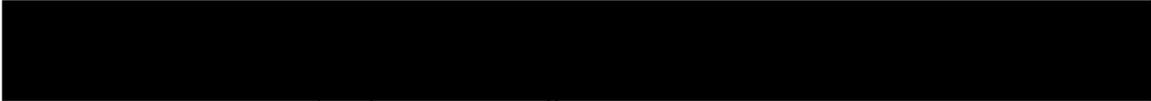


Jennifer L. Kane, OCDS



14 December 2018  
Memorial of St. John of the Cross

Rev. John M. Staak, OMI  
Interim President-Rector  
Christ the King Seminary  
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Fr. Staak:

Thank you for your essay, "Understanding Seminary Life: Yesterday, Today, and Tomorrow," describing the basis and purpose of the formation journey of our seminarians at Christ the King Seminary. In your email cover letter that I received from Ms. Lankes on December 5, you state that the essay contains "important information needed to clarify facts and answer questions for our community." This I can only interpret as referencing the current sex abuse scandals by priests who came through CKS. There does not seem to be any other topic regarding seminary formation which concerns Catholics today.

Finally, I thought, our seminary was going to address its troubled track record with transparency by offering concrete measures it has put in place to prevent some of the atrocities of the past. But what we donors and Catholics want to know and what this essay failed to address is simple: Are we safer with necessary institutional changes made? Are our young men at CKS safe?

The essay was a grand disappointment in that regard. Instead of having the aforementioned questions answered, we read about a process of formation neatly divided into pre and post Vatican II eras as if the timing of the Second Vatican Council had anything to do with the seminary's response to sexual abuse scandals.

I speak specifically of the case of a seminarian I personally worked with as a lay member of his parish formation team during his pastoral year at St. Mary of the Angels Church (now Basilica) in Olean between the years 2005 and 2006. During his time with us, I found out that he was sexually assaulted only a year earlier by a priest who hosted him at his South Buffalo parish rectory. As you know, this assault took place well after Vatican II, well after the Dallas Charter, and well after the CKS formation process the essay described was modified.

You and every person in CKS administration (including three rectors) and diocesan officials from 14 years ago to present know this seminarian's name. The former and present bishops know. The auxiliary bishop certainly knows because he is the one who made threats to the seminarian to keep him from reporting the incident to law enforcement and gruesomely suggested that perhaps he should lock his bedroom door! All of the clerics who worked at 795 and daily walked by the bishop's office knew. And what did all these men in position to responsibly handle this sexual assault do to aid the victim and see that justice was served on their priest/perpetrator so that laity could be protected? Nothing—beyond paying the victim's counseling bills.

Your essay states that "feedback from the faithful in parish settings" plays a part in the integration of the various dimensions of a seminarian's life. My freedom/right to provide the seminary feedback, which it asked for at the time under our supervisor, Rev. Gregory Faulhaber, was blocked because of the unholy retaliatory threats hanging over this victim's head. I presume that by now, with so much media spotlight, those threats are finally null and void.

**Permit me to now take this occasion to finally give CKS some of the feedback that I have been forced to harbor for 13 long years.** I hope this will aid the seminary with necessary revisions in future documents for public consumption which more honestly reveal how it plans to overhaul the dynamics of seminary formation.

The ungodly response from the seminary and the diocese to the sexual assault of this seminarian only heaped further abuse upon this innocent victim, an immigrant to our country for whom English was a second language. Add deportation to the list of threats against him because his status in this country depended upon his enrollment at the seminary. I do not know to this day if his mother, who works her poor farm, knows about this abuse that occurred the very year her husband, his father, died. I personally helped him journey through his trauma that the diocese further exacerbated with its abominable negligence towards him on the one hand (I encourage you to try to find his report and how it was handled) and the coddling and advancement of his abuser on the other. The mental and spiritual health of seminarians, which CKS touts, leaves much to be desired when the institution responded in such such an unholy/sinful manner in this case. What has changed since then? To this day, no one at the seminary — certainly none of its past rectors — can even muster the effort of a simple apology to this priest who was that abused seminarian in their charge.

How could he possibly develop at CKS "in freedom in response to God's call" under these unthinkable circumstances? By the grace of a merciful God, he is a priest today because of the care, support, encouragement, affirmation and abundant prayers and sacrifices from the parishioners and pastor at St. Mary's in Olean. Amidst this trauma, we taught him where holiness truly resides in the Church, and that holiness is fueled by love. Because so many (including formation team members left in the dark) recognized a troubled soul under the surface of his otherwise joyful service and ministry to us, I personally led two parish-wide novenas for him. He, in turn, discovered a lowly Carmelite friar's *Practice of the Presence of God* to be an enormous

help to his spiritual life so crushed under the weight of shock (imagine your priest mentor invading your bedroom and fondling your genitals) and betrayal from the institutional Church he had only known as holy.

Please, CKS, do not take credit for his vocation which you so willingly subjected to the whims of Bishops Kmiec and Grosz with Msgrs. David LiPuma and Richard Siepka complicit in the cover-up. Shame on all of you past and present for not acknowledging and making amends for this crime, this mortal sin which the seminary perpetuated by aiding the cover-up (not to mention the sinful threats of retaliation) all these years. Shame on all of you for making absolutely no effort to encourage the bishop to have the offending priest removed from the midst of an unsuspecting flock left ignorant of his immoral/criminal appetites. It ultimately took 14 long years to get that priest—discovered assigned in a parish setting—permanently (we hope!) removed from ministry this past April. For Grosz, LiPuma and Siepka to still remain in active service in their capacities with no accountability for their coverup/threats is just plain unjust.

To my knowledge, I am the only lay person at the parish who knew of the abuse and retaliatory threats. Under Canon Law 212, as you know, it was not only my right but my duty to communicate my concerns to the bishop never mind the seminary rector. But that avenue was cut off by potential retaliation (which could very well include canonical censure) diocesan officials placed upon this innocent victim. I am, therefore, not surprised that the word "holiness" is nowhere to be found in your essay enlightening us about today's seminary formation.

Unknown to CKS or the diocese, I consulted a highly respected Catholic lawyer at the time to see if anything could be done to seek justice for the seminarian and get that offending priest removed and/or jailed. Without the cooperation of the diocese, the lawyer said, "it's basically a case of the young man's word against the pastor's." So much for the effectiveness of the Diocesan Review Board in place at the time. My understanding is this report neither got to that board nor diocesan lawyers. Did anyone at the seminary even bother to follow up on his behalf?

But the effect of the sexual assault perpetrated by Fr. Art Smith upon that seminarian didn't stop in 2004. Imagine being in the seminarian's (and later priest's) shoes and watching your abuser allowed to remain not only a priest but a pastor for seven long years after the assault. Imagine what it felt like for the seminarian and eventual priest to watch his perpetrator honored as "Priest of the Month" by the Vocations arm of the diocese following the sexual assault. Smith was also invited to celebrate Mass to a wider audience on television and participate in radio and newspaper interviews with the pretext of speaking for the Church on important issues. Horrifically, this all contributed to a grossly false impression among innocent laity of Smith's priestly integrity, trustworthiness and holiness. This made him all the more dangerous.

Fr. Staak, it is entirely within the scope of your essay to inform us of any new policies and procedures the seminary has in place to responsibly follow up on reports of sexual abuse and to address human sexuality in general at the seminary. What changes

are in place for seminarians to report unwanted sexual advances and sexual assaults? Do seminary officials now report clerical abuse to law enforcement? We don't know. Does the seminary flat-out tell its seminarians to contact law enforcement, as it should in such cases? We don't know. Will the seminary support and defend its seminarians who report sexual assault or any other assault upon their person, even if it goes against an auxiliary bishop's attempt to protect one of his classmates? We don't know. One can only wonder how the topic of living a life committed to holy celibacy is discussed in a diocese/seminary so clearly protective of sexually active/abusive clerics. Shall we assume the same about sexually active seminarians in your midst? Sexual sins are at the heart of most of the horrific stories revealed today about clerics who came through CKS. I would think this topic is well within the scope of any essay helping us to understand and have a modicum of reassurance in how our seminarians are formed today.

It seems to me it is also in the scope of your essay to address lay formation team guidelines. Have these guidelines changed so that lay team members can pass on reports by seminarians of unsafe or immoral circumstances in connection with CKS with guarantees there would be no threat of retaliation (including canonical censure) against the seminarian? We certainly would expect lay involvement in processing these reports to prevent wolves protecting wolves as was done in the past and may still be the case today. What is the new clinical/psychological/spiritual follow-up for the care of seminarians sexually abused by priests or others in authority over them? These are all important questions the essay—designed to reassure us about today's seminary formation—fails to answer.

Instead, we read that “great strides have been made in the formation of seminarians for the priesthood during the past fifty years.” Tell that to the seminarians who voluntarily withdrew from CKS in the wake of the horrendous treatment from the diocese/seminary towards one of their classmates. If these young men are not physically safe and know that any reports they attempt to make could lead to retaliation (including expulsion), what's the point in addressing all the other arenas of a seminarian's life? “Accompaniment” includes providing a safe environment, believing the victim, giving proper aid and treatment to the victim, providing a check on the diocese to make sure it properly handles the abusing priest and his congregation, and teaching seminarians how to properly address sexual abuse reports. What seminarians learned in 2005-2006 was a travesty, the ramifications of which affect us to this day.

After all that has been revealed and after all the suffering victims of clergy abuse have endured in this diocese, we laity deserve nothing less than full, open and honest transparency about what is really going on in seminary life. Instead, we are treated with more obfuscation of reality which attempts to relegate poor practices as something that occurred before Vatican II. With all due respect, “Intentional discipleship” begins with the diocese/seminary and a commitment to operate under Gospel values.

Finally, I understand that CKS is questioning the official enrollment status of this seminarian at the time of the sexual assault, as if that would somehow absolve the seminary of any obligation to care for this victim properly and seek justice against the

offending priest and protection of the lay faithful. The news media certainly will not absolve CKS of its failure in this case; neither will the laity weary of these revelations and cover-ups. Bishop Malone's own letter to the Vatican (attached) classified the victim as a "seminarian" assigned at Smith's parish.

That former seminarian has, with magnanimous mercy and humility, forgiven everyone involved in his abuse, as he has heroically demonstrated since the time of his ordination to the priesthood and his new life configured to Jesus Christ. This is a mark of holiness that the entire St. Mary's parish community recognized in him so long ago. He never encouraged me to speak out. He knows nothing of this letter. So that CKS may begin to earn back the trust of the laity which it and the diocese has lost with revelations of crimes and cover-ups and to bring our seminary back to the integrity it needs to properly develop men for priesthood in service to God's People, I respectfully request the following:

(1) a transparent and honest document which addresses specific areas of overhauling seminary life in light of the devastating spiritual and human loss in our diocese due to sexual crimes and sins against the sixth and ninth Commandments. Are our seminarians safe at CKS? Can they report abuse to seminary officials without jeopardizing their future? Are we safe with the priests CKS approves for ordination?

(2) a corrected personnel file for this former seminarian, now priest who was in your care. This file should include this letter which acts as my official seminarian evaluation "feedback" from 2005-2006 that I was unjustly prevented from submitting. In justice to this priest, this letter should be one document among many CKS should collect to place in his chancery file to accurately record the crime perpetuated against him along with the diocese's shameful response for civil authorities to examine.

Thank you for giving considered thought and prayer to this feedback and requests made with respect for you and your office during these challenging times. Finally free to exercise my duty under Canon Law, my plan is to maintain pursuit of justice in this case and protection of laity / seminarians by escalating this concern to higher authorities if necessary. I hope that won't have to be the case.

I pray that Mary, Queen of the Clergy, will continue to guide you in your important work of formation of our future priests. God bless you during this holy season of Hope.

Respectfully,

Jennifer L. Kane, OCDS

cc:  
Rev. John Adams