

Complaint #1

January 14, 2020

Bishop Richard Stika, now resigned from the Diocese of Knoxville per demand of the Vatican, has left violations of Church policy in regard to clergy sexual abuse. We are overdue to rectify these violations and put the Diocese of Knoxville in compliance.

Included in this section:

1. Complaint to the president of the National Review Board, Francesco Cesareo.
2. Memorandum by Thomas P. Doyle, J.C.D. addressing the case of Michael Boyd, victim of clergy sexual abuse.
3. Press release from the Diocese of Knoxville defaming Michael Boyd and covering up his abuse.

January 14, 2020

Dr. Francesco Cesareo

Chairman, National Review Board of the United States Conference of Catholic Bishops

3211 Fourth Street NE

Washington DC 20017

Dear Sir:

As an advocate for clergy sex abuse victims in Tennessee, I am filing a formal complaint against Bishop Richard F. Stika of the Diocese of Knoxville, Tennessee, a suffragan diocese of the Metropolitan See of Louisville, Kentucky under Archbishop Joseph E. Kurtz. The complaint is inclusive of any member and all parties in the Diocese of Knoxville who knew or should have known about the following violation of the Dallas Charter of 2002, issued by the United States Conference of Catholic Bishops (USCCB)

Mr. Michael Boyd filed a lawsuit against the Diocese of Knoxville and other employees/past employees regarding clergy sex abuse. The abuse occurred on the campus of the Cathedral of the Sacred Heart of Jesus and its attached Sacred Heart School in Knoxville. The sexual abuse was perpetrated by Bishop Anthony J. O'Connell of the Diocese and the Vicar General and pastor of the Cathedral, Monsignor Xavier Mankel as well as others. The basis of the lawsuit was the conspiracy to cover up the abuse by parties at the Cathedral and at the school.

On or about mid-November 2019, the Diocese of Knoxville presented the lawyers of Mr. Michael Boyd with settlement papers whose contents violated the Dallas Charter of 2002, specifically Article 3 of the Charter which reads:

ARTICLE 3. Dioceses/eparchies are not to enter into settlements which bind the parties to confidentiality, unless the victim/survivor requests confidentiality and this request is noted in the text of the agreement.

COMPLAINT:

The particulars of the complaint are as follows:

1. Bishop Richard F. Stika and responsible parties of the Diocese of Knoxville presented a settlement to the lawyers of Mr. Michael Boyd which contained a non-disclosure agreement. This NDA was rejected by Boyd's attorneys who deemed it to be an aggressive silencing maneuver by the bishop and the diocese and moved to protect Boyd with a mutual non-disparaging agreement. Both the non-disclosure agreement and the non-disparaging agreement violate Article 3 of the Dallas Charter and place Bishop Stika and the Diocese of Knoxville in noncompliance with the Charter.
2. A formal public reprimand should be issued to Bishop Richard F. Stika and the Diocese of Knoxville for inclusion of these two agreements: non-disclosure and non-disparaging. Bishop Stika and the Diocese of Knoxville, failing to be proactive in eliminating barriers to Boyd's free speech, broke faith with the victim, with the people and with the USCCB.

3. The annual audit of the Diocese of Knoxville by the USCCB should render the Diocese of Knoxville noncompliant with the Dallas Charter of 2002 for audit year 2019 due to inclusion of these silencing maneuvers in this settlement.
4. All legal settlements finalized by the Diocese of Knoxville since 2002 should be investigated for this violation of Article 3. This includes all settlements arbitrated through lawyers as well as entered into by the victims alone with the Diocese. Audits since 2002 which failed to note the inclusion of silencing (confidentiality) agreements should be declared null and void and the status of the Diocese of Knoxville declared as noncompliant since 2002.
5. Since the attorney hired by the Diocese of Knoxville for Mr. Boyd's case, Gino Marchetti, has been the attorney for several decades for the Diocese of Nashville, Tennessee, similar measures noted above in #1-4 should be undertaken in regard to Bishop J. Mark Spalding and the Diocese of Nashville due to the likelihood of this violation by the Diocese of Nashville and Mr. Marchetti.
6. Given the serious nature of this offence and the fact that the Diocese of Memphis, Tennessee, has close affiliation with the other two dioceses of Tennessee and is also part of the Metropolitan See of Louisville, Kentucky, SNAP of Tennessee requests on behalf of victims that this investigation and consequences also extend to Bishop David P. Talley and the Diocese of Memphis.

REQUEST FOR RECUSALS:

I request that Bishop James V, Johnston, Jr., Chairman of the USCCB Committee on the Protection of Children and Young People, recuse himself from this process. Bishop Johnston was chancellor of the Diocese of Knoxville for part of the tenure of pedophile Bishop Anthony J. O'Connell. Johnston continued as Chancellor for the 2nd bishop of Knoxville, Joseph E. Kurtz, until 2008 when Johnston was appointed Bishop of Springfield-Cape Girardeau, Missouri. This is a conflict of interest as Bishop Johnston would have been a responsible party in cases to be examined in complaints #1-4 above.

I further request that Archbishop Joseph E. Kurtz, recuse himself from this process as well since he was bishop of the diocese of Knoxville immediately after Anthony J. O'Connell. Archbishop Kurtz also has a conflict of interest because he would have been a responsible party in these cases discussed in complaints #1-4 as well.

SERIOUS QUESTIONS THAT ARISE:

1. Is the audit system employed by the USCCB adequate to police the activities of the dioceses/eparchies in regard to legal activities and settlements?
2. What mechanism is employed to examine the settlements and other legal proceedings of the dioceses/eparchies?
3. How much scrutiny is given to the settlements entered into by dioceses/eparchies to ensure compliance with the Dallas Charter of 2002?
4. What steps will be taken to discover violations of Article 3 in other US dioceses/eparchies?
How many other violations exist which render the Dallas Charter impotent and useless?

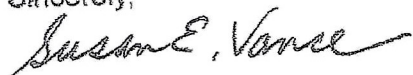
CONCLUSION:

The memorandum by canon lawyer, Thomas P. Doyle, presents a clear explanation of the violations and consequences. The breach of faith with the Catholic people of the Diocese of Knoxville is egregious and unforgivable. Diocesan clergy sex abuse policies and procedures are based on the Dallas Charter of 2002, but how reliable are the actions of Bishop Richard F. Stika and the Diocese of Knoxville in regard to the protection of children and youth if they violate the Dallas Charter so blatantly? This many years after promising to protect our children and youth, can Bishop Richard F. Stika and the Diocese of Knoxville be trusted to follow the dictates of the USCCB? How effective is the USCCB in policing these errant bishops?

The trust of the people in the Catholic bishops and the dioceses they lead is plummeting every day. Quick and decisive action is needed by the National Review Board to show intent to correct this situation across the United States. I would hope that the USCCB would condemn such flagrant violations by the Diocese of Knoxville and other US dioceses/eparchies.

I request your immediate attention to this serious matter.

Sincerely,



Susan E. Vance

SNAP of Tennessee (Survivors Network of those Abused by Priests), 8324 Burchfield Drive,
Oak Ridge, TN 37830

Enclosures: Memorandum by Thomas P. Doyle, J.C.D. (1), December 31, 2019 press release
of the Diocese of Knoxville (2)

cc: Luis Cardinal Ladaria Ferrer, S.J., Prefect, Congregation for the Doctrine of the Faith, Piazza
della stessa Congregazione 00120, Città del Vaticano, Italy

Archbishop Christophe Pierre, Apostolic Nuncio, Apostolic Nunciature, 3339 Massachusetts
Ave., NW, Washington DC 20008

Archbishop José H. Gómez, President of the USCCB, Archdiocese of Los Angeles, 3424
Wilshire Blvd., Los Angeles, CA 90010-2241

Bishop James V. Johnston, Jr., Chairman of the Child and Youth Protection Committee, Bishop
of the Diocese of Kansas City-St. Joseph, 20 West 9th St., Suite 200, Kansas City, MO 64105

Bishop Richard F. Stika, Bishop of the Diocese of Knoxville, The Chancery, 805 Northshore Dr.
S.W., Knoxville, TN 37919

Archbishop Joseph E. Kurtz, Metropolitan See of Louisville, Kentucky, Archdiocese of Louisville, KY, 3940 Poplar Level Road, Louisville, KY 40213-1463

Bishop J. Mark Spalding, Bishop of the Diocese of Nashville, 2800 McGavock Pike, Nashville, TN 37214

Bishop David P. Talley, Bishop of the Diocese of Memphis, 5825 Shelby Oaks Drive, Memphis, TN 38184

Zach Hiner, Executive Director, SNAP (Survivors Network of those Abused by Priests), PO Box 56539 Saint Louis MO 63156

MEMORANDUM

From: Thomas P. Doyle, J.C.D.
To: USCCB National Review Board
Ref: Non-disclosure agreements and non-disparaging agreements
Date: Jan. 14, 2020

1. *The Charter for the Protection of Children and Young People*, revised and published in 2018, states on p. 7 that one of the principles of the Charter refers to the duties of the National Review Board: "*The National Review Board is carrying on its responsibility to assist in the assessment of diocesan/eparchial compliance with the 'Charter for the Protection of Children and Young People.'*"
2. Article 3 of the revised Charter has been included in every prior version of the Charter:

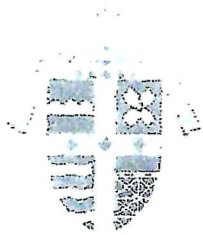
ARTICLE 3. Dioceses/eparchies are not to enter into settlements which bind the parties to confidentiality, unless the victim/survivor requests confidentiality and this request is noted in the text of the agreement. (p. 10)
3. The bishop of the Diocese of Knoxville is Bishop Richard F. Stika. In spite of the clarity of Article 3 of the Charter, the attorneys for the Diocese of Knoxville recently attempted to include a "Non-disclosure agreement" in a settlement agreement between the victim of sexual abuse by the former bishop of the diocese, the late Anthony J. O'Connell and former vicar general and chancellor, Monsignor Xavier Mankel, and the Diocese of Knoxville. The victim's name is Michael Boyd. The non-disclosure agreement was rejected by Mr. Boyd's attorneys who were and are aware of the prohibition of such agreements.
4. In place of the non-disclosure agreement Mr. Boyd was asked to sign what is called a "Non-disparaging agreement" which is a statement included in the settlement. It reads as follows: "*Releasor does hereby agree that he will not make any disparaging remark to anyone related to the facts and*

circumstances related to this settlement or regarding the Diocese of Knoxville and any of its employees or agents." This clause is a poor attempt at intimidating the victim from discussing the abuse he suffered as well as the agreement he signed. It is clear that if he relates the facts of his case as well as the identity of the perpetrator that this is clearly *not* disparaging or slanderous towards the diocese. How the bishop and his attorneys would interpret the agreement is another matter. It is entirely possible that should Mr. Boyd make a statement, especially a public statement, that the bishop believes violates this agreement, that he (Mr. Boyd) could be drawn into further civil court action and thereby re-victimized

5. If the bishop attempted to force Mr. Boyd into agreeing to a non-disclosure agreement this leads to the obvious question: how many other victims of clerics associated with the diocese have been coerced into signing such agreements and have not reported it to anyone? How many other plaintiff's attorneys are unaware of Article 3 of the Charter?
6. The non-disparaging agreement is a violation of Article 3 because it is an obvious attempt to control the victim. It is detrimental to the healing that is his right and is necessary for his well-being. It is also a fraudulent act on the part of the bishop. The people of the Diocese of Knoxville are led to believe by the diocese that the bishop and diocese are compliant with all terms of the Charter as well as the Essential Norms. By attempting to coerce a victim into signing a non-disclosure agreement the bishop and the diocese have fraudulently presented themselves as not only being in compliance with the Charter but also that they recognize the evil of sexual abuse by clergy and the harm that has been done to victims.
7. In this case Mr. Boyd was asked to sign a settlement agreement that contained the non-disparaging clause. He has no assurance how this will be interpreted in the future. He was also asked to sign and therefore appear to be in agreement with the Bishop's position that the agreement is a pastoral gesture and in no way an admission of guilt or responsibility. It is clear the bishop is trying to deny that the plaintiff's claims are true which is thinly covered re-victimization. The press release from the diocese dated December 31, 2019 claims the settlement award was "an act of pastoral outreach without admitting wrong-doing." This is insulting and demeaning to Mr. Boyd and gives the impression that his claim was false yet the diocese decided to avoid further legal action and agreed to settle for their benefit and not Mr. Boyd's. The diocese clearly signaled to Boyd's attorneys their

intent to malign their client. They, therefore, thought a mutual non-disparaging agreement would stop the diocese from doing this. It did not.

8. The on-going attempts by the USCCB and by individual bishops to create the impression of a radical change from their past behavior as well as the impression that they sincerely care about and are concerned for the pastoral welfare of the many victims of sexual violence by clerics are trivialized by the actions of Bishop Stika and any other bishops who follow similar policies.
9. I have been directly involved in this issue since 1984. I have assisted countless victims and can attest to the reality that even in the present and very recent past, attorneys for dioceses other than Knoxville have attempted to coerce victims into signing non-disclosure agreements. In several cases I have been asked to review the proposed agreements and have informed the plaintiffs' attorneys that under no circumstances is there any justification for a non-disclosure agreement unless the plaintiff explicitly requests one. In more than one instance the attorneys for the bishop and the diocese have stated that the non-disclosure agreements were requested by the plaintiffs and in all such instances this was a lie.
10. The annual listing of dioceses that are or are not in compliance with the terms of the Charter is relatively meaningless to most Catholics and to victims almost universally but actions such as those of Bishop Stika, if he is rewarded with a letter stating the diocese is in compliance, render the practice not only meaningless but insulting not simply to victims but to the Catholic people who have been asked to trust that their bishops have turned a corner.



The Diocese of Knoxville

Living our Roman Catholic faith in East Tennessee

MEDIA ADVISORY
Dec. 31, 2019
Contact Jim Wogan
865-660-0189 = jwogan@dioknox.org

The Chancery
805 Northshore Drive
Knoxville, Tenn. 37919
www.dioknox.org

Statement regarding Michael Boyd lawsuit

KNOXVILLE— As an act of pastoral outreach and without admitting wrongdoing, the Diocese of Knoxville has agreed to a request by Mr. Michael Boyd for a financial settlement of the lawsuit he filed against the diocese in July 2019.

The diocese has throughout denied the validity of the claim. However, the diocese also recognizes that further pursuing this matter through the legal system could be time-consuming, costly, and detrimental to its mission of service.

“Despite my personal feelings regarding the claim which names two now-deceased priests, I hope that this action offers Mr. Boyd a path to peace and reconciliation,” said Bishop Richard F. Stika.

When first presented with Mr. Boyd’s allegations in 2018, the diocese immediately contacted state authorities and encouraged Mr. Boyd to file a report with law enforcement. The diocese also turned over materials made available by Mr. Boyd to an independent and highly qualified criminal defense attorney not connected with the Diocese of Knoxville or its Diocesan Review Board.

“This diocese remains committed to acting with compassion and prudence regarding abuse allegations,” Bishop Stika said.

The Diocese of Knoxville has never diverted financial resources toward the settlement of a legal claim related to allegations of sexual abuse.

This settlement will be covered by insurance and will not impact the diocesan budget or its charitable missions.

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Response letter from Francesco Cesareo March 4, 2020

Included in this section:

1. Francesco Cesareo, the chairperson of the National Review Board of the USCCB.
2. Referral to Bishop Timothy Doherty, Diocese of Lafayette, Indiana. Bishop Doherty was chair of the Committee for the Protection of Children and Young People.
3. No response from Bishop Doherty whose term ended in November 2020.
4. Bishop James “Vann” Johnston, Bishop of Kansas City-St. Joseph, MO received copies of all information. Bishop Johnston was the next chair of the CPCYP.
5. No response from Bishop Johnston whose term ended in November 2022.



National Review Board for the Protection of Children and Young People

3211 FOURTH STREET NE • WASHINGTON DC 20017-1194 • 202-541-5413 • FAX 202-541-5410

4 March 2020

Ms. Susan E. Vance
SNAP of Tennessee
8324 Burchfield Dr.
Oak Ridge, TN

Dear Ms. Vance,

I received the letter you sent dated January 14, 2020 regarding the lawsuit filed by Mr. Michael Boyd against the Diocese of Knoxville. Thank you for taking the time to give me the details of the case and sharing the important questions concerning Article 3 of the *Charter for the Protection of Children and Young People*. I have made the Chairman of the Committee on the Protection of Children and Young People, Bishop Timothy L. Doherty, aware of your letter and its contents.

The National Review Board is committed to healing and reconciliation for victims and survivors of abuse and the prevention of further abuse. The members of the National Review Board also share your sentiments that a strengthening of the annual diocesan audit would be in the best interest of victims/survivors.

Sincerely yours in Christ,

Francesco C. Cesareo

Francesco C. Cesareo
Chairman

Cc: Most Reverend Timothy L. Doherty
Bishop of Lafayette, IN
Chairman, Committee on the Protection of Children and Young People

Complaint #2

October 3, 2020

Included in this section:

1. Complaint sent to Bishop Timothy Doherty, chair of the CPCYP (Committee for the Protection of Children and Young People) until November 2020.
2. Bishop Doherty never replied.

Bishop Richard Stika, now resigned from the Diocese of Knoxville per demand of the Vatican, has left violations of Church policy in regard to clergy sexual abuse. It is past time to rectify these violations and put the Diocese of Knoxville in compliance.

October 3, 2020

Most Reverend Timothy L. Doherty
Bishop of Lafayette IN
Chairman, USCCB Committee on the Protection of Children and Young People
610 Lingle Ave.
Lafayette IN 47901

Dear Bishop Doherty,

On January 14, 2020, a complaint was filed with the Chairman of the National Review Board, Dr. Francesco Cesareo, concerning blatant violations of Article 3 of the Dallas Charter. Nearly nine months later the matter is unresolved. As the Dallas Charter is the basis of current policies for the protection of children, teens and vulnerable adults, this must be addressed as soon as possible.

The COVID-19 crisis has slowed down progress on many things; however, it is time to resolve this issue and answer questions about how 18 years of compliance audits have failed to report these violations to the USCCB. I am enclosing the original complaint, the memorandum by canon lawyer Thomas P. Doyle, the Diocese of Knoxville press release on the case of Michael Boyd, and the response by National Review Board Chairman Dr. Francesco C. Cesareo dated March 4, 2020.

Chairman Cesareo indicated that he was referring this to you. I have heard nothing from you since his letter of March 2020. I am requesting a response from the United States Conference of Catholic Bishops through your office, through the office of the President of the USCCB Archbishop Jose H. Gomez and through the office of General Secretary Reverend Monsignor J. Brian Bransfield.

If the American bishops and the USCCB cannot undertake a satisfactory investigation of this complaint, I will be filing a *Vos Estis Lux Mundi* complaint against all named bishops/archbishops in the original complaint plus all officials of the USCCB under whose purview this issue falls.

All three dioceses of Tennessee are guilty of these violations of Article 3, but this is by no means restricted to Tennessee. We are waiting to see if there is transparency and rapid action to acknowledge publicly the many transgressions of Article 3 of the Dallas Charter. It will not be enough to say that going forward the dioceses/eparchies must be compliant. Thousands of victims have been silenced by deliberate NDAs and other silencing mechanisms in settlements both public and private, all with church officials and their lawyers cognizant that this is wrong. The case of Michael Boyd in the diocese of Knoxville, Tennessee, is a case in point of the blatant, unabashed silencing of a victim by the bishop and the diocese. Will the USCCB allow this to stand for Mr. Boyd and countless other victims across the United States?

Steps to resolve violations of Article 3 of the Dallas Charter should begin with the following:

1. Public acknowledgement by the USCCB that the annual diocesan compliance audits have failed to address adherence to Article 3 of the Dallas Charter. What else have they hidden?
2. Immediate revamping by the USCCB of the audit instrument to correct the negligence that has permitted these violations while admitting a history of 18 years of flawed audits from many dioceses/eparchies.

3. Directive by the USCCB that all dioceses/eparchies report every violation of Article 3 of the Dallas Charter since its promulgation in 2002. Public declaration by the USCCB that any and all clauses either verbal or written which silence a victim and/or a victim's family in any way are hereby null and void, not only going forward but also retroactive to 2002 and, in a spirit of reparation, before 2002 as well. This would include all non-disclosure agreements, non-disparaging agreements, or any other silencing mechanism not specifically requested by the victim per the terms of Article 3 of the Dallas Charter. This refers to settlements, agreements or any such phraseology which effectively silences a victim or a victim's family whether entered into with a diocese/eparchy, religious entity or individual abuser.
4. Public apology by the USCCB to both victims, the Catholic faithful, and the general public for failure of adherence to the Dallas Charter, its bedrock document for the protection of children, youth and vulnerable adults, and a pledge to examine other areas of the Charter which may have also been violated by dioceses/eparchies and religious entities under the jurisdiction of the USCCB.

The silencing of victims is the premiere tool of manipulation and abuse used by all sexual predators including predator clergy. The gross negligence of oversight by the USCCB has revictimized those already molested by clergy. From 2002 to the present, you pledged in the Dallas Charter Article 3 not to silence victims. You have failed. The failure must be rectified if you are to have any credibility going forward.

Steps must be taken immediately and decisively as outlined above to reverse the malevolence so far allowed by the United States Conference of Catholic Bishops. The harm to the healing of victims cannot be calculated. We are encouraging all to look carefully at the Dallas Charter of 2002 to identify other transgressions against victims who are already beaten down by the abuse of a criminal clergy and a criminally-complicit Catholic hierarchy.

Sincerely,

Susan Vance
SNAP of Tennessee
8324 Burchfield Drive
Oak Ridge, Tennessee 37830

Enclosures: Letter to Francesco Cesareo, Chairman of the National Review Board (1), Statement by Canon Lawyer Thomas P. Doyle (2), Press release from the Diocese of Knoxville on the Michael Boyd case (3), Letter from National Review Board Chairman Francesco Cesareo (4)

.cc: Luis Cardinal Ladaria Ferrer, S.J., Prefect, Congregation for the Doctrine of the Faith, Piazza della stessa Congregazione 00120, Citta del Vaticano, Italy

Archbishop Christophe Pierre, Apostolic Nuncio, Apostolic Nunciature, 3339 Massachusetts Ave., NW, Washington DC 20008

Dr, Francesco C. Cesareo, Chairman of the National Review Board, 3211 Fourth Street, N.E., Washington, DC 30017

Archbishop José H. Gómez, President of the USCCB, Archdiocese of Los Angeles, 3424 Wilshire Blvd., Los Angeles, CA 90010-2241

Most Reverend Allen H. Vigneron, Vice-President of the USCCB, 211 Fourth Street, NE, Washington, DC 20017

Most Reverend Timothy P. Broglio, Secretary of the USCCB, 211 Fourth Street, NE, Washington, DC 20017

Most Reverend Gregory L. Parkes, Treasurer of the USCCB, 211 Fourth Street, NE, Washington, DC 20017

Reverend Monsignor J. Brian Bransfield, STD, General Secretary of the USCCB, 3211 Fourth Street, NE, Washington, DC 20017

Reverend Monsignor Jeffrey D. Burrill, STL, Associate General Secretary of the USCCB, 211 Fourth Street, NE, Washington, DC 20017

Theresa Ridderhoff, M. Ed., Associate General Secretary of the USCCB, 211 Fourth Street, NE, Washington, DC 20017

Anthony R. Picarello, Jr., Esq., Associate General Secretary of the USCCB, 211 Fourth Street, NE, Washington, DC 20017

Archbishop Joseph E. Kurtz, Metropolitan See of Louisville, Kentucky, 3940 Poplar Level Road, Louisville, KY, 40213-1463

Bishop James V. Johnston, Jr., Bishop of the Diocese of Kansas City-St. Joseph, 20 West 9th St., Suite 200, Kansas City, MO 64105

Bishop Richard F. Stika, Bishop of the Diocese of Knoxville, The Chancery, 805 Northshore Dr. S.W., Knoxville, TN 37919

Bishop J. Mark Spalding, Bishop of the Diocese of Nashville, 2800 McGavock Pike, Nashville, TN 37214

Bishop David P. Talley, Bishop of the Diocese of Memphis, 5825 Shelby Oaks Drive, Memphis, TN 38184

Zach Hiner, Executive Director, SNAP (Survivors Network of those Abused by Priests), PO Box 56539 Saint Louis MO 63156

Complaint #3

August 11, 2021

Included in this section:

1. Complaint sent to Suzanne Healy, the successor of Francesco Cesareo as chairperson of the National Review Board of the USCCB.
2. Expansion of complaint to include two more violations of Church Policy by Bishop Richard Stika.
 - A. Repeated NDA complaint
 - B. Violation of tax-exempt settlement promise with demand for IRS W9 form signature leading to IRS 1099 sent to victim at tax time.
 - C. Questionably improper membership on Diocese of Knoxville Review Board. Conflict of interest.

August 11, 2021

Ms. Suzanne Healy
Chair, National Review Board of the United States Conference of Catholic Bishops
3211 Fourth Street NE
Washington DC 20017

Dear Ms. Healy:

I wish to address the following three issues:

1. Violations of Article 3 of the Dallas Charter of 2002 regarding silencing of victims.
2. Illegal use of the Internal Revenue Service to falsify yearly USCCB compliance audits as well as other financial reporting.
3. Improper and potentially illegal staffing of Diocesan Review Boards.

This letter is sent to you, Ms. Healy, because of your prior communication with me and that of your predecessor, Dr. Francisco Cesareo. The USCCB, however, remains silent.

Part I: Continuing violations of Article 3 of the Dallas Charter since its promulgation in 2002

I filed a complaint with your predecessor, Dr. Francesco Cesareo, concerning violations of article 3 of the Dallas Charter. Dr. Cesareo referred the matter to Bishop Timothy Doherty of Lafayette, Indiana. No response and no action came from Bishop Doherty and the officials of the USCCB including Bishop James V Johnston, Jr., Secretariat of Child and Youth Protection Committee.

Attached is a copy of the January 14, 2020 complaint including a memorandum from Canon Lawyer Thomas P. Doyle, a copy of the response by Dr. Cesareo dated March 3, 2020, and a copy of the ensuing October 3, 2020 complaint sent to the officials of the USCCB. Except for Dr. Cesareo, no one at the USCCB has taken any action or even acknowledged the complaint. In your position as Chair of the National Review Board, I petition you to seek action from the USCCB.

The failure of the USCCB to address the violations of the Dallas Charter was sent at the end of May to Vatican officials in a Vos Estis complaint filed on behalf of Mr. Michael Boyd. Bishop Richard Stika of the Diocese of Knoxville violated Article 3 of the Dallas Charter when he silenced Mr. Boyd against Boyd's wishes in a 2019 legal settlement. I received your letter of June 10, 2021 indicating that you had sent your copy of this Vos Estis to appropriate Vatican officials. I appreciate your prompt communication with me; however, these issues remain unresolved.

1. Who will assure that Mr. Boyd receives an apology from Bishop Richard F. Stika for violation of the Dallas Charter article 3?
2. Who will assure that the non-disparaging clause in Mr. Boyd's settlement is removed and he is freed from any silencing by the Diocese of Knoxville?
3. Who will assure that the USCCB makes a nationwide statement removing all silencing restrictions on victims who were bound to silence against their will since at least 2002 if not before?
4. As all three dioceses of Tennessee are in violation of article 3, who will assure that these violations are revealed and publicly corrected for all victims with illegal silencing agreements in settlements?

Action items:

1. The National Review Board and the USCCB must verify that the violations of article 3 of the Charter will be added to and spotlighted in all upcoming audits of dioceses/eparchies.
2. The violations in all three dioceses of Tennessee - Knoxville, Nashville, and Memphis -will be apparent in the report of the next compliance audit and note made that these violations date back to the very beginning of the Dallas Charter of 2002.
3. The National Review Board and the USCCB must issue a letter to be read at all Masses and printed on all diocesan websites and in all diocesan newspapers nationwide concerning the violations of article 3 of the Charter and all victims released from silencing should they or their families wish to speak. The Tennessee dioceses were finally compelled to remove silencing of victims in all future settlement following the January 14, 2020 complaint. However, they have not apologized for 20 years of violations and have not moved to see that these forms of silencing are retroactively removed. The faithful remain uneducated on this matter and must be informed.

Part II: Issuing by dioceses/eparchies of IRS form W-9 and IRS 1099 to victims who receive lawsuit settlements or other complaint settlements.

Some dioceses/eparchies are requiring that IRS form W-9 be filled out by victims of clergy sex abuse in conjunction with monetary settlements. Some victims also are receiving 1099 forms at tax time or being told that they might receive a 1099 form with tax liability to be paid to the IRS.

Two cases in the Diocese of Knoxville raise serious questions about a seemingly new deceptive practice. In November 2019, the Knoxville Diocese did not require Mr. Michael Boyd to sign a W-9 tax form, and he did not receive a 1099 form at tax time. However, in June 2021, the Diocese of Knoxville required the plaintiff's lawyers to have a W-9 form filled out and submitted by Ms. Celeste Arnone. She was told that she could expect a 1099 tax form for the next tax year. This is in direct contradiction to the November 2019 settlement with Mr. Boyd. Why this new requirement? Ms. Arnone refused to submit the W-9, and the diocese eventually relented. Further research reveals that this practice is not isolated to Tennessee.

The following concerns arise regarding the W-9 and 1099 issue:

1. The W-9 form is for contractors, freelancers, and vendors. Why is the victim of abuse who signs a settlement agreement considered a contractor, a freelancer or a vendor?
2. Why would a settlement be subject to a 1099 IRS form when the settlement is portrayed as tax-exempt?

Survivors of clergy abuse and their advocates speculate that there is a hidden benefit to the diocese/eparchy in requiring a W-9 form. I request that the National Review Board consider the following as it pertains directly to USCCB and NRB issues:

If the victim and his/her lawyer are classified as a vendor, contractor or freelancer, that victim or lawyer is misidentified in financial databases and can be hidden from the compliance audit for the USCCB and from the annual financial statements to the faithful of the diocese. In this way, payouts to victims are easily hidden, deliberately obscuring both the instances of abuse and the monetary toll on diocesan finances. Dioceses/eparchies can thereby "doctor" information to skew the USCCB compliance audit and falsify public financial reports.

If there are ways to evade the truth by clever manipulation of spreadsheets and databases, who would be the wiser? Who would be called upon to independently verify what is submitted to the audit? Would any auditing company employed by the USCCB ever question or even know about this deception? These questions must be answered and definitive changes in policy initiated by the USCCB and the National Review Board.

Part III: Questionable practices in staffing Diocesan Review Boards.

I request a critical evaluation of the Diocesan Review Board of the Diocese of Knoxville. The composition of the Review Board is most troubling. The current board is listed at this web address: <https://dioknox.org/diocesan-review-board>.

The following problems exist on the Diocese of Knoxville Review Board:

Bishop Richard Stika is a member of the Review Board. Usual practice would be for a review board to do its work and present a final disposition to the bishop. Bishop Stika does not follow this common sense practice but inserts himself into the workings of the board. This lessens confidence in the legitimacy of the review board process. Instead of receiving a consensus report from the board, Bishop Stika is present to hear the interview of victims as well as discussion. He notes the views of all present. He can see whose ideas mesh with his and whose do not. He can then mold and shape a review board to have only members who agree with him and who are intimidated into silence should they not agree with him. Knoxville does not have a true review board. Rather it has members who are afraid to voice differing opinions lest they suffer the consequences.

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Once a victim has spoken to the review board, his or her path to justice is stopped in its tracks. The power that was taken away from the victim by the sexual perpetrator has now been taken away yet again by the church through the unfair composition of the Diocesan Review Board. It is incumbent upon the National Review Board to correct this injustice.

Action items:

1. The National Review Board must examine the composition of all review boards nationwide. Submission of a list by the diocese to the NRB must include biographies of review board members which are publicly accessible to all. If the USCCB wants victims to appear before a board, it must not be an "inquisition" type set-up to trap victims. Victims and their families have endured too many insults by the Church; this is yet another insult to them. Bishop Stika has run into major public difficulty with his Diocesan Review Board as outlined in the May 17th

article in *The Pillar*: "Knoxville Bishop Replaced Investigator in Seminarian Probe"
<https://www.pillarcatholic.com/p/knoxville-bishop-replaced-investigator> Given this information, major problems exist and must be remedied in Knoxville and nationwide.

2. In analyzing what Knoxville has done with their Review Board configuration, NRB-mandated updates to policies and procedures for all Diocesan Review Boards are necessary. The degree of duplicity in the make-up of the Diocese of Knoxville Review Board should trigger massive changes initiated by the NRB. Closer examination of review board composition should be audited yearly. .

CONCLUSION:

I respectfully request that these issues be addressed by the National Review Board and recommendations be made to the USCCB to correct all three parts of this complaint. If the Bishops do not act and recommendations are not forthcoming from the NRB, a Vos Estis complaint will be filed with the Congregation for Bishops naming the entire membership of the USCCB as guilty parties to the complaint under VELM (Article 1, Section 1, Paragraph b) as follows:

b) conduct carried out by the subjects referred to in article 6, consisting of **actions or omissions intended to interfere with or avoid civil investigations or canonical investigations**, whether administrative or penal, against a cleric or a religious regarding the delicts referred to in letter a) of this paragraph.

The USCCB has been totally unresponsive. Their actions or omissions are intended to interfere with or avoid civil investigations or canonical investigations. When violations of this magnitude are not addressed, the basic promise of the Pope and the universal church to stop the abuse of children and the sexual exploitation of adults is rendered null and void. The Dallas Charter of 2002 is rendered useless.

Anticipating decisive action and updated policies to correct these violations.
Thank you.

Susan Vance
8324 Burchfield Drive
Oak Ridge, Tennessee 37830
SNAP of Tennessee
susan8324@gmail.com
865-748-3518
Rememberthesurvivors.com

Enclosures: (1) Original complaint of January 14, 2020 including the memorandum by Thomas P. Doyle, J.C.P. and December 31, 2019 press release of the Diocese of Knoxville, (2) Response letter from Dr. Francesco Cesareo, (3) Follow-up complaint of October 3, 2020.

cc:

His Holiness, Pope Francis PP.. 00120 Via del Pellegrino, Citta del Vaticano

Archbishop José H. Gómez, President of the USCCB, Archdiocese of Los Angeles, 3424 Wilshire Blvd., Los Angeles, CA 90010-2241

Archbishop Joseph E. Kurtz, Archbishop of the Metropolitan See of Louisville, 3940 Poplar Level Road, Louisville, KY 40213-1463

Bishop James V. Johnston, Jr., Secretariat of the Child and Youth Protection Committee, Bishop of the Diocese of Kansas City-St. Joseph, 20 West 9th St., Suite 200, Kansas City, MO 64105

Bishop Richard F. Stika, Bishop of the Diocese of Knoxville, The Chancery, 805 Northshore Dr. S.W., Knoxville, TN 37919

Bishop J. Mark Spalding, Bishop of the Diocese of Nashville, 2800 McGavock Pike, Nashville, TN 37214

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Christophe Louis Yves Georges Pierre, Apostolic Nuncio 3339 Massachusetts Avenue, N.W, Washington, DC 20008-3687

Carlo Maria Viganò, Apostolic Nuncio Emeritus 3339 Massachusetts Avenue, N.W, Washington, DC 20008-3687

Zach Hiner, Executive Director, SNAP (Survivors Network of those Abused by Priests), PO Box 56539 Saint Louis MO 63156

Response letter from Suzanne Healy August 26, 2021

Included in this section:

1. Responding to August 11, 2021 complaint, Suzanne Healy says that she and the NRB cannot help.
2. Ms. Healy is also responding to the receipt of a copy of the Vos Estis complaint filed by Michael Boyd to the Vatican.
3. This closes off the help of the only responsive institution (the National Review Board) and leaves the laity wondering if there is anyone in the hierarchy who will respond to their needs and fears.



National Review Board for the Protection of Children and Young People

3211 FOURTH STREET NE • WASHINGTON DC 20017-1194 • 202-541-5413 • FAX 202-541-5410

August 26, 2021

Ms. Susan Vance
SNAP of Tennessee
8324 Burchfield Dr.
Oak Ridge, TN 37830

Dear Ms. Vance,

I have received your second packet of information dated August 11, 2021 regarding matters pertaining to the Diocese of Knoxville. I see that you have reported the matter in accordance with Motu Proprio Vos Estis Lux Mundi and the Catholic Bishop Abuse Reporting service (CBAR). The National Review Board (NRB) does not have any involvement in this formal process. As I indicated in my June 3, 2021 response to you, the NRB is solely advisory to the conference of bishops and does not take up any matters specific to any diocese or eparchy. I have shared your package with the USCCB, for informational purposes. I am sorry but I am unable to assist you any further, now or at any time in the future on this matter. I keep everyone impacted by abuse in my prayers.

Sincerely yours,

Suzanne Healy
National Review Board Chair

Cc: Bishop James Johnston, Jr.
Diocese of Kansas City – St. Joseph
Chair, Committee for the Protection of
Children and Young People

Complaint #4

September 20, 2021

Included in this section:

1. Final complaint that has been sent:
 - A. No response ever made by the USCCB. Only Francesco Cesareo and Suzanne Healy had the courtesy to reply. No priest, bishop, archbishop or cardinal ever responded to this blatant violation of the Dallas Charter.
 - B. USCCB has not dealt with this issue which is a nationwide problem.
2. Failure to take care of this issue is a breach of faith with the people and a serious violation of the transparency promised by the Dallas Charter of 2002 and the tenets put forth in "Vos Estis Lux Mundi."

September 20, 2021

Archbishop José H. Gómez
President of the USCCB, Archdiocese of Los Angeles
3424 Wilshire Blvd.
Los Angeles, CA 90010-2241

Bishop James V. Johnston, Jr.
Secretariat of the Child and Youth Protection Committee
Bishop of the Diocese of Kansas City-St. Joseph
20 West 9th St., Suite 200
Kansas City, MO 64105

Dear Archbishop Gomez and Bishop Johnston,

Starting in January 2020, both of you have received by carbon copy the complaint to the National Review Board about the violation of Article 3 of the Dallas Charter (see enclosed). You did not respond.

In March 2020, Dr. Francisco Cesareo, former chair of the National Review Board, forwarded the matter to Bishop Timothy Doherty for action. He did not respond. You did not respond.

In October 2020, I re-sent the complaint and widened the scope of the recipients. Neither you nor the others responded.

In August 2021, I re-sent the original complaint but added two more complaints to it. This time I sent it to the Pope, the Congregation for Bishops, the Congregation for Priests, the Congregation for the Doctrine of the Faith and the Apostolic Nuncio as well as most of the original recipients. Ms. Suzannie Healy did respond. You, however, did not respond.

Ms. Suzanne Healy, new chair of the NRB, mistook this August 2021 communication as a Vos Estis, which it was not. However, she made it clear that the NRB would not now or ever address the issues. At least she did respond unlike all the hierarchy of the church.

You, Archbishop Gomez and Bishop Johnston, are not honest or transparent in any way. It is obvious as this moves past 1-½ years of your silence, that you fear these complaints, only making it more certain that I will not cease efforts to reveal the reason for your cover-up.

That having been said, please find the remainder of the complaint letter which is taken directly from the August 11, 2021 communication. You will find three complaints needing action. All of the complaints have national repercussions. Your silence is not acceptable.

I wish to address the following three issues:

1. Violations of Article 3 of the Dallas Charter of 2002 regarding silencing of victims.
2. Illegal use of the Internal Revenue Service to falsify yearly USCCB compliance audits as well as other financial reporting.
3. Improper and potentially illegal staffing of Diocesan Review Boards.

This letter is sent to you, Ms. Healy, because of your prior communication with me and that of your predecessor, Dr. Francisco Cesareo. The USCCB, however, remains silent.

Part I: Continuing violations of Article 3 of the Dallas Charter since its promulgation in 2002

I filed a complaint with your predecessor, Dr. Francesco Cesareo, concerning violations of article 3 of the Dallas Charter. Dr. Cesareo referred the matter to Bishop Timothy Doherty of Lafayette, Indiana. No response and no action came from Bishop Doherty and the officials of the USCCB including Bishop James V Johnston, Jr., Secretariat of Child and Youth Protection Committee.

Attached is a copy of the January 14, 2020 complaint including a memorandum from Canon Lawyer Thomas P. Doyle, a copy of the response by Dr. Cesareo dated March 3, 2020, and a copy of the ensuing October 3, 2020 complaint sent to the officials of the USCCB. Except for Dr. Cesareo, no one at the USCCB has taken any action or even acknowledged the complaint. In your position as Chair of the National Review Board, I petition you to seek action from the USCCB.

The failure of the USCCB to address the violations of the Dallas Charter was sent at the end of May to Vatican officials in a Vos Estis complaint filed on behalf of Mr. Michael Boyd. Bishop Richard Stika of the Diocese of Knoxville violated Article 3 of the Dallas Charter when he silenced Mr. Boyd against Boyd's wishes in a 2019 legal settlement. I received your letter of June 10, 2021 indicating that you had sent your copy of this Vos Estis to appropriate Vatican officials. I appreciate your prompt communication with me; however, these issues remain unresolved.

1. Who will assure that Mr. Boyd receives an apology from Bishop Richard F. Stika for violation of the Dallas Charter article 3?
2. Who will assure that the non-disparaging clause in Mr. Boyd's settlement is removed and he is freed from any silencing by the Diocese of Knoxville?
3. Who will assure that the USCCB makes a nationwide statement removing all silencing restrictions on victims who were bound to silence against their will since at least 2002 if not before?
4. As all three dioceses of Tennessee are in violation of article 3, who will assure that these violations are revealed and publicly corrected for all victims with illegal silencing agreements in settlements?

Action items:

1. The National Review Board and the USCCB must verify that the violations of article 3 of the Charter will be added to and spotlighted in all upcoming audits of dioceses/eparchies.
2. The violations in all three dioceses of Tennessee - Knoxville, Nashville, and Memphis -will be apparent in the report of the next compliance audit and note made that these violations date back to the very beginning of the Dallas Charter of 2002.
3. The National Review Board and the USCCB must issue a letter to be read at all Masses and printed on all diocesan websites and in all diocesan newspapers nationwide concerning the violations of article 3 of the Charter and all victims released from silencing should they or their families wish to speak. The Tennessee dioceses were finally compelled to remove silencing of victims in all future settlement following the January 14, 2020 complaint. However, they have not apologized for 20 years of violations and have not moved to see that these forms of silencing are retroactively removed. The faithful remain uneducated on this matter and must be informed.

Part II: Issuing by dioceses/eparchies of IRS form W-9 and IRS 1099 to victims who receive lawsuit settlements or other complaint settlements.

Some dioceses/eparchies are requiring that IRS form W-9 be filled out by victims of clergy sex abuse in conjunction with monetary settlements. Some victims also are receiving 1099 forms at tax time or being told that they might receive a 1099 form with tax liability to be paid to the IRS.

Two cases in the Diocese of Knoxville raise serious questions about a seemingly new deceptive practice. In November 2019, the Knoxville Diocese did not require Mr. Michael Boyd to sign a W-9 tax form, and he did not receive a 1099 form at tax time. However, in June 2021, the Diocese of Knoxville required the plaintiff's lawyers to have a W-9 form filled out and submitted by Ms. Celeste Arnone. She was told that she could expect a 1099 tax form for the next tax year. This is in direct contradiction to the November 2019 settlement with Mr. Boyd. Why this new requirement? Ms. Arnone refused to submit the W-9, and the diocese eventually relented. Further research reveals that this practice is not isolated to Tennessee.

The following concerns arise regarding the W-9 and 1099 issue:

1. The W-9 form is for contractors, freelancers, and vendors. Why is the victim of abuse who signs a settlement agreement considered a contractor, a freelancer or a vendor?
2. Why would a settlement be subject to a 1099 IRS form when the settlement is portrayed as tax-exempt?

Survivors of clergy abuse and their advocates speculate that there is a hidden benefit to the diocese/eparchy in requiring a W-9 form. I request that the National Review Board consider the following as it pertains directly to USCCB and NRB issues:

If the victim and his/her lawyer are classified as a vendor, contractor or freelancer, that victim or lawyer is misidentified in financial databases and can be hidden from the compliance audit for the USCCB and from the annual financial statements to the faithful of the diocese. In this way, payouts to victims are easily hidden, deliberately obscuring both the instances of abuse and the monetary toll on diocesan finances. Dioceses/eparchies can thereby "doctor" information to skew the USCCB compliance audit and falsify public financial reports.

If there are ways to evade the truth by clever manipulation of spreadsheets and databases, who would be the wiser? Who would be called upon to independently verify what is submitted to the audit? Would any auditing company employed by the USCCB ever question or even know about this deception? These questions must be answered and definitive changes in policy initiated by the USCCB and the National Review Board.

Part III: Questionable practices in staffing Diocesan Review Boards.

I request a critical evaluation of the Diocesan Review Board of the Diocese of Knoxville. The composition of the Review Board is most troubling. The current board is listed at this web address: <https://dioknox.org/diocesan-review-board>.

The following problems exist on the Diocese of Knoxville Review Board:

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This is my error. Christopher Manning is NOT the father of Father Christopher Manning. I apologize for this error and request that you disregard the paragraph of "Christopher J. Manning." Susan E. Vance

Action items:

1. The National Review Board must examine the composition of all review boards nationwide. Submission of a list by the diocese to the NRB must include biographies of review board members which are publicly accessible to all. If the USCCB wants victims to appear before a board, it must not be an "inquisition" type set-up to trap victims. Victims and their families have endured too many insults by the Church; this is yet another insult to them. Bishop Stika has run into major public difficulty with his Diocesan Review Board as outlined in the May 17th article in *The Pillar*: "Knoxville Bishop Replaced Investigator in Seminarian Probe" <https://www.pillarcatholic.com/p/knoxville-bishop-replaced-investigator> Given this information, major problems exist and must be remedied in Knoxville and nationwide.
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