

STATEMENT OF BISHOP EMERITUS DONALD TRAUTMAN

As he has done his entire career, Bishop Trautman sends his prayerful support to all victims of clergy sexual abuse. Bishop Trautman shares the Grand Jury's and Attorney General's disgust with clergy sexual abuse and extends a sincere apology to all who have been harmed by clergy abuse. Bishop Trautman has always endeavored to put the needs and concerns of victims of abuse first and his complete record while in office proves this. Today he did that again, even though doing so required him to sacrifice his own personal rights.

Bishop Trautman appealed to the Supreme Court, not to block publication of the grand jury report, but because the grand jury report did not give a fair, accurate and complete portrayal of his conduct and actions while Bishop of the Diocese for twenty-two years. As his legal filings consistently indicated, Bishop Trautman's primary goal was to ensure that any report released to the public is fair, accurate and complete. In its recent Opinion, the Supreme Court determined that the process afforded to Bishop Trautman with regard to the grand jury report was not Constitutionally sufficient or fundamentally fair. The Supreme Court criticized grand jury proceedings "where the evidence is controlled by a single presenter — the attorney for the Commonwealth — free from any requirement to adduce legally competent evidence, or exculpatory proofs. Such freedoms may enhance the internal functionality of grand juries, but we reiterate that they also represent a limitation upon its truth-finding capabilities."

Although the Supreme Court's ruling provided protection for Bishop Trautman's individual rights, when it became obvious that his appeal might result in the public not being able to see large portions of the report concerning the Diocese, he quickly instructed his attorney to reach out to the Attorney General's Office to attempt to reach a resolution. We thank the Attorney General for his cooperation in entering the Stipulation (attached) that led to Bishop Trautman withdrawing his appeal, including the Attorney General's willingness to agree to the concessions in paragraphs four and five of the Stipulation, which help make the report more fair and accurate. It is often difficult for legal adversaries to agree, but in this case, that obstacle was overcome because of the common goal shared by both Bishop Trautman and the Attorney General – helping victims of clergy abuse.

Bishop Trautman's efforts to care for victims are probably best exemplified by kind words that victims of clergy abuse have written to him over the years. One tragic victim, who Bishop helped counsel for over a year, wrote to him: "Finally[,] My Dear Bishop, If I can call you a friend[,] I believe God gave me the means to a cure through you. I have been with just a handful of people in my travels that you can feel they are God[']s best work and are here to teach his ways. You are one of them and I thank the Dear Lord each day knowing that you are there if I need to talk." Another victim, who was abused by the same priest, wrote, in a 1996 letter to Bishop Trautman, "Your prompt attention, kindness and compassion as the Ordinary of the Diocese of Erie is appreciated. Words alone cannot describe my gratitude for your generous support[.]"

Bishop Trautman's record while in office is documented in detail in his Response to the grand jury report, which will soon be made public. His record includes:

- Bishop Trautman personally met or attempted to meet with every victim of abuse, including traveling to their homes to do so. And, like he did for the first victim whose letter is quoted above, when victims would permit him, he personally provided pastoral counselling for the victims' well-being. He also helped ensure that victims had appropriate mental health treatment paid for by the Diocese. He

did this both before and after the Charter for the Protection of Children and Young People (the “Charter”) was passed.

- In April 2002, Bishop Trautman worked with the District Attorney’s Office for Erie County to review Diocesan records related to abuse allegations. *After this review, the District Attorney’s Office announced publicly that no offenders remained in a position where they would present a danger to the children of the community.*
- Bishop Trautman established new Diocesan guidelines for clergy and lay persons concerning sexual abuse in 1993 and oversaw their execution and fulfillment. These guidelines were enhanced under his leadership, before the Charter, in early 2002, and again after passage of the Charter.
- Bishop Trautman established the Diocesan Office for the Protection of Children and Youth in 2003 and staffed it with full-time personnel. The creation of this special office aimed at ensuring a safe environment for children in the Diocese and assisting victims of abuse was not required by the Charter or Pennsylvania law. Bishop Trautman formed it of his own volition to help abuse victims and to help prevent abuse.
- Bishop Trautman, in 2003, hired former FBI agents to review Diocesan files to help ensure that child predators were put out of ministry and to review compliance with the Charter.
- Bishop Trautman routinely notified appropriate law enforcement authorities of credible allegations of abuse and made sure the Diocese cooperated with law enforcement investigations. Victims were also advised of their right to inform law enforcement.
- During Bishop Trautman’s time in office, he removed, at least, 22 priests from active ministry, at least 16 of which removals related to claims of abuse or issues with children. He removed these priests via suspension or other canonical limitations and moved to have several of them laicized. In several instances, even though mental health professionals advised that a priest could be returned to ministry, Bishop Trautman kept the priest out of public ministry.
- If a credible allegation was brought to him while bishop, Bishop Trautman never reassigned a priest to parish ministry who had been removed from ministry or had his ministry limited based on allegations of sexual abuse.
- If a priest was under suspension and he moved out of the Diocese, it was Bishop Trautman’s practice to notify the district attorney in the county to which the priest had moved, as well as the Bishop in the diocese to which the priest had moved.

The above actions are hardly the actions of a Bishop trying to hide or mask pedophile priests to the detriment of children or victims of abuse. What is clear from his overall conduct – and complete actual record – is that he cared deeply about the victims of abuse, did his best to help the victims both pastorally and financially, consistently took action to remove abusers from active ministry and cooperated with law enforcement officials, including the District Attorney for Erie County. There is no evidence that Bishop Trautman moved priests from parish to parish to “cover up” abuse allegations or that he failed to take action when an allegation was raised. There simply is no pattern or practice of putting the Church’s image or a priest’s reputation above the protection of children. The above record demonstrates just the opposite.

Bishop Trautman sends his prayers and deepest support to all victims of abuse.

**IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT**

IN RE: FORTIETH STATEWIDE INVESTIGATING GRAND JURY	:	No. 88 WM 2018
	:	
PETITION OF:	:	Supreme Court of Pennsylvania
	:	2 W.D. MISC. DKT. 2016
	:	
BISHOP DONALD TRAUTMAN	:	Allegheny County Court of Common Pleas
	:	CP-02-MD-571-2016
	:	Notice Number 1

JOINT STIPULATION TO DISMISS APPEAL

Petitioner, Bishop emeritus Donald Trautman of the Catholic Diocese of Erie, and Respondent, the Pennsylvania Office of Attorney General, through their respective undersigned counsel, hereby enter into this Joint Stipulation to Dismiss Appeal stating as follows:

1. Bishop Trautman Petitioned the Pennsylvania Supreme Court because he disagreed with and contested the accuracy and completeness of the Grand Jury Report as to his conduct and action, particularly when his entire tenure in office is reviewed. His objective in doing so was not to block release of the Report, but to ensure that any Report released to the public was fair and accurate as to his record while in Office.

2. Because of the scope of the Pennsylvania Supreme Court’s July 27, 2018 Opinion, Bishop Trautman’s effort to protect his own rights through his appeal

has the potential to result in large portions of the Report concerning the Diocese of Erie being blocked from publication. Because doing so could further injure victims of abuse and because his goal was never to halt publication of the entirety of the Diocese of Erie section of the Report, Bishop Trautman has reached agreement with the Office of the Attorney General (OAG) whereby he will withdraw his current appellate challenge so that the Diocese of Erie section of the Interim Report that is to be released in August is as complete as possible.

3. In doing so, Bishop Trautman is not conceding to the accuracy or the completeness of the Report, including but not limited to the portions quoted in paragraph 4 below. His Response to the Report setting forth his record while in Office and some of his disagreements with and clarifications regarding the Report, which Response was previously accepted by the Supervising Judge, will be made public with the Interim Report and is attached hereto as Exhibit 1.

4. In entering into this Stipulation, the OAG does not concede that the Report is improper. The OAG does, however, agree to the following:

- a. The statements on page 1 of the Report that “all of [the victims] were brushed aside, in every part of the state, by church leaders who preferred to protect the abusers and their institution above all” and that there was a “coverup” are not specifically directed at Bishop Trautman.
- b. The statement on page 2 of the Report that “[t]he main thing was not to help children, but to avoid ‘scandal’” is not specifically directed at Bishop Trautman.

- c. The series of seven practices set forth on page 3 of the Report were not specifically employed by Bishop Trautman.
- d. The statement on page 4 of the Report that “Priests were raping little boys and girls and the men of God who were responsible for them not only did nothing: they hid it all” is not specifically directed at Bishop Trautman.
- e. The statements on page 66 of the Report that “Diocesan administrators, including the Bishops, had knowledge of this conduct and yet priests were regularly placed in ministry after the Diocese was on notice that a complaint of child sexual abuse had been made. This conduct enabled offenders and endangered the welfare of children” are not specifically directed at Bishop Trautman.
- f. The Statement of page 67 of the Report that “several Diocesan administrators, including the Bishops, often dissuaded victims from reporting abuse to police, pressured law enforcement to terminate or avoid an investigation, or conducted their own deficient, biased investigation without reporting crimes against children to the proper authorities” is not specifically directed at Bishop Trautman.

5. The Parties further agree that the statements related to the Diocese of Erie on page 4 of the Report come from documents the full context of which is not set forth on page 4 of the Report.

6. The Parties agree that this Stipulation can be immediately made public and that publication of the Stipulation will precede any publication of the Report.¹

7. Based on the above, Petitioner hereby withdraws his appeal at the above cited docket and asks that it be dismissed.

¹ No other Petitioner has objected to publication of the portions of the Report cited in paragraph 4 above.

8. This Stipulation is not binding upon, does not establish precedent for, and should not be construed to impact any other Petitions pending before the Pennsylvania Supreme Court or the relief sought therein.

Respectfully submitted,

**DeFOREST KOSCELNIK YOKITIS &
BERARDINELLI**

By: 
David J. Berardinelli, PA I.D. No. 79204
DeFOREST KOSCELNIK YOKITIS & BERARDINELLI
436 Seventh Ave., 30th Fl.
Pittsburgh, PA 15219
Phone: 412-227-3135
Fax: 412-227-3130
Email:
berardinelli@deforestlawfirm.com

Counsel for Bishop Donald

JOSH SHAPIRO
Attorney General
Commonwealth of Pennsylvania

By: /s/ Daniel J. Dye
Daniel Dye, PA. I.D. 205638
Senior Deputy Attorney General

Dated: August 2, 2018