

OUT OF THE DARKNESS: IDENTIFYING SOLUTIONS FOR THE CATHOLIC DIOCESE  
OF DALLAS AMIDST CHILD SEXUAL ABUSE BY CLERGY

A Thesis

by

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## ABSTRACT

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Based on a lack of reporting allegations to law enforcement, the concealment of documents pertaining to allegations, the continued service of clergy accused of child sexual abuse, and the poor treatment of survivors, the Catholic Diocese of Dallas has demonstrated an inability to internally handle allegations of child sexual abuse by clergy. The main objective of this research is to identify solutions to the problems that plague the Catholic Diocese of Dallas and their current allegation review protocols. Therefore, the research question is: What are the current protocols used by the Catholic Diocese of Dallas to review allegations of child sexual abuse by clergy, where are these protocols failing, and how can these protocols be improved? Using interviews with subject matter experts, analysis of primary source documents produced by the Dallas Police Department, and examination of relevant Catholic Canon Laws, a comprehensive list of recommendations for individuals, Bishop Edward Burns, the Texas Legislature, The Texas Department of Public Safety, and Vatican level officials influencing Canon Law was developed. Each of these recommendations is intended to improve the allegation review process in the Catholic Diocese of Dallas and raise awareness about its current flaws.

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## KEY TERMS AND ABBREVIATIONS

<u>BishopAccountability.Org</u>	An online repository of all public records regarding Catholic clergy accused of sexual abuse.
CPS	Child Protective Services
CYCP	Committee on the Protection of Children and Young People
<i>The Charter</i>	Document produced in 2002 by the United States Council of Catholic Bishops in response to the child sexual abuse by clergy crisis.
DPD	Dallas Police Department
Pennsylvania Grand Jury Report	The documentation of the investigation of six dioceses in Pennsylvania, which uncovered widespread child sexual abuse and systematic cover up. Published in August 2018.
SNAP	Survivors Network of Those Abused by Priests
<i>Spotlight</i>	Movie produced in 2015 documenting the child sex abuse scandal cover-up in the Catholic Archdiocese of Boston.
USCCB	United States Council of Catholic Bishops

## INTRODUCTION

### **Statement of the Problem**

This very day two years ago, the Catholic Diocese of Dallas knew of a former priest named Richard Thomas Brown who had several internal allegations of child sexual abuse made against him. The first allegation was made in 1987 - over thirty years ago. The Catholic Diocese of Dallas did not publicly speak about the accusations against Richard Brown until the list of credibly accused priests was released in January 2019 (Catholic Diocese of Dallas, 2020). The Dallas Diocese did not settle civilly with survivors, nor did they send their complete files on Brown to the Dallas Police Department. Due to public pressure to disclose a list of credibly accused priests, the Catholic Diocese finally complied. It was then that Detective David Clark of the Dallas Police Department tracked down Richard Brown in Dittmer, Missouri. Brown admitted to Detective Clark he had abused multiple children while serving as a priest in the Catholic Diocese of Dallas (Branham, Tarrant, and Steele, 2020). This is one example of a case in which the Catholic Diocese of Dallas acted negligently regarding a child sex predator and did not pursue the safety of children.

### **Purpose of Research**

The purpose of this research is to identify the current review process of allegations of child sexual abuse by clergy in the Catholic Diocese of Dallas. Identifying the specifics of the allegation review process could help pinpoint problem areas that allow someone like Richard Brown to live freely with scarce penalties for the abuse he committed. Once the problems in the current allegation review process are identified, solutions can be formulated to remedy these problems and help protect children in the present and future.

## **Research Questions**

What are the current protocols used by the Catholic Diocese of Dallas to review allegations of child sexual abuse by clergy, where are these protocols failing, and how can these protocols be improved?

## **Hypotheses**

Implementing Canon Laws mandating that documents regarding criminal activity of clergy be hidden in a secret vault, other Canon Laws that empower bishops to act with little to no oversight, the Diocesan Review Board's lack of investigatory power and lack of independence from Bishop Burns, the Catholic Diocese of Dallas is demonstrating an inability to internally handle allegations of child sexual abuse by clergy.

## **Significance of Research**

If problems in the allegation review process can be identified, then solutions can also be identified. This research is important because the chronic problems identified place children in harm's way and negatively impact people's livelihood. If the recommendations given at the conclusions of this thesis are implemented, the hope is that allegations would be reviewed more independently, law enforcement would be more involved, and lawmakers and individuals would be more informed on the topic of child sexual abuse by clergy in the Catholic Diocese of Dallas.

## **Method of Procedure**

This research utilizes a mixed-method approach comprised of interviews with subject matter experts, scrutinizing primary source documents produced by the Dallas Police Department regarding the investigation of the Catholic Diocese of Dallas, reviewing Canon Law, and analyzing findings in academic literature concerning the allegation review process in the

Catholic Church. These methods were synthesized in order to collect data, form conclusions, and make recommendations.

### **LITERATURE REVIEW**

According to Dr. Nanette Fuentes, a behavioral psychologist in California, the USCCB made several concerted efforts to redeem public trust in the midst of torrents of allegations of child sexual abuse made in 2002 (Fuentes, 2004). The USCCB developed a “charter” overseeing new protocols to protect youth and children in the Catholic Church, including the following: “One of the bishops' methods for restoring trust is to require all of this nation's 195 dioceses and eparchies to respond to clergy sexual abuse allegations by creating oversight review boards composed primarily of lay people as out-lined in norms four and five” (Fuentes, 2004). Indeed, this was the birth of Diocesan Review Boards, one of which is present in the Catholic Diocese of Dallas. It should be noted that Fuentes identifies several key issues with Diocesan Review Boards. The directive, seeking to fulfill a vague intention to address the child sex abuse crises, Fuentes writes “dioceses, eparchies, and religious orders were left to interpret, develop, and implement this directive on their own by designing these important boards to match the unique needs and resources of each religious community and diocese” (Fuentes, 2004).

Nevertheless, this autonomous design for review boards is fascinating. In some churches, the names of the board members are made public, in other churches, such as Dallas, names are kept private. Fuentes also notes that review boards are supposed to be audited by “outside contracting agencies” with a background in law enforcement and a status report is supposed to be made by the National Review Board (Fuentes, 2004). Additionally, Fuentes states review boards are “primarily only advisory in nature, the final outcome of the accused cleric's ministry mainly

depends upon the process of the canonical trial or tribunals run by fellow priests” (Fuentes, 2004).

Thus, review boards have no enforcement power regarding their recommendations, because the final decisions are made by a tribunal of priests. Fuentes notes “many wise and responsible bishops have vowed to faithfully follow their local review board's recommendations regarding restricting ministry or removing abusive clergy to protect minors and vulnerable adults, regardless of the pending tribunals” (Fuentes, 2004). However, this is not necessarily the case in Dallas. Overall, Fuentes has a positive view of Review boards and finds them to have great potential to protect youth and children in the Catholic Church. She closes by stating “An impartial, well-functioning lay review board can provide valuable insights, resources, and perspectives to overworked and under-staffed Church officials as well as assure compliance with the norms and Charter” (Fuentes, 2004).

Similarly, in *Studia Canonica*, questions are raised regarding the use of terms such as “transparent,” “manifestly false,” and “frivolous” used in the *Code of Canon Law*, because these terms are not concretely-defined legally, which could lead to variations in interpretations (Lagges, 2004). Lagges describes the implementation of review boards as giving the Catholic Church some level of credibility in reviewing allegations of child sexual abuse, because even though the bishop still makes the ultimate decision regarding clergy and actions resulting from allegations, he, at least, has a recommendation from the review board (Lagges, 2004). Lagges states “it must be clear that the review board is not making decisions; it is merely advising the bishop as to whether an accusation at least appears to be true” (Lagges, 2004). Interestingly, Lagges mentions the first step for the review board is to find “any semblance of truth” in an

allegation, thus, the “standard of proof is rather low” in the first stage of the review process (Lagges, 2004).

Importantly, this article also mentions a position found in the *Code of Canon Law* called the “promoter of justice” (Lagges, 2004). According to the *Vatican’s Glossary of Terms*, the promoter of justice is “the person appointed in each diocese and in the higher tribunals of the Catholic Church whose responsibility it is to provide for the public good. In penal proceedings, he brings the accusation on behalf of the Church, and prosecutes it before the tribunal” (Vatican, 2010). Lagges mentions the *Essential Norms* suggest the promoter of justice be involved in review board meetings (Lagges, 2004). Overall, the Lagges article is by far the most in-depth regarding the canonical responsibilities and structures of review boards. Lagges emphasizes the role of review boards as a consultative body for the bishop - they are not a decision-making body.

According to the Roman Catholic periodical, *America: The Jesuit Review*, instructions for early Diocesan Review Boards were vague, but review boards have matured via a “trial-and-error” process (Trial-and-Error, 2004). Interestingly, this article studies the review board of the Diocese of Rockford, Illinois, where the chairman of the board is a retired state appellate court judge. This retired judge, John Rapp, noted two distinctions between the methods of review boards, stating “Some diocesan boards operate almost as a trial court, calling witnesses” however, the review board of the Diocese of Rockford uses “a trained investigator do all the interviewing, with the information going to the review board” (Trial-and-Error, 2004). Also of importance, John Talbot, the chairman of the review board in Detroit, Michigan, said their

review board offers both the accused and accuser the opportunity to speak before the board, but speaking before the board is not mandatory (Trial-and-Error, 2004).

Subsequently, one issue that has surfaced with review boards is accusations against clergy who are either deceased or no longer active clergy. Rapp notes these cases are still important because the review board can recommend resources and services to the accused (Trial-and-Error, 2004). The article also mentions some review boards publish yearly reports regarding the cases they have reviewed every year, which fulfills the “charter provisions asking dioceses to provide public information about how the sexual abuse situation is being handled” (Trial-and-Error, 2004). In order to provide transparency, the Detroit review board issues public reports in letter-form to their Cardinal (Trial-and-Error, 2004). Overall, this article offers a positive tone of review boards and highlights review boards with seemingly productive modifications.

In contrast, an article by Stephen Bainbridge in the *University of San Francisco Law Review* takes a more critical approach to Diocesan Review Boards. Bainbridge emphasizes that allowing leaders to make critical decisions alone can work when the correct tone of compliance is present, but when leaders have lost credibility on a certain subject (like the holding clergy accountable in cases of child sexual abuse), “achieving that correct tone requires replacing those at the top” (Bainbridge, 2019). Again, this harkens back to the problem of allowing the Bishop to have the final say in regards to whether or not a priest has been credibly accused. In order for the Catholic Church to respond correctly to allegations, Bainbridge suggests “shifting responsibility for investigating and adjudicating sexual misconduct cases from the extant system of Church tribunals overseen by the diocesan bishop to an independent review board” (Bainbridge, 2019). The current Charter specifically states that Diocesan Review Boards are to be “consultative,” but

“not investigatory; rather it evaluates evidence presented by the investigator and offers advice to the bishop/eparch.” (CPCYP, 2008). Another important distinction to make is that Bainbridge states independent review boards should be the institution responsible for adjudicating sexual abuse by clergy (Bainbridge, 2019). This recommendation will be included in the comprehensive list concluding this project.

After the Boston Globe’s report in 2002 shed light on the size of the child sex abuse scandal in the Catholic Church, the USCCB commissioned the John Jay College of Criminal Justice to conduct research regarding the quantity and causes of sexually abusive clergy (Bainbridge, 2019). The final report was titled *The Causes and Context of Sexual Abuse of Minors by Catholic Priests in the United States, 1950-2010* (hereafter referred to as *Causes and Context*). *Causes and Context* acutely identify (on a much larger scale than the DFW area) several irresponsible actions taken in various dioceses, but several of these actions are occurring in the Dallas Diocese, as well. Excerpts from the actions are as follows:

Some bishops transferred known abusers to other parishes, and occasionally to other dioceses, where their reputations were not known. This option was undertaken in some cases on the advice of the clinicians and sometimes in direct conflict with that advice.

Diocesan leaders rarely provided information to local civil authorities and sometimes made concerted efforts to prevent reports of sexual abuse by priests from reaching law enforcement, even before the statute of limitation expired.

Diocesan officials tried to keep their files devoid of incriminating evidence. The exercise of the episcopal prerogative to maintain “secret archives” was at odds with the advice of counsel and the guidelines of the Five Principles.

The response of diocesan officials to civil litigation by victims was often vigorous and perceived as aggressive and intimidating.

Diocesan leaders failed to understand the importance of direct contact with victims, thereby giving the impression that they felt no personal responsibility for the harm sustained by victims (Terry, Margaret, Katarina, et al., 2011).

When Bishop Richard Tschoepe was made aware of an allegation against Richard Brown in 1987, Bishop Tschoepe simply moved Brown to a different church: St. Phillips in Dallas (Clark, 2019). Former Chancellor of the Dallas Diocese, Mary Edlund, ineffectively sent reports via mail to the wrong CPS office. She only contacted DPD once, and that was in the case of Edmundo Paredes. Similarly, the Dallas Diocese does have a secret archive, which is heavily discussed later in the section regarding the DPD document “Affidavit Supporting Search Warrants.” According to the interviews with Tahira Merritt and Lisa Kendzior, the Dallas Diocese has recorded victims without them knowing when they discuss their abuse at the church - this resonates with the above action of diocesan officials harshly responding to civil litigation. Lastly, Lisa Kendzior mentioned the need for Bishop Burns to directly apologize to the survivors of clergy sex abuse in the Dallas Diocese. Burns has published an apology of sorts, but it would be a stretch to say his actions are consistent with his apology (Burns, 2018). A significant recommendation offered in *Causes and Contexts* is that “change must come from the leaders of organizations, and the case of the Catholic Church is no different” (Terry, Margaret, Katarina, et al., 2011). This recommendation harkens to the need for Bishop Burns to lead effectively and transparently in the allegation review process, and to cooperate with the DPD investigation.

Trying to gain insight into how the Diocesan Review Board handled each case in the Dallas Diocese is tricky because those files and documents have not been made public and have not been (willingly) given to DPD. In the future, there will probably be a report on how the Dallas Diocese handled each allegation. Right now, that information is simply not available. However, we can gain insight from how other Diocesan Review Boards have specifically

handled allegations of child sexual abuse by clergy. In the book *Clerical Culture: Contradiction and Transformation*, written by Michael Papesh, specific accounts are given of the Diocesan

Review Board in the Diocese of Cleveland. Papesh writes:

The Diocese of Cleveland experience the sexual abuse scandal much like many other diocese. Cleveland had twenty-eight priests accused of sexual misconduct; fifteen had remained active. The active priests had, long in the past, admitted to some form of sexual abuse, been treated for it, and then return to ministry. According to diocesan practice, these priests had been returned after the diocesan review board had reflected upon and discussed doctors' reports and, in some cases, after receiving permission form victims (Papesh, 2004).

This is a concrete example of priests returning to ministry after admitting to sexually abusing people. The Diocesan Review Board reviewed the doctors' reports and felt it was appropriate for these clergy to return to service. What is interesting about this book excerpt is that it seems the Diocesan Review Board made the final call regarding credibly accused priests and what happened to them. This is not the case in Dallas - in the DPD "Affidavit Supporting Search Warrants" section below, it mentions that on two occasions, review board members from the Dallas Diocese reached out the DPD to review priests who did not make the list of credibly accused priests (Clark, 2019. "Affidavit Supporting Search Warrants"). Thus, it is likely the Bishop decided contrary to the board's recommendations. Otherwise the two anonymous board members probably would not have reached out to DPD. At this point, it is impossible to know how many times Bishop Burns has overruled the recommendations of the Diocesan Review Board.

## **METHODOLOGY**

This research utilized a mixed-method approach comprised of interviewing subject matter experts, scrutinizing primary source documents regarding the Dallas Diocese, reviewing Canon Law, and analyzing findings in academic literature concerning the allegation review process in

the Catholic Church. All of these methods were used in order to collect data, form conclusions, and make recommendations. The goal at the beginning of this project was to primarily use interviews with subject matter experts and survivors of clergy sexual abuse in the Dallas Diocese to find information about the Diocesan Review Board and the Catholic Diocese of Dallas itself. Conducting interviews requires Institutional Review Board (IRB) approval, which was obtained. The IRB approval documents include the approved participant recruitment letter, the approved consent form, and an overall approval letter to conduct the interviews as stated in the application. These three documents are available in Appendix A, page 81 below.

There were some issues encountered - initially, the IRB request asked for permission to interview subject matter experts and survivors. The request to interview subject matter experts was granted, but the request to interview subject matter experts was not granted. Thus, the number of eligible participants decreased. Additionally, one of the subject matter experts who was planning to be interviewed had to decline, in the end, because he is involved in the on-going investigation of the Catholic Diocese of Dallas. Because we could not interview as many people as originally intended, we decided to incorporate primary source documents from the Dallas Police Department's investigation of several priests who previously worked in the Dallas Diocese.

Subject matter experts were selected based on their experience working with survivors of child sex abuse by Catholic clergy in the Dallas Fort-Worth area. The two subject matter experts interviewed for this research are Tahira Merritt and Lisa Kendzior. Tahira has legally advocated for several victims against the Dallas Diocese. Lisa Kendzior is co-president of the Survivors Network for Those Abused by Priests DFW Chapter. Both Merritt and Kendzior have years of

experience in working with survivors and fighting to hold Catholic clergy accountable for the ongoing problem of child sex abuse in the Dallas Diocese. Additionally, several individuals employed by the Dallas and Fort Worth Dioceses were invited to be interviewed for the project. Interview requests were sent to Annette Taylor (Communications Director of the Catholic Diocese of Dallas), Bishop Edward Burns (Bishop of the Catholic Diocese of Dallas), Pat Svacina (Communications Director of the Catholic Diocese of Fort Worth) and Bishop Michael Olson (Bishop of the Catholic Diocese of Fort Worth). These four individuals did not respond to the interview requests.

Questions were formulated based on preliminary research, which is documented in the literature review of this project. Several articles and books identified the unknowns of Diocesan Review Boards, specifically how they vary in every diocese. Thus, the interview questions focused on identifying the issues caused by the Diocesan Review Board and the Dallas Diocese in terms of child sex abuse by clergy. The other focal point of the questions was solution-based, in order to identify tangible changes that could be made to improve the allegation review process in the Dallas Diocese. The interview questions are as follows:

1. What is your opinion on the effectiveness of the Diocesan Review Board of the Catholic Diocese of Dallas?
2. What actions/operational changes would improve the transparency surrounding child sex abuse reporting and allegation review procedures of the Catholic Diocese of Dallas?
3. What advice would you give to Bishop Edward Burns concerning child sex abuse in the Catholic Diocese of Dallas?
4. What legal/statutory changes are needed to improve the allegation review process in Dallas, Texas, and the rest of the United States?

5. What advice would you give to a survivor trying to decide if they should report their abuse to the church or to the police?
6. What would message of hope would you give to a survivor you have just met?

Once the subject matter expert completed the consent form, an interview was scheduled.

Interviews were conducted over the phone, recorded, and transcribed for inclusion in this project.

Primary source documents were included for analysis in this project because they specifically state legal and criminal concerns regarding the Dallas Diocese. The two primary source documents included in this project are the “Affidavit for Arrest Warrant” regarding Richard Brown, and the “Affidavit Supporting Search Warrants” for three offices of the Catholic Diocese of Dallas. Both of these documents were written by Detective Clark, who is leading the Dallas Police Department investigation of the priests charged with sexually abusing children. The information in these documents is critical because it details specific negligent actions made by the Dallas Diocese.

Similarly, Canon Law had to be considered in this research, because it helps explain the institution of Diocesan Review Boards and why Catholic Churches handle allegations with certain techniques. Using information from academic material was essential because many other researchers have identified issues concerning review boards. Because of the Catholic Church’s efforts to conceal the child sex abuse crisis (not just locally), it is difficult to find specific information about these allegations of child sexual abuse. Thus, the primary data collection method for this research was interviews with subject matter experts, the secondary data collection method was scrutinizing primary source documents, and the tertiary data collection methods included analysis of academic material on the topic and Canon Law.

## RESULTS

### Interview With Tahira Merritt

Tahira Merritt is a nationally recognized advocate for survivors of sexual abuse in churches and nonprofit organizations. She graduated from Baylor Law School in 1988, worked as an Assistant Attorney General for the State of Texas, worked as a trial lawyer at the Turley Firm in Dallas, and finally opened her law practice. Her practice is exclusively focused on representing victims of sexual assault and sexual abuse. In 1997, Merritt assisted litigating a \$119 million verdict for the 11 victims of Rudy Kos, a former priest in the Catholic Diocese of Dallas (TKM Law Firm, 2020). Merritt works closely with many survivors involved in the Survivors Network for those Abused by Priests, Dallas-Fort Worth Chapter. Interviewing Merritt was a goal of this project from the beginning because of her vast experience representing survivors of abuse in the Catholic Diocese of Dallas.

Merritt was asked the same interview questions as the other participants. For a detailed description of the question list, please see the Methodology section above. The key parts of her interview are analyzed below. Along with the critical points from other interviews, the key takeaways from the Merritt interview are included in the Recommendations section below. A fully transcribed version of the interview is available in Appendix B, page 86 below.

Question 1: What is your opinion on the effectiveness of the Diocesan Review Board of the Catholic Diocese of Dallas?

I think that with any organization that has had as bad of a record on child protection as the Catholic Church and in particular the Diocese of Dallas I think policing themselves and investigating their own clerics is inherently, you know, going to be flawed. So I haven't seen any evidence that anyone on the

board is independent of the Bishop and the Bishop has the final word. So I think by, by definition, if you're going to have an in house investigation on the people that are sort of doing it you know, have a, have an interest in in it and are being trumped by the Bishop, I don't think that that's an effective independent investigation. I think that needs to be left to the police, frankly (Merritt, 2020).

Follow Up Question: Could you elaborate some on how do you agree that the Catholic diocese of Dallas has struggled with the issue of child sexual abuse at a greater volume potentially than some of the other churches where they've mishandled it more?

I think it's a systemic problem within the Catholic Church. I think the Dallas diocese has had more exposure probably publicly than, than some and had an early prior to the Boston Boston exposure in 2002. I mean we have the largest jury verdict in 1997 here in Dallas County against the Catholic diocese of Dallas as a Bishop (Merritt, 2020).

Question 2: What actions/operational changes would improve the transparency surrounding child sex abuse reporting and allegation review procedures of the Catholic Diocese of Dallas?

I think there needs to be a statewide investigation like we've seen in other states. The attorney general should do an independent investigation of all the files of all the dioceses in Texas including the Catholic Diocese of Dallas. I think the only way to do that is to make sure that they're opening up all their file material as we've seen with Detective Clark investigating the cases here in Dallas. I mean, it's pretty obvious that in his opinion there's been a lot of obstructionism and a lot of documents withheld and things like that that have made an investigation difficult. So I feel like if we had Rangers or the attorney general or someone from the state doing more of an a comprehensive longterm investigation that would go a long way to [improve] transparency (Merritt, 2020).

Question 3: What advice would you give to Bishop Edward Burns concerning child sex abuse in the Catholic Diocese of Dallas?

I think that Burns needs to really listen to victims - sit down and listen to actual victims. I know that some bishops and I've deposed lots of bishops in the course of 25 years and my impression of him is he does a lot of things for,

for media exposure and things like that. But I'm not sure that he's really listening - sitting down and feeling the actual pain that a victim goes through and understands what child victims or adult survivors of childhood sexual abuse by clergy really understand their pain, feel their pain.

I think maybe have a victim of clergy abuse on his board. Perhaps that would go towards his understanding. But I think until you have either been an advocate for survivors or been a survivor yourself, it's difficult for someone in his position who's concern is, frankly, protecting the assets of the church, to really understand victims. And I think until he really gets it [he should include a victim on the board], and I don't sense that he's getting it (Merritt, 2020).

Question 4: What legal/statutory changes are needed to improve the allegation review process in Dallas, Texas, and the rest of the United States?

Well, we've changed the statute of limitations - that was extended here in 2019 for civil cases and it's been eliminated for criminal cases for child sexual abuse. However, it doesn't address the past abuse. It's not retroactive. So in cases that occur after 2019, a victim child victim of sexual assault would have until they're 48th birthday to bring a civil case and no statute of limitations for a criminal case, obviously, if perpetrator's still alive. But for the victims who were abused in the sixties, seventies (the diocese of Dallas formed 1969) so from 1969 until the 2000 range, I'm averaging, those victims would have no recourse whatsoever. And my concern is you know, there's no window. Other states have a window legislation, which means that no matter how long ago it happened, you can still bring a claim court. The court house doors are still open. That's not the case in Texas. A window [legislation] has not been passed here in Texas, largely because of the lobbying effort against it by the Catholic Church, by the Texas Catholic Conference on an attack in the legislature.

I think that's number one. Number number two would be: I think a lot of the impetus for publishing these lists - I know all of the guys who sit in Texas in January last year published their list of quote, *credibly accused* - I think a lot of the impetus for that was, okay, we're going to publish these lists and we're going to make it public. And if someone comes forward two years after that or much or later, we can say, 'Hey, we published it.' We put the names out. The problem with that is we know from the science that victims of childhood sexual abuse don't come forward., [they] rarely come forward at all. But if when they do come forward it sometimes decades later.

I think if they say, well, regardless of how long ago it happened, we're here to listen to you, to believe you, and we're going to help you. And you can file a case against us if you want. Not to have that defense of statute of limitations, especially in someone that's a known perpetrator that they've already agreed to. Agreed that is a credibly accused perpetrator, like we see in the Brown case that I have. He's on the list. He's been doing this a long time. They knew about it. So in that case, they need to do really whatever the victim chooses to pursue a civil case then they really shouldn't have it - the statute of limitations - they shouldn't assert that. I know it's a legal decision, but it's there. It makes it very difficult. There are many calls that I know that someone was abused and I talked to them about it, but there's nothing I could do legally for them because the statute of limitations expired (Merritt, 2020).

Follow-Up Question/Comment: I can see where it would not provide like a healthy environment for survivors to come forward if there's no recourse for them.

Well usually there's no recourse. Either the victim or the perpetrator is dead, or if they're still alive, the statute of limitations has expired for them to file a criminal case or a civil case. That's when they have no closure. And I think a big part of a victim coming forward is to have closure on this issue and to know that they've done everything they can make sure that that person doesn't hurt another child and when you have no recourse civilly or criminally and know that that person's out there and still doing what he or she is doing to another child - that's very, very difficult for victims to reconcile. It's not justice (Merritt, 2020).

Question 5: What advice would you give to a survivor trying to decide if they should report their abuse to the church or to the police?

Absolutely not - do not report your [abuse] use to the church. First of all, the church didn't have your best interest in mind when you were a child. And the church is not equipped to investigate your claim properly as it should be. I tell everyone, regardless of if their perpetrator is still alive, and something may be done criminally, or they're out there and maybe doing something regardless of how long ago it was, report it to the police. They are in the best position to investigate your case. Do not go to the diocese. The diocese is going to - it's like a fox guarding the henhouse - they are going to do what's in their best interest to make sure that they foreclose you from having any kind of civil claim. They say they report to CPS, but CPS is not the first in Dallas and the

police are the proper people to report to, not CPS. CPS is for family use, family abuse, totally different. I always tell people anytime I talk: Do not, I don't recommend going to the diocese, because we've seen time and time again that they don't do the right thing - they protect the priest over the victim (Merritt, 2020).

Follow-Up Question can you explain of what does happen if they go to the church first? Are they asked to sign a nondisclosure agreement?

No, they're not really allowed to sign nondisclosure agreements now after *The Charter*. *The Charter* prohibits them from asking for confidentiality. But what they can do is - I've seen this in the past - the victim will go in alone, trusting the church, and their statements will be recorded. Had this happen unknown to them [the victim] in a case in Fort Worth that I litigated and ultimately lost on statute of limitations. You know, the victim will go in, and trusting the Bishop, the Bishop will have his investigator there with him, but won't tell the victim: this is a police officer - someone that is an investigator. And they'll take their statements. The statement is geared toward getting information that can defeat any potential civil case in the future, as far as the statute of limitations. So they know exactly what they're doing when they're going in there, getting information to protect themselves legally.

So that's why I say, if you're gonna go, make sure you're not recorded, make sure you have someone with you, because they've got lawyers on their side that are either going to be there or somebody that's taking notes. I've had that happen in Dallas. They go in and they say: I'm the victim assistance coordinator - this is Mary Evelyn I'm talking about - and tell me all about it. And I'm taking copious notes and somebody else's taking copious notes. Well, surprise, surprise, when you get to the civil litigation, all those notes have been destroyed and she's rewritten it in typed form that is more pro-them than pro-victim. I would absolutely not. Do not do that (Merritt, 2020).

Follow-Up Question/Comment: That would be horrific for a survivor to say, "Well I told you this and I saw you write it down" and they respond, "Oh, that's not what I have written down." I can see it happening.

It's further betrayal. It's more re-victimization. Yeah, you shouldn't go to them if they're not going to do anything. They're going to offer you - I think back then - the maximum [counseling] sessions they would offer would be like 20

sessions with a counselor of their choosing, not of your own choosing. And that's it. So what would be the point? (Merritt, 2020).

Question 6: What message of hope would you try to give to a survivor who was looking for recourse for what happened to them?

I think that the good thing is that they are telling, regardless of how long ago it was. And that they're telling someone, whether it's me, the police, their spouse, their parents - I think there's a lot of power in the truth and for a secret that's been held in so long, or a lot of these victims don't recall what happened to them until they're older; [they] always have repressed memory or suppressed memories. And I think having it out front and dealing with it with the help of a counselor, a psychologist, a psychiatrist, is transformative because you're confronting these demons that were not your fault. And I think once they changed the narrative, a lot of the grief - a lot of these cases involve the religious overtone - so a lot of it the child internalizes. Priests saying, 'this is okay with God' and all these other things to make it justify the child's mind. Well, until you're an adult and you understand that that wasn't right, that wasn't what was supposed to happen, I wasn't supposed to have that kind of touching at that age, or other things. So I think it helped in terms of just confronting that and realizing that it's not your fault. That's the main thing. I think that's the first thing I'd say to survivors when they meet with me is, 'I'm glad, thank you for coming forward. And you know, this was not your fault.'

Someone affirming them like that goes a long way to healing, whether or not I can help them with their case, whether or not there's any case to pursue. They know that they spoke up and they, they spoke that up for themselves. And spoke their truth. And I think there's a lot of power in that, and there's a lot of healing in that, as well (Merritt, 2020).

Follow-Up Question/Comment: There are probably so many people who you meet where there is not a lot you can do for them because of all the roadblocks, but them coming to you, them saying this happened, them hearing it wasn't their fault. I can see where that would be enormously better than the situation they were in a couple of years ago.

Yeah, living in silence, and also not having this big secret. Or not dealing with it because a lot of times if you don't deal with it, it comes out in other areas; it comes out in drinking too much, or doing drugs, not being the best husband or

wife you can be, all kinds of things that are ways and means of suppressing the memories or suppressing what happened. And it often goes negative - criminal conduct, not being able to get and keep a job - it comes out in all kinds of areas. Of course, I'm not a medical doctor or counselor, but I've worked with enough of them to know that that it definitely derails the person you're supposed to be. It stops you in your tracks (Merritt, 2020).

### **Merritt Interview Analysis and Conclusions**

Merritt offered many helpful procedural recommendations for how the child sexual abuse allegation review process can be improved in the Catholic Diocese of Dallas. In Q.1, Merritt said an organization with a large history of child sexual abuse, like the Catholic Diocese of Dallas, conducting their own policing and investigations is “inherently flawed.” She also mentioned the Diocesan Review Board is problematic because it is not independent of Bishop Burns, and Bishop Burns, ultimately, makes the final decisions regarding allegations of child sexual abuse. In Q.2, she elaborated on the need for an independent, statewide investigation of the Catholic Church, preferably led by the attorney general. In Q.3, she recommended Bishop Burns include a survivor on the Diocesan Review Board in Dallas. In Q.4, she mentioned the Texas legislature should pass “window legislation” to allow survivors to take their cases to court, regardless of when the abuse occurred. She mentioned this legislation has not been passed in Texas due to lobbying efforts against it by the Catholic Church, specifically the Texas Catholic Conference.

Also in Q.4, she recommended the Catholic Church should come alongside victims if they choose to pursue a lawsuit. Instead, the Catholic Church continues to lobby against window legislation that would allow such recourse for victims. In Q.5, she vehemently advised against reporting abuse directly to the Catholic Church. She recommended reporting abuse only to the police. She also mentioned the services offered by the Catholic Church to survivors who report

directly to the church, in the past, have been twenty sessions of counseling, with a counselor of the church's choosing. In Q.6, she emphasized the importance of a survivor coming forwards and talking about their abuse, even if the statute of limitations has expired for their case. Overall, these are specific recommendations that could be implemented by the following bodies: the Diocesan Review Board, Bishop Burns, the Catholic Church, the Attorney General, and the Texas Legislature. Merritt's suggestions will be incorporated into the comprehensive recommendations section concluding this project.

### **Interview With Lisa Kendzior**

Lisa Kendzior is a widely known advocate and public activist for survivors of child sexual abuse in the Catholic Church. In the early 2000s, Kendzior was a practicing Catholic who helped start a DFW Chapter of a group called Voice of the Faithful - a Catholic organization with three goals: support survivors of clergy sexual abuse, support priests of integrity and shape structural change within the Catholic Church (Voice of the Faithful, 2020). However, Kendzior became increasingly displeased with the Catholic Diocese of Dallas' response to allegations of clergy sexual abuse of children, and their overall lack of action to protect survivors and prevent this abuse from occurring again. She was asked to start up and lead a SNAP Chapter in the DFW area in 2005 and eventually brought on co-leader Paul Peterson approximately five years ago.

Kendzior's perspective on the questions regarding the Diocesan Review Board is insightful because she has walked through the reporting process with many survivors of clergy sexual abuse in the Catholic Diocese of Dallas. She was instrumental in pointing the attention of the Dallas Police Department to the mishandled allegations in the Catholic Diocese of Dallas. In early 2019, Kendzior and Peterson offered the following recommended actions to Bishop Burns:

1. Improve the list of credibly accused priests by providing additional information to the public and then turning over your abuse files to the Dallas Police Department.
2. Include secular support groups as a resource in any statements or press releases from the diocese pertaining to clergy sexual abuse.
3. Put small ads for these support services in all of your parish bulletins, The Texas Catholic and on diocesan and parish websites.
4. Provide financial assistance to survivors from the diocese who would like to attend a conference or gathering of other clergy abuse survivors.
5. Add two survivors to the Diocesan Review Board.
6. Require all priests/deacons in the Dallas diocese attend a listening session of survivors.
7. Require all seminarians at Holy Trinity Seminary in Irving to attend a listening session.
8. Encourage and offer listening sessions at various parishes throughout the diocese.
9. Set up a local survivor compensation fund for those who need therapy and other financial support (Kendzior and Petersen, 2019).

The full letter recommending these actions is available in Appendix C, page 95 below. Kendzior elaborates on several of these action items in her interview below. The full interview transcript is available in Appendix D, page 99 below.

Question 1: What is your opinion on the effectiveness of the Diocesan Review Board of the Catholic Diocese of Dallas?

So it's a very good question. And from the standpoint of who the people are, it's not been publicized. And I think it harkens back to 20 years ago or 15 years ago like I was telling you about my Fort worth friend [who served on a Diocesan Review Board]. I actually was close to his wife and their kids. My kids went to school with them. So it's like they don't want to let it be known

because they are privy to some private information. And I also know this particular guy that I'm referring to was a businessman. He didn't have his own company, he worked for someone else. But he also was a contributor to the Diocese and went to things the Bishop would invite people to who were donors, big donors.

So back then I'm like, "Does that mean if you're a big donor, you get on the board?" It was always a question. I don't know what skillset they bring. This was a nice man. He was a Catholic man from a big family up North. I thought very highly of him, but what qualifications specifically did he bring? I don't really know. Having outside non-Catholic experts on a board would be a little bit more impressive and show more more transparency; that this is not a keep it in the family kind of thing.

That's always been an issue with me. In fact, maybe it was 15 years ago, I applied to get on that review board. I wasn't a SNAP leader at the time. I was at Voice of the Faithful. So I was still a practicing Catholic. I'm trying to help my church - that's where I started. Like, oh my gosh, they just didn't know. Let's help them. That how innocent and how naive I was. Most Catholics [think]: "Oh my gosh, look at this! They didn't know." Yeah, they know and they knew. And this is their MO [Modus Operandi]. But, of course I didn't get on, and I never really understood it. It's like - I'm passionate about this. I really care. I had friends who were priests - I thought, "this is going to help me." It didn't help me. I didn't get on. But it's just as well. So, then my concern is expertise. I mean, surely they would have people with law enforcement [experience], perhaps. I think that Dallas, in the last six months, they brought on a new guy who was former police detective, practicing Catholic in the community. They brought him on.

I don't know if he's on the review board though. I don't recall. Something tells me he might've been. Therapists, somebody with therapist [experience] who is Catholic. But again, when, when you are in a, in a very tense situation and you've got the leader of the of the diocese (the Bishop - and he makes the call), you can say all you want. In the end, the Bishop makes the call, kind of like the president: the president listens to all his advisors, but then he makes the call. The buck stops there. But it's always good to have somebody who challenges sometimes and, I don't know that they do that.

I don't know. In a way it's kind of a moot point if you consider, "Oh well they might be very qualified," but the fact they might come strongly on one side of the issue and the Bishop decides against it (and he can). I mean, it is a monopoly. It's the way it's structured so he can decide ultimately. Bishop

Burns, I don't see him as a very strong leader. If there were strong leaders on his diocesan review board, I would think he'd be more inclined to listen to them.

But if he's talking to his Bishop brothers, you know, that's a private conversation. You know, he might say: "Hey man, look, we can't let this get out of hand." That's what we believe based on other parts of the country that have been exposed. That's what we've learned. They're not looking out for each survivors and protecting those who have been harmed. They're looking out for protecting the church and their local church all the way up. You know, they're trying to protect the Catholic Church.

Let me just tell you that last year, Paul and I had met with Bishop Burns. He agreed to meet with us. We met at an offsite place. And we asked him, please no collar - and he listened! It was great. We said, "we are here to help give you concrete actions." He's quoted as saying "I give my word." It's just like, Ugh. You just missing the point here, Bish. This is the whole point. "I give my, my word of apologies." We don't want words. We want actions and words are useless without action. We're like, okay, so we want to help you. And here over the next 40 days and in the spirit of lent and reconciliation, I Bishop Burns pledge to . . . these are what we wrote for him to pledge to: number one, improve our list of credibly accused priests by providing additional information to the public and then turning over our files, our abuse files to the Dallas Police Department. This was the beginning of lent last year when we met with him. Never, never heard back. Never heard back from him. All the bishops in Texas had just had their January 31st "big deal" where they disclose all the credibly accused names over the last 50 years and felt like this was such a big deal.

Well, what we learned from the grand jury in court in Pennsylvania is they, they only give you a fraction of the real names. They give you the ones that they can tolerate disclosing. There's more in there that they're like, well what for whatever reason - and I don't know whether they blame it on Diocesan Review Boards, or friends, you know - I don't know. We don't know cause it's not exposed. Well, we said to him: if want to show your community that you are being transparent, turn them all over. And do you know that two months later, or less than that, that's when the police department went in and the FBI went in. You know, I laughed.

Number five was to add two survivors to the Diocesan Review Board. It is impossible to adequately determine credibility without the input of survivors

who have experienced abuse and know what it is like to come forward to a disbelieving public. While all investigations of future claims of abuse can be handled by law enforcement, imagine the Bishop saying this, I am also pledging to add two survivors to our Diocesan Review Board so that their important perspective can be heard and acknowledged when assessing credibility. Paul and I debated this; we aren't asking for one, we're asking for two [survivors] for these reasons.

If you're by yourself, it's going to be very intimidating to stand up against a PhD psychologist, a law enforcement official, a former FBI. They may be face-to-face with survivors telling their story and they're going to hear it in a different light cause they've got real world experience, and they could be wrong, mean they're human too. But you know, having, having them listen and say, I think this is real.

And then having that buddy where it's not like they have their strength in numbers. Having a couple, and it could be a rotating, it doesn't have to be the same person all the time. The perspective of people who want to play that role, and I would only advise stronger survivors who are more inclined to speak their mind (Kendzior, 2020).

Follow-Up Question/Comment: I can see where the number two would be even more important because it would be hard to speak up on your own. And I'm surprised that the Bishop couldn't give that any kind of acknowledgement or response.

Or even come back and say, well, we won't do two, we'll do one. We had a really nice meeting, Paul. He was receptive. We discussed, and he goes: "let's not let the chairs get cold." Let's keep this chair so we can get back together. And then he blew us off. But I think what happened, it was like I said, it was a month or two months later when the the police department went in there and did that raid. We have no way of knowing - it was like, shoot, we got into media because you know, they're going to want to know what we have to say. I believe in my hard of hearts, can't prove it, that Bishop Burns thought were part of it or knew something or so, I don't know. There's two ways to get the information: they can they freely handed over or you go in there with the law on your side to get it. So that's what had happened. It wasn't perfect though.

So he dropped us like a hot potato at that point, thinking we were part of that [raid]. And we weren't. Paul and I, we had, we had nine action ideas for him to help him show his people in Dallas - these are the things that we're doing.

One was, we created a little ad, small, little, tiny, little ad to put in all of the parish bulletins and all it said is: "In co-partnership with the diocese, if you, or a loved one has been sexually abused by clergy: SNAP. We can help. For support group meetings and resources, call or text Lisa at [phone number]."

Just put these little ads in the back of those [bulletins], Bishop, you can do that. You have the power to do that. Nothing. The Texas Catholic, the diocesan monthly newspaper that they send out or kind of newspapers, a little magazine or whatever and show that we support [SNAP]. He said publicly, when we spoke out at these listening sessions SNAP was at almost all of them, and somebody spoke, I spoke at one, Paul spoke at one, and other survivors spoke at others, Bishop Burns said, "Look, SNAP, we admire what you're doing." He was very receptive to us. It was like, Whoa, let's see where this goes.

Here's other examples, listening sessions requiring all priests and deacons in the Dallas diocese to attend a listening session of survivors. And again, SNAP would coordinate, they have them there, their priests meetings allow a two hour listening session and I can get five survivors and it could be rotating. Those who want to speak, they could go up there and tell her story and let these priests hear it firsthand. And so that might change their heart. You know, if you hear it from their voice and you hear that pain they speak in it, those things can move you.

And we also said, you know, require all seminarians will do the same thing. We'll go to the seminary and Irving, the Holy Trinity they do listing sessions. You require your seminarians to be trained. How about you make a commitment or a couple of hours, you know each semester for the seminary, a couple of hours twice a year for first for priests and deacons. Let them hear from survivors. And they can ask questions too. Dialogue is always a good thing.

And we would also say, we'd like to do it around this different churches. I mean that's a commitment of our survivor community, but many would do it because they feel that strongly about it. It's like: I would like for people to hear just what happened and that would open a lot of eyes. After being getting some publicity - SNAP was mentioned in some newspapers - I got an emails from Catholics in the community. This is Bethany's February saying, "I am writing to you with regarding some questions I have regarding the list of credibly accused priests Bishop burns has released.

So she went on and basically just said, we don't trust that this list is complete. We just don't trust the process.” Her last parting was, “I know know that I support and respect the work that SNAP is doing in support of survivors.” And I actually took the time we wrote her back. I appreciate you giving this some critical thinking because we agree with you. We don't believe that's it. We just don't - every ounce of our being and our understanding says that this is not a complete. And we learned that only when the Attorney General of Pennsylvania went in, when the Attorney General in Illinois went in to look at the diocese.

Only then did they say their numbers don't match what they put posted - they're significantly under reported. So we know that. These are the documents that are still in files (Kendzior, 2020).

Follow-Up Question/Comment: On Bishopaccountability.org it seems like all of the Dallas diocese clergy, the ones that were listed in the list of credibly accused were ones with a significant problem - multiple victims who had reported. And it does make you wonder about the clergy who only had like one person who reported on them? Did they just choose not to include them on the list? Are they only including the ones they know they can't escape from?

Right. Cause there's, there's potentially a lot more, although most of them were dead already. It's like you can't go any further, and ask more. It was very convenient. It seemed just kinda convenient that majority are dead, and the others have already been taken out [of the clergy]. Show us the new ones. I was trying to figure this one out: I had a list and it said like 31 names and we heard he was getting he was going to give 31 names. I thought, “Oh, it's just going to be the same ones.” Well, no, there were different ones [See Table 1 below]. Probably just before the raid, there all of a sudden there was another name that was put on there and it was very quiet. It was like snuck in and they didn't make any hay about it.

Sure enough, they had snuck in another name quietly and just said, okay, well posted. We posted. But didn't draw attention to it so that if there are other victims of that person, they should it would help them to hear about it, or their families might hear. Again, is that transparency? When you do it in the middle of the night, kind of sneaked in. That was one of those: his words and his actions don't really jive. He talks up a story and he seems very nice - I mean,

it's not a personal thing. But come on, you know you're not really being transparent.

**Table 1. Discrepancies Between Lists: Same Total (32) - Different People**

<b>Catholic Diocese of Dallas</b>	<b>Bishop Accountability</b>
James Fitzpatrick	Peter Callery
William Hoover	Narcisco Custodio
James Reilly	Ronald Gonzalez
Michael Barone	Francis Landwermeyer
Gabriel Hentrich	Thomas Naughton
Patrick Koch	Richard William

Sources: Catholic Diocese of Dallas and [BishopAccountability.Org](http://BishopAccountability.Org), 2020  
 Compiled by: Alee Corrales, 2020

Question 2: What advice would you give to a survivor trying to decide if they should report their abuse to the church or to the police?

I have talked to enough survivors and I know that there's a purpose for both. I know that especially if they're struggling within their faith, or if they're practicing and they are like, I need to make peace within my church: Go and do that. First and foremost, I would tell them go to the authorities, get it on the record with somebody in law enforcement. Get it on the record because you might be the very first person and being and doing so - they'll take it down. Listen to what happened. Write it down, start a file and just have it in their database done. But you don't know is: did somebody else already come through? Could've been 10 years ago, could have been 30 years ago, could have been, you know, two months ago.

And this guy's already in there [the database], and now your story. So they're, they, they're trying to get the MO [Modus Operandi] of this guy. If things match up - like Rudy Kos from Dallas years ago, he had a foot fetish - so several of these of these young boys, he did weird foot things. When they disclosed, at their own different times, it just made it even more believable because this guy had a freaking weird . . . when you hear that thing stuff, it makes it more credible. Yeah, absolutely. So that kind of stuff. So go to the

authorities, and I as a SNAP leader would encourage them to, and I would always offer to go with them so that they're never have to make that statement alone if they don't want to. Or to go with the family.

Someone you know, you care, you want with you for moral support. So always do that. But I also have come to appreciate that some want to go to the church, they want to have them hear what they [clergy] did. It's biblical that you're supposed to go and talk, and get elders to tell them, listen to the story, and resolve it. This is a different kind of resolve. Not necessarily, but it's kind of like your way of saying: I had no voice when this was going on and nobody protected me and I don't think you even cared. But if you knew that this guy was a perpetrator and you didn't do anything, then you need to hear what your lack of actually handling it did to me. That healing part is great.

I would only advise that after they have also talked with an attorney first. At least just make sure they don't have any legal recourse that is still available to them, cause most don't have it based on the limitations. Most of them, by the time they feel strong enough to go be able to tell the world that yes [abuse occurred] - is a hard thing to do. I always suggest - we have some great people like Tahira - several people here in Dallas, who are easy to talk to and they'll carry out. They know the law and they'll say: there isn't a case here. My only caution is going into the church before you've talked to an attorney and you later find out, you know, I do have some recourse here.

I'd always say go in with a set, always go in with somebody else, never go in alone. The reason is because they will always have others. They're probably taping and you want a second witness for you. That's all. And some, I'll offer up - I'll be happy to go with you. You know, and I'll be quiet. I'll just sit there and take notes and then afterwards we talk about it and we download what we remember it, write it down and there you go. You got some documentation of the conversation that's all just for your protection. Always have a witness when you're out outnumbered. Two against one can say: Oh no, he didn't say that. But when you're by yourself, you have no one to stand with you. So you know, so I can see that. These are the the caveats: first go to the, to make a police report number. Two, discuss this with some attorneys locally, just to see if there's, if you have any legal case. Cause they at that point they might, they might say: do not go into the church. I will speak for you (Kendzior, 2020).

Question 3: What legal/statutory changes are needed to improve the allegation review process in Dallas, Texas, and the rest of the United States?

We've, we've made some progress in some of the statutes almost limitation laws. I think we have some more work to do. The biggest issue for a lot of state legislators is they really don't understand why a 12 year old, or somebody who's been abused, would not tell somebody. Or why they're now 50 years old and they're coming forward. To them, because they've not experienced what shame and embarrassment and where they have been felt valueless - listen to me, their bodies were ravaged - and if they were of no value; if someone takes advantage of your person, your voice and what you want doesn't matter - you're nothing. You're nothing. It's sickening. They, they don't understand that delay in coming forward. And so that it's an educational process of: listen to them tell their stories. Listen. I've heard so many times and I see survivors will come into our meetings for the first time. Some can't even speak yet. You know, they have to sit there for a bit and look around and figure out: is this safe? But what often happens, not always, but what often happens is their kids become the age when they were abused and you know, now they're, they're 30 years older

Psychologists explain how that shame and, it's easier just, especially when you're younger, it's simpler - push that stuff down there and just carry on. Try and forget it. If there's any trauma in your life, could be just the tragic loss of a loved one, you can push that down. Something you hear in the news - when you least expect it and all of a sudden, like surge up a bit inside, and you don't expect it. Whoa, that just cause it tapped something there, you know? I think getting our legislators to understand why it takes long, and so you must give them longer times to really understand and to come forward. Bringing out what happened at any age - exposing a predator is really in the best interest of a community. Now the, the other side of that is, there's gonna be some who are going to lie and make up stuff, and there's always that. There are always nutty people that. I have read multiple places that putting yourself out there to say, this happened - it is the last thing you want to do.

You still have to prove the case, they're very hard to prove. But there's oftentimes evidence: if it's extenuating, some family members saw something, heard something, or there's love letters (that's common). Something was written or a gift that they saved. Getting the statute of limitations extended or truly eliminated in cases of child sexual abuse, that you say: it doesn't matter when you come forward. Especially decades later when the perpetrator is probably dead, but sometimes it's just to be heard and believed in. And that's just part of the healing journey (Kendzior, 2020).

Follow-Up Question/Comment: The needs of a survivor and the community should outweigh the argument: there could be someone else who just fakes an allegation. That could happen, but it's not worth canning all of the survivors who would come out in their fifties and sixties or forties.

You have to weigh it at the end - the balance. And isn't it better? I mean, aren't we really about protecting children in the end? And you know, again, there are so many [clergy] in service today, and they might be 70 years old or 60 years old today. They might not be in the priesthood anymore. Very few psychologists, experts have said: Oh, they can be changed and reformed. I really don't think they can. So, if they have the opportunity and the access - you watch out (Kendzior, 2020).

Question 4: What advice would you give to Bishop Edward Burns concerning child sex abuse in the Catholic Diocese of Dallas?

He used to call us, and I've said: sir, your house is on fire. This is a very urgent problem and you really have to take bold steps. He talks - I want to be bold. Bold is doing, and when you make a decision - if I'm a leader of a religious institution of some sort - I think it's a deference to what would Jesus do? What would Jesus do? That's what I have to think about in terms of what's the right thing. All we stand for - if I'm a leader of a church or a religious institution, I'm trying to bring souls to God, trying get people to heaven, educate them along those lines.

And if I am not practicing what I preach, what we're preaching, we're out there preaching the word of God, you need to act like how God would do this. How Jesus would work here. I can't help but believe that Jesus would be in the trenches with the survivors because of how unjust and how absolutely wrong what happened to them is. In order to protect an institution over vulnerability and the lowest - I can't even imagine. I'd be afraid to die and know what's going to happen to me if I believed it. Bishop Burns really believes there's an afterlife. You better be thinking, are you doing the real work you're supposed to be doing here?

Because you're not a CEO of a gas company. And I expect something of them as well. Not necessarily that they follow the tenants of Christianity or Judeo-Christian tenets. I would hope that they do, but that's not expected. I do expect that I put them [religious leaders] to a higher standard. I'm not sure that that

would get his [Bishop Burns] attention or would he even care? (Kendzior, 2020).

Follow-Up Question/Comment: It's interesting, too, because you mentioned earlier that some people want to speak to the church about what happened to them, because of this biblical undercurrent of "this is what I should do." But while a survivor and so many other people try to may try to approach this subject innocently and, or biblically, that's not really the way they're [Catholic leaders] are approaching this issue. It's so uneven.

You [Bishop Burns] go in there and say, look, I am so sorry about what happened to you. It should never have happened. I know that there's nothing there's nothing that will take that away. And whatever the folks in this room had, you know, would you all had agreed upon, I suppose, support and I hope that you have, you know, like that's how you act to a survivor. Bishop Burns and mostly all the bishops, do not know how to speak to survivors. Dog gone it. That pisses me off. And if you had 20 years to follow this stuff, you still don't know how to talk to someone that you've harmed, that your church has harmed. No one is saying Bishop Burns did it, but he's representing a church that really betrayed people and he hasn't learned how to really own that and say, "I accept responsibility for that and I'm here to say, this should not have happened." That's all he has to say. It's simple. It's simple. And mean it, because dis-ingenuous apologies mean nothing (Kendzior, 2020).

Question 5: What actions/operational changes would improve the transparency surrounding child sex abuse reporting and allegation review procedures of the Catholic Diocese of Dallas?

Have you followed or know anything about the Saint Cecilia deal with Father Paredes who fled the country? [Positive response] Okay, so that happened. In mid August when that story came out, Bishop Burns went in front of the media and said, we've had allegations against him, this priest is missing, and we already went to the police (or something like that). So we were like, now wait a minute - when did this happen? What we had learned was, they knew about it like six or eight months earlier when the three victims went to an attorney [Tarrant and Chiquillo, 2019].

I tracked down the attorney and I called him. He never returned my call. I tried to reach out to them to introduce myself, so he could tell his clients about us [SNAP]. I like to meet the attorneys, just so they know us, that we're here. If they are getting more clients that were, you know [clergy abuse victims], we can help them. He just never returned our call. He was a lawyer from the community right around St. Cecelia's, which is in Oak Cliff. Well it went around the world, it made national news, you know about this story and SNAP [Bush and Branham, 2019]. And Paul and I were quoted as saying: "What took them so long? Where was the transparency? What took them so long? They had six months to disclose this. What took them so long?"

Brushed it under the table and all of a sudden the Pennsylvania grand jury report came out blasting diocese around the country, for this is what they do [Attorney General of Pennsylvania, 2018]. Burns was told by his PR people, you better get ahead of this story if you, if they find this out and you held this back, you will look bad. So they got it out there, like he was doing us a big favor when in fact the real question we asked is why did you take seven months? The attorney came to you and you guys settled out of court. But you didn't go to the [police]. Well we notified the police. What I did is I called the police departments down there. Like if I was to report, who would I report to?

I can't tell you - I got such a run around. Everyone I called [they said] call this number and then somebody would call me and they were nasty. I'm like, no, I am with SNAP, just trying to find out if I have survivor comes to my meeting this Saturday and needs to report - who will they call? And no one could really answer that. So it told me they were so messed up. So even through going through the police and making a report, it's not easy, I can assure you. And if I'm a survivor, you don't even try. The first call and they hang up on you or you talk to somebody who doesn't seem interested and they're just kinda kinda nasty. Like, you know, hurry up, what's your problem? And you give up, you say: forget it.

For them to give you some kind of push back, it's like, forget it. Why do it? Why put myself through this? I kept pushing cause I'm like, I've got to find out for somebody. What if new people show up? I did get a call from, from a fourth survivor of this person [Father Paredes]. I put him in touch with David Clark, his name came up and I'm like, okay, we got a new contact. That started things rolling. But my point: Burns had just really come into Dallas. He was new to Dallas within a year or something. But the usual: "Yeah, you know, this will probably never do see the light of day." Well, when August 14, 2018 came up when the Pennsylvania grand jury posted and talked about this big news, that was the second wave.

The first way was the Boston globe, *Spotlight* stuff (January 6, 2002). And this was the second wave, it was bigger because this awakened our Catholics who were like, “yeah, you know, I think it's overblown.” And they start waking up saying, “wait a minute. They didn't fix this problem.” And it really started a new wave. When you find somebody has lied to you or misled you, you don't trust him anymore. It takes more to overcome. You know, when you've been betrayed by somebody, it's, it's even harder to earn their respect and build trust. After that, Catholics have lost trust in the church and now they're like, “Hmm.” (Kendzior, 2020).

Question 6: What are some words of advice or hope that you would offer to a survivor that you've just met?

Oh, I love that. I love that. First of all, I honor them for their courage and to make the call or to drive over and come to our first meeting. I know that takes a lot of courage and I honor that. And I tell them that, you are starting your healing journey and it's going to be a journey and you don't have to walk it alone because they're going to be others in this room who have walked that journey before and, and will share what they learned. It's not, it's not going to be easy. Sometimes it gets worse before it gets better. But I have seen survivors get to the other side of it - where it was debilitating at the beginning. And they went through hell and facing up to things and remembering things that they didn't want to remember and it wreaks havoc on their relationships.

It's just bad. It's hurt within families. They have family members that don't believe or blame them or are ashamed or embarrassed. So they have to deal with all that too. But I know that, you are worth fighting for. You're getting healing from this. Cause what happened to you was not your fault. This should never have happened and it wasn't your fault. And we're here to walk with you on your journey and you will get to the other side and you'll be stronger because you're strong already, but you will get to the other side and you're not going to be alone. You're with us. You're not alone. And I can, I can speak to the fact that I love our group. I mean, I know those people and I've seen interactions between people, how they respond to each other.

And we just feel kind of connected because, there's like, “Hey, I just went through something really awful, but I can share this and it doesn't feel so bad. People understand me and they're not judging me.” And they're not. I watch people and they're shaking their head. People from Lutheran churches, from Methodist churches who come into our group; I'm wondering “if we have a

lot of Catholics in here, I wonder if the Lutherans and the Methodists and the Baptists, if they're going to feel uncomfortable." They always tell me, "it's the same thing." Same song different verse. They get it, you know? We have a vibrant group of, of all denominations in there, lots of Catholics just by the nature of the exposure that it's gotten, but but there's a lot of people that have come in from different [denominations] and it's really fulfilling.

And I know, I speak it because I believe it. I know it helps. Now, not everybody will [continue coming], they stop coming. They didn't want to confront it. But those who do, and keep doing it, keep doing it . . . They get to the point where they've moved on and they're going out trying to help others. It's like that's how they heal and they start helping others and they start healing even more.

It's really, it's a beautiful thing. So I try and I try to encourage them. I try to give them power for themselves. We never want to tell anybody what to do. You know, these are my suggestions. This is what's worked with other people. You do what you need to do. We'll support you no matter what. Cause power was taken from them. They didn't have a say. They couldn't say "no" or their "no" was disregarded. So giving them the power, getting them to do a little bit, take a little, you know, do something themselves. Like, "Hey, here's the list of attorneys, give them a call." You give them little steps that they can just follow up on. And it's empowering when you start moving in that direction and we support them.

We're just a peer to peer support group. But there's a lot of wisdom in the room and people have heart in that room cause they know exactly what you've been through. But We never say, "you don't need to do therapy" cause yeah, you do. And some we help - I put together lists of free help, they can seek out through women's crisis centers, mental health centers, to say, "Hey try, if you don't have insurance, that's okay, we can help you." You're telling me the Catholic Church can't do this? Hell - I'm a nobody! I can do this for them.

Why can't the church, with all their vast resources, with all of their ability to pull in smart, skilled people? They don't. They do not want to think about the victim, really that's an afterthought. The place of the victim is an afterthought, which is just beyond me. That Bishop Burns, 20 years past *Spotlight*, can't say, "what happened to you should never have happened. It was wrong. And I am very sorry. I, from the bottom of my heart, I really apologize." And to show you really give a damn. People want to know that their leaders care. And if they don't, it's like they won't believe anything you say because you don't really care (Kendzior, 2020).

## **Kendzior Interview Analysis and Conclusions**

Between the interview and the list of suggested actions she and Petersen gave to Bishop Burns, Kendzior offered several tangible recommendations. In Q.1 she mentioned the need to have experts on the Diocesan Review Board but highlighted the mootness of having experts on the board if Bishop Burns makes all the final decisions. She mentioned having non-Catholics on the review board could provide more transparency and avoid the “keep it in the family” mentality. She mentioned the necessity of the Dallas Diocese turning over all of their files to the Dallas Police Department. Adding two survivors to the review board and establishing listening sessions for clergy could help Catholics and Catholic clergy hear a compelling, first-hand perspective of child sexual abuse by clergy. The church should also include SNAP information in church bulletins and the Texas Catholic. The church should be more public when adding a name to the list of credibly accused, instead of trying to keep things quiet.

In Q.2 she advised against reporting to the church before consulting an attorney. She recommended reporting to police, talking to an attorney, then (if advised by the attorney), talking to the church. In Q.3, she mentioned the critical need to educate legislators about the reality survivors are faced with when coming forward with their allegations of abuse. Lawmakers may not currently understand the delay of reporting, which impacts their ability to pass laws that encourage survivors to speak out about their abuse later in life. In Q.4, her main advice to Bishop Burns was to apologize - sincerely apologize to survivors about what they went through and are going through. In Q.5, she said transparency in the Dallas Diocese could be improved by making

internal allegations and settlements public. In Q.6, she detailed the importance of survivors talking about their abuse in order to begin the healing process.

Likewise, in the list of suggested actions she made with Petersen, she recommended that Bishop Burns and the Dallas Diocese educate their parishioners about secular resources offered to survivors and setup a survivor compensation fund to help pay for counseling and other services survivors need. Overall, Kendzior made real recommendations that could be implemented today, if Bishop Burns and the Dallas Diocese would cooperate. Kendzior's suggestions will be included in the comprehensive list of recommendations concluding this thesis.

#### **Primary Source Document 1: "Affidavit for Arrest Warrant"**

Detective Clark has worked for the Dallas Police Department for 20 years and has worked in the Child Exploitation Unit for the past nine years. Through his service, he has interviewed more than 100 children victimized by child sex crimes and has investigated over 1,000 cases relating to the exploitation of children (CACC, 2019).

Detective Clark was identified last year as a potential subject matter expert to be interviewed for this project. Unfortunately, Detective Clark could not gain permission from the Dallas County Attorney to be interviewed, because the case regarding the Catholic Diocese of Dallas is on-going. However, Detective Clark did mention two public documents in which he has provided detailed statements on his opinion of the Catholic Diocese of Dallas and the review board therein. These two documents are the arrest warrant for former priest Richard Brown in Dittmer, Missouri, and the search warrant that was issued in May to raid the Dallas Diocese's offices to look for missing files. Father Brown was arrested on January 29th, 2020 (Branham,

Tarrant, and Steele, 2020). The full “Affidavit for Arrest Warrant” can be found online by following the URL in the corresponding reference (Clark, 2019. “Affidavit for Arrest Warrant”).

What helpful information can be gleaned from Detective Clark regarding the Catholic Diocese of Dallas and the Diocesan Review Board? The scope of this research being reporting procedures and transparency in allegations of child sexual abuse by clergy (in the Catholic Diocese of Dallas), pages 2 and 3 of the arrest warrant are the most insightful. The block quotes that follow are direct quotes from Detective Clark:

In August of 2018, the Bishop of the Dallas Catholic Diocese, Edward Burns, made public statements to the media in light of the Pennsylvania Grand Jury report regarding clergy sexual abuse, that a priest within the Dallas Diocese was being investigated for sexual abuse involving a minor. In October of 2018, Bishop Edward Burns announced that all Texas dioceses would release the names of every clergy member, since 1950, who were credibly accused of sexual abuse of minors.

On December 4, 2018, due to facts developed from the investigation into clergy of sexual abuse of children, I/O Clark requested the suspect’s complete file. The Catholic Diocese of Dallas turned over a file that contained 541 pages pertaining to the suspect. Also, on December 21, 2018, after they requested the suspect’s complete file a second time, the diocesan attorney’s provided I/O Clark with 51 additional pages of the suspect’s file. I/O Clark observed that in his file, the suspect had been accused and admitted to multiple diocese psychologists that he sexually assaulted two juveniles in 1981 and 1987. The Catholic Diocese of Dallas, under Bishop Tscheope, was told immediately after the 1987 sexual allegation was made. This caused the diocese to move the suspect to a different Parish within the Catholic Diocese of Dallas (St. Phillips in Dallas, Texas). After the allegation from 1981 was brought to the attention of the Dallas Diocese in 1993, the Catholic Diocese of Dallas send the suspect to have psychological testing at the Institute of the Living in Hartford, Ct. under the supervision of Psychologist Richard Bridburg.

I/O Clark obtained and reviewed a reported by Dr. Bridburg. In a report dated March 14, 1994, it was Dr. Bridburg’s opinion the suspect has a long history of pedophilic behavior. The report further stated “the exact frequency and content of the behavior is difficult to ascertain due to the suspects wish to

minimize and portray himself in the best light possible”. It was the opinion of Dr. Bridburg that the suspect spent most of their consultation together trying to cover up the extent of his activity and manipulate the consultation even blaming his last victim for his behavior towards her. In the report, the suspect admitted to sexually abusing multiple children who were between the ages of 8-10 years old. The suspect admitted during his consultation with Psychologist Bruce Weis that during a two year period, 1991 and 1992, he became very friendly with a family and in particular a female child of the family who was at his parish, St. Mark Catholic Church. The suspect only admitted that the female child would run and sit in his lap and that she “would initiate contact.” This family was not identified within the suspect’s personnel file (Clark, 2019. “Affidavit for Arrest Warrant”).

### **“Affidavit for Arrest Warrant” Analysis and Conclusions**

This arrest warrant provides evidence that the Catholic Diocese of Dallas withheld information regarding allegations made about their clergy. This is startling, especially when contrasted with Bishop Burns’ narrative of the Father Brown case. For example, Bishop Burns said the Diocese is “pleased that justice is being served” and “we have taken extraordinary steps in order to assure an outreach to victims and to assure that we do everything possible to create a safe environment within our church, our schools, and our parish programs. We will continue to be vigilant in doing this and we will continue to take necessary steps to do what is right” (Harris, 2020). His words clearly do not align with the actions of the Diocese, in light of the fact they withheld documents from the Dallas Police Department and the Catholic Diocese of Dallas knew about the allegations against Father Brown since 1987.

From this, the need of mandatory reporting to law enforcement all documents and conversations regarding allegations is made clear - with strict penalties for lack of compliance. Should the Dallas Police Department have to ask for records multiple times? Should they have to be cautious about documents being withheld? Absolutely not. It should also be noted that

Richard Brown was not publicly discussed by the Diocese until January 2019 when the list of credibly abused priests came out, even though they've known about the allegations since 1987.

### **Primary Source Document 2: "Affidavit Supporting Search Warrants"**

Likewise, what problems and potential solutions can be identified from the search warrant issued for three offices of the Catholic Diocese of Dallas? The following block quotes by Detective Clark are directly pulled from the document "Affidavit Supporting the Issuance of Search Warrants" issued by the Dallas Police Department. This document will hereafter be referred to as "Affidavit Supporting Search Warrants." Due to size constraints, the full affidavit is not in the Appendix, but it can be at the Bishop Accountability URL included in the corresponding reference (Clark, 2019. "Affidavit Supporting Search Warrants"). Following each section of the search warrant will be analyzed regarding how this warrant applies to the scope of the project. Detective Clark begins the affidavit with the following information:

#### **BACKGROUND OF THE INVESTIGATION**

6. On February 28, 2018, the Chancellor of the Diocese, Mary Edlund, contacted the Dallas Police Department's Child Exploitation Unit regarding allegations against a then-serving priest, Paredes. Chancellor Edlund advised the allegations regarded Paredes sexually abusing, over a period of years, several juvenile members of St. Cecilia Church. I was assigned this case and I made contact with Bill Sims, an attorney representing the Diocese. Mr. Sims stated the Diocese and the victims were in a monetary settlement process and he believed the victims did not want to pursue criminal allegations.

7. In August and October of 2018, the Diocese's bishop, Edward Burns, made public statements regarding the accusations against Paredes, which included allegations of theft of church funds and the allegations brought forward by Chancellor Edlund. Some of those statements were made to St. Cecilia Church parishioners and others made to local media outlets. Several media outlets reported Bishop Burns' statements regarding Paredes and future investigative measures the Diocese planned. One such media report was made on October 10, 2018, by Dallas Morning News reporter David Tarrant, via the dallasnews.com website. In that article, Bishop Burns was reported to announce all Texas dioceses would release the names of all clergy members, since 1950, who were "credibly accused of sexual abuse of minors." The

article reported the diocese would publish the list of clergy members by January 31, 2019, and the list would be updated, as warranted. The article reported the Dallas Diocese hired a "team of six outside investigators made up of former FBI agents, former Texas state troopers, and other Law enforcement experts to examine its priests' files." The article reported Bishop Burns explained "credibly accused" meant "that we would believe it is true that an abuse has taken place." The article reported Bishop Burns described the Diocese's investigative process as, "Law enforcement is notified, other church leaders offer assistance to the victim, and the allegations are reviewed by the Diocesan Review Board, made up of nonclergy Catholics including doctors, clinical psychologists, lawyers, parents and others."

8. Contemporaneous with these public statements, I and other members of the Dallas Police Department met with Bishop Burns and the Diocesan attorneys regarding the possibility of new allegations generated by the publicity of this investigation and how those potential allegations would be addressed. Diocesan attorneys assured police personnel the Diocese had a process in place to investigate all priest files in the Diocese's possession for allegations of sexual abuse of minors. The attorneys' descriptions of the intended process were consistent with the public statements made by Bishop Burns. The Diocese assured police personnel the individuals responsible for that oversight would be comprised of former law enforcement officials. However, Diocesan attorneys only provided police personnel with the names of only one or two of the individuals who would exercise the promised oversight (Clark, 2019. "Affidavit Supporting Search Warrants").

To start off, there is a clear lack of transparency demonstrated in the first paragraph above, because the church kept the allegations against Edmund Paredes, even amidst a settlement with survivors. In the second paragraph, there is mention of a team of six investigators hired to examine the priests' files. These hired investigators are hired by the church, which could lead to a potential issue with bias. Additionally, the investigative team has no power over the final decisions made by Bishop Burns - much like the Diocesan Review Board. Bishop Burns also describes their investigative processes begin by notifying law enforcement. However, there were minimal efforts to notify the correct local, law enforcement agencies, and there were minimal efforts, or no efforts to confirm these reports (sent via mail) were being received by the correct

individuals. In the third paragraph, there is mention of oversight officials with law enforcement experience - but again, these officials who are supposed to provide oversight are hired by the Catholic Diocese of Dallas and have no enforcement power over Bishop Burns. Detective Clark continues:

#### THE INVESTIGATORS

In a WFAA article, written by Teresa Woodard and dated January 30, 2019, Bishop Burns stated the Diocese hired a six member investigative team to look into over 2,400 priest files. Bishop Burns went on to say that two of those individuals worked in the "area" of child and youth protection for the church. Bishop Burns never revealed the identity of those investigators. Burns stated he hired this team in February of 2018. Only one member of that investigative team was identified by the Diocese to the Dallas Police Department. I am not aware of any experience involving this individual possesses related to child abuse investigations. In a meeting with the Diocesan attorneys on January 30, 2019, Attorney Mike Moran explained this group of investigators were "not hired to do the list." Mr. Moran said they were hired "to review the files to see whether there were problem issues ... whether its financial management of churches, whether its mentally unstable, whether ... they give terrible homilies or whatever ..... there were other items the Diocese were looking into ... .like somebody loses money at a parish where they shouldnt lose money ..... they were hired long before the whole list thing came up." During that meeting, police personnel requested the number of priests' files flagged for sexual abuse. Police personnel were denied the information under the pretense it was "privileged." Mr. Moran said he would check with the Diocese whether he could release that information. To date, the Dallas Police Department has not been given the number of priests' files flagged for sexual abuse. The identities of other investigators were never revealed to Dallas Police nor was their experience in child abuse investigations, if any. During my interview with Chancellor Edlund, she said in the spring of 2018, the Kathleen Mcchesney Group came to review deacon and seminarian files. Later, in September 2018, they were asked to review the priests' files. To date, police personnel have not had an opportunity to meet with these investigators. It is noteworthy, these investigators were initially hired to investigate financial improprieties involving the Diocese's priests, not sexual abuse allegations. It is my understanding these former law enforcement officials were given the additional task of reviewing the files for credible allegations of sexual abuse out of convenience, given they were already hired and in place (Clark, 2019. "Affidavit Supporting Search Warrants").

This paragraph is disturbing, to say the least. Diocese attorney Mike Moran explained the aforementioned investigators were not solely there to review the list of credibly accused priests - their main purpose was to investigate financial matters and other church-related matters not pertaining to allegations of child sex abuse. The names of these investigators have been released to the Dallas Police Department. The investigators' experience in working cases of child sexual abuse cases was also never disclosed to the Dallas Police Department. And when police personnel asked for the number of priests whose files had been flagged for sexual abuse, Diocese attorneys denied the request, saying the information was "privileged." At the time this search warrant was written, that information had not been released to the Dallas Police Department.

Detective Clark continues:

#### The Diocese's Process for Vetting Sexual Abuse Allegations

10. The Diocese's attorneys explained to police personnel the process by which the former law enforcement officials would exercise oversight. They explained, after the investigators reviewed a file in which they found a priest "credibly accused" of sexual abuse, the Diocese's attorneys would share that information with the Diocesan Review Board. The Diocesan Review Board would then review the accusation and determine whether they believed the accusation was credible. If the Diocesan Review Board deemed the accusation credible, then they would turn that name over to Bishop Edward Burns. Bishop Burns had the final say whether that priest would make the "credibly accused" list and be disclosed publically on January 31, 2019. If Bishop Burns decided a priest was credibly accused, the Diocesan attorneys would then reveal the identity of the credibly-accused priest to police personnel, during three scheduled meetings. The purpose of the meetings was to reveal the names of the credibly-accused priests to police personnel before the list was made public. The Diocesan attorneys said they would not reveal the number of priests who had accusations against them that were not deemed credible by the Diocesan Review Board.

#### Diocesan Review Board

11. A review of the United States Conference of Catholic Bishops' website ([www.usccb.org](http://www.usccb.org)) revealed the Diocesan Review Board Resource Booklet. That booklet stated, in part, " ... each bishop/eparch must establish a review board to function as a confidential, consultative body to the bishop/eparch on

matters related to the response of the local church to issues surrounding the sexual abuse of minors by priests and deacons."

12. In that booklet's "Questions and Answers" section, the booklet explained the role of the diocesan review board as a, "... consultative body that advises the bishop/eparch in his assessment of allegations of sexual of minors by priests and deacons and their suitability for ministry." The booklet also described review board's role as "not investigatory; rather it evaluates evidence presented by the investigator and offers advice to the bishop/eparch." The booklet warned, "The diocesan preliminary investigation should not interfere with any civil investigation ongoing at the same time. If necessary, the canonical process can be delayed to assure that the civil investigation will not be obstructed."

13. When asked, the Diocesan attorneys did share the occupations of the Diocesan Review Board's members. However, none of the members' occupations were related to child abuse investigations. Given the unique characteristics of child abuse investigations, police personnel emphasized the importance of having individuals trained in child abuse investigations make the often complex determinations about the credibility of allegations of child abuse.

14. On two occasions, police personnel were "unofficially" asked to request priests' files who were not officially labeled as credibly-accused. The first occasion occurred during a meeting with the Diocese's attorneys. The second occasion occurred during a meeting with a Diocesan Review Board member. On both occasions, I was asked to request the files of priests who did not make the credibly-accused list because the requestors believed the priests' conduct was worthy of an investigation.

15. On January 16, 2019, in a meeting with the Diocese's attorneys, they advised only two deceased priests and one living priest who were accused did not make the credibly-accused list. However, in a later meeting with attorneys, on January 30, 2019, when police personnel asked Mr. Moran for the number of priests who were accused of sexual abuse but did not make the credibly-accused list, he said police will likely never know that number. During the same meeting, Mr. Moran reported he was asked by members of the Diocesan Review Board to notify police about a living priest for whom the police should request his file. Mr. Moran said he did not know the reason the Diocesan Review Board members made the request. Given these "unofficial" request, I believe individuals involved in the Dioceses' vetting process have lost confidence in that process. I believe these individuals are aware of information in the priests' files indicative of criminal behavior and want the police to investigate but for some undisclosed reason those concerns are not being made in an "official" manner (Clark, 2019. "Affidavit Supporting Search Warrants").

This section is highly applicable to the scope of this project: identifying current issues in the Diocese regarding allegations of child sex abuse and providing potential solutions. The process of reviewing an allegation at the time of this search warrant was tedious. The investigators mentioned above reviewed the files of allegations made internally, and if they found a file with a “credibly accused” priest, they would pass the file to the Diocesan Review Board. The Diocesan Review Board would review the file and determine whether or not they found the allegation to be credible. If an allegation is deemed credible, the name of the accused priest and the file is sent to Bishop Burns. Bishop Burns had the final say on which priests made the list of credibly accused priests released in January 2019. Startlingly, “If Bishop Burns decided a priest was credibly accused, the Diocesan attorneys would then reveal the identity of the credibly-accused priest to police personnel,” (paragraph 1 above) and if the Bishop decided the priest should not be added to the list of credibly accused priests, that name was not disclosed to law enforcement.

The search warrant section on the Diocesan Review Board is quite helpful, as well. It explains that Diocesan Review Boards are consultative, not investigatory. It notes that the occupations of the board members are not public, but Diocesan attorneys admitted that none of the occupations were related to investigating cases of child abuse. It also mentioned that law enforcement had previously been asked on two occasions to “unofficially” request files on certain priests in the Catholic Diocese of Dallas. The two aforementioned priests were not on the list of credibly accused priests, but the individuals who reached out to law enforcement believed these cases warranted investigations. Paragraph 15 mentions the Diocese’s attorneys said there were three priests that did not make the list of credibly-accused: two were deceased and one was

living. Two weeks later, Moran said the number of accused priests who did not make the list will likely never be known by law enforcement. Thus, the diocese contradicted itself quite quickly.

The requests for “unofficial” file reviews by law enforcement indicate a potential lack of trust by Diocesan Review Board members regarding the allegation review process used by the Diocese.

Detective Clark continues:

#### Efforts to Identify Other Child Victims

27. In an attempt to identify other potential child victims, I requested "claimant" files from the Diocese. It is my understanding, the Diocese's claimant files contain identifying information of sexual abuse victims who were provided counseling services funded by the Diocese's insurance company. On March 20, 2019, I received an email from Diocese attorney Robert Rogers, informing me the requests for claimant files was too broad and most files would be irrelevant to a Dallas police investigation. He also advised the Diocese already provided "all claimant files" involving living, current, or former priests.

Claimant Files 28. According to the Catholic Relief Insurance Company of America II Sexual Misconduct Liability Policy, a claimant means any person making a sexual misconduct claim. Sexual Misconduct means "sexual molestation, sexual involvement, sexual conduct, sexual harassment, regardless of consent." Sexual Misconduct Claim means a "demand for Money, property, or any other specific remedy made by any Claimant. .... for injuries or emotional anguish, harm, distress or injury resulting from the incident." According to the Catholic Diocese of Dallas Pastoral Center, claimant files do exist regarding major settlements resulting from major claims or litigations. These are also records documenting claims or litigation involving the Diocese. According to the Catholic Diocese of Dallas Pastoral Center, these claimant files show to be stored in the office of the Chancellor and are to be kept four years after the settlement is agreed upon. Based on this investigation we have found some of the claimant files contain allegations of sexual abuse. There is information in priests' files that make mention of claimant files in regards to "credibly accused" priests. Chancellor Edlund made mention of the claimant files in one of my interviews with her regarding victims of sexual abuse and she stated the files are organized by the names of the victims. She stated some of the claimant files are kept at the Dallas Catholic Diocese and the older ones are kept at Safesite.

29. On February 20, 2019, in an email to Robert Rogers, the Dallas Police Department requested all the claimant files regarding priests, clergy, bishops, nuns, teachers, deacons, or any current or former staff of the Dallas Catholic

Diocese. Robert Rogers responded on March 20, 2019, stating the "claimant files" contain many complaints that are "irrelevant to the Dallas Police Department ..... and that the Diocese has already provided DPD with a number of those files which allege abuse by current and former priests who are still living ..... in fact we have provided DPD with all of the claimant files related to living, current, and former priests." However, in the case of Brown there are two victims in which he acknowledged he sexually abused, but in his file there is only one name of a victim. There is mention of a second victim but her name does not appear anywhere in Brown's file. On the National Catholic Risk Retention Group, Inc. Sexual Misconduct Incident Report Form provided in Brown's file showed detailed information about one victim and named her and briefly stated the sex act. However, there was only brief mention of the second victim and no mention of what occurred to her. In meetings with Diocesan lawyers, I repeatedly requested the identity of the second victim who Brown admitted to "touching" but they have not provided it; despite their assurances everything is in Brown's file. In addition, there is no claimant file from Victim 2's allegations was first brought to the Diocese's attention in 2004 (Clark, 2019. "Affidavit Supporting Search Warrants").

In the first paragraph above another clear contradiction is made. Detective Clark requested the files of survivors (a.k.a. claimant files) who received counseling funded by the Diocese. Diocese attorney Robert Rogers said that the request for claimant files was "overly broad" and most of the files would be "irrelevant" to the Dallas Police Department investigation. But how is he qualified or in a position to deem what is relevant or irrelevant for a police investigation? Robert Rogers is not qualified to make these decisions. Immediately following, Rogers informed police personnel they had already received all of the claimant files pertaining to "living, current, or former priests." If that is true, then why did he say that many files would be irrelevant to the Dallas Police investigation and refuse to disclose them? Additionally, he could be using clever wording to exclude the files regarding deceased priests - as he said earlier, the Dallas Police already had all claimant files relating to "*living, current, or former priests* [emphasis added]." This is consistent with Canon Law 489 §2 which is discussed below in the Canon Law section.

In the third paragraph, Detective Clark writes the DPD requested all claimant files regarding “priests, clergy, bishops, nuns, teachers, deacons, or any current or former staff of the Dallas Catholic Diocese.” Rogers, the Diocese’s attorney, again said this request was "irrelevant to the Dallas Police Department ..... and that the Diocese has already provided DPD with a number of those files which allege abuse by current and former priests who are still living ..... in fact we have provided DPD with all of the claimant files related to living, current, and former priests.” The wording that could potentially exclude deceased priests is used again. Without the proper authority, Rogers is deciding what claimant files DPD should and should not have. And once again, if all of the documents had truly been disclosed by the Diocese, he would not resist the request made by DPD. Detective Clark continues:

Child Protective Services (CPS)

30. I learned Chancellor Edlund's role while she was employed with the Diocese from 1998 to 2018, was to make notifications to CPS whenever any allegations of sexual abuse came to their attention. Through interviews with the Diocesan lawyers I learned there were no files within the Diocese containing only CPS reports. I contacted CPS employees and asked them to conduct a search using the name "Mary Edlund," "John Bell," who was the chancellor before Mary Edlund, and "Randall Mathis," who was a former Diocesan lawyer. Their search did not reveal any referrals from the aforementioned persons. I had a meeting with some CPS officials and showed them purported examples of letters the Diocese provided to CPS. These individuals stated they had no knowledge of ever seeing the letters I provided. They also stated the Diocese addressed the letters to CPS at 8700 Stemmons Freeway when they should have filled out the referral online, which would also notify their headquarters in Austin, Texas, and local law enforcement. I also met with the Director of Investigations at the CPS office in Dallas, Texas. He stated he had previously seen CPS letters from the Diocese but they could not properly investigate them because they did not contain enough information. He stated those referrals may have been destroyed (Clark, 2019. “Affidavit Supporting Search Warrants”).

This section of the search warrant regarding CPS is important to this research because the Diocese has always said they report allegations of child sexual abuse to law enforcement. However, as seen in this paragraph, these reports to CPS are widely ineffective. They were sending reports to the wrong office and they were sending reports via mailed letters instead of using the online referral option suggested by CPS. As mentioned above, one CPS investigator recalled seeing reports from the Diocese, but they did not contain the information needed to properly investigate. With the hordes of allegations received by the Diocese, it is difficult to believe they did not have much information when they reported to CPS. It is more likely they reported small pieces of information they had, in hopes of avoiding an investigation. Detective Clark continues with an explanation of relevant Canon Laws that could be impacting the DPD investigation:

#### Canonical Law Regarding Document Retention and Storage

31. According to the Roman Catholic Diocese of Dallas Records Retention Schedule, "litigation, claims, and major settlement agreements are retained 4 years after the settlement and this is kept in the office of the Chancellor who offices out of the Dallas Catholic Diocese. "Insurance Policies", according to the Roman Catholic Diocese of Dallas Records Retention Schedule shows they are permanently kept and are housed in the Risk Management office in the Dallas Catholic Diocese. According to Canon Law 486, "All documents which regard the diocese or parishes must be protected with the greatest care. In every curia there is to be erected in a safe place a diocesan archive, or record storage area, in which instruments and written documents which pertain to the spiritual and temporal affairs of the diocese are safeguarded after being properly filled and diligently secured. An inventory or catalog of the documents which are contained in the archive is to be kept with a brief synopsis of each written document." Canon Law 487 states, "The archive must be locked and only the bishop and chancellor are to have its key. No one is permitted to enter except with the permission either of the bishop or of both the moderator of the curia and the chancellor." Canon law 488 states, "It is not permitted to remove documents from the archive except for a brief time only and with the consent of the bishop or of both the moderator of the curia and the chancellor." Canon Law 489 states, " In the diocesan curia there is also to be a secret archive, or at least in the common archive there is to be a safe or cabinet, completely closed and locked, which cannot be removed; in it

documents to be kept secret are to be protected most securely. Each year documents of criminal cases in matters of morals, in which the accused parties have died or ten years have elapsed from the condemnatory sentence, are to be destroyed. A brief summary of what occurred along with the text of the definitive sentence is to be retained." Canon Law 490 states, "Only the bishop is to have the key to the secret archive ... documents are not to be removed from the secret archive or safe."

32. On November 7, 2018, I interviewed former-Chancellor Edlund who stated she was the chancellor since 1998 and recently retired. Chancellor Edlund stated she also took on the job of victims assistance coordinator along with being the chancellor. Chancellor Edlund stated her role, during the last 20 years, was to hear allegations of sexual abuse. She stated she would contact the bishops under whom she served, Bishops Thomas Tschoepe, Charles Grahmann, Kevin Farrell, and Edward Burns, after receiving a sexual abuse allegation involving a priest. Chancellor Edlund stated claimant files contained information identifying sexual abuse victims and priests, who were the sexual abusers. Chancellor Edlund said the claimant files are in the Chancellor's secretary's office. Chancellor Edlund stated old sexual abuse complaints are kept at Safesite. Police personnel contacted the manager of Safesite, Rick Crain, and asked if his facility managed the account of the Dallas Catholic Diocese. Pursuant to legal process, Mr. Crain advised his facility contained approximately 700 boxes from the Dallas Catholic Diocese. He also advised the Diocese reported the contents of some of the boxes contained claimant files for priest [sic] who were accused of sexual abuse in the past (Clark, 2019. "Affidavit Supporting Search Warrants").

This section of the search warrant is troubling. It demonstrated that Canon Law requires clergy to keep certain documents concealed, making them widely inaccessible. Canon Law 486 outlines a "diocesan archive" that stores "written documents which pertain to the spiritual and temporal affairs of the diocese." Only the Bishop and the Chancellor of the Diocese of a key to this diocesan archive. Similarly, Canon Law 489 states "there is also to be a secret archive, or at least in the common archive there is to be a safe or cabinet, completely closed and locked, which cannot be removed; in it documents to be kept secret are to be protected most securely. Each year documents of criminal cases in matters of morals, in which the accused parties have died or ten years have elapsed from the condemnatory sentence, are to be destroyed. A brief summary of

what occurred along with the text of the definitive sentence is to be retained.” *Criminal and moral matters* - this certainly applies to the on-going crisis of child sex abuse by clergy. It is concerning that these records are to be destroyed ten years after the “condemnatory sentence.”

Only the Bishop has a key to the secret archive

Canon Law 489 and the probable actions of the Dallas Diocese (if they abide by these Canon Laws) could conflict with federal and state laws regarding evidence tampering in criminal cases. Title 18 - U.S. Code § 1519 states:

Whoever knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States or any case filed under title 11, or in relation to or contemplation of any such matter or case, shall be fined under this title, imprisoned not more than 20 years, or both (Title 18 - U.S. Code § 1519).

Similarly, Texas Penal Code § 37.09 states:

- (a) A person commits an offense if, knowing that an investigation or official proceeding is pending or in progress, he:
  - (1) alters, destroys, or conceals any record, document, or thing with intent to impair its verity, legibility, or availability as evidence in the investigation or official proceeding; or
  - (2) makes, presents, or uses any record, document, or thing with knowledge of its falsity and with intent to affect the course or outcome of the investigation or official proceeding (Texas Penal Code § 37.09).

However, there are exceptions to the penalties of evidence tampering in certain cases, if the documents are somehow privileged. That is the defense Diocese attorney Mike Moran used to withhold certain documents from DPD, which is demonstrated on page 7 of the search warrant. Continuing with the second paragraph above former Chancellor of the Dallas Diocese,

Mary Edlund, told Detective Clark that some claimant files are stored in the Chancellor's Secretary's office, but old claimant files are stored at Safesite, one of the three locations DPD asked to search in May 2019. On pages 11-12 of the search warrant, Detective Clark states:

I also asked Chancellor Edlund about the "secret archives" and she stated the secret archives contained laicization papers involving priests. I asked Chancellor Edlund about claimant files and she stated they are organized by the name of the victim and some are at the Diocese's offices and others are at Safesite. Furthermore, I asked Chancellor Edlund about the Diocesan Review Board meetings and she stated she took notes during those meetings. The notes contained the agenda for the meetings as well as information on the priests who were accused. Chancellor Edlund stated Gwen Hidalgo-Boudreaux, the administrative assistant to the chancellor, should have the Diocesan Review Board notes in her office at the Diocese (Clark, 2019. "Affidavit Supporting Search Warrants").

Thus, from the information gleaned by DPD, the location of the diocesan archives and secret archives of the Dallas Diocese was Safesite, a secured storage facility in Dallas. As seen in the third paragraph above (Section 32), When Detective Clark called Safesite's manager, Rick Crain about the Dallas Diocese, Crain said that the Dallas Diocese did use his facility, and they had approximately 700 boxes in storage there. Crain also said the Diocese reported to him that "some of the boxes contained claimant files for priest [sic] who were accused of sexual abuse in the past." Concluding the search warrant, Detective Clark writes:

34. Based on Chancellor Edlund's statements and her notes, I believe she only notified law enforcement as a predicate to the anticipated negative publicity associated with the Paredes allegations. In her written notations she commented it was better to send a letter than online notification to CPS. Interestingly, CPS personnel advised the preferred method was an online notification because the online notifications were forwarded to whatever local law enforcement agency had jurisdiction.

35. I suspect the investigative body comprised of former law enforcement officials does not have the needed expertise to render judgement on the credibility of child abuse allegations. For instance, they were initially hired to investigate "financial management of churches" and whether priest gave "terrible homilies," as stated by Mr. Moran. Presumably, their motivation was

to identify the source of and stop the theft of funds. However, I believe that investigative body was tasked with reviewing child abuse allegations as a matter of convenience, since they were already employed and in place. The fact their determinations related to their new assignment could actually cost the Diocese large sums of money, I believe there exists a potential bias on the investigative body's part to minimize the Diocese's legal exposure. Additionally, I only know the identity of one of those former law enforcement officials and am concerned they do not possess the required knowledge and experience to render accurate judgements about the credibility of child abuse allegations (Clark, 2019. "Affidavit Supporting Search Warrants").

In the first paragraph, Detective Clark revisits the comment former Chancellor Edlund made that is discussed on page 12 of the search warrant. Detective Clark states, "I asked Chancellor Edlund why she contacted the police directly regarding the Paredes accusations, since that was not the procedure she had followed in the past. Chancellor Edlund stated the Diocese's public information office believed the allegations against Paredes would cause media attention and it would look better to say they contacted the police." This demonstrates that if the Dallas Diocese had the option to avoid the police altogether, they probably would. When a case is quiet enough, Chancellor Edlund sends a nearly useless report via mail to the wrong CPS office, but when a public outcry regarding a priest is imminent, she contacts the police to preserve the Diocese's public image. In the next paragraph, Detective Clark continues to voice concerns regarding the investigators hired by the Diocese. The main purpose of the investigators was to scrutinize financial matters and other operational concerns unrelated to allegations of child sexual abuse. There is no evidence these investigators had the necessary experience to render judgment determining the credibility of a child sex abuse allegation. Detective Clark continues:

36. Likewise, I have similar concerns about the Diocesan Review Board's members' potential bias and lack of expertise. Police are expected to trust all information provided them is accurate and complete, despite evidence to the contrary. The fact police received "unofficial" requests they investigate priests not deemed credibly-accused, reveals a lack of confidence in the established

vetting process or a knowledge the process failed. Moreover, as described earlier, the role of the Diocesan Review Board is to act as an advisor to Bishop Burns, not as an investigative body. Furthermore, there was a statement in the Diocesan Review Board Resource Booklet warning, "The diocesan preliminary investigation should not interfere with any civil investigation ongoing at the same time. If necessary, the canonical process can be delayed to assure that the civil investigation will not be obstructed." I do not believe that warning was heeded regarding this investigation.

37. For instance, previously in this affidavit, I identified five priests and detailed allegations of child sexual abuse made against them. In some instances, those accused priests admitted to their criminal conduct. Despite assurances from the Diocese's attorneys the priests' files were complete and accurate, I also detailed specific examples where those files were not complete and accurate. Additionally, my efforts to receive claimant files, which likely contain relevant material regarding child sexual abuse allegations, were thwarted (Clark, 2019. "Affidavit Supporting Search Warrants").

The first paragraph emphasizes the potential issue of members of the Diocesan Review Board being biased or lacking the necessary expertise to correctly complete their task of reviewing allegations. Similarly, Detective Clark re-emphasizes amongst review board members, there could be a lack of trust in the allegation review process. This is demonstrated by the two occasions when board members reached out to law enforcement regarding priests who did not make the list of credibly accused priests. Detective Clark is also concerned that canonical process obstructed the Dallas Police Department investigation, despite the Diocesan Review Board Resource Booklet warning that preliminary investigations should not interfere with civil investigations occurring simultaneously. In the second paragraph, Detective Clark voices his concerns that even though the Dallas Diocese assured DPD the claimant files were complete and accurate, there are several examples of files Detective Clark worked received that were not complete and accurate. DPD efforts to obtain crucial files have been repeatedly thwarted by the Dallas Diocese.

### **“Affidavit Supporting Search Warrants” Analysis and Conclusions**

There is a dangerous lack of transparency in the Catholic Diocese of Dallas. Parishioners and the public should be made aware of lawsuits against priests. The investigative team hired by the Diocese to review potential names to be added to the list of credibly accused priests had no experience in the area of child sexual abuse allegations. Having an investigative team is rather strange in light of the fact Bishop Burns is not bound to agree with their conclusions. And how can the investigators be unbiased when they are hired by the Diocese? Similarly, Diocese attorneys dodge file requests from DPD by saying some files and documents are privileged and/or irrelevant to the investigation of the DPD. The members of the review board might be demonstrating a lack of trust in the Diocese’s internal review process - this is demonstrated by the two times when board members reached out to law enforcement regarding allegations against priests who did not make it on the list of credibly accused priests. The recommendations of investigators and review board members can be vetoed or ignored by Bishop Burns, who has the final say regarding these allegations.

Likewise, Diocese attorneys say the DPD has complete files on the allegations the Diocese has reviewed - but then the Diocese’s attorneys refuse to grant additional files and information to DPD. This is an obvious contradiction because the diocese cannot withhold documents that do not exist. Thus, additional files do exist. When former Chancellor Mary Edlund reported allegations to CPS - she did so in a highly ineffective manner: sending reports via mail to the wrong CPS office, and lacking the necessary information for CPS to investigate the allegations. When Edlund felt a case was about to become public, she reported allegations to the police because it would “look better.” Canon Law stipulates a secret archive in which

documents are destroyed ten years after the condemnatory sentence. This could be problematic in light of state and federal laws regarding evidence tampering. The Diocese's argument that these documents are privileged further complicates the situation. The documents that were obtained by the execution of this search warrant have been tied up in review for over six months by attorneys for the City of Dallas and the Dallas Diocese, effectively stalling the DPD investigation of the accused priests in the Dallas Diocese (Emily and Tarrant, 2019).

### **Canon Law**

In June 2002, the United States Council of Catholic Bishops (USCCB) ratified *The Charter for the Protection of Children and Young People*, also known as *The Charter*. In June 2002, the Apostolic See adopted the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, also known as the *Essential Norms*. Together, these two documents mandate what is known as a Diocesan Review Board for each Catholic Diocese in the United States. Article 2 of *The Charter* states "Dioceses/eparchies are also to have a review board that functions as a confidential consultative body to the bishop/eparch" and members of the review board are to be majority lay people who "advise the diocesan/eparchial bishop in his assessment of allegations of sexual abuse of minors and in his determination of a cleric's suitability for ministry" (USCCB, 2002. *The Charter*). This mandate is further explained in Norm 5 of the *Essential Norms*:

To assist diocesan/eparchial bishops, each diocese/eparchy will also have a review board which will function as a confidential consultative body to the bishop/eparch in discharging his responsibilities. The functions of this board may include: A. advising the diocesan bishop/eparch in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry; B. reviewing diocesan/eparchial policies for dealing with sexual

abuse of minors; and, C. offering advice on all aspects of these cases, whether retrospectively or prospectively (USCCB, 2002. *Essential Norms*).

The key point here is that the review board is a *consultative* body charged with *advising* the bishop regarding allegations of child sexual abuse by clergy. Another highly relevant section of

Canon Law regarding the storage of diocesan documents states:

Can. 486

§1. All documents which regard the diocese or parishes must be protected with the greatest care.

§2. In every curia there is to be erected in a safe place a diocesan archive, or record storage area, in which instruments and written documents which pertain to the spiritual and temporal affairs of the diocese are to be safeguarded after being properly filled and diligently secured.

§3. An inventory, or catalog, of the documents which are contained in the archive is to be kept with a brief synopsis of each written document.

Can. 487

§1. The archive must be locked and only the bishop and chancellor are to have its key. No one is permitted to enter except with the permission either of the bishop or of both the moderator of the curia and the chancellor.

§2. Interested parties have the right to obtain personally or through a proxy an authentic written copy or photocopy of documents which by their nature are public and which pertain to their personal status.

Can. 488

It is not permitted to remove documents from the archive except for a brief time only and with the consent either of the bishop or of both the moderator of the curia and the chancellor.

Can. 489

§1. In the diocesan curia there is also to be a secret archive, or at least in the common archive there is to be a safe or cabinet, completely closed and locked, which cannot be removed; in it documents to be kept secret are to be protected most securely.

§2. Each year documents of criminal cases in matters of morals, in which the accused parties have died or ten years have elapsed from the condemnatory sentence, are to be destroyed. A brief summary of what occurred along with the text of the definitive sentence is to be retained.

Can. 490

§1. Only the bishop is to have the key to the secret archive (*Code of Canon Law*, 1983).

This section makes it difficult for law enforcement to accurately investigate criminal activity by priests, such as child sexual abuse.

### **Conclusions and Recommendations**

The proposal for this project asked the question: What is the structure and function of the Diocesan Review Board of the Diocese of Dallas, and how can the procedures of the Diocesan Review Board reviewing allegations of child sexual abuse be made more transparent? (Corrales, 2019). While trying to answer those questions, I discovered the Diocesan Review Board is one element in the Dallas Diocese that could benefit from change - the other elements are Canon Law, the powerful nature of a Bishop because of Canon Law, and Bishop Burns approach to allegations of child sexual abuse by clergy. Thus, the scope of this project went from seeking recommended improvements for the Diocesan Review Board to seeking recommended improvements for the Diocesan Review Board, Canon Law, State Legislators, and Bishop Burns. Additionally, recommendations for all individuals were also made, as well. This focal point of this research remains the Catholic Diocese of Dallas, but some changes can only possibly come from a higher level in the Catholic Church. The proposal of this project identified many questions regarding the Diocesan Review Board in the Catholic Diocese of Dallas (Corrales, 2019). Several of these questions were answered while conducting this research. Thus, before addressing the recommendations gleaned from data collection, the questions from the proposal will be addressed:

1. Can the identities of review board members be made public? Due to a lack of independence, the Diocesan Review Board is effectively an appendage of Bishop Burns. At this time, Bishop Burns has not disclosed the identities of parishioners serving on the Diocesan Review Board.
2. Who is the auditing body for the review board? Bishop Burns has the final say on everything regarding the Diocesan Review Board (Bainbridge, 2019). Twice, board members bypassed Bishop Burns and reported allegations directly to the Dallas Police Department, likely without the consent of Bishop Burns (Clark, 2019. "Affidavit for Search Warrant").
3. Has Bishop Burns accepted all recommendations made by the review board? Probably not. As mentioned in the "Affidavit Supporting Search Warrants," on two occasions, the Dallas Police Department was asked (by someone on the review board) to do an "unofficial" review of certain allegations (Clark, 2019. "Affidavit Supporting Search Warrants"). These requests would not be needed if Bishop Burns always heeded the Diocesan Review Board. However, a definite answer will be available if the review board's documents are disclosed.
4. Why is the identity of the chair of the review board not public? Bishop Burns has not decided to make it public.
5. Why does the review board not publish an annual report regarding cases they have reviewed? Based on the restrictive behaviors of Bishop Burns and the Dallas Diocese, as shown in their failure to disclose necessary documents to the Dallas Police Department, it is unlikely Bishop Burns would allow the Diocesan Review Board to publish an annual report.
6. Does the review board use the trial-style approach or do they have a private investigator? According to the "Affidavit Supporting Search Warrants," a team of six investigators was

hired by the Catholic Diocese of Dallas in 2019. They did review the allegations against Dallas Diocese clergy and would make deem which allegations were credible, and these allegations were then reviewed by the Diocesan Review Board. However, the primary purpose of the investigators was to examine financial improprieties and other church matters non-related to allegations of child sexual abuse by clergy (Clark, 2019. “Affidavit Supporting Search Warrants”). There is no evidence that the Diocesan Review Board in the Dallas Diocese uses a trial-style approach.

These questions and answers demonstrate the unhealthy level of power wielded by Bishop Burns in the allegation review process. During data collection, I noticed the subject matter experts and primary source documents focused some on the Diocesan Review Boards, but they primarily focused on Bishop Burns and structural concerns in the Catholic Church. Making recommendations to the Diocesan Review Board will be ineffective unless Bishop Burns decides to implement changes. This is further complicated due to minimal oversight of Bishop Burns - only the Pope can truly hold bishops accountable (Bainbridge, 2019). Searching for recommendations to be applied in the Catholic Diocese of Dallas quickly identified structural issues present in the Catholic Church on a state, national, and international level. The amended research question - What are the current protocols used by the Catholic Diocese of Dallas to review allegations of child sexual abuse by clergy, where are these protocols failing, and how can these protocols be improved? - is thoroughly answered below.

### **Recommendations**

Using interviews with subject matter experts, analysis of primary source documents produced by the Dallas Police Department, and examination of relevant Catholic Canon Laws,

this section explains the problems identified and recommendations given during data collection. The following section will offer a summary of these recommendations. As interviews were conducted and primary source documents were investigated, the recommendations started to group themselves in various levels: The Vatican and Canon Law influencers, the Texas Legislature, the Texas Department of Public Safety, Bishop Edward Burns and other Dallas Diocese officials, and individuals.

### **The Vatican and Canon Law Influencers**

The theocratic power of bishops must be reigned in until they demonstrate the ability to handle criminal matters, like child sexual abuse by clergy. The USCCB has demonstrated willingness to form bodies to advise the bishop regarding allegations of child sexual abuse, but the bodies, primarily the Diocesan Review Board, cannot work effectively if they can be vetoed by the bishop. Bishops are not trained or qualified to handle cases of child sexual abuse, yet they have the ability to determine the fate of abusers, as well as the abused. As demonstrated by the “Affidavit Supporting Search Warrants,” there are times when review board members in the Dallas Diocese feel strong enough to bypass to Bishop Burns and go directly to law enforcement regarding certain allegations. If Bishop Burns was heeding the advice of the Diocesan Review Board in the Dallas Diocese, those review board members likely would not feel compelled to work around him. Similarly, Kendzior mentioned that having experts or people with experience in child abuse allegations on the review board is not necessarily helpful if Bishop Burns gets to make the final call. Similarly, Merritt mentioned that it would be difficult to conduct an accurate investigation of allegations without the review board being independent of Bishop Burns.

Thus, in order for Diocesan Review Board to effectively review allegations, they must be independent of the bishop, and the decisions made by the Diocesan Review Board must be binding, even if a bishop disagrees. These provisions could be implemented by the USCCB, but there is a problem - as explained by Bainbridge “National conferences, such as the USCCB, lack competency to mandate particular practices or to hold Bishops accountable. ‘Only the Pope has juridical and disciplinary powers in regard to bishops.’” (Bainbridge, 2019). This is in reference to Canon Law 1405, which states “It is solely the right of the Roman Pontiff himself to judge in the cases mentioned in can. 1401” and such cases in Canon Law 1401 are “the violation of ecclesiastical laws and all those matters in which there is a question of sin, in what pertains to the determination of culpability and the imposition of ecclesiastical penalties” (*Code of Canon Law*). That means that even though the USCCB laid out guidelines for the conduct of a Diocese when reviewing allegations of sexual abuse, the USCCB cannot hold bishops accountable, only the Pope can hold bishops accountable in these matters. That is why these recommendations cannot currently be applied to the USCCB. So the question is how to make diocesan review boards independent of bishop. This could be done one of two ways:

1. Amend Canon Law 1405 to allow the USCCB to hold bishops accountable to the instructions in *The Charter*. If this occurred, the recommendation to the USCCB would be to amend Article 2 of *The Charter* in the following manner: The current language states “Dioceses/eparchies are also to have a review board that functions as a confidential consultative body to the bishop/eparch.” (USCCB, 2002. *The Charter*). The amended language could read “Dioceses/eparchies are also to have a review board that functions

as an *independent* body to the bishop/eparch.” And all the corresponding language and statutes would need to be amended, as well.

2. Add provisions to Canon Law that establish Diocesan Review Boards as investigative bodies that function independently of the bishop.

The alternative would be for the Pope to provide oversight to each diocese regarding their methods for reviewing allegations. This is not practical and explains the need to either enact new Canon Laws regarding review boards or allow the USCCB to provide oversight for each diocese. The second issue to consider regarding Canon Law is the mandated procedures for storing documents. As discussed in the “Affidavit Supporting Search Warrants,” the Dallas Diocese has an archive for important documents and a secret archive for the most important documents. The Canon Law regarding secret archives is discussed in the Canon Law section above. The issue with these statutes is: How is a review board supposed to make comprehensive recommendations to the bishop when they do not even have access to all relevant documents? Additionally, documents in the secret archives are never supposed to be removed - not even by the bishop. Even worse, according to Canon Law 489, documents in the secret archives are to be destroyed ten years after the condemnatory sentence, or if the accused party has died. These laws should either be strongly amended or eliminated entirely from the Code of Canon Law. These statutes wreak havoc on efforts to improve transparency and make it exceedingly difficult for a diocese to fully cooperate with a police investigation.

**Texas Department of Public Safety**

A state-wide investigation was one of Merritt's most adamant recommendations. Specifically, "The attorney general should do an independent investigation of all the files of all the dioceses in Texas including the Catholic Diocese of Dallas" (Merritt, 2020). According to *The Washington Post*, The Pennsylvania Grand Jury Report, led by Attorney General Josh Shapiro, "led to arrests of priests in Michigan, protests in Maryland, the ouster of a cardinal in Washington, sweeping new legislation in New York, and even new policies at the Vatican" (Zauzmer, 2019). An investigation by the Attorney General Paxton would expedite the process of reform in Catholic Churches across the state of Texas. It would also give validation to survivors and help protect children from further abuse.

However, the Texas Attorney General is not allowed to open statewide investigations, according to Texas Code of Criminal Procedure § 2.021. They can only "offer to a county or district attorney the assistance of the attorney general's office in the prosecution of an offense" (Texas Code of Criminal Procedure § 2.021, 2018). There needs to be a statewide investigation of the Catholic Church. The organizations that could conduct a statewide investigation would be the Texas Department of Public Safety Criminal Investigations Division or the Texas Rangers (who are also under the umbrella of the Texas Department of Public Safety). Thus, the recommendation to the Texas Department of Public Safety is: Open a statewide, criminal investigation of all Catholic Dioceses in the state of Texas.

### **Texas Legislature**

Merritt and Kendzior both identified recommendations for state legislators. Merritt emphasized the need to pass window legislation in the State of Texas, which would reopen the window in which a claimant can file a civil lawsuit against an organization. In June 2019,

Governor Abbott signed HB 3809, which gave victims an additional 15 years to seek justice in a civil lawsuit (Goldman, 2019). However, this new law still does not apply to many survivors who would seek justice if the window was open. Thus, one recommendation would be for the Texas Legislature to pass window legislation so that victims who might have taken longer to seek justice still have that opportunity. Merritt also mentioned the lobbying efforts of the Texas Catholic Conference, which have hindered window legislation from being supported by Texas lawmakers. The Catholic Church would lose millions of dollars - billions on a national level - to civil lawsuits filed by survivors if window legislation was enacted (Associated Press, 2019). Thus, another recommendation would be for Texas lawmakers to be cautious about lobbying efforts against window legislation.

Kendzior also emphasized that many lawmakers do not understand what takes survivors so long to come forward with their allegations; they do not understand the reporting delay discussed in the Kendzior interview. The last recommendation for the Texas Legislature would be to exercise understanding when it comes to the realities faced by a victim of child sexual abuse, and the reasons why a survivor would not want to talk about their abuse. State lawmakers are also well-positioned to advocate for a statewide investigation of the Catholic Church by the Department of Public Safety.

### **Bishop Edward Burns and Other Dallas Diocese Officials**

Nearly all of these recommendations pertain to transparency. Both of the DPD affidavits in the Results section demonstrate that critical information regarding allegations of child sexual abuse by clergy is being withheld from the public and from law enforcement. Therefore, one of the main recommendations for Bishop Burns and other Dallas Diocese officials is to immediately

report all documents regarding an allegation to the DPD and offer full cooperation to the ongoing criminal investigation by DPD, instead of withholding documents. Kendzior mentioned that the Diocese quietly added a name to the list of credibly accused priests in July 2019. That behavior will not gain public trust and does not maximize the potential to protect children and survivors. When a name is added to the list of credibly accused priests, Bishop Burns should make a public announcement and seek to locate and reach out to all potential victims of the newly added priest. The “Affidavit Supporting Search Warrants” also highlighted that the diocese quietly settled with the survivors of Edmundo Paredes before the list of credibly accused priests was even released. What if there are more survivors who would have reported if the lawsuit was public? These lawsuits should be made public because it is in the best interest of survivors who may still need to report their abuse.

Additionally, Bishop Burns should appoint two survivors to serve on the Diocesan Review Board. Merritt made the recommendation of adding one survivor to the review board, and Kendzior recommended adding two survivors to the review board to avoid the new board member feeling outnumbered or intimidated. The perspective of a survivor would be crucial to understanding the allegations made in the Dallas Diocese. Following the same logic, Kendzior recommended the diocese support listening sessions in which survivors would speak at different Catholic Churches and well as Holy Trinity Catholic Seminary in Irving. This would help educate Catholic leaders and parishioners about what survivors experienced in the past and experience into the present. Kendzior also recommended that Bishop Burns should help educate parishioners about secular support groups for survivors. The last recommendation for Bishop Burns is to sincerely apologize to survivors of child sexual abuse by clergy the Dallas Diocese,

but also to demonstrate his sincerity by implementing change and working to serve the best interests of survivors.

### **Individuals**

When asked if a survivor should report their abuse to the church or to the police, Merritt and Kenzior both emphasized the need to report to the police. Both experts mentioned specific examples when survivors were treated poorly when reporting their abuse to the church; such as the diocese recording statements without consent and altering notes taken during a report before the case went to court for civil litigation. If you or someone you know would like to report child sexual abuse by clergy in the Catholic Diocese of Dallas, the Dallas Police Department is the place to report - they are best suited to offer help and investigate these cases. Raising awareness about advocacy groups like Survivors Network for those Abused by Priests and other advocacy groups is also an excellent way to help survivors.

Likewise, state representatives and state senators are the people voting on window legislation that could allow more survivors to seek limited justice for their abuse. By calling and sending letters to state senators and state representatives asking them to support window legislation for survivors of child sexual abuse, Texans can help support survivors who rarely have justice for the crimes committed against them. Individuals can also help survivors by advocating for a statewide criminal investigation of the Catholic Church by the Texas Department of Public Safety. By sending letters and calling the Texas Department of Public Safety to request an investigation, Texans can play a role in holding abusive priests and those who enable abuse accountable.

## **Summary of Recommendations**

In order to improve the current allegation review process in the Catholic Diocese of Dallas and raise awareness about its flaws, the following recommendations are made:

### **The Vatican and Canon Law Influencers**

1. Amend Canon Law 1405 to restrict the power of bishops by making them accountable to the USCCB.
2. Establish a Canon Law to implement Diocesan Review Boards as independent, investigative bodies that function separately from the bishop.
3. Amend Canon Laws 487 and 488 to widen access to Diocesan archives.
4. Eliminate Canon Law 489 §2. which mandates that documents in criminal cases be destroyed if the accused parties have died or ten years have elapsed from the condemnatory sentence.
5. Amend Canon Law 490 to widen access to documents in the secret archive.

### **Texas Legislature**

1. Pass look-back window legislation to allow survivors a reopened period of time to file a civil lawsuit against the Catholic Church.
2. Be cautious of lobbying efforts against window legislation, particularly by the Texas Catholic Conference whose goal is to protect the monetary assets of the Catholic Church.
3. Try to understand the cause and effect of reporting delays in survivors of child sexual abuse.
4. Advocate for a statewide investigation of the Catholic Church by the Texas Department of Public Safety.

**Texas Department of Public Safety**

1. Open a statewide investigation of every Catholic Diocese in the State of Texas.

**Bishop Edward Burns and Other Dallas Diocese Officials**

1. Immediately report allegations of child sexual abuse by clergy to the Dallas Police Department and provide all documents regarding the accused priest, other allegations against that priest, and claimant files.
2. Fully cooperate with the ongoing Dallas Police Department investigation by disclosing all documents regarding accused priests; whether the priest is living, dead, laicized, or otherwise, and whether or not the accusation was deemed credible.
3. When a name is added to the lists of credibly accused priests, do not try to conceal it.
4. When a lawsuit is ongoing against a priest in the Dallas Diocese and/or a settlement is reached, do not try to conceal it.
5. Appoint two survivors to serve on the Diocesan Review Board.
6. Establish listening sessions to educate Catholic leaders and parishioners about what survivors experienced in the past and present.
7. Educate parishioners about secular support groups offering resources to survivors.
8. Offer a sincere apology to survivors, backed by concerted efforts to improve the allegation review process and transparency in the Catholic Diocese of Dallas.

**Individuals**

1. If you or someone you know needs to report child sexual abuse by clergy in the Dallas Diocese, the Dallas Police Department is the best option to report to.

2. Learn about groups like Survivors Networks for those Abused by Priests raise awareness about the resources they offer.
3. Contact the Texas Department of Public Safety to voice support for a statewide criminal investigation of the Catholic Church.
4. Contact state senators and representatives to voice support for window legislation that allows survivors to seek limited justice for their abuse by filing a civil lawsuit during a reopened timeframe.

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Appendix A:  
Institutional Review Board Materials



3/28/20

Dear Dr. Green:

As Chair of the Texas A&M University-Commerce's Institutional Review Board, I am writing to notify you that your IRB Protocol #1979 "Reviewing the reviewers: A case stud of the diocesan review board of the catholic diocese of Dallas" was determined to meet the requirements of Exempt Category 2(ii) on 3/28/20.

This determination applies only to the activities described in the IRB submission and does not apply should any changes be made. Changes to the protocol must be requested by submitting an Amendment Application to the Research Compliance Office for review. The Amendment must be approved before being implemented.

Should there be any sort of adverse event it is your duty to report that to the IRB immediately. Please submit a Research Closure Form once your research activity has been completed. Please refer to the above protocol number and title when submitting amendments or reports. This protocol will be subject to Post Approval Monitoring reviews until a closure form is received. All documentation must be kept by the PI during this time.

If you have any further questions, please feel free to email me at [irb@tamuc.edu](mailto:irb@tamuc.edu)

Good luck with your project.

Sincerely,

A handwritten signature in cursive script that reads "Lucy Pickering". The ink is dark and the signature is fluid.

Dr. Lucy Pickering  
Professor, Department of Literature & Languages  
Chair, Institutional Review Board

Institutional Review Board for Protection of Human Subjects  
P. O. B ox 3011 • Commerce, T X 75429-3011  
[irb@tamuc.edu](mailto:irb@tamuc.edu)

**APPROVED**

3/28/20

*Lucy Pickering*

Information about Being in a Research Study  
Texas A&M University-Commerce

**Reviewing the Reviewers: A Case Study of the Diocesan Review Board of the Catholic Diocese of Dallas**

**Description of the Study and Your Part in It**

Alee Corrales and Dr. Raymond Green are inviting you to take part in a research study. Alee Corrales is an undergraduate student under the supervision of Dr. Raymond Green (Professor at Texas A&M University- Commerce in the Department of Psychology & Special Education and Dean of Honors College).

The purpose of this study is to assess the structure and function of the Diocesan Review Board in Dallas. Additionally, this study seeks to provide recommendations regarding effective Review Board procedures. The research question is: What is the structure and function of the Diocesan Review Board of the Diocese of Dallas, and how can the procedures of the Diocesan Review Board reviewing allegations of child sexual abuse be made more transparent? There are no right or wrong answers to the interview questions. It will take approximately 30 minutes to complete an interview for this project.

**Choosing to Be in the Study**

Participation in this study is voluntary. You may choose not to take part or stop taking part in this study at any time without penalty. You will not be punished in any way if you decide not to be in the study or to stop taking part in the study. If you begin an interview and then choose not to continue, your information will be deleted and not included in the analysis.

**Risks and Discomforts**

There are minimal risks that do not pose any more risk than those you would experience in everyday life.

**Possible Benefits**

Your participation may not specifically benefit you; however, this research may help us understand and advocate for ways to improve the process of reporting allegations of child sexual abuse in the Catholic Diocese of Dallas.

**Incentives**

No financial or other compensation will be offered for completing this study.

**Protection of Privacy and Confidentiality**

Subject matter experts' names will be included in the final thesis along with the information provided in their interview. Alternate privacy and confidentiality provisions for subject matter experts can be made, if needed. The data provided will be stored for three years after the study is concluded.

No reasonable risk of criminal or civil liability is anticipated; however, you will be allowed to review what is written about you and your interview before the work is publicly displayed. You can choose to accept, reject, or suggest edits for what is written about you and your interview.

**Contact Information**

If you have questions, comments, or concerns, please contact the researchers at:

Dr. Raymond Green  
Department of Psychology & Special Education  
Texas A&M University-Commerce  
903.468.3005  
[raymond.green@tamuc.edu](mailto:raymond.green@tamuc.edu)

If you have any questions or concerns about your rights in this research study, please contact the IRB Chair at:

Dr. Lucy Pickering  
Chair, Institutional Review Board (IRB)  
Department of Literature and Languages  
Texas A&M University-Commerce  
Commerce, TX 75429-3011  
[IRB@tamuc.edu](mailto:IRB@tamuc.edu)

**Consent**

**Do you agree to be electronically video/audio-recorded? YES NO**

**Do you agree to be identified (i.e., named) in the final project? YES NO**

**By signing and returning this consent form you acknowledge that you are at least 18 years old, have read this consent form, have understood the above information, and agree to voluntarily participate in this research.**

**Participant name:**

**Participant signature:**

If you would like a copy of this form for your reference, you may print this out or ask the researcher to return it to you.

**APPROVED**

3/28/20

*Lucy Pickering*

To be sent via email:

Greetings,

My name is Alee Corrales and I am conducting a thesis project as part of my undergraduate degree program at Texas A&M University-Commerce. The thesis focus is the Diocesan Review Board of the Catholic Diocese of Dallas.

I am writing to ask permission to interview you as part of my research. Your background in this field would add immense value to my research. The interview would take place over the phone or over Skype and will be recorded with your consent.

I've attached my thesis proposal to give you an idea of what direction the research is headed.

Thank you for your consideration. Please feel free to reach out with any questions. I look forward to hearing from you!

Sincerely,  
Alee Corrales  
[acorrales2@leomail.tamuc.edu](mailto:acorrales2@leomail.tamuc.edu)  
903-456-6160

Appendix B:

Full Transcript of Interview With Tahira Merritt

Corrales (00:00):

Thank you so much for your time. I really appreciate it. And I'm excited about what I will learn from you today. So the, the goal of the project, which I've told you in the past, I think is just kind of to learn about the diocesan review board in Dallas and then also recommendations on how it could be run more effectively and transparently. So I have a list of six questions, but throughout, if there's a point you feel like we haven't touched on that you think is important or an important recommendation to consider, please by all means, feel free to throw that in there. Would love to make a note of it and emphasize it in the final project. So the first question is, what is your opinion on the effectiveness of the diocesan review board of the Catholic diocese of Dallas

Merritt (01:10):

Currently or in the past? Right now?

Corrales (01:12):

Right now.

Merritt (01:14):

I think that with any organization that has had as bad of a record on child protection as Catholic church and in particular the diocese of Dallas I think policing themselves and investigating their own clerics is inherently, you know, going to be flawed. So I haven't seen any evidence that anyone on the board is independent of the Bishop and the Bishop has the final word. So I think by, by definition, if you're going to have an in house investigation on the people that are sort of doing it you know, have a, have an interest in in it and are being trumped by the Bishop, I don't think that that's an effective independent investigation. I think that needs to be left to the police, frankly.

Corrales (02:08):

Sure, sure. That definitely makes sense. Could you elaborate some on how do you agree that the Catholic diocese of Dallas has struggled with the issue of child sexual abuse at a greater volume potentially than some of the other churches where they've mishandled it more?

Merritt (02:29):

I think it's a systemic problem within the Catholic church. I think the Dallas diocese has had more exposure probably publicly than, than some and had an early prior to the Boston Boston exposure in 2002. I mean we have the largest jury verdict in 1997 here in Dallas County against the Catholic diocese of Dallas as a Bishop.

Corrales (02:54):

Okay. Thank you for that. That definitely makes sense. The the second question is what actions or operational changes would improve the transparency surrounding child sex abuse reporting and the allegation review procedures?

Merritt (03:15):

I think that they need to, I think there needs to be a statewide investigation like we've seen in other States. If the attorney general should do an independent investigation of all the files of all the dioceses in Texas including the Catholic diocese of Dallas. I think the only way to do that is to make sure that they're opening up all their file material as we've seen with active Clark investigating the cases here in Dallas. I mean, it's pretty obvious that in his opinion there's been a lot of obstructionist and a lot of documents withheld and things like that that have made an investigation difficult. So I feel like if we had no Rangers or the attorney general or someone from the state doing more of an a comprehensive longterm investigation that would,

Merritt (04:14):

That would be

Merritt (04:15):

A long way of transparency.

Corrales (04:17):

Okay. Yeah, that, that definitely makes sense. Thank you for that. Let's see. Okay. Yeah. Can you by any chance, do you know some of the other States that you would recommend? We follow what they've done. I think maybe New Jersey or Pennsylvania. I'm trying to remember which one did an investigation. Okay.

Merritt (04:38):

Yeah. Sylvania has been the most recent one. Yes.

Corrales (04:41):

Okay. Got it. Thank you. Okay. So the next question is kind of a, I guess a direct question about Bishop of burns. So the question is, what advice would you give to Bishop Edward Burns concerning child sexual abuse in the Catholic diocese of Dallas?

Merritt (05:02):

I think it's Burns needs to, to really listen to victims sit down and listen to actual victims. And I, I know that, you know, some bishops and I've, I've proposed lots of bishops in the force of 25 years and my impression of him is he does a lot of things for, for [inaudible] you know, for, for media exposure and things like that. But I'm not sure that he's really listening, sitting down and feeling the actual pain that a victim goes through and understands what child victims are. Adult

survivors of childhood sexual abuse by clergy really understand their pain, feel their pain, I think,

Corrales (05:50):

Yeah, those

Merritt (05:51):

People and maybe has a victim of clergy abuse on his board. Perhaps that would be a no go towards his understanding. But I think until you have either been an advocate for survivors or been a survivor yourself, it's difficult for someone in his position who's concerned with frankly is, you know, protecting the assets of the church to really understand victims. And I think until he really gets it, and I don't sense that he's getting it.

Corrales (06:27):

Sure, sure. That is very insightful because ms Lisa Kinsey or she said that when she and Paul Peterson gave a list of recommendations to Bishop burns that they recommended to survivors serve on the diocesan review board. So that, I guess so they wouldn't feel intimidated by the proceedings but would be able to offer input. But again, I can't imagine how disheartening that would be to put so much into the review board. And then as we've said in the past, it's kind of a moot point because the Bishop doesn't have to respond positively to what you say. He doesn't have to follow any of those recommendations at all. But yeah, that would probably be helpful for some people to hear directly from a survivor might give them a, a more accurate perspective of what happens. So they, the next question you kind of addressed one part of it earlier, but it's what legal or statutory changes are needed to improve the allegation review process in Dallas, Texas, and the rest of the country?

Merritt (07:40):

Well, we, we've you know, we've, we've changed the statute of limitations that's been extended here in the last, in 2019 civil cases and it's been eliminated for criminal cases for child sexual abuse. However, it doesn't address the past abuse. It's, it's not retroactive.

So I says that occur after 2019 a victim child victim of sexual assault would have until they're 48 birthday to bring a civil case and no statute of limitations for a criminal case. Obviously if perpetrator's still a lot, but for the victims who were abused in the sixties, seventies, you know, the diocese of Dallas for 1969. So from 1969 until the 2000 range I'm being averaging those victims would have no recourse whatsoever. And my concern is you know, there's no window. Other States have a window legislation, which means that no matter how long ago it happened, you can still bring a claim court. The court room, the court house doors are still open. That's not the case in Texas. A window has not been passed here in Texas, largely because of the lobbying effort against it by the Catholic church, by the Texas Catholic conference on an attack in the legislature.

Merritt (09:16):

I think that's number one. Number number two would be, I think a lot of the impetus for publishing these lists. I know all of the guys who sit in Texas in January last year published their list of quotes, credibly accused. I think a lot of the impetus for that was, okay, we're going to publish these lists and, and we're going to make it public. And if someone comes forward two years after that or much or later, we can say, Hey, we published it. We put the names out. The problem with that is we know from the science that victims of childhood sexual abuse don't come forward. You know, rarely come forward at all. But if when they do come forward it sometimes decades later.

Merritt (10:06):

So you know, I think if, if they, if they say, well, regardless of how long ago it happened, we're here to listen to you, you believe you and we're going to help you. And you can file a case against us if you want. Not to, not to have that defense of statute of limitations, especially in someone that's a known perpetrator that they've already agreed to. Agreed. That is a credibly accused perpetrator like we see in the Brown case that I have at, yeah, he's on the list. He's been doing this a long time. They knew about it. So in that case, you know, you'd have to whatever the, I think they, what they need to do really is whatever the victim chooses to pursue a civil case and there really shouldn't happen. The statute of limitations, they shouldn't, shouldn't assert that. I know it's illegal, but it's there. So very difficult. You know, there's many calls that I've had to I know that someone was abused and I talked to them about it, about it, but there's nothing I could do legally for them because statutes, the statute of limitations is fired. Always call to have no,

Corrales (11:28):

That that's something that the, this is my third interview for the project and all three people so far have mentioned the statute of limitation. So it seems like that's must be like a very legitimate issue and it would, I can see where it would not provide like a healthy environment for survivors to come forward if there's no recourse for them.

Merritt (11:55):

Well usually there's no recourse either the victim or the perpetrator is dead or if they're still alive, the statute of limitations has expired for them to file a criminal case or a civil case.

Corrales (12:07):

Wow.

Merritt (12:09):

That's, you know, that's when they have no closure. And I think a big part of a victim coming forward is to have closure on this issue and to know that they've done everything they can make sure that that person doesn't hurt another child and when you have no recourse civilly or

criminally and know that that person's out there and still doing what you're, she is doing to another style that's very, very difficult for victims to reconcile. It's not justice.

Corrales (12:38):

Yeah. And wow, that's crazy too. I don't think I had I, this is the first time I've heard about the lobbying efforts against amending some of the statutes of limitations. That's pretty interesting. I'm definitely going to do some more picking around that to kind of emphasize that in the final project of, you know, this is happening. Is it right. You should think about it. Okay. So the the next question is what advice would you give to a survivor trying to decide if they should report their abuse to the church or to police?

Merritt (13:15):

Absolutely not. Not report your use to the church. First of all, the church didn't have your best interest in mind when you were a child. And the police, the church is not equipped to investigate your client properly as it should be. I tell everyone, regardless of if their perpetrator is still alive and something may be done criminally or they're out there and maybe doing something regardless of how long ago it was, report it to the police. They are in the best position to investigate your case. Do not go to the diocese. The diocese is going to you know, it's like a Fox guarding the henhouse. They are going to do what's in their best interest to make sure that they or close you from having any kind of civil claim and no, but they say the reports CPS, but CPS is not the first in Dallas and the police are the proper people report, not CPS. CPS is for family use, family abuse, totally different. So I would discourage any, I always tell people anytime I talk it's do not, I don't recommend going to the diocese cause we've seen time and time again that they don't do the right, don't do the right thing by they protect the priest over the victim.

Corrales (14:47):

Sure. and no worries. If you can't, can you explain of what does happen if they go to the church first? Are they like asked to sign a nondisclosure agreement or do you know

Merritt (15:02):

No, they're not really allowed to sign the nondisclosure agreements now after the charter for hip and from asking for confidentiality. But what they can do is they can have, you know, they can have often the big, I've seen this in the past. Can't remember specifically with the Dallas diocese, but yeah, the victim will go in alone, trusting the church and their statements will be recorded. Had this happen and I am unknown to them in a case in Fort worth that I litigated and ultimately lost on statute of limitations. You know, the victim will go in and trusting the Bishop. The Bishop will have his investigator there with them, but won't tell, won't tell the victim. This is a police officer. This is a, someone that is an investigator and they'll take their statements. Statement is geared toward getting information that can defeat any potential civil case in the future as far as the statute of limitations so they know exactly what they're doing when they're going in there, getting information to protect themselves legally.

Merritt (16:11):

So that, that's why I say, if you're gonna go, make sure you're not recorded, make sure you have someone with you because they've got lawyers on their side that are either going to be there or somebody that's taking notes. I've had that happen in Dallas. They go in and they say I'm going to have the victim assistance coordinator, you know, this is Mary Evelyn. I'm talking often about and tell me all about it. And I'm taking copious notes and somebody else's taking copious notes. Well, surprise, surprise, when you get to the civil litigation, all those notes have been destroyed and she's rewritten it in IPED form. You know, that often loses its, you know, Lewis is more pro them. That pro victim. I would absolutely not do not that

Corrales (17:02):

Well that, that's very compelling. That would be horrific for a survivor to say like, well I told you this and I saw you write it down and they're like, Oh, that's not what I have written down. That would, I can see it happening.

Merritt (17:16):

Or it's more, it's further betrayal. It's more revictimization. Yeah,

Corrales (17:19):

Sure, sure, sure

Merritt (17:20):

You can out of them. If they're not, they're not going to do anything they're going to offer you. And I think back then also, I mean the maximum sessions I would offer would be like 20 sessions with a counselor of, of their choosing not of your own. Same thing. And that's it. So what would be the

Corrales (17:39):

Wow that's pretty bad. Okay. Thank you for that. The last kind of, to try to end on a kind of lighthearted note what message of hope would you try to give to a survivor who was looking for recourse for what happened to them?

Merritt (18:05):

I think, I think that no, the good thing is that they are telling regardless of how long ago it was. And that they're telling someone, one, whether it's me, the police their spouse, their parents, I think there's a lot of power in the truth and for a secret that's been held, held in so long, or a lot of these victims don't recall what happened to them until they're older. I always have a repressed memory or suppressed memories. And I think having it out front and dealing with it with the help of a counselor, a psychologist, psychiatrist is, is is transformative because you're confronting, you know, these, these demons that were not your fault. And I think once they changed the

narrative, a lot of the freights, a lot of these, they used to be, these cases involve the religious overtone.

Merritt (19:05):

So a lot of it is you know, child internalizes it, priests to saying, you know, this is okay with God and all these other things to make it justify the child's mind. Well, until you're an adult and you understand that that wasn't right. That wasn't, that wasn't what was supposed to happen. I wasn't supposed to have that kind of touching at my, at that age or other things. So I think it helped in terms of just confronting that and realizing that it's not your fault. That's the main thing. I think that's the first thing I'd say to survivors when they meet with me is, I'm glad, thank you for coming forward. And you know, this was not your fault.

Corrales (19:52):

Yeah.

Merritt (19:52):

That someone affirming them, like that goes a long way to healing whether or not I can help them with their case, whether or not there's any case to pursue. They know that they spoke up and they, they spoke that up for themselves. And spoke their truth. And I think there's a lot of power in that and there's a lot of that as well.

Corrales (20:15):

Yeah. That, that is, that is very important in light of the fact that there are probably so many people who you meet who there's not a lot you can do for them because of all of like the roadblocks, but you know, them coming to you, them saying this happened, them hearing it wasn't your fault. I can see where that would be enormously better than the situation they were in a couple of years ago. That certainly certainly makes sense.

Merritt (20:47):

Yeah. Silence

Corrales (20:48):

And also not having this big secret or yeah. Not dealing with it because a lot of proxy don't deal with it comes out in other areas. It comes out in drinking too much or being drugs or not, you know, being the best husband or wife you can be or you know, not all kinds of things that are, are a ways and means of, of suppressing the memories or suppressing what happened. Negative, you know criminal conduct. I mean it's just, you know, not being able to keep them, get and keep a job. I mean it's, it comes out in all kinds of areas. Of course, I'm not a medical doctor or counselor, but I've worked with enough of them to know that that is definitely it. You know, like derails the person you're supposed to be. It stops you in your tracks. So. Yeah.

Corrales (21:44):

Yeah. that's a very good wording. Stops you in your tracks. Those are the end of my questions. I really appreciate your answers and your insight and all of the work that you do in this area. On Friday I will send you what I have typed up based on the interview that we just did. So that way you can look at it and say, yeah, that looks good. Or, you know, could you add this? Could you take that out? And then next week I'll submit the final project before the end of the semester. But I really appreciate your time and I am exceedingly grateful for the work that you do.

Merritt (22:29):

Okay, well thank you, Allie.

Appendix C:

SNAP List of Recommendations for Bishop Burns

Dear Friends and Faithful of the Diocese of Dallas-Fort Worth:

As the Lenten season is upon us, we are called to reflect, repent, and make sacrifices so as to better learn how to live in the image of our Lord Jesus Christ. This year, Lent begins following an important moment in our Church's history: our Pope has called for an "all-out battle" to stop the scourge of child sexual abuse.

As your bishop and as a devoted follower of Christ, I am happy to take up Pope Francis' call in a bold way. During this Lenten season I make a promise to each of you in our community and to every survivor in our state that I will reflect on the ways that our diocese can protect children and support survivors, that I will repent for the ways that our diocese has failed children and survivors in the past, and that I will make sacrifices to improve the communities in which we live and work.

Over the next forty days and in the spirit of Lenten reconciliation, I pledge to:

1. **Improve our list of credibly accused priests by providing additional information to the public and then turning over our abuse files to the Dallas Police Department.** In a show of good faith and transparency, I will be updating our list of names to also identify when the allegations were made, what action was taken and when, as well as the assignment history and current status and whereabouts of the accused. My ultimate goal is to expand the list until it includes all clergy (diocesan and order), as well as brothers, women religious, and lay employees who have been accused of sexual abuse in the diocese. In a real commitment to zero tolerance, I will also be working to include the identification and discipline of all those knew about abuse and who hid abusers. Protecting our brother priests at the expense of vulnerable children is a crime that should never be tolerated or excused.
2. **Include secular support groups as a resource in any statements or press releases from the diocese pertaining to clergy sexual abuse.** I have learned that many survivors who are looking for help are doing so from sources outside the church. In order to best serve survivors as they would prefer, I will be including contact information for secular support groups, therapists, and counselors in all ongoing communication from the Diocese about this crisis. It is critical that people are able to receive help in the way they need, not in the way that is easier for us to give it.
3. **Put small ads for these support services in all of our parish bulletins, The Texas Catholic and on diocesan and parish websites.** In order to ensure that I am reaching survivors through every means possible, I will be advertising for these support services using diocesan resources. It is important that we all understand that independent support groups like SNAP are not our enemy, but simply a network of those who have been hurt by incomprehensible Church policies and who hope that today's children will never walk in their shoes. As I have previously said publicly, "we need to be challenged and we need to be accountable."

4. **Provide financial assistance to survivors from our diocese who would like to attend a conference or gathering of other clergy abuse survivors:** Abuse occurs in isolation, but healing happens in community. Unfortunately, the lasting effects of childhood sexual abuse leave many survivors marginally employed, if they are able to hold a job at all. The beneficial experience of being at a gathering where everyone understands what they have gone through is out of reach for many survivors, but this is one small thing I can do to help. I pledge to contribute in a meaningful way to the healing of victims by providing the means for 10 survivors to attend a healing conference this year. I also encourage other Catholic organizations such as the Knights of Columbus to follow my example by sponsoring some additional survivors.
5. **Add two survivors to our Diocesan Review Board.** It is impossible to adequately determine credibility without the input of survivors who have experienced abuse and know what it is like to come forward to a disbelieving public. While all investigations of future claims of abuse will be handled by law enforcement, I am also pledging to add two survivors to our Diocesan Review Board so that their important perspective can be heard and acknowledged when assessing credibility.
6. **Require all priests/deacons in the Dallas diocese attend a listening session of survivors.** I will be responding to the Pope's call to "increase awareness of the consequences" of abuse by committing to host and listen to a panel of local survivors share their stories and impact statements so that all of us will better understand the nature of abuse.
7. **Require all seminarians at Holy Trinity Seminary in Irving to attend a listening session.** What is good for those priests and brothers currently serving will be equally important for those seminarians who are called to service. Such a listening session would be critical for their education.
8. **Encourage and offer listening sessions at various parishes throughout the diocese.** The more that I can foster learning in my diocese, the better it will be able to deal with abuse. Future opportunities to hear from survivors and learn from their experiences will be considered at all points and instituted when possible.
9. Finally, **I will set up a local survivor compensation fund for those who need therapy and other financial support.** As Pope Francis stated, we are called to "accompany, protect and treat victims, offering them all the necessary support for a complete recovery." I will create a fund that can be used by survivors seeking secular therapy or counseling to deal with the lifelong impact of sexual violence.

I believe this plan-of-action is a starting point to healing for the victims within our diocese and can be a model for those across the country and even around the world. As Pope Francis has called us to battle against abuse, I believe that the steps laid out here today are doable, fair and practical. All will help bring justice and healing to shattered lives, as well as help protect today's children.

Lent is a time of repentance, but in order to facilitate true repentance I must move beyond “apologies,” “healing services” and “dialogue.” Instead, I must take concrete actions that show survivors, parishioners and the public that I am not simply listening, but hearing, too.

I encourage all members of our church, not only within the Diocese of Dallas-Fort Worth, but throughout our Catholic nation, to follow the example set forth by Christ and to devote this Lenten season to the healing and uplifting of others within our church.

Yours in Christ,

Bishop Edward Burns

Appendix D:

Full Transcript of Interview With Lisa Kendzior

Corrales (00:00):

What is your opinion on the effectiveness of the Diocesan Review board of the Catholic diocese of Dallas.

Kendzior (00:06):

So it's a very good question. And from the standpoint of they have who, who they are, who the people are, I don't know. It's not, it's not been a public, you know, it's not been publicized. [inaudible] No. I haven't checked their website lately. Do you know, have they posted any names?

Corrales (00:27):

No. No, not last. Last I checked. They had not posted any names.

Kendzior (00:31):

Okay. I didn't, I didn't think so. And I think it harkens back to the, you know, 20 years ago or 15 years ago from like I was telling you about my Fort worth friends. I actually was close to his wife and their kids. My kids went to school with them. So it's like they don't wanna, they don't want to let it be known because they, because they are privy to some private information. And I also know though that like this particular guy that I'm referring to that I know of was he was he was a businessman. He didn't work. He didn't have no company worked for someone else. Isn't you know, business. But he also was a contributor to the diocese and got, so he, he got invited and went to things with that. The Bishop invited, you know, would invite people to who were donors, big donors.

Kendzior (01:26):

So I think, you know, part, so back then I'm like, does that mean, so if you're a big donor, you get on the, on the board? It was always a question. Well we don't know. I don't know what skillset they bring. I, this was a nice man. He was a Catholic man from a big family up North. And I, you know, I thought very highly of, Oh, but what, what qualifications specifically did he bring? I don't really know cause he's, you know, so, well, vacations also, this is my, just my personal opinion is you know, they're, I believe they're going into the ranks of templates. This is one of those questions. And I'm going, it doesn't stop there cause I don't know who folks are. But you know, they're, when you're picking amongst a group of other Catholics and the Bishop sitting there and some priests are in that meeting, I mean they're, they're going to be, it's going to be filled with table is filled with other Catholics, you know, to, to, to, to call them out or to, to take a bold stance is a very difficult thing to do. Many people are not wired that way. I have worked in corporate America and most people are shut their mouth, you know, it's just like kind of go along to get along. That's always worried me that because I didn't have any, I don't know this for a fact because I don't know lists of who, who've been on those [inaudible]. But having outside non-Catholic experts on a board would be a little bit more, would be a little bit more impressive and show, you know, more more transparency that this is, keep it in the family.

Kendzior (03:11):

That's always been an issue with me. In fact, I believe, and I can't, I can't recall this probably goes back, Oh 13, 14 years ago, maybe it was 15 years, years was made. That's why this came up. I applied to get on that review. You for cause I was a snap. No, I wasn't a snap leader at the time. I was voice of the faithful. So I was still a practicing Catholic. I'm trying to help my church, you know, that's where I started. Like, you know, Oh my gosh, they just didn't know. Let's help them you, that's more how innocent and how naive I was.

Kendzior (03:47):

Most Catholics, Oh my gosh, look at this. They didn't know. Yeah, they know NATO and they do. And they that this is their emo, but so I never got, of course I didn't get on and I didn't, I never really understood it. It's like, man, I'm passionate about this. I didn't really care. I had friends who were priests. I thought, you know, isn't going to help me, didn't help me. I didn't get out. But it's just as well. So so then my concern of, Oh, I, they still let them what, you know, expertise. I mean, surely they would have people with law enforcement perhaps. I think the dental is just, and now in the last six months that they brought on a new guy who was former police department, police detective practicing Catholic in the community you know, that. So they brought him on.

Kendzior (04:42):

I don't know if he's on the review board though. I don't recall. I did something tells me he might've been, but and you know, therapists, somebody with therapists that are Catholic, but again, when, when you are in a, in a very tense situation and you're looking up, you know, you've got this, the leader of the of the diocese is the Bishop and he makes the call. I mean, you can say all you want in the ed, you say, bye. Thank you. You know, you know, the Bishop makes the call, kind of like get the president, the president listens to all his advisors, but then he makes the call, that's the buck stops there. So I, I get that. But there's always good to have somebody who challenges sometimes and that, I don't know that they do that.

Kendzior (05:40):

I don't know. I don't know because we don't meet, cause that's the lack of transparency says, you know, there's a, as a church community, you never really know if, again, who, who's kinda having oversight in some of these, but they don't ultimately have the power either though. So in a way it's kind of a moot point if you consider, Oh well they might be very qualified, but the fact they might come strongly, you know, on one side of the issue and the Bishop decides he gets it and he can't, I mean, it is a, it is a monopoly. It's the way it's structured so he can decide ultimately you know, and I, I mean, I don't think his I don't believe, I don't see it as a very strong leader. I don't, if he had, if there were strong leaders in that his, his diocesan review board, I would think he'd be more inclined in a mobile look.

Kendzior (06:34):

You know, kind of listen to him a little bit because I don't see him that way. But if he's talking to his Bishop brothers, you know, that's a private conversation. You know, he, they might say, Hey man, you guys, look, we got, we can't let this get out of hand. I mean, that's what we, that's what we, that's what we believe, not, I mean, these are just my, you know, based on other parts of the country that has been exposed. That's what we've learned. They're not looking out for each survivors and, and, and, and protecting those who have been harmed and looking out for protecting the church and their local church all the way up. You know, they're trying to protect the Catholic church. So I'm always stuff stick. But that's, you know, that's the nature of where I've come from. World war, the watchdog.

Kendzior (07:18):

And that's what we'll do. So, so let me just tell you that last year, right before lunch, in fact, what date do I have this I we had sent, you might've heard me talk about this or not, I'm not sure, but we, we Paul and I had met with the Bishop burns. He agreed to meet with us. We bet off an offsite place. And we asked him, please no power. This was, we were there and he listened. It was great. But one of the things that we asked for, we, you know, we said, well, we are here to help you give you concrete actions. Don't say, well, you know, my, in his words, he, I mean, he, he's quoted as saying you know, I, I give my word, let me think. Let me see if I can find specifically exactly what he says. It's just like, Ugh. You just missing the point. Your bitch, you know, this is the whole point. I said I could get my hands on things easily and I can't.

Kendzior (08:19):

Yeah. Well, he, you know, just like, you know, I give my, my word of apologies. We don't want words. We want actions and words are useless without action. So therefore, you know, that's where we're like, okay, so we want to help you. And here over the next 40 days and in the spirit of letting you reconciliation, I fished up first pledged to, these are what we wrote for him to pledge to number one, improve our list of credibly accused priests by providing additional information to the public and then turning over our files, our abuse files to the Dallas police department. This was, we're talking left the beginning of last year when we met with him. Never, never heard back alley, never heard back from him. But so that was the very first thing and we thought, you know, this is coming off of he adjusted, you know, all the bishops in Texas had just had their January 31st big deal where they disclose all the credibly accused names over the last 50 years and felt like this was such a big deal.

Kendzior (09:26):

Well, what we learned from the rant, the grand jury in court in Pennsylvania is they, they only give you a fraction of the real names. They give you the, you know, the ones that they can tolerate it, disclose it. Cause there's, there's more in there that they're like, well what for whatever reason, and I don't know whether they blame it on diocesan review boards or what, or friends, you know, I don't know. I, we don't know cause it's, it's, it's not, it's not exposed. Well, we said to him, you know what you want, we want to show the your community that you are being transparent kind of all over. And do you know that like two months later or less than half later,

that's when the dicey or the police department went in and the FBI went in. You know, I laughed him up.

Kenzior (10:13):

He just said, you know, let's do this. I'm going to eight. Boy, he wouldn't have had the embarrassing situation. But anyway, that was our very first day. And one of the things was number five was to add two survivors to the diocesan review board. We said, yeah, we said our words, it says it is impossible to adequately determine credibility without the input of survivors who have experienced abuse and know what it is like to come forward to a disbelieving public. While all investigations of future claims of abuse can be handled by law enforcement. I am also put, this is imagine the Bishop saying sameness. I am also pledging to get to survivors to our diocesan review board so that their important perspective can be heard and acknowledged when assessing credibility. Paul and I debated this, we are asking for one, we're asking for two for this.

Kenzior (11:06):

The reasons I was telling you when you're sitting around a group of people and they'll be, you know, I mean I tend to, I can plug two survivors from our group to say, okay, they're on the review board. Now if you're buying yourself, it's going to be very intimidating to stand up against, you know, a psych, a PhD psychologist, a law enforcement official, a former FBI. I mean, you're like, Oh, you know, but the point is they have a perspective and you know, I mean it takes one to know one kind of thing. I mean they're listening. They may be face to face with survivors telling their story and they're going to hear it in a different light cause they've got real world experience and they'll know it and they could be wrong. I mean they're human too. But you know, having, having them listen and say, I think this is real.

Kenzior (11:57):

I believe so matters. And then having that buddy where it's not like they're, they have their strength in numbers. So that's why, that's kind of how we felt this. Yeah. Yeah. Get that perspective. But making it, having a couple, and it could be a rotating any with the same person all the time. If you, you know, it's just a rogue Tang, but a perspective of people who want to play that role and they have to be, I would only advise stronger survivors who are not, who are more inclined to speak their mind. Cause that's, yeah.

Corrales (12:33):

Yeah. That recommendation seems very powerful in the, I can see where the number two would be even more important because it would be hard to speak up on your own. And I'm surprised that he couldn't, that the Bishop couldn't give that any kind of acknowledgement or response.

Kenzior (12:53):

No. And now, and even come back and say, well, we won't do two. We'll do one. Ellie, you know, we had a really nice meeting, Paul. I mean it was posted an hour and a half with them. And we

thought, okay, you know, he was receptive. We discussed, and he goes, well, okay, well let's, his left party words to us was, let's not let the chairs get cold. Let's make, keep this chair so we can get back together. And then he blew us off. But I think what happened, it was like I said, it was a month or two months later, is when the the police department went in there and did that raid. He know with it, you know, we have no way of knowing. It was like, Oh God, you know, it was like, shoot, we got into media because you know, they're going to want to know what we have to say.

Kendzior (13:38):

I mean, they're not going to jeopardize something like that. I tell him snap, we don't need a, we didn't have that kind of, you know, I mean w we know David Clark, but he's not going to do anything that will hurt the, of his ability to make, do what they, you know, managing the week, got back to the church. So, you know, so we had no, so I think that, I believe in my heart, hearts can't prove it. That burns thought vis versa. We were part of the new something or so, I don't know. We did it. We were happy. You know, if there's what, there's two ways to get the information they can't, they freely handed over or you go in there with the law on your side to get it. So that's what had happened. It wasn't perfect though. It, you know, we've learned that they're still fighting that and David can explain that a lot better, but that, that was a thing that we thought that was kind of interesting.

Kendzior (14:29):

So he dropped us like a hot potato at that point thinking we were, you know, part of that and we work, Paul and I honestly, you know, we had, we had nine, nine action ideas for him to show his community. I help him show his people in Dallas. These are the things that we're doing. And one like one of was we had, we had created a little ad, small little tiny little ad to put in all of the parish bulletins and all it said is and it, and it would just be if I'm in co and copartnership with the da, we have, we used an ad agency donated the time in co-op and Coke partnership with Diane diocese. If you, or a loved one has been sexually abused by clergy, snap our logo. We can help support group meetings and resources and then call or text Lisa at.

Kendzior (15:25):

So we actually had, you know, look here, just put these little ads in the back of those things. That's what you, you know, Bishop, you can do that. You have the power to do that. Nothing, you know, small. And the text, the Texas Catholic, the diocesan monthly newspaper that they send out or kind of newspapers, a little magazine or whatever and show that we support, cause he, he said publicly, you know, when we spoke out at these listening sessions and there we snap was an end. I was all of them. And somebody spoke, I spoke at one call, spoke at one and other, other survivors spoke at others. And he and, and borough said, look at you, snap. You know, we, we admire what you're doing. We will, you know, he was very receptive to us. It was like, Whoa, let's see where this goes.

Kendzior (16:20):

So we made finally made our meeting and you know how it felt. We, you know, we had an ice, we discussed, all this stuff is left, let's talk about it. And he's just like, you know, here's other examples, listening sessions requiring all priests and deacons in the Dallas diocese to attend a lifting session of survivors. And again, snap would coordinate, they have them there, their priests meetings allow a two hour listening session and we'll, I'll get, I can get five survivors and it could be rotating. Those who want to speak, they could go up there and tell her story and let people, let these priests hear it firsthand. And so that might change their heart. You know, if you hear and you hear it from their, their voice and in there and you hear that pain and there is a speaking in it, those things can, can move you.

Kendzior (17:10):

So you know that. So those are, those are things. And we also said, you know, require all seminarians will do the same thing. We'll go to the seminary and Irving, the Holy Trinity they do listing says these are not like groundbreaking. Oh my God, they're creative. No, they're just pretty simple. Pretty simple, not, you know, nothing like, Oh you know what you, you hold meetings for priests. You hope, you know, you require your, your seminaries to do with be trained. How about you devote, make a commitment or a couple of hours, you know, each semester for the seminary, a couple of hours at, you know, twice a year for first for priests and deacons. Let them hear from survivors. I mean keep that in front of a mic and they can ask questions too. Dialogue, dialogue is always a good thing.

Kendzior (18:02):

And we would also say, Hey, well if you have, you know, we'd like to do it around this different churches. I mean that's a commitment of our survivor community, but many would do it. Maybe if they feel that strongly about it, you know, it's like, yeah, I would like, like for people to hear just what happened and that would open a lot of eyes and I'll, I'll tell you Ellie, I got after being getting some publicity about it or snap was mentioned in some newspapers, I've got a letter, I got an email from Catholics, you know, in the community I'm looking for here. This is Bethany's February saying, I am writing to you with regarding to, you know, some questions I have regarding the list of credibly accused, preset Bishop burns has released. I tried to contact the Dallas detective assigned Dave Clark, but he has not responded to me.

Kendzior (18:52):

So she went on and basically just said, you know, we don't, I don't know, shoot that we don't trust that these are the, this list is complete. I mean, we just don't trust the process. A good camper saying, you know, her last parting was, I know know that I support and respect the work that snap is doing and support survivors. And I actually took the time we wrote her back, you know, thanked her for first I was like, you know, I don't know. And then I wrote her back. I thought, you know what? Thanks. I appreciate you giving us some critical thinking because that's we, we agree with you. If we don't believe it, that's it. We just don't, every ounce of our, of our being and our understanding, it says that this is not a complete, and we learned that only when you try to

general Pennsylvania went in, when the attorney general is only the one who went in to look at the diocese.

Kendzior (19:47):

Only then did they say their numbers don't match what they put posted, you know, they said these are the, we have, they're significantly under reported. So we know that these are the notes. These are the documents that are still in files. I mean, do you know my, you have to, you have to be, you know, not naive to say, Oh, come on. Surely they did not keep an all their files. Surely some of the ones that they gave them better get rid of these, you know, or some Navy subpaths fishes was like, I don't want to anything Lincoln linked to me.

Corrales (20:26):

Well, it's crazy because on Bishop accountability.org it seems like all of the Dallas diocese clergy, the ones that were listed in the list of credibly accused were ones with a significant problem, like multiple victims who had reported that kind of thing. And it does make you wonder like, what about the clergy who only had like one person who reported on them? Like did they just choose not to include them on the list or you know, are they only including the ones they know? They can't escape from, you know?

Kendzior (20:58):

Right. Cause there's, there's potentially a lot more, although most of them were dead already. You know, it's like you can't say you can't go any further, you know, and, and, and add more. It was very convenient. It seemed everyone was, you know, everyone every would just say just kinda convenient that majority are dead and can't be. And then the others have already been taken out. Show us the new one. And you know, and I can't, I was trying to figure this one out. I can't remember. Cause, I mean the day before that disclosure, I mean I was nervous as hell to get out there and do a press big press conference, which was fueled by the way to have 10, you know, every, every major news station with their camera in your face. It's scary as hell. I hate it. But I had, I had gone through with Bishop countability and looked at everything that I could that was linked to Dallas.

Kendzior (21:54):

I had a list and it said like 31 names and we heard he was getting into it. He was going to get 31 names or it was so Nokia or something like that. I thought, Oh, it's just going to be the same ones. Well, no, there were different ones. There was some that were, you know, and I, and but we also found out if Paul told me he got up, he got a note, a message from a reporter saying, Hey, so that was January 31st 18 when they disclose it and posted it, like, aren't there two later? Just before, just after the, the raid is probably just before the rate. There all of a sudden there was another name that was put on there and it was very quiet. It was like snuck in and never, it didn't, they didn't make any hay about it.

Kendzior (22:43):

And some are, you know, some, sometimes someone caught some reporter, you know, which was surprising cause we, you know, I didn't go looking to see, you know what I mean? Just like there's all type of stuff like that, but, and sure enough, yeah, they had, they had snuck in another name quietly and just, okay, well we posted, we posted, but you know, did, didn't draw attention to it so that if there are victims, other victims of that person, they should, would help them, you know, hear about it or their families might hear about say, you know, and that, so that was again, in transparency when you do it in the middle of the night, you know, kind of sneaked in. So that was one of those, you know, his words and his actions keep, you know, they just don't really, Jai he's, he talks up a story and he seems very nice. I mean he's, you know, isn't that a personal thing, man? But I come on, you know, you're not being, you're not really being transparent.

Corrales (23:40):

Sure. So you touched on it a while back, but here's another question for you. What advice would you give to a survivor trying to decide if they should report their abuse to the church or to police?

Kendzior (23:59):

I have talked to enough survivors and I know that there's a purpose for both. I know that especially if they're struggling, you know, with within their faith or if they're practicing and they are like, I need to, you know, kind of make peace within my church. Go and, and, and do that. I mean, first and foremost, I would tell them first before you can go to the authorities, get it on the record with, with somebody in the law enforcement, get it on the record because you might be the very first person and being and doing so don't take it down. Thank you. Listen to what happened. Write it down, start a file and just have it in the, in their, in their database done. But you don't know is, did somebody else already come through? Could've been 10 years ago, could have been 30 years ago, could have been, you know, two months ago.

Kendzior (24:55):

And they already have a little database within this. This guy's already in there and now your story and you know, you don't know that that's happened. So they're, they, they're trying to get the ammo. This guy, if things may have stopped, like there was a guy, a re costs from Dallas years ago, he had a foot fetish. So several of these of these young boys, you know, these boys, they, he did weird things and you know, when they disclose, you know, they're on different times. It was like that just made it even more believable because it's like this guy had a fricking weird, you know, and, and when you hear that thing, you know, stop, it's like makes it more credible. Yeah, absolutely. So that kind of stuff. So so going to the authorities and I as a, as a snap leader would encourage them to, and I would always offer to go with them so that they're never, you know, they don't have to dig, make that statement alone if they don't want to meet or to go with the family.

Kendzior (25:58):

Someone you know, you care, you want with you for, for moral support. So always do that. But I also have come to, you know, to, to appreciate that some want to go to the church, they want to have them, they want, they want to have them hear what they did. Kinda like, you know, it, it is kind of, you know, the how, how we're told and it's biblical that you're, you know, you're supposed to go and talk this, you know, talk to you, you're and get elders to tell them, listen to the story and resolve it. You know, you can now this is a different kind of resolve. Not necessarily, but it's kind of like your way of say I had no voice when this was going on and nobody protected me nor did, I don't think you've been cared. But if you knew that this guy was a perpetrator and you didn't do anything, then you need to hear what your lack of actually hand in the what it, what it did to me that for that, that healing part is great.

Kendzior (27:04):

I would only advise that after they have also talked with an attorney first. At least just, just make sure that there's, they don't have any legal recourse. Condemn is still available to them cause most don't have it based on the limitations. You know, most, most of them, by the time they, they feel strong enough to go and say, to be able to tell the world that yes, the top thing to do. It's like before I had the app, I always suggest we have some great people like to hear several people here in Dallas who are easy to talk to and at least and not carry out. They know the law and they'll say, you know, there isn't a case here, but therefore then, you know, cause if you go in my own, my only caution is going into the church before you've talked to an attorney and you later find out, you know, I do have some recourse here.

Kendzior (27:57):

You know, that there is perhaps some kind of limited justice, but you might, you could really ruin your, your car and your case because you know, if for that purposes, and I know that just reinforces the old, everybody's asked for money. It's really not, it's, it's a way of just saying, it's just, you know, that's why we like to say, Hey, if you do that, let's go make sure you've run, you talk, you know, talk to some attorneys versus seek if there's even any, you know, any opportunity person justice and they're probably in it, but let's do it anyway. And and just, you know, just for that reason that when you're, you know, we could say, okay if you going in, and I would also say the same thing, but in this case I'd always say go in with a set, always going with somebody else, never go in alone.

Kendzior (28:45):

The reason is because they will, they will always have others. There they are, they're probably taping you and you just, you want a second witness for you. That's all. And some, and I vote again, I'll offer up so I'll be happy to go with you. You know, and I'll be quiet. I'll just sit there and take notes and just, and then afterwards we talk about it and we download what we remember it, write it down and there you go. Get some, you got some documentation of, of the conversation that's all just for you know, just for your protection. But I say that with any, if you go into a company like anything I say, you know, protection, you always have a witness when you're out outnumbered, they can to two against one can say, Oh no, he didn't say that. But when

you're by yourself, you have no one to stand with you. So you know, so I can see that. That's what I would say is if you do, these are the, these are the the caveat first go to the, to make a police report number two discuss this with some attorneys locally, just to see if there's, if you have any legal cause. Cause they at that point they might, they do not go into the church that you know, you, you know, I will speak for you. So therefore, but so yeah, that's how I, that's how I already answered.

Corrales (30:06):

Okay. Okay. That, that is very helpful for sure. So you did also talk about statute of limitations a little bit and dr Holtzman and I talked about this a bit last week, but the next question is what legal and or statutory changes are needed to improve the allegation review process in Dallas, Texas, and the rest of the United States? And this could be church law, state law. What laws have you seen that hinder a successful allegation review process?

Kendzior (30:44):

Yeah, I mean I, I and Bob will have a better assessment of that cause he looks at it broadly and he's, you know, it up there out. He's up in New Jersey. You know, he's got more time to focus on those kinds of things. But I mean that's moving along here in Texas. We've, we've made some progress in those, in some of the statutes almost limitation laws. I think we have some, we have some more work to do. I think the biggest, the biggest issue for a lot of state courts or state legislators is w they really don't understand what that, why a 12 year old who, or someone, somebody who's abusive would not tell somebody or that w Y why be they're now 50 years old and they're coming forward to that. They really, because they're not, they never not experienced what, what shame and embarrassment and drinking up old, you know, where they, where they have been felt value.

Kendzior (31:56):

Listen to me, they were, their bodies were ravaged. And if they were of no value, that's basically, so if someone takes advantage of your person, your voice and your, what you want, doesn't matter. You're nothing. You're nothing. You're, you know, it's sickening. But Jesse children and so they, they don't understand that delay in coming forward. And so that it's an educational process of, you know, talk, listen to the, listen to them, tell, restrict, listen, I've heard so many times and I see survivors will come into the, into our meetings for the first time. Some can't even speak yet. You know, they have to sit there for a bit and look around and figure out is this stage. But what often happens, not always, but what often happens is they, their kids become the age when they were abused and you know, now they're, they're 30 years old or whatever.

Kendzior (32:54):

And then that time, and it started to like, get here and get them all riled up. You know, that, that's when it's like, Oh my God, it's, it's big. They get that fear kids are going to be exposed and now they're going to deal because they're, they have dealt with their own, their own work. I mean, you're, you're getting your your degree in psychology, political science political science. Okay.

Okay. Okay. and anyway, so I'm going to say that there's psychologists connect. Explain how that, you know, how that shame and that, you know, hazier just especially when you're younger, it's simpler. Push that stuff down there and just carry on your, try it and try and forget it. I don't know how, I mean obviously, and you have, you know, if there's any trauma in your life, anything could be, you know, just the tragic loss of a loved one.

Kendzior (33:47):

You know, you could put, you can push that now. Something you hear in the news will just like start, you know, you'll get when you least expect it and least want it to have it all of a sudden then like surge up a bit inside and you don't expect it. You know, it's like Whoa. That just cause it tapped something there, you know? But anyway, so I think that's the getting, getting our legislators legislative tours to understand why it's, it takes long. And so you must give them longer times to really, really understand and, and, and come feel to come forward with that really coming, you know, bringing out what happened at any age. It really just, you know, posing a predator is really in the, in the best interest of community. Now the, the other side of that is all you are going to, you know, there's gonna be some, we're going to lie and make up stuff and, and, and there's always that. I mean, I grant you that there though. There are always nutty people that will, but what, what survive. I mean statistically any way in. And that's, you know, they, I have read multiple places that putting yourself out there to say, this happened. Here's the last thing you want to do. It's like, Oh God, you know, you gotta you gotta either be really, really insane to do that, you know, for just for the money to think, Oh, I could get away with this.

Kendzior (35:24):

Had do. And though, and you still have to prove the case, they're very hard to disprove. So, but there's oftentimes evidence that you know, whether, if it's extenuating out, it's some, you know, family members saw something, heard something or there's love letters that's common. You know, they got, Oh you know, something was written or something that they, that the Sage or gift, you know, that they saved with the car that has been conveying ruminating stuff. So that, that's the kind of stuff that you get that, you know, that could, that could come with that. You know. So that's just allowing, you know, getting snacks. Just want to take, she's extended or truly eliminated in cases of child sexual abuse. That you say, it doesn't matter when you come forward. Cause the one that, you know, I, I'm looking at a lot of it is, is especially, especially decades later when the perpetrators are probably dead, but it's sometimes it's just to be heard and believed in.

Kendzior (36:22):

If the next is part of the healing journey. Not for everybody, not for everybody. But a lot of people who don't want it, they think, Oh, I can't do this. But once they relieve their debt that get that off their back and chest, they no longer, that's, no, that's not the same burden anymore. It's not theirs to carry. And it's, it's a beautiful thing to behold that I can, I can speak to that. I mean, I'm a, I'm the mother of the victim and, you know, hiding Holy Maddy. And when I kept that quiet myself holding that burden, yet it was, my stomach was in a knot. And when, when I

daughter, she went public, I mean national, public. And and so it, it was, it was like, Oh my God, I've never felt so exposed. I don't make it. And I'm like, wait a minute, I, I encourage survivors to do this. What the hell? And I, it made me understand it from another level, but, but what I, what I didn't know, it realizes once it's out there, I don't have to fricking hide that anymore. I have to like, you know, it's not there truly. It's kind of like, it's kind of a anything,

Corrales (37:29):

No, that's very true. That's true. Great point. That I mean the, the needs of a survivor and the community should outweigh the argument. Well, there could be someone else who just fakes an allegation that could happen, but it's not worth canning all of the survivors who would come out in their fifties and sixties or forties, you know that's a good trade. You know,

Kendzior (37:57):

You have to wait, you have to wait at the end, the balance. And isn't it better? I mean, aren't we really about protecting children in the end? And you know, again, there are so many inservice today and they might be seven years old or 60 years old today. It might not be in the priesthood anymore. But you know what, the purpose, our purpose, man, it's sick. You know, really very few, very few experts, psychologists, experts have said, Oh, they can be, you know, they can be changed and reformed. They can, I really don't think they can. So they have, if they have the opportunity and the access you watch out and I, it's not, you know, that can happen in my, my children or my grandchildren, you know, as far as I as best I can do, you know.

Corrales (38:44):

Right. Okay. No that, that's understandable. For sure. So I know that you personally spoke with Bishop burns in the past, but the next question is kind of on that same topic, if you could speak to him freely concerning child sex abuse in the Catholic diocese of Dallas, what would you say to him right now? Today?

Kendzior (39:16):

Mmm. I mean I would, I would just say [inaudible] and I have said it. The thing is he used to call us and I, I've said it, you know, you know, I take it sir, your, your, your house is on fire. You this, this is a very urgent problem and you really have to take, take bold steps. He talks a number of both. I want to be bold. Bold is really is doing know and also what you know, when you make a decision, you know, and I think if, you know, if I'm a leader of a, of a, of a religious institution of some sort, I mean I think it's a deference to what would Jesus do? I mean that's what the guy, what would Jesus do? That's what I have to think about in terms of how, how much, what's the right thing, what, Oh, we stand for, if I'm a leader of a church or you know, of religious institution is this is I'm, you're trying to bring souls, God to get people to heaven and, and educate them along those lines.

Kendzior (40:29):

And if I am not practicing what I preach, what we're preaching and we're out there preaching the word of God, you, you need to act like what God, how God would do this. How Jesus really would, you know, it would work here and I can't help, I can't help but believe that Jesus would be in the, in the trenches with the survivors because of how unjust and how absolutely you wrong, you know, what would happen to them. And in order to, you know, to protect the, you know, an institutional over, over vulnerability and, and the the lowest God, I can't even imagine. I mean I would, I wouldn't want that. I am, I'd be, I'd be afraid to dive and know what's going to happen to me if I, if I believe in believed it, you know, visit firms, really believe there's an afterlife. I would, you better be thinking, what are you doing?

Kendzior (41:24):

You're the real work you're supposed to be doing here cause you're not a CEO of, of a, of a gas company. And I expect something of them as well, but not, not to fall. Not necessarily to be a, I would hope that they follow, you know, tenants of the, of Christianity or Judeo Christian book, you know, tennis. But I would hope that they do, but that's not expected. I do expect that I put them to a higher standard. And so from that, I, that's, you know, that's what I'd say, but I'm not sure that that would get, you know, get his attention or would even care.

Corrales (42:00):

Sure. Well, and it's, it's interesting too, cause you mentioned earlier that some people want to speak to the church about what happened to them, kind of because of this biblical undercurrent of this is what I should do. But then it's crazy cause like while a survivor and so many other people try to may try to approach this subject innocently and, or biblically, that's not really the way they're approaching this issue. So it's so uneven, you know.

Kendzior (42:36):

I will give you an example. I will not, cannot name a name, but it took place in the Dallas diocese and it was a survivor who had had a mediation and, you know, they didn't go to court, but they need, they had a mediation and and agreed on a settlement. And then after they had said, Oh, do you, do you want any kind of, you know, counseling, pastoral counseling? It's like, Hmm, you know, and this person was like, okay, sure I would. And but before that, that when the mediation had settled, now this is, I'm not telling you firsthand, you know, so this, I don't know if you can do anything with it, but I'm just giving you an idea. It's the first went into that room and met the individual and said, Oh, I've wanted to meet you because I, I've heard that you were very credible or very believable, but I wanted to see for myself, those are my pair.

Kendzior (43:40):

Crazy. But it is not a lack of true, I mean, you go in there and you say, look, I am so sorry what happened to you? You should never have happened. I know that there's nothing, you know, there's nothing that will take that away. And whatever the folks in this room had, you know, would you all had agreed upon, I suppose, support and I hope that you have, you know, like that's how you act to a survivor. There's the ferns and mostly all those, all the bishops do not know

how to speak to survivors. Dog gone. It just pisses me off. And if you had 20 years to follow this stuff, you still don't know how to talk to someone that you've harmed, that your church has harmed. No, I'm saying this, a burns did it, but he's representing a church that really betrayed people and learn how to really own that and say, I accept responsibility for that and I'm here to say, this should not have happened. That's all he has to say. It's simple. It's simple. It doesn't take, you know, and made it and made it, you know? Also it's got cause just in genuine apologies mean nothing. Anyway. Yeah. That's, that's a very insightful example. Of course.

[Note: Timestamp resets to zero at approximately forty-five minutes]

Corrales (00:17):

Hmm. Yeah. That's, that's a very insightful example. Of course. I think unfortunately, I mean that would line up with some of what he's done in the past. I don't think I would expect him to be compassionate to someone face to face when he's not compassionate through any of his actions, you know?

Kendzior (00:40):

I would to, and again, we met him face to face and we didn't, it wasn't bad. I mean, he's, you know, he's a jovial guy. I mean, you know, I, I'm a, I'm a reader of people you don't love. I was in marketing and you know, it sales market is, I guess I can read people, snuff guy, nothing, you know, nothing in Paul's up sales myths. So he breached people. We didn't, you know, it's just step it up man. We're just saying, Hey dude, step it up and be and be the leader and be, you know, you talk bowls, you talk a good number but active and there are certain things, you know when I, when I asked him and I told the secretary book, I'm asking to remind you that he doesn't wear his collar. And she was like, Oh, I'll tell him. And when I asked and then I talked to him, but you know, before that I said, now if, you know, cause he's like, I'd love to meet with survives.

Kendzior (01:32):

And I said, okay, well here's the deal though. It's gotta be, it's gotta be offsite, there's not going to be on your term. It's got to be in a totally independent term and you can't wear your, your calories. Like, Oh, he never even conceived that. That could be an issue either. You know, it's so simple. It's just saying you're, you're the Bishop. No one's saying you're not the Bishop. You just don't have to have that. That particular of next day, if you're only official because you've got new wear, a collar death, but you're the Bishop because of the power you yield and the position you're at, not what you're wearing if you didn't, if you were out and about. And so you know, someone needs a priest, you could do your priestly duties without having your collar and all that. You know, you're, you're supposedly, you know, so it was like, and he any, any honor that when he said, when he came to see us, cause Paul was a survivor.

Kendzior (02:24):

I mean I am not Polish. And I did, I asked for Paul. I'm like, I did that for Paul. And so that would, that was also to do the deal with him when he's like, you know, he listened and he didn't say no and he didn't say yes, but he just, he just set it down and I was like, I wonder if I said Paul, I don't know if he's coming in with this color that we'll see. And then he didn't. So we were like, okay, well that's good. That was a good thing. Not that we don't think he's got the ability, I mean, it's a human thing. He's just his, they're in a corporate meeting and as you know by the whole thing, you could speak to this who was a priest. You know, the culture that they're in, they're just, they're surrounded by their own.

Kendzior (03:01):

They're surrounded by people who are praising them and, Whoa, Whoa, Whoa. We love you father. We love omission. Oh, you know, don't, yeah, when you just don't, they get put on his pedestal and they forget who they are. They forget their humanity. They're supposed to serve us. You know, I mean it now you don't have to be nasty, nasty, but I'm not saying for me to be nasty, but you know, the reason they follow behind everybody else when they come in and come out of a disservice, if they're showing that they're the service there, they serve up to their head and own their, that they're the King. You know, here, act a problem and not Burroughs's but [inaudible] may, it does go to their head and you see that, I mean, I see that in all walks of life. You know, all walks of life, when they rise to the top, they think, Oh, there's just so damn, you know, they're just another, I'm just another human.

Corrales (04:00):

Oh yeah, no. Yeah, that's, that's very interesting. I can see where that would be an issue. And I know you mentioned that in the past and I'm, I'm glad to know that when you met with him he did not wear it. So this next question is about transparency, which you did touch on earlier, but what actions and or operational changes would improve the transparency surrounding the reporting and allegation review procedures of the Catholic diocese of Dallas? How can transparency be improved,

Kendzior (04:40):

You know here's the, I don't know where you at all. Have you followed or know anything about the Saint Cecilia deal with father [inaudible] who fled the country? Did you know about that story? Okay, so that happened. We, it was August, mid August when that, that story came out with Bishop burns, went in front of the media and said, we've had allegations against him. This priest is missing. And and we went to the, we already went to the police or something like that. So we were like, no, wait a minute. When did this happen? So what would happen, what we had learned and Vish, and if you go and listen to his, somebody needs, so miss his presentations or whatever media events are on, on their line online in their on their website. But they knew about it like six or eight months earlier when the three victims went to an attorney.

Kendzior (05:50):

And I, I tracked down the attorney and I recalled him. It took, it was hard to find. He never returned my call. I tried to reach out to them to get talk to introduce myself, tell the us we could tell his clients about us and, and wanted to talk to them, you know, meet and I like to meet the attorneys and just so they know us that we're here. If they are getting more clients that were, you know, we can help them. And he never, he just never returned our call. He was not, he didn't that his, he was, he was a lawyer from the community right around st Cecelia's, which is an Oak clip. And we had learned and, and, and one of the statements that we Paul and I recall by the media, I'm like, Oh, I hated the media. So I hate doing that stuff. I mean I, cause I don't feel like a very articulate and I'll say it wrong, you know, it's like a break now. It's going to be bad. It's going like going around the road. Well it went around the world because it was, it made national news, you know about this story and snap. And Paul and I were quoted as saying what took them so long? Where was the transparency? What took them so long? They had six months to disclose this. What took him so long?

Kendzior (07:02):

Brushed it under the table and all of a sudden the, the film, the Pennsylvania grand jury report came out blasting, you know, blasting diocese around the country for this is what they do. And he was told by his about birds was told by his PR people, you better get an edit the story if you, if they find this out and you held this back, you will. They got it out there. Like he was doing us a big favor when in fact the real question we asked is why did you take seven marks? You know, this, you just, you the attorney came to yours, you know, to you and you guys settle out of court and made a settlement. But you didn't go to the, we notify the police. Well, what I did is I called the police departments down there. Like if I was to report, who would I report to?

Kendzior (07:52):

I can't tell you I got such a run around. It was, I noted everyone, I called Dick don't call this number and then somebody would call me and they were nasty. I'm like, no, I am just trying to find out if I have survivor comes to my meeting this Saturday and needs to report pool hall. And no one could really answer that. So it told me they were so messed up. And so even through the going through the, the legal, you know, through the police, you know, and, and making a report, it's not easy, I can assure you. And if I'm a survivor, you don't even try. You meet the first call and they hang up on you where they say, well maybe you call and you talk to somebody who doesn't seem interested and they're just kinda kinda nasty. Like, you know, hurry up, what's your problem? And it's like you get up, you say forget it.

Kendzior (08:44):

And then for them to give you some kind of push back and it's like, forget it. I kept pushing cause I'm like, how can it find out for somebody? I mean, this is me, this is worth new people show up. You know, I did get a call from, from a fork survivor of this person. I put him in touch with David Clark's name came up and I'm like, okay, we got a new contact. And that is when they issued that started things rolling. But my point is that this really, you know, burns and his, his and yes, he had just really come into Dallas. I mean, he was new to Dallas within a year or

something. But the usual like, yeah, you know, this will probably never do see the light of day. Well, when August 14 cause that's my anniversary when August 14th, 2018 or 2017 came up when ran the professor, the grand jury posted and talked about this big news.

Kendzior (09:50):

That was the second way, first way was the Boston globe, you know, spotlight stuff. And this was the second way then it was, it was bigger because this awakened, right. If our Catholics who kind of were like, yeah, you know, I think they've been over, I think it's overblown. And they start waking up saying, wait a minute. They didn't fix this problem. And it really started a new way and people became a little more, now you know, when you find somebody has lied to you or misled you, you don't trust him anymore. It takes more to overcome. You know, when you've been betrayed by somebody, it's, it's even harder to earn their respect and build and trust. After that, Catholics have lost trust in the church and now they're like, Hmm. And people they looked up to like this. What was the guy, the head guy, what did he see that was, he was going after seminarians and you know who that, I don't know the name.

Kendzior (10:52):

Yeah, there's a high, high level. Cardinal escaped me as I said so many times, but I can't remember what I need to pull it. Anyway, it was dropped. I mean, but he was, when you saw you know, presidents, he was, he was what the president was, you know, there's a place for campus to be at presidential things. He was there when it was a, he was a high profile guy, you know, it's gross, but you know, and then he finally, when they started signing his stuff and people came forward and talked about, you know, young, young men were like, you know, I mean, they were young. They were 18, 19, 20. I mean, you know, expect this. I mean, you know, the Catholic Hallman, there's a certain, you know, kind of, well my parents' generation and I like to talk about sex, so kind of quiet, you know, I to st Mary's and Notre Dame, you know, all girl school cross to Notre Dame.

Kendzior (11:54):

And you know, we didn't know much. I, you know, I wasn't that worldly when I went there and I gotta tell you, I knew I had friends that were, you know, date raped it, these, these depended Notre Dame guys. I'm like, what the hell? I think these are big Catholic boys, you know, so I mean, it's everywhere. Don't, you know, don't get me wrong, it's everywhere. But you know, it's just so you get these, these idealistic, you know, young men who want to be priest. They feel like they're called and, and you know, somebody in empower, I mean, truly power over them. And they've been, you know, they've been consecrated by God himself to be in this position. It's an awkward situation. And then what the hell did they do with that? No one told them how to, how to get out of a situation like that. If you freeze or you're just like freaking it, you don't even know what the hell to do. I can, I really can imagine that. And it's all very awful and you know, it's messed up more than more than one, you know, one, some area and that's for sure.

Corrales (12:58):

Sure, sure. No, that, that makes sense for sure. So moving on to the last question kind of like a much, I don't know how to compare it to yellers, but what are some words of advice or hope that you would offer to a survivor that you've just met?

Kendzior (13:22):

Oh, I love that. I love that. That I can say I, first of all, I honor them for their courage and to make the call or to take it to, to drive over and come to our first meeting. I mean, that's, I know that takes a lot of, a lot of courage and I honor that. And, and I tell them that, you know, you are, you are starting your, your healing journey and it's going to be a journey and you don't have to walk in along because they're going to be others in this room who have walked that journey before and, and will share what they learned and that have helped. And and I just know that it, you know, it's not, it's not going to be easy. You may, some times it gets worse before it gets better. But I have seen survivors get to the other side of it where it was debilitating, you know, when they at the beginning in it with and they went through hell and facing up to things and remembering things that they didn't want to remember and it wreaks havoc on their relationships.

Kendzior (14:26):

You know, it's just, it's just bad. It gets hurt, hurt within families. They have family members that don't believe or blame them or are shamed or embarrassed or whatever. So they have to deal with all that too. But I, I know that, you know, you are worth fighting for. You're getting, you know, getting healing from this. Cause what happened to you was not your fault. You should never happened and it wasn't your fault. And you know, we're here to walk with you on your journey and you will get to the other side and you'll be stronger because you're strong already, but you will get to the other side and you're not going to be alone. You're with us. You know, you're not alone. And I can, I can speak to the fact that I love our group. I mean, I know those people and I've seen interactions between people, how they respond to each other.

Kendzior (15:23):

And we just feel kind of connected because, you know, there's like, Hey, I just went through something really awful, but I can share this and it doesn't feel so bad. They underst people understand me and they're not judging me and they're not. And they, cause you'll see, I have, I see. I watch people and they're shaking their head. I mean, people from Lutheran, Lutheran, churches from Methodist churches who come into our group and they're, and I think, I'm wondering if we have a lot of Catholics in here, I wonder if there, if the Lutherans and the Methodist and the Baptist, if they're going to feel uncomfortable, they always tell me, Oh God, it's the same thing. I mean they, they recognize the same, you know, just say song different verse. They get it, you know? And, and if we have a vibrant group of, of all denominations in their last lot of love, we're Catholics just, you know, by the nature of the exposure that it's gotten.

Kendzior (16:18):

But but there's a lot of people that have come in from different and it's, it's really, it's really fulfilling. And I know, I believe that I, I, I speak it because I believe it. I know it helps now. Not

everybody will give up, you know, they won't, they stop coming. They're not, you didn't want to confront it. But those who do and keep doing it, keep doing it. They get to the point where the story, there's what happens that no longer, I mean, they've moved on and they're now, they're putting, they're going out trying to help others. It's like that's how they heal and they start helping others and they start healing even more. You know, it's the, it's the irony, you know, it's like if you, if you actually get outside of yourself and look at some guys, you're actually healing yourself too.

Kendzior (17:00):

You know? It's really, it's a beautiful thing. So I try and I try to encourage them. I try to give them power for themselves. We never want to tell anybody what to do. You know, these are my suggestions. This is what's worked with other people. You do what you need to do. We'll support you no matter what. Cause they was power was taken from them. They didn't have a Sage. They did there. They couldn't say no or they was disregarded. And that, so giving them the power, you know, it is important to try to give them, getting them to do a little bit, take a little, you know, do something themselves. Like, Hey, here's here. Here's the list of cemeteries, give them a call. You make them, give them little steps that they can just follow up on. And it's empowering when you start, you know, start moving in that direction and we support them.

Kendzior (17:45):

So that's all we just gave them. Tried and true always occurs. You know, we're just a pure a peer to peer support group. But there's a lot of wisdom in the room and people have heart net room cause they know exactly what you've been through. But it doesn't say we do. We never say you don't need to do therapy cause yeah you do. And some, you know, we, and we help, I put together lists of, of, of free help, you know, they can, they can seek out through women's crisis centers and, and other health, mental health centers, you know, to say, Hey try, if you don't have insurance, that's okay, we can help you. So, you know, here's places, probably the Catholic church can't do this. I mean, for God's sakes, I mean, hell, you know, I can do, I'm a nobody. I can do this for them.

Kendzior (18:32):

It helps your vice watch the church with all their vast resources, with all of their ability to pull in smart, skilled people. They don't, they don't, they don't. They do want to think about the big, really that's an afterthought. The place of the victim is an afterthought, which is just beyond me. That they, that really, that the Bishop burns 20 years past the spotlight can't say, you know what happened? You should never happen. It was wrong. And I am very sorry. I, you know, from the bottom of my heart, I really apologize, you know, for this or whatever, whatever is right for that. And to show you really give a damn, you know, people want to know that their leaders care. And if they don't, it's like they won't believe anything you say because you don't really care. It's better not to say it, you know, cause you're, it's worse. The phony. Nobody likes to fall, you know, especially if you've been hurt so deeply, you smell them. You could smell somebody. Absolutely. Yeah, yeah,

Corrales (19:42):

Yeah. Well that is, that's the end of my six questions that I had. So I'm very grateful for your answers and I will be excited to incorporate them into my final project and kind of make a list of recommendations based on what you and other subject matter experts have said. So yeah, that's it.