



CLERGY ABUSE INVESTIGATION

OCTOBER 5, 2020

Authored By:

Danielle Hagaman-Clark
Acting Division Chief
Criminal Trials & Appeals Division

TABLE OF CONTENTS

History of Investigation	2
Staffing	2
Paper Document Review	3
Electronic Document Review	3
Tip Line	3
Advocacy	4
Charged Cases	5
2021 Goals	6
Executive Summary	7

SECOND YEAR UPDATE

Report on the Michigan Department of Attorney General's Clergy Abuse Investigation and Criminal Prosecutions

History of Investigation

On September 21st, 2018 the Michigan Department of Attorney General (AG) launched an investigation into clergy sexual abuse throughout the State of Michigan focusing on the 7 Dioceses of Michigan's Catholic Churches. In furtherance of the investigation, a search warrant was executed simultaneously at all 7 diocesan facilities on October 3, 2018. The investigation has entered its second year. This report is an update on the status of the investigation on the 2-year anniversary of the execution of the search warrant. For historical information related to the investigation please see 1-Year Report.

In a year that will no doubt be overshadowed by a national health crisis, the AG's investigation into sexual abuse by the clergy of the Catholic Church has continued with restricted abilities to move cases forward in the criminal justice system. Essentially since March 23, 2020, the criminal justice system has been at a virtual standstill. With Governor Whitmer's implementation of the Stay Home Stay Safe Executive Order, most non-essential employees were homebound to stem the deadly spread of Covid-19, a coronavirus that has claimed the lives of over 200,000 Americans, including over 7,000 Michiganders. Courts in counties with low rates of transmission are only now beginning to re-open but many jurisdictions are still shuttered to the public and jury trials remain in the distant future. With many of the jails being emptied to slow the spread of transmission of the virus, the charged defendants, save 3, remain on bond pending trial. Every effort by the prosecution team has been made to move cases forward with poor results thus far. No charged cases have been resolved by way of either plea or trial since 2019. However, the enforced delay in the criminal prosecutions has not slowed the review of documents. The effort to review digital documents kicked into overdrive as attorneys were forced from offices into the sanctuaries of their homes. This review was able to be advanced because it could be done from home. Paper document review has also moved forward albeit slower.

This update begins with a review of the goals set for 2020.

Those goals were:

- Complete paper document review of Kalamazoo and Lansing Dioceses - **DONE**
- Complete electronic document review of Marquette, Gaylord, and Grand Rapids. - **DONE**
- Hire and train a full-time victim advocate to support the investigation. - **DONE**

- Refer the completed criminal investigations back to the respective dioceses. - **IN PROCESS**
- Follow up with victims that have previously not been interviewed with a trauma-informed interview. Including those whose cases are barred by Statute of Limitations.- **IN PROCESS**

Staffing

The AG's office continues to operate with a "core group" of AG staff and MSP investigators that work to ensure a fair and thorough investigation is conducted into the materials that were seized as a result of a search warrant. This core group consists of the following people:

- Christopher Allen – Office of the Solicitor General
- Danielle Bennetts – Sexual Assault Team, Assistant Attorney General
- Josh Booth – Ethics Officer, Chief Legal Opinions
- Michelle Brya - Division Chief, Licensing and Regulation Division
- Paul Carbini – Victim Advocate
- Tom Fabus – Chief of Investigations (AG)
- Christina Grossi – Deputy Attorney General
- Danielle Hagaman-Clark – Acting Division Chief Criminal Trial Appellate Division
- Robyn Liddell – Acting First Assistant Criminal Trial Appellate Division
- Sgt. William Luebs – Dt/Sgt. Michigan State Police
- Eric Restuccia – Office of the Solicitor General
- Ann Sherman – Office of the Solicitor General
- Rebekah Snyder – Victim Advocate
- Scott Shea – Special Agent (AG)

Thoughtful efforts were made to include a variety of experience in staff. The team includes attorneys from the Criminal Justice Bureau including trial prosecutors and appellate specialists. The team includes attorneys from Licensing and Regulatory Affairs (LARA) because often offenders will also possess a professional license such as counseling. When appropriate, action has been taken to remove professional licenses in an effort to keep the community safe. Lawrence Ventline is an example of such action. Ventline faced three separate reports of sexual abuse of a minor. The statute of limitations expired on each report of abuse but LARA was able to remove the professional counseling license of Ventline to ensure that he would not be able to legally counsel children.

Paper Document Review

220 boxes of documents were seized as a result of the search warrant. These boxes remain organized by Diocese in the evidence storage room at the Office of Attorney General. The room is locked at all times. Only members of the core and taint teams are allowed in the room.

To date, paper document review has been completed on the Dioceses of Marquette, Gaylord, Kalamazoo, Grand Rapids and Lansing. Paper document review of the Diocese of Saginaw began in September. Of the 220 boxes the investigation started with, approximately 78 boxes remain for review related to the Diocese of Saginaw and the Archdiocese of Detroit.

Paper document review has resulted the following:

Grand Rapids

Accused Priests: 105
Identified Victims: 207

Lansing

Accused Priests: 100
Identified Victims: 158

Gaylord

Accused Priests: 40
Identified Victims: 70

Detroit

Accused Priests: 32
Identified Victims: 48

Saginaw

Accused Priests: 53
Identified Victims: 67

Kalamazoo

Accused Priests: 22
Identified Victims: 13

Marquette

Accused Priests: 54
Identified Victims: 144

- **Unidentified Unknown/blank Priests = 48**
- **Anonymous/blank Victims = 104**

Paper Document Review Totals

Identified Accused priests: 454
Identified Reported victims: 811

Electronic Document Review

In addition to seizing 220 boxes of physical evidence, the search warrant authorized the seizure of the diocesan electronic servers. These documents have been processed and total over 3.5 million documents. Due to cost, the electronic documents are moved online and reviewed one diocese at a time.

Also due to cost, all volunteer document reviewers have been transitioned from paper document review to electronic document review. There are currently 11 digital document reviewers. Between June 19, 2019 – September 28, 2020 over 2,780 hours have been spent by the attorneys, reviewing digital documents.

The clergy abuse team has reviewed the following:

- Marquette = 861,686 docs
- Grand Rapids = 271,975
- Kalamazoo = 200,178
- Gaylord = 786,882
- Lansing = 767,583; (as of September 28, 2020 approx. 120,000 remain)

As of September 28, 2020, the team had effectively reviewed approximately 2,240,883 documents looking for writings within the scope of this investigation.

Once first level review of the digital documents is completed, the documents that were marked for further investigation are reviewed by Assistant Attorneys General for quality assurance. Only the documents that are deemed relevant and within the scope of the investigation are sent to investigators to supplement the paper document reviews. Because these documents are moved offline to save money, it cannot be determined at this point in the investigation the number of suspected priests identified through digital document review or the number of identified victims. These totals will be available upon the completion of the investigation on a diocese by diocese basis.

Tip Line

At the beginning of the investigation, a tip line was created and staffed from 8am-5pm Monday through Friday to collect first-hand information on sexual abuse within the church from the community at large. To date, this tip line has generated 750 tips related to abuse. These tips have led to approximately 112 police investigations with approximately 180 victims being interviewed. The investigations have generated approximately 285 police reports.

Detroit

Reports: 77
Priests: 31
Victims: 35

Saginaw

Reports: 6
Priests: 3
Victims: 5

Lansing

Reports: 56
Priests: 20
Victims: 41

Marquette

Reports: 29
Priests: 5
Victims: 13

Kalamazoo

Reports: 30
Priests: 16
Victims: 32

Gaylord

Reports: 40
Priests: 21
Victims: 24

Grand Rapids

Reports: 47
Priests: 47
Victims: 30

Tips are reviewed weekly by a team of investigators, advocates, and lawyers. These tips are prioritized based on the relevant statute of limitations, whether the offender priest is alive, and whether the victim is willing to provide information about the abuse. It is then assigned out for further investigation by either MSP or AG investigators. This summer, an audit of all tips was conducted to ensure that no tip was missed for review.

The tips break down as follows:

- **TOTAL TIPS:** 750
- **TIPS FROM DIOCESAN REFERRAL:** 122
- **TOTAL TIPS WITH REPORTS GENERATED:** 81
- **TOTAL VICTIMS REPORTED:** 344 named, with additional 91 anonymous victims
- **TOTAL PRIESTS REPORTED:** 316 named with additional 59 “abused by priest”

Detroit

Total: 277
 Diocese: 23
 Rpt Done: 20
 Priests: 142
 Victims: 152

Lansing

Total: 121
 Diocese: 26
 Rpt Done: 13
 Priests: 58
 Victims: 72

Kalamazoo

Total: 60
 Diocese: 11
 Rpt Done: 9
 Priests: 28
 Victims: 28

Marquette

Total: 44
 Diocese: 7
 Rpt Done: 10
 Priests: 30
 Victims: 34

Saginaw

Total: 65
 Diocese: 23
 Rpt Done: 4
 Priests: 32
 Victims: 39

Gaylord

Total: 51
 Diocese: 9
 Rpt Done: 13
 Priests: 29
 Victims: 32

Grand Rapids

Total: 88
 Diocese: 23
 Rpt Done: 12
 Priests: 51
 Victims: 71

- Additional (these tips didn’t have enough information to report on the diocese)
- Total: 94
- Diocese: 0
- Rpt. Done: 0
- Priests: 2
- Victims: 2

The tip line is staffed by two trained victim advocates who offer support and additional resources when requested by individual callers. The Victim Advocates act in a public-facing capacity by staffing the tip line and responding to reports submitted through the website. They are the first members of the team that victims, their family members, or concerned citizens speak to when reaching out to the Department of Attorney General.

Advocates provide ongoing support to a victim when tips are referred for further investigation and are the main point of contact for a victim if a case is prosecuted. The advocates work to keep the victims supported and engaged throughout the criminal justice process; they will connect them with local resources and counseling, prepare them for testimony, coordinate travel, and ensure they are aware of their rights.

The Victim Advocates conduct an initial assessment of the information provided to identify whether to refer a tip for further investigation or not. The advocates bring a depth of attention and skill to these calls because the victims are often speaking of victimizations that occurred decades ago and events that they have never spoken about or shared with only a few people.

This allows victims to immediately connect with a trauma-informed trained professional who provides information for immediate service referrals, and helps the reporters process their experiences at the time of their initial report to law enforcement. It ensures the individuals calling are getting as much support as possible during the reporting process and has allowed the advocate to respond to individuals who were extremely emotional or in crisis at the time of their call to help them through reporting their experience and processing the emotions they experienced.

Issues remain with the tip line, including an inability to answer multiple calls at once, callers not providing call-back information, and missing calls due to advocates other duties. In an effort to address these issues, the AG has hired a full-time victim advocate dedicated specifically to this investigation and providing services to victims.

“I still harbor guilt feelings about my fearful silence because if I had had more courage back then I might have spared many other children from the predation of Lawrence Edwards, my abuser, who as I later learned went on to sexually abuse many other kids in different parishes while the Catholic Church either was willfully ignorant of his conduct or a conscious enabler.”

DG survivor of Fr. Edwards

Advocacy

An integral component to the Clergy Abuse Investigation has been the inclusion of Victim Advocates to the multidisciplinary team (MDT). The first advocate joined the team in 2018, with a second being added in January 2020. From court preparation and accompaniment to crisis intervention and referrals, the advocates provide comprehensive services to assist victims through the criminal justice system.

In the summer of 2020, victim advocates Rebekah Snyder and Paul Carbini began Forensic Experiential Trauma Interview (FETI) interviews with survivors that cannot seek justice through a criminal prosecution. To date they have conducted 32 forensic interviews of those victims willing to participate.

The interviewers are trained to ask open ended questions that focus more on the victim's sensory memories during the assault rather on the traditional who, what, where, when, why, how questions. Research has shown that sensory memories are more accurately and consistently remembered over time as they are deeply encoded even when someone is experiencing a traumatic event. Victims report the smell of the priests breath, the portrait on the wall in the priest's office is minutely described, the feeling of incredulity that the abuse was actually happening, are all common details survivors report even 40-50 years after the abuse occurred. The interviews take a significant period of time for both the advocates and the victims, but survivors have consistently reported being thankful that someone cared enough to listen.

The FETI Interviews allow victims to share their full story which can then be added to the investigative report and/or shared with the appropriate diocese for their canonical investigation. Victims often express gratitude and appreciation for the FETI interviews. They are thankful that the Department of Attorney General publicly named this issue and have given it the attention that it deserves. They also value the advocates providing the time and space to share their stories and be heard; it is common experience to hear the victims say that they've never told anyone or tried to tell a parent after it happened and weren't believed or told to keep it quiet. The FETI interviews have been a successful tool in assisting victims to be heard and supported.

A common complaint heard from victims is the lack of resources for male victims and even fewer support groups focused on victims of clergy abuse. To address this issue the advocates have been working to create a support group service for the victims that engage with the Department of Attorney General. The Victim Advocates have recently partnered with SafeHouse Center to create a support group for victims of clergy abuse. The first group is expected to launch in the beginning of 2021 with the goal of expanding the number of support groups offered and to engage other community-based organizations to offer additional support groups.

The Victim Advocates are continually finding their role and responsibilities expanding as gaps and areas of improvement are identified. They have played a vital role in the engagement of the public and building of their trust. Their integration to the MDT and close work with the prosecutors and investigators has been beneficial to the success of the clergy abuse investigation.

Charged Cases

- **People v. Vincent DeLorenzo** – 2 cases; pre-trial October 14, 2020
- **People v. Jacob Vellian** – extradition in progress from India
- **People v. Timothy Crowley** – case dismissed after preliminary examination; appeal filed 12/11/2019 in Ann Arbor Circuit Court before Hon. Archie Brown.
- **People v. Joseph “Jack” Baker** – pre-trial October 5, 2020
- **People v. Roy Joseph** – extradition in progress from India
- **People v. Gary Berthiaume** – arrested September 29, 2020; extradition pending
- **People v. Gary Jacobs** – 5 cases bound over for trial; set for Walker Hearing November 6, 2020. All preliminary examinations were held in person with everyone wearing full personal protection equipment.
- **People v. Neil Kalina** – trial November 16, 2020
- **People v. Joseph Comperchio** (teacher at St. John Elementary) – extradition waived; transportation will pick up by October 6, 2020.
- **People v. Patrick Casey** – pled guilty to aggravated assault after jury trial; 45 days in the Wayne County Jail
- **People v. Brian Stanley** – pled guilty to attempt false imprisonment, sentenced to 60 days in jail, probation and sex offender registration.



“if I had anything to do with assisting others in coming forward and in their attempts to heal, then I can go to my grave not feeling like a total failure. I so hope that my children will look up to me someday, not as a victim, and perhaps someday forgive me for not being able to model a healthy loving marriage relationship and for the choices I made that deeply affected their lives as well as mine.”

2021 Goals

- Solidify the advocacy groups that will be launching January 2021 and expand the number of groups being offered by engaging additional community-based advocacy agencies.
- Complete paper document review of Diocese of Saginaw and Archdiocese of Detroit.
- Complete digital document review of Diocese of Lansing, Saginaw and Archdiocese of Detroit.
- Begin to provide resources to other agencies that are working on similar issues via a webinar or conference proposal that directly relate to topics such as investigating and prosecuting cold case sexual assault, sexual assault involving large organizations, cases involving polarizing beliefs, nuts and bolts of large scale criminal investigations.
- Continue trauma informed interviews of survivors willing to speak with advocates.
- Continue the investigations launched in Gaylord, Grand Rapids, Kalamazoo, Lansing.
- Begin investigations in Saginaw and Detroit

Executive Summary

October 3, 2018

- Execution of Search warrant
 - * 42 Michigan State Police
 - * 5 Officers from different law enforcement agencies
- 15 Special agents
- 1.5 million paper docs recovered and secured
 - * Lawyers reviewed for privileged/out of scope docs (when Completed)
- Review Begins
- Taint Team established (those that review documents that are privileged)
 - * 55 hours
- Quarterly meetings with dioceses

Paper Document reviewed:

- Grand Rapids
- Marquette
- Gaylord
- Kalamazoo
- Lansing
- Saginaw underway

Electronic Document reviewed:

- Marquette
- Gaylord
- Grand Rapids
- Kalamazoo
- Lansing - underway

Cost of investigation to date:

- Allocation by Legislation: \$400,000
- Spent to date: \$400,000 (eDiscovery costs)
- Projected Costs: \$1,000,000.00 yearly (\$250,000 eDiscovery costs, \$150,000 VA, investigator staff)
- Projected timeline extended to 1 year at current pace

Number of hours spent in training:

Officers receive specialized training in the investigation of sexual assault cases. 43 people trained for a total of 664 hours.

Trainings attended:

- Michigan Commission On Law Enforcement Standards; Comprehensive Sexual Assault Investigations from Victim to Prosecution (2-day training)
 - * 16 MSP
 - * 5 AG
 - * 16 hours for each employee, for a total of 336 hours
- Prosecuting Attorney's Association of Michigan's Violence Against Women Project; Community Response to Sexual Assault (1-day training)
 - * 6 MSP
 - * 13 AG
 - * 8 hours for each employee, for a total of 152 hours
- Campus Sexual Assault Summit (2-day training)
 - * 4 AG
 - * 8 hours for each employee, for a total of 32 hours

Results

We've reviewed 750 tips (09/27/2020). Of those, 628 have come directly from the public and 122 have come from the dioceses. Contact was made and someone spoke with each victim. 112 police investigations were conducted, and 285 reports were generated.

These tips have generated: discovered through paper documents - 375 priests 435 victims

- 242 cases that have been reviewed for potential charges (referred for prosecution)
 - * 63 cases closed that have been time-barred (SOL).
 - * 32 cases closed where the priest is deceased.
 - * 45 cases that are under current investigation – investigators are actively working on
 - * 46 denied for insufficient evidence or “other” reason.
 - * 18 closed at the behest of the victim.
 - * 11 cases that resulted in prosecution.
 - * 40 cases referred back to dioceses for internal investigation.