

PERSONAL AND CONFIDENTIAL

MEMORANDUM

TO: Bernard Cardinal Law  
FROM: Rev. Brian M. Flatley   
DATE: September 13, 1995  
RE: Rev. Paul R. Shanley

---

Father Shanley has been working in New York City at Leo House since February of 1995. One of his accusers keeps a close watch on Father Shanley, and he called here, upset that Father Shanley was working in a place where children reside. Monsignor Murphy called Monsignor Edward D. O'Donnell, the Vice Chancellor for Priests' Personnel in the Archdiocese of New York and asked for his advice in this matter. Monsignor O'Donnell visited Father Shanley, and indicated that he "would find it inconceivable that there would be any unwholesome activities occurring there." (report enclosed) On the basis of this recommendation, I supported Father Shanley's remaining there, and we informed the accuser that we and the Archdiocese of New York are comfortable that this is a good placement for Father Shanley. The accuser seemed mollified, but he is erratic.

Recently the executive director of Leo House, Frank Pilecki, announced that he is permanently disabled and is retiring. The Board of Leo House has invited Father Shanley to replace him. Father Shanley has asked for my permission to accept the position.

After consultation with Monsignor Murphy, I informed Father Shanley that I would support his taking the position provided that Monsignor O'Donnell would agree and that there was someone in the facility who was aware of Father Shanley's history and willing to supervise him. Monsignor O'Donnell was open to the idea but felt that he had to pass it by the Vicar General and a couple of other people before agreeing.

On Wednesday September 13, I talked with Monsignor O'Donnell. He said that he had discussed this situation with Cardinal O'Connor and that the Cardinal was skittish. Leo House has been involved in a court case. There are squatters staying there, and the facility has been trying to remove them. The case is one of many confronted by Catholic institutions in the City, and the courts have been ruling in favor of the religious communities. The Leo House situation should be settled within days. Although the press has come to recognize that the Church is in the right, there could be negative publicity in the near future. Leo House is close to Greenwich Village and the gay community is becoming a strong presence in the area. The city councillor in the area is an openly gay man. Since Cardinal O'Connor is a frequent target of the gay community, the Cardinal feels that this situation could be used for negative publicity.

RCAB 00538

Monsignor O'Donnell does not know much about Father Shanley's history. Monsignor Murphy told him that there have been allegations of sexual misconduct about Father Shanley, and he felt that was all he needed to know at the time. Cardinal O'Connor would like him to find out more about Father Shanley's situation. The Cardinal's final statement to Monsignor O'Donnell was that he would go along with the situation if there was strong support from Boston.

Father Shanley has been very cooperative throughout this process. He suggested that Frank Pilecki could stay on with the title of Director and Father Shanley would be a consultant. My more immediate concern is supervision. According to Father Shanley, everyone there would be an employee of his, so there would be a conflict of interest in their supervising him. Father Shanley is aware, and agrees, that if there is any possibility of this situation becoming an embarrassment to Cardinal O'Connor he has to leave at once. He says that this would be for his benefit as well.

On Tuesday I am going to New York to meet with Father Shanley and Monsignor O'Donnell. In reviewing Father Shanley's file, I recognize that this is a very difficult situation. Father Shanley was assessed at the Institute for Living in 1993. It was not a very positive assessment. He has a great deal of psychological pathology. However, the Doctor says that "the priest does not at this time present a significant risk of sexual activity with adolescent boys, noting that his sexual activity appears to have largely ceased as a result of his prostate condition." In fact there have been no allegations that do not go back some twenty years. Father Shanley is not representing himself as a priest.

My recommendation is

- that we share Father Shanley's complete history with Monsignor O'Donnell, which may make the whole situation moot

- that we develop a sound plan for on-site supervision;

- that we institute a plan of regular contact from our office with Father Shanley and his supervisor;

If the above is achievable, I support his staying there, providing that we can come up with a plan for supervision. He loves the work and it seems to be a good place, according to Monsignor O'Donnell. Of course the bottom line is, what do we do with him if he has to leave there? This is probably a better situation than we can come up with.

If the Archdiocese of New York would be comfortable with Father Shanley staying at Leo House but not as Director, he would be willing to try to work that out.

Perhaps you should have a conversation with Cardinal O'Connor. I do not think that Father Shanley is a threat to abuse youngsters. I do understand that he could become a problem that Cardinal O'Connor does not need.

Copy: Monsignor Murphy