

Buffalo Whistleblower Hits Back at Bp. Malone, Accuses Him of Lying

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News: [US News](#)



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Former seminarian: 'I firmly stand by all facts as I witnessed them'



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BUFFALO, N.Y. (ChurchMilitant.com) - Buffalo's Bp. Richard Malone is discounting eyewitness testimony of a former seminarian who was on the scene when a Buffalo priest allegedly abused a 6-year-old boy in 1992.

On ABC's *Nightline* that aired on Friday, Malone dismissed multiple accusations of sex abuse lodged against Fr. Dennis Riter, saying they have "no merit." The bishop's dismissal includes an eyewitness account by then-seminarian Wes Walawender involving Riter's alleged sexual abuse of a 6-year-old boy in the rectory at Queen of All Saints parish in Lackawanna, New York. The diocese had placed Walawender under Riter's supervision at the parish as part of his seminary training.

Walawender told Church Militant in August 2018 that he had submitted his eyewitness testimony to the diocese in the form of a letter in 1992 shortly after the abuse occurred. But Buffalo's only response, said Walawender, was to eventually dismiss him from its seminary program.

Malone is writing off Walawender's letter because his diocesan review board accepted the negative findings of Scott Riordan, a local defense attorney, who Malone appointed in March 2018 to investigate the multiple allegations of sex abuse against Riter. In his report, Riordan claims Walawender's letter was fabricated.

"With regards to the 1992 complaint," writes Riordan, "it appears to be completely fabricated, as the complaint contains factual allegations that are wholly inconsistent with the conduct of a sex offender."

Church Militant reached out to Walawender, who attests that what he wrote in 1992 was completely accurate.

"I firmly stand by all facts as I witnessed them, as they are spelled out in my letter of May 9, 1992," affirms Walawender.

In April 1992, Walawender was in his third year of theology at Buffalo's Christ the King Seminary when he and the boy's late paternal guardian, Tom Hendler, witnessed the boy running out of Riter's office. Almost immediately, Hendler drew Walawender's attention to the fact that the boy had semen on his head, face and shirt. The boy's maternal guardian, the late Susan Hendler, was present outside the rectory at the time of the incident and also witnessed the semen on the boy.

In his report detailing his investigation of Walawender's 1992 letter, Riordan further notes that no police report was filed.

"Moreover, there is no record that a complaint was ever filed with the Lackawanna Police Department to support [redacted] complaint," Riordan writes. "Thus, I find that there is no merit to either of the allegations made against Father Riter."

Church Militant asked Walawender why a police report was never filed by the boy's paternal guardians. Walawender told Church Militant the parents cleaned up the boy and went to police the next day. Police officers did go to Riter's parish, said Walawender, but said they couldn't file a report as the evidence — meaning the semen — was gone:

Tom told me they went to the police in Lackawanna the day after the abuse happened to file a police report but weren't allowed to. He told me two police officers were dispatched and went with him to Queen of All Saints Church where the abuse happened. He said the police went inside the rectory while the family waited outside. Tom said the police came outside and told him it was their own fault that they couldn't file a report because they had taken their son home and cleaned him up instead of going to the police or a hospital first. So, there was no evidence to prove the case.

In May, Church Militant reported that retired police officers from Buffalo, New York, just six miles from Lackawanna, attested to the fact that from the late 1960s and well into the 1990s, it was an "unwritten policy" to not arrest Catholic priests involved in sexual misconduct.

Former vice squad detective Martin Harrington, who retired in 1995 after 17 years with vice squad, said, "The department's unwritten policy was that Catholic priests did not get arrested." He added that this practice of letting clergy go "only extended to Catholic priests," noting, "If we caught clergy from other religions, we arrested them."

Harrington's former vice squad lieutenant, Martin Jurewicz, backed Harrington's testimony: "When I joined the vice squad in 1968, the department had just changed its policy on priests. You used to just let them go. Starting around 1968, when you picked up a priest, you had to call the bishop's office."

If you were going to investigate a claim of sexual abuse, wouldn't you want to speak to the victim?

Walawender added that because the police wouldn't file a police report, the Hendlers then asked him to take Riter's abuse case to the diocese.

"That is why they asked me to write a letter," said Walawender, "to 'bring all this to the attention of the bishop.'"

After being urged to report the abuse to the diocese by the Hendlers and by his then spiritual director, the late Fr. Joseph Moreno, Walawender apprehensively wrote a detailed account of the incident involving Riter and hand-delivered copies of the letter to the

secretaries of both the ordinary of the diocese, Bp. Edward D. Head, and the auxiliary bishop, Edward Grosz.

Because he reported the incident, Walawender says, he was eventually railroaded out of the diocese, but they did so without ever bringing up the Riter case.

Walawender also noted that neither he nor the victim were contacted by Riordan, who was commissioned by Malone to investigate his allegations against Riter, for more than a month after Riordan had concluded his report determining Walawender's letter was "fraudulent."

On June 26 of 2018, Riordan submitted his report, which the diocesan review board accepted on June 27. Malone reinstated Riter on June 28 to active ministry as pastor of St. Elizabeth Ann Seton Church in Dunkirk, New York. But it wasn't until July 30, 2018, that Riordan met with Walawender and the victim, whose alleged abuse by Riter was detailed in Walawender's 1992 letter.

The defense attorney representing Riter's alleged victim, Mitchell Garabedian, is baffled as to how Riordan could submit his report without first interviewing the alleged victim.

Garabedian said, "If you were going to investigate a claim of sexual abuse," Garabedian said, "wouldn't you want to speak to the victim?"

He believes Riordan's "report is slanted, and it's twisted."

And Garabedian's not alone. Also having doubts surrounding Riordan's report is Sunny Hostin, a senior legal correspondent and analyst for ABC News and a former federal prosecutor who specialized in child sex crimes. After reviewing the conclusions in Riordan's report and his conduct leading up to those conclusions, Hostin voiced her concerns. "It is clear to me," said Hostin, "that either the person that wrote the report did not have sufficient experience in investigating child sex crimes or did not come to this conclusion in an unbiased way."



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