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**REPORT TO ARCHBISHOP WILLIAM E. LORI
ARCHDIOCESE OF BALTIMORE**

**INVESTIGATION OF BISHOP MICHAEL BRANSFIELD
FORMER BISHOP OF DIOCESE OF WHEELING-CHARLESTON**

**Gregg L. Bernstein
Caroline Judge Mehta
Zuckerman Spaeder LLP**

**Christopher Helmrath
SC & H Group**

**Dr. Diane Barr
Archdiocese of Baltimore**

John Moore



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MEMORANDUM

TO: Archbishop William E. Lori

FROM: Gregg L. Bernstein
Caroline Judge Mehta

Christopher Helmraath
SC & H Group

Dr. Diane Barr
Chancellor
Archdiocese of Baltimore

John Moore

DATE: February 21, 2019

RE: Final Report: Investigation of Bishop Michael Joseph Bransfield, Former Bishop of
Diocese of Wheeling-Charleston

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I. EXECUTIVE SUMMARY

On September 17, 2018, in his capacity as the Metropolitan and the interim Bishop of the Wheeling/Charleston Diocese (“DWC” and “the Diocese”), Archbishop William Lori initiated an investigation of the former Bishop of the DWC, Michael Joseph Bransfield,¹ based on reports from two of Bishop Bransfield’s Priest-Secretaries, and one young priest to whom he had offered the Priest-Secretary position, that Bishop Bransfield had subjected them to unwanted sexual

¹ Bishop Bransfield was first ordained on May 15, 1971. He attended St. Charles Borromeo Seminary in Overbrook, Pennsylvania, and received a master’s degree from Catholic University in Washington, D.C. in 1973. After serving as an assistant pastor in a local parish in Pennsylvania, he was a member of the faculty at Lansdale Catholic High School in Lansdale, Pennsylvania from 1973-1980. From 1980-2005, he served in various positions at the National Shrine of the Immaculate Conception in Washington, D.C. He was the Rector of the National Shrine at the time of his ordination as the Bishop of the Diocese of Wheeling-Charleston in 2005.

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advances, sexual contact, and sexual harassment. In a separate report from a Monsignor of the Diocese, Bishop Bransfield was also alleged to have engaged in financial improprieties with the Diocese's funds during his tenure as Bishop.

The Diocese engaged Zuckerman Spaeder LLP, working with financial consultant Christopher Helmuth, Managing Director of SC&H Group, Chancellor of the Archdiocese of Baltimore and canon lawyer Diane Barr, and retired Human Resources Director John Moore to conduct an investigation into the allegations regarding Bishop Bransfield. Throughout our engagement, and with the support of Archbishop Lori, we were given complete access to any source of evidence that we believed could aid our investigation and analysis, nor were we limited in any respect regarding our investigative plan, interview approach, or subject matters that we believed warranted review. We worked closely with chancery staff in the DWC, including, Bryan Minor, Delegate of Administrative Affairs for the Diocese, who provided engaged and responsive support to our efforts, facilitated our outreach to both clergy and lay witnesses, and assisted in the scheduling of the many interviews conducted in Wheeling.

Factual Findings

- **Bishop Bransfield subjected multiple seminarians and priests to unwanted sexual overtures, sexual harassment and sexual contact, beginning no later than the time of his employment as Director of Finance and Executive Director/Rector of the National Shrine in Washington, DC.** Numerous witnesses reported classic "grooming" behaviors by Bishop Bransfield, which included, inserting sexual subjects into conversation; bestowing cash and other gifts and favors upon young men in whom he was interested; bringing victims into his confidence and trust by sharing sensitive Church matters with young seminarians and priests; and initiating touching that began as hugs or touches to the face, and if he was not rebuffed, escalated to increasingly sexualized touching. None of these behaviors were either welcomed or encouraged by the victims, which had a profound negative psychological effect on them.



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- **Despite witnessing multiple instances of harassing and abusive behavior over several years, none of the Vicars took action to address Bishop Bransfield's behavior.** The Vicar General and Judicial Vicar, in particular, acknowledged that they were aware of Bishop Bransfield's tendencies and sexual harassment, but took no steps to prevent it based on a combination of fear and loyalty toward the Bishop.
- **No conclusive evidence was found that Bishop Bransfield committed sexual misconduct with minors.** Several troubling incidents, however, were reported that cause concern that the Bishop may also have targeted minors, particularly altar servers.
- **Bishop Bransfield's abuse of alcohol and prescription drugs likely contributed to his harassing and abusive behavior.** Although Bishop Bransfield's sexual harassment and intimidation occurred both during the day and night, multiple instances of abuse were reported when the Bishop was heavily intoxicated and/or under the influence of prescription pain medication.
- **Principles of corporate governance were not followed during the period Bishop Bransfield was Bishop, which allowed him to spend the Diocese's money as he saw fit without any meaningful review or approval from the Diocese's Finance Council or the Boards of the various entities controlled by the Diocese.** There was an almost complete absence of any meaningful review of financials decisions by either the Diocese's Finance Council or by the Boards of DWC-controlled entities who deferred routinely to Bishop Bransfield's wishes as to how Diocese funds would be utilized.
- **During the period of his episcopacy, the operating expenses of the Diocese exceeded its income by \$187 million, causing the Bishop to draw from the Diocese's Endowment and Mineral Rights account to make up the deficit and pay for various projects initiated by the Bishop.** Bishop Bransfield exhibited a pattern of using Diocese funds as if they were his own without regard to need or whether the Diocese could afford a particular project.
- **Bishop Bransfield adopted an extravagant and lavish lifestyle that was in stark contrast to the faithful he served and was for his own personal benefit.** The Bishop traveled frequently, almost exclusively by first class airfare or private jet. He spent large sums on gifts, flowers and alcohol, and authorized the renovation of his personal residences at unreasonably high cost.



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Recommendations

Bishop Bransfield

- **Suspension from public ministry.** Bishop Bransfield's sexually harassing and intimidating behavior constitute an abuse of the power in which he was entrusted, and which caused significant emotional harm to many. Accordingly, he should be prohibited from acting in any ministry duties including, at a minimum, performing mass or otherwise participating in religious services; attendance at Church-related meetings; and participation on any Church-related Boards, nor should he be permitted to use the title "Bishop" in public or private settings.
- **Restitution.** Bishop Bransfield should be required to pay restitution to the Church for his excessive, personal spending in an amount commensurate with his income and assets.

Diocese of Wheeling-Charleston

- **Counseling.** Counseling should be offered to the victims of Bishop Bransfield's sexual harassment and verbal abuse, including all priests and lay personnel at the Chancery who interacted with him, with mental health resources of their choosing, and a permanent program should be developed and advertised to seminarians and priests that such services are available.
- **Reporting & Accountability.** The Diocese should implement a system for reporting allegations of inappropriate behavior and financial improprieties by a Bishop to independent third parties and ensure that victims of abuse are not subject to retaliation.
- The Diocese should replace the three senior Chancery Monsignors (the Vicar General, the Judicial Vicar, and the Vicar for Clergy), and where permitted, should institute governance policies for all Diocese-related entities. By failing to take any action, the Chancery Monsignors enabled the predatory and harassing conduct of Bishop Bransfield, and allowed him to recklessly spend Diocesan funds for his own personal use. Further, independent, qualified lay and clergy board members should be selected to serve appropriate advisory roles in connection with actions taken by Diocese-related entities and should receive support for their proper functions.
- **Replace the current external auditing firm.** As with the Chancery staff, the Diocese outside auditing firm, which had been used by the Diocese since before



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2005, deferred to the Bishop with regard to financial decision, thereby compromising its independence.

General Recommendations for National and International Church Leadership

- **Training.** A program of training on awareness on the issue of adult sexual harassment should be incorporated into the curriculum for seminarians, and continuing education and training should be provided for all clerics to ensure that they understand the issues of sexual harassment, feel empowered to report it should they or others experience victimization, and take steps to prevent it.
- **Psychological testing for prospective Bishops.** Prospective bishop candidates should be required to undergo psychological training to determine whether they are susceptible to sexual harassment or other abuses of power.

II. **INVESTIGATIVE ACTIVITIES**

A. **Sexual Misconduct Allegations**

1. *Identification of Witnesses*

After our initial meeting with Archbishop Lori and our review of the written allegations of abuse by two former Priest-Secretaries and a young priest, we began our investigation by identifying all known witnesses with potential knowledge of Bishop Bransfield's conduct, including: all of his former Priest-Secretaries and a lay secretary; the diocesan leadership and staff; clergy who had any form of regular contact with Bishop Bransfield (either as seminarians or in their clerical career); laypeople who worked in the Bishop's residence or who were identified to us as likely to have relevant information; and active and retired clergy who had contact with Bishop Bransfield when he served as Rector of the Basilica of the National Shrine of the Immaculate Conception. Witnesses we interviewed would often provide us names of additional witnesses whom they recommended we contact. More than forty witnesses were



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interviewed, either in-person or telephonically. Attached as Exhibit 1 is the list of interviews that were conducted.

In addition to the interviews, we monitored the hotline that was established after the Archbishop was informed of the allegations against Bishop Bransfield as a resource for any concerned member of the clergy or the lay community to provide information or share experiences regarding their contact with Bishop Bransfield. To the extent any call appeared to bear – even remotely – on the subject matters under investigation, the call was returned and the caller given a full opportunity to share information.

2. *Interview Plan and Conduct of Interviews*

After preparing an initial list of witnesses, we prioritized and conducted interviews of the individuals most likely to have experienced or witnessed potential sexual misconduct by Bishop Bransfield. The obvious starting point was to interview the Priest-Secretaries who served the Bishop throughout his tenure in the Diocese (2005-2018), including the three witnesses who came forward in August 2018 to report their experiences with the Bishop. In all, six priests and one deacon served in the role of Priest-Secretary during Bishop Bransfield's tenure. In 2017, a layperson was hired to fulfill the personal and household duties previously performed by the Priest-Secretaries when it became difficult for the diocesan leaders to select a priest willing to serve in the role.

After completing interviews of the Priest-Secretaries, we focused on the diocesan vicars and other curial officials. We then interviewed several DWC clergy who had regular contact with Bishop Bransfield either as seminarians or in their clerical career. Several of those clergy were identified to us by our initial interviewees as likely to have relevant information. We also



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interviewed multiple witnesses whose contact with Bishop Bransfield reached back to the 1980's, during his tenure as Director of Finance, Executive Director, and, ultimately, Rector of the Basilica of the National Shrine of the Immaculate Conception (referred to herein as the "National Shrine").

At the outset of each interview, we explained to the witness our role in the investigation. We emphasized to each witness that Archbishop Lori fully supported a process in which witnesses could speak freely without fear of reprisal or retaliation, and, indeed, that our presence as an entirely lay investigative team was a deliberate effort to ensure transparency, fairness, and thoroughness in this sensitive matter. Several witnesses remarked that they were extremely grateful that Archbishop Lori had taken this approach, as they had little trust that a purely Church-led investigation would either allow witnesses to be candid or result in any meaningful consequence.

We told each witness that we had no authority with respect to steps that may be taken as a result of the investigation, but that Archbishop Lori expected and welcomed our specific recommendations to be incorporated into a final report. To that end, we asked witnesses to consider and share with us any ideas they had for improvements in process or policies that might help prevent sexual misconduct in the first instance and/or enhance the Church's response to such misconduct, particularly in cases where the victims of sexual harassment or abuse are seminarians or clergy. Several recommendations included herein are the direct result of that engagement and discussion with witnesses.



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3. *Review of Relevant Documents*

In addition to the more than forty in-person and telephonic interviews, we requested and were provided access to documents relevant to Bishop Bransfield's tenure as Director of Finance, Executive Director and Rector of the National Shrine, as well as his priest personnel file from the Archdiocese of Philadelphia and the National Shrine. James Gardill, outside counsel to DWC, also provided us with documents and the investigative files bearing on the allegations leveled against Bishop Bransfield in 2012, during the criminal trial of Fr. Stanley Gana in Philadelphia. We were also provided with the investigative files that were generated after allegations of sexual abuse were made against Bishop Bransfield in 2007 by a former student of Lansdale Catholic High School in Philadelphia, who claimed that then-Father Bransfield, a faculty member at Lansdale in the 1970s, repeatedly touched and rubbed him during compelled visits in an office at the school. We also received from DWC Chancery staff a box of materials that Bishop Bransfield returned to the Chancery following his departure from Wheeling, directing Chancery staff to either keep the materials if they wished or destroy them. The box contained, among other things, multiple photos of seminarians and priests with whom Bishop Bransfield spent significant time over the past two decades, as well as written correspondence.

B. Factual Findings Re: Allegations of Sexual Harassment and Abuse

Based on our investigation, we reached the following factual findings.

1. **Bishop Bransfield subjected multiple seminarians and priests to unwanted sexual overtures, sexual harassment and sexual contact, beginning no later than the time of his employment as Director of Finance and Executive Director/Rector of the National Shrine in Washington, DC.**



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Bishop Bransfield engaged in a decades-long campaign of predatory behavior targeted at seminarians, young priests, and other young men, dating back to the period from 1982 to 1987 during Bishop Bransfield's tenure at the National Shrine. Bishop Bransfield would employ classic "grooming" behaviors with his victims, which included, inserting sexual subjects into conversation; bestowing cash and other gifts and favors upon young men in whom he was interested; bringing victims into his confidence and trust by sharing sensitive Church matters about young seminarians and priests; and initiating touching that began as hugs or touches to the face, and if he was not rebuffed, escalated to increasingly sexualized touching. At its extreme, in one instance, the sexual abuse included requests to a Priest-Secretary to remove his shirt, whereupon Bishop Bransfield put the young man on his lap, engaged in open mouth kissing, and requested that the victim then remove his pants. The victim refused, and the encounter ended there. Multiple witnesses expressed the view that if they had been open to physical contact with Bishop Bransfield, the bishop would have taken things "as far as I would have allowed them to go."

As early as the 1980's, then-Msgr. Bransfield engaged in sexually inappropriate conduct while both Director of Finance and then Executive Director of the Shrine. The former [REDACTED] regularly experienced harassing behavior, which included Bishop Bransfield looking below this individual's waist and making faces, injecting sexual subjects into conversation, and frequently sticking his hand down his own pants and rubbing himself in the genital area in the presence of this individual.

Further insight into Bishop Bransfield's behaviors at the National Shrine was provided by the former Field Director of Mount St. Mary's seminary. By around 1987, field education at [REDACTED]

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Mount St. Mary's encompassed service placements for certain seminarians at the National Shrine. The former Field Director recalled seminarians from Arlington, Virginia who had been placed at the Shrine reporting back to him that their contacts with Bishop Bransfield were "creepy," that they were constantly being called to private meetings with Bishop Bransfield, and that they felt uncomfortable being alone with him. This is consistent with the former [REDACTED] recollection that Bishop Bransfield would frequently bring seminarians into his office at the National Shrine for closed door meetings.

Several witnesses shared that rumors of Bishop Bransfield's sexual proclivities predated his arrival in West Virginia, and that a reputation for a "party" atmosphere attached to Bishop Bransfield's tenure at the National Shrine. As detailed further below, two of the young priests closest to Bishop Bransfield, and who have vacationed with the Bishop internationally on several occasions in recent years, refuted the notion that Bishop Bransfield's conduct as Executive Director and Rector at the National Shrine was untoward in any way. One of those priests lived in Bishop Bransfield's residence at the National Shrine for several years and remains very close to Bishop Bransfield. Both of those priests remain in frequent telephonic and in-person contact with Bishop Bransfield following his retirement. Additionally, the current Controller at the National Shrine, who worked alongside Bishop Bransfield during Bishop Bransfield's final year as Rector (2004-2005), similarly denied having ever seen Bishop Bransfield behave inappropriately.

Bishop Bransfield was ordained as Bishop of the Diocese of Wheeling/Charleston in February 2005. Upon his arrival, he expressed to both the Vicar General and Judicial Vicar that he required a Priest-Secretary to serve him and live in his residence with him. This arrangement

[REDACTED]

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mirrored the living arrangements Bishop Bransfield had developed when he was Rector of the National Shrine. While he was Rector, a young priest with whom Bishop Bransfield had long been acquainted lived with him, as did Msgr. Walter Rossi, who is the current Rector.²

Several witnesses expressed the view that the Priest-Secretary role during Bishop Bransfield's tenure had little to do with the functions of assisting him as bishop, but was, in essence, fulfilling the role of a constant companion and servant. Bishop Bransfield is widely described as a person who has a difficult time being alone and who required constant company.

[REDACTED]

[REDACTED] reported that he was initially excited at the opportunity to serve in the role. Bishop Bransfield provided unique opportunities to [REDACTED] to wield more influence than a young clergy member typically would; he was given significant responsibilities over vocation and liturgy, and did most of the planning of the pastoral calendar and traveling throughout West Virginia as the bishop's right-hand. As [REDACTED] described it, the position became not just a job, but a "way of life."

[REDACTED] stated that he worked hard so that Bishop Bransfield's episcopacy would succeed, but he struggled with Bishop Bransfield's abuse of alcohol and, beginning around the summer of [REDACTED] unwanted sexual contact from the Bishop who would frequently hug [REDACTED] moving his hands first to [REDACTED] collar bone, and then moving them to stroke the top of his chest. [REDACTED] confronted Bishop Bransfield about the hugs, which resulted in the Bishop accusing [REDACTED] of

² Prior to Bishop Bransfield's tenure, no bishop of DWC had used the services of a Priest-Secretary since Bishop John Swindt (who served as Bishop from 1922 to 1962). In his interview on February 1, 2019, Bishop Bransfield said that he wanted to have as a secretary a person who was familiar with the West Virginia area. The concept of using a priest was something he had seen done elsewhere in other Dioceses.

[REDACTED]

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being obsessed with himself, or reading things into the hug that were not there. [REDACTED] reported being "frozen with fear" during certain instances of contact initiated by Bishop Bransfield, and he found it very difficult to admit to himself that he was enduring a form of homosexual sexual harassment by his bishop who had been a father figure to him. At the time, [REDACTED] would assure Bishop Bransfield that he would not tell anyone what was happening, but that he just wanted the conduct to stop. [REDACTED] now believes that Bishop Bransfield played on [REDACTED] desire to protect him.

[REDACTED] left the [REDACTED] position in [REDACTED] after serving since the [REDACTED] [REDACTED], in part, because of the stress he was experiencing as a result of the Bishop's harassing conduct toward him. Later, after [REDACTED] [REDACTED] he met with Bishop Bransfield in December, 2016, to bring him a Christmas gift, and Bishop Bransfield brought up the subject of [REDACTED] claim of sexual harassment and the [REDACTED] [REDACTED] interpreted Bishop Bransfield's statements as a veiled and implicit threat that if [REDACTED] attempted to disclose to any third parties the sexual harassment of him and other priests, he would bring the [REDACTED] allegations to light, which [REDACTED] was adamant with us were completely false and without any support.³

The [REDACTED] who succeeded [REDACTED] alternated between two categories: young priests whom other DWC leaders believed could handle the demands of the job, and young priests as to whom it was well known the Bishop was physically attracted. [REDACTED] [REDACTED] who took over the position in [REDACTED], experienced the close hugging, and sometimes

³ As [REDACTED] predicted, during his interview on February 1, 2019, Bishop Bransfield told us that [REDACTED] had issues with [REDACTED] in an effort to discredit him.

[REDACTED]

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would receive a kiss on the cheek. He stated that it made him uncomfortable, but that he did not conclude at the time that Bishop Bransfield had sexual intent. [REDACTED] (along with nearly every other DWC clergy witness we interviewed) stated that Bishop Bransfield was fixated on priests' "body type," constantly remarking on their weight and telling them not to "get fat," and asking whether they were going to the gym. [REDACTED] noted that his own weight fluctuated, and that Bishop Bransfield would comment on it.⁴ Following the pattern established by [REDACTED] became disenchanted with the Bishop's behavior and the absence of any meaningful engagement in the priesthood, and he requested and received a transfer to a parish in Wheeling-Charleston [REDACTED]

[REDACTED] was a [REDACTED] at the time he was asked to assume the [REDACTED] role, and he had just gone through a [REDACTED]. The Vicar General, who asked him to take the position, stated that he asked [REDACTED] because he thought he could "save a priest" from having to take on the role. In encouraging [REDACTED] to accept the [REDACTED] position, the Vicar General described the demands of the job and claimed that [REDACTED] had simply been too immature for the role. He did not disclose any sexual misconduct or warn [REDACTED] that he might face inappropriate behavior by the Bishop.

[REDACTED] recalled three instances of troubling "hugs" from Bishop Bransfield, all occurring at night at the residence after the Bishop had been drinking heavily and was intoxicated. [REDACTED] rejected the advances, and he reported them to the Vicar General, who, according to [REDACTED] acknowledged that he was aware of the issue.

[REDACTED] began requesting transfers to different assignments, but he felt that Bishop Bransfield was not likely to approve them. Multiple witnesses shared that [REDACTED] began to drink

⁴ Bishop Bransfield stated in his interview that these comments were not made to embarrass or humiliate the young priests, but instead, were designed to address the problem of obesity in the priesthood.

[REDACTED]

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significantly as his tenure in the [REDACTED] position went on, with one witness stating his firm belief that [REDACTED] drank "in order to be able to deal with" Bishop Bransfield. [REDACTED]

[REDACTED] he expressed to us in his interview that he believes Bishop Bransfield never would have allowed his career to advance.

Upon [REDACTED] abrupt departure [REDACTED] diocesan leaders scrambled to find someone who could fill the [REDACTED] position on a temporary basis. The Judicial Vicar contacted a young man, age 20, who had long served on the [REDACTED] [REDACTED] telling him, "Your life just got a lot more complicated." While this individual was never given the title [REDACTED] he performed the job duties and has alleged that he endured unwanted hugs, touching and Bishop Bransfield rubbing against his body. Bishop Bransfield also permitted [REDACTED], who was underage, to drink alcohol at the residence, which the Vicar General put a stop to when he learned of it.⁵

[REDACTED] has also alleged that while traveling with Bishop Bransfield during convocation events in May [REDACTED], the Bishop drank to excess one evening and exposed his erect penis to [REDACTED] after he returned to the Charleston residence, pulled [REDACTED] against him, and ran his hands down [REDACTED] chest and over his genitals. [REDACTED] has sent an unfiled draft civil complaint to DWC containing these and other allegations, which is being handled by separate outside counsel for DWC.⁶

⁵ Bishop Bransfield denied knowingly permitting any underage drinking despite statements to the contrary by other witnesses.

⁶ Given [REDACTED] draft civil complaint, we did not interview him; however, outside counsel retained to handle L3's complaint was permitted to interview [REDACTED] in the presence of [REDACTED] lawyers, and we were provided a memorandum summarizing that interview.

[REDACTED]

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In [REDACTED] at the urging of the Judicial Vicar, [REDACTED] accepted the position of Priest Secretary. [REDACTED] stated that he did not experience sexual advances from Bishop Bransfield, but he noted that Bishop Bransfield thought he was “fat,” and that he was not Bishop Bransfield’s “type,” which was tall, thin and typically blond men. [REDACTED] observed that he did not “check [Bishop Bransfield’s] boxes,” but stated that he is certain that Bishop Bransfield behaved with sexual intent toward others. [REDACTED] observed the close hugs the Bishop gave to others, as well as Bishop Bransfield kissing people on the neck. [REDACTED] left the job [REDACTED] before the end of his expected two year term, because a young priest [REDACTED] whom Bishop Bransfield wanted in the position had completed studies in [REDACTED] and was ready to return to Wheeling. [REDACTED] expressed anger that he had been treated as a “placeholder” for [REDACTED] until [REDACTED] finished his degree.

Several witnesses expressed the view that Bishop Bransfield had sexual interest in [REDACTED] [REDACTED] stayed in the position for [REDACTED] he claims not to have been sexually approached by Bishop Bransfield. Other [REDACTED] witnesses we interviewed expressed their view that [REDACTED] is simply unable to come to terms with what likely occurred. [REDACTED] lived a [REDACTED] for a period, and when he returned to [REDACTED] he insisted that he be assigned more than [REDACTED]

[REDACTED] suffered the most extreme harassment and abuse of the witnesses we interviewed. It appears that Bishop Bransfield began grooming this young man while he was still a seminarian. While still in seminary, [REDACTED] would be asked by the Judicial Vicar of DWC to take trips with Bishop Bransfield. [REDACTED] was afraid to refuse because of how his refusal might be interpreted.

[REDACTED]

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█████ was also still in seminary the first time Bishop Bransfield asked him to remove his shirt. He stated that he did so out of fear. In his words: "Your life is at the will and pleasure of the bishop when you're in seminary." He stated that seminarians have no rights under canon law, and that the bishop could act against him and never have to explain why. Looking back, ██████ noted that he believes Bishop Bransfield targeted men who had certain vulnerabilities, including men such as himself who lacked a father figure in their lives. Bishop Bransfield groomed ██████ for several years, touching him on the buttocks for the first time after a trip to ██████ on which Bishop Bransfield purchased an expensive ██████ for ██████. Bishop Bransfield would often call ██████ after drinking heavily and would share sensitive issues about other priests' personal and professional matters. Bishop Bransfield would end calls with ██████ by saying, "I love you."

On one occasion during his time as a seminarian when ██████ sat on Bransfield's lap, kissing him, with his shirt off, ██████ recalled thinking to himself, "I either do this, or I have to completely reinvent my life." During that encounter, Bishop Bransfield asked ██████ to remove his pants, which ██████ refused to do, and the encounter ended there. ██████ believes that the Vicar General, the Judicial Vicar, and the Vicar for Clergy witnessed his emotional struggle resulting from his relationship with the Bishop, particularly when he was asked to take the ██████ position in ██████. Several other witnesses expressed the view that Bishop Bransfield's sexual interest in ██████ was well known.

█████ suffered an ██████ while serving in the ██████ role and sank into a serious depression. He stated that once he had devolved to that state, Bishop Bransfield lost interest in him. He left the ██████ position in ██████, after which he

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would still receive calls from Bishop Bransfield asking about whether [REDACTED] was working out (“How’s the chest?” is a typical question Bransfield would pose).

In the summer of [REDACTED], following [REDACTED] departure, the Vicar for Clergy approached [REDACTED], a young priest in whom Bishop Bransfield had taken an interest dating back to [REDACTED] time in the seminary, and asked him to assume the [REDACTED] position. [REDACTED] strongly urged [REDACTED] to turn the position down, which he did.

[REDACTED] reported that from the time he entered seminary in [REDACTED], he had been receiving inappropriate hugs from Bishop Bransfield, who had become acquainted with [REDACTED] during the seminary application process and had invited [REDACTED] to the Bishop’s Wheeling residence for dinner even before [REDACTED] had been accepted into seminary. Prior to [REDACTED] ordination as [REDACTED] in [REDACTED], Bishop Bransfield’s overtures toward him had been limited to groping of his chest during hugs.

Bishop Bransfield reached out to [REDACTED] frequently, and on one occasion invited [REDACTED] and [REDACTED] (who had not yet become [REDACTED] to come for an overnight stay at the residence. Bishop Bransfield summoned [REDACTED] to his bedroom at roughly 11:00 p.m.; [REDACTED] recalls that Bishop Bransfield was clearly drunk and, while initiating a conversation about [REDACTED] upcoming ordination,² began kissing [REDACTED] neck. [REDACTED] said he was in shock and “sort of froze.” [REDACTED] stated that he confided in the Judicial Vicar regarding Bishop Bransfield’s behavior. He also recalls the Vicar General commenting that he was surprised there had not been more complaints about Bishop Bransfield.

² [REDACTED] stated that the Bishop insisted that [REDACTED] and [REDACTED] have formal portraits taken of them to celebrate their ordination as priests so that they and their families could mark the milestone. Months later, [REDACTED] and [REDACTED] saw that Bishop Bransfield had hung their individual portraits on his bedroom wall in the Bishop’s residence, positioned such that the Bishop could view them from his bed.

[REDACTED]

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From there, ■ endured persistent harassment and unwanted touching by Bishop Bransfield. On a separate trip to Wheeling at the Bishop's invitation, Bishop Bransfield asked ■ to purchase a certain type of sleeveless undershirts. When ■ reported this to the Judicial Vicar, the Judicial Vicar told him not to purchase the shirts. During a summer party at the Bishop's residence in ■ Bishop slapped ■ buttocks several times. On another occasion, ■ accompanied Bishop Bransfield on a trip to ■ in November ■. He expressed his anxiety over taking the trip to the Judicial Vicar and was advised by the Judicial Vicar that he needed to "make [his] boundaries known." While on the trip, Bishop Bransfield slapped ■ buttocks while visiting the Castel Gandolfo, which upset ■ greatly. Finally, ■ also recounted an incident that occurred at the Bishop's residence in Wheeling on the morning of an overnight stay. According to ■, Bishop Bransfield came to breakfast wearing a particularly tight shirt, and the Vicar General stated to P1: "He [the Bishop] wore that for you."

Bishop Bransfield frequently placed calls to the pastor of the parish where ■ was assigned, requesting that ■ be sent to Wheeling to visit with him. This pattern created tension between ■ and his pastor. ■ recalled that on several such occasions, when he resisted accepting the invitation, the Judicial Vicar told him, "your presence is required."

Despite his protests, ■ continued to be asked to serve as Bishop Bransfield's attendant and companion. In January ■, the Judicial Vicar asked ■ to accompany Bishop Bransfield to Florida to help the Bishop recover from bronchitis. He assented after the Judicial Vicar implored him that "there is no one else" who was willing to take the trip. In June ■, the Judicial Vicar called ■ and asked him to come to Wheeling to assist the Bishop because his secretary would be away for a week, and that the Bishop requested that ■ come and serve as a substitute. ■ was

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blunt with the Judicial Vicar and said that he was simply tired of Bishop Bransfield persistently touching and grabbing him. The Judicial Vicar advised him not to come to Wheeling. Aside from that advice, however, ■ stated that he never believed the Judicial Vicar cared for his well-being.

Several other witnesses reported less extreme, but nonetheless, sexually suggestive encounters with Bishop Bransfield. ■, who was ordained a priest in DWC in ■, reported being hugged suggestively by Bishop Bransfield, but stated that he would have “slugged him” if the Bishop had tried to take things further. ■ reported discomfort at Bishop Bransfield’s expensive gifts to him. Among his fellow seminarians, the frequent talk was of who would be Bishop Bransfield’s “next pretty boy,” and he was aware that his looks fit the type that Bishop Bransfield was drawn to; therefore, he felt compelled to make it very clear to the Bishop that these tactics would not work with him. ■ stated that ■ stayed at the Bishop’s residence on one occasion, and recalls Bishop Bransfield hovering outside his door when ■ retired to his bedroom for the evening. ■ recalls being relieved that another priest ■ was also staying at the residence that evening and could come help him if needed.

■ who began at Mount St. Mary’s Seminary in ■, reported multiple interactions with Bishop Bransfield, particularly in the Summer of ■ when he served as his ■ after ■ abruptly resigned and ■ brief involvement with Bishop Bransfield ended. He reports that both ■ and ■ warned him about the Bishop’s excessive drinking, which he personally observed when he stayed at the residence. He also described multiple instances of overly aggressive hugs in which the Bishop would grab and squeeze various parts of the witness’s body.

■■■■■

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■, who was ordained in ■ in the DWC, recalled an incident at Bishop Bransfield's annual block party where the Bishop came up behind ■ and put his hands on ■'s hips. ■ believes that Bishop Bransfield immediately understood that ■ was upset by the incident, and Bishop Bransfield called him a number of days later to apologize. ■ felt that Bishop Bransfield interacted with him as though ■ had same-sex attraction and felt compelled to tell the Bishop explicitly that he did not have same-sex attraction. ■ also experienced the Bishop's hugs that would progress into Bishop Bransfield putting his hands on his chest; ■ pushed him away each time and described the encounters as very awkward.

When he attended evening gatherings at the Bishop's residence, ■ was expected by the Bishop to sit close to him in the basement den while the Bishop and his guests watched television. The Judicial Vicar stated that Bishop Bransfield would make a weird "snapping" motion in the ear of a man in whom he was interested, and that he did this frequently to ■.

At one point, Bishop Bransfield asked ■ to take the Priest-Secretary position. ■ refused and told the Bishop that he could not get past the incident where the Bishop had put his hands on him at the block party. ■ stated that he invoked the theological concept of "grave reservation" with Bishop Bransfield, which, as ■ explained it, can in some instances serve as the "magic words" to be excused from a directive that would otherwise be compelled under a priest's vow of obedience.

After ■ refused to take the ■ position, in August ■ the diocesan leaders hired a layperson to fulfill the typical duties of a ■. That layperson ■ described the requisite tasks of the job in much the same terms as the other ■; however, ■ was not invited to participate in dinners and socializing after dinners, which he said

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he preferred in any event. ■ stated that he served essentially as a butler, driving Bishop Bransfield wherever he needed or chose to go, making his meals, and being ready at his beckon call.

On one occasion, ■ accompanied Bishop Bransfield and ■ to a wedding over a weekend at the Greenbrier in 2017/18. ■ stated that ■ called him the morning after the wedding to ask if ■ would come to breakfast in the two bedroom suite ■ shared with Bishop Bransfield. When he arrived, ■ found Bishop Bransfield still in his pajamas and a robe, and he witnessed Bishop Bransfield smack ■ on the buttock. As described in more detail below, ■ became increasingly concerned about Bishop Bransfield's behaviors when he witnessed the Bishop interacting in what he described as "inappropriate way." ■ was serving as the ■ when he learned that Bishop Bransfield's resignation had been accepted and that he would not be returning to Wheeling.

Taken both individually and in aggregate, the experiences of Bishop Bransfield's several ■ the former ■ at the National Shrine; along with the observations of ■ and ■; and the Vicar General and Judicial Vicar (discussed in greater detail below), and others, credibly establish that Bishop Bransfield groomed, sexually harassed, and in several cases imposed unwanted sexual contact on multiple men. Several witnesses who did not experience such treatment directly nonetheless acknowledged being aware and observing Bishop Bransfield's sexual interest in certain seminarians and priests. In several instances, Bishop Bransfield's victims have suffered significant mental health consequences. The resounding theme of the victims' accounts is that they felt powerless as seminarians or young

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priests in DWC to push back or report their Bishop, and that there was no obvious mechanism to report this conduct and the effect on them.⁸

2. **Despite witnessing multiple instances of harassing and abusive behavior over several years, none of the Vicars took action to address Bishop Bransfield's behavior.**

Witnesses who were directly subjected to sexual misconduct, and those who witnessed it among their contemporaries, expressed their belief that the diocesan vicars: (1) were well aware of both Bishop Bransfield's tendencies and specific instances of harassment and abuse; and (2) did not take action to stop it for fear of harming their own self-interest. The Vicar General and the Judicial Vicar were candid during their interviews that they witnessed and knew of Bishop Bransfield's sexual overtures and predatory behavior toward seminarians, young priests, and – most troublingly – altar servers. The Vicar for Clergy, who assumed the role in 2009, disclaimed having witnessed sexual harassment, but readily acknowledged that Bishop Bransfield was abusive in his harsh demands for servitude from both diocesan staff and Priest-Secretaries.

Both the Vicar General and the Judicial Vicar lamented the paucity of options available to them in terms of calling attention to Bishop Bransfield's behavior; however, they both also significantly benefited from Bishop Bransfield's episcopacy. Both were given substantial roles with respect to the administration of the DWC as well as the multiple entities controlled by the Bishop. The Vicar General lived in the Bishop's residence throughout Bishop Bransfield's tenure, witnessing his inappropriate conduct toward multiple [REDACTED] and others while

⁸ When asked about these allegations during his interview on February 1, Bishop Bransfield emphatically denied engaging in any sexual harassment or sexual activity with any priest or seminarian, either verbally or suggestively by his conduct, nor did he ever engage in any conversations with them regarding alleged sexual activities of other seminarians or clergy. He said that, at most, he would hug these individuals (using the term, "embrazzio" to describe the hugs), but there was never any sexual intent with anyone he came into contact with while a Bishop or during his time at the National Shrine.



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enjoying the benefits of the lavish entertaining and lifestyle that the Bishop insisted upon as his right. The Vicar General also received use of an automobile and, multiple witnesses believe, had a beneficial arrangement with the owner of a liquor store in Morgantown, where he would purchase large quantities of liquor for the Bishop. The owner of that liquor store also owns the property where the Vicar General currently resides. While claiming that they were powerless to take action to address the Bishop's conduct, we conclude that both the Vicar General and Judicial Vicar turned a blind eye to the Bishop's sexual overtures and other troubling behaviors, such as alcohol and drug abuse, discussed below.

Certainly, as all witnesses observed, the Bishop enjoyed near-complete authority within DWC to act as he pleased, which included harming the careers of anyone who challenged him if he so chose. This created a culture of intimidation. The Judicial Vicar stated that on the occasions when he would express concerns to the Vicar General about the Bishop's behavior, the Vicar General's reaction was that the Judicial Vicar should "tell it to the Nuncio." Further, multiple witnesses said that Bishop Bransfield engendered loyalty among the diocesan vicars. Bishop Bransfield often commented that he would find a way to "make [the Vicar General] a bishop," a position to which several young clergy in the DWC believed that the Vicar General aspired. The Vicar General denied knowledge of any efforts by Bishop Bransfield to enhance his prospects of becoming a bishop.



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Vicar General

The Vicar General, who served Bishop Bransfield from 2009 to 2018,² described his role as encompassing certain canonical duties, but acknowledged that his job was essentially to do the Bishop's will. He was "second in command" to Bishop Bransfield, served as the Bishop's power of attorney and oversaw the day to day administration of the diocese. When asked about whether he witnessed any inappropriate sexual conduct, the Vicar General acknowledged the Bishop's habit of giving hugs that he felt were inappropriate, but then stated, "these men were in their 20's and 30's," intimating that the young seminarians or clergy on the receiving end of Bransfield's hugs were adults and could make their own choices. As to ██████ for example, the Vicar General acknowledged that the Bishop favored ██████ calling him one of "the chosen," but said that in his view, ██████ was not entirely innocent in the matter because "everyone knew [Bishop] Bransfield's inclinations."

At one point during our interview, the Vicar General claimed that he had told multiple ██████ and young priests who had been harassed by the Bishop that if they wished to make a complaint, they should do so, and that he would act on it. When pressed on the point, however, the Vicar General admitted that he spoke only to ██████, claiming that he told ██████ he would support him if he chose to do something about the Bishop's behavior. ██████ refuted this account and stated that the Vicar General knew from the beginning about the Bishop's intentions toward ██████, including why the Bishop wanted ██████ to serve as ██████ and that in ██████'s view the Vicar General would have gone to any length to protect Bishop Bransfield. Other ██████ ██████ stated that the Vicar General was unfailingly loyal to the Bishop and, they believe,

² The Vicar General previously served as Vicar for Clergy under Bishop Schmidt. He was elevated to the Vicar General role by Bishop Bransfield in 2009.



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would have taken no action on their behalf under any circumstances. When asked what action the Vicar General would have taken if a seminarian or priest *had* asked him to help file a formal complaint against the Bishop, the Vicar General stated that the only route available for such a complaint against a bishop would be to make a report to the Papal Nuncio, but that doing so would have been “career ending” for the Vicar General.

Judicial Vicar

The Judicial Vicar reported that he personally received an inappropriate hug from Bishop Bransfield very early in the Bishop’s tenure. He stated that he pushed the Bishop away and told him, “we don’t have that kind of relationship.” Despite having set that boundary for himself, the Judicial Vicar claimed that he recognized that the Bishop’s contact was sexually motivated, but he did not believe Bishop Bransfield would attempt such acts with others. Later in the interview, however, the Judicial Vicar acknowledged that in or around 2012, he became concerned about the Bishop’s conduct toward [REDACTED] and [REDACTED] in particular. He also observed that [REDACTED] fit the Bishop’s physical “type,” that the Bishop and [REDACTED] were overly familiar from the beginning of [REDACTED] time interacting with Bishop Bransfield, but that he also believed that the Bishop and [REDACTED] shared more of a “father/son” relationship. Once the two [REDACTED] and [REDACTED] who had experienced harassment and abuse by Bishop Bransfield decided to come forward,¹⁰ the Judicial Vicar encouraged them to meet with Archbishop Lori and facilitated their outreach to the Archbishop.

While the Judicial Vicar played an important role in advising certain witnesses to speak to Archbishop Lori, in his thirteen-year tenure in Bishop Bransfield’s episcopacy, he was not

¹⁰ [REDACTED] did not disclose any abuse and harassment by the Bishop until 2018.

[REDACTED]

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only a witness to the Bishop's improper conduct, but according to [REDACTED] and [REDACTED], it was the Judicial Vicar who frequently summoned the men to overnight stays at the Bishop's residence or requested that [REDACTED] or [REDACTED] travel both domestically and internationally with Bishop Bransfield as early as their days as seminarians, and in [REDACTED] case, even before he entered the seminary. As noted previously, [REDACTED] would try to resist these invitations, but the Judicial Vicar would say, "your presence is required."¹¹ The Judicial Vicar also acknowledged in his interview that he told [REDACTED] to stay on the phone with him to ensure that Bishop Bransfield did not act inappropriately during the incident when the Bishop was locked out of the residence in Charleston described *supra*. The power imbalance between the Judicial Vicar and these young seminarians (and, later, priests) created a dynamic in which the young men feared for their careers should they refuse the Judicial Vicar's requests, and it is untenable to view Bishop Bransfield's victims as simply young men who were free to rebuke the Bishop or other diocesan leaders.

Multiple witnesses expressed skepticism that the Judicial Vicar would have "rocked the boat" with respect to the Bishop, particularly because Bishop Bransfield had placed the Judicial Vicar in several positions of significant prominence and influence in the DWC. In addition to serving as Assistant to the Bishop, the Judicial Vicar is also: President of the Board of Wheeling Hospital, a corporation of which the Bishop is the sole member; Chairman of the Board of Wheeling Jesuit University, which is also controlled almost entirely by the DWC after it purchased the university's debt in 2016; and President of the Board of Welty Homes, a trustee corporation overseeing property designated for the housing of elderly clergy. Both the Vicar General and Judicial Vicar are members of the Diocesan Finance Council ("DFC"), which has

¹¹ The Judicial Vicar denied any recollection of the incident in which [REDACTED] was directed by Bishop Bransfield to purchase certain undershirts. [REDACTED] was adamant and detailed in his account of that incident.

[REDACTED]

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the authority to approve or disapprove of certain types of expenditures of diocesan funds. *See pages 37 to 42 infra* for a more detailed discussion of these entities.

Several witnesses expressed the view that while the Vicar General and Judicial Vicar were likely also intimidated by Bishop Bransfield, they also formed a circle of support around him and were loyal to the Bishop, in part, due to the positions in which the Bishop placed them. While the Vicars have minimized this loyalty during their interviews, and have described their conduct more out of obedience to the Bishop, there is little question that all of the affected Priest Secretaries and other young priests did not believe that either vicar was someone who would take their complaints seriously and take steps to stop Bishop Bransfield's predatory conduct. [REDACTED] noted, however, that the Judicial Vicar was a very capable and talented administrator and that, in [REDACTED] view, the Bishop needed the Judicial Vicar to fill those multiple roles and that the DWC benefited from his work in those positions.

Vicar for Clergy

The Vicar for Clergy reported that he felt badly for the young men chosen to be [REDACTED], and he acknowledged observing the psychological harm done to [REDACTED] in particular. By his own description, however, his role as Vicar for Clergy made him the "priest for the priests," with responsibility to attend not only to their administrative needs but their overall health and well-being. Yet, he stated, "I think all the Priest-Secretaries were broken by the experience," a phenomenon he witnessed, but took no action to address, nor made any outreach to the young men affected by the Bishop. Ironically, none of the priests we interviewed who were affected by Bishop Bransfield's conduct viewed the Vicar for Clergy as someone they could go to with reports of harassment and abuse by the Bishop.

[REDACTED]

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The Vicar for Clergy shared that he was deeply concerned about the Bishop's mistreatment of others, as well as the Bishop's excessive drinking, which caused him to stop attending the dinners at the residence, but in terms of sexual misconduct he could only recall feeling uncomfortable when Bishop Bransfield would deliberately separate certain young priests at his dinner parties if they were talking too closely with one another. The Vicar for Clergy recognized this as jealousy on the Bishop's part, but stated he did not attribute anything sexual to it. Later in our interview, the Vicar for Clergy recounted an incident in which he, Bishop Bransfield, and █████ were sharing an elevator at the Chancery. █████ was wearing an Italian suit with tight-fitting pants, and the Vicar for Clergy recalled the Bishop asking him aloud, "[Vicar], don't you think █████ looks nice in those pants?" The Vicar for Clergy stated that he was shocked and felt horribly for █████ whom he knew was being objectified.

In sum, we conclude that the diocesan vicars were aware of the mistreatment and abuse being visited upon seminarians and young clergy by Bishop Bransfield. While we recognize the difficult position in which they found themselves, as their role was to serve the Bishop loyally, they possessed far greater power and influence than the seminarians and young priests whose mistreatment they observed first-hand. Witnesses expressed a consistent sentiment that there was tacit resignation, if not outright complicity, among the DWC vicars with regard to Bishop Bransfield's sexual misconduct.

3. We did not find conclusive evidence that Bishop Bransfield committed sexual misconduct with minors; however, there is significant reason for concern that this occurred.

We did not identify specific minors who were subjected to inappropriate conduct by Bishop Bransfield; however, both █████ and the Judicial Vicar described Bishop Bransfield's

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conduct toward altar servers who served in the Cathedral in Wheeling as “predatory.” ■ stated that he observed Bishop Bransfield grooming certain altar servers by increasing his level of familiarity and physical contact with them week by week, and he told the Delegate for Administrative Affairs that he believed parents should be warned against having their children serve as altar servers for the Bishop. The Judicial Vicar advised that Bishop Bransfield did not want female altar servers assisting him, and he noticed over time that Bishop Bransfield had his “favorites” among the altar servers whom he asked the Judicial Vicar to schedule when the Bishop said masses. The Judicial Vicar stated that he tried to ensure that no altar server was left alone with the Bishop in the sacristy before or after mass. He believes that this was the “best he could do” under the circumstances.¹²

Both ■ and the Judicial Vicar recounted an incident they observed between Bishop Bransfield and a young man, who had served as an altar server at the Cathedral in High School, in which ■, the Vicar General, and Bishop Bransfield were having Sunday dinner at their regular restaurant of choice in Wheeling, Figaretti’s. The young man, who was home in Wheeling after his recent graduation from college, was dining with his family at the restaurant as well. ■ and the Vicar General stated that Bishop Bransfield took some cash from his wallet and put it into his palm, then approached the young man (who is the older of two brothers in the family), pressed the cash into the young man’s hands, said “Congratulations,” and gave him an inappropriately close hug, akin to those the Bishop gave to certain seminarians and priests.

¹² Multiple witnesses expressed concern about the Bishop’s contact with male candidates for confirmation that they observed during confirmation ceremonies he performed. Bishop Bransfield would not simply lay his hands on a young man’s head but would in some cases stroke the young men’s cheeks in a manner that witnesses described as “creepy.”



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Bishop Bransfield then paid for the family's dinner. The next morning, [REDACTED] informed the Judicial Vicar about the incident. The Judicial Vicar, who is a close friend of this family, shared with us that the young man's mother was deeply concerned about the interaction she witnessed between the Bishop and her son.

Our efforts to pursue this matter further, including contacting the young man in question to invite him to share any information with us, were complicated by the fact that the Judicial Vicar refused to provide the name of the young man or the last name of his family, claiming that he had a close relationship with the family, and to this young man in particular, and if anything untoward had occurred between the young man and Bishop Bransfield, the young man would certainly have told the Judicial Vicar about it. We nonetheless pursued the matter, and it was only after the intervention and assistance from Archbishop Lori was the identity of the family revealed by the Judicial Vicar who also provided us with multiple names of altar servers and seminarians that he suggested might have information to provide regarding Bishop Bransfield's conduct. We contacted the young man from the Figaretti's incident, who stated that he has not been harassed or abused by Bishop Bransfield, and our telephonic interviews of the other individuals identified by the Judicial Vicar were met with similar denials.

Multiple witnesses recalled the allegations leveled against Bishop Bransfield stemming from the 2012 criminal trial of Father Stanley Gana in Philadelphia who was charged with sexually abusing a young man a number of years earlier. Based on our review of the investigative file shared with us by outside Counsel, James Gardill, during the trial, the victim testified that Fr. Gana had told him that Bishop Bransfield (who was a friend of Father Gana's) had been sexually involved with a young teen while a student at Lansdale Catholic High School

[REDACTED]

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in Montgomery County, Pennsylvania where the Bishop served on the faculty. After this testimony, Bishop Bransfield retained counsel who obtained an affidavit from the alleged victim, denying the allegation.

Finally, we investigated an allegation that was made by an individual who said that the Bishop had abused him when he was a student at Lansdale Catholic from 1977-81, and the Bishop was a member of the faculty during this same period. The individual had reported to the Philadelphia Archdiocese's hotline in 2007 that then-Fr. Bransfield had called the individual out of class on a number of occasions and brought him into a small office where he engaged in inappropriate touching on his back, buttocks and genital area. The Archdiocese of Philadelphia conducted an independent investigation, which found the allegations not to be credible based on inconsistencies in the young man's statements regarding precisely when and where the alleged abuse occurred, among other inconsistencies in his recitation of events. On October 14, 2009 Cardinal Rigali affirmed that the allegations were unsubstantiated.

In 2012, likely as a result of the publicity surrounding the trial of Fr. Gana and allegations made against Bishop Bransfield during the trial, the victim contacted the Archdiocese again to renew his allegations of abuse while at Lansdale High School. The matter was referred to the Apostolic Nuncio who forwarded the allegations to the Prefect of the Congregation of Bishops, Cardinal Ouellet. The last entry in the file indicates that cases involving bishops were reserved for review and decision by the Holy See. The investigative file we reviewed does not reflect any further action. The Montgomery County authorities also investigated the matter after the



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allegations were reported to them by the Archdiocese, but determined further investigation was unwarranted.¹³

Based on our review of the investigative file and our recent telephonic interview with the individual, we believe that this matter may warrant further inquiry as the inconsistencies in the victim's statements that are highlighted in the report are typical in these types of cases when a substantial amount of time has passed between the alleged abuse and the report (in this case, thirty years). Further, we were advised that the matter was not considered by the Archdiocese's Review Board because the Archbishop and the Review Board did not believe they had jurisdiction over the matter because Bishop Bransfield had been ordained as a bishop a few years before the complaint was made. The victim remains willing to be cooperative in any further investigation that the Philadelphia Archdiocese may feel is warranted.

4. Bishop Bransfield's abuse of alcohol and prescription drugs likely contributed to and exacerbated the abusive culture that marked his episcopacy.

Nearly every witness who had first-hand contact with Bishop Bransfield stated that he drank to excess on a nightly basis, dating back to his time at the National Shrine. Those witnesses attesting to the Bishop's abuse of alcohol include: every Priest-Secretary,¹⁴ the Vicar General; the Judicial Vicar; [REDACTED]; the prior Vicar General who left DWC in 2009; the chef who prepared dinner at the Bishop's residence every week night throughout his tenure [REDACTED]

¹³ In our interview with the individual, who is one of [REDACTED] children, he stated that the detectives escorted him to the school in order for him to show them the office where the abuse occurred, but he did not want to go back into the school for fear of being recognized by others in the school who might know why he was there.

¹⁴ [REDACTED] who lasted in the position for [REDACTED] somewhat downplayed the issue, stating that everyone knew that a night with Bishop Bransfield would end with a "drink or two."

[REDACTED]

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█ Chancery staff; and others.¹⁵ The Vicar General stated that he observed Bishop Bransfield's excessive drinking even before he was ordained; on a visit to Washington to attend a dinner celebrating the Bishop's upcoming ordination. By the end of that evening, the Vicar General recalls that Bishop Bransfield was slurring his words. Over time, Bishop Bransfield's drinking was acknowledged and became a subject of discussion among the Judicial Vicar, Vicar General, other diocesan staff, and multiple Priest-Secretaries.

On a typical evening spent in Wheeling, Bishop Bransfield's drinking followed a pattern described by several witnesses. Bishop Bransfield invited guests to dine at the Residence on most weeknights. At about 6:30 p.m. after mass and guests had arrived, there would be pre-dinner drinks, then wine with dinner (glasses were frequently refilled before being empty). Dinner guests typically departed between 8:30 and 9:30, after which Bishop Bransfield would retire to the basement den, which had a sunken bar that he had installed based on the bar at the home of Delores Hope (widow of comedian Bob Hope) in Los Angeles. Dinner guests who only visited occasionally were not invited to join the Bishop in the basement for after-dinner drinks, but he expected his Priest-Secretary, the Vicar General, overnight guests, and certain of his

¹⁵ The only witnesses who denied having seen Bishop Bransfield ever drink to excess were two priests with whom Bishop Bransfield has maintained a close relationship since the men were seminarians and served at various times at the National Shrine. One of those priests █ began serving masses as an altar server at the National Shrine while in high school, stayed close with (then) Msgr. Bransfield during seminary, lived in the Rector's residence during Bishop Bransfield's tenure as Rector, remained in close touch when Bishop Bransfield moved to West Virginia, and traveled internationally with Bishop Bransfield on vacations and other trips. During our interview of █, he expressed the view that the notion of the Bishop having a drinking problem was in large part a projection by █, whose father was an alcoholic. ("This was all about his █ dad's drinking.") The other priest who denied that Bishop Bransfield abused alcohol █ also has a long-standing relationship with Bishop Bransfield, dating back to his service as an altar server in high school, throughout seminary, and in the decades since. █ also traveled internationally with Bishop Bransfield on vacations. Both █ and █ have remained close to Bishop Bransfield following his retirement, remain in regular phone contact with him, and had visited with the Bishop in Philadelphia prior to our interviews.

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“favorite” young priests [REDACTED], for example) to sit in the basement and be in his company while Bishop Bransfield watched television. One witness described this as “watching the Bishop watch television.” It was a ritual that none of the witnesses who experienced it reported that they enjoyed.

At this time of night, Bishop Bransfield would drink large quantities (a half bottle or more) of Cointreau in addition to the wine consumed at dinner and the pre-dinner cocktail. After [REDACTED] expressed to Bishop Bransfield that he was upset and concerned about the Bishop’s drinking, Bishop Bransfield began a subterfuge whereby the chef or others would bring him “tea,” which was simply a teacup filled with Cointreau. No one was fooled by the “tea” ruse.¹⁶ According to [REDACTED], the bar at the residence needed to be restocked frequently, which was his duty. [REDACTED], the [REDACTED] who took the duties formerly filled by [REDACTED], stated that he regularly refilled half-empty bottles of Cointreau at the bar and kept another full bottle in the butler’s pantry at all times. He stated that Bishop Bransfield would never leave a bottle completely empty.

Multiple witnesses stated that Bishop Bransfield regularly slurred his words by the end of the evening; this was particularly evident to witnesses whom the Bishop liked to call on a regular basis. The men in that category stated that they learned to not answer a call from Bishop Bransfield if it was later than 9:00 p.m. [REDACTED] stated that he and the Vicar General knew to not discuss certain topics or diocesan issues with Bishop Bransfield after a certain point in the evening. Those who stayed in the Bishop’s company in the basement stated that they were glad

¹⁶ Bishop Bransfield emphatically denied ever drinking Cointreau from a tea cup.


[REDACTED]

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each night when the Bishop relieved them (typically around 10:00 p.m.) so they could retire to their rooms.

It is not entirely clear whether Bishop Bransfield's excessive drinking regularly coincided with incidents of sexual misconduct. The inappropriate hugs, touching, and buttocks slapping occurred at various occasions, locations and times of day. However, the Judicial Vicar stated that on the night he was inappropriately hugged, which was shortly after Bishop Bransfield's arrival in Wheeling, Bishop Bransfield had been drinking to the point where the Bishop turned on the gas fireplace and was about to toss a rolled up newspaper into it before the Judicial Vicar was able to stop him. ■ reported that in the incident when Bishop Bransfield exposed himself in the residence in Charleston he was heavily intoxicated.

Several witnesses stated that Bishop Bransfield also regularly abused prescription medications. ■ said that it was part of his duties to pick up the Bishop's prescriptions from Wheeling Hospital, of which there were many. Witnesses who were in close proximity to Bishop Bransfield had shared their concern with one another that the Bishop was mixing significant amounts of alcohol with, among other things, sleep medication, oxycodone, and antidepressants. ■ stated that Bishop Bransfield's 30-day supply of oxycodone typically ran out before the end of the 30-day period. Witnessing the extent to which Bishop Bransfield mixed alcohol with his several medications, ■ commented to the Judicial Vicar that "one of these days he's just not going to wake up." The Judicial Vicar shared an episode that occurred in 2015 in which the Judicial Vicar feared that Bishop Bransfield was having a stroke. The Judicial Vicar stated that after that event he implored Bishop Bransfield's physician to speak to the Bishop about his mixing of alcohol and drugs. The Judicial Vicar stated that on more than one occasion



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he spoke to the Vicar General about this issue, but that in his view the Vicar General did not want to engage or take any action.

C. **Financial Improprieties**

1. **Investigative Activities**

The DWC financial investigation included an historical review (2005-2018) of financial records (financial audits, internal financial statements, credit card transactions and general ledger records) and board meeting minutes of the DWC, a hierarchical church governed by its highest ecclesiastical officer, *i.e.*, the Bishop,¹⁷ and its Finance Council, as well as the entities the DWC controlled, which included, the “The Bishop’s Fund,” which was created in December, 2014; Wheeling Hospital (“the Hospital”), a non-profit health care corporation organized as a membership corporation with the Bishop as its sole member and *ex officio* the Chairman of its Board of Directors; Wheeling Jesuit University (“WJU”), a membership corporation as of June 30, 2017 with the Bishop as its sole member; and Diocesan Real Estate, Inc. (“DRE”), which was created on June 30, 2017 and owns real estate on Washington Avenue in Wheeling, West Virginia that is the principal site of Wheeling Jesuit University.¹⁸

¹⁷ The parishes and schools which operate within the geography of the DWC are not incorporated within the financial reporting of the DWC.

¹⁸ We also reviewed the minutes of the meetings of the Board of Directors of The Welty Trust, a charitable Trust established for the benefit of the elderly of Ohio County, West Virginia that is administered by five trustees, including the Bishop who the right to name the other trustees and interviewed the Director of Buildings and Properties of the DWC. Finally, the Priests Health and Retirement Association, the West Virginia Catholic Foundation and the Sacred Heart Riverview Terrace, a real estate corporate holding entity operating an apartment building in Charleston, West Virginia, were not deemed material to the investigation after we interviewed the Chief Financial Officer of the DWC.



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We also interviewed individuals with either operative or consulting knowledge of these entities, or are members of its' Board of Directors, which included all of the senior members in the Finance Department of the DWC (the Chief Financial Officer, the Controller, the Finance Director – Risk Management, Parishes and Schools and the Finance Director – Operations, the Director of Buildings and Properties and the Purchasing Agent); the Vicar General (who is also a member of the Hospital and the Bishop's Fund); the Judicial Vicar (who is the Chairman of the Boards of the Hospital, WJU and the DRE, and a member of the Board of the Bishop's Fund); and an Executive Secretary in the Bishop's office. We interviewed the partner of the accounting firm assigned to the DWC account, the Hospital the DRE and the Bishop's Fund, which has supported all of the entities of the DWC since before 2005 and issues the audited financial statements and any required tax related returns for DWC entities.

2. Factual Findings

a. The DWC

Our detailed review revealed that during the period from 2007-2018, DWC's annual income from cathedraticum, fund raising, sponsorships and fees was well below its annual outgoing cash flow (operating expenses not including Diocesan capital projects) in an amount that totaled approximately \$187 million. This deficit total includes \$27 million that was given to parishes and schools for projects that they could not afford without the assistance of the DWC.¹⁹

The DWC operates with a bank line of credit, which at the beginning of the period had a balance of \$13 million. Over the period this balance was reduced to a *de minimis* amount. In

¹⁹ The parishes in West Virginia are poor, and require the assistance of the Diocese, which fortunately, has had funds to support them; however, this assistance is a relatively small part of the overall deficit.



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addition, the DWC provides guarantees for bank debt commitments on behalf of parishes and schools, which are separate from the Diocese. Over the course of the review period these guarantees increased by \$13.5 million to total \$32 million, which are not reflected on the Diocese's financial statements because the parishes and schools are separate entities.

In addition to the operating deficit, Bishop Bransfield initiated numerous initiatives and capital projects totaling \$119 million during the period. Some of the significant expenditures are listed below:

- \$65 million for Diocesan capital projects (non-Parishes and Schools),
- \$20 million for the creation of the DRE,
- \$13 million for the building of a new chancery,
- \$13 million for paying down the bank debt,
- \$6 million for the renovations of the Bishop's three residences:
 - \$ 4,616,000 on the Wheeling residence
 - \$ 723,244 on the Charleston residence
 - \$ 697,106 on the proposed Wheeling retirement condo (project halted in 9/2018)
- \$2 million for the renovation of the Cathedral rectory

In order to fund the operating deficit, initiatives and capital projects, Bishop Bransfield drew funds from the DWC Endowment (6/30/18 balance of \$231 million) and the DWC Mineral Rights account (6/30/18 balance of \$58 million). In total, during the time period of 2007-2018, the amount drawn from the Endowment and the Mineral Rights account was \$313.6 million. A detailed chart summarizing the Endowment and Mineral Rights activity, a DWC debt summary and the Diocesan Annual Capital spending is shown as Exhibit 2.



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b. Wheeling Hospital

From 2009-2018, Bishop Bransfield served as Chairman and the Judicial Vicar served as President of the Hospital's Board of Directors.²⁰ When Bishop Bransfield arrived in Wheeling, the Hospital had suffered seven straight years of financial losses, totaling nearly \$60 million. At the advice of the Board's then-President, in 2006, Bishop Bransfield and the Board retained R&V Associates Ltd., a management consulting firm headquartered in Pittsburgh, PA and co-founded by Ronald L. Violi and Vincent L. DeLuzio. R&V quickly turned the Hospital into a profitable enterprise with Violi serving as the Hospital's chief executive officer and DeLuzio, an attorney, active in the Hospital's legal and regulatory matters.²¹

c. The Bishop's Fund

In 2014, the Bishop's Fund was created whose funding source came from the cash that had accumulated in the Hospital's captive malpractice insurance entity, Mountaineer Freedom Risk Retention Group ("Mountaineer Freedom"), which was later dissolved. A Board of Trustees was also created that named Bishop Bransfield as President and included the Vicar General and the Judicial Vicar as Board members along with others. According to witnesses we interviewed, Bishop Bransfield saw the "extra pockets of cash" accumulating on the balance sheet of Mountaineer Freedom and felt that he should be able to have access to that money. The

²⁰ The Vicar General also served as a Board member. When asked about Board oversight of the Hospital's actions, he rolled his eyes, suggesting an absence of any meaningful review.

²¹ On December 22, 2018, The United States District Court for the Western District of Pennsylvania unsealed a *Qui Tam* action that had been filed by a former employee of the Hospital's management team under the False Claim Act, alleging that the Hospital had violated both the Stark Statute and the Anti-Kickback Statute by, *inter alia*, paying physicians excessive salaries that were, in part, based on patient referrals. We have spoken to counsel representing the Hospital who believes that there are meritorious defenses to the allegations and intend to vigorously defend the suit.

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establishment of the Bishop's Fund was the vehicle for Bransfield to access that money and spend on projects of his choosing. We found no evidence that the Board of the Hospital was consulted or approved the establishment and funding of The Bishop's Fund.²²

Since its creation in 2014, the Hospital has contributed \$21 million into the fund of which \$16.9 million has been spent. Witnesses stated that Bishop Bransfield was particularly concerned with the public's knowledge of the source of the funds and not making the subsequent donations appear to be coming from the DWC. As an example, the cumulative donations from The Bishop's Fund to the DWC totaled \$598,156.30, of which \$321,500 were all coded in the Fund's accounting records as being for "General Operations and subsequently distributed to entities outside of West Virginia according to the Judicial Vicar.

As of August 2018, the Bishop's Fund distributions are summarized as follows:

• Total Grants Cumulative-WJU	\$12,600,000.00
• Total Grants Cumulative-Sacred Heart Co-Cathedral	\$ 2,277,749.27
• Total Grants Cumulative-DWC	\$ 598,156.30
• Total Grants Cumulative-Wheeling Catholic Central	\$ 538,646.28
• Total Grants Cumulative-St Michael Parish, Wheeling	\$ 400,000.00
• Total Grants Cumulative-Weirton Madonna High School	\$ 135,200.00
• Total Grants Cumulative-Catholic Charities	\$ 91,155.00
• Total Grants Cumulative-St Joseph the Worker School	\$ 87,368.00

²² In his interview on February 1, the Bishop stated that the Bishop's Fund was the idea of Messrs. Violi and DeLuzio, and was approved by the Board after full discussion. Based on our review of the billing records of the law firms retained to create the Bishop's Fund, it is apparent that the Judicial Vicar was actively involved during the formation process.



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• Total Grants Cumulative-Charleston Catholic High School	\$	53,486.21
• Total Grants Cumulative-Diocesan Real Estate, Inc.	\$	49,779.57
• Total Grants Cumulative-St Michael Parish School	\$	33,408.49
• Total Grants Cumulative-St John Parish, Summersville	\$	15,328.32
• Total Grants Cumulative-Parkersburg Catholic High School	\$	2,500.00
• Total Grants Cumulative-All other	\$	<u>4,282,777.44</u>
Total Grants Cumulative	\$	16,882,777.44

d. The DRE

The DRE was established in 2017 jointly between the DWC and the Hospital with contributions of \$20 million from the DWC and \$12.2 million from the Hospital. The source of the Hospital donation came from the excess cash that had accumulated on the Hospital's balance sheet (currently exceeding \$200 million). The purpose of the DRE was to relieve WJU of its existing debt burden (from multiple bond tranches dating back over 10 years) as WJU was experiencing cash flow constraints. The structure created the opportunity for the DRE to own the real estate and associated buildings on the WJU campus in return for a negligible lease with WJU. The Hospital now occupies one of the larger buildings and moved some of its back office support departments and personnel into the building.



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e. Personal Spending by the Bishop

Our analysis of the financial records and interviews of those with knowledge revealed an extravagant lifestyle adopted by Bishop Bransfield while living in West Virginia.²³ This was consistent with his lifestyle during his time as the Rector at the National Shrine based on descriptions by the Controller for the Shrine, who described the Rector's home as an upscale residence that was meticulously decorated and often used for dinner parties. A number of witnesses corroborated and gave examples of the Bishop's extravagant lifestyle in West Virginia, and told us that the Bishop often would say, "I own this" when referring to the available DWC money. Many of these witnesses said that Bishop Bransfield acted as if the Diocese's funds were his to spend as he wished.

(i) Personal Residences

Bishop Bransfield's primary residence was in Wheeling ("52 Elmwood"), and had been the residence of Bishop Schmidt, the previous Bishop. Shortly after the announcement of Bishop Bransfield's accession, there was a fire at 52 Elmwood in an upstairs bathroom. From our interviews we were able to determine that the damage was confined to the area where the fire occurred. Instead of remediating only the damaged area, Bishop Bransfield had the entire house

²³ As just one example, the Bishop directed that fresh flowers be delivered to the Chancery every day he was in his office. During the period from only 2014-18, the Bishop spent \$181,685 on flowers for the Chancery (\$133,890) and his residence (\$47,795).



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remodeled.²⁴ While this project took on several phases, the ultimate accounting for all remodeling of 52 Elmwood amounted to \$4.617 million.

The Bishop's secondary residence was in Charleston, West Virginia ("the Southern Residence"), located at the Charleston Pastoral Center, and also was remodeled after the Bishop was ordained in 2005. This project also took on several phases and the total spent was \$722,792.²⁵

The prospective site of Bishop Bransfield's retirement residence ("Welty Residence") was located on the grounds of the Welty Home for the Aged in Wheeling, West Virginia. Originally it was planned that the retirement residence would be an existing unit, Unit 1, but it was ultimately changed to a prospective residence ("Kepner") to be built on the same grounds. Extensive remodeling occurred on Unit 1 with a total amount spent of \$697,105. In our interview with the Diocese's Director of Buildings and Properties, he noted that there was never a budget for this project and he was unsure how "it ever got this far." He stated that the DWC policy was that for any capital project over \$10,000 required written approval and that this process was routinely skipped.

The Primary Residence Remodeling summary:

- 52 Elmwood \$ 4,616,802
- Southern Residence \$ 722,792

²⁴ Bishop Bransfield stated that the fire and renovation had begun before he moved to Wheeling, and all of the renovations were directed by the Vicar General with very little input by the Bishop. This version of events is inconsistent with a number of the witnesses we interviewed.

²⁵ Again, the Bishop stated in his interview that all of the renovations were directed by the Vicar General.



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• Welty Residence ²⁶	\$ 697,105
Total Residential Remodeling	\$ 6,036,699

From credit card receipts, as well as records from the DWC accounting department, we were able to calculate the operating expenses related to 52 Elmwood, which included the services of a personal chef who cooked the Bishop's meals every day, and the Southern Residence for the period reviewed, totaling \$ 4,994,886, or an average of \$384,000 per year.

(ii) Credit Cards

The DWC has had several different credit card policies and programs since 2005; however, the constant has been that the senior members of the management team and the clergy have had a credit card that is paid for by the DWC. Bishop Bransfield had a corporate American Express card as well as several different MasterCard accounts since his arrival at the DWC, and he still maintains his corporate MasterCard to pay for gasoline in his personal automobile.

We analyzed every credit card transaction appearing on any of the DWC credit cards issued to Bishop Bransfield between 2005-2018, which corroborated the information we received during our interviews that Bishop Bransfield maintained an opulent lifestyle. In this time period, the following table summarizes the categories of credit card spending that we identified:

²⁶ The "Welty Residence" was a large condominium that was being built for the Bishop's retirement home, but construction was halted after the Bishop resigned.



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Category	2005-2018 Spending Amount
Travel	\$ 2,352,424.57
Personal	\$ 225,345.51
Dining	\$ 139,281.14
Jewelry	\$ 62,303.32
Other	\$ 4,500.35
Liquor	\$ 3,988.94
Grand Total	\$ 2,787,844.09

Travel was the largest expense category, consisting primarily of airline travel, hotel, and private car service and rental car charges. The Judicial Vicar supervised the booking of all of the Bishop's travel. Bishop Bransfield usually traveled first class when he flew on a commercial airplane, regardless of the length of the flight.²⁷ After several years, Bishop Bransfield began incorporating private airline travel into his domestic itineraries while maintaining first class commercial airline travel for all international travel. While it was not always clear when his travel was for Diocesan business, it was evident that the vast majority of his travel was of a personal nature, sometimes with a companion whose travel expenses were covered by the DWC. Bishop Bransfield's routine vacation travel was to Florida, the Caribbean and multiple European locations including, London, Paris and Switzerland where he usually stayed in exclusive hotels.

²⁷ Bishop Bransfield told us that he needed to travel first class because of his back condition.



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He used a private car service, spending \$68,000 on LimoLink during his tenure, and rented a car when returning to his home in Philadelphia 119 times, spending a total of \$75,000.

Skyward Aviation became the vendor of choice for all of Bishop Bransfield's private airline travel as they would pick him up and drop him off at the Washington, Pennsylvania private airport which is located less than 30 minutes from Wheeling. In total, Bishop Bransfield spent almost \$1 million with Skyward Aviation between August 2007 and September 2018.

Total Travel (with some highlighted categories):	\$ 2,352,425
• Chartered private airplane travel	\$ 997,000
• Commercial Airfare (1 st class) and hotels	\$ 662,000
• Rental Car services	\$ 75,000
• Private Car services	\$ 68,000

Bishop Bransfield frequented premium Italian and steakhouse restaurants, using his corporate credit card to pay for meals, and frequented LaCollina in Bala Cynwyd, Pennsylvania (outside of his home in Philadelphia) 103 times totaling \$31,345, as well as multiple restaurants in the Washington D.C. area.

Bishop Bransfield regularly used his DWC credit cards to make personal purchases, both in retail stores and online or via mail order. Frequent charges for clothing and jewelry as well as for personal services totaled \$225,345. Bishop Bransfield was a very frequent customer of the jewelry store Ann Hand Collection in Washington D.C. having made 87 purchases for \$61,785.

A summary of some highlighted categories related to personal credit card charges are provided below:



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Personal Spending	\$152,525
Furniture and Home Furnishings	\$57,742
Neiman Marcus	\$23,546
AT&T	\$20,730
Presidential Caterers	\$10,425
Gammarelli Roma	\$9,153
NETFLIX	\$7,431
Dean & Deluca	\$7,319
MAYO CLINIC	\$4,609
The Legacy Gallery Scottsdale	\$4,550
Paypal Barbiconi	\$3,937
Apple Online Store	\$3,084
Jewelry	\$62,303
Ann Hand Collection	\$61,785
Orafo Gioieleria	\$518

(iii) Gifts

Bishop Bransfield frequently gave gifts to various high-ranking clergy, as well as young priests and seminarians, both in the form of cash and material goods, routinely utilizing his administrative staff to order and send material gifts, and often using the gift shop at the National Shrine in Washington D.C., as well as several online food basket and gift companies. In total,



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the DWC spent more than \$200,000 on Bishop Bransfield's gifts to family members, clergy and others, often in recognition of celebrations such as first communion, weddings and anniversaries.

(iv) Liquor

As discussed *supra*, our investigation revealed that Bishop Bransfield was predisposed to heavy use of alcohol, primarily when he was in his personal residences. The majority of the liquor purchases were made by the Bishop's chef and the Vicar General, using their DWC credit cards. While most of these purchases were made at various locations in Wheeling, West Virginia, \$50,080 of the purchases were made at a liquor store in Morgantown, West Virginia (78 miles from Wheeling) that is owned and operated by a friend of the Vicar General's who also owns the property in Morgantown where the Vicar General has his personal residence. When questioned why these liquor purchases were made in Morgantown, the Vicar General said it was designed to conceal the amount of liquor being purchased from the people in Wheeling, and that it was just a coincidence that the purchases were made at the same location each time.

Based on a review of these credit card statements, the following summary reflects the liquor purchases during the time period 2005-2018:

Liquor Purchases	\$145,246
• Chef's Credit Card	\$ 91,177
• Vicar General's Credit Card	\$ 50,080
• Bishop Bransfield Credit Card	\$ 3,989



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(v) Gross Up of W-2 Earnings

Beginning in 2013, the DWC Finance Department hired one of the Senior Managers from the external audit firm for the DWC to be the Finance Director – Operations. He noted the extreme level of Bishop Bransfield’s personal spending that was being paid with DWC funds, and determined that this was not appropriate in light of IRS tax guidelines unless the Bishop reflected the value of this spending as additional income on his tax return. He instituted a process whereby he would review all credit card charges and DWC bank checks by Bishop Bransfield, noting those that were clearly personal in nature—a process that needed to be handled delicately due to the nature of Bishop Bransfield’s position and demeanor—and would then add the value of the expense to Bishop Bransfield’s paycheck. The total would then be “grossed up” on the Bishop’s paycheck in order to allow for the amount of additional taxes generated by the additional income. As a result, the Bishop would not have to go out of pocket to pay the taxes on the added income, and the DWC continued to pay for both the cost of these personal expenses as well as the additional tax.²⁸ The Finance Director – Operations noted that there were many suspected personal charges made by Bishop Bransfield that were not “grossed up” for fear of upsetting him as reflected in the annual summary of the amounts added to Bishop Bransfield’s W-2 income, which are well below his total personal expenses:

²⁸ Bishop Bransfield advised us that he was unaware of this procedure.



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2013	\$ 30,543.59
2014	\$ 52,236.96
2015	\$ 69,066.31
2016	\$ 23,320.43
2017	\$ 83,035.74
2018	\$ 65,926.01
Total	\$ 324,129.04

f. Lack of Governance

Our investigation revealed a culture within the DWC and its entities in which principles of corporate governance were not followed. As a result, Bishop Bransfield or his appointed board designee was able to effectuate the Bishop's desires without meaningful review by the particular Board, which did not meet on a regular basis. Some examples are discussed below.

(i) The Diocesan Finance Council ("DFC")

The DFC operated without a charter and appeared to merely approve everything Bishop Bransfield presented. The Judicial Vicar often recommended that statutes be drafted to govern the DFC consistent with the *Diocesan Financial Management Guide to Best Practices*, but Bishop Bransfield was not interested in having substantive law regarding the DFC other than the very broad provisions in the Canonical Code. Having reviewed all of the DFC meeting minutes, in many cases, the DFC was either unaware or were extremely passive during the portions of the



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board meetings where Diocesan operations, capital spending, annual budgets, etc. were discussed (e.g., renovations to the residences and construction of the new Chancery).

In our interviews we learned that early in Bishop Bransfield's tenure, the Director of Buildings and Properties attempted to bring the amount of capital spending to the attention of the DFC. His attempts led to disagreements with Bishop Bransfield on how capital projects should be communicated with the DFC. This rancor ultimately led to a personnel change and the Director leaving his position with the DWC. The Judicial Vicar and the CFO also tried to address these issues with the Bishop and were met with similar resistance.

Early in Bishop Bransfield's tenure, a process was instituted for the Finance office to provide a capital projects spreadsheet to every DFC board member at least monthly describing the financial status of all ongoing Diocesan capital projects and the amount spent that month. There was no indication that this report was ever reviewed in a meeting, and rarely were discussions held involving any capital project. For instance, during the planning for the building of a new Chancery, the DFC was informed that the building should require a budget of \$7-8 million. From a review of the DFC minutes it is evident that periodically a brief update on the status of the project during a meeting would indicate that the budget was increasing but no discussion was mentioned. Ultimately the cost of the project exceeded its original budget by almost \$6 million, an increase of 80%.²²

In contrast, the members of the DFC were particularly engaged during the investment management and mineral rights presentations that was likely the result of their professional

²² According to the Bishop, the cost overruns were due to design errors made by the architectural firm hired by the Vicar General who was supervising the project.



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backgrounds, which included investment management experience. One of the long- standing DFC members recently was hired to help the DWC manage its investments.

(ii) Chancery Staff

Bishop Bransfield regularly appointed two of his senior Chancery staff, the Judicial Vicar and the Vicar General, to manage the day- to- day operations of the Diocese as well as to serve on the DWC and related entities' boards. Our investigation determined that they acquiesced in nearly all of the Bishop's demands, which they confirmed in their interviews and told us that they felt they had no choice but to act in this manner.³⁰ When asked about fellow board members, they advised it was not uncommon for each of them to learn that certain lay people had been placed on boards without their knowledge, thus indicating their lack of personal engagement.

We also found several instances in which the Vicar General directed the operations of the DWC in a manner that benefited himself or others whom he favored. His direction of the liquor purchases in Morgantown is but one example. Other examples include his approval of a contract with an outside vendor [REDACTED] to produce a series of videos on the catechism. A later investigation by outside counsel revealed that the Diocese's Director of Finance was paid a fee by the vendor to assist in the production of the videos in violation of the DWC employment policies, and further, that the contract signed by Vicar General relinquished any rights to the sales of the completed videos. When we questioned the Vicar General about this arrangement, he

³⁰ In our interviews with senior management of the Chancery's Finance Office (the CFO; the Director of Finance; the Controller; the Director of Properties; the Director of Parishes and Schools; the Director of Purchasing; and the Executive Secretary), it was clear that they did everything they could to operate the Chancery and the Diocese in a financially sound and professional manner, notwithstanding the Bishop's efforts to operate the Chancery as his personal fiefdom.



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denied any knowledge and asserted that he believed Bishop Bransfield had approved this contract. Bishop Bransfield told us that the contract was negotiated solely by the Vicar General.³¹

The independent auditing firm

Wilson Koziicki & Gwynn ("WKG") have been engaged as the independent CPA firm for the DWC since before 2005. They perform financial audits and prepare all required tax filings of the DWC entities and related entities requiring audits and tax returns (the DWC, the Bishop's Fund, the DRE, Catholic Charities, etc.) as well as perform agreed upon duties for Wheeling Hospital (audits the employee benefit plans, the 401(k) and the 403(b) and prepares the Form 990 tax filings) in support of the financial audit conducted by another firm. As is established practice for an accounting firm who issues audits, a management representation letter is also issued to the Bishop that highlights any concerns or internal control deficiencies found in the course of their audit work. Since 2005, WKG has issued their DWC audits and management representation letters to Bishop Bransfield. Annually, WKG makes a presentation to the DFC after issuing their audit and management representation letter.

We reviewed the audits and management representation letters and found that although the DWC was operating in a cash flow deficit, and was relying more and more on the availability

³¹ We were also told that a Wheeling-based [REDACTED] offered a \$100,000 gift to the Vicar General as part of their efforts to develop a business relationship with DWC regarding a new area the Firm was engaged in consulting property owners and businesses on mineral rights matters [REDACTED]. The gift was rejected by the Finance Council, and the Firm then suggested that the money be used as a charitable donation, which was also rejected. The request ultimately was brought to the attention of Bishop Bransfield who denied the request. The Vicar General denied any attempt by the Firm to provide him with a gift, and also denied an incident reported to us in which a member of the Firm attempted to use the Vicar General to obtain a meeting with Bishop Bransfield to seek his assistance in obtaining [REDACTED].

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of cash from its investments to meet its spending obligations, this matter was never presented in writing to the DFC. Additionally, WKG observed the extensive misuse of credit cards by Diocesan employees and referenced this in eight years of management representation letters, as well as briefly in DFC meetings. No particular employee was referenced nor cited in writing for this abuse, but the same written observation was continually made. In our interview with the WKG partner assigned to the DWC account, he cited three employees who were abusing their DWC credit card all of whom reported to the Vicar General and who we were told that the Vicar General favored. When we asked about Bishop Bransfield's credit card activity, the partner acknowledged that his use of his credit card was an issue, but said he was afraid to challenge Bishop Bransfield's decisions because of the Bishop's position and his overall demeanor.

Every year, the WKG partner met with Bishop Bransfield privately and reviewed the WKG reports with him (the Vicar General occasionally was also present), but never included the DWC CFO or his team. When he met with the DFC it was always after having first met with the Bishop. The partner viewed Bishop Bransfield as his client and not the DWC. We learned that the DWC relationship is a substantial portion of WKG's business.



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III. RECOMMENDATIONS

Bishop Bransfield

- **Suspension from public ministry.**

Bishop Bransfield's sexually harassing and intimidating behavior constitute an abuse of the power in which he was entrusted that caused significant emotional harm to many. Accordingly, he should be prohibited from acting in any ministry duties including, performing mass or otherwise participating in religious services; attendance at Church-related meetings; and participation on any Church-related Boards, nor should he be permitted to use the title of "Bishop" in any public or private settings.

The overriding theme revealed in our investigation is that Bishop Bransfield used the considerable and significant powers bestowed upon him as Bishop to intimidate and sexually harass numerous young seminarians and priests. It is clear that Bishop Bransfield was readily willing to pursue these victims in increasingly sexual interactions as far as they would allow. In most instances, the victims were able to reject the Bishop's advances after repeated efforts on his part, but in other cases, the sexual harassment and interaction was more advanced.

Further, Bishop Bransfield used the funds of the Diocese and related entities as if they were his own, ignoring any review by the Finance Council or Boards in order to advance his own projects, and using Diocese funds to pay for extravagant personal expenses that included gifts and expensive personal trips.

All of this conduct occurred by using his title and position as Bishop, which caused his victims to be intimidated and fearful of the consequences if they rejected his advances or questioned his financial decisions. Accordingly, we recommend that Bishop Bransfield be stripped of the title and powers that allowed him to engage in this sexually harassing and intimidating conduct.

- **Restitution.**

Bishop Bransfield should be required to pay restitution to the Church for his excessive, personal spending in an amount commensurate with his income and assets. If it is determined that restitution is warranted, a more detailed review of the expenditures by the Bishop will be necessary.



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Diocese of Wheeling-Charleston

- **Counseling.**

Counseling should be offered to the victims of Bishop Bransfield's abuse, including all priests and lay personnel at the Chancery, and a permanent program should be developed and advertised to seminarians and priests that such services are available with the understanding that victims may likely be averse to seeking assistance from providers or organizations selected by the Church. The Diocese should commit to reimbursing victims for the reasonable costs for mental health assistance from a provider of their choosing.

- **Reporting & Accountability.**

The Diocese should implement a system of reporting allegations of inappropriate behavior and financial improprieties by a Bishop to independent third parties and ensure that victims of abuse are not subject to retaliation.

A consistent theme we heard from all the witnesses we interviewed who were affected by Bishop Bransfield's conduct is that because of his position, they felt powerless to report his harassing conduct and questionable financial decisions. Several witnesses told us that they believed there was no one to report their allegations to, and if they did, it would have an adverse impact on their careers, which was corroborated by the Monsignors.

Accordingly, we believe it is important that a system be put in place similar to the third-party reporting system for allegations against bishops serving in the Archdiocese of Baltimore, that includes the expansion of the purview of the Independent Review Board to include direct reception and reporting of allegations against bishops as well as the updating of child protection policies that include the signing of a Code of Conduct by bishops. In this way, victims of abuse can feel secure that their allegations will be considered and fully investigated without fear of retribution.

- **The Diocese should replace the three senior Chancery Monsignors (the Vicar General, the Judicial Vicar, and the Vicar for Clergy), and where permitted, should institute governance policies for all Diocese-related entities.**

Many of Bishop Bransfield's questionable financial decisions were allowed to occur because of lax oversight. The Diocese should develop independent, qualified lay and clergy board members to serve appropriate advisory roles in connection with actions taken by the entity and to receive support for their proper functions. Further, all board members should be reviewed for their competency to serve in the role for which they are assigned, and a competency screening process should be instituted for all



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nominated Board members. Statutes should be implemented consistent with the *USCCB Diocesan Financial Guide to Best Practices* for the operation of the Diocese's Finance Council. Finally, with regard to the Bishop's Fund, a committee should be appointed to review its appropriateness as a vehicle for distributing funds to the Diocese.

By failing to take any action, the Chancery Monsignors enabled the predatory and harassing conduct of Bishop Bransfield, and allowed him to recklessly spend Diocesan funds for his own personal use. They failed to perform their duties as Board members, which required them to review the Bishop's financial decisions. Further, they helped to create a toxic atmosphere in the Chancery by allowing all of the Bishop's decisions to go unchallenged, leaving the impression that no one could question whatever the Bishop wanted at any given time.

A complete change of leadership is necessary to begin restoring trust throughout the Diocese and to help the new Bishop heal a community that must reckon with the betrayals and transgressions of its spiritual leader. The Vicar General, Judicial Vicar and Vicar for Clergy should be relieved from their positions in the Chancery as well as their current Board duties within the DWC (Diocesan Finance Council, the West Virginia Catholic Foundation, the Priests Health and Retirement Association and Sacred Heart Riverview Terrace), as well as related entities (Wheeling Hospital, Wheeling Jesuit University, Welty Trust and the DRE).

- **Replace the current external auditing firm.**

The current Diocesan auditing firm has been performing financial audits and tax filings for the Diocese and related entities since before Bishop Bransfield arrived in Wheeling in 2005. Although the auditing firm recognized issues with respect to the egregious levels of spending (e.g., use of corporate credit cards), they were reluctant to bring the matter to the attention of anyone, including the Bishop, because they were fearful of how he would react. The next Bishop should retain a new auditing firm that can assist in ferreting out any remaining financial issues and question financial transactions where necessary and appropriate.

General Recommendations for National and International Church Leadership

- **Training.**

A program of training on awareness of the issue of adult sexual harassment should be incorporated into the curriculum for seminarians, and continuing education and training should be provided for all clerics to ensure that they understand the issues of sexual harassment, feel empowered to report it when it occurs, and take steps to prevent it.



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- **Psychological testing for prospective Bishops.**

Prospective bishop candidates should be required to undergo psychological training to determine whether they are susceptible to sexual harassment or other abuses of power.



EXHIBIT 2

Endowment and Mineral Rights Summary												
	FYE June 2007	FYE June 2008	FYE June 2009	FYE June 2010	FYE June 2011	FYE June 2012	FYE June 2013	FYE June 2014	FYE June 2015	FYE June 2016	FYE June 2017	FYE June 2018
Investment Market Value	\$ 235,723,883	\$ 216,241,549	\$ 166,281,790	\$ 168,728,812	\$ 194,168,381	\$ 195,101,053	\$ 213,054,479	\$ 233,678,984	\$ 231,723,817	\$ 219,117,048	\$ 223,542,529	\$ 230,740,441
Annual Distribution from Endowment	\$ 16,488,762	\$ 18,500,000	\$ 13,000,000	\$ 15,600,000	\$ 11,700,000	\$ (3,900,000)	\$ 3,898,970	\$ 13,150,000	\$ 3,500,000	\$ 12,906,351	\$ 26,499,919	\$ 4,700,000
Net Asset Value of the Mineral Rights	\$ 65,900,000	\$ 125,000,000	\$ 74,081,000	\$ 77,235,700	\$ 91,933,000	\$ 86,203,000	\$ 75,440,000	\$ 75,631,000	\$ 50,206,000	\$ 43,152,000	\$ 47,969,000	\$ 57,958,000
Annual Distribution from Mineral Rights	\$ 13,128,960	\$ 17,804,325	\$ 11,785,809	\$ 13,671,113	\$ 19,893,657	\$ 18,750,436	\$ 14,821,386	\$ 15,223,328	\$ 13,585,270	\$ 7,857,579	\$ 15,844,963	\$ 15,209,878
Annual Distribution from Endowment and Mineral Rights	\$ 29,617,722	\$ 36,304,325	\$ 24,785,809	\$ 29,271,113	\$ 31,593,657	\$ 14,850,436	\$ 18,720,356	\$ 28,373,328	\$ 17,085,270	\$ 20,763,930	\$ 42,344,882	\$ 19,909,878
Bank Loan Summary												
	FYE June 2007	FYE June 2008	FYE June 2009	FYE June 2010	FYE June 2011	FYE June 2012	FYE June 2013	FYE June 2014	FYE June 2015	FYE June 2016	FYE June 2017	FYE June 2018
Amount of Credit	\$ 13,033,672	\$ 8,989,360	\$ 14,302,403	\$ 7,527,986	\$ -	\$ -	\$ 5,125,466	\$ 2,128,632	\$ 8,723,611	\$ 3,754,758	\$ 1,544,805	\$ 47,310
Guarantees for Parishes and Schools	\$ 18,560,335	\$ 23,933,224	\$ 30,834,223	\$ 32,820,820	\$ 32,426,972	\$ 30,265,371	\$ 31,753,293	\$ 31,816,846	\$ 29,418,448	\$ 29,621,983	\$ 32,611,322	\$ 31,996,438
Capital Spending												
	FYE June 2007	FYE June 2008	FYE June 2009	FYE June 2010	FYE June 2011	FYE June 2012	FYE June 2013	FYE June 2014	FYE June 2015	FYE June 2016	FYE June 2017	FYE June 2018
Diocesan Capital Annual Spend	\$ 11,612,638	\$ 8,966,601	\$ 8,676,762	\$ 1,600,804	\$ 1,652,930	\$ 3,070,811	\$ 8,489,261	\$ 9,323,193	\$ 5,230,466	\$ 2,135,381	\$ 914,691	\$ 3,503,573