

Office of the Nebraska Attorney General

Report on Clergy Sexual Abuse



November 4, 2021



Statement from the Attorney General Regarding Clergy Report of Sexual Assault

One of the primary guiding principles of the Nebraska Department of Justice is to protect the most vulnerable in society. It is that principal which prompted our office to do this investigation. The ability of law enforcement and the justice system to protect children from sexual and physical abuse is one of the most essential duties we have as the State. To that end, we have attempted to take painstaking efforts to make sure that this investigation has been as thorough as possible. We are also fully aware that because of the nature of the offense, and the shame associated with these crimes, that we will never be able to fully address the scope of violations and redress the significant harm caused to so many innocent young victims. The reality that we are unable to prosecute the offenders because of the perpetrator's death, or as a result of the barrier created by the statute of limitations is beyond frustrating.

The most troubling finding from this report is the fact that on numerous occasions, when there was an opportunity to bring justice to the victims, those in authority chose to place the reputation of the church above the protection of the children who placed their spiritual care in the hands of those in church authority. The depth of physical and psychological harm caused by the perpetrators, and the decades of failure by the church to safeguard so many child victims, is unfathomable. We can only hope that the victims have been able to find some sense of healing from a source higher than our justice system.

Going forward, vigilance in protection will be the most important element to assure children are shielded from these violations in the future. That vigilance includes the strongest commitment possible made by the church, its members, and the engagement of law enforcement as soon as possible.

Absolutely no institution is entitled to place the preservation of its reputation before the protection of our most vulnerable. True vigilance demands a collective commitment to never allow this tragic history of unspeakable harm to repeat itself. The duty to protect the children is on our watch. May we not fail.

Douglas J. Peterson
Nebraska Attorney General

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I. Executive Summary

A. Explanation of the Investigative Process

On August 16, 2018, the Nebraska Department of Justice (Nebraska DOJ) issued a news release to all Nebraska media outlets. The news release requested that individuals who had suffered sexual abuse at the hands of a member of the clergy or an adult in a position of authority report their abuse by calling either the Nebraska Child Abuse Hotline or the Nebraska Crime Stoppers Tip Line (Tip Line). People were urged to call regardless of when the abuse occurred. This news release was prompted by stories at both the national and local level highlighting cases of child sexual abuse perpetrated by clergy members.

Although the news release was not intended to elicit calls about clergy of any specific denomination, all of the calls received, with one exception, related to individuals associated with the Catholic Church. The subsequent investigation of these calls was a collaborative effort involving multiple law enforcement agencies. Investigators from the Nebraska DOJ investigated reports originating out of the Grand Island Diocese and the Omaha Archdiocese. Investigators from the Lincoln Police Department investigated reports originating out of the Lincoln Diocese.

On August 29 and 30, 2018, the Nebraska DOJ issued letters to the bishops of all three Nebraska Dioceses.¹ We requested the bishops provide to law enforcement all the investigative files in their possession relating to child sexual abuse dating back to January 1, 1978. Specifically, we asked for files relating to any claims of improper sexual conduct or sexual exploitation perpetrated by any person given authority by the dioceses to carry out church functions. Incidents of child pornography or sexual communication with a minor were also included in the scope of our request. All three dioceses submitted material responsive to the letters.

Additionally, we asked for the policies and procedures utilized by each diocese for both reporting and investigating sexual misconduct allegations. An examination

¹ There are three Roman Catholic Dioceses in Nebraska. A diocese is a geographical region, which includes all the parishes in that area, that a particular bishop oversees. An archdiocese is a diocese that includes a larger city or an area with a large Catholic population. Lincoln and Grand Island are “dioceses” with bishops. Omaha is called an “archdiocese” and has an archbishop. All three are separate and independent from each other. The archbishop and the bishops report directly to the Vatican. When referred to collectively in this report, we will use the terms “bishops” and “dioceses.”

of this material revealed these policies and procedures were not uniform. Each diocese had developed its own system for evaluating reports of sexual abuse or misconduct. A section of this report addresses each of the dioceses' current practices for preventing and responding to such claims.

During our investigation, we determined we needed additional information to ensure the completeness of this report. This determination was prompted by our review of the data we received from calls to the Child Abuse Hotline (Hotline). When comparing the allegations from the Hotline with information included in the church files (hereinafter, "files"), we discovered some inconsistencies. Allegations from victims calling the Hotline were either not included or broader in scope than those contained in the files.

On February 19, 2019, with the assistance of the Nebraska State Patrol and local law enforcement agencies, the Nebraska DOJ issued 426 subpoenas to individual Catholic churches and Catholic schools throughout the State of Nebraska. The subpoenas requested the churches and schools produce records or documentation related to reports or allegations of sexual abuse committed by any church or school employee. These subpoenas produced a broader set of records related to schools and school staff members.

Additionally, we asked for two other sets of information. A review of the files exposed that, in some cases, victims of sexual abuse had entered into financial settlement agreements with the dioceses. Subpoenas were therefore issued to the liability insurance company which represented the dioceses to collect information about the nature of these settlements. Finally, we asked to review all psychological evaluations of priests who were being investigated for claims of sexual misconduct. Those records were voluntarily released by the Grand Island and Lincoln Dioceses. In order to obtain a review of the psychological evaluations from the Omaha Archdiocese, it was necessary to enter into a protective order signed by the district court.

To summarize, the Nebraska DOJ collected the information in this report from the following sources: the church files kept by all three Nebraska dioceses; information and interviews conducted by law enforcement pursuant to calls to the Hotline and Tip Line; subpoenaed records from individual Catholic churches and schools; subpoenaed records from the Catholic churches' liability insurance company; law enforcement reports; and media reports of sexual abuse cases.

To provide some perspective on the scope of the investigation, our review included:

- A complete examination of the files of over 200 clergy members and diocesan employees, as well as the supplemental material we requested in our subpoena requests.
- An investigation of over 120 calls to the Hotline and Tip Line. The calls came from citizens who reported various types of sexual improprieties committed by clergy members or diocesan employees. Many of the calls came from victims of sexual abuse. Some calls were received from parents or siblings who were told about incidents of sexual abuse from the victim. Some of the incidents had never been reported to law enforcement. A final group of calls were received from people who had heard rumors or received information from relatives or friends of friends about varying incidents of sexual abuse committed by clergy members or diocesan employees.
- A review of reports from newspapers and other media outlets chronicling sexual abuse by clergy members or diocesan employees.
- A review of 12 hours of recorded interviews with those reporting sexual abuse.
- All told, we conducted an examination of nearly 30,000 pages of relevant material.

B. Explanation of the Summaries of Substantiated Cases of Child Sexual Abuse or Misconduct

Most of this report is devoted to a comprehensive review of the substantiated cases of clergy sexual abuse or sexual misconduct with minors and young adults for all three Nebraska Dioceses. While most of the perpetrators were priests, the list also includes offenses committed by other church officials, specifically deacons and teachers from Catholic schools. By substantiated, we mean an allegation that, after review of available information, appeared to be supported by facts and is more likely true than not.

The sexual abuse cases involved incidents which could have been charged under the Nebraska Criminal Code. A description of the relevant Nebraska statutes on sexual abuse of children and minors is included in this report. We have also chosen to include cases of sexual misconduct. For purposes of this report, sexual misconduct means inappropriate behavior undertaken to obtain sexual gratification against another's will or at the expense of another. It encompasses, but is not limited to, acts of unwanted touching, exposing oneself, or forcing another to commit acts for the offender's sexual gratification.

Incidents of sexual misconduct do not necessarily fit succinctly into conduct punishable by the criminal statutes. For example, in one of the cases documented in the report, a priest showed pornographic material to a 13-year-old girl. This priest also spoke to the girl, in graphic terms, about sex and sexual acts. He engaged in this behavior for his own sexual gratification. There is no clear statutory provision under which to prosecute these acts, though there are plausible options.² Nonetheless, the priest in question was undeniably culpable of committing sexual misconduct. We reviewed numerous cases where behavior of this sort caused substantial psychological distress and trauma to the victims.

Both the Omaha Archdiocese and the Lincoln Diocese have published their own lists of substantiated cases of clergy abuse.³ The Grand Island Diocese has not published such a list. In addition to minor victims of sexual abuse/misconduct, Omaha and Lincoln included cases of sexual abuse against students and young adults who were not, definitionally speaking, minors. The inclusion of these individuals in the dioceses' lists is appropriate. These cases constituted a significant abuse of power and primarily involved college students in their late teens or early twenties, as well as young seminarians who esteemed the position and authority of their abusers. Accordingly, we included those persons in the list of substantiated victims of sexual abuse or misconduct in our report. Because Grand Island has not published a list, we made an independent determination about whom to include in the list of offenders from the Grand Island Diocese.

In a few instances, our review of the files and independent interviews with victims led us to the conclusion that some individuals who were left off the lists by Omaha and Lincoln should have been included in the list of substantiated cases. In such cases, we concluded the weight of the material included in the files and the information gathered from our own investigations merited their inclusion. We have clearly delineated those individuals in our report.

² The prosecutorial options available would be Child Abuse (Neb. Rev. Stat. § 28-707 (Cum. Supp. 2020)), Distribution of Obscene Material to a Minor (Neb. Rev. Stat. § 28-808 (Reissue 2016)), and Contributing to the Delinquency of a Child (Neb. Rev. Stat. §28-709 (Reissue 2016)).

³ Omaha Archdiocese, List of Substantiated Cases of Clergy Sexual Abuse of or Sexual Misconduct with a Minor, <https://report.archomaha.org/>; Lincoln Diocese, Diocese of Lincoln priests against whom substantiated allegations of childhood sexual abuse have been reported, <https://www.lincolndiocese.org/vigilance/published-list>.

The summaries of the abuse/misconduct cases first contain a narrative explanation of the claims against each official, with a description of the acts committed against each victim. When there were multiple victims, we present them in approximate chronological order. After the narrative, we have provided a summary of the vital information for each victim, signified by the letters A-F. The key for this information is as follows:

Vital Information Summary Key
A. The nature of the abuse/misconduct reported (i.e. fondling, oral sex, etc.)
B. The date of the abusive incident
C. The date the abuse was reported to the diocese/archdiocese
D. The gender/age of the victim
E. Whether the diocese had received any report of the official engaging in sexual misconduct with other children or young adults prior to the incident described
F. When the incident was reported to law enforcement

C. Summary of the Findings

One of the primary purposes of conducting such an extensive review was to determine whether any perpetrators of sexual abuse could still be criminally charged for their crimes. Our investigation concluded there were no allegations of clergy sexual abuse which were still prosecutable within the relevant statute of limitations.⁴

What our investigation did reveal are credible allegations of sexual abuse and/or misconduct against 57 church officials (51 priests, 4 deacons, and 2 teachers). Within the timeframe covered by this report, there were 97 documented victims of sexual abuse and misconduct from the Lincoln Diocese,⁵ 158 documented victims from the Omaha Archdiocese, and 3 documented victims from the Grand Island Diocese, totaling 258 victims.

We refer to documented victims because the files we reviewed most certainly do not include all victims of clergy sexual abuse. The Lincoln and Omaha Dioceses

⁴ There was one case which was not barred by the statute of limitations. The victim was unwilling to testify.

⁵ This number includes a total of 51 victims from Monsignor Leonard Kalin. In addition to the six victims covered in the case summary, Kalin admitted to perpetrating sexual abuse or misconduct on at least 45 additional victims.

have received reports of sexual abuse after their production of the documents requested by our office. Likewise, our office has continued to receive calls regarding allegations of sexual abuse committed by clergy, with the latest occurring in October of 2021.

The cases of sexual abuse and sexual misconduct span over 70 years. Below is a breakdown of the number of victims by decade:

- 1930s - 1 victim
- 1940s - 1 victim
- 1950s - 6 victims
- 1960s - 28 victims
- 1970s - 70 victims
- 1980s - 43 victims
- 1990s - 66 victims
- 2000s - 24 victims
- 2010s - 10 victims
- Exact date not specified, but occurred in the 1980s or 1990s - 3
- Exact date not specified - 6

Many of the victims of clergy sexual abuse were teenage boys, most of whom were altar servers. But there were many female victims as well. The age range of the victims spanned from children under ten years old to young adults in their early 20s. Below is a breakdown of victims by age:

- Age 10 and under - 20
- Age 11-13 - 82
- Age 14-15 - 26
- Age 16-17 - 12
- Age 18-19 - 8
- Over 20 - 60
- Minor, age not specified - 31
- Age not specified, likely age 11-12 – 10
- Age not specified - 9

Some of the files and interviews with victims contain graphic accounts of sexual abuse, while others are less explicit. What is uniformly true of all the cases we reviewed is that the shameful, abusive actions of the sexual offenders left a trail of

pain and suffering for the victims who had to endure them. Many of the victims have suffered long-term psychological harm.

During the course of our investigation, a few patterns became acutely apparent. In nearly every case, the offender engaged in some form of grooming behavior prior to committing sexual abuse. Grooming means conduct designed to gain access to and time alone with a child to prepare him or her for sexual abuse by building a trusting relationship and emotional connection between the abuser and the child (and often the child's family).⁶ The summaries are replete with accounts of priests using alcohol, video games, food, and various other enticements to isolate and exploit their young victims. Offenders often targeted victims who came from difficult family situations, taking advantage of those circumstances to effectuate their abuse.

Perhaps the most concerning finding is that in many cases, church authorities, be it head or associate priests or other diocesan personnel, had knowledge of the abusive behavior of the offenders and did nothing to stop it. Numerous files document instances where high-ranking diocesan officials, up to and including the bishop or archbishop, were aware of the abusive behaviors of a priest but did nothing to remove him from ministry. Often, these offenders would be sent away for "counseling" but soon returned to ministry in situations where they had contact with children. Worse yet, some did not even receive counseling. They were summarily removed from their assignment, only to be immediately reassigned to a parish where more children were victimized.

We also discovered instances where victims reported their abuse to a priest or other diocesan official, but no documentation of the report was found in the official file. Simply put, the dioceses did not create written records every time they were informed of incidents of sexual abuse. Then, when receiving an allegation of clergy abuse years later, that failure to document led the dioceses to claim it had never received a complaint. Past diocesan officials, however, were well aware of the abuse allegations. Also, that failure to document meant that current diocesan officials reviewing the allegation might not have been aware that it was not the first time the individual had been accused of sexual abuse.

⁶ See Neb. Rev. Stat. § 79-879(1)(a) (Cum. Supp. 2020). Nebraska has defined grooming in the context of appropriate relationships between students and teachers. We have adopted the definition of grooming set forth in the Colorado Special Masters Report on Clergy Abuse, found on page 7, https://coag.gov/app/uploads/2019/10/Special-Masters-Report_10.22.19_FINAL.pdf.

A connected issue is the failure of church authorities to report information about the sexual abuse of minors to law enforcement. Nebraska's mandatory reporting law⁷ requires any person who has reasonable cause to believe that a child has been subjected to child abuse or neglect to report the abuse to law enforcement. In many cases, this requirement was ignored. In others, church authorities proceeded to conduct "in-house" investigations before contacting law enforcement. This report contains a section describing the requirements of Nebraska's mandatory reporting law.

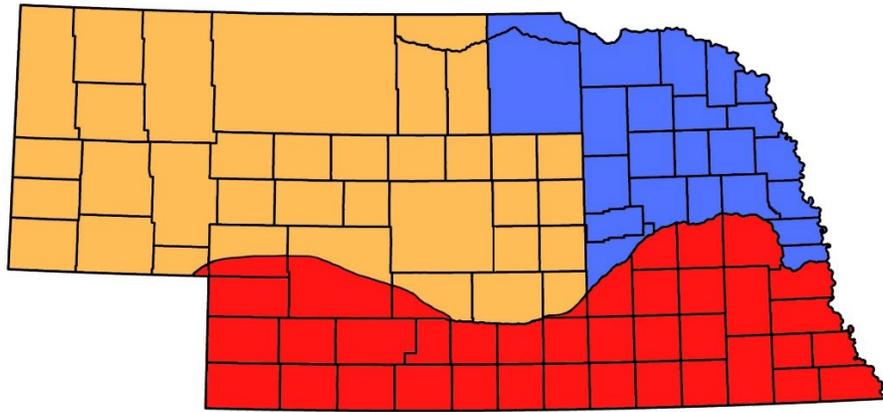
The file review indicates the dioceses often heard reports from victims who were sexually abused decades ago. Some of these victims never told church authorities, or for that matter, anybody about their abuse prior to contacting the dioceses. It appears to us the dioceses now contact law enforcement to report abuse, even in cases where the alleged offender is deceased.

The vast majority of the sexual abuse cases happened prior to the implementation of the Charter for the Protection of Children and Young People, also known as the Dallas Charter. Passed in 2002, the Dallas Charter required all dioceses to take steps to protect children from sexual abuse. It is evident the changes mandated by the Dallas Charter have resulted in a marked improvement of the dioceses' responses to allegations of sexual abuse. In particular, the file contains accounts of admirable support provided to victims of sexual abuse by the dioceses' Victim's Assistance Coordinators (VACs).

Though there have been improvements, there is still a need for vigilance and accountability. Within the past ten years, there were accounts of significant grooming activity and questionable behavior by priests. Moreover, there are hundreds of victims who will never see their abusers brought to justice. Though we do not publish the names of these victims in our report, we attempted to provide a voice to those hurt by such abuse by documenting their stories. We sincerely hope this report will bring them some semblance of healing and peace.

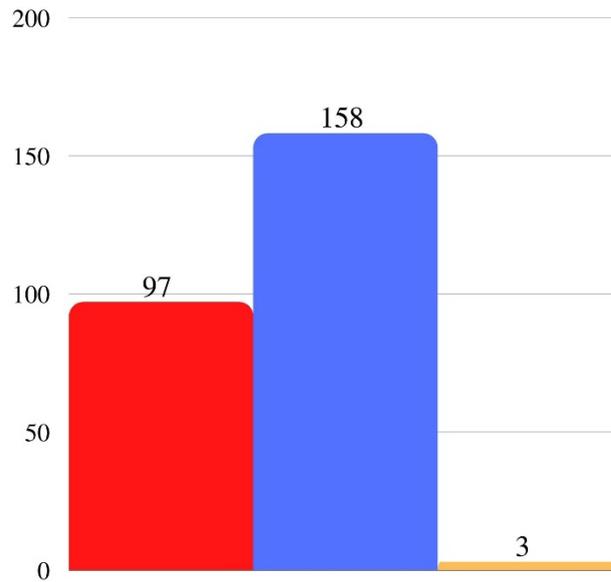
⁷ Neb. Rev. Stat. § 28-711 (Reissue 2016)

Catholic Dioceses of Nebraska



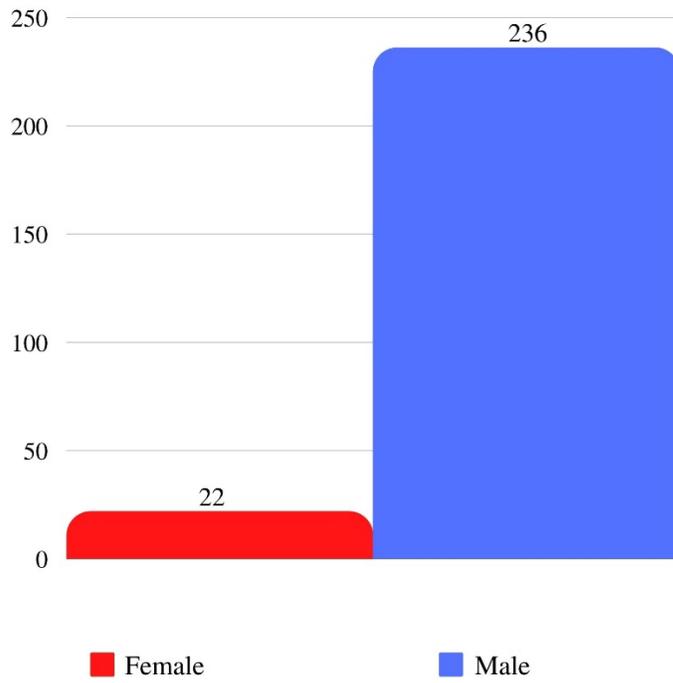
■ Lincoln ■ Omaha ■ Grand Island

Number of Victims by Diocese

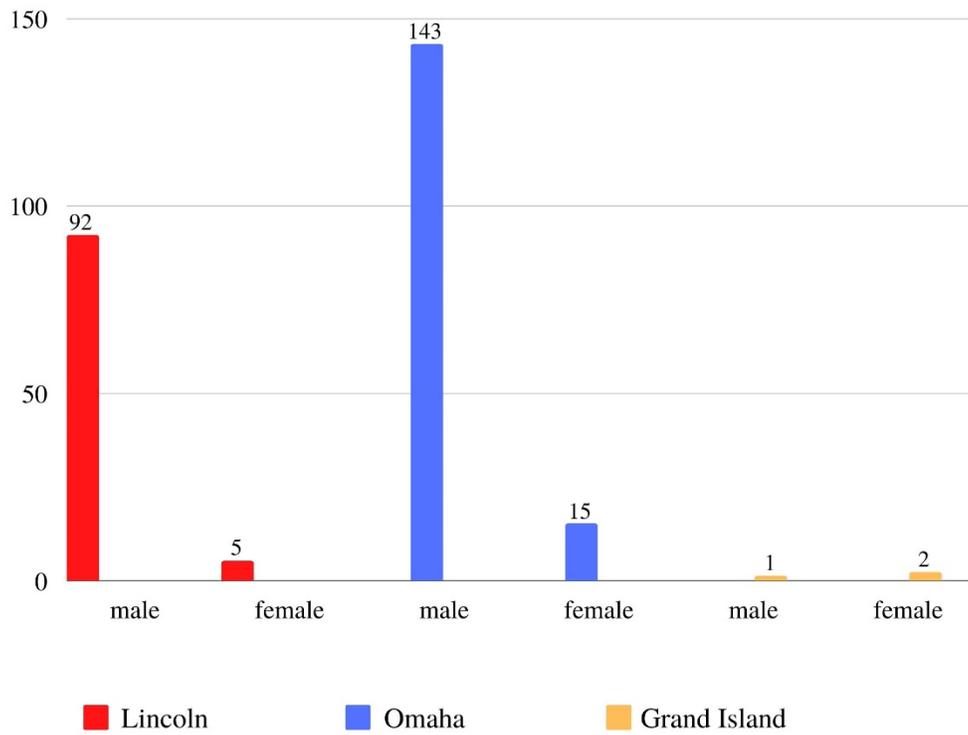


■ Lincoln ■ Omaha ■ Grand Island

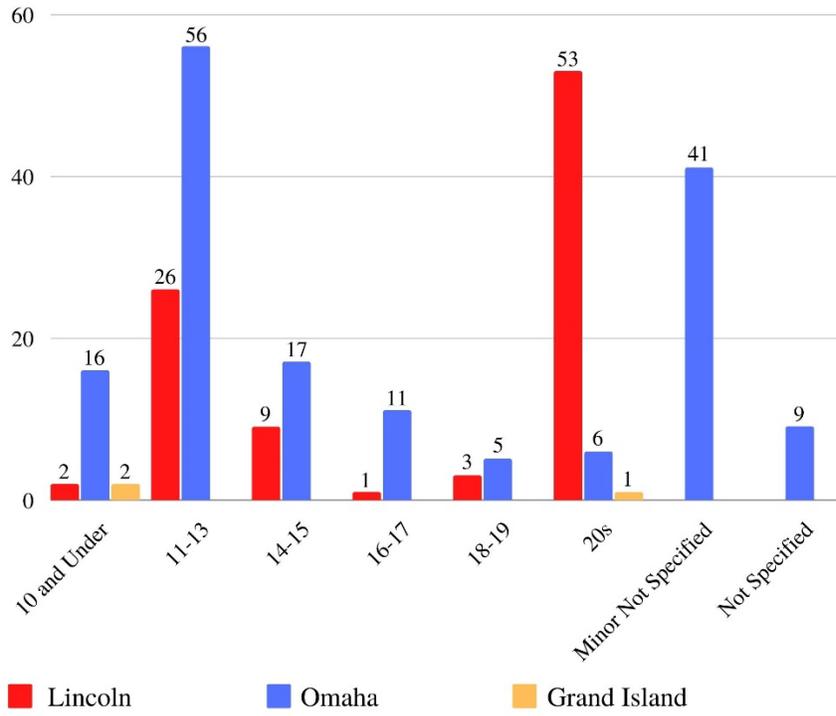
Victims by Gender



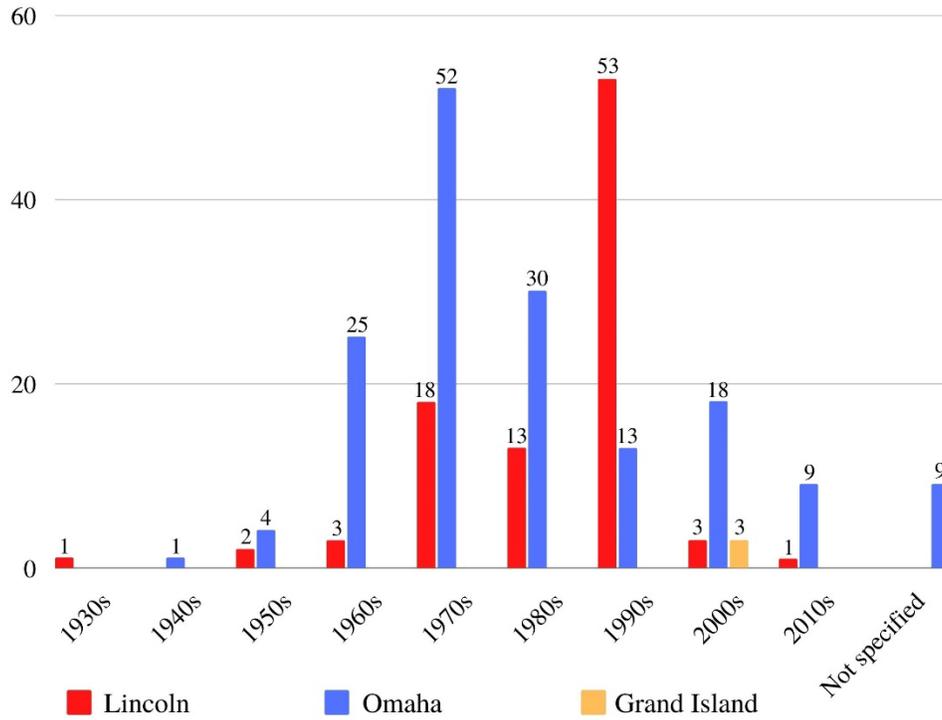
Gender of Victims by Diocese



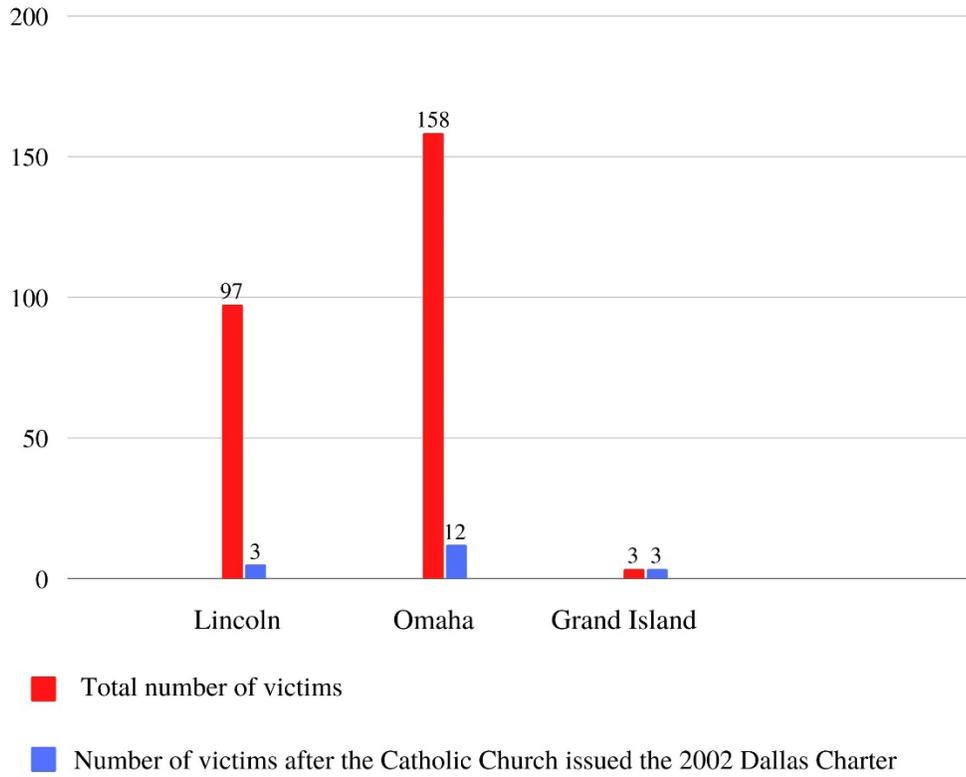
Victims by Age



Victims by Decade the Abuse or Misconduct Began



Victims Identified after the 2002 Dallas Charter





Attorney General Doug Peterson

News Release

FOR IMMEDIATE RELEASE
August 16, 2018

In light of recent events reported in the news related to allegations of abuse by members of the clergy and other persons in positions of authority, the Nebraska Attorney General's Office is issuing this important reminder to all Nebraskans. The Attorney General's Office is committed to investigating allegations of abuse, advocating for victims, and pursuing criminal prosecutions of child exploitation crimes involving physical or sexual abuse. In carrying out those duties, the Attorney General's Office works closely with numerous partners including County Attorneys, law enforcement, and Child Advocacy Centers.

If you have been a victim of sexual abuse by a clergy member or other adults in positions of authority, *regardless of when it occurred*, please call one of the following numbers:

Nebraska Child Abuse Hotline: 1-800-652-1999

Nebraska Crime Stoppers Tip Line: 1-800-422-1494
or leave a tip [online](#)

Also, if you are not a victim but have reason to believe abuse of a child has occurred, or a child is at risk, you are required by law to report such information to the appropriate authorities. State law requires any person who suspects a child has been physically or sexually abused or neglected to report it promptly to one of the numbers provided above or to a law enforcement agency.

For the safety of all Nebraskans, it is important that you speak up so perpetrators are brought to justice and other possible victims are protected from future harm. All state and local public safety agencies are devoted to the protection of children and are eager to help the victims of such crimes, no matter when and where they may have occurred and regardless of who may be the perpetrator.

###

Suzanne Gage
Director of Communications
Nebraska Attorney General
Office: 402.471.2656
Mobile: 402.560.3518
Suza.nne.gage@nebraska.gov



STATE OF NEBRASKA
Office of the Attorney General

2115 STATE CAPITOL BUILDING
LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
FAX (402) 471-3297 or (402) 471-4725

DOUGLAS J. PETERSON
ATTORNEY GENERAL

August 29, 2018

Rich Rice
Crosby Guenzel Law Firm
134 South 13th Street, Suite 400
Lincoln, NE 68508-1901
(Hand Delivered)

Dear Rich:

Thank you for the offer to sit down and meet with Bishop Conley on Thursday, August 30th. Unfortunately, I find it necessary to go ahead and cancel that meeting.

As you know, our office recently issued a public notice encouraging any victims who have been subjected to sexual abuse from those in the clergy or in other positions of authority to contact our office. As a result, we have received a number of reports which warranted further investigation. Since we have active investigations in progress, I feel it's best that we stay focused on those efforts.

I did have an opportunity to speak with Lancaster County Attorney Pat Condon and learned that both he and Lincoln Police Chief Jeff Bliemeister met with you and the Bishop last week. I also understand from our conversation that the Lincoln diocese wants to fully cooperate with law enforcement. I appreciate that position. My request is for the diocese to provide to Mr. Condon and Chief Bliemeister all investigative files the diocese has in its possession dating back to January 1, 1978 regarding any claims of improper sexual conduct or sexual exploitation including any incidents of child pornography or sexual communication with another. From a jurisdictional standpoint, Mr. Condon and Chief Bliemeister will review all files that fall within Lancaster County and forward to our office all other matters that occurred outside Lancaster County.

Based upon those reviews, we will determine if any further investigation or possible prosecution is warranted.

I appreciate the diocese's willingness to fully cooperate with law enforcement and identify all incidences of impropriety committed by diocesan personnel. In order to do that, we believe it necessary to do this type of extensive and independent review. If you have any further questions, please do not hesitate to contact me.

Sincerely,



Douglas J. Peterson
Nebraska Attorney General

cc: Pat Condon
Jeff Bliemeister



STATE OF NEBRASKA
Office of the Attorney General

2115 STATE CAPITOL BUILDING
LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
FAX (402) 471-3297 or (402) 471-4725

DOUGLAS J. PETERSON
ATTORNEY GENERAL

August 30, 2018

Archbishop George J. Lucas
Archdiocese of Omaha
100 N. 62nd Street
Omaha, NE 68132

Dear Archbishop Lucas:

On August 16, 2018, our office issued a public notice encouraging any victims who have been subjected to sexual abuse from those in the clergy or in other positions of authority to contact our office. As a result, we have received a number of reports which have warranted further investigation. The Nebraska Department of Justice has criminal jurisdiction in all 93 counties. We have both investigators and prosecutors who are specifically designated to address sexual assault claims.

Obviously, abuse allegations by clergy is a very serious matter. My hope and expectation is that the Diocese of Omaha is interested in assuring that any such allegations are properly investigated and prosecuted where warranted. I have spoken with Douglas County Attorney Don Kleine and understand that the Diocese of Omaha has an established process for reporting any claims of sexual misconduct to proper authorities. Recognizing that your diocese includes 22 additional counties, I am asking the Diocese of Omaha to provide to our office a similar spirit of cooperation.

I am requesting that the diocese to provide to our office all investigative files the diocese has in its possession dating back to January 1, 1978 regarding any claims of improper sexual exploitation, including any incidents of child pornography or sexual communication with another by a person given authority by the diocese to carry out church functions. All incidents occurring in Douglas County should still follow the process you have with the Douglas County Attorney.

If you have any questions regarding this request, please contact our lead investigator Kerry Crosby at 402-471-4191. As to logistics in the delivery of such information, please contact Mr. Crosby as well. Thank you for your anticipated cooperation to our request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Doug Peterson". The signature is fluid and cursive, with a large initial "D" and "P".

Douglas J. Peterson
Nebraska Attorney General



STATE OF NEBRASKA
Office of the Attorney General

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LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
FAX (402) 471-3297 or (402) 471-4725

DOUGLAS J. PETERSON
ATTORNEY GENERAL

August 30, 2018

Bishop Joseph G. Hanefeldt
Diocese of Grand Island
P.O. Box 1531
2708 Old Fair Road
Grand Island, NE. 68802

Dear Bishop Hanefeldt:

On August 16, 2018, our office issued a public notice encouraging any victims who have been subjected to sexual abuse from those in the clergy or in other positions of authority to contact our office. As a result, we have received a number of reports which have warranted further investigation. The Nebraska Department of Justice has criminal jurisdiction in all 93 counties. We have both investigators and prosecutors who are specifically designated to address sexual assault claims.

Obviously, abuse allegations by clergy is a very serious matter. My hope and expectation is that the Diocese of Grand Island is interested in assuring that any such allegations are properly investigated and prosecuted where warranted. I am requesting that the diocese provide to our office all investigative files the diocese has in its possession dating back to January 1, 1978 regarding any claims of improper sexual conduct or sexual exploitation, including any incidents of child pornography or sexual communication with another by a person given authority by diocese to carry out church functions.

If you have any questions regarding this request, please contact our lead investigator Kerry Crosby at 402-471-4191. As to logistics in the delivery of such information, please contact Mr. Crosby as well. Thank you for your anticipated cooperation to our request.

Sincerely,

Douglas J. Peterson
Nebraska Attorney General



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2115 STATE CAPITOL BUILDING
LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
FAX (402) 471-3297 or (402) 471-4725

DOUGLAS J. PETERSON
ATTORNEY GENERAL

March 13, 2019

Mr. Rich Rice
Crosby Guenzel Law Firm
134 South 13th Street, Suite 400
Lincoln, NE 68508-1901

Mr. Patrick Flood
Pansing Hogan Ernst & Bachman, LLP
10250 Regency Cir #300
Omaha, NE 68114

Dear Mr. Flood and Mr. Rice,

I've had the opportunity to review your letter of March 8, 2019 summarizing the meeting on March 5th with members from this office, the Lancaster County Attorney's office, and the Lincoln Police Department. I appreciate the efforts of March 5th and the timely follow up letter but, I will not sign such a letter.

Although I was unable to attend this meeting, I have been able to confirm, both from my office and the Lancaster County Attorney's office, that the language contained in Sections I & II of your March 8th letter properly summarizes a general understanding as to the information we are requesting in response to the subpoenas. However, ultimately, we are talking about a subpoena. We do not sign agreements to accompany our subpoenas.

Therefore, based on the clarification contained in Section I & II, please produce the material requested. If you want to propose any protection orders on certain material we will consider those requests. We will keep the lines of communication open if either diocese needs clarification but, ultimately, we expect compliance with the subpoenas.

Sincerely,

Douglas J. Peterson
Nebraska Attorney General

The items requested and referred to herein, whether kept in written, digital, electronic or any other form, shall be surrendered and relinquished in their **present and original form**.

It is demanded that you furnish this information by March 1, 2019. The production of such records is both necessary and proper for purposes of an on-going investigation to enforce the laws of the State of Nebraska, and being conducted by the Nebraska Attorney General's Office. If you have any questions concerning the scope of this subpoena or specific items requested, they should be directed to Investigator Kerry Crosby of the Nebraska Attorney General's Office.

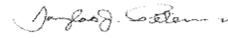
FURTHERMORE, you are ordered not to disclose the existence of this subpoena to any person who is not directly involved with the collection and production of the records requested. Any such disclosure could impede an on-going investigation and thereby interfere with the enforcement of the laws of the State of Nebraska.

The items requested shall be delivered to:

Investigator Kerry Crosby
Office of the Attorney General
2115 State Capitol
Lincoln, NE 68509-8920

Pursuant to Neb. Rev. Stat. § 86-2,113, the undersigned hereby designates any law enforcement officer to serve this Subpoena by electronic or personal service upon the individual or company named above and make return thereof according to law:

WITNESS my hand this 26th day of February, 2019


Doug Peterson, #18146
Nebraska Attorney General

II. Relevant Nebraska Statutes

A. Introduction

This section of the report is intended to provide a framework for understanding child sexual abuse prosecutions in Nebraska. Therefore, we present an explanation of the relevant statutes on the sexual abuse of children and minors, the applicable statute of limitations, and the mandatory reporting law.

The offenders listed in the summaries of substantiated cases of child abuse and sexual misconduct were guilty of countless violations of Nebraska sexual abuse laws. The barrier to prosecution for their crimes is either that: (1) the offender is deceased; or (2) the criminal acts fall outside the relevant statute of limitations. The explanation of Nebraska's statute of limitations is meant to demonstrate how these provisions act to preclude prosecution. Closely tied to these issues is Nebraska's mandatory reporting law which requires that church personnel, including members of the clergy, report known, suspected, or reasonably foreseeable child abuse or neglect to law enforcement. This obligation has existed since the statute was first passed into law in 1977. This report includes an explanation of the mandatory reporting law and why it applies to clergy sexual abuse.

Section III of this report is an overview of the dioceses' policies and procedures for reporting and investigating sexual abuse and misconduct allegations. As noted above, each diocese has their own policy for training diocesan personnel and reporting allegations of sexual abuse. We have reviewed and provided an analysis of the policies for each diocese. Virtually none of the standards now employed existed prior to the Dallas Charter in 2002. Our review of the records and accounts of clergy sexual abuse exposed the existence of a long-embedded culture which discouraged or even prevented some victims from reporting their abuse. Unfortunately, this culture too often affected the willingness of parents or family members to report the abuse of their loved ones.

The bulk of this report is devoted to the accounts of substantiated cases of sexual abuse and misconduct. This was a time-consuming process and necessitated a meticulous review of the files as well as the vast amount of other information obtained as part of our investigation. Calls to the Tip Line provided a significant amount of helpful information in the preparation of these summaries. During our interviews

with victims, we learned about new cases of sexual abuse and misconduct which were not included in the files. In some cases, these interviews offered broader context and understanding of incidents of abuse already contained in the files.

After looking at the accounts of sexual abuse and misconduct, we provide some observations about the dominant themes which were evident in our review of the files. In sum, we found the dioceses enabled clergy child sexual abuse by: transferring abusive priests to new parishes; taking no action to restrict their ministry or access to children; telling the families of victims not to report the abuse; and not reporting the abuse to law enforcement.

B. Relevant Nebraska Statutes on Sexual Abuse of Children and Minors

There are numerous statutes in Nebraska relating to the sexual assault of minor children. In determining which sexual assault statute is appropriate for a case, there are two main considerations: (1) whether the crime involved sexual penetration or sexual contact;⁸ and (2) the age of both the victim and the perpetrator at the time the offense occurred.

For crimes involving sexual penetration, a perpetrator can be charged with either First Degree Sexual Assault under Neb. Rev. Stat. § 28-319 (Reissue 2016), or First Degree Sexual Assault of a Child under Neb. Rev. Stat. § 28-319.01 (Reissue 2016); the determining factor is the age of both the victim and the perpetrator.⁹ Under § 28-319(1)(c), a person commits the crime of First Degree Sexual Assault if that person is 19 years of age or older and he or she subjects a child who is at least 12 but less than 16 years of age to sexual penetration.

Under § 28-319.01(1)(a), a person commits the crime of First Degree Sexual Assault of a Child if that person is 19 years of age or older and he or she subjects a child who is under 12 years of age to sexual penetration. In addition, under § 28-319.01(1)(b), a perpetrator who is 25 years of age or older commits First Degree

⁸ See Neb. Rev. Stat. § 28-318(5) and (6) (Cum. Supp. 2020) for the definitions of sexual contact and sexual penetration.

⁹ A person is also guilty of First Degree Sexual Assault regardless of the ages of the victim and the perpetrator if the sexual penetration was done either without the consent of the victim (§ 28-319(1)(a)) or if the perpetrator knew or should have known that the victim was mentally or physically incapable of resisting or appraising the nature of his or her conduct (§ 28-319(1)(b)).

Sexual Assault of a Child if that person subjects a child who is at least 12 but less than 16 years of age to sexual penetration. In addition to First Degree Sexual Assault and First Degree Sexual Assault of a Child, a perpetrator who engages in sexual penetration with any person who falls within the degrees of consanguinity set forth in Neb. Rev. Stat. § 28-702 (Reissue 2016), or with his or her stepchild who is under 19 years of age, commits Incest under Neb. Rev. Stat. § 28-703 (Reissue 2016).

For crimes involving sexual contact, a perpetrator can be charged under either Neb. Rev. Stat. § 28-320 (Reissue 2016) or Neb. Rev. Stat. § 28-320.01 (Reissue 2016). If the victim of the sexual contact is 14 years of age or younger and the perpetrator is at least 19 years of age, the relevant statute is § 28-320.01. A person is guilty of Second Degree Sexual Assault of a Child under that statute if the perpetrator subjects the child to sexual contact and causes serious personal injury¹⁰ to that child. If the perpetrator of the sexual contact does not cause serious personal injury to the child, the crime is Third Degree Sexual Assault of a Child. If the victim is older than 14 years of age, the perpetrator can be charged under § 28-320(1) if the victim is subjected to sexual contact (a) without consent, or (b) when the perpetrator knew or should have known that the victim was physically or mentally incapable of resisting or appraising the nature of his or her conduct.

Additionally, under Neb. Rev. Stat. § 28-320.02(1)(a) (Reissue 2016), it is unlawful for a person to knowingly solicit, coax, entice, or lure a child 16 years of age or younger to engage in an act which would be in violation of the felony sexual assault statutes described above.¹¹

Apart from the sexual assault statutes, there are two additional statutes available to prosecutors for sexual crimes against children in Nebraska: Child Abuse and Debauching a Minor. A person commits Child Abuse under Neb. Rev. Stat. § 28-707 (Cum. Supp. 2020) if he or she knowingly, intentionally, or negligently cause or permits a minor child to be:

¹⁰ Serious personal injury means great bodily injury or disfigurement, extreme mental anguish or mental trauma, pregnancy, disease, or loss or impairment of a sexual or reproductive organ. See § 28-318(4).

¹¹ Specifically, §§ 28-319, 28-319.01, 28-320(1) or (2), and 28-320.01. See, also, Neb. Rev. Stat. § 28-833(1) (Reissue 2016), which makes it unlawful to entice a child under the age of 16 by electronic communication device by (a) using or transmitting any indecent, lewd, lascivious, or obscene language, writing, or sound; (b) transmitting or otherwise disseminates any visual depiction of sexually explicit conduct; or (c) offering or soliciting any indecent, lewd, or lascivious act. Enticement by Electronic Communication Device is a Class IV felony. See § 28-833(2).

- (a) Placed in a situation that endangers his or her life or physical or mental health;
- (b) Cruelly confined or cruelly punished;
- (c) Deprived of necessary food, clothing, shelter, or care;
- (d) Placed in a situation to be sexually exploited through sex trafficking of a minor¹² or by allowing, encouraging, or forcing such minor child to engage in debauchery, public indecency, or obscene or pornographic photography, films, or depictions;
- (e) Placed in a situation to be sexually abused;¹³ or
- (f) Placed in a situation to be a trafficking victim.¹⁴

Pursuant to Neb. Rev. Stat. § 28-805(1)(Reissue 2016), it is unlawful for any person not a minor to debauch or deprave the morals of any boy or girl under the age of 17 years by:

- (a) Lewdly inducing such boy or girl carnally to know any other person; or
- (b) Soliciting any such boy or girl to visit a house of prostitution or other place where prostitution, debauchery, or other immoral practices are permitted or encouraged, for the purpose of prostitution or sexual penetration; or
- (c) Arranging or assisting in arranging any meeting for such purpose between any such boy or girl and any female or male of dissolute character or any inmate of any place where prostitution, debauchery, or other immoral practices are permitted or encouraged; or
- (d) Arranging or aiding or assisting in arranging any meeting between any such boy or girl and any other person for the purpose of sexual penetration.

Finally, it is also a crime in Nebraska to engage in sex trafficking of a minor and to possess or generate child pornography. Sex trafficking of a minor is defined under Neb. Rev. Stat. § 28-830(12) (Cum. Supp. 2020) as knowingly recruiting, enticing, harboring, transporting, providing, soliciting, or obtaining by any means or knowingly attempting to recruit, entice, harbor, transport, provide, solicit, or obtain by any means a minor for the purpose of having such minor engage in commercial sexual activity, sexually explicit performance, or the production of pornography or to

¹² As defined in § 28-830.

¹³ As defined in §§ 28-319, 28-319.01, or 28-320.01.

¹⁴ As defined in § 28-830.

cause or attempt to cause a minor to engage in commercial sexual activity, sexually explicit performance, or the production of pornography.¹⁵

There are three main statutes in Nebraska relating to child pornography. First, under Neb. Rev. Stat. § 28-813.01 (Cum. Supp. 2020), it is unlawful to knowingly possess any visual depiction of sexually explicit conduct which has a child as one of its participants or portrayed observers. Second, it is a crime to possess child pornography with the intent to distribute where the offender is 19 years of age or older under Neb. Rev. Stat. § 28-1463.05(1) and (2)(b) (Cum. Supp. 2020).¹⁶ Third, under Neb. Rev. Stat. § 28-1463.03 (Cum. Supp. 2020), it is unlawful for a person to knowingly generate, purchase, or distribute child pornography.

C. Summary of Nebraska's Statute of Limitations for Offenses Against Minors

The numerous statutory offenses pertaining to child abuse, neglect, and the exploitation of children must be prosecuted within the applicable statute of limitations.

Nebraska's statute of limitations, § 29-110, was first established in 1965 and has been altered numerous times over the years. Originally, it provided that all felonies (except treason, murder, arson and forgery) had to be charged within three years from the date of the offense.¹⁷ Misdemeanors had to be charged within one year and six months from the date of the offense, except that if an offense was punishable by no more than a \$100 fine and three months imprisonment it had to be charged within one year of the date of the offense.¹⁸

In 1989 the statute of limitations was amended. The original provisions with respect to felonies and misdemeanors remained the same but the statute was expanded to provide that certain offenses, including first, second, and third-degree sexual assault (when the victim was under 16), as well as the offense of sexual assault of a child, could be charged within five years of the date of the offense.¹⁹ A year later, in 1990, the statute was amended again to allow these offenses to be charged within

¹⁵ Labor trafficking of a minor is also unlawful. See § 28-830(8).

¹⁶ The crime is a Class IC felony for second offenses. See § 28-1463.05(2)(c).

¹⁷ See Neb. Rev. Stat. § 29-110 (Cum. Supp. 1967).

¹⁸ *Id.*

¹⁹ See § 29-110(2) (1989 Supp.).

seven years of the offense and the list of qualifying offenses was also expanded to include various other crimes, including child abuse and debauching a minor.²⁰ The statute, as amended, also provided that “[t]he changes made to this section by this legislative bill shall apply to offenses which occurred prior to the effective date of this act or which occur on or after such date.”²¹

In 2004, the statute was amended again, and the statute of limitations was removed altogether for certain offenses, providing that:

There shall not be any time limitations for prosecution or punishment for treason, murder, arson, forgery, sexual assault of a child under section 28–320.01, or any of the following offenses when the victim is under sixteen years of age at the time of the offense: Sexual assault in the first degree, second degree, or third degree under section 28–319 or 28–320.

...

The changes made to this section by this legislative bill shall apply to offenses committed prior to the effective date of this act for which the statute of limitations has not expired as of such date *and* to offenses committed on or after such date. ²² (Emphasis added).

The latter provision—i.e., that the changes made by the 2004 amendment apply to all qualifying offenses committed on or after such date *and* prior offenses for which the statute of limitations had not expired—means that some offenses that occurred prior to 2004 also no longer have a statute of limitations. For instance, for any of the designated sexual assault offenses that previously had a seven-year statute of limitations, the statute of limitations was eliminated as long as that seven-year period had not expired. In other words, by virtue of this “reach-back period,” any of those designated offenses that occurred after 1997 (2004 minus the seven-year reach-back period) would no longer have a statute of limitations.

Since 2004, this provision eliminating the statute of limitations for designated offenses has remained in effect and the list of offenses has been expanded over the years. In 2005, for instance, the statute of limitations was removed altogether for the offenses of first and second-degree sexual assault (with no limit on a victim’s age) and

²⁰ See § 29-110(2) (Supp. 1990); see also Neb. Rev. Stat. § 28-707 (child abuse) and § 28-805 (debauching a minor).

²¹ See § 29-110(3) (Supp. 1990).

²² See § 29-110(5) and (10) (Cum. Supp. 2004).

the requirement that a victim be under 16 years old was left intact only for the offense of third-degree sexual assault.²³ In 2009, the statute was amended to add incest to the list of offenses with no statute of limitations.²⁴ And then in 2019, the offense of labor or sex trafficking of a minor and the offense of creating or distributing a visual depiction of sexually explicit conduct involving a minor (child pornography) was added to the list of offenses with no statute of limitations.²⁵ With all three of these amendments in 2005, 2009 and 2019, the statute included a reach-back provision which provided that “[t]he changes made to this section by this legislative bill shall apply to offenses committed prior to the operative date of this section for which the statute of limitations has not expired as of such date *and* to offenses committed on or after such date.” (Emphasis added).

Additionally, in 2019 and 2020, the statute of limitations was amended again to address the offense of possessing visually explicit conduct involving a minor and the offense of failure to report child abuse or neglect. The 2019 amendment, which addressed possession of visually explicit conduct involving a minor, provides that a person may be prosecuted for the offense within seven years of the date of the offense *or* within seven years after the victim’s 18th birthday, whichever is later.²⁶ The 2020 amendment, which addressed failure to report child abuse or neglect, provides that a person may be prosecuted for the offense within one year and six months of the date of the offense or within one year and six months after the child reaches the age of majority, whichever is later.²⁷ With these two amendments, as with the prior amendments, the statute included a reach-back provision which provided that “[t]he changes made to this section by this legislative bill shall apply to offenses committed prior to the effective date of this act for which the statute of limitations has not expired as of such date *and* to offenses committed on or after such date.” (Emphasis added).

In sum, as it currently exists, our statute of limitations contains all of the above amendments and its application to offenses against or involving minors can be summarized as follows:

²³ See § 29-110(5) (Supp. 2005).

²⁴ See § 29-110(5) (Supp. 2009); see also Neb. Rev. Stat. § 28-703 (incest).

²⁵ See § 29-110(10) (Supp. 2019); see also Neb. Rev. Stat. § 28-831 (labor or sex trafficking of a minor) and § 28-1463.03 (generating, purchasing or distributing visual depiction of sexually explicit conduct involving a minor).

²⁶ See § 29-110(5) (Supp. 2019); see also Neb. Rev. Stat. § 28-813.01 and § 28-1463.05.

²⁷ See § 29-110(10) (Cum. Supp. 2020); see also Neb. Rev. Stat. § 28-717 (failure to report child abuse or neglect).

Offenses committed prior to 2004. Any offenses committed prior to 2004, whether it be a felony or misdemeanor, are barred by the statute of limitations. The only exception is for the sexual assault offenses specifically identified in the 2004 amendment to the statute of limitations, *provided* that the offense was committed during the applicable reach-back period, i.e., the previously existing seven-year statute of limitations. In other words, per the 2004 amendment, any of the designated sexual assault offenses that occurred as far back as 1997 (2004 minus the seven-year reach-back period) do not have a statute of limitations. These sexual assault offenses include:

- First-degree sexual assault (of a victim under age 16)
- Second-degree sexual assault (of a victim under age 16)
- Third-degree sexual assault (of a victim under age 16)
- Sexual assault of a child

Offenses committed after 2004. For any offenses committed after 2004, the statute of limitations depends on the nature and date of the offense:

- As of 2004 and after, if an offense is not one of the specific offenses or exceptions in our statute of limitations, the statute of limitations will be governed by the general limitations period, i.e., three years for felonies and 18 months for misdemeanors.
- As of 2004/2005 and after (or during the seven-year reach-back period), there is no statute of limitations for:
 - First-degree sexual assault (age of victim does not matter)
 - Second-degree sexual assault (age of victim does not matter)
 - Third-degree sexual assault (age of a victim under 16)
 - Sexual assault of a child
- As of 2009 and after (or during the three-year reach-back period), there is no statute of limitations for incest.
- As of 2019 and after (or during the three-year reach-back period), there is no statute of limitations for:
 - Labor or sex trafficking of a minor
 - Creating or distributing a visual depiction of sexually explicit conduct involving a minor (child pornography)
- As of 2019 and after (or during the three-year reach-back period), the statute of limitations is seven years from the date of the offense *or* seven years after the victim's 18th birthday, whichever is later, for possession of visually explicit conduct involving a minor.

- As of 2020 and after (or during the 18-month reach-back period), the statute of limitations is one year and six months from the date of the offense *or* one year and six months after the victim reaches the age of majority, whichever is later, for failure to report child abuse or neglect.

D. Mandatory Reporting Law Issues

Nebraska’s mandatory reporting law is found at Neb. Rev. Stat. § 28-711 (Reissue 2016). Section 28-711 is part of Nebraska’s Child Protection and Family Safety Act, which is found at Neb. Rev. Stat. §§ 28-710 to 28-727 (Reissue 2016 & Cum. Supp. 2020). Section 28-711 provides, in relevant part:

(1) When any physician, any medical institution, any nurse, any school employee, any social worker, the Inspector General appointed under section 43-4317, *or any other person* has reasonable cause to believe that a child has been subjected to child abuse or neglect or observes such child being subjected to conditions or circumstances which reasonably would result in child abuse or neglect, he or she shall report such incident or cause a report of child abuse or neglect to be made to the proper law enforcement agency or to the department on the toll-free number established by subsection (2) of this section.

(emphasis supplied). A plain reading of the above-cited language (most notably, the “any other person” language) requires that church personnel, including members of the clergy, report known, suspected, or reasonably foreseeable child abuse or neglect. And based on a review of earlier versions of § 28-711, that obligation has existed since the statute was first passed into law in 1977.²⁸

Generally speaking, failure to report as required by § 28-711 is a crime. Specifically, Neb. Rev. Stat. § 28-717 (Reissue 2016) provides: “Any person who willfully fails to make any report of child abuse or neglect required by section 28-711 shall be guilty of a Class III misdemeanor.” Depending on the circumstances, a failure to report as required by § 28-711 could also be charged as Child Abuse under Neb. Rev. Stat. § 28-707 (Cum. Supp. 2020).²⁹

²⁸ Section 28-711 was then amended in 1979, 1982, 1988, 2002, 2005, and 2012.

²⁹ See Sarah Helvey, Juliet Summers, and Sean Conway, *Universal Mandatory Reporting of Suspected Child Abuse and Neglect in Nebraska: Current Law and Future Considerations*, *The Nebraska Lawyer* (July/August 2020) (available online at

III. Summary of Policies and Procedures for Protecting Against Sexual Abuse of Minors and for Responding to Allegations of Conduct (Grand Island Diocese, Lincoln Diocese, and Omaha Archdiocese)

In 2002, the United States Conference of Catholic Bishops approved the “Charter for the Protection of Children and Young People” (hereinafter “*Charter*”) and “Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons” (hereinafter “*Essential Norms*”).³⁰ These documents mandate, in broad terms, certain policies and procedures for addressing the issue of sexual abuse of minors within the Catholic Church (in the United States). Among other things, the *Charter* and *Essential Norms* require all dioceses:

- Conduct background checks and provide “safe environment” training and programs for all personnel who will work or have contact with minors;
- Comply with all civil and reporting laws regarding allegations of child abuse and cooperate with any investigations by law enforcement;
- Establish policies and procedures for addressing situations or allegations of minors being sexually abused within or by personnel of the Church;
- Establish committees and review boards for purposes of implementing such policies and procedures, reviewing specific allegations or situations of minors being sexually abused, and determining the appropriate response or action to situations or allegations of minors being sexually abused; and
- Provide transparent communication with members of the Church and the general public regarding sexual abuse of minors within the Church.³¹

The Grand Island Diocese, Lincoln Diocese, and Omaha Archdiocese have each adopted and implemented the *Charter* and the *Essential Norms*. All three have also adopted additional and more specific policies and procedures to govern their respective jurisdictions. Their policies and procedures are summarized below.

https://cdn.ymaws.com/www.nebar.com/resource/resmgr/nebraskalawyer_2017plus/2020/julyaugust/TNL-0720c.pdf).

³⁰ Both documents are available online at

<https://www.usccb.org/issues-andaction/child-and-youth-protection/upload/Charter-for-the-Protection-of-Children-and-Young-People-2018-final.pdf>. They were last revised in 2018 and 2005, respectively.

³¹ See *Charter*, Articles 1-17; *Essential Norms*, Articles 1-13.

A. Grand Island Diocese

The Grand Island Diocese’s primary policy is the “Diocese of Grand Island Child Protection Policy.” (hereinafter “the Policy”).³² The Policy, in its words, “addresses accountability, obligations, and responsibility on the part of the priests, deacons, and all adults who have regular contact with children in the name of the Church.”³³ The Policy also, in its words, “recognizes and cooperates with the requirements and procedures of state and local law regarding the protection of children and young people, the prevention and response to incidents of actual or suspected sexual abuse, and misconduct.”³⁴

The Policy begins by defining various terms and phrases, as well as certain individuals and entities within the diocese’s organizational structure (e.g., “minor” and “victim assistance coordinator”).³⁵ The Policy then identifies who qualifies as church personnel (basically anyone employed or associated with the church, including volunteers) and describes the relevant Nebraska law, including that reporting suspected abuse is mandatory and that reports should be made to the proper law enforcement agency or Nebraska Department of Health and Human Services (DHHS).³⁶ Finally, the Policy sets out standards and procedures regarding hiring and training personnel, reporting and investigating allegations of misconduct, and maintaining records and communicating with other parties.³⁷ A description of those standards and procedures follows below.

1. Hiring and Training

All prospective personnel who are age 19 or over, who will have regular contact with minors at the time of being offered a position, are required to undergo a criminal background check (which, per the diocese’s website, is to be repeated every three years).³⁸ All such personnel are also required to submit references for their character, work history, and performance, and those interviewing them are required to actually

³² The Policy is available online at <https://gidiocese.org/documents/2019/8/Child%20Protection%20Policy%20Revised%202015.pdf>. It was last revised in 2015.

³³ The Policy, p. 1.

³⁴ *Id.*

³⁵ See *id.* at 2–3.

³⁶ See *id.* at 3–6.

³⁷ See *id.* at 6–13.

³⁸ See *id.* at 7; <https://gidiocese.org/volunteers-and-staff>.

contact those references.³⁹ Additionally, all such personnel are expected to adhere to the “Code of Pastoral Conduct” (hereinafter “the Code”), which they must agree in writing to follow.⁴⁰ In addition to addressing other topics, the Code has a specific section “for [i]nteractions with [m]inors,” which forbids inappropriate sexual conduct, among other things, and also offers general guidance on working with minors.⁴¹

Once they have accepted a position, all personnel who have contact with minors are required to complete Initial Safe Environment Training.⁴² Such personnel are then required to complete additional Safe Environment Training on an annual and continuing educational basis.⁴³ The Child Protection Office, working with the chancellor, oversees and coordinates all Safe Environment Training, which includes preventative education for minors, their families, and the community at large in the diocese’s area.⁴⁴ Per the diocese’s website, the chancellor is a member of the bishop’s administration, the bishop being the leader of the diocese.⁴⁵

2. Reporting and Investigating

All personnel have an obligation to report known or suspected child sexual abuse “unless to do so would violate [the] priest/penitent relationship of the Sacrament of Reconciliation or other communication deemed privileged under Nebraska law.”⁴⁶ After complying with the relevant Nebraska law, a verbal report should be made immediately to the “appropriate staff person,” with a written report to follow as soon as reasonably possible.⁴⁷ A copy of that written report should also be provided to the bishop or his designate.⁴⁸ Unless otherwise determined, the “appropriate staff person” for Catholic schools is the principal; for parishes, it is the priest; and for diocesan entities, it is the chancellor.⁴⁹ In the event that the alleged

³⁹ See the Policy, p. 8.

⁴⁰ See *id.* at 10. The Code is available online at <https://d2y1pz2y630308.cloudfront.net/22798/documents/2021/4/6%20page%20Code%20of%20Pastoral%20Conduct%203-18.pdf>. It was last revised in 2018.

⁴¹ See the Code, p. 6.

⁴² See the Policy, p. 6.

⁴³ See *id.*

⁴⁴ See *id.* at 6–7.

⁴⁵ See <https://gidiocese.org/>.

⁴⁶ The Policy, p. 8.

⁴⁷ See *id.*

⁴⁸ See *id.*

⁴⁹ See *id.*

offender is also the “appropriate staff person,” then the verbal and written reports should be made to the bishop or his designate.⁵⁰ And if the alleged offender is a priest, the verbal and written reports should be made to the bishop, “who will enact” the *Essential Norms*.⁵¹ If the alleged offender is either a priest or a deacon, the bishop, upon receiving a report, shall notify the Diocesan Review Board.⁵²

The Diocesan Review Board (hereinafter “the Board”) is, per its bylaws, a “confidential consultative body to the . . . [B]ishop regarding the implementation and application of the Charter. . . .”⁵³ In short, the Board’s functions are: (1) to review particular allegations or cases of child sexual abuse by priests and deacons and advise the Bishop in that regard; (2) review diocesan policies, practices, and procedures for protecting children and preventing the abuse of children by personnel of the Diocese; (3) to review results of legal and internal investigations; and (4) to advise the Bishop in his determination of suitability for ministry.⁵⁴ The Board is to be composed of at least nine persons, those being the Chancellor and at least eight other persons, with at least four of those other persons being practicing Catholics.⁵⁵ At least one of the persons must have “particular expertise in the treatment of sexual abuse” and at least one of the persons, other than the Chancellor, must be “an experienced and respected pastor.”⁵⁶ Lastly, a majority of the persons must be “lay persons who are not employed by the [D]iocese.”⁵⁷

After a report is received, the Diocese will make contact with the alleged victim and his or her family, taking care not to interfere with any criminal investigation, and will appoint a victim assistance coordinator to assist the alleged victim and/or

⁵⁰ See *id.*

⁵¹ See *id.* at 9.

⁵² See *id.* Also, the Catholic Bishop Abuse Reporting Service (a third-party service paid for by the 197 dioceses/eparchies of the United States) exists to receive reports of sexual abuse and related misconduct by bishops and to relay those reports to proper church authorities for investigation. Apparently, “[o]nly those Church officials delegated with authority by the Holy See can conduct a Church investigation of a bishop.” See (reportbishopabuse.org, FAQs).

⁵³ Diocese of Grand Island, By-laws of the Diocesan Review Board, p. 1 (hereinafter “By-laws”). The Board’s by-laws are available online at <https://d2y1pz2y630308.cloudfront.net/22798/documents/2019/8/Review%20Board%20By-laws%20revised%2012%2012.pdf>.

⁵⁴ See By-laws, p. 1.

⁵⁵ See *id.*

⁵⁶ See *id.*

⁵⁷ See *id.*

his or her family by “offering whatever concern or solace may be needed, with no comment as to the truth of any accusations.”⁵⁸ Medical, psychological, and spiritual assistance may also be offered. The Child Protection Office directs all victim assistance ministry.⁵⁹

Additionally, an investigation will take place “as soon as reasonably possible with care taken not to interfere with any criminal investigation, and with a high level of Christian care, concern, and confidentiality.”⁶⁰ If the report involves a priest or deacon, the investigation will be done by the Board.⁶¹ And if it is a “plausible allegation of abuse of a minor,” the alleged perpetrator, in accordance with canonical and other considerations, “shall be relieved of all responsibilities in the Diocese, parish, office[,] or institution, and be placed on administrative leave, pending the outcome of the internal and any outside investigation.”⁶² The investigation should include an interview of the alleged perpetrator, in the presence of his or her counsel.⁶³ In that interview, after appropriate advisements are given, “[t]he alleged perpetrator should be given an opportunity to ask any clarifying questions and should then be asked to respond to the allegations.”⁶⁴

Any non-priest or deacon found guilty after the investigation “shall be immediately terminated from employment and any position of responsibility with the Diocese. . . .”⁶⁵ Any priest or deacon found guilty after the investigation “will be referred to the Congregation of the Doctrine of the Faith” and “will be removed permanently from ecclesiastical ministry.”⁶⁶

3. Maintaining Records and Communicating

The Child Protection Office maintains records of these processes.⁶⁷ This includes, among other things, the results of any background checks, feedback regarding Safe Environment Training, and contacts between victim assistance

⁵⁸ See the Policy, p. 9.

⁵⁹ See *id.*

⁶⁰ See *id.*

⁶¹ See *id.* at 9–10.

⁶² See *id.* at 10.

⁶³ See *id.*

⁶⁴ See *id.*

⁶⁵ See *id.*

⁶⁶ See *id.*

⁶⁷ See *id.* at 11–12.

coordinator(s) and alleged victims and family.⁶⁸ The Child Protection Office also is required to cooperate with regular audits and research authorized by the United States Conference of Catholic Bishops.⁶⁹

The diocese “shall maintain transparency with regard to allegations of abuse of a minor.”⁷⁰ The chancellor shall serve as the diocesan spokesperson when issues, allegations, or incidents regarding the protection of children occur in the diocese.⁷¹ The Board may also issue statements, reports, or other forms of communication after discussion and with the full knowledge of the bishop.⁷²

B. Lincoln Diocese

As noted above, the Lincoln Diocese has adopted and implemented the *Charter* and the *Essential Norms*. It has also adopted additional and more specific policies and procedures which govern their diocese. In particular, it has adopted a “Policy and Procedure for Background Checks of Church Personnel in the Diocese of Lincoln,” “Safe Environment Policies,” “Protocols for Interaction between Adults and Young People,” and a “Policy on the Reporting of Alleged Cases of Child Abuse or Neglect.”⁷³ The policies and procedures set forth in these documents can be broken down into three primary categories: (1) Hiring and Training; (2) Reporting and Investigations; and (3) Maintaining Records and Communicating.

1. Hiring and Training

The diocese’s protocols provide that background screenings shall be conducted on all prospective diocesan personnel 18 years of age or older whose duties will include contact with minors.⁷⁴ Personnel who are minors *may* be required to complete a background screening.⁷⁵ “Personnel” is defined as “[a]ny cleric, member of a religious order, seminarian or person studying for the permanent diaconate, lay

⁶⁸ See *id.* at 11.

⁶⁹ See *id.* at 12.

⁷⁰ *Id.* at 12.

⁷¹ See *id.*

⁷² See *id.* at 13.

⁷³ See <https://www.lincolndiocese.org/protection-of-youth/safe-environment>.

⁷⁴ See Safe Environment Policies: Diocese of Lincoln Policy and Procedures for Background Checks and Safe Environment Training of Church Personnel, Section 1.3.

⁷⁵ See *id.*, Section 1.17.

employee, contractor, agent, or volunteer working for or on behalf of a Diocesan Entity.”⁷⁶ “Minor” is defined as “a person under 18 years of age. For the purposes of sexual abuse and sexual exploitation, a “minor” shall also include a person of any age who lacks the habitual use of reason.”⁷⁷ All personnel subject to the diocese’s policies shall have background checks no less than every five years, and any individuals with background findings deemed to pose an unacceptable risk will not be permitted to work or volunteer within the diocese.⁷⁸ More specifically, individuals who have had convictions of child abuse, are registered sex offenders, or who have a history of selling drugs to minors or other criminal convictions deemed to be potentially dangerous will not be retained or placed in a position of employment or voluntary service.⁷⁹

In addition to background checks, all personnel who are 18 years old or older shall also complete Safe Environment Training on an annual basis.⁸⁰ Personnel under the age of 18 *may* be required to complete such training.⁸¹ The Safe Environment policies require, among other things, that supervisory roles for any event or activity involving minors be held by personnel who are 21 years of age or older, and at least two adults should be present at every youth event involving minors.⁸² The policies further provide that personnel having interaction with minors should avoid certain types of interactions, such as inappropriate touching, gratuitous physical interaction, or any other activities, gestures, or language that may be seen

⁷⁶ See Safe Environment Policies: Definitions.

⁷⁷ See Safe Environment Policies: Diocese of Lincoln Policy and Procedures for Background Checks and Safe Environment Training of Church Personnel, Section 1, Footnote 1.

⁷⁸ See *id.*, Section 1.11; see also Safe Environment Policies: Background Check & Safe Environment Training Procedures, Section 2.5.

⁷⁹ See Policy and Procedures for Background Checks of Church Personnel in the Diocese of Lincoln: Policy Section (<https://www.lincolndiocese.org/all-documents-old/education/20-safeguarding-children/file>).

⁸⁰ See Safe Environment Policies: Diocese of Lincoln Policy and Procedures for Background Checks and Safe Environment Training of Church Personnel, Section 1.2.

⁸¹ See *id.*, Section 1.19.

⁸² See *id.*, Section 1.16; see also Safe Env Policies: Diocese of Lincoln Adult and Youth Interaction Protocols, Sections 1.4, 4.1 and 5.1.

as signs of affection.⁸³ The policies also require that personnel avoid inappropriate conduct or interactions with minors via the internet.⁸⁴

2. *Reporting and Investigations*

The diocese's policies on reporting child abuse provide that all personnel having "reasonable cause" to believe a child has been subjected to abuse or neglect, or observing such child being subjected to conditions or circumstances which reasonably would result in child abuse or neglect, shall report or cause a report of child abuse or neglect to be made to civil authorities in accordance with Nebraska law and cooperate in any investigations.⁸⁵ There is a footnote to this provision which expressly states "[w]ith due regard for the seal of the Sacrament of Penance."⁸⁶

When disclosure of an incident is not precluded by the Sacrament of Penance, the diocese's policies require that such incidents be promptly reported in accordance with the Nebraska Child Protection and Family Safety Act, Neb. Rev. Stat. §28-710 through §28-727.⁸⁷ The report must be made at the first opportunity, but no later than 48 hours after there is belief that the child has suffered abuse or neglect.⁸⁸ The report shall be made to the appropriate civil authorities (i.e., to law enforcement or to the Nebraska Department of Health and Human Services), and then the matter shall also promptly be reported to the appropriate parish, school, or agency administrator within the diocese.⁸⁹ Notifying the diocese of the matter does not relieve personnel or the diocese of the legal obligation to report the matter to civil authorities or cause a report to be made, as required by Nebraska law.⁹⁰

When the diocese receives a report of sexual abuse or neglect of a minor by a member of the church or its personnel, its policies set forth the steps that must be taken.⁹¹ If the matter has not already been reported to civil authorities, such report

⁸³ See Safe Environment Policies: Diocese of Lincoln Adult and Youth Interaction Protocols, Sections 1.2 to 3.1.

⁸⁴ See *id.*, Sections 7.1 to 7.11.

⁸⁵ See Safe Environment Policies: Diocese of Lincoln Policy for Reporting and Responding to Alleged Child Abuse or Neglect, Introduction.

⁸⁶ See *id.*, Footnote 2.

⁸⁷ See *id.*, Section 1.

⁸⁸ See *id.*, Section 1.3.

⁸⁹ See *id.*, Section 1.1 through 2.6.

⁹⁰ See *id.*, Section 2.6.

⁹¹ See *id.*, Sections 3.1 through 4.5.

shall be made immediately and all parties shall allow and participate in any investigation by civil authorities.⁹² If the accused is an employee, contractor, agent, or volunteer of the diocese, he or she shall be suspended or put on leave pending a full investigation.⁹³ If the accused is a cleric of the diocese, the accused will be advised to consult with independent or canonical counsel; he or she shall have their faculties restricted or be placed on administrative leave; he or she may be required to move from his rectory⁹⁴ or place of residence to an approved location during the pendency of the investigation; and he or she will be offered the opportunity to receive professional counseling.⁹⁵ If a member of the clergy admits to sexual abuse of a minor or their guilt is established after an appropriate process in accord with canon law, he or she shall be subject to penalties and restrictions in accordance with the *Charter* and the *Essential Norms*, not excluding dismissal from the clerical state.⁹⁶ In all cases, pastoral care such as counseling, spiritual assistance, support groups and other assistance shall be provided to the accused and to the victim.⁹⁷

3. *Maintaining Records and Communicating*

The diocese's policies and procedures, including the procedures for reporting abuse and related resources, are to be maintained and posted on the diocese's website and distributed to its personnel.⁹⁸ The policies and procedures shall be reviewed by the diocese no less than every three years, or more frequently as needed, and shall be updated as necessary to reflect changes which promote best practices, civil or canon law, the *Charter*, or the *Essential Norms*.⁹⁹

When appropriate, as determined by the diocese, timely and accurate information regarding the sexual abuse or neglect of minors shall be provided to church members and its personnel, administrators of diocesan entities, the presbyterate, or the general public.¹⁰⁰ All communication, whether verbal or written,

⁹² See *id.*, Section 3.1.

⁹³ See *id.*

⁹⁴ A rectory is the house where the parish priests live.

⁹⁵ See *id.*

⁹⁶ See *id.*

⁹⁷ See *id.*

⁹⁸ See Safe Environment Policies: Diocese of Lincoln Safe Environment Communication Policy and Procedures, Sections 1 through 2.5.

⁹⁹ See *id.*

¹⁰⁰ See *id.*, Section 4.

shall observe and respect the privacy, reputation, and legal rights of the persons involved, and shall adhere to the pertinent canon and civil law requirements.¹⁰¹

“Sensitive documents,” such as background checks and related information, are kept in a confidential file and may only be accessed by certain diocesan personnel on a “need-to-know” basis.¹⁰² Such information will be maintained for the duration of employment or service within the diocese.¹⁰³ Five years after termination of employment or service, diocesan entities will destroy the files according to the FACTA Disposal Rule.¹⁰⁴

C. Omaha Archdiocese

The Omaha Archdiocese’s policies and procedures are set forth in a document entitled “Archdiocese of Omaha Safe Environment Policies.” (hereinafter “the Document”).¹⁰⁵ Those policies and procedures, per the Document, are in accord with both the *Charter* and the *Essential Norms* and “address[] accountability, obligations[,] and the responsibility on the part of priests, deacons[,] and all adults who have contact with minors. . . .”¹⁰⁶ Additionally, per the Document, those policies and procedures “recognize[] and cooperate[] with the requirements and procedures of applicable state and local law” and “address[] the prevention and response to incidents of actual or suspected sexual abuse and misconduct toward children [and] minors. . . .”¹⁰⁷

¹⁰¹ See *id.*

¹⁰² See Safe Environment Policies: Diocese of Lincoln Policy and Procedures for Background Checks and Safe Environment Training of Church Personnel, Sections 2.1 through 2.11. See also Policy and Procedures for Background Checks of Church Personnel in the Diocese of Lincoln: Confidentiality and Record Retention/Protection Sections (<https://www.lincolndiocese.org/all-documents-old/education/20-safeguarding-children/file>).

¹⁰³ See Safe Environment Policies: Diocese of Lincoln Policy and Procedures for Background Checks and Safe Environment Training of Church Personnel, Sections 2.9 through 2.11.

¹⁰⁴ See *id.*

¹⁰⁵ The Document is available online at <https://uploads.weconnect.com/mce/cb58c376c77fa09772e5859694eb0176c2e0e3ba/Safe%20Environment%20Policies%202021.pdf>. It was last revised in November 2020.

¹⁰⁶ The Document, p. 3.

¹⁰⁷ *Id.*

The Document begins by setting forth certain relevant provisions of canon and Nebraska law, including: (1) canon law regarding the offense of sexual abuse of a minor; (2) Nebraska law defining various offenses against children (e.g., sexual assault of a child and possession of child pornography); and (3) Nebraska law regarding mandatory reporting of suspected child abuse and/or neglect.¹⁰⁸ The Document then goes on to define various terms and phrases, as well as certain individuals and entities within the archdiocese’s organizational structure (e.g., “minor” and “vicar for clergy”).¹⁰⁹ Following those sections, the Document sets out standards and procedures regarding hiring and training personnel, reporting and investigating allegations of misconduct, and maintaining records and communicating.¹¹⁰ A description of those standards and procedures follows below.

1. Hiring and Training

In short, as relevant here, “Church Personnel” is defined to include all clergy, employees, and volunteers of the archdiocese who have contact with minors.¹¹¹ It is not perfectly clear, but it appears that all current and prospective personnel who are age 19 and over and who have or will have contact with minors are required to be Safe Environment Certified.¹¹² Additionally, long-term outside vendors that work in or provide services for the archdiocese (e.g., bus drivers) may be asked to be Safe Environment Certified, though that is not required; however, if they are not Safe Environment Certified, they must always be supervised in the archdiocese by a Safe Environment Certified adult.¹¹³ To be Safe Environment Certified, the person must: (1) create an account on the Safe Environment data platform; (2) acknowledge the applicable Code of Conduct; (3) register for and attend a Safe Environment training session; and (4) complete information for, consent to, and pass a background check.¹¹⁴ Also, to maintain the certification, the person must complete certain online training every six years after first becoming Safe Environment Certified.¹¹⁵

As mentioned, to be Safe Environment Certified, the person must acknowledge the applicable Code of Conduct. There are two Codes of Conduct, one for clergy

¹⁰⁸ See *id.* at pp. 4–7.

¹⁰⁹ See *id.* at pp. 7–11.

¹¹⁰ See *id.* at pp. 11–44.

¹¹¹ See *id.* at p. 7.

¹¹² See *id.* at pp. 38–40.

¹¹³ See *id.* at p. 40.

¹¹⁴ See *id.* at pp. 37–42.

¹¹⁵ See *id.* at p. 41.

(bishops, priests, and deacons) and one for laypersons (everyone else).¹¹⁶ Broadly speaking, the Codes of Conduct set forth standards and provide guidance regarding interpersonal interactions between personnel and other persons.¹¹⁷ The Codes of Conduct include, as relevant here, specific, detailed sections addressing interactions with minors, including offering comprehensive guidance on communicating with minors electronically.¹¹⁸ Both Codes of Conduct also include sections about the duty to report misconduct.¹¹⁹

In addition, the archdiocese uses the “Circle of Grace” program as the children’s education component of the archdiocese’s Safe Environment training. The archdiocese’s website¹²⁰ indicates that the program teaches minors “to identify and maintain appropriate physical, emotional, spiritual[,] and sexual boundaries,” “[to] recognize when boundary violations are about to occur,” and “how to take action when boundaries are threatened or violated.” The program is required training for all minors in archdiocesan schools, religious education, and youth ministry programs.¹²¹ The training is prepared in an age appropriate and sequential format.¹²²

2. Reporting and Investigating

Per the Document, “all personnel shall comply with the reporting requirements of the Nebraska state law and any other requirements found in local laws when he/she has actual knowledge of or reasonable cause to suspect an incident of child abuse (physical, emotional, sexual) or child neglect (physical, emotional, educational, medical) has occurred.”¹²³ The Document also notes that “[p]riests have a singular and unbreakable obligation to hold all matters received in the Sacrament of Reconciliation, or when another has sought spiritual advice, in strictest confidentiality” and that “[p]riests are not permitted to disclose communications occurring during [] the Sacrament, or in context of providing spiritual advice[,] even with the consent of the penitent.”¹²⁴

¹¹⁶ See *id.* at pp. 45–63.

¹¹⁷ See *id.*

¹¹⁸ See *id.* The Document itself also provides guidance and best practices for online education and ministry. See *id.* at pp. 27–30.

¹¹⁹ See *id.* at pp. 53, 63.

¹²⁰ <https://archomaha.org/circleofgrace/>.

¹²¹ See *id.*

¹²² See *id.*

¹²³ The Document, p. 12 (bold emphasis in original removed).

¹²⁴ *Id.* at p. 18.

After complying with Nebraska law, concerns regarding non-clergy personnel must be reported to the victim outreach and prevention director (the head of the Victim Outreach and Prevention Office) or the chancellor (an appointee of the archbishop, the leader of the archdiocese).¹²⁵ If the concerns are regarding clergy, a report must be made to the victim outreach and prevention director, the chancellor, or the vicar for clergy.¹²⁶ The vicar for clergy (or designated other) will then notify the archbishop.¹²⁷ As circumstances permit, with due regard to any resulting investigation by civil authorities, the victim outreach and prevention director (or his designee), in coordination with the chancellor, will offer pastoral assistance to the alleged victim, family members, and those affected by the circumstances (i.e., parishes or schools).¹²⁸

The archdiocese will cooperate with any resulting investigation by civil authorities and will not start its own internal investigation “until authorities have completed their process or given leave to archdiocesan staff to begin their investigation.”¹²⁹ When the allegations involve a member of the clergy, the internal investigation will be conducted in accordance with canon law and certain precautionary measures may be taken, including removing the alleged offender from ministry pending the outcome of the internal investigation (and of any investigation by civil authorities).¹³⁰ It appears that the internal investigation is to be led by the archbishop or his delegate, with assistance from the Archdiocesan Review Board and external investigative resources. The Archdiocesan Review Board is a panel that serves as a consultative body to the archbishop.¹³¹ When sexual abuse or grave misconduct concerning a minor by a member of the clergy is ultimately proven, the offender is to be permanently removed from ministry and, if warranted, dismissed from the clerical state.¹³²

¹²⁵ See *id.* at pp. 7–8, 12.

¹²⁶ See *id.* at p. 12.

¹²⁷ See *id.*

¹²⁸ See *id.* at pp. 13, 21.

¹²⁹ *Id.* at p. 13.

¹³⁰ See *id.* at pp. 13–14.

¹³¹ See *id.* at pp. 13–15.

¹³² See *id.* at p. 14.

3. Maintaining Records and Communicating

The Victim Outreach and Prevention Office maintains copies of personnel documentation.¹³³ The chancellor and vicar for clergy maintain documentation regarding allegations of sexual abuse or grave misconduct by clergy, the subsequent investigation, and any action taken.¹³⁴ The Archdiocesan Review Board maintains the Clergy Abuse Report, which is “[a] published list of clergy who have had substantiated allegations of grave misconduct and/or abuse of a minor,” and is available online.¹³⁵ Parishes and schools are required to submit annual Safe Environment Data Reports and the Victim Outreach and Prevention Office conducts audits of parishes and schools on a five-year cycle.¹³⁶

The chancellor (or his designee) is the spokesperson for the archdiocese on these issues.¹³⁷ The Archdiocesan Review Board may also issue statements, reports, or other forms of communications after discussion and with the full knowledge of the archbishop.¹³⁸

IV. Summaries of Substantiated Cases of Clergy Sexual Abuse or Misconduct

These summaries vary in degree of detail, largely based upon the amount of information provided in the file. Our intention was to create an accurate and honest record of the cases of clergy sexual abuse in Nebraska. When the files contained substantial details, we felt it was important not to diminish or sanitize the horrors experienced by the victims. Thus, many of the descriptions of abuse are taken directly from the language found in the files. Some of it is graphic and disturbing. At times, however, it was necessary to remove certain details (e.g., locations, names, etc.) which could have divulged the identity of the victims.

The summaries are presented in narrative form, with a description of the acts committed against each victim. When there are multiple victims, we present them in approximate chronological order. After the narrative, we have provided a summary

¹³³ See *id.* at p. 42.

¹³⁴ See *id.* at p. 14.

¹³⁵ See *id.* at pp. 11, 34.

¹³⁶ See *id.* at p. 25.

¹³⁷ See *id.* at pp. 14, 22.

¹³⁸ See *id.* at p. 21.

of the vital information for each victim, signified by the letters A-F. The key for this information is as follows:

Vital Information Summary Key
A. The nature of the abuse/misconduct reported (i.e. fondling, oral sex, etc.)
B. The date of the abusive incident
C. The date the abuse was reported to the diocese/archdiocese
D. The gender/age of the victim
E. Whether the diocese had received any report of the official engaging in sexual misconduct with other children or young adults prior to the incident described
F. When the incident was reported to law enforcement

A. Lincoln Diocese

Father James Benton

Benton was ordained in 1973 and served in numerous parishes during his tenure as a priest. Three victims have alleged sexual abuse by Benton.

Victim #1: Victim #1 reported this incident to the diocese in 2017. Victim #1 says he was sexually molested by Benton in the early 1970s. Benton was 24 years old and in seminary. Victim #1 was in his mid-teens. While sleeping in the same bedroom, Victim #1 says he was awakened in the middle of the night with Benton's arms tightly wrapped around him. Benton was thrusting up against Victim #1's buttocks.

- A. Nature of the abuse/misconduct: Inappropriate touching; simulation of sexual acts
- B. Date of incident: Early 1970s
- C. Reported to diocese: 2017
- D. Gender/age of victim: Male – 15 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2017

Victim #2: Victim #2 reported to the diocese in 1997. He alleged that while on a camping trip in the early 1980s, when he was about 11 years old, he and Benton had to sleep in the same bed. Victim #2 said Benton touched and rubbed him on the thigh,

close to the genitals. In his opinion, the touching was sexual in nature. Benton touched him in this manner at least twice that evening. The monsignor who spoke with Victim #2 in 1997 noted he had “no reason to doubt the credibility” of Victim #2. The diocese took no action against Benton at that time.

Victim #2 reached out to the diocese again in 2002 and had a conversation with Bishop Bruskewitz. Victim #2 commented he felt Bruskewitz was dismissive of his allegations. When confronted with Victim #2’s allegations, Benton denied the accusations and no disciplinary action was taken.

- A. Nature of the abuse/misconduct: Inappropriate touching perceived as sexually motivated
- B. Date of incident: Mid-1980s
- C. Reported to diocese: 1997; 2002
- D. Gender/age of victim: Male – 11 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018 to Nebraska DOJ

Victim #3: Victim #3 reported to the diocese in 2017. He alleged he was sexually abused by Benton during an overnight stay in the rectory of Benton’s parish in 2002 at the age of 12. Victim #3 recounted he woke up in the middle of the night with Benton on top of him. Victim #3 said Benton was “dry humping” him. He was able to push Benton off of him and ran across the room to a chair. He said Benton afterwards acted like he was asleep. Victim #3 said he did not go back to sleep the rest of the night.

An investigator from the Nebraska DOJ interviewed Victim #3. Victim #3 related he has had several communications with the diocese, but nothing has been done to address Benton’s behavior. He is of the opinion there is a “culture of cover up” within the diocese that has gone on for years.

- A. Nature of the abuse/misconduct: Simulated sexual act
- B. Date of incident: 2002
- C. Reported to diocese: 2017
- D. Gender/age of victim: Male – 12 years old
- E. Abuse reported to diocese prior to incident described: Yes, the diocese had received allegations from Victim #2 in 1997
- F. Reported to law enforcement: 2017

Disposition: The file indicates Victim #1 and Victim #3 contacted law enforcement about their accusations sometime in 2017. Prosecution for these incidents was barred by the statute of limitations. After Victim #2's report in 1997, Benton was given assignments at four other parishes, as well as a non-parish assignment at a retreat house. He was placed on leave and subsequently retired in 2017. His faculties were revoked, and restrictions were placed on his public ministry in 2018.

Benton is included in the list of Diocese of Lincoln living priests against whom substantiated allegations of childhood sexual abuse have been reported (Section B).

Father John Copenhaver

(Died in 2021)

Copenhaver was ordained in 1988. He served in numerous parishes during his time in the diocese.

Victim #1: Victim #1 reported several incidents of inappropriate touching by Copenhaver. He claimed these incidents occurred in the early 1990s when he was 15-16 years old. In 2003, Victim #1 sent a letter to Bishop Bruskewitz recounting these events. These incidents involved Copenhaver rubbing Victim #1's back, chest, and nipples under his shirt for a period lasting between 5-15 minutes. The touching occurred while Victim #1 was sitting on Copenhaver's lap. After the third incident, Copenhaver told Victim #1 these "contacts were inappropriate" and that "they should stop." Victim #1 said his sole motivation for reporting the incident was to "prevent more children from getting hurt." There is no record of Copenhaver being disciplined for these incidents.

- A. Nature of the abuse/misconduct: Inappropriate touching
- B. Date of incident: Early 1990s
- C. Reported to diocese: 2003
- D. Gender/age of victim: Male – 15-16 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #2: In late 2004, Victim #2, an adult male in his mid-20s, called a diocesan priest to report inappropriate touching by Copenhaver. Victim #2 claimed that a week earlier, he attended a party at the rectory where Copenhaver had made sexual advances towards him. Victim #2 got drunk and passed out during the party. When he woke up, he was in bed and dressed only in his underwear. Copenhaver was in the

room. Victim #2 alleged Copenhaver joined him in the bed and rubbed his back and crotch area. Victim #2 told Copenhaver to stop numerous times.

- A. Nature of the abuse/misconduct: Inappropriate touching
- B. Date of incident: 2004
- C. Reported to diocese: 2004
- D. Gender/age of victim: Adult male – Mid-20s
- E. Abuse reported to diocese prior to incident described: Yes, the diocese was informed of the incident with Victim #1 in 2003
- F. Reported to law enforcement: 2018

Other references to inappropriate behavior: The file also contains references in 2000 to complaints alleging Copenhaver had high school boys visit his residence “all hours of the day and night” and that he would take the boys, unaccompanied, on trips to his cabin. There is a letter from 2001 contending Copenhaver had on numerous occasions touched the side of a CCD¹³⁹ student’s face in a manner which was “full of sexual overtones.”

Disposition: After the incident with Victim #2 in 2004, the diocese ordered Copenhaver to attend counseling. He continued to serve as a priest until 2012, when Bishop Bruskewitz forced him to retire. His priestly faculties were revoked, and he was prohibited from publicly representing himself as a priest. None of the incidents were reported to law enforcement. He died in 2021.

Copenhaver is included in the Diocese of Lincoln deceased priests against whom substantiated allegations of childhood sexual abuse have been reported (Section A).

Monsignor Clarence Crowley

(Died in 1986)

Crowley was ordained in 1937 and served numerous parishes and Catholic schools throughout the diocese. He was accused of molesting seven boys, spanning a period from the 1930s to the 1980s.

Victim #1: Victim #1 reported that he was repeatedly sexually abused while Crowley was a priest in Hastings, Nebraska. The abuse took place between the years of 1938

¹³⁹ CCD stands for Confraternity of Christian Doctrine. CCD is a religious education program of the [Catholic Church](#), normally designed for children. The acronym is used several times in this report.

to 1941 when Victim #1 was 11-14 years of age. Victim #1 said the abuse involved Crowley inappropriately touching, tickling, and wrestling with him, which was done for the purpose of Crowley's sexual gratification. One of the episodes of abuse occurred in a hotel room during an overnight trip to Lincoln. Victim #1 said Crowley touched his penis and subjected him to masturbation.

Victim #1 began resisting Crowley's sexual advances when he was in the 8th grade. He claims he was thereafter exposed to years of psychological abuse by Crowley in high school. Throughout that time, Crowley often threatened and intimidated Victim #1, warning him that if he told anybody about the abuse, he may not get the opportunity to "play and letter in basketball."

Victim #1 wrote a letter to Bishop Bruskevitz in 2001 or 2002, describing the circumstances of his abuse at the hands of Crowley. The letter was returned with no response from the diocese. In 2018, Victim #1's family resubmitted the letter to Bishop Conley. Conley sent the family a formal apology letter a few weeks later.

- A. Nature of the abuse/misconduct: Inappropriate touching; masturbation
- B. Date of incident: 1938-1941
- C. Reported to diocese: 2001 or 2002 via letter from Victim #1; letter resubmitted in 2018
- D. Gender/age of victim: Male – 11-14 years-old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #2: Victim #2 alleged that Crowley sexually abused him during an overnight stay in Omaha. The abuse took place sometime between 1964-1966 when he was 12-14 years old. Victim #2 said that during their stay in a hotel, Crowley took out an "electric massage machine" and placed it on Victim #2's upper thigh. Victim #2 told Crowley he did not want a massage, but Crowley "would not take no for an answer." During the massage, Crowley grabbed Victim #2's genitals. Victim #2 kept resisting and Crowley eventually stopped.

Victim #2 did not report this abuse at the time but reached out to the diocese to report the abuse in 2004. There were numerous communications between Victim #2 and the diocese between 2004-2006. The abuse was reported to law enforcement in 2018.

- A. Nature of abuse: Inappropriate touching; stimulation with electronic device
- B. Date of incident: 1964-1966
- C. Reported to diocese: 2004

- D. Gender/age of victim: Male – 12-14 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #3: Victim #3 worked as a student assistant to Crowley in the late 1970s. He alleges he was abused numerous times during out-of-state trips with Crowley when he was 12-13 years old. Victim #3 did not disclose details about the molestations. He formally reported his abuse to the diocese in 2014 but said he had previously told another diocesan official of the abuse in 2011.

- A. Nature of the abuse/misconduct: Undisclosed sexual molestation
- B. Date of incident: Late 1970s
- C. Reported to diocese: 2011; 2014
- D. Gender/age of victim: Male – 12-13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #4: The sexual abuse of Victim #4 was reported to the diocese in 2009 by Victim #4's sister. She reported that the abuse took place during a two-month period in the 1970s when her brother was 13 years old. Victim #4 never personally contacted the diocese and never told anyone about his experience until after 2000. The account of Victim #4's abuse was included in the summary sheet of Crowley's file. The file did not include any primary documents.

- A. Nature of the abuse/misconduct: Undisclosed sexual molestation
- B. Date of incident: Mid-to-late 1970s
- C. Reported to diocese: 2009
- D. Gender/age of victim: Male – 13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #5: Victim #5 was sexually abused by Crowley in the early 1980s when he was 15-16 years old. He had a job at the rectory working for Crowley. Victim #5 reported he stayed overnight and slept naked in the same bed with Crowley 40-50 times over the course of a year. He recalled being fondled by Crowley on at least one occasion. He reported his abuse to the diocese in 2014. Victim #5 said Crowley engaged in significant grooming activity, such as taking him on out-of-town retreats and buying him dinner.

- A. Nature of the abuse/misconduct: Fondling; sleeping naked in same bed
- B. Date of incident: Early 1980s
- C. Reported to diocese: 2014
- D. Gender/age of victim: Male – 15-16 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: No

Victim #6: Victim #6 reported an incident of “grooming” during an encounter at a Catholic school in Lincoln in the early 1980s. He recounted his experience in a letter to the diocese in 2002. When Victim #6 was in grade school, he said he got in trouble and was sent to the principal’s office. The principal, according to the letter, was a female. The principal sent him to see Crowley. According to the letter, Victim #6 was forced to sit on Crowley’s lap and made to endure “15-20 minutes of complete abuse and intimidation.” He stated Crowley repeatedly asked him sexual questions specifically focused on the topic of masturbation. Victim #6 believed Crowley derived sexual gratification from this incident. He related he was terrified and all he wanted to do was “escape” from the room.

- A. Nature of the abuse/misconduct: Inappropriate touching; graphic sexual discussion
- B. Date of incident: Early 1980s
- C. Reported to diocese: 2002
- D. Gender/age of victim: Male – 12 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #7: The diocese received a call from Victim #7 in October 2021 alleging he had been abused by a priest in the early 1980s. The diocese informed the Nebraska DOJ about the call and provided Victim #7’s contact information. An investigator from the Nebraska DOJ spoke with Victim #7, who indicated he was abused by Crowley in the early 1980s.

Victim #7 reported that when he was 11 years old, he went to see Crowley for confession. After completing confession, Crowley asked Victim #7 to accompany him to another room. Crowley told him to remove his clothing and proceeded to fondle Victim #7’s genitals. He recollected that the fondling lasted a “very long time...likely upwards of 10 minutes.” When he was finished, Crowley allowed Victim #7 to put his clothes on and leave. Victim #7 commented that he knew what Crowley did was

wrong, but he felt too ashamed to tell anybody what happened. There were no other incidents of abuse between Crowley and Victim #7.

- A. Nature of the abuse/misconduct: Fondling
- B. Date of incident: 1981
- C. Reported to diocese: 2021
- D. Gender/age of victim: Male – 11 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2021

Disposition: There is nothing in the file which indicates these allegations of abuse were ever reported to the diocese while Crowley was active as a priest. Crowley died in 1986. None of the allegations were reported to law enforcement until long after Crowley's death.

Crowley is included in the list of Diocese of Lincoln deceased priests against whom substantiated allegations of childhood sexual abuse have been reported (Section A).

Father Richard Deonise

Deonise was ordained in 1983. He served in six different parishes within the diocese.

Victim #1: The file contains a note from November 1994 which appears to be from Bishop Bruskewitz. The note revealed Bruskewitz had spoken to a priest who told Bruskewitz he had learned Deonise had “sexually seduced” a 13-year-old boy (Victim #1) in the mid-1980s. The priest had been notified about the abuse by Victim #1's sister. The note further disclosed that Victim #1, who in 1994 would have been in his early 20s, had been receiving calls from Deonise, requesting he come live with Deonise in Florida.

In December 1994, another note from Bruskewitz indicates he had been told by a priest who served with Deonise in the 1980s that Deonise had formed a close relationship with Victim #1. The priest also said Deonise spent substantial time with altar boys. Deonise reportedly singled out Victim #1 for special attention, taking him on trips and spending time with him at the rectory. Victim #1's mother became concerned about the relationship and complained to the diocese. Deonise was soon removed and assigned to another parish, but he continued his relationship with Victim #1 after the move.

Victim #1's sister-in-law later contacted the diocese in 1995 to report Deonise had sexually assaulted her brother-in-law in the mid-1980s. She said Victim #1 was 11-13 years old at the time of the abuse. There is no indication that the diocese investigated any of these allegations.

Most recently, Victim #1's sister contacted the Lincoln Police Department in 2018. The sister disclosed that Victim #1 told her Deonise provided him with alcohol and performed sexual acts upon him over a period of several years. Victim #1 was contacted and refused to give a statement. The sister alleged she reported the abuse to the diocese in 1994, but the diocese did not inform law enforcement. The 1994 report was likely the one referred to in the November 1994 note from the Bishop Bruskewitz. The sister also claimed a family member found love letters from Deonise to Victim #1, which were delivered to a priest in the diocese in 1994. There is no record of these letters in the file.

- A. Nature of the abuse/misconduct: Unspecified sexual acts perpetrated on the victim
- B. Date of incident: Mid-1980s
- C. Reported to diocese: 1994; 1995
- D. Gender/age of victim: Male – 11-13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Disposition: Deonise resigned as head priest of his parish in August 1994 and left the State of Nebraska. His priestly faculties were removed, and he was excommunicated in October 1994. In 2013, the bishop corresponded with Deonise, inquiring whether he desired to be removed from the clerical state. Deonise indicated he wished to remain a priest. The diocese never reported allegations of Deonise's abuse to law enforcement. Deonise's current whereabouts is not indicated in the file.

Deonise is included in the list of Diocese of Lincoln living priests against whom substantiated allegations of childhood sexual abuse have been reported (Section B).

Father Thomas Dunavan

In 2001, the diocese received information about separate incidents involving Dunavan and two women.

Victim #1: In early 2001, a woman met with a Lincoln priest to report Dunavan had touched her inappropriately on numerous occasions. She claimed this occurred during

counseling sessions where she sought Dunavan's advice and spiritual support. These sessions took place in 1999 and 2000. Several months into the counseling sessions, she claims Dunavan began to embrace her. These embraces lasted for extended periods of time. In her last three sessions, she claimed the physical contact escalated to the point where Dunavan fondled her breasts and genitals. She was 18 years old at the time of the physical contact.

About two weeks after reporting the abuse, the woman signed a written recantation, claiming the allegations were not true. Victim #1 later told investigators from the Lincoln Police Department the recantation was coerced and that she was, in fact, sexually abused by Dunavan. The recantation form, with names redacted, is included at the end of this summary.

Victim #1's story of coercion appears to be bolstered by a letter written by Bruskewitz to another priest. After speaking with Dunavan, Bruskewitz acknowledged the allegations made by Victim #1 were true. He wrote, "Only the Lord knows how much our diocese might be in for." Despite clear knowledge of Dunavan's abuse, no disciplinary action was taken by the diocese. Victim #1's allegations were not reported to law enforcement at the time the diocese learned of the sexual abuse.

- A. Nature of the abuse/misconduct: Fondling of breasts and genitals
- B. Date of incident: 1999-2000
- C. Reported to diocese: 2001
- D. Gender/age of victim: Female – 18 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #2: A few months after the report of incident #1 in 2001, a woman alerted the diocese that Dunavan had, on three occasions, embraced her in a way which she believed may have been sexually motivated. She described Dunavan putting his hands around her waist on two occasions, and his arm around her shoulder during the other. All of the embraces lasted for a prolonged period, with one of the encounters continuing for 30 minutes. The woman was 18 years old at the time . It is unclear whether any disciplinary action was taken regarding this incident.

- A. Nature of the abuse/misconduct: Inappropriate, prolonged embrace
- B. Date of incident: 2001
- C. Reported to diocese: 2001
- D. Gender/age of victim: Female – 18 years old

- E. Abuse reported to diocese prior to incident described: Yes, the diocese was informed about the allegations of Victim #1 a few weeks prior to the incident with Victim #2
- F. Reported to law enforcement: No

Disposition: The summary provided by the diocese indicates Dunavan denied the accusations made by Victim #1. Information in the file, however, reveals Dunavan admitted to Bishop Breskewitz some of the allegations were true.

**IN THE NAME OF THE FATHER,
AND OF THE SON,
AND OF THE HOLY SPIRIT**

I, _____, do hereby swear before Almighty God, that I have falsely accused _____ of sexual misconduct by what I have alleged he has said to me, and by my allegation that he touched me in an inappropriate and sexual manner. I realize the gravity of this false accusation and I wish to make reparation for this false accusation by attesting now and forever that he has never spoken to me or touched me in any inappropriate or sexual manner. I further promise that I will contact every person to whom I have in any way communicated this false accusation and I will inform them that there is no truth to it.

I state that now and forever that I have contacted the officials of the Diocese of Lincoln on my own initiative, that I am making this statement freely and under no pressure or duress from anyone. Further, I hereby solemnly swear, by the Holy Gospels which I touch with my hands, that the above statement is absolutely true and that I will never retract it.

Given this 13th day of January, 2001 A.D.

Testatrix

Date

Witness

Witness

AMEN.

Dunavan is not on the list of priests against whom substantiated allegations of childhood sexual abuse have been reported, as his victims were not minors. In 2019, Dunavan was listed by the Lincoln Diocese as being on administrative leave. He is currently serving in a limited, non-public ministry.

Father Robert Hrdlicka

Hrdlicka was ordained in 1977. He sexually abused numerous victims while serving in the diocese and as a chaplain in the United States Navy.

Victims #1-#4: These four victims were sexually abused by Hrdlicka during an out-of-state camping trip in 1978. The victims ranged in age from 12-15 years old. During the trip, Hrdlicka had all the boys undress and sexually molested at least two of them. Except for the account of the 15-year-old victim, the file contains little information on the details of the abuse perpetrated on the other boys.

Upon returning from the camping trip, the 15-year-old told his parents Hrdlicka fondled his buttocks and genitals. He said Hrdlicka then forced Victim #1 to fondle Hrdlicka's genitals. He disclosed he was abused in this manner multiple times during the trip. Victim #1 also divulged the abuse to a classmate and a teacher. He said the teacher slapped him in the face and accused him of lying.

The father of Victim #1 reported the abuse and met with a representative of the diocese, Monsignor Crowley.¹⁴⁰ It is unclear whether the father personally met with Bishop Flavin. Soon after this meeting, the diocese moved Hrdlicka to another parish. Neither law enforcement nor the new parish were informed of Hrdlicka's victimization of the four boys.

Victim #1

- A. Nature of the abuse/misconduct: Sexual penetration; fondling of genitals and buttocks

¹⁴⁰ This is the same Monsignor Crowley discussed in this report who is included on [the list of Diocese of Lincoln priests against whom substantiated allegations of childhood sexual abuse have been reported](#).

- B. Date of incident: 1978
- C. Reported to diocese: 1978; 1993
- D. Gender/age of victim: Male – 15 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018 to Nebraska DOJ

Victim #2

- A. Nature of the abuse/misconduct: Sexual penetration; fondling of genitals and buttocks
- B. Date of incident: 1978
- C. Reported to diocese: 1978; 1993
- D. Gender/age of victim: Male – 14 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018 to Nebraska DOJ

Victim #3

- A. Nature of the abuse/misconduct: Sexual abuse – unspecified
- B. Date of incident: 1978
- C. Reported to diocese: 1978; 1993
- D. Gender/age of victim: Male – 13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018 to Nebraska DOJ

Victim #4

- A. Nature of the abuse/misconduct: Sexual abuse – unspecified
- B. Date of incident: 1978
- C. Reported to diocese: 1978; 1993
- D. Gender/age of victim: Male – 12 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018 to Nebraska DOJ

Victim #5: : Victim #5 alleged he was sexually abused by Hrdlicka in the late 1970s through the early 1980s. He reported the abuse to the diocese in 2006. Victim #5 became acquainted with Hrdlicka while serving at masses and through involvement in a Catholic youth organization. He said Hrdlicka eventually began to invite him to activities outside of church and school, such as fishing and hunting.

Victim #5 said each of the incidents of sexual abuse followed a pattern. While traveling to church conferences and events, he shared a hotel room with Hrdlicka.

Hrdlicka would insist they “share the same bed.” While naked, he would rub against Victim #5 and perform oral sex. Hrdlicka would fondle Victim #5’s genitals and ask him to reciprocate. In addition to the incidents while traveling, two incidents occurred at a parish rectory. These assaults spanned four years, beginning when Victim #5 was in his early teens. He never reported his abuse because he felt “shame and embarrassment” about what happened.

- A. Nature of the abuse/misconduct: Fondling; oral sex; simulated sexual acts
- B. Date of incident: Late 1970s - early 1980s
- C. Reported to diocese: 2006
- D. Gender/age of victim: Male – Early to mid-teens
- E. Abuse reported to diocese prior to incident described: Yes, the diocese became aware of Hrdlicka’s abuse in 1978
- F. Reported to law enforcement: 2018

Victim #6: Victim #6 reported being sexually abused by Hrdlicka in the mid-1980s. The abuse was reported to the diocese in 2013. There are few details about the abuse in the file. A diocesan priest who spoke with him said Victim #6’s account of abuse “sounds credible.” The diocese offered to pay for counseling and told Victim #6 he had “the right to report [the abuse] to civil officials.”

- A. Nature of the abuse/misconduct: Sexual abuse – unspecified
- B. Date of incident: Mid-1980s
- C. Reported to diocese: 2013
- D. Gender/age of victim: Male – Mid-teens
- E. Abuse reported to diocese prior to incident described: Yes, the diocese became aware of Hrdlicka’s abuse in 1978
- F. Reported to law enforcement: 2018

Hrdlicka sexual abuse conviction while serving in the military: Hrdlicka left the diocese in 1986 and entered the military as a Navy chaplain. In 1993, Hrdlicka pled guilty to seven counts of child molestation. These charges involved at least three minor victims.¹⁴¹ These criminal acts occurred over a span of five years. Hrdlicka was sentenced to 12 years in military prison.

¹⁴¹ The three victims from Hrdlicka’s military service are represented in the statistics referenced in the Executive Summary of this report.

Disposition: The diocese became aware of Hrdlicka's victimization of the minors from the camping trip in 1978. The file includes numerous reports which reveal that after the father of Victim #1 met with Monsignor Crowley, Hrdlicka was moved to a new parish. Ironically and unbeknownst to the father of Victim #1, Crowley was himself an abuser of multiple minor boys. The new parish was not informed of Hrdlicka's molestation of the four victims from the camping trip. More troubling, Hrdlicka was given a state leadership role in a Catholic youth organization. He went on to victimize at least five (and possibly up to nine) other children. Law enforcement in Nebraska was notified about Hrdlicka's sexual assaults in 2018.

After his 1993 military convictions, the father of Victim #1 reached out to the vicar general of the diocese to inform him about Hrdlicka's sexual abuse of the four minors in 1978. Later that year, the diocese suspended Hrdlicka from ministry. In 2002, the victims from the 1978 camping trip contacted the diocese about their abuse at the hands of Hrdlicka. They said the national news of the sexual abuse in the Boston Archdiocese in 2002 motivated them to reach out to the diocese. They alleged the diocese never offered an apology for their abuse, nor did it offer any assistance when Hrdlicka's military conviction became public.

Soon thereafter, the diocese issued a press release announcing the four victims from the camping trip had threatened to sue the diocese for \$2 million. In essence, the diocese was accusing the victims of blackmail. The release stated that as of 1992, "there was no record of any complaints against Hrdlicka in the diocese." While there may have been no written records of Hrdlicka's abuse, his abusive behavior had been communicated to the highest levels of the diocese in 1978, including Bishop Flavin. There is no indication the victims ever sued the diocese.

Hrdlicka was released from military prison in 1999. He was permanently removed from the clerical state in 2005. Hrdlicka's present whereabouts is unknown.

Hrdlicka is included in the list of Diocese of Lincoln living priests against whom substantiated allegations of childhood sexual abuse have been reported (Section B).

Monsignor Leonard Kalin¹⁴²

(Died in 2008)

Kalin was the vocations director at the Newman Center on the campus of the University of Nebraska-Lincoln from 1970-1998. The Newman Center is a Catholic ministry to college students. There are numerous reports of sexual abuse and boundary violations perpetrated by Kalin, many of which were directed against seminarians and college students.

Victim #1: Victim #1 wrote to the diocese in 2018. His primary allegations relate to psychological and emotional abuse by Kalin during the mid-to-late 1970s. Victim #1 described an incident in the mid-1970s where he believed Kalin manipulated a situation in order to observe several male students disrobe before taking a shower.

- A. Nature of the abuse/misconduct: Voyeurism
- B. Date of incident: Mid-to-late 1970s
- C. Reported to diocese: 2018
- D. Gender/age of victim: Male – Early 20s
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: No

Victim #2: Victim #2 wrote to Bishop Conley in 2018 alleging that during Kalin's tenure at the Newman Center, Kalin engaged in the serial abuse of "young people under his authority" which was covered up by the diocese. Victim #2 described being forced on numerous occasions to give Kalin "cheek-to-cheek" hugs. During these hugs, which lasted up to five minutes, Kalin would press his body against Victim #2. These incidents occurred in the mid-to-late 1990s.

- A. Nature of the abuse/misconduct: Unwanted, prolonged, close embraces
- B. Date of incident: Mid-to-late 1990s
- C. Reported to diocese: 2018
- D. Gender/age of victim: Male – Early 20s
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

¹⁴² Kalin's summary lists six victims. However, the file disclosed that Kalin admitted to perpetrating sexual abuse or misconduct on at least 45 additional victims in the 1990s. Because of this admission, Kalin is recorded as having 51 victims (Victim #1 from the 1970s, Victims #2-#5 from the 1990s, and 45 additional self-confessed victims in the 1990s).

Victim #3: Victim #3 reported to the diocese and to the Nebraska DOJ in 2018. Kalin made sexual advances toward Victim #3 in 1997 while he was a college student. He was asked to take Kalin, who was suffering from the symptoms of Parkinson’s Disease, on an evening walk, and afterwards, to assist him with taking a shower. While naked in the shower, Kalin attempted to kiss him. This happened on at least two occasions. He described the first instance as follows: “The only thing I remember about the shower afterward was scrubbing his back and then him kissing me as we’re out of the shower. And there was nothing tentative about it. It was forceful—and that was before he tried to jam his tongue in my mouth.” On the other occasion, when they were dressed and out of the shower, Kalin pressed himself against Victim #3 and attempted to give him a French kiss. Victim #3 did not disclose his experience to anyone at the time, as he thought nobody would believe him.

- A. Nature of the abuse/misconduct: Kissing; sexual advances; inappropriate touching
- B. Date of incident: 1997
- C. Reported to diocese: 2018
- D. Gender/age of victim: Male – Early 20s
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018 to Nebraska DOJ

Victim #4: Victim #4 reported to the diocese in 2018. During 1997 and 1998, Victim #4 was a student at the University of Nebraska-Lincoln and active in the life of the Newman Center. He was in a rotation of students and seminarians tasked with taking Kalin on evening walks. After these walks, Kalin would ask his “helper” to assist him in the shower. After completion of the shower, while still naked, Victim #4 said Kalin would “start hugging and embracing” him. Victim #4 said he was mortified by Kalin’s behavior, but felt he had no choice but to endure the hugs. This behavior occurred multiple times.

He recounted another incident at Kalin’s residence where Kalin gave him a prolonged French kiss. Victim #4 described grooming behaviors by Kalin precedent to the showering and kissing incidents. For example, short hugs being extended to long embraces, as well as kisses on the cheeks becoming kisses on the lips. Victim #4 later disclosed his experiences with Kalin to a spiritual adviser, but the time frame of that disclosure is not indicated.

- A. Nature of the abuse/misconduct: Nude hugs/embraces; kissing
- B. Date of incident: 1997-1998
- C. Reported to diocese: 2018

- D. Gender/age of victim: Male - Early 20s
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: No

Victim #5: Victim #5 reported to the diocese in 2018, alleging he was sexually molested by Kalin while involved with the Newman Center in the late 1990s. Victim #5 was tasked with assisting Kalin during his physical decline with Parkinson's Disease. During a period of several months, Kalin made repeated unwanted sexual advances, which included "verbal sexual compliments, asking to be touched in inappropriate places, and molestation, including repeated requests for French kisses." Kalin would also grab Victim #5's genitals and make lewd sexual remarks. Victim #5 indicated he felt compelled to acquiesce to these advances.

Victim #5 says Kalin's sexual requests were preceded by a period of grooming, though he did not perceive it as such at the time it occurred. He noted Kalin "wielded much power over me, much of which was legitimized in spiritual terms." He added another seminarian had confided with him about having similar experiences with Kalin.

Victim #5 commented Kalin was able to utilize the authority he acquired to act upon his sexual desires. Within this framework, Kalin was able to exert great authority over seminarians, with the "ability to alienate those who did not conform." Victim #5 told a priest about Kalin's behavior, but there is no record any disciplinary action was taken.

- A. Nature of the abuse/misconduct: Inappropriate touching; kissing; nude hugs/embraces; fondling; unspecified sexual molestation
- B. Date of incident: Late 1990s
- C. Reported to diocese: Reported to a priest in late 1990s; formally reported to diocese in 2018
- D. Gender/age of victim: Male – Early 20s
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: No

Victim #6: Victim #6 informed a priest in 1998 that Kalin kissed him on the lips "in a passionate manner." The priest confronted Kalin about the incident. Kalin admitted it, but said it was due to a "lapse in mental capacity." The priest assumed it was an isolated incident and attributed Kalin's behavior to "old age and dementia."

- A. Nature of the abuse/misconduct: Kissing
- B. Date of incident: Late 1990s
- C. Reported to diocese: 1998
- D. Gender/age of victim: Male – Early 20s
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Disposition: Kalin retired in 2000 and died in 2008. The file contains a reference to a letter written by a priest to Bishop Bruskewitz in 1993. The subject matter of the letter related to concerns about Kalin’s behavior. The letter itself was not included in the material, and the impetus for bringing Kalin’s behavior to the attention of Bruskewitz is unknown.

It is evident from the accounts of Victim #5 and Victim #6 that church authorities were made aware of Kalin’s sexual advances towards seminarians in 1998. Victim #5 wrote he believed an investigation had been conducted about Kalin’s abuses, and he was surprised to learn the matter had only recently been publicly brought to light.

The file summary recounts a 1998 meeting in which Bruskewitz asked Kalin to “list all sexual encounters he has had.” Kalin referred to one encounter which had occurred the previous month. Kalin then listed the names of 50 men he had “showered with in the gym” and had “kissed on the lips in a non-sexual way.” Bruskewitz issued a canonical warning and forbade him to be alone with any man under the age of 40, except for priests and family members. The summary later noted Kalin “does not strictly follow” the bishop’s precept. None of the source documents pertaining to the summary are in the file.

In 2018, Peter Mitchell, a former diocesan priest, published a story recounting his experience with Kalin in the 1990s. He alleged Kalin was a habitual smoker, drinker, and gambler who modeled these addictive behaviors to the young people subject to his oversight. He further characterized Kalin as an abuser who made frequent sexual advances toward seminarians and college students. He wrote that “Kalin had a standard method for maneuvering young men into unwanted intimate situations.” Mitchell added:

“Each afternoon at the Newman Center, a summons would go out from one of the young male students who worked for Kalin as his janitors to see who among the seminarians was available to take [Kalin] walking. The one chosen for this ritual (always only one) was then instructed that

at the end of the walk – I still can't believe I am saying this – he needed to help Monsignor to take a shower in one of the locker rooms at Memorial Stadium, to which Kalin somehow had a private key. The unconvincing premise was that Monsignor was old and feeble and needed help in the shower. Although I succeeded in always finding a way to excuse myself from helping with his shower, I know that the men who did – and there were many – endured Kalin's attempts to initiate sexual contact with them.”

Mitchell claims he wrote to Bruskewitz in the mid-1990s to alert him to Kalin's drinking and gambling proclivities, which he said were “detrimental to formation for the priesthood.” He says he received no reply to his complaint. Soon thereafter, Mitchell was approached by a fellow seminarian who told him Kalin had learned of the complaint, and that Kalin had instructed some fellow seminarians to keep an eye on Mitchell to see whether he would be “loyal.” It should be noted Mitchell is a laicized¹⁴³ priest who has admitted to violating his vow of celibacy and causing hurt to people under his pastoral care. Nonetheless, his story is consistent with the accounts of several of Kalin's victims.

In August 2018, pursuant to the reports of Kalin's abusive behavior, Bishop Conley convened an independent task force to examine the claims made against Kalin. The task force's report was released in April 2020. Its findings established that Kalin “did often smoke, drink and take gambling and other trips while serving at the Newman Center, and he often invited seminarians and college students to partake in these activities and travels.”

The investigation confirmed that “Kalin did on occasion make sexual advances toward some seminarians and college students.” The use of the phrase “on occasion” is somewhat perplexing, as the file summary indicates Kalin admitted in 1998 to making advances to at least 50 “men he showered with in the gym.”

Finally, the investigation revealed leadership within the diocese was aware of the culture of socializing, alcohol, and cigarette use at the Newman Center. Regarding the issue of sexual abuse perpetrated by Kalin, the report stated there was no evidence to support “the allegation that the Chancery¹⁴⁴ leadership knew of sexual

¹⁴³ To laicize a priest means to dismiss him from his clerical state and reduce him to the lay state or secularize him.

¹⁴⁴ The chancery is the office in which the business of a Roman Catholic diocese is transacted and recorded.

impropriety by Msgr. Kalin prior to 1998. When this activity was made known, he was put on restrictions and moved out of the Newman Center.”

As Kalin died in 2008, none of the incidents of sexual abuse were reported to law enforcement.

Kalin is not included in the list of Diocese of Lincoln priests against whom substantiated allegations of childhood sexual abuse have been reported, as his victims were not minors. However, on April 29, 2020, the diocese released its findings related to an investigation into the actions of Kalin while he was diocesan vocation director and chaplain at the University of Nebraska-Lincoln Newman Center. The investigation revealed that Kalin did “on occasion” make sexual advances toward some seminarians and college students.

Father Paul Margand

Margand was ordained in 1985. He was charged and convicted of sexually abusing numerous victims.

Victim #1: Victim #1 was molested from 1985-1987 when he was 11-13 years old. The abuse began after he attended training to be an altar boy, and later continued on a weekly basis after religious education classes. For a period of one week, Victim #1 was abused daily after serving morning mass. He recounted that Margand would hold him down and rub his clothed body against him. On one occasion, Margand subjected him to oral sex.

Victim #1 did not tell his parents about the abuse. He disclosed his abuse to a counselor when he was 19 years old. He reported it to the diocese in 1993. Margand was not prosecuted for his abuse of Victim #1, as the acts fell outside of the statute of limitations. As was reported in the Omaha World Herald in 2002, Victim #1 retained an attorney to seek redress for the harm which resulted from the abuse.

- A. Nature of the abuse/misconduct: Simulated sexual acts; oral sex
- B. Date of incident: 1985-1987
- C. Reported to diocese: 1993
- D. Gender/age of victim: Male – 11-13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #2: Victim #2 was sexually abused by Margand in 1987 when he was 13 years old. He testified he was alone in the rectory with Margand doing a Bible study. He said Margand asked him to get down on the floor to pray. Margand proceeded to pin Victim #2's hands to the floor and began rubbing up and down on him. Victim #2 told his mother about the abuse on the ride home from the rectory.

Victim #2's abuse was not immediately reported to church officials or law enforcement. Pursuant to Victim #3's report of sexual abuse (described below in Victim #3's summary), police came to question Victim #2. Victim #2 disclosed the abuse during the interview with the investigating officers. He later testified about the abuse at Margand's trial. The file contains numerous references to the deep emotional and psychological scars suffered because of the abuse.

- A. Nature of the abuse/misconduct: Simulated sexual act
- B. Date of incident: 1987
- C. Reported to diocese: 1987
- D. Gender/age of victim: Male – 13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 1987

Victim #3: Victim #3 was sexually abused by Margand in 1987 when he was 11 years old. He testified the abuse occurred after completion of an altar boys' class taught by Margand. When the other altar boys in the class left the rectory, Margand placed Victim #3 in a headlock, then threw him over his shoulder and brought him into the living room. He stated Margand made him lay on the floor and proceeded to get on top of him. He then rubbed up against Victim #3 in a simulated sex act. The abuse lasted for an hour. Both Margand and Victim #3 were clothed at the time. Victim #3 informed his mom of what happened during the ride home from the rectory.

While the incident was reported to law enforcement shortly after it occurred, the family of Victim #3 revealed to the media that two priests asked them not to go to the authorities. According to a report in the Omaha World Herald, the priests allegedly told the family the diocese could keep the incident quiet so the family "wouldn't have to be embarrassed." The family added they were told that "there was not a legal obligation to report [the abuse]." The two priests later told the media they had no recollection of making such statements. The family consulted a third priest who told them Nebraska law required anyone with reason to believe a child had been abused to report the abuse to authorities. The parents called the police. Victim #3 was interviewed and Margand was arrested. The mother of Victim #3 stated,

“[Margand] is sick, but what the church did as far as trying to cover up and not take care of the kids, that was deliberate.”

- A. Nature of the abuse/misconduct: Inappropriate touching; simulated sexual act
- B. Date of incident: 1987
- C. Reported to diocese: 1987
- D. Gender/age of victim: Male – 11 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 1987

Victim #4: The file indicates a diocesan priest met with a man in 2003 who alleged Margand abused him in 1987. The man was not a minor at the time of the abuse, which occurred during a face-to-face confession. The diocese initiated a preliminary investigation. The results were inconclusive, as the accuser was unwilling to provide further information about the abuse allegations. The file contains no documentation regarding this incident.

- A. Nature of the abuse/misconduct: Unspecified abuse
- B. Date of incident: 1987
- C. Reported to diocese: 1987
- D. Gender/age of victim: Adult Male – no age disclosed, indicated not a minor at time of abuse
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #5: The diocese was made aware of Victim #5 via communication from a diocese in another state. Victim #5 had been involved in Christian education meetings taught by Margand in 1986. Victim #5 was a young adult (20 years old) at the time. He indicated after the meetings, Margand would ask Victim #5 to wrestle with him. Since he was bigger than Margand, victim #5 was “able to resist his strange behavior and inappropriate touches.” The file contains no documentation regarding this incident.

- A. Nature of the abuse/misconduct: Inappropriate touching
- B. Date of incident: 1986
- C. Reported to diocese: 2004
- D. Gender/age of victim: Male – 20 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Disposition: After the report of Victim #3's sexual abuse to law enforcement, Margand was charged with multiple counts of sexual abuse of a child and with false imprisonment. A plea agreement appeared to have been reached during the trial, and Margand pled guilty to one count of sexual assault. He served about three years in prison. The file contains a note which claims that during Margand's trial, testimony revealed Bishop Flavin was aware that Margand "had been rejected by two or three other dioceses" prior to his acceptance to the Lincoln Diocese. After his release in January of 1991, the diocese sent a memorandum to all bishops in the United States declaring Margand was "not a priest in good standing." The file indicates Margand moved numerous times until he was eventually laicized in 2004. His current whereabouts are unknown.

Margand is included in the Diocese of Lincoln living priests against whom substantiated allegations of childhood sexual abuse have been reported (Section B).

Monsignor Jerome Murray

(Died in 2016)

Murray was ordained in 1949 and served in the diocese until 1999. He abused numerous students in the 1960s and 1970s in York, Nebraska.

Victim #1: Victim #1 reported his abuse to the Nebraska DOJ in 2018. He said he was sexually abused by Murray in the mid-1960s when he was in his early teens. Victim #1 recounted that Murray engaged in grooming behaviors with a group of grade-school boys attending Catholic school. This consisted of inviting boys to watch movies, providing food, roughhousing, and wrestling with kids.

Victim #1 said his sexual abuse occurred in a hotel room while returning from an out-of-state boy scout retreat. During the stay in the room, Murray groped, fondled, and masturbated Victim #1 and another boy. Victim #1 did not tell his parents about the incident until the late 1970s, and no report was made to law enforcement until 2018.

- A. Nature of the abuse/misconduct: Fondling; masturbation
- B. Date of incident: Mid-1960s
- C. Reported to diocese: No
- D. Gender/age of victim: Male – Early teens
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018 to Nebraska DOJ

Victim #2: Victim #2 filed a lawsuit in March 2003 against the diocese and Murray, alleging repeated sexual and physical abuse. The abuse occurred while he was in grade school in the mid-1970s when he was 11-12 years old. Victim #2 said his memories of the abuse were repressed until 2002. Details of the abuse were not specified.

Victim #2 said in addition to being personally abused, he witnessed Murray engage in sexually inappropriate activities, such as fondling “with a number of boys,” (including Victim #3, discussed below). Some of these incidents occurred in the rectory with Murray wearing priestly garb. Victim #2 alleged because of Murray’s abusive behavior, he suffered serious physical and psychological harm. Victim #2’s lawsuit was settled in October 2004.

- A. Nature of the abuse/misconduct: Fondling; unspecified sexual abuse
- B. Date of incident: Mid-1970s
- C. Reported to diocese: 2003
- D. Gender/age of victim: Male – 11-12 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #3: Victim #3 filed a lawsuit in January 2003 against the diocese and Murray alleging he was repeatedly physically and sexually abused by Murray when he was in grade school. The abuse occurred from 1973-1974 when he was 11-12 years old. Like Victim #2, Victim #3 had repressed memories of the abuse, which were revived by the news of the abuse which transpired in the Boston Archdiocese. Victim #3 recalled the first incident of abuse happened when he was invited to Murray’s residence to watch a movie. He claimed Murray took him to a bedroom and performed a sexual act while both were naked.

Victim #3 said there were numerous other incidents of assault which took place in the church and the rectory. These molestations involved oral sex and masturbation. He recalled another boy was present during at least one of the incidents. Victim #3 related Murray told him not to tell anyone about what they did because it was “between you, me, and God.” He never reported the abuse at the time because he felt ashamed. Victim #3 did not disclose the abuse to anyone until 2002. Victim #3 claimed Murray also sexually victimized multiple other boys.

While he did not disclose his experiences with anyone until 2002, Victim #3 said he later learned parishioners were aware of Murray’s propensities for “aberrant

sexual behavior” and attempted to get him removed from the parish. He claims he has suffered serious physical and psychological injuries as a result of Murray’s sexual abuse. Victim #3 settled his lawsuit in 2004.

- A. Nature of the abuse/misconduct: Oral sex; masturbation; fondling; unspecified sexual acts
- B. Date of incident: 1973-1974
- C. Reported to diocese: 2003
- D. Gender/age of victim: Male – 11-12 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018 to Nebraska DOJ

Victim #4: The file contains a summary of the sexual abuse of Victim #4. He was a student and in a boy scout troop led by Murray. He said Murray would undress completely in the presence of groups of boys. He recounted Murray would masturbate publicly and ask the boys to feel his penis. Victim #4 indicated that Murray would undress some of the boys personally. On one occasion, Murray used a floor mounted electric shoe buffer to masturbate in front of the boys. He claimed Murray’s inappropriate activities were “common knowledge among all of the boys.”

- A. Nature of the abuse/misconduct: Masturbation; nudity; inappropriate touching
- B. Date of incident: Early 1970s
- C. Reported to diocese: 2003 via lawsuit
- D. Gender/age of victim: Male – 13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018 to Nebraska DOJ

Victim #5: Victim #5 was an altar server in the early 1970s. He said he witnessed Murray engage in public, sexually inappropriate acts with groups of boys. Victim #5 indicated Murray would pull his pants down and ask boys to sit on Murray’s erect penis. Victim #5 said Murray’s sexually inappropriate behavior with boys was “public knowledge.”

- A. Nature of the abuse/misconduct: Murray asked groups of boys to sit on his erect penis; inappropriate touching
- B. Date of incident: Early to Mid-1970s
- C. Reported to diocese: 2003 via lawsuit
- D. Gender/age of victim: Male – 12-13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #6: Victim #6 was abused by Murray in the early to mid-1970s. He said Murray engaged in public nudity and sexually inappropriate activity with groups of boys. These activities included masturbation by Murray and touching of “private parts.” Victim #6 alleged there was widespread gossip and knowledge in the community about Murray’s behavior.

- A. Nature of the abuse/misconduct: Nudity; inappropriate touching
- B. Date of incident: Early to mid-1970s
- C. Reported to diocese: 2003 via lawsuit
- D. Gender/age of victim: Male – 12-13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #7: Victim #7 said he was sexually abused by Murray when he was 10-12 years of age. He did not provide details of the sexual abuse. Victim #7 described that he witnessed Murray sexually abuse other boys in the sacristy of the church. He added that at times the abuse would occur while Murray was wearing his priestly robes.

- A. Nature of the abuse/misconduct: Unspecified sexual abuse
- B. Date of incident: Early to mid-1970s
- C. Reported to diocese: 2003 via lawsuit
- D. Gender/age of victim: Male – 10-12 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #8: Victim #8 said Murray made numerous sexual advances toward him when he was 11-12 years old. On one occasion, Victim #8 recalled Murray stripped naked, masturbated in front of him, and attempted to engage him in mutual sexual activity. Victim #8 also witnessed Murray engage in sexually abusive activity with other boys.

- A. Nature of the abuse/misconduct: Sexual advances toward him and other boys; masturbation
- B. Date of incident: Early to mid-1970s
- C. Reported to diocese: 2003 via lawsuit
- D. Gender/age of victim: Male – 11-12 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #9: Murray sexually abused Victim #9 when he was 10-11 years old. He said the abuse included other boys and happened during camping trips. Specifically, he

conveyed that Murray had the boys participate in sexually inappropriate games like strip poker and made them do naked “jumping jacks.”

- A. Nature of the abuse/misconduct: Nudity; engaging in sexually inappropriate activities
- B. Date of incident: Early to mid-1970s
- C. Reported to diocese: 2003 via lawsuit
- D. Gender/age of victim: Male – 10-11 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Disposition: Many of the people mentioned in the file claimed there was public knowledge of Murray’s “sexually aberrant behavior” with students. It was alleged that members of the Catholic school board met with representatives of the diocese and demanded that Murray be removed from the school. These attempts were said to have been met with resistance by the diocese, to the point where parents had to threaten disclosure to law enforcement in order to get Murray removed from the school.

The file summary notes Murray was removed from the parish and school in York in late December 1974, but no details surrounding the removal are specified. There is very little information about his service in the diocese from 1975 until his retirement in 1999. His faculties were revoked, and his public ministry was restricted from 2002-2005. None of the allegations against Murray were reported to law enforcement until 2018. He died in 2016.

Murray is included in the list of Diocese of Lincoln deceased priests against whom substantiated allegations of childhood sexual abuse have been reported (Section A).

Father Alfred Pettinger

Pettinger was ordained in the diocese in 1985. He was a teacher at a Catholic school and was accused of forging inappropriate emotional relationships with two 13-year-old girls in the span of three years.

Victim #1: Pettinger formed an inappropriate bond with Victim #1, a 13-year-old female student, in 1986. Victim #1 reported Pettinger began obsessively calling her and sending her notes. She alleged Pettinger spoke to her about sexual topics, such as fantasizing about kissing her and having sexualized dreams about her breasts. He also provided her with alcohol several times. The diocese became aware of the

relationship in late 1987 or early 1988 and moved Pettinger to another parish in a different town. On numerous occasions after leaving the assignment, Pettinger ignored direct orders not to contact Victim #1. Victim #1 made no allegations of sexual contact. There was, however, documentation about the emotional harm suffered by Victim #1 due to Pettinger's abusive behavior. Law enforcement did not learn about the incidents with Victim #1 until 2018.

- A. Nature of the abuse/misconduct: Grooming behavior; inappropriate discussion of sexual matters; emotional manipulation
- B. Date of incident: 1986-1988; 1990
- C. Reported to diocese: 1987
- D. Gender/age of victim: Female – 13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #2: Pettinger was a teacher at Victim #2's Catholic school. She reported Pettinger fostered an inappropriate relationship with her when she was 13-years-old. Just as he had done with Victim #1, Pettinger singled out Victim #2 for special attention, routinely spending hours speaking to her on the phone. These phone conversations most often occurred while Victim #2's mother was at work. She described that Pettinger shared intimate details about his life and talked to her about sexual topics. On one occasion, Pettinger brought Victim #2 a pornographic magazine, which he asked her to view. Pettinger eventually professed his love for Victim #2. This relationship began in 1988, just months after being warned by Bishop Flavin not to become involved in relationships with teenage girls. Victim #2 said Pettinger never initiated sexual contact or abuse. She reported Pettinger's behavior to the head priest of the parish in 1989, who notified the diocese about Pettinger's involvement with Victim #2. The diocese removed Pettinger from the parish and sent him to treatment. Victim #2 stated she suffered emotional trauma from Pettinger's abuse. No report was made to law enforcement.

- A. Nature of the abuse/misconduct: Grooming behavior; inappropriate discussion of sexual matters; emotional manipulation; giving pornographic magazine to a minor
- B. Date of incident: 1988-1989
- C. Reported to diocese: 1989
- D. Gender/age of victim: Female – 13 years old
- E. Abuse reported to diocese prior to incident described: Yes, the diocese knew of Pettinger's proclivity to engage in relationships with minor females by 1988
- F. Reported to law enforcement: 2018

Disposition: The file contains numerous references to concerns about Pettinger's interactions with middle-school students, particularly girls. It was noted he displayed a penchant for forming emotional relationships with "7th and 8th grade girls," often spending unsupervised time with groups of girls. There are several reports in the file recounting instances where Pettinger fraternized with middle-school students outside of church or school, sometimes lasting into the late evening hours. There are also allegations he provided beer and cigarettes to these students.

After the episode with Victim #2, Pettinger was removed from ministry and underwent counseling. He returned to active ministry in 1990. In 1995, it was discovered Pettinger had an addiction to pornography. There was no indication any of this material included child pornography. He was suspended from ministry in 1996. Pettinger briefly explored seeking laicization but changed his mind. His priestly faculties were removed, and he was prohibited from exercising any priestly functions. The diocese never informed law enforcement of Pettinger's issues.

It is clear Pettinger had an attraction to young teenage girls. The diocese knew about his attractions, though he never made physical contact with any of the girls. He had a deep addiction to pornography. While none of the material was child pornography, the file indicates he had used non-pornographic pictures of his former students and pasted their faces over the faces of women in pornographic magazines.

Pettinger is not included in the Diocese of Lincoln priests against whom substantiated allegations of childhood sexual abuse have been reported. We have included him in the report because information in the file supports the finding Pettinger engaged in sexual misconduct with his 13- year old victims.

Father Aloysius Piorkowski¹⁴⁵

(Died in 1978)

Piorkowski served in the diocese from 1947-1959. He transferred to Boys Town, where he worked until 1962. Two victims came forward alleging sexual abuse while he was a priest in the diocese.

Victim #1: The diocese received a letter in 2007 from Victim #1, who reported Piorkowski sexually abused him in 1953 when he was 16 years old. Victim #1's family

¹⁴⁵ Piorkowski is included on both the Lincoln and Omaha lists of priests against whom substantiated cases of child sexual abuse have been reported.

sent him to live with Piorkowski to help alleviate financial struggles. Soon after moving in, Piorkowski provided Victim #1 with alcohol and began making sexual advances. While he attempted to resist Piorkowski's sexual advances, Victim #1 reported Piorkowski "masturbated him" at least a dozen times. Victim #1 suspected Piorkowski had sexually abused other boys. He also believes Piorkowski was embezzling funds from the parish.

- A. Nature of the abuse/misconduct: Fondling; masturbation
- B. Date of incident: 1953
- C. Reported to diocese: 2007
- D. Gender/age of victim: Male – 16 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #2: Victim #2 wrote the diocese in 2007 alleging sexual abuse by Piorkowski occurring in the early 1950s. He was in his mid-teens at the time of the abuse. He claimed Piorkowski touched him inappropriately during a fishing trip. Victim #2 spent the night with Piorkowski after returning from fishing. He said Piorkowski climbed into bed with him and rubbed his penis against Victim #2's leg. He also rubbed Victim #2's buttocks.

- A. Nature of the abuse/misconduct: Fondling; inappropriate touching
- B. Date of incident: Early 1950s
- C. Reported to diocese: 2007
- D. Gender/age of victim: Male – Mid-teens
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Disposition: During the diocese's investigation of Piorkowski, it was discovered he was dismissed from Boys Town for "inappropriate conduct" in 1962. He was not allowed to return to the Lincoln Diocese. The diocesan review board determined the claims against Piorkowski were credible. The file does not indicate what happened to Piorkowski after his dismissal from Boys Town. Piorkowski died in 1978.

Piorkowski is included in the list of Diocese of Lincoln deceased priests against whom substantiated allegations of childhood sexual abuse have been reported (Section A).

Father Sean Redmond

Redmond was ordained in 1990. Redmond confessed to sexually abusing a girl for a period of two or three years beginning in the early 1990s.

Victim #1: Victim #1 reported her abuse to the diocese in 2009. It was disclosed during a discussion with a priest about having her children baptized in the Catholic faith. The priest inquired why she had been gone from the church for so long. Victim #1 informed the priest she had been sexually abused by Redmond in the early 1990s when she was 13-15 years old. The priest told Victim #1 he was bound to disclose the account of her abuse to the diocese.

Victim #1 was interviewed by Lincoln Police in 2019. She stated her family had befriended Redmond shortly after he was ordained. After two years at the parish, Redmond was moved to another parish in a different town. When he came to visit the old parish, he often stayed overnight at Victim #1's home. Victim #1 reported Redmond would sneak into her room while the rest of the family was asleep. While in her bedroom, Redmond fondled Victim #1's breasts and vagina and would force her to touch his genitals. These sexual assaults occurred at least 40 times. Victim #1 disclosed the abuse to her mother in the mid-2000s, but never told anybody else until her discussion with the priest.

- A. Nature of the abuse/misconduct: Fondling of breasts and genitals
- B. Date of incident: Early 1990s
- C. Reported to diocese: 2009
- D. Gender/age of victim: Female – 13-15 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018; LPD interviewed Victim #1 in 2019

Disposition: Redmond was confronted by law enforcement with Victim #1's allegations in 2019 and admitted to the sexual abuse. Victim #1 indicated she did not want to take any legal action against Redmond or the Church. Redmond was dismissed from ministry and was laicized in 2010.

Included in the list of Diocese of Lincoln living priests against whom substantiated allegations of childhood sexual abuse have been reported (Section B).

Father Robert Smith
(Died in 1999)

Smith served in the diocese from the early 1960s until his retirement in 1995. He spent over 20 years as a priest in Alma, Nebraska. The file contains several accusations of sexual misconduct against Smith, but few details are provided.

Victim #1: Victim #1 spoke to an investigator from the Nebraska DOJ in August 2018. He reported being abused by Smith in in the mid-1960s. Victim #1 was 12-13 years old at the time.

Victim #1's family lived in Hastings, Nebraska and became acquainted with Smith while he was pastoring a parish in Alma. One evening when Smith was having dinner with Victim #1's family, Victim #1 was invited to spend a week with Smith at the rectory in Alma, where Smith said the two could engage in various recreational activities, such as shooting prairie dogs. Victim #1 went to visit Smith a few weeks later.

There was a pool table in the basement of the rectory and Smith offered to teach Victim #1 how to play. When they finished playing pool, Smith said he was going to take a shower. The shower was located in an area adjacent to the pool table. Smith disrobed in front of Victim #1 and got in the shower. Smith then told Victim #1 he needed some help "washing his ass." Victim #1 stated he felt uncomfortable with Smith's request, but he really didn't know what to do as he was 75 miles from home, alone, and vulnerable. He felt compelled to comply with Smith's request. Victim #1 said he then was made to sleep in the same bed with Smith for a week.

- A. Nature of the abuse/misconduct: Nude bathing/touching; forced to sleep in same bed
- B. Date of incident: Mid-1960s
- C. Reported to diocese: No
- D. Gender/age of victim: Male – 12-13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #2: The diocese received a letter from Victim #2 in 1991. He alleged when he was 14 years old, Smith made inappropriate sexual advances during a trip to Mexico. Victim #2 described that while he was bathing one evening at a hotel, Smith knocked on the door multiple times and asked whether he could come in and wash Victim #2's back. Victim #2 refused, and Smith was not allowed to enter the room. It is unclear

when this incident occurred. Victim #2 also alluded to a situation involving a relative who had a similar experience with Smith. The relative never reported this incident.

- A. Nature of the abuse/misconduct: Sexual advances
- B. Date of incident: Undisclosed, but likely 1970s
- C. Reported to diocese: 1991
- D. Gender/age of victim: Male – 14 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Disposition: The file contains several other allegations of sexual impropriety against Smith, which were largely discounted as unreliable or unsubstantiated by the diocese. In one of these cases, there are notes relating to allegations by a man who claimed Smith molested his son in the 1980s. The father met with Bishop Bruskewitz in 1995 and with a priest in 1999. In a letter from the priest to Bruskewitz, the priest related that all the father wanted was “an official apology.” The priest continued by stating, “I can see problems with that. If the diocese acknowledges the event, then perhaps we can be held responsible.” Bruskewitz replied by stating “[t]hat there is really not only no proof, but no strong suspicion that Father Smith did something wrong” to the man’s son. Nonetheless, this conversation is indicative of a self-protective mindset where officials displayed more concern for evading possible liability than for a victim of sexual abuse.

Smith retired in 1995 and resided in Mexico until his death in 1999. We would note that much of the primary source documentation mentioned in the diocesan summary was not included in the file. It is assumed this material was destroyed pursuant to diocesan policy. The absence of this information made the review of Smith’s file much more difficult.

Smith is not included in the Diocese of Lincoln priests against whom substantiated allegations of childhood sexual abuse have been reported. We have included him on the list because it was determined the allegations against him were likely to have occurred.

Father Charles Townsend

The file includes numerous references to boundary violations by Townsend, who was ordained in 1991.

Victim #1: During the summer of 2017, a parishioner invited Townsend and the clergy of her parish to use her house for a pool party. Townsend invited Victim #1, a

19 year old, to the party. Townsend had developed an inappropriate emotional relationship with Victim #1, who worked as an assistant and altar server for Townsend. During the pool party, Townsend served Victim #1, who was under the legal drinking age, several alcoholic drinks. He continued to provide drinks even after it was obvious Victim #1 was intoxicated. Later in the evening, Victim #1 became sick. Townsend and the other clergy members drove him to the rectory. Townsend undressed Victim #1 and gave him a shower. Several hours later, Townsend drove Victim #1 home.

The diocese reported the incident to law enforcement in 2018. Townsend pled guilty to contributing to the delinquency of a minor and was sentenced in 2019 to 30 days in jail. We would point out the diocese became aware of this incident in 2017 but did not immediately report it to law enforcement. Bishop Conley addressed this situation in a letter to parishioners. He wrote: “I made no effort to cover up any element of this situation, and I tried to address it with integrity. However, I did not encourage transparency. I did not encourage an open discussion about this situation with our priests, with parishioners, or with those involved. Even though we were not legally obligated to report the incident, it would have been the prudent thing to do.”

- A. Nature of the abuse/misconduct: Grooming behavior; criminal conviction for contributing to the delinquency of a minor
- B. Date of incident: 2017
- C. Reported to diocese: 2017
- D. Gender/age of victim: Male – 19 years old
- E. Abuse reported to diocese prior to incident described: The diocese reprovved Townsend for his lack of prudence with teenage boys prior to the incident with Victim #1
- F. Reported to law enforcement: 2018

Grooming behavior: In early 2017, church officials noted Townsend “lacked prudence” in his relationship with teenage boys. There was concern his behavior was causing scandal in the parish. This lack of prudence included having teenage boys at the rectory at late hours in the evening; letting teenagers drive his car; taking several boys on a long trip; and blatantly favoring a small group of altar servers at church.

The diocese reprovved Townsend for this behavior and he was given a canonical warning. The incident involving Victim #1 happened after this warning. Townsend was removed from active ministry in August of 2018 and is listed by the diocese as being retired.

Townsend is not included in the list of Diocese of Lincoln priests against whom substantiated allegations of childhood sexual abuse have been reported, as his victim was not a minor. He is listed by the diocese as being retired.

1. Impressions from Investigation of Lincoln Diocese

a. Sexual Abusers Passed from Parish to Parish/Failure to Take Action

It is evident that in at least 6 of the 14 cases listed above, the diocese had received prior notice of aberrant sexual behavior by the offending priests but took no action to immediately remove them from ministry. Some continued to serve for years after the disclosure of their sexual abuse.

Particularly troubling are the cases of Hrdlicka and Murray. In Hrdlicka's case, Monsignor Crowley and Bishop Flavin found out about Hrdlicka's abuse of Victims #1-4 a few weeks after it occurred. Not only was Hrdlicka not removed, but he was immediately passed on to another parish. Worse yet, he was given a leadership position in a Catholic youth organization. Hrdlicka utilized that leadership position to repeatedly abuse Victim #5. In addition to Victim #5, Hrdlicka sexually abused at least one other victim in Nebraska, as well as at least three victims while he was in the military. Ironically, the initial report of abuse was made to Crowley, who himself was an abuser of multiple pre-teen and teenage boys.

As for Murray, the file indicates members of the school board became aware of Murray's behavior and met with diocesan officials to have him removed from the school. The diocese was said to have resisted the attempt to remove Murray but relented when the parents threatened to report Murray to law enforcement. We determined Murray sexually abused at least nine victims. Most of the victims stated they observed Murray perform sexually abusive acts on other boys. Murray continued in ministry until 1999.

In the case of Benton, Victim #2 reported his abuse in 1997 to a diocesan Monsignor. The Monsignor indicated that he had "no reason to doubt the credibility" of Victim #2. Benton served four other parishes after Victim #2's report and was not placed on leave until 2017, when the other victims came forward. Benton sexually abused Victim #3 in 2002, five years after Victim #2 came forward to report his abuse.

Copenhaver's abuse of Victim #1 came to light in 2003, with Victim #1 stating he came forward to "prevent more children from getting hurt." Copenhaver was not disciplined after Victim #1's disclosure and proceeded to abuse Victim #2 a year later.

In early 2001, Victim #1 came forward to report she was sexually abused during counseling sessions with Dunavan in 1999 and 2000. A few months after Victim #1's report, Dunavan, on three occasions, touched Victim #2 in a manner in which she believed was sexually motivated. Bishop Bruskewitz later wrote in 2001 that he was aware the accusations of sexual abuse perpetrated by Dunavan against Victim #1 were true.

Pettinger began his first inappropriate relationship with a 13-year-old girl in 1986. The diocese became aware of that relationship in late 1987 or early 1988 but chose to move Pettinger to another parish, rather than remove him from ministry. Just months later, Pettinger began a similarly inappropriate relationship with another 13-year-old girl. Only after the discovery of this second relationship in 1989 was he finally removed from ministry and sent for treatment.

b. Attempts to Keep Victims from Reporting Sexual Abuse

In at least two of the cases, there were allegations that church officials attempted to keep victims from reporting their abuse to law enforcement. The mother of one of the children sexually abused by Margand told the Omaha World Herald the family was encouraged not to report the abuse to the police. According to the media report, the priests allegedly told the family the diocese could keep the incident quiet so the family "wouldn't have to be embarrassed." The family added they were told that "there was not a legal obligation to report [the abuse]." The two priests did not deny the allegation, but commented they had no recollection of making such statements.

The scenario in Murray's case was a little different. Diocesan officials did not ask the members of the school board not to report Murray's sexual abuse to the media. Rather, the diocese capitulated to the school board's demands Murray be removed from the school in response to threats the parents would report the abuse to law enforcement. In both cases, it appears the diocese's goal was to conceal criminal behavior from the authorities.

c. Failure to Report Sexual Abuse to Law Enforcement

In seven of the 14 cases, reports of sexual abuse were not made to the diocese until long after the abuse had occurred. Unfortunately, in the other seven cases where reports were made contemporaneous to the sexual abuse, the diocese reported to law enforcement on only two occasions, Margand and Townsend. In the case of Margand, the diocese reported the abuse after the victim's parents had already contacted law enforcement.

d. Additional Matters of Concern

The perpetrator whose sexual abuse spanned the longest period of time was Crowley. The date of his first case of substantiated abuse was in 1939, with the last case occurring in the early 1980s – a span of over 40 years. There was a gap of over 20 years between the abuse of Victim #1 and Victim #2, and seven total victims. Crowley took at least four of his victims on trips, which included some extended stays at a Catholic retreat facility in Arizona. Five of Crowley’s victims were less than 13 years of age when the sexual abuse began.

It is also very troubling that Crowley appeared to be an instrumental figure in reviewing claims of sexual abuse. His involvement does not instill confidence that claims of sexual abuse were credibly reviewed in the 1960s or 1970s. Nonetheless, the fact that Crowley was able to commit abuse for over 40 years, with no reports to the diocese, is alarming.

The fact that Kalin was able to subject so many students and seminarians to his sexual predilections in the locker room shower is also quite disturbing. It represents a disgraceful abuse of power by a person who was entrusted with supervising the Catholic Church’s ministry to young people on the University of Nebraska-Lincoln campus. According to the reports of the victims, Kalin’s modus operandi was well known to some involved in daily life of the Newman Center. He was able to accomplish his abusive behavior unabated from at least the mid-90s until 1998.

Kalin’s file starkly illustrates a prevailing reluctance to report abuse against a powerful person, as well as a lack of accountability and oversight of such people by the diocese. Victim #3 wrote: “I thought numerous times about whether to say something, but the thought process was always pretty simple: He’s in good with the bishop. The bishop has never heard of me. And because of that, ain’t nobody believing me. So, much to my shame, I didn’t say anything to anybody.” Likewise, Victim #4 recounted that he was “mortified” by Kalin’s behavior but felt that he had no choice but to endure Kalin’s sexual advances.

Victim #5 echoed the sentiments of Victim #4. He recounted that he felt compelled to acquiesce to Kalin’s advances. He noted that “Kalin wielded much power over me, much of which was legitimized in spiritual terms.” He was able to utilize the authority he acquired to act upon his sexual desires. That authority came with the power to, as noted by Victim #5, “alienate those who did not conform.” Victim #5’s account of the control wielded by Kalin was reinforced by Peter Mitchell. After Mitchell wrote to Bishop Bruskwewitz to alert him about Kalin’s drinking and

gambling, Mitchell was approached by a seminarian who told him Kalin had learned of the complaint and instructed some fellow seminarians to keep an eye on Mitchell to see whether he would be “loyal.”

Vital Information Summary Key

- A. The nature of the abuse/misconduct reported (i.e. fondling, oral sex, etc.)
- B. The date of the abusive incident
- C. The date the abuse was reported to the diocese/archdiocese
- D. The gender/age of the victim
- E. Whether the diocese had received any report of the official engaging in sexual misconduct with other children or young adults prior to the incident described
- F. When the incident was reported to law enforcement

B. Omaha Archdiocese

Father Rob Allgaier

Allgaier was working as a priest at St. Mary Catholic Church in Norfolk, Nebraska in 2001. In January of that year, two young men told a priest from another parish they found evidence Allgaier had visited child pornographic web sites on his parish computer. Police were informed of the incident by a teacher from Norfolk Catholic, and pursuant to a warrant, they found evidence that Allgaier had viewed child pornography.

Allgaier was charged with misdemeanor attempted possession of child pornography. He pled guilty in 2002 and was sentenced to two years of probation and 80 hours of community service. Allgaier admitted to Omaha Archbishop Elden Curtiss he had looked at child pornography “for several hours at a time over the course of about three years.” While he was immediately removed from his duties in Norfolk, he was briefly reassigned to St. Gerald Catholic Church in Ralston, Nebraska before being removed from ministry shortly thereafter. There were no allegations Allgaier sexually abused anybody during his priestly assignments.

Although Allgaier underwent counseling after his conviction, he was permanently removed from active ministry in 2005. Allgaier is technically still a

priest but has not served in that capacity since 2005. He was removed from the Nebraska Sex Offender Registry in 2014.

- A. Nature of the abuse/misconduct: Child pornography use
- B. Date of incident: 2001
- C. Reported to diocese: 2001
- D. Gender/age of victim: Unknown
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2001

Allgaier is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Richard Arkfeld

(Died in 1996)

There were several allegations of abuse leveled against Arkfeld. Arkfeld was ordained in 1962 and served at more than a dozen parishes during his tenure in the archdiocese.

Victim #1: Victim #1, a young adult male, accused Arkfeld of sexual abuse while Arkfeld was serving in a northeast Nebraska parish. The date of the abuse is unclear, but it appears it occurred in the late 1970s or early 1980s. Victim #1 stated he sought out Arkfeld for counseling help. During the counseling relationship, Arkfeld began to employ various grooming behaviors. Victim #1 described being kissed, hugged and groped by Arkfeld. The archdiocese was first made aware of the abuse by a friend of Victim #1 in 2014. The file indicates Victim #1 attempted suicide and suffered long-term trauma as a result of the abuse.

- A. Nature of the abuse/misconduct: Kissing; hugging/groping
- B. Date of incident: Late 1970s
- C. Reported to diocese: 2014
- D. Gender/age of victim: Male – Young adult
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: Victim was not a not minor - no reporting requirement

Victim #2: Victim #2 reported to the archdiocese in 2018 that he had been groomed and then abused by Arkfeld when he was a young seminarian. Arkfeld's pursuit of Victim #2 continued after his ordination. These events occurred in the mid-to-late 1980s. No details pertaining to the grooming or eventual sexual abuse are included in the file. Victim #2 also claimed he personally knew of at least three other victims, but added he believed there were many more. Victim #2 alluded to the existence of a support group for victims in a community in which Arkfeld had served as a priest. Victim #2 claimed he had a conversation with archdiocese officials regarding these concerns in the late 1980s, but no record of this conversation is contained in the file.

- A. Nature of the abuse/misconduct: Grooming; unspecified sexual abuse
- B. Date of incident: Mid-to-late 1980s
- C. Reported to diocese: Late 1980s; 2018
- D. Gender/age of victim: Male – Young adult
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: Victim was not a minor – no reporting requirement

Victim #3: Victim #3 was a priest. He described an incident where, after a meeting, Arkfeld cornered and attempted to kiss him. Victim #3 said he pushed Arkfeld away and no other incidents occurred.

- A. Nature of the abuse/misconduct: Unwanted sexual advances
- B. Date of incident: Not specified
- C. Reported to diocese: Not specified
- D. Gender/age of victim: Male – Young adult
- E. Abuse reported to diocese prior to incident described: No
- G. Reported to law enforcement: Victim was not a minor – no reporting requirement

Disposition: None of the abusive incidents were reported by the victims concurrent to the time they occurred. The allegations were never reported to law enforcement. Arkfeld retired and died in 1996.

Arkfeld's file contains only seven pages. The summary contained in Arkfeld's file notes law enforcement was never contacted about any of the allegations of sexual abuse, as none of the known victims were minors. Nonetheless, he was included in the list of substantiated abuse cases because "the unnamed reports are consistent, and the claims of abuse are considered to be substantiated."

Arkfeld is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father John Buckson

Buckson was ordained in 1992 at the age of 42. The archdiocese became aware of Buckson's "struggles with celibacy and...homosexual activity" shortly after ordination. Given his difficulties, the archdiocese formed a "continuing care team" to guide Buckson with his struggles.

Victim #1: Buckson admitted to paying for sex with a male minor during a trip outside of the United States. This incident occurred prior to his ordination in the archdiocese. The file contains no specific allegations Buckson committed sexual abuse while serving in the archdiocese, but there are frequent references to concerning behavior and lack of adherence to his recovery program. A letter from Archbishop Curtiss in 1994 revealed Buckson ran an ad in a newspaper (under an assumed name) offering to give massages at a rented apartment. The file also includes information which indicates the need to ensure Buckson's ministry did not involve close contact with teenage boys. There were concerns with the culpability which would attach to the archdiocese should he be caught "acting out" his attraction to them.

- A. Nature of the abuse/misconduct: Unspecified sexual abuse
- B. Date of incident: Early 1990s
- C. Reported to diocese: 1994
- D. Gender/age of victim: Male – Teenager
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: No

Disposition: We would note that while the incident with the minor teen was alleged to have occurred prior to his ordination (in 1992), notes in the file indicate the date of the offense was "pre-1994." Buckson resigned his position as a priest in 2002.

Buckson is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Donald Cleary

Cleary served as a priest at several urban and rural churches in the archdiocese. He was ordained in 1971. Five victims, all former altar boys, came forward to report sexual abuse by Cleary. All of these reports were made to the archdiocese in 2018.

Victim #1: Victim #1 was age 58 at the time of his report. He said he was abused “repeatedly” by Cleary in the parish sacristy in the mid-1970s when he was 14-15 years old. He did not provide details of the abuse.

- A. Nature of the abuse/misconduct: Unspecified sexual abuse
- B. Date of incident: Mid-1970s
- C. Reported to diocese: 2018
- D. Gender/age of victim: Male – 14-15 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #2: Victim #2 was age 46 at the time of his report. He said his abuse occurred in 1985-1986 when he was 15-16 years old. He stated the abuse began with Cleary patting him on the shoulder and giving him a back massage. Victim #2 later described that Cleary would take him to the basement where the altar servers kept their robes. He said that while in this area, Cleary subjected him to sexual penetration. Victim #2 indicated the abuse occurred five to-six times. Cleary told Victim #2 not to tell anybody what happened, and that it was “normal behavior.”

- A. Nature of the abuse/misconduct: Sexual penetration
- B. Date of incident: 1985-1986
- C. Reported to diocese: 2018
- D. Gender/age of victim: Male – 15-16 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #3: Victim #3 was in his early 40s when he reported to the archdiocese. He was abused by Cleary in 1986 when he was 11-12 years old. He said that while in the parish sacristy, Cleary would grab him and hold him tightly so he could not escape. Cleary would then put his hands down Victim #3’s shirt and rub him “all over.” This occurred on multiple occasions.

- A. Nature of the abuse/misconduct: Groping; inappropriate touching
- B. Date of incident: 1986
- C. Reported to diocese: 2018
- D. Gender/age of victim: Male – 11 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #4: Victim #4 reported to the archdiocese at the age of 41. He was an altar server and alleged Cleary abused him in 1987 when he was 10-11 years old. Victim #4 recalled that Cleary would grab him and make him sit on his lap. Cleary would then rub his chest, under his shirt. Victim #4 added Cleary may have fondled his genitals.

- A. Nature of the abuse/misconduct: Rubbing; fondling of genitals
- B. Date of incident: 1987
- C. Reported to diocese: 2018
- D. Gender/age of victim: Male – 10-11 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #5: Victim #5 reported to the diocese at the age of 40. He was abused by Cleary in 1987 or 1988 when was 8-9 years old. Victim #5 related one incident of abuse. Cleary held Victim #5 on his lap, placed his hand down his shirt, and rubbed his chest. Victim #5 related he was aware of several other victims.

- A. Nature of the abuse/misconduct: Rubbing; inappropriate touching
- B. Date of incident: 1987
- C. Reported to diocese: 2018
- D. Gender/age of victim: Male – 8-9 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Disposition: The victims’ allegations were reported by the archdiocese to both the Douglas County Attorney and the Wayne County Attorney in 2018. All the incidents were beyond the statute of limitations. When confronted with the allegations, Cleary responded that the behavior was “likely to have occurred.” Upon receipt of the report, Cleary was removed from priestly duties. He was laicized in 2019.

Cleary is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Frank Dvorak

Dvorak was ordained in 1970 and served eight parishes during his tenure in the diocese. He was accused of sexual molestation by several women, with the first incident occurring shortly after his ordination.

Victim #1: Victim #1 wrote to the archdiocese in March 2012 to report she had been repeatedly sexually molested by Dvorak while she was in high school. The abuse occurred from 1970-1972 when she was 15-17 years old.

Victim #1 said that Dvorak began showing interest in her while he was a deacon, in 1969. When he became a priest, he singled her out for special attention. Dvorak took her on visits with parishioners and spent time alone with her in the church after mass. While alone with Victim #1, Dvorak began to give her prolonged hugs, embracing her closely and swaying back and forth.

This behavior progressed into kissing and eventually, fondling of her breasts and genitals. Dvorak also would place Victim #1's hand on his penis. Victim #1 recollected Dvorak often took her for long drives. In order to hide Victim #1 from being seen in the car, he would put her head in his lap and press it against his penis. Dvorak took her to secluded locations, where the two engaged in sexual acts.

Victim #1 reported that on several occasions, the sexual molestations would occur in Dvorak's bedroom at the parish rectory. In addition to the fondling, she said Dvorak would pin her arms down and, while clothed, lay on top of her and simulate a sexual act. These sexual encounters continued until her freshman year in college. Victim #1 said she was "too afraid" to tell anybody about Dvorak's abuse. She claimed other priests in the parish were aware Dvorak made sexual advances on other women.

The archdiocese's review board met in April 2012 and found Victim #1's allegations to be credible. In November 2013, Dvorak was removed from public ministry and instructed to live a life of prayer and repentance. Law enforcement was notified about the abuse in 2012, but no charges were filed because the sexual acts occurred outside of the statute of limitations.

- A. Nature of the abuse/misconduct: Fondling; inappropriate touching; simulation of a sexual act; masturbation
- B. Date of incident: 1970-1972
- C. Reported to diocese: 2012
- D. Gender/age of victim: Female – 15-17 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2012

Victim #2: Victim #2 contacted the archdiocese in late 2012. She alleges she went to a parish in northeast Nebraska to see a priest for confession. Dvorak was her confessor. After hearing Victim #2’s confession, she claims Dvorak had her come to his side of the confessional, where he proceeded to fondle Victim #2’s breasts and genitals. This incident occurred in 1987, when she was 15-16 years old.

Victim #2’s allegations were investigated by the archdiocese and presented to the review board. The board found the claims to “not be credible.” The person who conducted the investigation concluded there was “insufficient information and evidence to support [Victim #2’s] claim...” Law enforcement was notified of Victim #2’s allegations in 2012, but no criminal charges were pursued, as the date of the alleged abuse fell outside of the statute of limitations.

- A. Nature of the abuse/misconduct: Fondling of breasts and genitals
- B. Date of incident: 1987
- C. Reported to diocese: 2012
- D. Gender/age of victim: Female – 15 or 16 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2012

Additional information in the file: The diocese received another second-hand allegation of sexual molestation by Dvorak, but the alleged victim never personally contacted the diocese. The file also includes a claim of inappropriate contact by an adult woman. This allegation was never substantiated.

Disposition: Dvorak was suspended from ministry in 2012 after the report of Victim #1’s allegations. As noted, he was permanently removed from ministry in 2013.

Dvorak is included in the archdiocese’s list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father John Feeney

Feeney never served in the Omaha Archdiocese. He perpetrated a sexual assault while visiting the archdiocese in the 1960s.

Victim #1: Feeney sexually assaulted a boy who was either 9 or 10 years old while staying overnight at a house in Omaha. The abuse, which consisted of fondling of Victim #1's genitals, occurred in 1962 or 1963. Victim #1 did not report the abuse until 2012, when he was in his late 50s. He alleged his brother was also abused but did not wish to come forward to discuss his experience.

- A. Nature of the abuse/misconduct: Fondling of genitals
- B. Date of incident: 1962 or 1963
- C. Reported to diocese: 2012
- D. Gender/age of victim: Male – 9-10 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2012

Disposition: Upon hearing the allegation of abuse in 2012, the archdiocese informed the Douglas County Attorney. No charges were filed. Feeney was convicted in 2004 (in Wisconsin) of sexually assaulting two teenage boys in 1978. He was a priest in the Diocese of Green Bay, Wisconsin. He was laicized in 2005. Reports reveal he was released from prison in 2011 and was living somewhere in California.

Feeney is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father John Fiala

(Died in 2017)

Fiala was ordained in 1984 and assigned to six parishes from 1984-1994. These assignments were periodically interrupted for a variety of reasons, including inappropriate contact with young boys. His faculties were removed by the archdiocese in 1995, after which he joined the Society of Our Lord of the Most Holy Trinity (SOLT – a society of apostolic life of diocesan right in the Diocese of Corpus Christi, Texas). Under its auspices, Fiala was assigned to a parish in Kansas and finally to ministry in Texas, where he sexually abused a 16-year-old boy.

Victim #1: Victim #1 alleged he was sexually abused by Fiala from 1984-1986. Victim #1 was 14-16 years old at the time. He stated Fiala engaged in grooming behavior which escalated to sexual advances. Fiala provided him with beer and hard liquor and invited him to the rectory on numerous occasions. While at the rectory, Fiala would strip naked and invite Victim #1 to sleep in his bed. Victim #1 declined Fiala's requests. He related Fiala would routinely tickle and touch him all over his body, including his groin area. Victim #1 reported Fiala's sexual abuse in June 2011.

The file contains a 2010 note recounting a conversation with a man who was a college seminarian when Fiala was a parish priest. The man commented that Fiala had "an inappropriate relationship" with Victim #1. He remembered being in Fiala's room and seeing a Playgirl magazine with a cut-out of Victim #1's face pasted on the cover model.

- A. Nature of the abuse/misconduct: Inappropriate tickling and touching of the groin area; invitations to sleep naked in the same bed; grooming
- B. Date of incident: 1984-1986
- C. Reported to diocese: 2010 by former seminarian who claimed Fiala had an inappropriate relationship with Victim #1; 2011 by Victim #1
- D. Gender/age of victim: Male – 14-16 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2011

Victim #2: Victim #2 was sexually abused by Fiala in 1985-1986, beginning when he was 13 years old. Victim #2 served as an altar boy. He said Fiala engaged in significant grooming behavior, singling him out for special attention and showering him with compliments. Fiala promoted Victim #2 to head altar server and often helped him skip class. The two spent significant time together, going on frequent trips to a video arcade and a 24-hour diner. Fiala would "show up in the middle of the night and throw rocks at his window." Victim #2 would sneak out of the house. They would drive around or go get something to eat. Fiala also provided Victim #2 with beer, liquor, and cigars at the parish rectory.

While in the rectory, Fiala would "strip down" to his underwear and wrestle with Victim #2 and other altar boys. He recalled the wrestling consisted of Fiala "rubbing himself against [Victim #2] as if he were humping him." Victim #2 stated Fiala made sexual innuendos and "jokes about homosexual acts." As the grooming behavior escalated, these innuendos turned into real offers for sex. Victim #2 recalled receiving a birthday card from Fiala with a "penis and butt," writing underneath the picture, "you-me."

During a night of heavy drinking and smoking cigars, Victim #2 got sick and vomited. Fiala asked Victim #2 to take off his pants so he could wash them. Victim #2 refused. Later that evening, Fiala professed his “love” for Victim #2. Victim #2 did not feel comfortable and left the rectory. He said he felt threatened when Fiala asked him to remove his pants. Fiala was clearly angry when Victim #2 left.

Victim #2 reported the incident to his mother, who contacted the archdiocese and met with Archbishop Sheehan. This occurred in 1986. Victim #2 contends the archdiocese concluded he had “lied” about his allegations against Fiala. He conveyed he was subsequently ostracized at Catholic school. Victim #2 finished the school year and transferred to a public school.

After hearing about the widespread media reports in 2002 about sexual abuse in the Catholic Church, Victim #2 contacted the archdiocese about Fiala’s sexual abuse. He met with Chancellor Michael Gutsell to relate his experience with Fiala. Victim #2 contends that Gutsell “summarily dismissed” his complaints. He was told the archdiocese had never received a complaint about Fiala and Gutsell suggested Victim #2 see a psychologist.

The archdiocese was again contacted by Victim #2 in 2010. He expressed disappointment that the archdiocese never reached out to help him after his report of abuse at the hands of Fiala. Victim #2 opined he suffered “horrific” injuries and extraordinary trauma as a result of the abuse.

- A. Nature of the abuse/misconduct: Sexual advances; rubbing and humping during wrestling; requesting the victim remove his pants; grooming
- B. Date of incident: 1985-1986
- C. Reported to diocese: 1986 by mother of Victim #2; 2002; 2010
- D. Gender/age of victim: Male – 13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2002

Victim #3: The father of Victim #3 (hereinafter “the father”) contacted the archdiocese in April 2010. He was interviewed by a private investigator hired by the archdiocese the following month. He indicated his family attended Fiala’s parish in 1987-1988. During this time, Fiala became quite involved with the family, including his 13-year-old son, who was Victim #3. The family was battling some significant life issues, and Fiala targeted the family’s vulnerabilities. The father stated Fiala was in continual contact with his wife, 15-year-old daughter,

and Victim #3 when he was absent from the home. Fiala's obsessive contacts with the family became enough of a concern that the father met with Fiala and told him not to have further contact with his family.

A week after their conversation, the Ralston Police Department found Fiala in a parked car in a city park, with Victim #3 sitting on Fiala's lap. Fiala told the police he was teaching Victim #3 how to drive. The father related Fiala had been grooming Victim #3 for a while, and that Fiala "used a sick woman (Victim #3's mother)" to gain information and access to Victim #3. After the incident in the park, Victim #3's life began to fall apart. While he does not believe Fiala was responsible for all of Victim #3's problems, the father believed Fiala added to his son's decline. The father noted Victim #3 once told him, "That guy [Fiala] ruined my life." There are no other details about the abuse suffered by Victim #3.

Shortly after the incident in the park, the father of Victim #3, along with the president of the parish council, and a priest met with Archbishop Sheehan to inform him about Fiala's conduct. Archbishop Sheehan told them Fiala would not be assigned to a position which entailed working with children. Fiala was soon thereafter removed from his parish assignment. His personnel record reveals he had a leave of absence for a year before being assigned as an associate priest in 1989. There is no record of criminal charges being filed after the incident with Victim #3.

The father explained he reached out to the archdiocese again in 2010 after learning about Fiala's arrest in Texas. In a 2010 correspondence with the chancellor, he stated "there is not a day that goes by that I don't search for some reasonable explanation as to how my Catholic Church could have allowed such a horrible thing to continue after they knew what was going on." He added, "How could the [archbishop] look me in the eye and tell me, promise me, that he would take immediate action to remove this man from any position that would put him in contact with children and then just transfer him into some other unsuspecting flock of Catholic children?" Victim #3 subsequently committed suicide.

- A. Nature of the abuse/misconduct: Grooming; inappropriate touching
- B. Date of incident: 1988
- C. Reported to diocese 1988, 2010
- D. Gender/age of victim: Male – 13 years old
- E. Abuse reported to diocese prior to incident described: Yes, the mother of Victim #2 met with Archbishop Sheehan in 1986
- F. Reported to law enforcement: 1988; 2010

Victim #4: In 2008, Fiala was serving at a parish in Rocksprings, Texas. Early that year, Fiala began giving private catechism classes to Victim #4, a 16-year-old boy. In January, under the pretext of taking Victim #4 on an out-of-town trip to visit the boy's girlfriend, Fiala took him to a hotel and raped him at gunpoint. He told Victim #4 he would hurt him and his family if he told anyone what happened. He sexually assaulted Victim #4 two more times during 2008. Victim #4 later swallowed a bottle of pills and was admitted to a psychiatric hospital. While at the hospital he told counselors about the sexual assaults. Fiala was arrested and charged with aggravated sexual assault.

While out on bail, Fiala talked to a man to see if he could arrange to have Victim #4 killed. The man contacted the police, who arranged for an undercover officer to meet with Fiala. Fiala's offer to pay \$5,000 to have Victim #4 killed was recorded. Fiala was charged and convicted of solicitation of capital murder in 2012 and sentenced to 60 years in prison. In 2014, he pled guilty to sexual assault of a child and received a sentence of 30 additional years in prison.

- A. Nature of the abuse/misconduct: Rape
- B. Date of incident: 2008
- C. Reported to diocese: Archdiocese became aware in 2008
- D. Gender/age of victim: Male – 16 years old
- E. Abuse reported to diocese prior to incident described: Yes, the mother of victim #2 met with Archbishop Sheehan in 1986
- F. Reported to law enforcement: 2008 to Texas law enforcement

Other complaints while in archdiocese: The file includes a 1991 letter from a woman to Archbishop Sheehan complaining about Fiala's behavior with her sons. Fiala had trained them as altar boys in the mid-80s. The woman explained Fiala "started keeping the boys out later than I wanted and stayed at times in our home later than appropriate for visiting." She said she was relieved when Fiala was transferred in 1988.

When he returned to the Omaha area in 1990, Fiala began seeing the boys again. He visited them three to five times a week, sometimes keeping them out very late. She was also concerned that Fiala had purchased them "R" rated movies and "posters of half-naked women." She noted Fiala had done something which upset one of the sons, who afterwards "didn't want to have anything to do with [Fiala]." Against her wishes, Fiala helped her other son purchase a car. She stated she was writing to the archbishop to alert him to a possible problem, "as well as to encourage some kind of help for [Fiala]." She noted she was "aware that

there have been problems before due to his imprudent behavior....” Archbishop Sheehan wrote the woman to inform her he told Fiala to discontinue his relationship with her son.

A parishioner at an Omaha parish wrote to Archbishop Sheehan in December 1988 complaining of Fiala’s temporary assignment to the parish. He stated, “Isn’t there any place for priests like [Fiala] other than pushing him from one parish to another?” He noted there had been “problems” between Fiala and his grandson when he was at another parish in the mid-80s. He concluded, “Even with the shortage of priests, he is a poor substitute and I will never understand why you put him in a parish, from one to another... do something about this before it is too late.”

In a 1988 letter from Archbishop Sheehan to another priest, he recounted the numerous complaints he received about Fiala’s behavior around teenagers. He wrote that Fiala had “a history of doing some very strange things that worry me and also the pastors of the parishes in which he has been sent.” Sheehan continued, writing he believed that Fiala’s “actions indicate such a lack of maturity that it is very difficult to give him a pastoral assignment.”

Disposition: While the archdiocese claimed Fiala was officially excardinated to SOLT in 1999, a canonical review of the transfer revealed flaws in the process. As a result, Fiala was considered to be within the jurisdiction of the archdiocese in 2011. The archdiocese then attempted to have Fiala laicized, but these efforts were resisted by Fiala. Further attempts to have Fiala removed from the clerical state via a church process were unable to be completed prior to Fiala’s death in 2017.

Fiala is included in two of the archdiocese’s lists: cases of substantiated allegations of misconduct with and/or the abuse of a minor which took place after the implementation of Safe Environment standards in 2002 (Section 1), and the list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Joseph Finch

Finch served in the archdiocese in several capacities between 1958-1969. He is alleged to have engaged in a sexual relationship with a student at a Catholic Boys Prep School in Phoenix in 1971 subsequent to transferring out of the archdiocese. Victim #1 was fondled by Finch at the age of 17. They engaged in a sexual relationship

when Victim #1 turned 18 years old. These acts did not occur while Finch was in the archdiocese.

- A. Nature of the abuse/misconduct: Sexual relationship with a high school student
- B. Date of incident: 1971
- C. Reported to diocese: 1996
- D. Gender/age of victim: Male – 17 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: No

Finch is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Michael Florea

Florea was a science teacher at St. Vincent de Paul School in Omaha. He was convicted in 2002 of sexually assaulting a junior high student from the school. He also pled guilty to two other counts of sexual assault perpetrated on boys who were not students. In addition, Florea pled guilty to 12 counts of Contributing to the Delinquency of a Minor for sexual abuse which occurred at Florea's apartment. All 12 of these victims were students at St. Vincent de Paul.

Victim #1: Victim #1 was a student at St. Vincent de Paul. Florea's sexual abuse of Victim #1 spanned a period of six months, occurring from August 2001 to January 2002. He was 12 years old at the time. Victim #1 said Florea engaged in various grooming techniques, such as providing him with alcohol, drugs, and money. The abuse occurred at several different locations, including Florea's apartment, school, and a hotel. Victim #1 related Florea had him masturbate and subjected him to oral sex. Victim #1 claims that Florea sexually assaulted several other boys who never disclosed their abuse. Information in the file recounts the long-term physical and psychological damage which resulted from Florea's abuse of Victim #1.

- A. Nature of the abuse/misconduct: Oral sex; masturbation
- B. Date of incident: 2001-2002
- C. Reported to diocese: 2002
- D. Gender/age of victim: Male – 12 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2002

Victims #2 and #3: Florea admitted to sexually abusing Victims #2 and #3, one in 1994, the other in 1996. The boys lived in the neighborhood where Florea taught school but were not students at the school. Florea subjected both victims to oral sex.

Victim #2

- A. Nature of the abuse/misconduct: Oral sex
- B. Date of incident: 1994
- C. Reported to diocese: No, victim not affiliated with Catholic school
- D. Gender/age of victim: Male – 12 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2002

Victim #3

- A. Nature of the abuse/misconduct: Oral sex
- B. Date of incident: 1996
- C. Reported to diocese: No, victim not affiliated with Catholic school
- D. Gender/age of victim: Male – 12 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2002

Other Victims: Florea was found to have coerced at least 12 other students to commit sexual acts at his home. These actions led to the filing of 12 misdemeanor counts. Florea said he gave the students alcohol and pornography and got them to masturbate by telling them he was conducting a research project.

Victims #s 4-15

- A. Nature of the abuse/misconduct: Masturbation
- B. Date of incident: 2001
- C. Reported to diocese: 2001
- D. Gender/age of victim: Males – 12-13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2001

Disposition: Florea pled guilty to three counts of First-Degree Sexual Assault against Victim #1 and 12 counts of Contributing to the Delinquency of a Minor against the other victims. He was sentenced to 21-31 years in prison for those charges.

He was released from prison in 2016. When school officials at St. Vincent de Paul learned of Florea's abusive actions, he was immediately fired.

Florea is not listed as a substantiated abuser by the archdiocese as he was not a priest or deacon. He has been included in this report because he was a teacher at a Catholic school and used his position to sexually abuse multiple students.

Father James Gaughan

(Died in 2009)

Gaughan was an extern to the archdiocese. He was ordained in 1974 and served in the archdiocese until 1999, when he transferred to a diocese in Jamaica. He served at five parishes during his time in the archdiocese.

Victim #1: Victim #1 was an adult priest when he reported to the archdiocese in 2003. He claimed he was sexually abused by Gaughan when he was "an older teenager but not yet at the age of majority." Victim #1 related Gaughan engaged in multiple abusive acts with Victim #1 which occurred over a "period of time." No details of the abuse were disclosed. The file indicates Gaughan was active in the archdiocese at the time of the abuse, but the exact dates are not disclosed.

- A. Nature of the abuse/misconduct: Unspecified sexual abuse
- B. Date of incident: Not specified
- C. Reported to diocese: 2003
- D. Gender/age of victim: Male – Teenager not at age of majority
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: No

Disposition: Gaughan was serving in a diocese outside of the United States when these claims were made. He denied the victim's allegations. There is no record of any further proceedings. Gaughan died in 2009.

Gaughan is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Edward Gill

(Died in 2006)

Gill was a priest in Madison, Nebraska in the early to mid-1960s. Three female victims reported Gill sexually molested them during this time. None of the victims were aware, at the time, that other females were being abused. All three were in their early teens at the time of the abuse.

Victim #1: Victim #1 reported to the archdiocese in 2004 when she was 53 years old. Her abuse occurred over a two-year period in the early 1960s, beginning in late grade school when she was 12-13 years old. She explained that Gill initially befriended her family. Soon after, he began to “focus” on her. She was “singled out” for special attention. Gill would call her out of class and routinely gave her projects at the rectory. She described Gill as a very good manipulator who told her it was “impossible not to love [her].”

The grooming led to physical contact. Gill kissed and fondled Victim #1’s breasts and vaginal area. Eventually, he asked her to go his bedroom. She got scared and refused. After that encounter, Gill began to ignore her. Victim #1 never disclosed the abuse to her parents or anyone else for over 30 years. She indicated she informed a priest about her abuse in the late 1990s, but it was “not a positive experience.” She said the abuse from Gill caused deep and long-lasting emotional pain.

- A. Nature of the abuse/misconduct: Fondling of breasts/vaginal area
- B. Date of incident: 1962-1963
- C. Reported to diocese: Late 1990s; 2004
- D. Gender/age of victim: Female – 12-14 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: Unclear

Victim #2: Victim #2 reported her abuse in 2004 when she was in her early 50s. She alleges that on two occasions, Gill kissed her on the mouth and rubbed up against her in a sexually aggressive manner. These acts occurred at St. Leonard’s Church in Madison in either 1963 or 1964 when she was 12-13 years old. Victim #2 expressed she never told anyone about the incident until 1994 when she called the Catholic chancery to explain what happened. She says she was disappointed she never received a response from the archdiocese. In 2004, she met with the director of victim outreach and prevention services for the archdiocese. Her reason for reporting what happened with Gill was to ensure he was not abusing other victims.

- A. Nature of the abuse/misconduct: Inappropriate touching/contact; kissing
- B. Date of incident: 1963-1964
- C. Reported to diocese: 1994; 2004
- D. Gender/age of victim: Female – 12-13 years old
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: Unclear

Victim #3: Victim #3 says her abuse began in 1963 or 1964 when she was 12-13 years old. She alleged Gill engaged in grooming behavior, emotional manipulation, and eventually began inappropriately touching her. Gill’s abusive behavior lasted one year. Victim #3 did not inform anyone about the abuse until 2002.

- A. Nature of the abuse/misconduct: Inappropriate touching/fondling
- B. Date of incident: 1963-1964
- C. Reported to diocese: 2002
- D. Gender/age of victim: Female – 12-13
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: Unclear

Disposition: It appears Gill was never confronted about the sexual abuse allegations after Victim #3 came forward in 2002. The file contains a letter of apology from the archdiocese to Victim #1 for an article in the Catholic Voice in which Gill, after his death, was portrayed in a very positive light. Victim #1 was told that due to Gill’s illness, the archdiocese was unable to move forward “in a more formal acknowledgment of his abusive actions.” Gill died in 2006.

Gill is included in the archdiocese’s list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Tom Glennon

Glennon was not active and did not have faculties in the archdiocese. From 2009-2018, Glennon was associated with the Missionary Society of St. Columban and resided at the Society’s headquarters in Bellevue. He worked in the administrative office there and at a homeless shelter in Omaha.

Victim #1: In 1991, Glennon self-reported he had periodic sexual contact with males while he was living in Taiwan. One of these males, Victim #1, was a minor (age 16).

Given Glennon's admission, he was prohibited from engaging "in sacramental priestly ministry." This restriction was in place upon his arrival in Nebraska.

- A. Nature of the abuse/misconduct: Unspecified sexual contact
- B. Date of incident: 1980s
- C. Reported to diocese: Discovered by archdiocese in 2018
- D. Gender/age of victim: Male – 16 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: Unclear

Disposition: In reviewing files, the archdiocese discovered Glennon had been involved in a ministry called PATH (pornography awareness, truth, and healing). His involvement in this program was a violation of the restrictions placed on his ministerial service. The archdiocese also expressed concerns related to the use of the Columban facility for high school retreats, specifically in areas where Glennon resided. Shortly after expressing these concerns, Glennon relocated to a retirement facility in another state. The file contained no allegations of abuse originating while Glennon was living in Bellevue.

Glennon is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Joseph Henry

(Deceased, date unknown)

Henry was a member of the Order of Augustinian Recollects (OAR). He was serving in the archdiocese in the early 1960s.

Victim #1: Victim #1 contacted the archdiocese in 2012 to report he was sexually abused by Henry in 1962 or 1963. Victim #1 was an altar server and was 9 or 10 years old at the time of the sexual abuse. Though no specifics are given, the sexual abuse occurred in the parish sacristy and was categorized as "extensive." The abuse spanned a period of three or four months. During the period of abuse, Victim #1 told his father, who spoke to the head priest of the parish. The head priest confronted Henry, but "nothing happened." It does not appear Victim #1's allegations were ever reported to the archdiocese. Since no action was taken, Victim #1 relates he was forced to see his abuser "in religion class every week." The family eventually decided

to move away because of the stress of the situation. A counselor noted Victim #1's presentation of the account of his abuse was "credible."

- A. Nature of the abuse/misconduct: Unspecified sexual abuse, reported as "extensive"
- B. Date of incident: 1962 or 1963
- C. Report to diocese: 2012
- D. Gender/age of victim: Male – 10 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2012

Disposition: Henry was not technically under the direct supervision of the archdiocese. The archdiocese advised Victim #1 to contact Henry's religious order (OAR). Victim #1 claimed he suffered from ongoing depression related to the abuse. While he no longer lives in Nebraska, the archdiocese and OAR offered to help him find a counselor located in his geographic area. At some point after Victim #1's report in 2012, the Omaha Police Department was contacted. A handwritten note in the file indicates that the police declined to investigate the matter, as Henry was deceased. The date of his death is not disclosed.

Henry is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Patrick Henry

Henry served in the archdiocese from 1980-1984, and then from 1990-1992. He also worked at Boys Town as a lay social worker and house parent in the late 1960s into the 1970s. He transferred to Ohio in 1994 and was incardinated into the Diocese of Cleveland in 1997. The file contains several allegations regarding Henry. The case of substantiated abuse occurred in the 1970s while Henry worked at Boys Town, but before he was ordained as a priest. The Diocese of Cleveland handled the investigation of the allegation.

Victim #1: Victim #1 reported his abuse to the Cleveland Diocese in 2007. He alleged Henry abused him in 1972 while he was a student at Boys Town. He related the abuse occurred during a camping trip when he was 14 or 15 years old. Victim #1 said that prior to the trip, Henry engaged in grooming behavior. The abuse consisted of massages and groping of the genitals. Victim #1 indicated he reached out to Boys Town in 2002 to discuss the abuse, but that his attempts were "unsuccessful." He

noted the person who investigated the allegations for Boys Town took a “very defensive approach.” A review board for the Cleveland Diocese found Victim #1’s allegations to be credible. The archdiocese reported Victim #1’s allegations to the Nebraska DOJ in 2018.

- A. Nature of the abuse/misconduct: Groping of genitals; massages; grooming behavior
- B. Date of incident: 1972
- C. Reported to diocese: 2002 to Boys Town; 2007 to archdiocese
- D. Gender/age of victim: Male – 14 or 15 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018 to Nebraska DOJ and Douglas County Attorney

Victim #2: Victim #2 reported to the archdiocese in 2008. He claimed that in 1982 or 1983, Henry took him and several other boys on a camping trip. During the trip, he encouraged the boys to go skinny dipping. Later that evening, Henry approached Victim #2’s sleeping bag and began rubbing his back. Victim #2 was 13 or 14 years old at the time of the incident.

- A. Nature of the abuse/misconduct: Rubbing back; grooming behavior including skinny dipping
- B. Date of incident: 1982 or 1983
- C. Reported to diocese: 2008
- D. Gender/age of victim: Male – 13 or 14 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: Unclear

Victim #3: Victim #3 reported Henry took an interest in his family while he was in the 7th/8th grade when Victim #3 was 12 or 13 years old. One day, Henry called Victim #3 and invited him to stay overnight at the rectory. After being invited by Henry to “wrestle” outside on the rectory lawn, Victim #3 came inside and took a shower. After the shower, he put on his underwear. He related Henry then began “comparing himself” to Victim #3. They “bumped close together” and Henry began measuring their height, the length of their legs, etc. Henry began massaging Victim #3’s back. Henry proceeded to place his hands inside of Victim #3’s underwear, touching his buttocks.

- A. Nature of the abuse/misconduct: Massaging back; touching of bare buttocks; grooming behavior
- B. Date of incident: 1982 or 1983
- C. Reported to diocese: 2008
- D. Gender/age of victim: Male – 12 or 13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: No

Victim #4: Victim #4 contacted the archdiocese in early 2008. There are references to a meeting between Chancellor Joseph Taphorn and Victim #4 in February of 2008, but details of the meeting are not in the file. Victim #4 alleges he and several other boys were sexually abused by Henry, possibly on a camping trip. The abuse would have occurred in the early to mid-1980s. Victim #4's age at the time of the incident would have been in his pre-teen or early teenage years. No details about the incident are provided. Notes from an interview with Victim #4 reveal that an archdiocesan priest may have been told in 2002 about sexual abuse perpetrated by Henry. This priest reportedly said that he knew he should have reported this information to the archdiocese but didn't.

- A. Nature of the abuse/misconduct: Unspecified sexual abuse
- B. Date of incident: Early 1980s
- C. Reported to diocese: Possibly 2002 to an archdiocesan priest; 2008
- D. Gender/age of victim: Male – Pre or early teens
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: Unclear

Victim #5: Victim #5 called the Nebraska DOJ to report he was abused by Henry in the early to mid-1980s. He was interviewed by the Cleveland Diocese in its investigation regarding sexual abuse perpetrated by Henry. Handwritten notes in the archdiocese's files allude to a report of his abuse at the hands of Henry.

Victim #5 indicated Henry and his family became friends during Henry's tenure as a priest in Papillion in the early 1980s. Victim #5 stated that he and another boy would spend the night with Henry at the parish rectory. During these stays, Henry would fondle Victim #5's genitals. He recalled the fondling happened "a handful of times." Victim #5 was 15-16 years old at the time of the abuse. He claims the other boy was likewise victimized. This other boy did not make a report to the archdiocese or the Nebraska DOJ.

- A. Nature of the abuse/misconduct: Fondling of the genitals
- B. Date of incident: Early 1980s
- C. Reported to diocese: 2007 to Cleveland Diocese; notes in archdiocese file dated 2008 refer Victim #5
- D. Gender/age of victim: Male – 15-16 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: Unclear

Victim #6: Victim #6 reported his abuse to the archdiocese in 2011. He alleged Henry massaged his back, legs, thighs, and buttocks during a camping trip in the early to mid-1980s. Victim #6 was 12-13 years old at the time of the abuse.

- A. Nature of the abuse/misconduct: Massage of the back, legs, thighs and buttocks
- B. Date of incident: Early to mid-1980s
- C. Reported to diocese: 2011
- D. Gender/age of victim: Male – 12-13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2011

Disposition: The Cleveland Diocese suspended Henry in 2007. He was later laicized.

Henry is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2) and the archdiocese's list of abusers who committed their abuse before entering formation or seminary (Section 4).

Father Daniel Herek

Herek was ordained in 1971. He worked in 11 parishes during his 26 years as a priest in the archdiocese. In 1997, the archdiocese received a videotape and photographs, which were found in Herek's home. The videotape and the pictures depicted naked boys. Both were made by Herek during his interactions with boys from his parish. Prior to the discovery of the child pornographic material, the archdiocese had received at least six complaints about Herek's behavior, some of which concerned his behavior around altar boys. The first complaint about Herek was reported in the 1970s. The file includes the names of at least 43 victims or possible victims. As of the writing of this report, we have confirmed at least 26 victims of sexual abuse or sexual misconduct. He was convicted of making child pornography

and sexual assault of a boy. Most of the victim summaries included in the file contained only short descriptions about Herek's sexual abuse of his victims. Where more information was available, we provided more detail.

Victim #1: Victim #1 was first abused by Herek in the early 1970s. His age is not disclosed, but it is believed he was 11-12 years old at the time. Victim #1 indicated Herek would have a group of boys go to his bedroom for what he described as "detickling sessions." The boys would disrobe and lay on the bed. Herek or another boy would then do a light massage. He reported that Herek would sometimes give boys haircuts at the school and then had them take a shower. Herek would sometimes take pictures of Victim #1 in the bathroom. Herek, on several occasions, gave Victim #1 wine and had him look at pornographic magazines. Herek also drank beer with a group of altar boys. Once, after drinking beer together, Herek suggested to several altar boys that it would be fun to get naked and lie in the grass together.

- A. Nature of the abuse/misconduct: Herek had Victim #1 disrobe and gave him massages; Herek took naked pictures of Victim #1 and other altar boys; inappropriate sexual innuendos
- B. Date of incident: 1971-1972
- C. Reported to diocese: Unclear
- D. Gender/age of victim: Male – Unclear, but believed to be 11-12 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: Unclear

Victim #2: Victim #2 was an altar boy for Herek. He reported Herek drank beer with him and several other altar boys late one evening. While drinking with the boys, Herek suggested that it would be fun to "get naked" and lie in the grass together. It is unclear from the file whether Herek's "suggestion" actually came to fruition.

- A. Nature of the abuse/misconduct: Grooming activity; suggestions to "lie naked" in the grass
- B. Date of incident: 1971 or 1972
- C. Reported to diocese: Unclear
- D. Gender/age of victim: Male – Unclear, but believed to be 11-12 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: Unclear

Victim #3: Victim #3 indicated he was abused by Herek in 1972. He said Herek would have altar boys go to his bedroom for "detickling sessions." The boys would disrobe. Herek would have them take turns laying on their stomachs. Herek or one of the altar

boys would give them a light massage. Victim #3 also said Herek would allow the kids full run of the school and gym on Saturdays. During these occurrences, Herek would talk to the boys about sex, penises, and pubic hair. Victim #3 said Herek would then watch the boys take showers.

- A. Nature of the abuse/misconduct: Herek had Victim #3 disrobe and gave him massages; Herek watched boys take showers; inappropriate discussions about sex
- B. Date of incident: 1972
- C. Reported to diocese: Unclear
- D. Gender/age of victim: Male – Unclear, but believed to be 11-12 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: Unclear

Victim #4: Victim #4 reported he was abused by Herek from 1971-1973. On one occasion, Victim #4 said he and another boy (Victim #5) got in trouble and were sent to see Herek. Herek made them both go to the gym and “chase around kick balls.” Victim #4 described he and the other boy got sweaty. Herek told them they would need to shower before returning to class. Herek watched the boys undress and then made them do exercises (e.g. jumping jacks) in the nude in front of him. This incident happened when Victim #4 was in 8th Grade.

On two or three occasions, Herek had graphic discussions with Victim #4 about sex and masturbation. During a trip to Iowa in the summer of 1973, he and Herek slept in the same hotel room. Victim #4 was awakened to find Herek with his hands on Victim #4’s genitals.

- A. Nature of the abuse/misconduct: Fondling of genitals; Victim #4 was made to undress and perform “nude exercises” in front of Herek; Herek watched boys take showers
- B. Date of incident: 1971-1973
- C. Reported to diocese: Unclear
- D. Gender/age of victim: Male – 12-14 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: Unclear

Victim #5: Victim #5 was an altar boy with Victim #4. He also related the story of getting into trouble and being sent to see Herek. Victim #5 said Herek made them both go to the gym and “chase around kick balls.” The boys got sweaty, so Herek told them they had to shower before returning to class. Victim #5 stated Herek stood by while the boys undressed and made them do exercises in the nude in front of him.

- A. Nature of the abuse/misconduct: Victim #5 was made to undress and perform “nude exercises” in front of Herek; Herek watched boys take showers
- B. Date of incident: 1972 or 1973
- C. Reported to diocese: Unclear
- D. Gender/age of victim: Male – Unclear, but believed to be 13-14 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: Unclear

Victim #6: Victim #6 was an altar boy in the early 1970s. He said that Herek had some of the altar boys undress. They went outside and laid naked in the grass with Herek. Herek also provided alcohol and drank with them on at least one occasion. He noted Herek offered the altar boys alcohol several times.

- A. Nature of the abuse/misconduct: Grooming behavior; Herek asked altar boys to undress and lie naked in the grass
- B. Date of incident: 1972 or 1973
- C. Reported to diocese: Unclear
- D. Gender/age of victim: Male – Unclear, but believed to be 11-12 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: Unclear

Victim #7: Victim #7 contacted the Nebraska DOJ in 2018. He said he was an altar boy and a CCD aide for Herek from 1973-1975. He alleged he suffered sexual and psychological abuse at the hands of Herek from the 6th through the 8th grades. Victim #7 specified Herek began to give him special attention after he became a CCD aide, noting that he became Herek’s “right hand man.” He added that “Herek became my sole friend by discouraging me from being with my friends, family, and other adults. I spent most of my free time with Herek.”

He described several abusive incidents by Herek. The first involved being initiated into what Victim #7 labeled Herek’s “group of boys.” This happened at school in Herek’s classroom. Victim #7 said Herek would gather the altar boys together and have them “pounce” on the newest member of the group, wrestling him to the ground and taking off his pants. Herek would watch and sometimes would “join in.” Herek would often take Victim #7 to the rectory, where Herek would take off his clothes while Victim #7 watched. The “rectory operator” noticed Victim #7 in Herek’s room in 1974 and reported this to Robert Gass, the Head Priest at Christ the King. Victim #7 alleged Father Gass was angered by his presence in Herek’s room and banned Victim #7 from the rectory. Herek believed Gass “knew what was going on” and was aware of Herek’s attraction to young boys.

After being banned from the rectory, Victim #7 stated he began “doing things at [Herek’s] mother’s house in Omaha, where [Herek] had a room in the basement.” Sometimes other boys would be present. Herek had the boys work on clearing a path to a creek in the back yard. The boys got dirty and would have to clean up in the basement. Victim #7 said Herek would watch the boys take off their clothes and shower. Herek would shower with the boys.

As a “gift” for being Herek’s assistant, Herek took Victim #7 on an overnight trip to Kansas City to see the Truman Library. They stayed at a hotel with a swimming pool. When they got to the room, Herek watched Victim #7 change into his swimsuit. Herek remained in the room and began drinking. When Victim #7 returned to the room, Herek watched him change out of his swimming suit. They then went to a movie. That evening, they slept naked in separate beds. Victim #7 said he and Herek talked until late into the evening. He noted he was unsure of what Herek “wanted” from him, and he drew a “blank” about what happened the rest of the night.

The next day, they drove to the Truman Library, only to discover it was closed. Victim #7 said Herek became enraged during their drive back to Omaha. Through therapy, Victim #7 says he realized that Herek took him on the trip as a pretense for spending the night together in a hotel room.

Another incident occurred at the home of a female teacher from the school. Herek and the teacher stayed on the first floor drinking while Victim #7 and several boys were upstairs in a bedroom with the teacher’s male “friend.” Victim #7 alleged the friend attempted to get the boys to engage in a form of mutual masturbation. Victim #7 became “unnerved” and went downstairs to let Herek know what was happening. He contended Herek did nothing to intervene. Years later, Victim #7 spoke with the “friend,” who boasted that he “almost got those boys naked.” The friend added Herek was aware of what was happening.

Victim #7 said that after the “Boston Church Scandal” came to light, he called the archdiocese to report his experience with Herek. He said the archdiocese did not want to hear the information and refused to speak to him. He claimed that his life was severely affected by Herek’s “psychological and sexual abuse.” Victim #7 said his “sexuality and spirituality” were “obliterated” by Herek.

- A. Nature of the abuse/misconduct: Herek watched Victim #7 and other boys take showers; Herek watched Victim #7 undress; inappropriate touching; grooming activity
- B. Date of incident: 1973-1975

- C. Reported to diocese: Unclear, victim said he called archdiocese around the time of the “Boston Church Scandal”
- D. Gender/age of victim: Male – 12-14 years old
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: Unclear; 2018 to Nebraska DOJ

Victim #8: Victim #8 alleged he was abused by Herek from 1974-1975, when he was 12-13 years old. On one occasion, Herek showed him and another altar boy a book that contained black and white photos of young boys in the nude. He also reported an incident which occurred at the parish rectory. Victim #8 said he and Herek had returned to the rectory after eating dinner at a local restaurant. He claims Herek had him remove his pants and lie on the floor in his underwear. Herek then put his hands inside of Victim #8’s underpants, fondling his genitals.

- A. Nature of the abuse/misconduct: Exposure to pornography; fondling of genitals
- B. Date of incident: 1974-1975
- C. Reported to diocese: 1997
- D. Gender/age of victim: Male – 12-13 years old
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: 1997

Victim #9: Victim #9 is listed as a victim of Herek in the archdiocesan file. No details of the abuse are included in the file.

- A. Nature of the abuse/misconduct: Unspecified sexual abuse
- B. Date of incident: 1976-1979
- C. Reported to diocese: 1997
- D. Gender/age of victim: Male – 11-13 years old
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: 1997

Victim #10: The Nebraska DOJ was contacted by the father of Victim #10 in 2018. He alleged his son was sexually abused by Herek in 1997 or 1998. He said Victim #10 could not remember many details of the abuse but implied it involved inappropriate touching. Though the details of the abuse were a bit fuzzy, Victim #10 could “remember vivid details of the places” where the abuse occurred. One of the places Victim #10 recalled was a house trailer near the Westroads Racket Club. Victim #10 had been seeing a counselor, who told him there was a 95% chance he was sexually abused by Herek.

Victim #10’s father contacted the archdiocese’s Victim’s Assistance Coordinator, who told him he needed to provide her with more information in order

to receive assistance. He then attempted to have a meeting with Archbishop Curtiss, who said Curtiss refused to meet with him. He later met with Archbishop Lucas but said the meeting “did not accomplish” much.

- A. Nature of the abuse/misconduct: Unspecified sexual abuse
- B. Date of incident: 1977 or 1978
- C. Reported to diocese: Unclear, but likely in the late 1990s
- D. Gender/age of victim: Male – 12 or 13 years old
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: 2018 to Nebraska DOJ

Victim #11: Victim #11 was an altar boy for Herek. He is listed as a victim of Herek in the archdiocesan file. No details of the abuse are included in the file.

- A. Nature of the abuse/misconduct: Unspecified sexual abuse
- B. Date of incident: 1978-1979
- C. Reported to diocese: 1998
- D. Gender/age of victim: Male – 11-12 years old
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: 1998

Victim #12: Victim #12 was an altar server for Herek. He reported that Herek gave him alcohol and fondled his genitals.

- A. Nature of the abuse/misconduct: Fondling of genitals; given alcohol by Herek
- B. Date of incident: 1979-1980
- C. Reported to diocese: 1997
- D. Gender/age of victim: Male – 11 years old
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: 2004

Victim #13: Victim #13 was an altar boy who reported he was abused by Herek in 1979-1980. He alleged that Herek routinely spent time with a group of altar boys. He indicated Herek would have the boys lie on the floor and then proceed to massage each boy from head to toe, including their testicles and penis. At times, Herek would serve the boys alcohol and subject them to “detickling sessions.”

Victim #13 recounted he and two other boys would ride their bikes to the rectory. Herek would then take the boys to his trailer. While at the trailer, they would play in the mud in their underwear. Herek would hose them off and invite them into the trailer, where he served them beer.

- A. Nature of the abuse/misconduct: Fondling of testicles/penis; grooming behavior

- B. Date of incident: 1979-1980
- C. Reported to diocese: Unclear
- D. Gender/age of victim: Male – Not specified, but believed to be 11-12 years old
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: Unclear

Victim #14: Victim #14 was an altar boy with Victim #13 and Victim #15. He alleged he was sexually abused by Herek in 1979-1980. He said Herek would invite altar boys to gatherings. He would have the boys lie on the floor, where he would proceed to massage each boy from head to toe, including their testicles and penis. Herek also provided them with beer. As per the account of Victim #14, he and two other altar boys would ride their bikes to the rectory. Herek would then take the boys to his trailer. While at the trailer, they would play in the mud in their underwear. Herek would hose them off and invite them into the trailer, where he served them beer.

- A. Nature of the abuse/misconduct: Fondling of testicles/penis; grooming behavior
- B. Date of incident: 1979-1980
- C. Reported to diocese: Unclear
- D. Gender/age of victim: Male – Not specified, but believed to be 11-12 years old
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: Unclear

Victim #15: Victim #15 was an altar boy with Victim #13 and Victim #14. He said Herek would invite altar boys to gatherings. He would have the boys lie on the floor, where he would proceed to massage each boy from head to toe, including their testicles and penis. As per Victim #13 and Victim #14, he recounted that the boys rode their bikes to the rectory. Herek would then take the boys to his trailer. While at the trailer, they would play in the mud in their underwear. Herek would hose them off and invite them into the trailer, where he served them beer.

- A. Nature of the abuse/misconduct: Fondling of testicles/penis; grooming behavior
- B. Date of incident: 1979-1980
- C. Reported to diocese: Unclear
- D. Gender/age of victim: Male – Not specified, but believed to be 11-12 years old
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: Unclear

Victim #16: Victim #16 was an altar boy. He is listed as a victim of Herek in the archdiocesan file. No details of the abuse are included in the file.

- A. Nature of the abuse/misconduct: Unspecified sexual abuse
- B. Date of incident: 1980-1981
- C. Reported to diocese: 1997

- D. Gender/age of victim: Male – 13 years old
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: 2004

Victim #17: Victim #17 was an altar boy. He reported he was sexually abused by Herek in 1980-1981. Victim #17 said that Herek offered altar boys alcohol at group gatherings. He indicated that Herek took him to his mom's house. While there, Herek carried on a prolonged conversation while he watched Victim #17 take a shower.

Victim #17 recounted that on one occasion, he was allowed to drive Herek's car. When Herek adjusted the driver's seat, he touched Victim #17 in the crotch area. Victim #17 also described an incident at Herek's trailer. He said that while he was asleep in the bedroom, he awoke to find Herek "rubbing up against him." Herek then put his hands down Victim #17's underwear.

- A. Nature of the abuse/misconduct: Fondling; inappropriate touching; Herek watched Victim #17 take a shower
- B. Date of incident: 1980-1981
- C. Reported to diocese: 1997
- D. Gender/age of victim: Male – 13 years old
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: 2004

Victim #18: Victim #18 was an altar boy. He reported Herek fondled him twice, occurring in 1980 or 1981. He was 13 years old at the time. Victim #18 also indicated that Herek befriended him and another altar server. Herek and these boys spent a considerable amount of time together at various locations. During their time together, Herek routinely served beer to the boys.

- A. Nature of the abuse/misconduct: Fondling; grooming behavior
- B. Date of incident: 1980-1981
- C. Reported to diocese: 1997
- D. Gender/age of victim: Male – 13 years old
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: 2004

Victim #19: Victim #19 alleged he was abused by Herek in the mid-to-late 1980s. He recounted he worked at the rectory with several other boys. Victim #19 said that after their work was done, the boys would get into "water fights." Sometimes, Herek would encourage the boys to engage in what he referred to as "depantsing," where the boys ganged up on one of the boys and forcibly removed his pants. Herek would watch and take pictures of the boys.

On numerous occasions, Herek would take the boys to a residence in Omaha (his trailer). Victim #19 recounted that Herek would watch the boys shower and was present when they took their clothes off. Herek gave them alcohol and participated in massages to “relieve tension and stress.” Herek assured the boys the massages were “okay.” While in Omaha they would go to dinner and often have sexual conversations. Victim #19 noted that on several other occasions, Herek gave him and another altar boy massages and served them alcohol at the rectory.

- A. Nature of the abuse/misconduct: Herek watched him undress and take showers; inappropriate touching; sexual innuendos; grooming
- B. Date of incident: Mid-to-late 1980s
- C. Reported to diocese: Unclear
- D. Gender/age of victim: Male – Not specified, but believed to be 12-14 years old
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: Unclear

Victim #20: Victim #20 was an altar boy in the mid-to-late 1980s. Consistent with the account given by Victim #19, he alleged some of the altar boys worked at the rectory, where water fights took place after work was finished. Victim #20 stated the group engaged in “depantsing” and that Herek was “constantly” taking pictures during this activity. Afterwards, Herek gave the boys massages.

Victim #20 also talked about Herek bringing boys on trips to his residence in Omaha (his trailer). Herek would watch the boys shower and was present when they took their clothes off. Herek served them alcohol and had them participate in massages to “relieve tension and stress.” Herek assured them the massages were “okay.” While in Omaha they would go to dinner and often have sexual conversations.

Victim #20 described the boys sometimes took trips to Herek’s mother’s house. Herek would give them alcohol and show them pornography. They took showers in the basement. Herek would watch them shower and participated in mutual massages. Victim #20 noted that on several other occasions, Herek gave him and another altar boy massages and served them alcohol at the rectory.

- A. Nature of the abuse/misconduct: Herek watched him undress and take showers; inappropriate touching; sexual innuendos; grooming; exposure to pornography
- B. Date of incident: Mid-to-late 1980s
- C. Reported to diocese: Unclear
- D. Gender/age of victim: Male – Not specified, but believed to be 12-14 years old
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: Unclear

Victim #21: While the file does not specify the date of Victim #21's abuse, his account is nearly identical to that of Victim #19 and Victim #20. We have surmised the date of abuse to be in the mid-to-late 1980s. He alleged some of the altar boys worked at the rectory, where water fights took place after work was finished. Victim #20 stated the group engaged in "depantsing" and that Herek was constantly taking pictures during this activity. Afterwards, Herek gave the boys massages.

Victim #21 said boys would travel with Herek to his mother's residence in Omaha. Herek would give the boys alcohol and let them view pornography. Herek would watch the boys take showers in the basement. After the showers, Herek and the boys would give each other massages.

On weekends, Victim #21 and some other altar boys would work at the rectory. Herek would sometimes give them beer. He would take pictures of the boys having water fights in the backyard of the rectory. The boys were partially clothed.

- A. Nature of the abuse/misconduct: Herek watched him undress and take showers; inappropriate touching; sexual innuendos; grooming; exposure to pornography
- B. Date of incident: Mid-to-late 1980s
- C. Reported to diocese: Unclear
- D. Gender/age of victim: Male – Unspecified, but believed to be 12-14 years old
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: Unclear

Victim #22: Victim #22 described several incidents of abuse by Herek. Victim #22 claimed Herek persuaded another boy to massage Victim #22's genitals while Herek watched. Victim #22 related that Herek often allowed boys to walk around the parish grounds in their underwear. He showed Victim #22 and another boy sexually explicit videos. Herek gave Victim #22 and another boy alcohol. Victim #22 also said he received a nude massage, on at least one occasion, from Herek.

Victim #22 noted that over a three-year period, a friend of Victim #22 would spend two or three nights per month at the rectory. Victim #22 would visit his friend at the rectory, during which Herek would drink alcohol with both boys. Victim #22 once traveled with Herek to Beemer. He got drunk after being served alcohol by Herek. The file does not indicate Victim #22's age or when these incidents occurred.

- A. Nature of the abuse/misconduct: Inappropriate touching and massages; grooming behavior; fondling
- B. Date of incident: Unclear
- C. Reported to diocese: Unclear

- D. Gender/age of victim: Male – Not specified
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: Unclear

Victim #23: Victim #23 described an incident with Herek and another boy, likely Victim #24. Herek told the boys to disrobe to their underwear and to lie down on their backs. Herek knelt between them and began touching both boys from head to toe, touching and brushing across their groin area. The file does not indicate Victim #23's age or when these incidents occurred.

- A. Nature of the abuse/misconduct: Fondling; told to disrobe to underwear
- B. Date of incident: Unclear
- C. Reported to diocese: Unclear
- D. Gender/age of victim: Male – Not specified
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: Unclear

Victim #24: Victim #24 described an incident with Herek and another boy, likely Victim #23. Herek told the boys to disrobe to their underwear and to lie down on the floor on their backs. Herek knelt between them and began touching both boys from head to toe, touching and brushing across their groin area. Victim #24 also alleged Herek would take boys to his office and showed them pornographic magazines. Herek talked to them about sexual gratification and masturbation. The file does not indicate Victim #24's age or when these incidents occurred.

- A. Nature of the abuse/misconduct: Fondling; told to disrobe to underwear
- B. Date of incident: Unclear
- C. Reported to diocese: Unclear
- D. Gender/age of victim: Male – Not specified
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: Unclear

Victim #25: Victim #25 alleged Herek provided and drank alcohol with him and several other boys. He further alleged that after a counseling session at the parish it was decided that he and another boy would spend the night with Herek at his trailer. While there, they drank beer and Herek massaged Victim #25 inappropriately. The file does not indicate Victim #25's age or when these incidents occurred.

- A. Nature of the abuse/misconduct: Inappropriate touching; grooming behavior
- B. Date of incident: Unclear
- C. Reported to diocese: Unclear
- D. Gender/age of victim: Male – Not specified

- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: Unclear

Victim #26: Victim #26 is listed as a victim of Herek in the archdiocesan file. He is the victim from Herek's 1998 sexual assault conviction.

- A. Nature of the abuse/misconduct: Sexual assault
- B. Date of incident: 1990s
- C. Reported to diocese: Unclear
- D. Gender/age of victim: Male – 14 years old
- E. Abuse reported to diocese prior to incident described: Unclear
- F. Reported to law enforcement: Unclear

Disposition: In April 1997, a cleaning woman found two photographs of adolescent boys, nude and sitting around a campfire, in Herek's room at the rectory. She also discovered a home video depicting three boys (one totally nude and two who were shirtless) running around the sanctuary of a church. Herek's voice could be heard in the background noise of the video. The photographs and the video were turned over to the Chancery in May 1997.

In February 1998, Herek was arrested and charged with possession of obscene material and child sexual assault. In August 1998, Herek pled guilty to making child pornography and child sexual assault. He was sentenced to 20 months to five years in prison for the assault charge, and probation for the pornography charge. Herek served 2 ½ years in prison before being released in 2001.

In June 2002, the archdiocese admitted liability in a civil suit brought by a former altar boy and his mother. They received an \$800,000 jury verdict. The archdiocese thereafter settled six civil suits related to Herek's sexual abuse of other altar boys.

Herek was later sentenced to 120 days in jail for violating his probation in 2005. The probation violation occurred when a woman testified that she saw Herek masturbating in the Crossroads Mall parking lot. Herek was convicted of indecent exposure and lewd conduct for the parking lot incident. Herek was laicized in 2006.

Herek is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Joseph Hiep Van Ho

Ho came to the United States from Vietnam. He was accused of sexually assaulting a teenage girl in 1989 or 1990.

Victim #1: Victim #1 contacted the archdiocese in 2010 to report she had been sexually assaulted by Ho. The abuse occurred in 1989 or 1990, when Ho was serving at a parish in northeast Nebraska. She was 13-14 years old at the time of the abuse. Ho was also Victim #1's religion teacher at school. She conveyed Ho engaged in grooming behavior, which had escalated up to the time of the sexual assault. Victim #1 says she experienced four incidents of grooming and/or abuse.

The first incident occurred while Ho was playing ping pong at Victim #1's house. She says that Ho stopped her in a hallway where he began kissing and hugging her on the neck. She described the occurrence as "gross."

The second incident also occurred at her house. She reported that while they were sitting on a couch, Ho attempted to forcefully pull her onto his lap. Victim #1 "fought back," and later told her mom what happened. Ho was never invited back to Victim #1's house.

She described the third incident happened when Ho offered to give her and her friend a ride home from a church activity. Victim #1 reported that Ho told her to sit in the back of the car so nobody would think there was "something going on" between them.

The fourth incident occurred when Ho called Victim #1 and asked her to come to the rectory. Ho took her to a bedroom where he physically raped her. Two weeks later, she told her mom about the assault. The victim's assistance coordinator for the archdiocese, who personally met with Victim #1 in 2010, concluded her allegations of sexual assault were credible. Victim #1 described long-term emotional and psychological trauma resulting from the assault.

It is unclear how the victim's allegations were reported to the archdiocese. Victim #1 recalled she informed both her mom and the head priest of the parish. When interviewed, the head priest did not recall speaking to Victim #1. Rather, he had heard that Ho had been accused of making inappropriate advances to Victim #1 but was unaware of allegations of sexual assault. Regardless, representatives from the archdiocese had clearly been informed of the incident sometime during the first half of 1990. The head priest noted that he received a call from Chancellor Eldon McKamy regarding Ho, and in a matter of hours, Ho had been removed from ministry at the parish. No report of the assault was made to law enforcement.

Victim #1 stated she disclosed the assault to a therapist before she started college. She described the meeting with the counselor as very traumatic. The therapist reported the assault to law enforcement. When contacted by law enforcement, Victim #1 “downplayed” the allegations, as she “did not want any publicity” about the matter. No charges were filed against Ho.

- A. Nature of the abuse/misconduct: Rape; kissing; hugging; inappropriate touching
- B. Date of incident: 1989 or 1990
- C. Reported to diocese: 1989 or 1990
- D. Gender/age of victim: Female – 13-14 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: Early 1990s by Victim #1’s counselor

Disposition: As for the archdiocesan response to the allegations, there is a June 1990 letter from Archbishop Sheehan to a Florida diocese, written on Ho’s behalf. Sheehan asked the Florida diocese to entertain giving Ho an assignment in Florida. In the letter, Sheehan acknowledged an incident involving Ho and Victim #1, but wrote he believed Ho’s actions had been misinterpreted. Sheehan added that, personally, he viewed the allegations as “not a serious case of abuse” and a situation which was “misunderstood” by Victim #1.

A 1992 letter from the Florida diocese to Sheehan paints a much different picture. In consideration of whether to offer Ho an assignment, the Florida diocese conducted its own investigation of the claims against Ho. In the letter, the Florida priest noted that he had spoken to the head priest from the Northeast Nebraska parish and to Victim #1’s mother. He warned Sheehan that “there are some misconceptions that you may have about the case.” He wrote that upon speaking with Victim #1’s mother, she indicated there was absolutely no doubt in her mind that Ho sexually abused her child. He noted that the mother thanked him for conducting such a thorough investigation. Later, he added his motivation for writing was in “protecting the interests and reputation of the Archdiocese of Omaha, which is at greater risk than you may have previously thought.” He concluded, “I did want to alert you to the salient facts of the case, so that you would not be led to believe that there is nothing substantive here.”

Ho was able to leave the country without prosecution for the sexual assault. He accepted an invitation for ministry in Australia in 1992. He was active until at least 2018.

Ho is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Emilio Jordan (Deacon)

The archdiocese received complaints about Jordan during his tenure as a deacon in Omaha in 2003. Jordan came to Omaha as part of an externship from Guatemala.

Victim #1: An archdiocesan priest received a “second-hand” report claiming Jordan was having “inappropriate sexual relations with some women and also some minor girls.” The archdiocese conducted an investigation pertaining to these allegations. It received information from two women who reported Jordan was “harassing” and inappropriately “touchy” with minor girls in a youth group. A mother of the youth group members wrote that on one occasion Jordan took youth group members to a bowling alley without consent of the parents. While at the bowling alley, Jordan was allowing them to drink beer. The mother of the youth group member also revealed Jordan had personally propositioned her (the mother) to engage in a sexual relationship. She concluded that she would “not trust [Jordan] with my children ever again.”

Documentation within the file indicates that none of the alleged victims were willing to go to the police. Victim #1 is referred to as an “unnamed though known teenage girl” who was 16 years old. No details are provided of Jordan’s contact with Victim #1.

- A. Nature of the abuse/misconduct: Unspecified accusations of sexual misconduct with a minor girl
- B. Date of incident: 2003
- C. Reported to diocese: 2003
- D. Gender/age of victim: Female – 16 years old
- E. Abuse reported to diocese prior to incident described: No; We would note, however, when asked about Jordan’s fitness for ministry, the archbishop in Guatemala indicated Jordan did not have the aptitude to live a celibate life
- F. Reported to law enforcement: 2003

Disposition: In response to inquiries from the archdiocese, the archbishop from Jordan’s diocese in Guatemala reported “that on three occasions as a deacon in the diocese...[Jordan] had demonstrated that he did not have the aptitude to live a celibate life.” In May 2003, the archdiocese informed Jordan he could not continue to

function as a deacon until the accusations against him were investigated. A few months after the investigation began, the archdiocese sent a letter to the Douglas County Attorney informing him of the allegations against Jordan. It should be noted that the county attorney responded shortly thereafter, admonishing the archdiocese that the mandatory reporting statute required law enforcement be informed of potential abuse “immediately,” and not delayed pending an in-house investigation.

In July 2003, Jordan was ordered to leave the United States and return to Guatemala. The reason given for his dismissal was “accusations of sexual misconduct with minor girls.” The file contains no information on the county attorney’s disposition of the investigation.

Jordan is included in the archdiocese’s list of cases of substantiated allegations of misconduct with and/or the abuse of a minor which took place after the implementation of Safe Environment standards in 2002 (Section 1).

Father Michael Kelly

(Died in 2003)

Kelly was a priest in the archdiocese from 1956-1996. He sexually abused a young boy, beginning in the 1950s.

Victim #1: Kelly was alleged to have sexually abused Victim #1 for a period of 10 years (1956-1966). The abuse began when Victim #1 was six years old. Details of the abuse are not included in the file. The archdiocese began paying for counseling expenses for Victim #1 in 1998. These payments continued until 2001. Kelly personally paid for some of these expenses. In 2003, the archdiocese entered into a monetary settlement agreement with Victim #1. Kelly was removed from ministry in 2002 and died in 2003. Of note, even though the diocese began paying counseling costs for the victim in 1998, there is no documentation regarding any investigations into the claims against Kelly.

- A. Nature of the abuse/misconduct: Unspecified sexual abuse
- B. Date of incident: 1956-1966
- C. Reported to diocese: 1998
- D. Gender/age of victim: Male – Abuse began when Victim #1 was 6 years old and continued for ten years
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: No

Kelly is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Daniel Kenney, S.J.

Kenney was ordained in 1950. He served with the Society of Jesuits and at Creighton Prep High School from 1965-1989.

Victim #1: In 2012, a victim advocacy director for the Chicago-Detroit and Wisconsin Provinces of the Society of Jesuits informed the Douglas County Attorney's Office of a sexual abuse complaint against Kenney. The archdiocese was copied on the letter. Victim #1 alleged Kenney sexually abused him in 1985 when Victim #1 was 13 or 14 years old. He claimed the sexual abuse occurred while Kenney was driving him home from a school event in Omaha. Victim #1 said Kenney asked him about his penis size and encouraged him to show it to him. Kenney made further sexual overtures, the details of which are not included in the letter.

- A. Nature of the abuse/misconduct: Sexual advances
- B. Date of incident: 1985
- C. Reported to diocese: 2012
- D. Gender/age of victim: Male – 13 or 14 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2012 by the Society of Jesuits

Disposition: Kenney was permanently removed from ministry in 2002. He was residing in a retirement/health care facility when the 2012 allegation was made. It was noted that while at the retirement facility, Kenney was monitored under a safety plan which contained restrictions on his contact with minors. The file contains no information about the county attorney's disposition of the allegations. Kenney's current status is unknown.

The archdiocese's report discloses more allegations of abuse were made after the procurement of Kenney's file. Kenney's summary notes "multiple victims." The additional allegations were overseen by the Jesuits.

Kenney is not included in the archdiocese's list of abusers but is listed by the Jesuits as an individual with an established allegation of sexual abuse of a minor.

Father Jay Kruse

Kruse had been serving at St. Wenceslaus Church in Verdigre from 2002-2004. After being transferred to St. Mary's Church in O'Neill, pornography was discovered on the computer furnished for his use at St. Wenceslaus. The Nebraska State Patrol was contacted and conducted a forensic examination of the computer.

The investigation revealed the computer contained nearly 150 pornographic images, some of which appeared to depict minors. The Knox County Attorney filed two Class IV Felony counts against Kruse for Possession of Visual Depiction of Sexually Explicit Conduct. Pursuant to a plea agreement, Kruse pled guilty to an amended count of Attempted Possession of Visual Depiction of Sexually Explicit Conduct, a Class I Misdemeanor, in 2005. Kruse was sentenced to one year of probation. The terms of probation included limited and supervised contact with persons under 18 years of age, counseling, community service, an apology to the St. Wenceslaus parish, and 60 days in jail.

While the pornography was not discovered until 2004, the file includes numerous letters (from 1995-2002) from priests/parishioners who expressed concerns about apparent grooming behavior by Kruse. He had a pattern of inviting teenage boys on various social outings, in secluded locations, without parental supervision. Of particular alarm was Kruse's habit of taking teenage boys to a lake to go skiing. These outings would sometimes involve overnight stays at the lake. Kruse would routinely take photos of the boys skiing. He displayed many of these photos at his residence. Some of these photos were blown up and framed to nearly poster size. Despite these concerns, it should be noted that the file contains no allegations of physical sexual misconduct involving Kruse and teenage boys.

Additionally, the file includes a second-hand allegation that Kruse engaged in an inappropriate relationship with a fellow seminarian. There are no other details regarding this allegation. After his conviction, Kruse was removed from ministry and laicized.

- A. Nature of the abuse/misconduct: Possession of pornography, some of which appeared to display minors; grooming behavior with teenage boys
- B. Date of incident: 2004; concerns related to grooming 1995-2002
- C. Reported to diocese: 2004
- D. Gender/age of victim: Unknown
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2004

Kruse is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Larry Toms Kulangara

Kulangara served in the archdiocese from the early months of 1997 through the early months of 2000. He was visiting the archdiocese from a religious order in India. While serving in the archdiocese, Kulangara went by the name of Larry Toms. During his brief time in the archdiocese, numerous complaints were lodged about Kulangara's inappropriate behavior toward both minor and adult women. These incidents include the following:

Victim #1: Kulangara developed a relationship with the family of Victim #1, who was 13 years old and in middle school. Kulangara was a teacher at Victim #1's school and, according to her, gave her "extra attention." She noted that when Kulangara came to her home to see her family, he was always insistent to see her. During these visits, he would sit very close to her on the couch, which made her uncomfortable.

The sexual assault occurred when Victim #1 was delivering a newspaper article to Kulangara at the parish rectory. After handing the article to Kulangara, Victim #1 said that he put his hand on her back and "forced her into the house." While seated next to her on a couch, he proceeded to put his hand up her shirt, then took her hand and forcibly placed it on his groin area. Victim #1 moved her hands away. While still groping her, Kulangara put his own hand on his groin area and asked her to perform a sexual act. When Victim #1 refused, he removed his hand from her shirt. She was able to get off the couch and went to the bathroom. When she came out, she said Kulangara looked disheveled and he was wiping his hands on a towel. She emphatically told Kulangara she needed to leave. This incident occurred in 1999.

Victim #1 reported what happened to her mom, who in turn called the parish priest. The priest told Victim #1's mom that he would inform the chancery of the occurrence. Documents in the file reveal that a week after the assault, the archdiocese ordered Kulangara to leave the country and return to the headquarters of his religious order in Rome. In the communication with Kulangara's religious order, which was written in early 2000, the archdiocese referred to the assault as an "unfortunate and inappropriate" action. Also of interest is a memo citing a conversation in which Kulangara told his priest "this type of behavior [with women] has only come about since his arrival in the United States."

Inexplicably, the sexual assault incident was not reported to law enforcement until 2004. In 2017, Victim #1 called the victim outreach and prevention manager of the archdiocese to report the sexual abuse. She wanted to know whether Kulangara had been removed from ministry. She was distressed to find out his priestly status was unknown.

- A. Nature of the abuse/misconduct: Inappropriate touching; overt sexual advances
- B. Date of incident: 1999
- C. Reported to diocese: 1999
- D. Gender/age of victim: Female – 13 years old
- E. Abuse reported to diocese prior to incident described: Yes, the file contains numerous complaints about Kulangara's behavior before his assignment to Victim #1's parish
- F. Reported to law enforcement: 2004; 2017

Additional information from the file:

Inappropriate touching and kissing: In 1998, a parishioner reported that Kulangara had a habit of kissing both her and her 17-year-old teenage daughter on the neck and mouth. In addition to the kissing, he constantly hugged and touched the daughter, which made the family very uncomfortable.

On one occasion, Kulangara embraced the daughter by holding his arm on her shoulder, while grasping her forearm with his other hand. When Kulangara would not release her, the daughter got scared, broke free, and locked herself in an upstairs bathroom. When she came back downstairs, Kulangara apologized to her, telling her he regarded her as a sister. The mom later wrote to Kulangara that because of his behavior, the family no longer desired a personal relationship with him.

Inappropriate touching of a teacher: A teacher at a Catholic School complained Kulangara deliberately patted her on the buttocks on two occasions. The teacher wrote Kulangara a note telling him it was inappropriate.

Inappropriate questioning during marriage counseling: A woman receiving marriage preparation classes reported Kulangara separated her from her fiancé in the preparation sessions. In these private meetings, he asked the woman questions of a sexually explicit nature regarding her relationship with her fiancé. She reported he would often hold her hand and embrace her. Kulangara's behavior made her feel uncomfortable.

2010 Facebook communication: In 2010, the archdiocese received a call from the mother of a 13-year-old girl. The girl was on Facebook and received some messages from Kulangara. Kulangara asked the girl how she was doing. When the girl responded, “Do I know you?” Kulangara responded, “Today is your birthday.” The girl got spooked and notified her mother. The mother sent a message to Kulangara asking him who he was and why he was bothering her daughter. Kulangara responded that he had baptized the daughter 13 years ago. The mother and daughter were distressed over these communications, and the mother called church authorities to check on Kulangara’s whereabouts.

Other references in the file: In a memo from an archdiocesan priest, reference is made to a lay minister who did not like the way Kulangara touched his 13-year-old daughter. A letter notes that a female parish worker complained that she was uncomfortable about how Kulangara would stare at her breasts.

Disposition: The file indicates that Kulangara was, on a few occasions, admonished for his inappropriate touching/kissing of females. His sexual abuse of the 13-year-old victim, however, was not reported to law enforcement until long after the incident occurred. Reports were made in 2017 after Victim #1 called to inquire about Kulangara’s ministry status. As of 2017, it is believed Kulangara was residing in the Congo, still serving in his religious order.

Kulangara is included in the archdiocese’s list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Duane Lukes

(Died in 1998)

Lukes was ordained in 1957. He served at 10 parishes during his time in the archdiocese. He was accused of sexual abuse by numerous victims. The allegations of abuse are set forth as follows:

Victim #1: In 2004, the archdiocese received a copy of a letter written by the parents of Victim #1 to a priest in Arizona. The parents claimed their son was abused by Lukes in the mid-1960s. Victim #1 was 7 years old at the time of the abuse. They described in graphic terms an injury caused as a result of the abuse, which involved an injury to Victim #1’s genitals. The parents claimed church authorities were aware of the abuse but “[a]bsolutely nothing was done” to stop or discipline Lukes. The father of Victim #1 asked a parish priest why Lukes had not been removed and was

told that “there was a shortage of priests and that [the priest] could not do anything about it.” Victim #1’s father mentioned in the letter that he personally knew Archbishop Sheehan and that Sheehan was aware of Victim #1’s abuse.

- A. Nature of the abuse/misconduct: Oral sex
- B. Date of incident: Mid-1960s
- C. Reported to diocese: Mid-1960s
- D. Gender/age of victim: Male – 7 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: No

Victim #2: Victim #2 alleged Lukes sexually abused him from 1969-1972 when he was 12-14 years old. He reported Lukes would grope him and performed oral sex on him while in Lukes’ car.

- A. Nature of the abuse/misconduct: Groping; oral sex
- B. Date of incident: 1969-1972
- C. Reported to diocese: 2019
- D. Gender/age of victim: Male – 12-14 years old
- E. Abuse reported to diocese prior to incident described: Yes, Victim #1’s parents say they informed church authorities of abuse in 1960s
- F. Reported to law enforcement: 2019

Victim #3: The Nebraska DOJ was contacted by a family member of Victim #3. The family member said Victim #3 was sexually abused by Lukes from 1974-1978. The file contained a three-page document pertaining to Lukes’ abuse of Victim #3, who was 12 years old when the abuse began. There are no details of the abuse included in the file.

- A. Nature of the abuse/misconduct: Unspecified sexual abuse
- B. Date of incident: 1974-1978
- C. Reported to diocese: 2003
- D. Gender/age of victim: Male – 12-16 years old
- E. Abuse reported to diocese prior to incident described: Yes, Victim #1’s parents say they informed church authorities of abuse in 1960s
- F. Reported to law enforcement: No

Victim #4: A vast majority of the information regarding Victim #4 consists of short, handwritten notes, some of which are barely legible. It appears Lukes abused Victim #4 in the late 1970s when he was ten years old. There are no details regarding the scope of the abuse. The abuse was reported to the archdiocese in 1997. There are

numerous references in the file about the psychological toll exacted by Lukes' abuse of Victim #4. A 2002 letter from Victim #4's mother is highly critical of the archdiocese's handling of her son's situation. She states, "I pray in the future you will be more open minded and have more respect and empathy for those you should have ministered to."

- A. Nature of the abuse/misconduct: Unspecified sexual abuse
- B. Date of incident: Late 1970s
- C. Reported to diocese: 1997
- D. Gender/age of victim: Male – 10 years old
- E. Abuse reported to diocese prior to incident described: Yes, Victim #1's parents say they informed church authorities of abuse in 1960s
- F. Reported to law enforcement: No

Victim #5: Victim #5 alleges he was abused by Lukes from the time he was in late grade school through his junior high school years, from the late 1970s to the early 1980s. He stated Lukes subjected him to years of nude encounters with mutual sexual touching. Lukes engaged in several grooming techniques prior to perpetrating the abuse, which consisted of enticing the victim to the parish rectory with food, taking him on trips, and playing video games. Most of these encounters occurred on weekends at the rectory. During a camping trip in 1982, Lukes climbed into Victim #5's bunk and asked him to "masturbate him." He was uncomfortable with their relationship and ended his contact with Lukes. Victim #5 reported to the archdiocese in 1995. He told them he was disturbed Lukes was still the priest at Victim #5's hometown parish.

Victim #5 expressed anger that the archdiocese "was not more swift in removing [Lukes] or doing more to aid the victims and provide healing." He submits the archdiocese moved Lukes "from parish to parish" even though it "had knowledge of [Lukes'] behavior." Victim #5 asserted Lukes also abused at least two of his friends (Victim #6 and Victim #9).

- A. Nature of the abuse/misconduct: Sexual touching; nude encounters
- B. Date of incident: Late 1970s – early 1980s
- C. Reported to diocese: 1995
- D. Gender/age of victim: Male – 9-14 years old
- E. Abuse reported to diocese prior to incident described: Yes, Victim #1's parents say they informed church authorities of abuse in 1960s
- F. Reported to law enforcement: 2015

Victim #6: Victim #6's abuse began in 1978 when he was 12 or 13 years old and continued for a period of three years. Victim #6 alleged that Lukes used grooming behavior to gain his trust, friendship, and adoration. He attended the same parish and was a friend of Victim #5.

Victim #6 said he informed a priest of the abuse in 1990. The priest did not recommend any form of counseling or mental health assistance. It is unclear whether the priest was from the archdiocese or another state. Victim #6 said he again reported the abuse to a different priest from the Portland Archdiocese in 2003. The Portland Archdiocese informed the Omaha Archdiocese about Victim #6's abuse in 2003 or 2004. The file does not specify the nature of the abuse. Victim #6 filed a civil suit against Lukes in 2007. He contended that at the time of his sexual abuse, the archdiocese knew or should have known Lukes was a pedophile and "made no meaningful effort" to restrict Lukes' access to children.

- A. Nature of the abuse/misconduct: Unspecified sexual abuse
- B. Date of incident: 1978 through the early 1980s
- C. Reported to diocese: 2003 or 2004
- D. Gender/age of victim: Male – 12-13 years old
- E. Abuse reported to diocese prior to incident described: Yes, Victim #1's parents say they informed church authorities of abuse in 1960s
- F. Reported to law enforcement: No

Victim #7: Victim #7 was sexually abused by Lukes multiple times from late grade school through junior high, beginning in the early 1980s and ending in 1986. Victim #7 said Lukes sexually fondled and touched him, but that the touching was not reciprocated. These incidents occurred in the parish rectory. He alleged Lukes engaged in grooming behavior similar to that perpetrated on Victim #5. Victim #7 reported to the archdiocese in 1995. He came forward because he was concerned Lukes may be abusing other boys.

- A. Nature of the abuse/misconduct: Fondling; naked encounters
- B. Date of incident: Early 1980s-1986
- C. Reported to diocese: 1995
- D. Gender/age of victim: Male – 10-14 years old
- E. Abuse reported to diocese prior to incident described: Yes, Victim #1's parents say they informed church authorities of abuse in 1960s
- F. Reported to law enforcement: 2015

Victim #8: Victim #8 was sexually abused by Lukes in the early 1990s when he was 10-12 years old. He said Lukes fondled him and subjected him to sexual penetration. Few details are provided in the file. This case was reported to the archdiocese and law enforcement in 2015.

- A. Nature of the abuse/misconduct: Sexual penetration; fondling
- B. Date of incident: Early 1990s
- C. Reported to diocese: 2015
- D. Gender/age of victim: Male – 10-12 years old
- E. Abuse reported to diocese prior to incident described: Yes, Victim #1's parents say they informed church authorities of abuse in 1960s
- F. Reported to law enforcement: 2015

Victim #9: Victim #9's abuse occurred in the early 1990s. There are no other details regarding the age of the victim or the scope of the abuse. The abuse was reported to the archdiocese in 2015.

- A. Nature of the abuse/misconduct: Unspecified sexual abuse
- B. Date of incident: Early 1990s
- C. Reported to diocese: 2015
- D. Gender/age of victim: Male – Unspecified
- E. Abuse reported to diocese prior to incident described: Yes, Victim #1's parents say they informed church authorities of abuse in 1960s
- F. Reported to law enforcement: No

Disposition: The archdiocese's report of abuse lists an initial reporting date of 1985 but nothing else until 2004. Victim #1's parents, however, claim the archdiocese was aware of the abuse of their son in the mid-1960s. Additionally, there is a letter from Archbishop Curtiss in 1993 informing Lukes that a young man had made the archdiocese aware of "improprieties" committed by Lukes. Victim #4 and Victim #6 say they reported to the archdiocese in 1995. Finally, in archdiocesan notes from a meeting with Lukes in 1995, Lukes admits there were questions involving his contact with children as early as the 1980s. Lukes was not removed from ministry until 1995. He died in 1998.

Lukes is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Aloysius McMahan
(Died in 2011)

There were two reports of sexual abuse perpetrated by McMahan, who served for many years in the archdiocese in multiple locations.

Victim #1: Victim #1 contacted the archdiocese in 1998. He alleged McMahan sexually abused him sometime in the 1970s when he was 13-15 years old. He claimed the abuse occurred over a two-year period and consisted of sexual fondling.

Documentation in the file reveals that the archdiocese paid some counseling bills for the victim. While there are numerous handwritten notes in the file, there is little documentation detailing the extent of the abuse. Victim #1 claimed he knew of another victim who had the same experience with McMahan, but this person was unwilling to come forward. The archdiocese reported these allegations to the Douglas County Attorney's Office in 2004, six years after being contacted by Victim #1. There is no indication whether the County Attorney's Office acted upon the report.

- A. Nature of the abuse/misconduct: Sexual fondling
- B. Date of incident: 1970s
- C. Reported to diocese: 1998
- D. Gender/age of victim: Male – 13-15 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2004

Victim #2: The second report of abuse was received in 2018. Victim #2 wished to remain anonymous. At the time of the report, Victim #2 was in his 70s. The alleged abuse happened around 1970 when Victim #2 was in his early 20s. He claimed that while spending the night in the rectory, he had to share a bed with McMahan. During the course of the evening, McMahan inappropriately touched him twice. Victim #2 noted that he simply wanted the archdiocese to be aware that there were “other reports against [McMahan.]”

- A. Nature of the abuse/misconduct: Inappropriate touching
- B. Date of incident: 1970
- C. Reported to diocese: 2018
- D. Gender/age of victim: Male – 22 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: No

Victim #3: Victim #3 said McMahan was a good friend of his family. McMahan sometimes took Victim #3 on trips. During one of these trips, Victim #3 said that when he woke up, McMahan was on top of him and had his hands in Victim #3's

underwear. Victim #3 also described grooming behavior. He stated McMahon would give him and his brothers money and would show them nude movies while they were at the rectory. This activity happened when Victim #3 was 9-14 years old. The abuse occurred in the late 1970s.

- A. Nature of the abuse/misconduct: Fondling; grooming behavior
- B. Date of incident: late 1970s
- C. Reported to diocese: 2019
- D. Gender/age of the victim: Male – 9-14 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2019

Disposition: McMahon died in 2011. The archdiocese’s report of sexual abuse specifies an additional report to law enforcement was made in 2019. The Nebraska DOJ has not reviewed the allegations surrounding this report.

McMahon is included in the archdiocese’s list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Mark Merkel

Merkel served at many different parishes in the 1990s, primarily in rural areas of the archdiocese.

Victim #1: In 1999, Merkel routinely engaged in explicit phone sex with Victim #1, who was 15 years old. On several occasions, Merkel sexually touched Victim #1 over the clothes, and pressed his groin area against her body. She reported Merkel’s conduct to her mom in late 1999, who thereafter informed law enforcement. When questioned by the police, Merkel admitted he engaged in the alleged activity.

Merkel taught religion class at Victim #1’s school. He befriended her at a particularly tumultuous time in her life. She described a long pattern of grooming behavior which led to the sexual abuse. Merkel regularly visited her while she was recovering from significant health problems. Later, he began calling her on a nightly basis. These calls typically lasted one to two hours. It was soon after these calls began that Merkel initiated talking to Victim #1 about sex and his sexual fantasies.

Victim #1 reported she was the recipient of “special attention” from Merkel at both church and school. They spent time alone together before class began. Merkel wrote her “little notes,” which he would leave in Victim #1’s locker. He was always

very verbally affirming of her and would give her hugs and back rubs. Merkel had become a good friend of Victim #1's family. Her parents had no idea of the existence of the abusive relationship until she disclosed Merkel's behavior in late 1999.

- A. Nature of the abuse/misconduct: Explicit phone sex; inappropriate touching; emotional abuse
- B. Date of incident: 1999
- C. Reported to diocese: 1999
- D. Gender/age of victim: Female – 15 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 1999

Multiple affairs: The file also contains information that Merkel had multiple sexual relationships with adult women throughout the 1990s. There is a letter from one of the women which details the aggressive and manipulative behavior of Merkel during his dealings with her.

Disposition: After admitting to the sexual abuse, Merkel was removed from ministry in 2000. The file contains several letters from Victim #1's family emphasizing the emotional and psychological trauma caused by Merkel's actions. Of note is the family's contention that after the revelations of abuse, nobody from the archdiocese offered an apology for what Merkel did, nor did it do anything to take care of the needs of the family.

An investigator with the Nebraska DOJ spoke to Victim #1, who reiterated that for some time after her abuse, the archdiocese treated her like she was a "criminal." The file does contain information that the archdiocese took steps to provide more assistance to Victim #1 in 2004. Given the facts regarding Merkel's abuse of Victim #1, it is somewhat baffling why criminal charges were not brought by the county attorney. Merkel's actions appear to fall within the definition of second- or third-degree sexual assault. Merkel was laicized in 2006.

Merkel is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Francis Nigli

Nigli came to the United States from India. He served as a priest in the archdiocese from 1997-2018. He was found to have sexually abused numerous victims and engaged in aggressive grooming behavior during his time in the archdiocese.

Victim #1: Victim #1 reported repeated and aggressive, grooming behavior by Nigli. The behavior began in 2004 while they were members of the same gym. Victim #1 described Nigli as having no regard for personal boundaries. Nigli would stand inches away while Victim #1 was lifting weights and followed him relentlessly around the gym. In addition to his excessive talking about working out and body parts, Nigli would always end his workouts at the same time as Victim #1. Nigli followed him into the locker room, where he would immediately disrobe, and stand beside Victim #1. Victim #1's father, who was also a member at the gym, became suspicious and told Nigli to stay away from his son. This transpired when Victim #1 was in high school, 15-16 years old. The archdiocese was informed of this behavior in 2018.

- A. Nature of abuse - Aggressive grooming behavior
- B. Date of incident: 2004
- C. Reported to diocese: 2018
- D. Gender/age of victim: Male – 15-16 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Victim #2: Victim #2 was a parishioner at Nigli's parish in rural Nebraska. He reports being kissed and hugged by Nigli on several occasions. The first instance was during an encounter at the parish where Nigli kissed him on the lips. Victim #2 was 16 or 17 at the time. This occurred in 2011.

The other incidents occurred during two out-of-town trips in 2013. As for the first trip, Victim #2 explained he and Nigli were sharing a room after attending an out-of-town church event. Despite the fact there were two beds in the room, Nigli asked if he could share a bed with Victim #2. He proceeded to climb in bed, where he laid on top of Victim #2 and began kissing him on the lips.

The second trip lasted several weeks. Nigli repeated his behavior of touching and kissing Victim #2 multiple times during this trip. Victim #2 reported the incidents to his parents upon his return from the trip. The parents contacted Father Taphorn, who in turn contacted the Omaha Police Department.

- A. Nature of the abuse/misconduct: Kissing; hugging; inappropriate touching; grooming
- B. Date of incident: 2011; 2013
- C. Reported to diocese: 2013
- D. Gender/age of victim: Male – 16 or 17 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2013

Victim #3: Victim #3 was sexually abused by Nigli in 2018. Nigli’s behavior involved rubbing his hand over Victim #3’s groin area for an extended period, physical touching, “snuggling” (in much the same manner as described by Victim #2), and kissing. This episode occurred at Nigli’s residence. Victim #3 reported the incident to the archdiocese, as well as to law enforcement, immediately after it occurred. Nigli’s advances were unwanted and described by Victim #3 as a sexual assault. He was 21 years old at the time of the incident.

- A. Nature of the abuse/misconduct: Fondling; inappropriate touching; kissing
- B. Date of incident: 2018
- C. Reported to diocese: 2018
- D. Gender/age of victim: Male – 21 years old
- E. Abuse reported to diocese prior to incident described: Yes, archdiocese knew of Victim #2 in 2013
- F. Reported to law enforcement: 2018 by Victim #3

Reports of other concerns/boundary violations: The file contains notes from 2014 indicating a priest had spoken with Father Joe Taphorn about his concerns that Nigli was grooming seminarians. The priest told Taphorn, “My concern is there is a pattern – seminarian after seminarian. If this is the case, how do we know that this is where it stops? Are we doing enough to make sure that others haven’t been hurt?” This conversation occurred after the incident with Victim #2 had been reported to law enforcement.

After being removed from his parish assignment due to the incident with Victim #2, Nigli was eventually reassigned to a parish in Omaha. Prior to the incident with Victim #3 in 2018, the head priest and parish staff complained Nigli continually committed boundary violations with teenage and young adult males. There are numerous notes in the file documenting these boundary violation concerns. Nigli routinely initiated unwanted physical contact and did not comprehend “appropriate physical touch boundaries.” Nigli was eventually restricted from having one-on-one contact with males aged 18-22.

Disposition: The 2013 incidents with Victim #2 were reported to law enforcement, who determined that while inappropriate, the behavior did not rise to the level of criminal conduct. The archdiocese removed Nigli from his rural parish for what it termed “a time of evaluation and treatment.”

After Nigli’s abuse of Victim #3, Nigli was removed from ministry. A memo in the files reflects that “[i]n the larger context of recent events, it appears that [Nigli] was engaged in behavior which looks very much like grooming. There was a progression of behavior from building a relationship with these young men as their

trusted priest to eventually encouraging them to engage in seriously inappropriate behavior.”

The archdiocese reported the abuse perpetrated on Victim #3 to law enforcement soon after it received notice. For reasons unknown, prosecution was declined. After his removal from ministry, the file indicates that he relocated to Grand Rapids, Michigan and sought to have his priestly faculties restored. The request was denied. The archdiocese has indicated that in a process which was recently concluded, Nigli has been barred from public ministry by the Holy See.

Nigli is included in the archdiocese’s list of cases of substantiated allegations of misconduct with and/or the abuse of a minor which took place after the implementation of Safe Environment standards in 2002 (Section 1).

Father Anthony Palmese

Palmese was a member of the Order of Augustinian Recollects (OAR). He was assigned to the archdiocese in the mid-1980s.

Victim #1: Victim #1 contacted the archdiocese in 2013 to report he was sexually abused by Palmese. He said the abuse occurred during a span of about eight months, from the fall of 1984 through the spring of 1985. He was 12 years old when the abuse began. The abuse was disclosed in counseling sessions.

Victim #1 stated he and several boys had been reprimanded for a practical joke they played on a female student. As part of the punishment, he was instructed to meet with Palmese, who was the assistant priest of the parish, at the parish office. During that visit, Victim #1 was forced to perform oral sex on Palmese. He said the sexual abuse continued on a weekly basis until the spring of 1985, when Palmese was transferred to a Florida diocese. Victim #1 never reported what happened to him, as Palmese warned he would be expelled from school if he did.

- A. Nature of the abuse/misconduct: Oral sex
- B. Date of incident: 1984-1985
- C. Reported to diocese: 2013
- D. Gender/age of victim: Male – 12-13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2013

Disposition: The archdiocese reported Victim #1’s allegations to law enforcement in 2013. He was assisted by the archdiocese’s victim outreach and prevention manager. He indicates he suffered PTSD from the abuse. The file indicates that the victim had retained legal counsel. No reason was given for Palmese’s transfer from

the archdiocese in 1985. He served as a priest in Florida until his retirement in 2009. He died in 2012.

Palmese is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Roland Peschel

Peschel was ordained in 1960. He served in over a dozen parishes during his time in the archdiocese.

Victim #1: Victim #1 asserted she was sexually abused by Peschel over the course of several years, spanning from 1968 or 1969 through the early 1970s. Victim #1 was 17 years old at the time of the first incident. Peschel was 34 years old. According to Victim #1, the abuse involved invasive touching, first on the breasts, and later to fondling of the genitals.

Peschel befriended Victim #1's family when they began attending Peschel's parish in Omaha. Soon after he began spending time with her family, Peschel began paying special attention to her. Peschel was involved with the teenagers from the parish. He often brought groups of teenagers, including Victim #1, to a lake house to go sailing. Peschel later began taking her to the lake house alone. In addition to having isolated contact, Peschel gave Victim #1 money and let her use his credit card to pay for gas. The physical touching started with fondling of her breasts and escalated to fondling of her genitals. The abuse ended when Victim #1 moved to Florida, a little over four years after the physical contact began.

Victim #1 first approached a diocese in Texas with her allegations in 1992. She also personally contacted the archdiocese about the abuse twice, once in 1993, and again in 2010. The file includes correspondence from Victim #1 to Archbishop Curtiss in early 1993 referencing her abuse. She articulated the extreme trauma she and her family had suffered due to the abuse. When confronted, Peschel initially denied Victim #1's allegations. Despite Peschel's denials, the archdiocese agreed to pay for some of Victim #1's counseling costs. There is no indication the archdiocese restricted Peschel's priestly activities or took any disciplinary action in 1993, nor were her allegations reported to law enforcement.

Victim #1 reported the abuse to the archdiocese again in 2010. She indicated she came forward this time because she had family and friends who were upset Peschel was still active in ministry. Her charges were brought to the Archdiocesan Review Board, which determined the allegations of sexual misconduct were credible.

- A. Nature of the abuse/misconduct: Fondling of breasts and genitals; sexual touching short of intercourse
- B. Date of incident: 1968-1971
- C. Reported to diocese: 1993; 2010
- D. Gender/age of victim: Female – 17-21 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2010

Disposition: Peschel acknowledged Victim #1’s account of their relationship after she repeated her allegations in 2010. Peschel eventually sent her a letter of apology. After the Archdiocesan Review Board findings, Peschel was removed from ministry and he retired.

Peschel is included in the archdiocese’s list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Anthony Petrusic

(Died in 2010)

Petrusic was in the archdiocese from 1969 to 1990. Two victims came forward accusing him of sexual abuse, both incidents occurring in the 1970s. The victims were in their teens at time of the abuse.

Victim #1: Victim #1 alleged that he frequently accompanied Petrusic to a cabin near Plattsmouth. During a 1976 trip, Petrusic performed oral sex on Victim #1, who was in his mid-teens at the time of the sexual assault.

- A. Nature of the abuse/misconduct: Oral sex
- B. Date of incident: 1976
- C. Reported to diocese: 2002
- D. Gender/age of victim: Male – Mid-teens
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: No

Victim #2: Victim #2 visited Petrusic’s cabin several times throughout the summers of 1976 and 1977. He said Petrusic would frequently take photographs of him while he was naked, either when he was changing into his swimsuit or coming out of the shower. Petrusic asked Victim #2 to accompany him to the cabin in November 1977. During their stay, Victim #2 was talking with Petrusic about his “sexual interest” in his new girlfriend. While discussing this matter, Victim #2 noticed Petrusic began breathing heavily. He described that Petrusic reached over and put his hands inside

Victim #2's overalls, attempting to grasp the inside of his underwear. Victim #2 pulled away, and Petrusic did not touch him again. Victim #2 was 15 years old at the time of the incident.

- A. Nature of the abuse/misconduct: Inappropriate touching; sexual advances
- B. Date of incident: 1977
- C. Reported to diocese: 1987
- D. Gender/age of victim: Male – 15 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: No

Anonymous victims: The file contains three anonymous letters from victims accusing Petrusic of sexually molesting them when they were minors. These letters were received by the archdiocese in 1993-1995.

Disposition: Neither Victim #1 nor Victim #2 informed church authorities or law enforcement at the time of their molestation. Victim #2 did contact the archdiocese regarding his abuse in 1987. He stated he came forward because he was concerned Petrusic may have abused other teens.

The file contains confirmation of Victim #2's 1987 communication. Upon notification of the abuse, Petrusic was sent to Massachusetts to receive counseling. In a letter from Archbishop Sheehan to the priest in charge of the counseling center, Sheehan writes that he had "never been so shocked and disappointed in all my years as bishop as when the young man [Victim #2] came forward with his allegations." He added that he believed Petrusic had "a serious sexual problem."

Upon his return from the counseling center, Petrusic was transferred to St. Elizabeth Ann Parish in Omaha. Church authorities made no report to law enforcement of the sexual abuse. There is no indication the archdiocese limited his contact with minors or otherwise restricted the scope of his ministry.

In 2002, Victim #2 spoke to the media about his abuse at the hands of Petrusic. Soon thereafter, Victim #1 made the archdiocese aware of his abuse. Petrusic had since moved and was serving at a parish in Sunrise, Florida. In light of the allegations, the archdiocese removed Petrusic's faculties and his privilege to function in any priestly capacity. In the letter informing Petrusic of this decision, Archbishop Curtiss wrote he had "received credible information from more than one person regarding past physical inappropriate activity and/or sexual abuse against them in the past." He added that "[a]lthough these acts took place many years ago and are not able to be prosecuted...they were wrong, a violation of chastity and priestly celibacy and may have been found criminally illegal had they been reported at the time."

Petrusic repeatedly denied the allegations of molestation. He was never prosecuted. He died in 2010.

Petrusic is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Robert Pickett (Deacon)

Pickett, a deacon, was ordained in the early 2000s. The archdiocese learned in 2016 he had been convicted of debauching a minor, a felony, in 1978. There is no documentation of the physical assault, but he was accused of flashing his genitals at a 16-year-old girl. He was subsequently removed from ministry in 2016.

- A. Nature of the abuse/misconduct: Debauching a minor
- B. Date of incident: 1978
- C. Reported to diocese: 2016
- D. Gender/age of victim: Female – 16 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: Not applicable – convicted before ordination

Pickett is included in the archdiocese's list of abusers who committed their abuse before entering formation or seminary (Section 4).

Father Aloysius Piorkowski

Piorkowski is the only priest to be named as an abuser in both the Lincoln Diocese and the Omaha Archdiocese. Piorkowski transferred from the Lincoln Diocese to Boys Town, where he worked from 1960-1962.

Victim #1: Victim #1 contacted the archdiocese in 2021. He alleged he was abused by Piorkowski in 1960-1961 at Boys Town. The abuse began when Victim #1 was 13 years old. He said his parents befriended Piorkowski upon his arrival to Boys Town in 1960. Victim #1's parents sent him to visit Piorkowski on multiple occasions. During these visits, Piorkowski subjected Victim #1 to sexual abuse. In 1963, Piorkowski transferred to Elgin, Illinois. The sexual abuse continued when Victim #1's parents sent him to see Piorkowski in Illinois.

- A. Nature of the abuse/misconduct: Unspecified sexual abuse
- B. Date of incident: 1960-1963
- C. Reported to diocese: 2021
- D. Gender/age of victim: Male – 13-15 years old

- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2021

Disposition: Victim #1 called the archdiocese to inquire why Piorkowski was not included in its sexual offender list. He spoke to the archdiocese's victim's assistance coordinator about his experiences with Piorkowski, requesting the archdiocese include him on its sexual offender list. The archdiocese then added Piorkowski to the list on July 28, 2021.

Piorkowski is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Tom Purnell (Deacon)
(Presumed deceased)

A relative of Purnell alleged that he sexually abused two young girls, ages two and four. The alleged abuse happened sometime prior to 1991 and was reported to law enforcement by their parents. The archdiocese, according to documents in the file, did authorize an investigation into the allegations, but there is no information regarding the results. There are no details of the alleged abuse included in the file.

There is reference that Sheehan recommended Purnell undergo treatment of some sort, but there are no details related to the treatment in the file. It is unclear to what extent Purnell was allowed to function as a deacon after the archdiocese learned about the claims of abuse. It is unknown if criminal charges were ever filed. Purnell is presumed to be deceased.

Victims #1 and #2:

- A. Nature of the abuse/misconduct: Fondling; oral sex
- B. Date of incident: Pre-1991
- C. Reported to diocese: 1991
- D. Gender/age of victim: Female – Ages 2 and 4
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 1991

Purnell is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Ted Richling
(Died in 2019)

Richling was ordained in 1971 and served at over a dozen parishes during his tenure in the archdiocese. In October 2020, the archdiocese announced it had received numerous allegations Richling had committed “sexual misconduct with minors.” An investigation into the allegations led to “the substantiation of multiple instances of sexual misconduct with minors.”

While the file contains numerous letters expressing concern about Richling’s behavior with children, the allegations referred to in the archdiocese’s announcement were made after we received the files from the archdiocese. The files we reviewed did not contain cases which could be substantiated, though the volume and consistency of the complaints regarding Richling’s behavior was concerning. Our investigators, however, did hear from a victim whose allegations were credible. His account is included below.

Victim #1: Victim #1 said the abuse occurred when he was in grade school. He did not remember his exact age, but the incident occurred between 1979-1981 when he was 11-12 years old. Victim #1 said the sexual abuse was preceded by physical abuse. Victim #1 recalled Richling had “hurt him physically.” In the guise of apologizing, Victim #1 recalled Richling sat in a chair and hid a small matchbox car underneath his clothing. It was placed under Richling’s sweater, directly over his groin area. Victim #1 got on his hands and knees and had to look for the car by searching for it on Richling’s body. Richling laughed while Victim #1 was searching for the car.

- A. Nature of the abuse/misconduct: Victim #1 enticed to touch Richling’s groin area in guise of looking for a “gift”
- B. Date of incident: Sometime between 1979-1981
- C. Reported to diocese: Unclear whether incident was reported to archdiocese
- D. Gender/age of victim: Male – 11-12 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2019 to Nebraska DOJ

Call from Anonymous victim: In 2012, a deacon with the archdiocese received an anonymous call from a man who claimed that he had a negative experience with Richling in 1983. The victim was 14 years old at the time. It was evident that he was describing an incident of sexual misconduct. He described suppressing the experience for decades. He provided no details during the conversation, and never called the deacon back.

Additional concerns about Richling: The file also contains a letter written to Archbishop Curtiss in 2002 by a woman complaining about Richling’s behavior with

young boys. The woman wrote she had spoken to a priest in the early 1990s (when Richling was a priest in Genoa, from 1990-1992) to report some “disturbing news” about Richling. According to the woman, she informed the priest she had been warned by a parishioner from Raeville, Nebraska, that while there, Richling had engaged in “inappropriate actions” with minors. A person from Raeville told the woman that folks in Genoa should “be on guard for the sake of the children.”

The woman told the priest that after Richling got to Genoa, he had been observed “sexually abusing one of the young boys from the parish.” Richling’s abuse of this boy had been reported to Archbishop Sheehan. Sheehan allegedly responded that he would send Richling to an assignment where he would have no contact with children. Instead, Richling was sent to a parish in Fremont. The priest informed the woman he was aware of the accusations against Richling, but assured her that while in Fremont, Richling would be “under the watchful eye of an elderly priest and he would not be around young boys.”

The woman related she was upset that Richling had been allowed to continue as a priest and was never held accountable for his actions. She wrote that she knew “many fine and wonderful priests whom I admire very much...but...for the protection of our children, it is time to speak out and do something.” In conclusion, she implored Curtiss to do something to protect “those that God loves, our children.”

A few weeks later, the woman received a reply from Chancellor Michael Gutsell. He noted that allegations against Richling had been investigated by law enforcement and the Knights of Columbus and “could not be verified or did not involve sexual abuse of children.” It is unclear whether the allegations referred to by Gutsell involved the same behavior of concern to the woman in Genoa. He then told her that if she believed the allegations against Richling were valid, she could “report it to the Child Protective Services division in the Omaha Police Department.” He concluded by indicating that if she could provide him with the sources of her information, Gutsell would “be more than willing” to contact the Omaha Police Department himself.

The woman sent a follow-up letter to Curtiss expressing her disappointment she did not receive a personal response. She noted she was simply “trying to protect our children from...abuse, as you have promised to do so many times...” She also enclosed additional letters, which she purported were sent to the archdiocese, from other people documenting Richling’s misconduct. In his personal response to the woman, Curtiss noted that since the letters she produced had “dates prior to [his] arrival as Archbishop and Father Gutsell’s appointment as Chancellor there is no way to verify their reception.” He made no indication that he would investigate the

matter further. He concluded he was “concerned about Father Richling’s health” and had taken steps to ensure he could receive proper treatment. The tone of these exchanges was emblematic of the prevailing culture at the time. Instead of investigating to ensure the claims of child sexual abuse were credible, Richling was given the benefit of the doubt, and nothing was done.

The 1992 letters referred to above were in Richling’s file. One of them was from members of the parish in Genoa, requesting Richling resign as priest of the parish. The letter states that “too many unfortunate things have happened since you arrived to this parish.” The letter implies the parents were concerned with Richling’s interactions with children. Some of the kids within the parish “refused to go to mass if you are the priest.” Near the end of the letter, it states that “[n]o more damage needs be done to the faith of our children and the unity of our parish.”

Another woman from Genoa wrote to Archbishop Sheehan about the “many unacceptable situations the parishioners [in Genoa] have faced since Father Richling has come to St. Rose.” She continued: “If his actions do not seem shameful to you, then I ask you to read an article I have enclosed with which I totally agree that the Catholic Church is turning its back on the families and young children who are forever scarred by such misconduct.”

A handwritten note alludes to several incidents in Raeville. In one of the incidents, a boy allegedly saw Richling running in the grass, nude, with an erection. In another instance, Richling was purportedly holding a young boy on his lap, “bouncing him up and down.”

Disposition: Richling was never removed from ministry. He retired in 1997 but was involved in various activities within the diocese until at least 2006. He died in 2019.

Richling is included in the archdiocese’s list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father John Rizzo

Rizzo served in the archdiocese from 1956-2003. In 2002, he admitted to sexually molesting a family member, a 17-year-old female, in 1962 (Victim #1). He was also accused of sexually molesting another family member in 1972, a girl in her early teens (Victim #2).

Victim #1: Victim #1 said Rizzo fondled and took pictures of her bare breasts on multiple occasions during a vacation trip in 1962. She further claimed Rizzo watched her undress. Rizzo was 31 years old at the time. Victim #1 was 17 years old.

Victim #1's allegations were initially brought to the attention of the archdiocese in 1993 via communication from a diocese in Kentucky, where Victim #1 resided. She contacted the archdiocese by letter soon thereafter. As a victim of sexual abuse, she wanted to know what the archdiocese was going to do to address the situation. The file includes information regarding the long-term psychological trauma suffered by her as a result of the abuse.

The chancellor of the archdiocese wrote a letter to Victim #1 in 1993, stating that he had spoken to Rizzo. Rizzo told the chancellor he had "already apologized" to Victim #1. It is unclear whether Rizzo sent Victim #1 a letter or had relied on the chancellor to convey his apology. The matter of Rizzo's sexual abuse was never relayed to Archbishop Curtiss for review, and no action was taken against Rizzo at that time.

- A. Nature of the abuse/misconduct: Fondling of breasts; taking pictures of Victim #1 in state of undress; voyeurism
- B. Date of incident: 1962
- C. Reported to diocese: 1993
- D. Gender/age of victim: Female – 17 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: No

Victim #2: Victim #2 claimed Rizzo sexually harassed and molested her during a vacation trip in 1972. She related the abuse began during the first day of the trip, but the details pertaining to the abuse were not disclosed. Victim #2 was 13 years old at the time of the alleged abuse. Rizzo denied the allegations.

- A. Nature of the abuse/misconduct: Unspecified sexual abuse
- B. Date of incident: 1972
- C. Reported to diocese: 2002
- D. Gender/age of victim: Female – 13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: No

Disposition: Both victims wrote to the archdiocese in June 2002. The failure to communicate Victim #1's allegations of abuse to Archbishop Curtiss in 1993 was confirmed at that time. In her letter, Victim #1 demanded to know what had been

done to address Rizzo's "sexual abuse problem." Both the chancellor (a different person from the one who dealt with the allegations in 1993), and the archbishop (who had not been appointed at the time of the victim's first letter), acknowledged they had no knowledge Rizzo had committed sexual abuse until the correspondence received in 2002. After Rizzo confessed to the allegations made against Victim #1, Archbishop Curtiss allowed him to retire, which occurred in January 2003. He was removed from ministry and Curtiss implemented disciplinary sanctions.

In a communication to the Vatican in 2004, Curtiss commented that despite Rizzo's denials as to Victim #2, he did not think she was "making up this story." He added, "Sexual predators rarely have only one victim."

The file indicates Rizzo was residing at a retirement community for priests as of 2018.

Rizzo is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Perry Robinson, S.J.

Robinson served in the archdiocese from 1992 to 2011. Allegations arose pertaining to incidents which occurred while Robinson was teaching at a Catholic school in Milwaukee in the 1980s.

Victim #1: In 2011, a former student wrote to the archdiocese accusing Robinson of inappropriate behavior with students. He said Robinson once gave him an inappropriate "back massage", then made a sexual overture. Victim #1 alleged on other occasions Robinson engaged groups of male students in improper discussions about sex. The archdiocese was also made aware of a 1992 article in the Milwaukee Sentinel, reporting Robinson was in possession of inappropriate photographs of young men and boys.

An investigation by the Wisconsin Province Society of Jesuits (Robinson's religious order) concluded that, "while [Robinson] seems to have engaged in inappropriate conduct in ministry to youth in the 1980s, his actions would not be considered sexual abuse." The photos were deemed not to have been illegal. All the events involved in the allegations occurred in Wisconsin, prior to Robinson's transfer to the archdiocese.

- A. Nature of the abuse/misconduct: Inappropriate touching; sexual overtures to minor; inappropriate sexual discussions with minor boys
- B. Date of incident: Mid-1980s
- C. Reported to diocese: 2011
- D. Gender/age of victim: Male – Teenager
- E. Abuse reported to diocese prior to incident described: No, however, there were published reports about Robinson's possession of questionable photographs in 1993. It is unclear why the archdiocese did not discover this information.
- F. Reported to law enforcement: 1992 to law enforcement in Wisconsin

Disposition: Robinson was removed from active ministry shortly after these revelations. No reports of sexual abuse were reported during Robinson's tenure in the archdiocese. After his removal, Robinson was allowed to reside at the Jesuit community at Creighton, without priestly faculties.

Robinson is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Alfred Salanitro

Salanitro sexually abused several minors in the early 1990s. The archdiocese became aware of the abuse in 2011 and 2012.

Victim #1: Victim #1 was sexually abused by Salanitro over a period of several years (1990-1994), from ages 11-15. Victim #1 informed law enforcement of the abuse in late 2011, and the archdiocese received notice shortly thereafter. Victim #1 revealed his initial contact with Salanitro occurred while taking an evening walk. Salanitro drove up to Victim #1 and offered him a ride home. No sexual overtures were made during that contact.

Salanitro continued to interact with Victim #1. On numerous occasions, Salanitro drove him to rural areas outside of Omaha, where the sexual assaults ensued. These assaults consisted of oral sex, fondling and masturbation. Victim #1 stated Salanitro employed grooming activities, such as providing him with alcohol, giving him rides, and buying him food.

- A. Nature of the abuse/misconduct: Oral sex; fondling; masturbation
- B. Date of incident: 1990-1994
- C. Reported to diocese: 2011

- D. Gender/age of victim: Male – 11-15 years old
- E. Abuse reported to diocese prior to incident described: No, the archdiocese did, however, discover Salanitro with pornography and pictures of shirtless boys in the early 1990s.
- F. Reported to law enforcement: 2011

Victim #2: Victim #2 was abused by Salanitro in 1991 or 1992 when he was 15-16 years old. Salanitro met Victim #2 at a bus stop, where he offered to give Victim #2 a ride home. Nothing of a sexual nature transpired on that occasion. Victim #2 related two instances of abuse, which occurred a few weeks after the meeting at the bus stop. In both encounters, Salanitro engaged in oral sex, kissing and sexual touching. Victim #2 echoed Victim #1's description of grooming behavior. The archdiocese became aware of Victim #2 in early 2012.

- A. Nature of the abuse/misconduct: Oral sex; sexual touching; kissing
- B. Date of incident: 1991 or 1992
- C. Reported to diocese: 2012
- D. Gender/age of victim: Male – 15-16 years old
- E. Abuse reported to diocese prior to incident described: No, the archdiocese did, however, discover Salanitro with pornography and pictures of shirtless boys in the early 1990s.
- F. Reported to law enforcement: 2012

Victim #3: Salanitro solicited oral sex from Victim #3 three or four times in 1994. Victim #3 was 18 years old at the time. The archdiocese became aware of Victim #3 in early 2012.

- A. Nature of the abuse/misconduct: Oral sex
- B. Date of incident: 1994
- C. Reported to diocese: 2012
- D. Gender/age of victim: Male – 18 years old
- E. Abuse reported to diocese prior to incident described: No, the archdiocese did, however, discover Salanitro with pornography and pictures of shirtless boys in the early 1990s.
- F. Reported to law enforcement: 2012

Disposition: There is information in the file which indicates Salanitro was found with homosexual pornography in the early 1990s and was referred by the archdiocese for treatment in 1993. In 2002, he was again found with homosexual pornography, as

well as pictures of shirtless boys. It is unknown whether disciplinary action was taken at that time.

When informed of the allegations of sexual abuse in 2011, the Review Board met and found Victim #1's accusations to be credible. After further investigations regarding Victims #2 and #3, Archbishop Lucas eventually dismissed Salanitro from the clerical state.

The archdiocese informed the Douglas County Attorney's Office of the abuse claims immediately after the allegations came to its attention. No prosecutions were pursued due to statute of limitations issues.

Salanitro is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father George Saxon

(Died in 1971)

Saxon was ordained in the archdiocese in the mid-1940s. The diocese received sexual abuse allegations against Saxon in 2018 and 2020.

Victim #1: The archdiocese was informed about Saxon's abuse of Victim #1 in 2020. Victim #1 alleged Saxon sexually abused him multiple times, once on a trip to South Dakota, and several times in Omaha. Regarding the sexual abuse which occurred in Omaha, Victim #1 stated Saxon took Victim #1 to a downtown hotel, where Saxon groped and fondled him. Victim #1 was 17 years old at the time of the abuse. He said the abuse took place "around 1949."

- A. Nature of the abuse/misconduct: Groping and fondling
- B. Date of incident: 1949
- C. Reported to diocese: 2020
- D. Gender/age of victim: Male – 17 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2020

Victim #2: Victim #2 reported he was sexually abused by Saxon in 1953-1954. He was 14-15 years of age at the time of the abuse. He stated Saxon fondled him on five separate occasions. The sexual abuse occurred at the rectory in Stanton, Nebraska.

- A. Nature of the abuse/misconduct: Fondling

- B. Date of incident: 1953-1954
- C. Reported to diocese: 2020
- D. Gender/age of victim: Male – 14-15 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2020

Victim #3: Victim #3 was sexually abused by Saxon in 1957, when he was 12-13 years old. Saxon routinely asked Victim #3's parents if Victim #3 could accompany him to Omaha so Saxon "could stay awake while driving." They took three such trips. On the third trip, Saxon got into bed with Victim #3 and molested him.

- A. Nature of the abuse/misconduct: Unspecified molestation
- B. Date of incident: 1957
- C. Reported to diocese: 2020
- D. Gender/age of victim: Male – 12-13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2020

Victim #4: A 71-year-old man called the diocese in 2018 to report being abused by Saxon in 1958. He claimed he was inappropriately touched by Saxon when he was an altar server in Coleridge, Nebraska. He was 13 years old at the time of the abuse.

- A. Nature of the abuse/misconduct: Inappropriate touching
- B. Date of incident: 1958
- C. Reported to diocese: 2018
- D. Gender/age of victim: Male – 13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018

Disposition: The only other reference in the file to possible wrongdoing is a letter from a nun from 1967, while Saxon was serving as a chaplain at a hospital in West Point. The nun alleged Saxon was "harboring teenage lads" in his apartment over a weekend. Saxon died in 1971.

Saxon is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Thomas Sellentin

Reports of Sellentin's sexual abuse date from the late 1960s through the 1990s. In over 35 years as a priest, he had 12 different parish assignments. Ten of these assignments lasted less than four years. The actual number of abuse cases is uncertain, but the file reveals there were close to 40 victims. In our determination, the file supports there were at least 36 victims. The cases fit the same general description of inappropriate touching and rubbing on the legs, buttocks, and genital area. Numerous church officials were aware of Sellentin's behavior and attraction to pre-teen and teenage boys.

Victim #1: Victim #1 was sexually abused by Sellentin in the late 1960s. He was 11-12 years old at the time. While there are few details in the file, Victim #1 said that during the abuse, Sellentin "tore" Victim #1's shirt. Victim #1 further stated he was not the only victim, and that he "had witnessed indiscretions." Victim #1 reported the abuse in 2002.

- A. Nature of the abuse/misconduct: Unspecified sexual abuse in which Victim #1's shirt was torn; witnessing sexual abuse
- B. Date of incident: Late 1960s
- C. Reported to diocese: 2002
- D. Gender/age of victim: Male – 11-12 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: No

Victim #2: The report regarding Victim #2 came from a conversation between a priest who served on the Archdiocese's Personnel Board in the early 1970s and two former high school students. He says he was told by one of the former students that she and her entire family left the Church because her brother, who was a former altar boy, had been sexually abused by Sellentin. The abuse occurred in the late 1960s. Details of the abuse were not indicated. This report was made to the archdiocese in 2018.

- A. Nature of the abuse/misconduct: Undisclosed sexual abuse
- B. Date of incident: Late 1960s
- C. Reported to diocese: 2018
- D. Gender/age of victim: Male – Undisclosed (altar boy)
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: No

Victim #3: The file contains a 1999 memo from the chancellor of the archdiocese recounting a call he received from Victim #3. Victim #3 said he and several other boys

spent time with Sellentin at a farm pond between 1972-1975. He recounted Sellentin would “lay over” the boys to provide shade from the sun. Sellentin was in physical contact with the boys during these incidents. He said he remembered seeing a “wet spot” on Sellentin’s pants during one of these occurrences. He further stated “all the kids” were aware of Sellentin’s behavior. Victim #3’s age was not disclosed, though he stated he was a “boy” at the time of the sexual misconduct.

- A. Nature of the abuse/misconduct: Physical contact for sexual gratification
- B. Date of incident: 1972-1975
- C. Reported to diocese: 1999
- D. Gender/age of victim: Male – Unspecified, occurred when he was a “boy”
- E. Abuse reported to diocese prior to incident described: Yes, the archdiocese had knowledge of Sellentin’s behavior in the late 1960s
- F. Reported to law enforcement: No

Victim #4: Victim #4 reported to the archdiocese in 2018. He was abused by Sellentin in the mid-1970s, while serving as an altar boy. He was 12 or 13 years old at the time. Victim #4 recalled Sellentin “cornered” him and began “rubbing his body” against him. Victim #4 was able to push Sellentin away and proceeded to leave the Church. The incident occurred in the sacristy after mass. He says he was embarrassed by the incident and decided not to tell anybody what happened. Victim #4 was silent about the abuse until 1992, when he spoke with Archbishop Curtiss. While he says he did not specifically ask Curtiss to do anything about the matter, he believed that Curtiss “would pass [the information] on.” The file also contains a note indicating other boys had similar experiences with Sellentin.

- A. Nature of the abuse/misconduct: Inappropriate touching; sexualized rubbing up against Victim #4’s body
- B. Date of incident: Mid-1973 or 1974
- C. Reported to diocese: 1992 to Archbishop Curtiss; 2018
- D. Gender/age of victim: Male – 12-13 years old
- E. Abuse reported to diocese prior to incident described: Yes, the archdiocese had knowledge of Sellentin’s behavior in the late 1960s
- F. Reported to law enforcement: 2018

Victim #5: Victim #5’s mother wrote to the archdiocese in 2002 to report the abuse of her son in the mid-to-late 1970s. Her son was 13-14 years old at the time. Details of the abuse at the hands of Sellentin are not included in the letter. She noted her son and her family suffered long-term consequences from the molestation. Her son died at a young age. She indicated she informed the archdiocese about Sellentin’s abuse of boys in her parish sometime in the late 1970s. In response, she received a

message from Archbishop Sheehan warning her “to stop making waves or else.” It should be noted Sheehan’s message was reportedly delivered by Father Steinhausen, who himself is listed as an abuser by the archdiocese.

- A. Nature of the abuse/misconduct: Undisclosed sexual abuse
- B. Date of incident: Mid-to-late 1970s
- C. Reported to diocese: 2002
- D. Gender/age of victim: Male – 13 or 14 years old
- E. Abuse reported to diocese prior to incident described: Yes, the archdiocese had knowledge of Sellentin’s behavior in the late 1960s
- F. Reported to law enforcement: No

Victim #6: Victim #6 alleged he was sexually abused by Sellentin in the mid-to-late 1970s, when he was in his mid-teens. The chancellor of the archdiocese met with Victim #6 in March of 1999 to discuss these allegations. During his early teenage years, Victim #6 did maintenance work at Sellentin’s parish. When he came to the rectory to get paid for the maintenance work, Sellentin would count out the money. After being paid, Sellentin would ask Victim #6 not to leave. Sellentin would leave the room and then return, dressed in his pajamas. He described that Sellentin would then make “physical contact,” sometimes pushing Victim #6 to the ground. At times, Sellentin would ejaculate on Victim #6’s clothes. At other times, Sellentin would ask Victim #6 to climb a ladder. While on the ladder, Sellentin would put his hands up Victim #6’s legs.

The abuse occurred over the course of a summer and lasted into the fall. Victim #6 told his mother about the abuse, but she never informed anybody else about what happened. Victim #6’s allegations were not reported to law enforcement.

- A. Nature of the abuse/misconduct: Sexual contact; touching
- B. Date of incident: Mid-1970s
- C. Reported to diocese: 1999
- D. Gender/age of victim: Male – Mid-teens
- E. Abuse reported to diocese prior to incident described: Yes, the archdiocese had knowledge of Sellentin’s behavior in the late 1960s
- F. Reported to law enforcement: No

Victims #'s 7-9: In 2002, these victims (three brothers), spoke to the Omaha World Herald about their abuse at the hands of Sellentin. The abuse took place in the late 1970s. The brothers described numerous incidents of sexual contact or advances made by Sellentin. One of the brothers said Sellentin touched him in a sexual way while taking a shower. They all related instances where Sellentin made inappropriate contact by wrestling, tickling, and pressing against them. One of the brothers claimed he knew of at least 12 other victims.

Victim #7

- A. Nature of the abuse/misconduct: Inappropriate contact; wrestling; tickling; pressing against Victim #7
- B. Date of incident: Mid-to-late 1970s
- C. Reported to diocese: Reported to media in 2002, not to archdiocese
- D. Gender/age of victim: Male – Late teens
- E. Abuse reported to diocese prior to incident described: Yes, the archdiocese had knowledge of Sellentin’s behavior in the late 1960s
- F. Reported to law enforcement: No

Victim #8

- A. Nature of the abuse/misconduct: Inappropriate contact; wrestling; tickling; pressing against Victim #8
- B. Date of incident: Mid-to-late 1970s
- C. Reported to diocese: Reported to media 2002, not to archdiocese
- D. Gender/age of victim: Male – 15 or 16 years old
- E. Abuse reported to diocese prior to incident described: Yes, the archdiocese had knowledge of Sellentin’s behavior in the late 1960s
- F. Reported to law enforcement: No

Victim #9

- A. Nature of the abuse/misconduct: Inappropriate contact; wrestling; tickling; pressing against Victim #9
- B. Date of incident: Mid-to-late 1970s
- C. Reported to diocese: Reported to media 2002, not to archdiocese
- D. Gender/age of victim: Male – 14-15 years old
- E. Abuse reported to diocese prior to incident described: Yes, the archdiocese had knowledge of Sellentin’s behavior in the late 1960s
- F. Reported to law enforcement: No

Victim #10: Victim #10’s parents wrote to the archdiocese in 2002 to report the abuse of their son in 1979. Victim #10 told his parents of the abuse in 2002 after reports of Sellentin’s widespread abuse became public. Victim #10 said Sellentin asked him to stay at the parish after a rosary. After everyone left, Sellentin rubbed up against and touched Victim #10 “in an inappropriate manner.” While the abuse was occurring, he noticed Sellentin had an erection. The parents said there was more to the incident, but the details were “too awful” to reveal. Victim #10 was 14 years old at the time. This abuse caused long-term ramifications to Victim #10’s mental and psychological health.

- A. Nature of the abuse/misconduct: Rubbing; inappropriate touching
- B. Date of incident: 1979

- C. Reported to diocese: 2002
- D. Gender/age of victim: Male – 14 years old
- E. Abuse reported to diocese prior to incident described: Yes, the archdiocese had knowledge of Sellentin’s behavior in the late 1960s
- F. Reported to law enforcement: No

Victim #11: The parents of Victim #11 wrote to Archbishop Curtiss in 2002 to report the abuse of their son in 1979-1980. He was 16-17 years old at the time of the abuse. They related Sellentin had “inappropriately approached” Victim #11 “a number of times.” Sellentin’s behavior caused Victim #11 to suffer emotionally. No other details of the abuse were provided.

- A. Nature of the abuse/misconduct: Inappropriate touching
- B. Date of incident: 1979
- C. Reported to diocese: 2002
- D. Gender/age of victim: Male – 16-17 years old
- E. Abuse reported to diocese prior to incident described: Yes, the archdiocese had knowledge of Sellentin’s behavior in the late 1960s
- F. Reported to law enforcement: No

Victim #12: Victim #12 reported to the archdiocese in 2018. He described two incidents with Sellentin, which occurred in 1979. In the first incident, Sellentin approached Victim #12 from behind and began rubbing his shoulders. Victim #12 said during the second incident, Sellentin began hugging him “really tight” and that he could feel Sellentin “had an erection.” Both incidents occurred when he was 18 years old and serving as an altar boy. Victim #12 alluded to being aware of other victims, stating “there are a lot of men in his area that this happened to.” The archdiocese reported the incident to law enforcement in 2018.

- A. Nature of the abuse/misconduct: Inappropriate touching; hugging; rubbing
- B. Date of incident: Late 1979
- C. Reported to diocese: 2018
- D. Gender/age of victim: Male – 18 years old
- E. Abuse reported to diocese prior to incident described: Yes, the archdiocese had knowledge of Sellentin’s behavior in the late 1960s
- F. Reported to law enforcement: 2018

Victim #13: Sellentin fondled Victim #13 while visiting him at the hospital in the late 1970s. The abuse took place in a hospital bed. Victim #13 was a teenager at the time. The archdiocese received notice of Victim #13’s abuse in 2002.

- A. Nature of the abuse/misconduct: Fondling
- B. Date of incident: Late 1970s

- C. Reported to diocese: 2002
- D. Gender/age of victim: Male – Teenager
- E. Abuse reported to diocese prior to incident described: Yes, the archdiocese had knowledge of Sellentin’s behavior in the late 1960s
- F. Reported to law enforcement: No

Victims #'s 14-15: The victims’ mother wrote to Archbishop Curtiss in 2002. The letter indicates that in the 1980s Sellentin made sexual advances toward two of her sons, who were in 7th and 8th grade. No details of the abuse were disclosed. When she and her husband learned of Sellentin’s sexual abuse of young boys in their parish, they told a priest in Fordyce, Nebraska, who told them to “keep this quiet so as not to ruin [Sellentin’s] reputation...” She noted Sellentin would often pick victims from “troubled homes.” This occurred between 1980-1985. She said members of her Parish Council went to Omaha to “confront Archbishop Sheehan” about Sellentin’s abusive behavior in the 1980s, but nothing was done to remove him from ministry. She concluded by saying abusive priests had done “irreparable damage to many, many fine young men,” but in her opinion, the worst crime was that church authorities knew of the activity and “continued to let it happen.”

Victim #14

- A. Nature of the abuse/misconduct: Undisclosed sexual abuse
- B. Date of incident: 1980s
- C. Reported to diocese: 1980s; 2002
- D. Gender/age of victim: Male – 8th grade (13-14 years old)
- E. Abuse reported to diocese prior to incident described: Yes, the archdiocese had knowledge of Sellentin’s behavior in the late 1960s
- F. Reported to law enforcement: No

Victim #15

- A. Nature of the abuse/misconduct: Undisclosed sexual abuse
- B. Date of incident: 1980s
- C. Reported to diocese: 1980s; 2002
- D. Gender/age of victim: Male – 7th grade (12-13 years old)
- E. Abuse reported to diocese prior to incident described: Yes, the archdiocese had knowledge of Sellentin’s behavior in the late 1960s
- F. Reported to law enforcement: No

Victim #16: Victim #16 reported to the archdiocese in 2018. When he was 18 or 19 years old, Victim #16 visited Sellentin for spiritual guidance. During one of their meetings, he says Sellentin “cornered him” and began to “rub up against him.”

Sellentin also attempted to fondle him. Victim #16 says the date of the assault was in the late 1980s. The archdiocese reported the incident to law enforcement in 2018.

- A. Nature of the abuse/misconduct: Attempted fondling; rubbing body against Victim #16
- B. Date of incident: Late 1980s
- C. Reported to diocese: 2018
- D. Gender/age of victim: Male – 18 or 19 years old
- E. Abuse reported to diocese prior to incident described: Yes, the archdiocese had knowledge of Sellentin’s behavior in the late 1960s
- F. Reported to law enforcement: 2018

Additional information regarding allegations against Sellentin:

The file is replete with accusations about Sellentin’s sexually abusive behavior. Church officials became aware of his activities in the late 1960s.

Special Council Meeting regarding Sellentin in 1970: The file contains notes from a 1970 “Special Council Meeting” held by the parish where Sellentin was serving in Omaha. In a section entitled “purpose,” the author wrote “all members of the council felt we did have problems and [Father] Sellentin was sick.” While much of the file is barely legible, there are references to incidents between Sellentin and boys from the parish. The head priest indicated he was “aware of a problem” and he would “take care of the situation.” There is also a note which expressed the situation was “reported to the archbishop.”

1979 meeting with Fullerton delegation: The file includes handwritten notes from a meeting between nine members of the Fullerton Parish and the archdiocese. It is not clear how many representatives from the archdiocese were in attendance. During this meeting, the representatives from Fullerton recounted “numerous events” of sexually abusive behavior by Sellentin.

They reported that altar boys were avoiding serving at mass and two boys who worked at the rectory quit because they felt “uncomfortable” being around Sellentin. The altar boys complained that Sellentin would rub their shoulders and put his hands around their waist from behind and rub against them. He would also “pinch them in the rear” and touch their “thighs and penis area.” One altar boy said Sellentin got him down on the ground and “went through sexual motions with him.” The situation had gotten to the point where several boys refused to go to church.

The priest who moderated the meeting later consulted a nun about Sellentin’s situation. The nun advised him to have Sellentin seen by a counselor for treatment. She felt “that Father Tom may be able, with therapy, to learn to control this overt expression of sexuality.” This priest later wrote, “Father Tom needs therapy and must get it if he is to continue to function as [a] parish priest. [Sellentin] should not be

allowed another parish unless he accepts therapy and responds to it..." He was moved out of the Fullerton Parish in 1980, but there is no indication he was sent for treatment at that time.

Other reports of knowledge of archdiocese: The file indicates Sellentin was sent for treatment in 1985 and 1999. In 1993, Archbishop Curtiss sent Sellentin a letter stating, "It has been called to my attention that you have had some problems in the past and that Archbishop Sheehan sent you to the House of Affirmation for an evaluation. It is necessary for me to discuss this situation with you." There is no information in the file about the result of this meeting.

Media Reports: The file contains clips from numerous newspaper articles revealing the archdiocese knew of Sellentin's proclivity for sexual abuse of boys. A World Herald article from April 2002 affirms reports of the abuse were made to Archbishop Sheehan in 1970, 1980, and 1985. The article states, "An inability to grasp the criminal nature of pedophilia and its long-term, tragic effects on victims could be one reason [the archbishop] transferred Sellentin from parish to parish even after being told Sellentin was sexually abusing children."

Disposition: The archdiocese was advised of Sellentin's sexual abuse in 1970, 1979, 1985, 1992, and 1998. Inexplicably, he was not removed from ministry until 2002. None of the sexual assault incidents were reported to law enforcement until 2018. He was laicized in 2019.

Sellentin is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father John Starostka

(Died in 2012)

Starostka was a priest in the archdiocese from the 1960s through 2002.

Victim #1: Victim #1 contacted the archdiocese in the summer of 2002, alleging Starostka sexually abused him from 1972-1974. The abuse occurred while the victim was serving as an altar boy, beginning at age 11.

Victim #1 said the first instance of abuse occurred when Starostka asked him to spend the night at the parish rectory. During the evening, Starostka forced Victim #1 to engage in mutual masturbation. He said in the following years, he went on several trips with Starostka, where he was repeatedly sodomized. Victim #1 reported Starostka told him on several occasions what he was doing was "okay" because he

was “God’s leader.” In 1974, Victim #1 cut off all contact with Starostka. He never informed his parents what had happened to him.

Victim #1 claimed he contacted the archdiocese about the abuse on four separate occasions. He reported he spoke with officials from the archdiocese in both the early 1980s and early 1990s who told Victim #1 they would “get back to him.” Victim #1 said he never got a return call. In 1996, he said he met personally with a priest from an Omaha parish, but after the meeting, he was never contacted by the archdiocese. Shortly after speaking to Chancellor Gutgsell in 2002, Victim #1 was informed that Starostka admitted the truth of the allegations.

- A. Nature of the abuse/misconduct: Sodomy; masturbation
- B. Date of incident: 1972-1974
- C. Reported to diocese: Early 1980s; Early 1990s; 1996; 2002
- D. Gender/age of victim: Male – 11-13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2004

Victim #2 and #3: The father of two altar boys wrote Chancellor Gutgsell in 2000 to report Starostka had inappropriately touched his sons. He personally witnessed Starostka grab his son from behind and place his hands on Victim #2’s chest. Upon returning home, the father questioned Victim #2 whether the way Starostka touched him made him feel uncomfortable. Victim #2 responded Starostka had touched him in inappropriate ways at least 10 times during the previous year. Victim #2 told his father Starostka’s behavior consisted of aggressive touching, hugs, and rubbing the child’s torso (underneath his shirt). When asked by his parents if Starostka had touched him in a similar manner, Victim #3 told them Starostka had done so on one occasion. The archdiocese’s report includes these incidents as substantiated cases of sexual abuse.

Victim #2

- A. Nature of the abuse/misconduct: Aggressive touching and hugs; rubbing of torso under the shirt
- B. Date of incident: 1999-2000
- C. Reported to diocese: 2000
- D. Gender/age of victim: Male – Teenager
- E. Abuse reported to diocese prior to incident described: Yes, archdiocese informed of abuse of Victim #1 in 1980s and 1990s
- F. Reported to law enforcement: 2004

Victim #3

- A. Nature of the abuse/misconduct: Aggressive touching and hugs; rubbing of torso under the shirt
- B. Date of incident: 2000
- C. Reported to diocese: 2000
- D. Gender/age of victim: Male – Teenager
- E. Abuse reported to diocese prior to incident described: Yes, archdiocese informed of abuse of Victim #1 in 1980s and 1990s
- F. Reported to law enforcement: 2004

Disposition: The file also contains material which alludes to complaints about Starostka performing grooming behavior on other minors, but there are no specifics. There is no indication Starostka was ever disciplined for this grooming behavior.

Starostka was permanently removed from ministry in 2002. His sexual abuse was reported to law enforcement, but the report was not made until 2004. There was no prosecution due to the statute of limitations.

Starostka is included in the archdiocese's list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Robert Steinhausen

(Died in 1993)

Steinhausen was the head priest of a parish in Papillion for over 20 years.

Victim #1: Victim #1 said he was sexually abused by Steinhausen in the 1980s. He stated he and Steinhausen would go on trips. Victim #1 described that while on these trips, Steinhausen would always put his suitcase on the second bed in the hotel room, which forced Victim #1 to sleep in the same bed with Steinhausen. While in bed, Steinhausen would start touching him “all over including his genitals.” Victim #1 was 14-15 years old at the time.

- A. Nature of the abuse/misconduct: Fondling of the genitals
- B. Date of incident: 1980s
- C. Reported to diocese: 2019
- D. Gender/age of victim: Male – 14-15 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2019

Victim #2: Victim #2 contacted the archdiocese in 2008 to report Steinhausen had sexually abused him during a trip in the mid-1980s. Victim #2 was in his early to mid-teens at the time of the abuse. Victim #2 related Steinhausen engaged in a pattern of grooming behavior. He said during the trip, Steinhausen talked to Victim #2 about the artwork in Italy. He described the large size of male genitalia on some statues, commenting that they were so big you could “grab them.” Later, at a hotel, Steinhausen and Victim #2 shared a bed. While lying next to each other, Steinhausen became aroused and attempted to have anal and oral sex with Victim #2. The file refers to Victim #2 being abused during a three-year period, but there is only one account of abuse described in his file summary.

- A. Nature of the abuse/misconduct: Attempted anal/oral sex
- B. Date of incident: Mid-1980s
- C. Reported to diocese: 2008
- D. Gender/age of victim: Male – Early teens
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2019

Disposition: The file also includes a third-hand report of sexual abuse shared by staff from a parish in northeast Nebraska. There were no subsequent reports about this incident. Steinhausen died in 1993. The archdiocese’s report reveals law enforcement was contacted in 2019, which was after the Nebraska DOJ received the file from the archdiocese.

Steinhausen is included in the archdiocese’s list of substantiated allegations of the abuse of a minor and/or misconduct with a minor which took place prior to 2002 (Section 2).

Father Andrew Syring

(This matter is still under investigation)

Syring was ordained in 2009. He served in several rural parishes and in Omaha. The first allegation against Syring was lodged prior to his association with the archdiocese. This allegation was the subject of multiple investigations by both the archdiocese and law enforcement. Numerous complaints were also made after his ordination relating to unwanted touching, grooming behavior, and alleged inappropriate contact with minor and adult males.

Alleged 2001 sexual assault allegation: In 2003, a man contacted church officials alleging Syring fondled him while they were taking a shower. He claimed the abuse

occurred in 2001 at an overnight retreat. Syring was a volunteer for a teen program at a rural Catholic parish. The accuser and Syring were adults at the time. The accusations were reported to law enforcement, and no charges were filed.

In 2009, when Syring was finishing seminary, the allegation arose for the second time. The matter was again referred to law enforcement and investigated by the archdiocese. After reviewing the investigative report, the Archdiocesan Review Board unanimously concluded the allegations of sexual abuse were not credible. The file includes information the accuser had recanted and written an apology to Syring. No criminal charges were filed, and no disciplinary action was taken by the archdiocese. The following allegations arose while Syring was an associate priest in Schuyler between 2012-2014.

Victim #1: Victim #1, a lay ministry volunteer in his early 20s, told the head priest he was subjected to unwanted and inappropriate touching from Syring. He reported that during hugs, Syring would rub his back, eventually moving his hands down to the area around Victim #1's buttocks. He also described being on car rides where Syring would reach over and "rub his leg in the thigh area," moving his hand close "to the crotch area." He added touching of this type routinely happened under the table at meals. Victim #1 further noted Syring would kiss him on the cheek, but on one occasion, kissed him very close to the mouth. Syring's actions made Victim #1 uncomfortable.

- A. Nature of the abuse/misconduct: Inappropriate touching; touching of buttocks; kissing on cheek
- B. Date of incident: 2012-2014
- C. Reported to diocese: 2014
- D. Gender/age of victim: Male – Early 20s
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2014

Victim #2: Victim #2 informed the head priest of multiple incidents of unwanted touching. He was 18-19 years old at the time of his report. He alleged that while sitting next to each other, Syring would reach over and place his hand on Victim #2's upper thigh. Syring would also kiss and hug Victim #2, placing his hands on Victim #2's sides. Syring referred to Victim #2 as "babe" or "mi amor," terms of endearment which Victim #2 felt were inappropriate. He commented that Syring had a habit of initiating questions about "sexual things" during confession, even when Victim #2 did not bring up the subject. All these overtures by Syring made Victim #2 feel uncomfortable.

- A. Nature of the abuse/misconduct: Unwanted touching; kissing on cheek; unsolicited discussion of sexual issues

- B. Date of incident: 2012-2014
- C. Reported to diocese: 2014
- D. Gender/age of victim: Male – 18-19 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2014

Victim #3: Victim #3 was a pre-teen altar boy, age 10 or 11. Victim #3 told his mother that Syring would give him tight hugs and grab him on the buttocks. This occurred in either 2013 or 2014.

- A. Nature of the abuse/misconduct: Touching of buttocks
- B. Date of incident: 2013-2014
- C. Reported to diocese: 2019
- D. Gender/age of victim: Male – 10-11 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2019

Victim #4: A person reported they witnessed Syring patting and touching the buttocks of Victim #4, a boy under the age of 10. This behavior was observed twice.

- A. Nature of the abuse/misconduct: Touching of buttocks
- B. Date of incident: 2013
- C. Reported to diocese: 2014
- D. Gender/age of victim: Male – Under 10 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2014

Victim #5: A person witnessed Syring hugging, kissing, and “nibbling” on the ear of Victim #5. Victim #5 was an altar boy under the age of 10.

- A. Nature of the abuse/misconduct: Hugging; kissing; nibbling on ear of minor
- B. Date of incident: 2013
- C. Reported to diocese: 2014
- D. Gender/age of victim: Male – Under 10 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2014

Miscellaneous boundary violations: The file contains numerous references to concerns about Syring’s behavior around teenage males and young adult males. Examples include kissing, prolonged hugs, and placing his hands on the buttocks of people during hugs. He was also prone to unilaterally ask teens probing questions of a sexual nature during confession. There was an instance in 2018 where Syring was involved in Snapchat conversations with a high school student.

Syring was removed from ministry in 2018. He denied any wrongdoing and brought suit against the archdiocese in 2020 for defamation. The Nebraska DOJ will keep this file open.

Syring is included in the archdiocese's list of cases of substantiated allegations of misconduct with and/or the abuse of a minor which took place after the implementation of Safe Environment standards in 2002 (Section 1).

Duane Thome (Deacon)

Thome was a long-time deacon and teacher in the Catholic schools. In 2018, officials at an Omaha Catholic high school reported Thome had inappropriately touched a female student.

Victim #1: There were numerous reports revealing Thome engaged in significant grooming behavior with Victim #1, which began when she was 17 years old. The school staff became aware of Thome's grooming in early 2018. According to Victim #1, Thome placed his hands on her thigh, ribs, and head for the purpose of giving her a "blessing." She perceived the touching to be sexually motivated. Additionally, she conveyed Thome was showing her an inordinate amount of attention, such as giving her gifts and sending her emails about non-school related subjects.

- A. Nature of the abuse/misconduct: Inappropriate touching; grooming
- B. Date of incident: 2017
- C. Reported to diocese: 2018
- D. Gender/age of victim: Female – 17 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2018, reported to Child Protective Services

Disposition: The archdiocese removed Thome from ministry in 2018.

Thome is included in the archdiocese's list of cases of substantiated allegations of misconduct with and/or the abuse of a minor which took place after the implementation of Safe Environment standards in 2002 (Section 1).

Nate Wilhelm

Wilhelm was a teacher at Archbishop Bergen Catholic School in Fremont.

Victim #1: In 2005, Wilhelm was arrested for sexually assaulting a 9th grade student (age 14). Wilhelm confessed to touching the girl on the buttocks and attempting to kiss her. The file reveals Wilhelm also sent Victim #1 sexually graphic emails. He

was originally charged with sexual assault of a child, a Class III Felony, but pled to a misdemeanor sexual assault charge.

- A. Nature of the abuse/misconduct: Inappropriate touching on buttocks; attempted kissing; sending sexually explicit emails to minor
- B. Date of incident: 2005
- C. Reported to diocese: 2005
- D. Gender/age of victim: Female – 14 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2005

Wilhelm is not listed as a substantiated abuser by the archdiocese as he was not a priest or deacon. He has been included in this report because he was a teacher at a Catholic school and used his position to sexually abuse a student.

Father Jeff Zyla

Zyla admitted to sexually abusing a minor over the course of two years, before he was a seminarian and a priest. The abuse occurred in Douglas County, Nebraska, from the late 1970s through the early 1980s.

Victim #1: Zyla was a parish volunteer in charge of altar boys and liturgical ceremonies. Zyla was 25 and Victim #1 was 13 years old when the abuse began. The situation came to the attention of the archdiocese in 2003. While Victim #1 was incarcerated in South Dakota, he informed a prison chaplain about his abuse at the hands of Zyla. The chancellor of a South Dakota diocese related the allegations to the archdiocese. Zyla confessed to fondling, sexual touching, and taking photographs of the victim.

- A. Nature of the abuse/misconduct: Fondling; sexual touching; photographing victim
- B. Date of incident: Late 1970s – early 1980s
- C. Reported to diocese: 2003
- D. Gender/age of victim: Male – 13 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2003

Disposition: Zyla resigned from priesthood the month after the archdiocese found out about the abuse. He also admitted that while he was a priest, he took pictures of boys who posed shirtless under the guise of having them audition for a part in a parish Passion play. He says he took the pictures for his own gratification.

The archdiocese reported the matter to law enforcement, but any possible charges were barred by the statute of limitations. Zyla's current whereabouts are not indicated in the file.

Zyla is included in the archdiocese's list of abusers who committed their abuse before entering formation or seminary (Section 4).

1. Impressions from Investigation of Omaha Archdiocese

a. Sexual Abusers Passed from Parish to Parish/Failure to Take Action

Many people were significantly harmed by the archdiocese's failure to take action against sexually abusive priests. Exemplary of this failure are the cases of Sellentin, Lukes, Fiala, and Herek. Records substantiate the archdiocese knew or should have known, early on in their careers as priests, that each of these men were attracted to underage boys and had acted upon that attraction. Because of its failure to act, nearly 40 minor boys were subjected to sexual abuse after the archdiocese became aware of the priests' aberrant behavior.

Shortly after his ordination in 1965, concerns were raised about Sellentin's behavior with young boys. The archdiocese admits it began receiving complaints about Sellentin in 1968. Sellentin's file contains notes from a 1970 "Special Council Meeting" held by the parish where Sellentin was serving in Omaha. In a section entitled "purpose," the author wrote "all members of the council felt we did have problems and [Father] Sellentin was sick." This "sickness" pertained to his behavior with young altar boys. The concerns raised at this meeting were relayed to Archbishop Sheehan.

A parish in Fullerton, Nebraska had a similar meeting in 1979, which was attended by representatives from the archdiocese. During this meeting, the representatives from Fullerton recounted "numerous events" of sexually abusive behavior by Sellentin. The priest who moderated the meeting later wrote, "Father Tom needs therapy and must get it if he is to continue to function as [a] parish priest. [Sellentin] should not be allowed another parish unless he accepts therapy and responds to it..." He was moved out of the Fullerton Parish in 1980, but there is no indication he was sent for therapy at that time. Instead, he was sent to another parish in Menominee, Nebraska, where he victimized more young boys.

Particularly troubling is the account from the mother of one of Sellentin's victims. She alleged she made Archbishop Sheehan aware of Sellentin's abuse of boys in her parish sometime in the late 1980s. She claims Sheehan sent Father Robert

Steinhausen (himself a child sexual abuser) to deliver a message warning her “to stop making waves or else.” An Omaha World Herald article from April 2002 affirms reports of the abuse were made to Archbishop Sheehan numerous times. The article states, “An inability to grasp the criminal nature of pedophilia and its long-term, tragic effects on victims could be one reason [the archbishop] transferred Sellentin from parish to parish even after being told Sellentin was sexually abusing children.” Sellentin was allowed to continue in ministry for 34 years after the archdiocese became aware of his sexually abusive behavior.

Reports of Lukes’ sexually abusive behavior of young boys surfaced in the 1960s, but he was not removed from ministry until 1995. The father of Victim #1 (victimized in the mid-1960s) alleged church authorities were aware of the abuse of his son, but nothing was done to remove Lukes from ministry. He reported he asked a parish priest why Lukes had not been removed and was told that “there was a shortage of priests and that [the priest] could not do anything about it.” Victim #1’s father mentioned in his letter that he personally knew Archbishop Sheehan and that Sheehan was aware of Victim #1’s abuse.

It is possible the abuse of Victim #1 was not documented so as not to create a paper trail for subsequent diocesan personnel. The file is nonetheless replete with information which reveals Lukes’ attraction to young boys was not a secret. For example, Victim #4 (victimized in the late 1970s through the early 1980s) expressed anger that the archdiocese “was not more swift in removing [Lukes] or doing more to aid the victims and provide healing.” He submits the archdiocese moved Lukes “from parish to parish” even though it “had knowledge of [Lukes] behavior.”

Victim #5, who was also abused in the late 1970s through the early 1980s, filed a lawsuit in which he alleged the archdiocese knew or should have known Lukes was a pedophile and “made no meaningful effort” to restrict Lukes’ access to children. Notwithstanding, the archdiocese indicated it officially became aware of concerns about Lukes in 1985, ten years before he was removed from ministry.

Fiala began making sexual advances to young boys right after his ordination in 1984. Victim #2’s mother says she reported Fiala’s behavior in 1986 and met with Archbishop Sheehan. Not only did the archdiocese take no disciplinary action, Victim #2 alleged the archdiocese accused him of lying. He added he was then ostracized at his Catholic school and subsequently transferred to a public school.

Likewise, Victim #3’s father, along with the president of the parish council and a priest, met with Archbishop Sheehan to inform him about Fiala’s conduct in 1988. Archbishop Sheehan told them Fiala would not be assigned to a position which

entailed working with children. Fiala was soon thereafter removed from his parish assignment. Fiala's personnel record reveals he had a leave of absence for a year before being assigned as an associate priest in 1989. There is no indication Fiala's ministry was restricted in any manner.

The file also includes several letters complaining about Fiala's interactions with young boys. In one of those letters, a parishioner at an Omaha parish wrote to Archbishop Sheehan in December 1988 complaining of Fiala's temporary assignment to the parish. He stated, "Isn't there any place for priests like [Fiala] other than pushing him from one parish to another?" The parishioner noted an incident which occurred between his grandson and Fiala. He concluded, "Even with the shortage of priests, he is a poor substitute and I will never understand why you put him in a parish, from one to another... do something about this before it is too late."

Archbishop Sheehan was well aware of Fiala's problems. In a 1988 letter from Archbishop Sheehan to another priest, he recounts the numerous complaints he received about Fiala's behavior around teenagers. He wrote that Fiala had "a history of doing some very strange things that worry me and also the pastors of the parishes in which he has been sent." Sheehan continued, writing he believed that Fiala's "actions indicate such a lack of maturity that it is very difficult to give him a pastoral assignment." After leaving the archdiocese, Fiala raped a 16-year-old male at gunpoint and was later convicted of attempting to hire a hitman to have the victim killed.

Herek's abuse of young boys began soon after his ordination in 1971 and spanned nearly 30 years. The file indicated the archdiocese received complaints about Herek's behavior in the 1970s. What is striking about his case is the overt nature of his abusive behavior. Herek routinely took groups of boys to his home, his mother's home or his trailer in Omaha.

For instance, victims recounted that Herek would have a group of boys go to his bedroom, where he would have them disrobe and lay on the bed. There were numerous stories of nude "group massages," where Herek would massage each boy from head to toe. At times, he would fondle their testicles and penises. Victims reported he would provide them with pornographic material and beer, as well as engage in conversations about sex. On some occasions, Herek would have the boys take off their clothes and watch while the boys took showers.

Herek, at times, singled out victims for special attention. For instance, Victim #7 reported he spent considerable time alone with Herek, noting that he became

Herek's "right hand man." He added that "Herek became my sole friend by discouraging me from being with my friends, family and other adults. I spent most of my free time with Herek." Herek took Victim #7 on a trip to Kansas City to reward him for his assistance. Victim #7 later realized the trip was actually a pretense for spending the night together in a hotel room.

In 1997, the archdiocese received a videotape and photographs, which were found in Herek's home. The videotape and the pictures depicted naked boys. Both were made by Herek during his interactions with boys from his parish. He was subsequently convicted of making child pornography and sexual assault of a boy. There were other troublesome cases. Petrusic sexually abused two teenage boys in the mid-1970s. While neither victim informed church authorities nor law enforcement at the time of their molestation, the archdiocese learned of the assaults in 1987. So alarmed was Archbishop Sheehan at the account of Petrusic's behavior that he wrote to a priest in charge of a counseling center that he had "never been so shocked and disappointed in all my years as bishop as when the young man [Victim #2] came forward with his allegations." He added that he believed Petrusic had "a serious sexual problem."

Despite these fears, Petrusic was allowed to return to ministry with no indication of restrictions on his contact with minors. He continued to serve as the priest of an Omaha parish until 1990. When he left the archdiocese in 1990, there is no indication the archdiocese informed his new employer, the Croatan Catholic Union, nor the parish he later served in Florida, of his history of sexually assaultive behavior. It was not until one of Petrusic's victims reported his abuse to the media in 2002 that the archdiocese removed him from ministry.

Starostka's first victim was sexually abused from 1972-1974. The victim claimed he contacted the archdiocese about the abuse on four separate occasions – in the early 1980s, the early 1990s, 1996, and 2002. Officials from the archdiocese in both the early 1980s and early 1990s told the victim they would "get back to him." He said he never got a return call. In 1996, he said he met personally with a priest from an Omaha parish, but after the meeting, he was never contacted by the archdiocese. The victim's allegations were finally addressed in 2002. Shortly after speaking to Michael Gutgsell, the chancellor of the archdiocese, the victim was informed that Starostka admitted to the allegations against him. In the end, Starostka was allowed to continue in ministry for 20 years after the victim first came forward.

Nigli sexually molested Victim #1, a 16-year-old male in 2011. In 2013, he again molested Victim #1 several times during out-of-town trips. The 2013 incidents with Victim #1 were reported to law enforcement, but no charges were filed. After the 2013 incident, the archdiocese removed Nigli from his rural parish for what it termed "a time of evaluation and treatment."

Nigli returned to ministry in 2015 but continued to engage in grooming behavior and boundary violations. In 2017, he was restricted from having one-on-one contact with males ages 18-22. The file indicates Nigli largely ignored these restrictions. He was not removed from ministry until after abusing Victim #2 in 2018. A memo in the file reflects that “[i]n the larger context of recent events, it appears that [Nigli] was engaged in behavior which looks very much like grooming. There was a progression of behavior from building a relationship with these young men as their trusted priest to eventually encouraging them to engage in seriously inappropriate behavior.” Given Nigli’s history, it is legitimate to question why he was in a ministry position where he had access to teenagers and young adults.

b. Failure to Report Sexual Abuse to Law Enforcement

Most of the victims of sexual abuse did not report their incidents of sexual abuse until years after the abuse occurred. There were several cases, however, where church authorities either knew of cases of sexual abuse or misconduct or had suspicions about the behavior of priests but did not report the abuse to law enforcement. There were allegations against at least nine priests who fell into this category: Fiala; Joseph Henry; Herek; Ho; Kulangara; Lukes; Petrusic; Sellentin; and Starostka.

c. Failure to Vet Priests Who Were Brought into the Archdiocese from Other Jurisdictions

One of the areas identified in our review was a repeated failure of the archdiocese to vet priests who were brought in to serve from outside jurisdictions. The following priests are included in this category: Ho, Jordan, Kulangara, and Robinson. In the cases of Jordan and Robinson, the file contained information which raised serious concerns about their character which was or could have been identified before they were allowed to serve in the archdiocese.

Jordan was accused of having “inappropriate sexual relations with some women and also some minor girls.” He was eventually removed from ministry and sent back to his home archdiocese in Guatemala. In an investigation into the allegations, the archdiocese contacted the archbishop from Jordan’s archdiocese in Guatemala. The archbishop from Jordan’s diocese in Guatemala reported “that on three occasions as a deacon in the diocese...[Jordan] had demonstrated that he did not have the aptitude to live a celibate life.” Given these concerns, one is left to wonder why this information was not discovered prior to Jordan being given approval to serve in the archdiocese.

Prior to Robinson’s transfer to the archdiocese from a diocese in Wisconsin, he had been removed from the faculty of a Catholic high school for possessing sexual photographs of boys and men. This incident had been reported in the Milwaukee

Sentinel in 1993. The story indicates Robinson had previously received treatment for “spending too much time with students....” There is no explanation for why the archdiocese did not discover this information before being allowed to serve in the archdiocese.

The cases of Ho and Kulangara are also worth noting. Though there is no indication of sexual abuse or misconduct prior to their service in the archdiocese, the failure to hold them accountable for their behavior is disconcerting. Ho sexually assaulted a young teenage girl in 1989 or 1990. When the archdiocese learned of the incident, he was removed from the parish and brought to Omaha. Soon thereafter, Archbishop Sheehan wrote a Florida diocese, asking the Florida bishop to consider Ho for ministry. The Florida diocese did its own investigation which revealed Ho was likely guilty of sexually assaulting the teenage girl. Despite this revelation from the Florida diocese, the archdiocese did nothing to follow up on these concerns or to contact law enforcement. Instead, Ho was allowed to leave the country without being held to account for his actions.

The same thing happened with Kulangara, who molested a 13-year-old girl. When informed of the incident, the archdiocese made no attempt to contact law enforcement. Instead, Kulangara was ordered to leave the country and return to his religious order in Rome. Once again, a sexual abuser was allowed to leave the country with no ramifications for his behavior.

d. Sexual Abuse of Young Girls

In addition to the cases of Ho and Kulangara, the file contains the stories of several young girls who suffered traumatically at the hands of abusive priests. Dvorak sexually abused a girl for over two years, beginning when she was 15 years old. He began grooming her when she was in junior high.

Gill groomed and molested three girls in the mid-1960s. All of them were 12 years old when the abuse began. Each of the victims described the deep emotional and psychological ramifications which resulted from Gill’s actions.

Merkel emotionally manipulated and abused a young girl during a particularly vulnerable time in her life. Merkel engaged in explicit phone sex with the victim, who was 15 years old. The victim’s family alleged that after the archdiocese learned of the abuse, nobody apologized or offered any assistance to the family.

Peschel sexually abused his victim from 1969-1971 when the victim was in high school. She reported her abuse in 1993. While the archdiocese paid for some of her counseling expenses at that time, Peschel was allowed to continue his ministry with few restrictions. The victim’s case was not brought before the review board until 2010, when the victim contacted the archdiocese because she learned Peschel was still active in priestly ministry.

Vital Information Summary Key

- A. The nature of the abuse/misconduct reported (i.e. fondling, oral sex, etc.)
- B. The date of the abusive incident
- C. The date the abuse was reported to the diocese/archdiocese
- D. The gender/age of the victim
- E. Whether the diocese had received any report of the official engaging in sexual misconduct with other children or young adults prior to the incident described
- F. When the incident was reported to law enforcement

C. Grand Island Diocese

Father Mark Maresh

Maresh was ordained in 1994. He has served in over 10 parishes during his tenure in the diocese. Maresh exposed himself to a woman and her two young children in 2006.

Victims #1 #2, and #3: The incident leading to the charge occurred in Kearney. A woman reported she was walking with her 2-year-old son and 4-year-old daughter near an elementary school in 2006. During her walk, she approached a parked car near a stop sign. She had previously observed this car passing her and said it had been driven around the block several times. The car was driven by Maresh. As she walked by the car, Maresh opened the passenger side door and said something to her. When the woman asked what he wanted, Maresh exposed himself. The woman said she could “see everything.” The woman reported the license plate number and Maresh was later arrested.

Victims #1, #2, and #3

- A. Nature of the abuse/misconduct: Exposure–frontal nudity
- B. Date of incident: 2006
- C. Reported to diocese: 2006
- D. Gender/age of victim: Male – 2 years old; Female – 4 years old; Female – over 20 years old
- E. Abuse reported to diocese prior to incident described: No
- F. Reported to law enforcement: 2006

Disposition: Maresh pled guilty to a misdemeanor charge of public indecency. He was sentenced to serve 50 hours of community service, 30 days in jail, and a fine of \$250. He was removed from active ministry to attend counseling at the St. Luke Institute in Maryland, a residential treatment center for priests suffering from depression or psychological and emotional problems. He returned to public ministry in July of 2008 at a parish in Grand Island. He is still active in ministry in Grand Island.

1. Impressions from Grand Island Diocese

We reviewed 13 files from the diocese. While several of these files contained serious allegations of sexual abuse or misconduct, none of them, other than the case of Maresh, were able to be corroborated to the point where they could be considered substantiated.

For example, in one of the cases, a man in his early 20s hired as a lay religious educator was alleged to have engaged in a sexual relationship with a high school girl. The abuse reports were from the 1990s. The file contained second-hand reports of the sexual abuse, but there were no interviews of the alleged victim nor of the lay educator. The diocese informed law enforcement of the situation, but the file contained no police reports or any information about the results of the investigation. If true, the actions of the lay educator would have constituted sexual abuse. There was simply no way of corroborating the allegations.

In another case, a woman contacted the diocese claiming she had been sexually abused by a seminarian sometime in the early 1980s when she was 12 years old. The woman told the victim assistance coordinator the abuse had “impacted her entire life.” She informed the diocese she was planning on calling the Nebraska State Patrol to report the abuse. There was no indication the alleged victim ever followed through by contacting the State Patrol. There were no records of any further communication between the alleged victim and the diocese. Without this information, there was no way to substantiate the victim’s claims.

These cases illustrate there are likely other victims of child sexual abuse or misconduct in the diocese. From the information supplied, however, we simply cannot substantiate any other cases of abuse. In the future, it would be incumbent for the diocese to be diligent to follow up, if possible, on claims of sexual abuse, and to supplement the file with information obtained from law enforcement investigations.