



4.5.2019

Diocese of Erie releases fifth update to its Public Disclosure List

The Diocese of Erie has updated its Public Disclosure List, which contains the names of persons who have been “credibly accused of actions that, in the diocese’s judgment, disqualify them from working with children.” In addition, it has added an explanation of the investigative process to its website to clarify what occurs when a person is under investigation. The explanation has been included in this release.

Four laypersons, one of whom is deceased, and one former priest have been added to the list of those with credible allegations. Two of the laypeople are new to the list; one layperson and the former priest have been moved from “under investigation” to “credibly accused.” The fifth person, who previously had been listed as awaiting trial, is now awaiting sentencing, and has therefore moved to the “credibly accused” list.

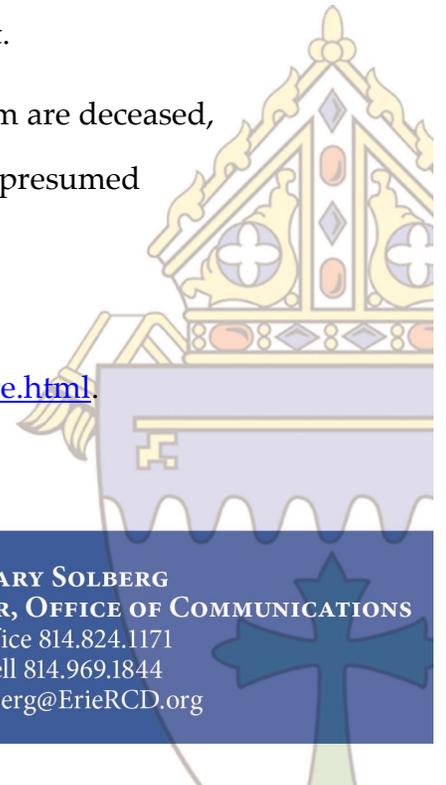
Two other priests and one additional layperson, all of whom are deceased, have been added to the list of those under investigation. They are presumed innocent unless proved otherwise.

Names of all of those mentioned above follow. The full list can be found at <https://www.eriercd.org/childprotection/disclosure.html>.

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As always, anyone who may have knowledge of these situations or who has been affected by similar improprieties, is encouraged to report that information through any of the outlets listed at the end of this release.

New names added to the list of credible allegations (living)

- Jonathan J. Borkowski — Fairview, Pennsylvania
Former lay employee (previously under investigation)
- Former Fr. Thomas M. Lechner — Sewickley, Pennsylvania
Laicized (previously under investigation)
- Ann Marie Hanes (Strall) — Spokane, Washington
Former lay teacher
- Robert D. Viszneki — Erie, Pennsylvania
Former parish volunteer (previously awaiting trial, now awaiting sentencing)

New name added to the list of credible allegations (deceased)

- Albert S. Davies
Former lay teacher
Date of Death: September 2005

New names under investigation:

- Fr. Stephen A. Anderson — deceased
- Michael L. DiFrancisco — deceased
- Msgr. Conrad L. Kraus — deceased

Modification made to existing name on the list:

- Fr. Edward W. Jungquist was thought to be deceased. He is now listed as “whereabouts unknown,” and is forbidden to function as a priest.

The Diocese of Erie, in collaboration with its independent investigators at the Pittsburgh-based K&L Gates law firm, will continue investigating all allegations brought forth. A new summary of what occurs when a person is under investigation, follows. A link to the same information can now be found on the same webpage as the Public Disclosure List.

Explanation of investigative process and “under investigation” category for the Diocese of Erie’s Public Disclosure website

The Diocese of Erie has retained independent investigators to pursue allegations of abuse and other wrongdoing regarding the protection of children and youth, including failure to report/act to stop abuse. Reports from alleged victims will always result in some form of investigative response. To be clear, all reports of abuse made to the diocese are submitted to both law enforcement and the independent investigators in a timely fashion as a matter of course. The independent investigators and/or law enforcement officials will communicate to the diocese their assessment of the credibility of an allegation, which the diocese considers in determining who will be listed on the public disclosure website.

Initial investigation steps (whether by law enforcement or independent investigators) are generally non-public. If these steps corroborate the essential facts of the initial report, the diocese will indicate that an individual is under investigation. The names of *living* individuals under investigation are published to prevent potential further harm to children or vulnerable adults. The names of *deceased* individuals are published to determine if additional victims or witnesses may exist who can help to resolve the investigation. A court order, a request from law enforcement, or some other extenuating circumstance may stop this publication until further proceedings or investigations occur. As such, the independent investigators will defer to law enforcement to ensure that law enforcement’s investigative efforts are not prejudiced.

As the independent investigators conduct their investigation, they are free to investigate any action that may, by law or in the judgment of the diocese, disqualify a person from working with children, regardless of whether the action could be secularly prosecuted. They are not bound by criminal or civil statutes of limitation. They may also consider any evidence they deem relevant, regardless of whether it would be admissible in a secular court proceeding.

Consistent with the interests of protecting victims, children, and vulnerable adults, and of putting the public on notice in a timely manner, the diocese seeks to resolve investigations in the most expedient manner possible, in order to positively identify those individuals who can be deemed “credibly accused” and to remove the names of those who have been wrongfully implicated.

Removal from the “Under Investigation” category:

An investigation can resolve itself in either of two ways: the allegation is determined to be credible or the allegation is found to be unsubstantiated.

An individual will be moved from “under investigation” to the list of “credibly accused” if there is credible evidence indicating the individual should not be working with children or youth that is sufficient to outweigh any contrary evidence. Examples include (1) a secular law-enforcement or child-protective government body concludes guilt, (2) multiple credible unrelated accusers exist, (3) the accused admits guilt, (4) contemporaneous corroborating historical reports of misconduct or disciplinary action exist, or (5) the subject refuses to cooperate with the investigation after being put on notice as to the existence of a report of abuse.

By contrast, a person may be removed from the “under investigation” list if there is conclusive evidence of misidentification, if no corroborating evidence is discovered even after the public is invited to come forward with relevant information, or if credible evidence is found to refute the essential facts contained in the allegation. In such cases, the diocese will work to restore the individual’s good name.

Pastoral care and compassion for victims, as well as the protection of children and vulnerable adults, is a top priority of the Diocese of Erie. The diocese encourages anyone who has experienced sexual abuse or misconduct by a member of the clergy or any employee or volunteer of the church, to contact law enforcement. To report abuse to the independent investigators retained by the Diocese of Erie, email ErieRCD@KLGates.com. Victims or concerned individuals also are welcome to contact the diocese directly to report abuse at 814.451.1543. In addition, anyone can directly report suspected abuse of minors by anyone to PA ChildLine by calling 800.932.0313. The line is open 24/7, and callers may choose to remain anonymous. The Clergy Abuse Hotline established by the Pennsylvania Office of the Attorney General can be reached at 888.538.8541. Counseling assistance is available for victims and/or their families through the diocesan victim assistance coordinator, Dr. Robert Nelsen, who can be reached at 814.451.1521.

ISRP reminder

The Diocese of Erie’s Independent Survivors’ Reparation Program opened on February 15, 2019, and will continue to accept claims through August 15, 2019. Victims interested in learning more about this program should visit www.ErieRCD.org/isrp.html. The webpage provides a link to the site managed by Kenneth Feinberg, whose organization is managing the fund wholly independent of the Diocese of Erie.