

**Letter to Archbishop Di Noia**  
**Re: Rev. Arthur J. Smith**

December 15, 2015

His Excellency J. Augustine Di Noia, O.P.  
Congregazione Per La Dottrina  
Della Fede  
Palazzo del S. Uffizio  
00120 Citta del Vaticano

Your Excellency:

I wish to acknowledge receipt of your letter, as well as the enclosure, relative to your desire for information about Rev. Arthur J. Smith, a priest of the Diocese of Buffalo, New York, who wrote to our Holy Father describing what appears to be his displeasure as to how he has been treated by local authority in regard to several unfortunate incidents in which he was involved. I am pleased to respond to your request for "a brief summary of the case, including its current status," as indicated in your letter to me (Prot. N. 08/2015-52876).

In his letter, Father Smith seems to treat lightly his relationship with a minor, an 8<sup>th</sup> grader in the parish school where Father Art served as pastor, and his regular contacts with that minor through social media and personal encounters.

I would note that in careful investigation, after several reports received by the school principal, as well as complaints from the child's mother and a review of the case by the Diocesan Review Board, Father Smith was removed from the parish as pastor due to his "grooming" of the minor for a period of weeks. In addition, complaints were presented to the Diocese about Father Smith's heavy alcoholic drinking and depression.

As a result, Father Smith accepted the request of the Ordinary to submit to an assessment at Southdown, a residential treatment facility for clergy and religious in Aurora, Canada. After only a day, Father Smith "checked himself out" of the facility refusing to complete the four day assessment addressing his obvious issues of "grooming," "boundaries," heavy drinking, and depression. He resigned the parish as pastor.

At the request of Bishop Kmiec, Father Art finally was admitted to the St. John Vianney Center in Downingtown, PA for an evaluation, which noted some difficulties as far as Father Art has a poor level of processing information which could lead him to behave in ways that offend others and get him into trouble without realizing how such occurred. He was recommended for residential treatment.

Under my watch as diocesan Bishop, on November 20, 2012 I assigned Father Art as Chaplain at an area healthcare facility operated by the Brothers of Mercy. Contrary to what Father Smith stated in his letter, he once again faced "boundary issues," this time

with complaints from the Regional Superior of the Brothers of Mercy. The complaints involved a young man (age 19) employed at the facility who reported "inappropriate remarks and touching" by Father Smith. In the second case, a novice brother (age 25) reported "touching by Father Art" (October 14, 2013). In a letter dated October 25, 2013, the Regional Superior wrote to me stating: "Due to the unfortunate circumstances involving Father Art Smith and, in particular, his inappropriate conduct with employees, we no longer consider him a member of the Spiritual Care Department. Regrettably, Father Smith's actions have become a matter of gossip in our facilities. I regret we must terminate Father Smith's work on our campus."

During this time, Father Art also assisted in pastoral care (on a part-time basis) at one of our area suburban hospitals. On October 15, 2013 the Director of the Hospital Apostolate in the Diocese issued a complaint about inappropriate behavior with a 30 year old male patient Father Art had visited who smelled alcohol on Father's breath and was uncomfortable "as Father was caressing his forearm." Father Art was dismissed from that position.

I would also note that back in 2004, when Father Art was pastor in one of our city parishes, a seminarian was assigned to assist in pastoral care at the parish. The seminarian noted that Father Art seemed to "groom" him to get his affection. One night the seminarian recounted an incident where Father Art came to his room, came into his bed, and began to touch his genitalia. The complaint was received at the diocesan level and addressed with Father Smith.

I have as Bishop asked Father Art to seek counseling, which he has indeed done in response to my request.

On the basis of his cooperation in regard to regular counseling, I have granted Father Smith faculties to function as a priest in the Diocese of Buffalo. I also have assigned a priest in the Diocese to continue to monitor the ministry of Father Art.

I need to note that in all cases and at all times, I have continued to express fraternal outreach, care, and pastoral support, as well as concern for Father Art and will continue to do so.

I hope all the information I have provided fulfills the request of your Excellency as to a summary of the case and present status of Father Arthur J. Smith.

Should further information need to be provided, I am at your service.

I offer your Excellency my prayerful support and every best wish.

Yours sincerely in Christ,

Most Reverend Richard J. Malone  
Bishop of Buffalo