic approach as protective again of his children, worried that the country would be torn apart, that the President had to reintroduce the draft. He worried about work. He said always his worries and his nighttime dreams included thoughts about the abuse. Finally in the spring of 2004 it got so bad he was fearful of breaking down completely and thus sought the assistance of a psychiatrist and a therapist. He spent some outpatient days at the Rockford Center. He got so depressed that he could not work for a couple months. Currently he is under the care of a psychiatrist at St. Francis Hospital and also a therapist, a woman at the University of Delaware.

I asked him if any of his depression and anger was related to the war or other events in his life and he admitted yes, but stated everything goes back to the abuse.

He described his relationship with his wife as great, saying she is very patient, especially in view of his outbursts of anger which evidently occurred often. He is under medication to control the depression and other psychological issues. His wife has told him recently that the outbursts have become less frequent since he has been taking the medication. The doctor tells him he will not be on medication all of his life, that they will gradually take him off it as he begins to become more calm and comfortable.

We then talked about what the Catholic Diocese could do for him. (Prior to that I again offered apology.) I described our policy. He decided that he would stay with his psychiatrist. However, he does not feel the woman with whom he is taking therapy is helping. I spoke to him about our Victim Assistance Coordinator, Beth Krieger, and I gave him her telephone number. (Subsequently Beth advised he called.) I told him that the Diocese would pay for any out of pocket expenses going forward and I asked him also that if he could possibly determine what his out of pocket expenses had been in the past for abuse related issues, we would consider reimbursing part or all of it.

I advised him of our protocol with the attorney general, that we would report any past abuse reported by an adult provided we had their permission.

We ended the interview with a promise for prayer and once again the invitation to talk with him at any time.

Msgr. J. Thomas Cini

APPENDIX 6

Diocese of Wilmington
Post Office Box 2030
Wilmington, Delaware 19899-2030

Office of the Bishop

December 13, 1993

Reverend Francis DeLuca
Post Office Box 2030
Wilmington, DE 19899

Dear Father DeLuca:

This will confirm in writing my acceptance of your retirement as an Associate Pastor of St. Joseph on the Brandywine as well as from active public ministry as a priest for reasons of health.

Accepting your resignation and approving early retirement is a very painful duty for me. I remember your years of faithful service to this diocese. Only you can agonize more than I over the tragedy that your actions of so many years ago has caused you and the Church. Having heard the [] this is the only way we can address the real grave pastoral concern that confronts us because of those actions. It is understood that you will not function publicly as a priest without seeking specific permission to do so.

Your retirement will be under the provisions of the retirement plan inaugurated for the priests of our Diocese. Rev. Msgr. J. Thomas Cini, Vicar for Administration, will be pleased to discuss the provisions of this plan with you and arrange for your pension payments.

It is understood that you plan to return to your home in Syracuse, New York to live.

Notice of your retirement will be published in The Dialog and general press on Friday, December 17, 1993 with the effective date immediately.

Frank, you will always have a special place in my prayers and Masses. May God watch over you and guide you always but especially in these days and months which I know will be particularly painful. Keep close to God. Please remember me in your prayers.

Cordially yours in Christ,

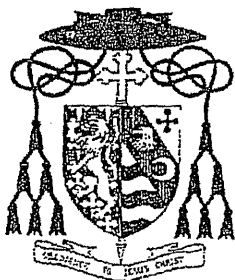
+ R. E. Mulvee

Most Reverend Robert E. Mulvee
Bishop of Wilmington

/psb

BCC: Msgr. Clement P. Lemon, Vicar for the Clergy

APPENDIX 7A



DIOCESE OF WILMINGTON

POST OFFICE BOX 2030
WILMINGTON, DE 19899-2030
(302) 573-3100

OFFICE OF THE BISHOP

September 30, 2003

Rev. Francis DeLuca
Fahey Court
100 Pastime Drive, Apt. 307
Syracuse, NY 13208

Dear Father DeLuca:

As the Diocese of Wilmington prepares for the audit of the National Review Board of our compliance with the Essential Norms, I wanted to put in writing for the record our understanding with you.

In accord with the Essential Norms prepared by the Mixed Commission of Bishops and accepted by the United States Conference of Catholic Bishops, you are not permitted to celebrate Mass publicly or to administer the sacraments. You may not wear clerical garb nor present yourself publicly as a priest. You are to lead a life of prayer and penance.

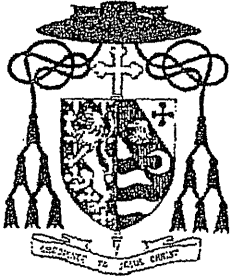
These are painful days for the Church and I know that they have been painful days for you personally. I will continue to keep you and your intentions in my prayers.

Sincerely yours in Christ,

Most Reverend Michael A. Saltarelli
Bishop of Wilmington

/psb

APPENDIX 7B



DIOCESE OF WILMINGTON

POST OFFICE BOX 2030
WILMINGTON, DE 19899-2030
(302) 573-3100

OFFICE OF THE BISHOP

October 2, 2003

Most Reverend John Moynihan
Bishop of Syracuse
PO Box 511
Syracuse, NY 13202

Dear Bishop Moynihan:

In accord with the Essential Norms, I am alerting you that Reverend Francis DeLuca of the Diocese of Wilmington who has been removed from active ministry because of credible allegations of the sexual abuse of minors is living in your diocese in the town of Syracuse, NY. He lives in a private residence.

If you should ever be in need of more detailed information, please do not hesitate to call.

Thank you for your assistance.

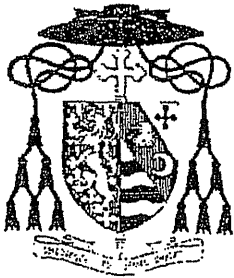
Sincerely yours in Christ,

A handwritten signature in cursive script, reading "Michael A. Saltarelli".

Most Reverend Michael A. Saltarelli
Bishop of Wilmington

/psb

APPENDIX 8B



DIOCESE OF WILMINGTON

POST OFFICE BOX 2030
WILMINGTON, DE 19899-2030
(302) 573-3100

OFFICE OF THE BISHOP

November 8, 2004

Most Reverend Angelo Amato, SDB
Titular Archbishop of Sila
Congregation for the Doctrine of the Faith
00120 Citta del Vaticano
Palazzo del S. Uffizio ROME

PROT. N. 478/2003-20156
PROT. N. 477/2003-20155
PROT. N. 460/2003-20154
PROT. N. 476/2003-20153

Dear Archbishop Amato:

Thank you for your October 28, 2004 letters in regard to:

Reverend Douglas Dempster - Prot. N. 478/2003-20156
Reverend John Sarro - Prot. N. 477/2003-20155
Reverend Francis G. DeLuca - Prot. N. 460/2003-20154
Reverend William Irwin - Prot. N. 476/2003-20153

These situations have all been settled. The priests are all retired and no longer in active ministry. They are all classified according to the Essential Norms, 8B:

"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."

Therefore, I have determined that there is no need to process these cases further with the Congregation for the Doctrine of the Faith. Thank you for your kind consideration and assistance.

Sincerely yours in Christ,

+ Michael A. Saltarelli

Most Reverend Michael A. Saltarelli
Bishop of Wilmington

/psb



CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Uffizio

28 October 2004

460/2003-20154

PROT. N.
in risposta al fat. n. 460/2003-20154

CONFIDENTIAL

Your Excellency,

On 13 January, 2004, the Congregation for the Doctrine of the Faith wrote to Your Excellency requesting more complete information on the case of the **Reverend Francis G. DeLUCA**, a priest of your diocese who has been accused of the sexual abuse of a minor. A tabulated form was enclosed with our letter to assist Your Excellency in gathering the necessary information.

To date, this Dicastery has received no response to our request nor any of the tabulated information needed to facilitate our study of the case. I enclose another copy of the tabulated form for your convenience and ask that Your Excellency respond to this request as soon as possible.

With gratitude for Your Excellency's assistance in these matters, I remain

Yours devotedly in the Christ,

✠Angelo Amato, SDB
Titular Archbishop of Sila
Secretary

Enclosure

His Excellency
The Most Reverend Michael SALTARELLI
Bishop of Wilmington
Office of the Bishop
P.O. Box 2030
Wilmington, DE, 19899-2030
UNITED STATES OF AMERICA

DE LUCA, FRANCIS GEORGE

Date of birth: August 1, 1929

Place of birth: Syracuse, N. Y.

Education: Prescott Junior High, Syracuse, 1st to 9th years
Blodgett Vocational H. S., Syracuse, 10 to 12th years: g
St. Andrew's Seminary, Rochester, Spec. Yr., 2 yrs colle
Christ the King Seminary, St. Bonaventure, 2 yrs Phil.,
4 yrs Theology, completed 1958

Date of Ordination: February 3, 1958

Place of Ordination: Cathedral of Immaculate Conception, Syracuse

Ordaining Prelate: Most Rev. Walter A. Foery, D.D., Bishop of Syrac

Appointments: May 29, 1958, Ass't Rector, St. Francis de Sales, Sal
Pro temp.

(2) St. John The Beloved, Sherwood Park - Feb. 4, 1961 - Asst. Pastc

(3) Chaplain at Ferris Industrial School

(4) St. Elizabeth's, Wilmington - 2/28/66 - Asst. Past
Removed as Chaplain of Ferris Industrial School

(5) June 4, 1969 - Asst. Pastor Holy Spirit Parish, New Castle

(6) May 31, 1972 - Pastor, Holy Spirit, New Castle

(7) June 2, 1976 - Pastor, St. Matthew's, Woodcrest

8) July 15, 1982 - Appointed Dean of New Castle Deanery and elevate
to Very Reverend for a three year term

9) July 15, 1985 - Reappointed Dean of New Castle Deanery for a three year term
(until July 15, 1988).

10) August 25, 1986 - Member, Diocesan Liturgical Commission (3 year term)

11) July, 1988 - Declines reappointment as Dean of New Castle Deanery

12) August, 1988 - Diocesan Liturgical Commission expires. Does not seek reappoint
ment.

13) May 31, 1989 - Assigned to Associate Pastor St. Joseph on the Bradywine (Up
his request)

14) Dec. 14, 1993 - Retired for reasons of health