

From: Jennifer Kane [REDACTED]
Sent: Tuesday, June 4, 2019 [REDACTED]
To: information@movementtorestoretrust.org; Hurley, John J [...]
Subject: Re: Movement to Restore Trust Update

President Hurley:

With all due respect, MRT proposals do not address the fundamentally corrupt corporate culture embedded in too many men in present diocesan leadership upon whom MRT reform measures rely.

And I'm not talking about just Bishop Malone.

I recently reported information to the State Attorney General that gives witness to the fact that at least two diocesan officials still at work in official capacities are compromised in their abilities to deal with matters relating to clergy sexual abuse. Yet these are the very clerics MRT relies upon in taking an active role in dealing with sexual abuse issues in our diocese.

One such cleric is entrusted with handling sexual abuse cases through his office as auxiliary bishop, and the other cleric oversees the diocesan "healing" initiative through the Presbyteral Council and serves on your Joint Implementation Team. Both played key roles in putting the public at risk in the past with their gross mishandling of sexually abusive priests and their victims.

As you know, I am personally familiar with a particularly egregious case which I informed you about back in January through the BCL. This case formed the basis of my report to a New York AG inspector who, for some reason, did not appear as knowledgeable about the case as you are, given the rather shocked reactions I heard over the phone. This case involved Bishop Grosz and Monsignor LiPuma who to this day have yet to acknowledge their part in the unconscionable ways both the victim and the abusive priest were handled, not to mention how they knowingly put the public at risk. Of course, no whisper of contrition has been heard from their lips. As you know, this concerns the case of a CKS seminarian who was sexually molested by Art Smith in 2004.

By virtue of the canonical offices Monsignor LiPuma held (including vice chancellor) he was complicit in the coverup of not just Fr. Art Smith's crimes, but the coddling and advancement of that criminal priest AFTER Smith's sexual assault of the seminarian. It is all part of what he learned in that culture over the course of many years.

And this is just one case. Let me refresh your memory. Chancery officials (including this vice chancellor under three bishops and the auxiliary bishop):

- did not report Smith's crime to law enforcement;

- would not permit the seminarian to report the crime to law enforcement—contrary to New York State statutes. (The victim, on his own initiative, wrote his own report of the sexual assault and mailed it to officials at 795.);
- let Smith remain with full faculties as a working priest in the very parish where the assault took place without any serious discipline or remedial actions for his body, mind or soul for seven years;
- let Smith remain a canonical pastor of two congregations during those seven long years;
- **never informed the laity** of his dangerous inclination to cross boundaries to fulfill his sexual appetites;
- never gave adequate treatment or support to their own seminarian who was an innocent victim sent by CKS to live with the predator priest at his rectory as part of his priestly formation. That makes it a workplace crime.

THAT is what corrupt corporate culture looks like. But it got worse.

To add to the horror of this situation, I remind you that the diocese bestowed upon Smith the honor of “Priest of the Month” AFTER the sexual assault. All the while, Smith was permitted to celebrate televised Masses, an outrageous situation which created a false aura of public trustworthiness for this sexual predator, not to mention inflicting more pain upon the victim (later ordained a priest) who had to witness his sexual molester honored by the diocese.

LiPuma next played a key role in 2012 in getting Smith assigned to the nursing home where Smith (not surprisingly) was accused of inappropriate interactions with two young men. Were nursing home officials aware of Smith’s criminal propensity before placement? This is being examined, but not by the MRT for some reason.

We have an auxiliary bishop similarly entrenched in years of coverups including this case of the seminarian. But his actions, I remind you, only added to the abominations when we consider his threats of retaliation to the seminarian if he spoke a word about this crime to anyone. Has the MRT questioned the victim? You all know who he is. I reported these threats to the State AG because such workplace threats of retaliation under these circumstances are a crime. We also note that Grosz was a classmate of both Art Smith and Fabian Maryanski whom he clearly protected following their abuse reports. Why does this fact not prick the interest of the people serving on MRT?

Instead, these men (LiPuma and Grosz), get a free pass from the very lay organization that purports to represent our interests in the diocese and help the bishop restore trust. It is more than reasonable that MRT’s first order of business should be to recommend **dismantling this deviant corporate culture and the men steeped in it before attending to the other bullet points in its recent set of proposals**. My brother in Christ, with all due respect, men without integrity in diocesan leadership aren’t going to reform or instill trust in anything.

We properly ask at this point in the story, what kind of men would work so hard to provide cover for this sexually abusive priest? I implore you to carefully and prayerfully consider this question. It's about integrity. But their coverup becomes more shocking when we discover how the innocent seminarian's mailed-in report was handled at 795. Back in January, I implored you and the BCL to follow that lead. Today, the New York State Attorney General is. The State will discover that the report would have first gone to LiPuma. Ultimately, it would have taken men with integrity in the chancery and the seminary to actually follow state laws governing the reporting of such criminal acts in the workplace. The moral obligation, of course, was completely ignored.

That should bother us.

This is where the human element comes in and what many of us find so desperately lacking in the recent proposals meant to help our diocese heal. They fail to acknowledge the very real concern that the diocese and this lay group still rely on fundamentally flawed clerics who have more than demonstrated they lack the integrity necessary to follow "protocols and procedures" much less Gospel values or New York State law. Are their careers worth the damage they inflicted? That's why the MRT's recommendation to have a metropolitan bishop oversee abuse reports of a bishop is just as naive as having Grosz oversee the sexual abuse reports of his two classmates. Do you not see how such a recommendation is an insult to the intelligence of the laity? Credible allegations of criminal abuse should be reported to law enforcement. Period. Are there really laypeople who don't agree with that statement these days? We have learned the hard way with McCarrick (who also abused seminarians) that bishops cannot police bishops. How could such an august group of laity seriously recommend keeping such credible reports (on anyone in the diocese) in-house?

To make matters worse, we not only let these men complicit in coverups oversee the clergy sexual abuse crisis, we promote them! OLV is now led by the very monsignor who for years was entrenched in a culture at 795 that put the public's safety at risk. And this appointment (an advancement in his career) is incredibly met with NO resistance from MRT. In what world does a monsignor who is connected to the very sexual abuse coverups which civil authorities are investigating get an advancement in his career?

Clearly, any lay group purporting to represent laity in advising the bishop should demand that he put a stop to advancing clerics who participated in criminal coverups in any way for any reason (because clerics like LiPuma could have refused orders and/or resigned their positions). It is more than reasonable to point out that such clerics, through their own decisions, forfeited any right to claim a position of authority or have a say in the healing process. That LiPuma additionally leads the Diocesan Presbyteral Council, for example, shows us a gross lack of seriousness on the diocese's part to restore trust. His service on the JIT calls into question the seriousness with which the MRT takes its task on behalf of working to restore trust among laity. This is particularly in light of the fact that so many who serve on the MRT know the horrific details of how the seminarian's abuse case was handled.

The MRT wants the bishop to “soothe the hearts of victims.” Yet, please consider the pain the MRT inflicts on this particular victim of Art Smith’s as it coddles and takes direction from the very clergy complicit in the coverup of his sexual assailant!

It is time for such clerics who compromised themselves in the corrupt culture at 795 to step aside and make room for good priests with sound, moral integrity to take their place as part of ANY plan to re-establish trust.


It is beyond disappointing that we laity cannot place any trust in the work of the MRT while it props up the very clerics who brought this diocese to its knees. For this reason, I made my report (verbally and in writing, as requested) to the Buffalo inspector for the State’s Attorney General assigned to investigate the Diocese of Buffalo as part of the larger state-wide investigation of Roman Catholic dioceses.

My brother in Christ, I thank you for your sincere efforts to help the diocese and for your time reading this which I offer in true charity and holy concern for the future of our diocese. I hope and pray your group up there in Buffalo (which rather shamefully lacks input from the southern region) will re-think its attachment to some of the clerics in diocesan leadership or at least reconsider just how compromised they are in light of what they put poor souls through for so many years. “We must obey God rather than men,” as St. Peter, filled with contrition, reminds us. He acknowledged it wouldn’t be easy.

My personal profile is at the link below as is my contact information should you wish to chat about any of this further.

I continue to pray for you in your difficult deliberations and for all with whom you confer and minister. God bless you and your ministry during this holy season of hope.

Your Sister in the Risen Christ,
Jennifer L. Kane, OCDS


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