

8 May 2020

Your Eminence/Excellency,

You are receiving a copy of "Gorgia v. Dolan" to inform you of allegations I both received and reported of misconduct at the Pontifical North American College (NAC) in Rome.

If you are a college football fan, you might recall that my former parishioner and friend, the late Joe Paterno, was not accused of failing to report the abuse allegations he received about Jerry Sandusky, but he was criticized and fired as the head Penn State football coach for not following-up and ensuring that the abuse allegations he reported were properly investigated.

In a letter dated April 22, 2020 to Cardinal Timothy Dolan and other responsible parties (See: www.gomulka.net/Dolan.pdf), I reported allegations I received of inappropriate sexual behavior on the part of the NAC vice-rector, Father Adam Park, that appeared to be covered up by Cardinal Dolan and the rector, Father Peter Harman. Insofar as I neither received an acknowledgement nor a response to my letter, I feel compelled to write you lest I later be accused of failing to ensure that the reported allegations were "properly investigated" in the spirit of *Vos Estis* and *Christus vivit*.

I am confident you will want to ensure that any current or future seminarians from your (arch)diocese are not in any danger of victimization given the allegations surrounding the current NAC administration.

It is my hope that, upon your careful reflection on the article of which you are now in receipt, you will be inspired to take action to address the dire challenges expressed therein. In order to preclude the recipients of this correspondence from saying they were never informed of the allegations contained in the article, I have imitated the late A.W. Richard Sipe who posted his report to Pope Benedict XVI regarding Theodore McCarrick on his website. Thus, the enclosed communication may also be found at www.gomulka.net/Gorgia.pdf.

With every best wish, I remain

Sincerely in Christ,



Gene Thomas Gomulka
Rev. Msgr., CAPT, CHC, USN (Ret)

GORGIA V. DOLAN

Attending to the facts of Gorgia versus Dolan, one may perceive the echoes of lessons not learned from history. Consider, for instance, the legacy of tolerance toward misconduct, reprisals against the innocent who call it to light, the neglect of moral duty, or the repetition of predation, once suffered, now inflicted upon new generations of victims. All of these portray the larger picture in which this case stands today. Let's look at the evidence.

When he was a Monsignor, Timothy Cardinal Dolan served as the rector of the North American College from 1994 to 2001, during whose administration present-rector Father Peter Harman was a student. Dolan's predecessor was then-Monsignor Edwin O'Brien, who invited Father Robert Kelly, a NAC alumnus of the class of 1994, to serve on the faculty as the academic dean. Less than half-way through his five-year contract, Kelly was sent back to his diocese where his bishop, Joseph Adamec, reported that he supposedly had a "drinking problem." Kelly was transferred to the Charleston

Diocese only to return a few years later. After being accused of sexual abuse, Kelly later was permanently removed from ministry.

In time Monsignor O'Brien was made an auxiliary bishop and one year later was named the Archbishop for the Military Services, USA. In 2002 then-Archbishop O'Brien received a letter dated May 6, 2002 from one of his senior supervisory chaplains about a young chaplain who was cohabitating with a "live-in boyfriend," as well as about a veteran, who after retiring entered the seminary only to leave within six months after the seminary administration ignored his complaints about being "hit on" by different gay seminarians. O'Brien refused to look at the evidence of the allegations involving the chaplain with a "live-in boyfriend," or to inquire about the gay infested seminary at which the veteran had been enrolled. The chaplain concluded that O'Brien was not interested in removing sexually active homosexual chaplains from ministry, nor in heterosexually-oriented servicemen becoming priests. Five years after this encounter, the chaplain with the "live-in boyfriend" was arrested and charged with aggravated assault, conduct unbecoming an officer, sodomy, and failure to inform sex partners that he was HIV positive. He is currently serving a 30-year sentence in a Federal Correctional Institution.

During a 2005 Courage Conference for men struggling with same-sex attraction, Archbishop O'Brien attempted to recruit two gay participants to study for the priesthood and become military chaplains. The following month, one of the gays O'Brien tried to recruit learned that O'Brien had been appointed to oversee the Papal Visitation of U.S. Seminaries. When he read in *The New York Times* that O'Brien said, "anyone who has engaged in homosexual activity or has strong homosexual inclinations" should not be admitted to a seminary, the gay young man wrote an article denouncing O'Brien as a fraud and voiced agreement with critics who believed the seminary investigation to be a "sham."

Gay French writer Frederic Martel, author of *In the Closet of the Vatican*, calls out the hypocrisy of Catholic prelates who in public denounce homosexuality but in private lead double lives. There appears to be a similarity between O'Brien and ex-Cardinal McCarrick who, after writing the Dallas Charter in such a manner that excluded himself and other bishops from prosecution for abusing minors and seminarians, said, "anyone who has been active in a gay life should not be admitted [to the priesthood]."

The current chairman of the United States Conference of Catholic Bishops (USCCB) Committee on Clergy, Consecrated Life and Vocations, Bishop James F. Checchio, as well as the previous chairman, Cardinal Joseph Tobin, have both been reported in the media for their relationships with known active homosexuals. The bishops who elected them to this post which involves promoting vocations to the priesthood need to realize that there are not enough gay men, who make up about 2.2 percent of the U.S. population, to staff U.S. parishes which have steadily been closing at an average rate of 93 per year since 1990. According to the Center for Applied Research in the Apostolate (CARA), the number of priests in the U.S. dropped from around 60,000 in 1970 to approximately 35,000 today. The average age of U.S. priests today is 70 and the number of priestly ordinations declined in just one year by 27 percent from 590 in 2017 to 430 in 2018.

If Dolan was nominated by O'Brien to succeed him as the NAC rector, and if Harman, who was already a member of the NAC faculty, was one of the priests Checchio nominated to be his successor, it would seem that it was Father Harman who then invited Father Adam Park, of whom allegations of misconduct have been made, to serve as the NAC vice-rector.

In my letter dated 22 April 2020 to Cardinal Dolan, I wrote:

The late A.W. Richard Sipe, in addition to reporting ex-Cardinal Theodore McCarrick to Pope Benedict XVI in 2008 which resulted in McCarrick's censure, discussed his experience in the area of clerical sex abuse when he wrote that he had heard "from many priests about their seduction by highly placed clerics and the dire

consequences in their lives that does not end in their victimization alone... This abuse paves the way for them to pass the tradition on—to have sex with each other and even with minors.’ An investigation has yet to be undertaken to discover how many bishops and priests who were preyed upon by McCarrick when they were young priests and seminarians today ‘pass this tradition on.’

Interestingly, Father Peter Harman was ordained in Springfield, Illinois by Bishop Daniel Ryan who was plagued by sexual abuse allegations. Ryan “was accused of engaging in homosexual affairs with young men, prostitutes, and other priests.”

The vice-rector, Adam Park, was likewise a seminarian under a known predator, Theodore McCarrick, who ordained him in 2005, the year before McCarrick retired. Before becoming the vice-rector, Park also served as the priest secretary to Cardinal Donald Wuerl, whom the Pennsylvania Grand Jury alleged to have covered up the sex abuse of Pittsburgh priests Ernest Paone, George Zirwas, and Richard Zula. McCarrick’s former secretary, Msgr. Anthony J. Figueiredo, also produced evidence showing that Cardinal Wuerl lied when he said he did not know anything about restrictions that Pope Benedict XVI had imposed on McCarrick.

A number of seminarians from New York dioceses (Albany, Buffalo and New York) within the recent past reported having been threatened or forced to discontinue their studies for the priesthood as a result of encounters with priests perceived to be homosexuals. Father Ryszard Biernat said he was threatened by Buffalo Auxiliary Bishop Edward Grosz to be deported back to Poland and not ordained if he disclosed allegations that he was sexually assaulted in his rectory bedroom by Father Arthur J. Smith, the pastor of St. Thomas Aquinas Church. Although Biernat kept his mouth shut and was ordained, he was later suspended by Bishop Richard Malone for leaking audio recordings to the media that showed Malone knew about clerical sexual abuse allegations months before he acted on them. Bishop Edward Scharfenberger, the temporary administrator, did not lift Biernat’s suspension when he concelebrated a pre-Lenten Mass with Buffalo clergy, including Auxiliary Bishop Grosz; Father Joseph Gatto, the disgraced ex-rector of Christ the King Seminary who was accused by multiple men of sexual misconduct; and Father Arthur Smith. Not only is Smith alleged to have molested Biernat, but he is also being sued by his nephew, Ryan Cooley, who claims that when he was nine years old, “Father Art” abused him in his bedroom.

Just as then-Archbishop Edwin O’Brien failed to address the homosexual predation that was reported to him involving a heterosexually-oriented veteran who felt forced to leave a seminary infested with gay seminarians, so too did an ex-seminarian from the Diocese of Albany accuse Bishop Edward Scharfenberger of failing to investigate his experiences with Father Christopher DeGiovane, the current pastor of St. Matthew’s Church in Voorheesville, New York. The ex-seminarian claimed his canonical rights were denied when he was forced to receive spiritual direction from DeGiovane who attempted to get him to view homosexuality in an approving manner while stating, “In the ancient pagan times homosexuals were regarded as being closer to the Divine.”

Matthew Bojanowski and Stephen Parisi are two former seminarians of Christ the King Seminary near Buffalo, which is scheduled to close. The former seminary rector, Father Joseph C. Gatto, was forced to resign after being accused of making sexual advances toward a seminarian. Bojanowski resigned after alleging being reprimanded for reporting sexual harassment at the hands of Fr. Jeffrey Nowak, his confessor and spiritual director. Parisi, a former dean of seminarians, attributed his departure to a climate of “continual cover-up of sex abuse” at the seminary.

Gatto is not the only rector to be removed in recent history amid a homosexual abuse probe. Monsignor James P. Moroney was forced to resign in December of 2018 as rector of St. John’s Seminary in Brighton, Massachusetts. Moroney is alleged to have allowed a ‘toxic culture’ of homosexual abuse and cover-up to flourish during his tenure at St. John’s. John Monaco, a former St. John’s seminarian from 2014-2016, recounted, “I witnessed in abundance inappropriate behavior by faculty and seminarians alike.” He said, “Some priests were known to ‘groom’ other seminarians with

lavish gifts and favoritism. Other priests would form cliques with seminarians and would even invite certain ones into their rooms for private 'parties.'”

Anthony Gorgia was a seminarian for the Archdiocese of New York and in residence at the North American College while studying at the Pontifical Gregorian University in Rome. When he returned to New York during the 2018-2019 school year for non-elective surgery, he was told by his ordinary, Timothy Cardinal Dolan, that the NAC rector, Father Peter Harman, and the vice-rector, Father Adam Park, did not want him to return owing to fabricated claims of problems involving his “human formation” and “permission documentation.” Gorgia’s documentation and professional witnesses prove that the statements made against him are false and that he felt forced by Cardinal Dolan to resign under duress without the fairness of an impartial investigation into his case. Based on evidence which Dolan refused to examine after five requests by Gorgia for a meeting, Gorgia is led to believe that the real reason the rector and vice-rector did not want him to return was that he observed inappropriate physical behavior on the part of Father Park, and later received reports from classmates of immoral associations involving the vice-rector. It appears conveniently coincidental that this same Father Park is the Director of Human Formation at the NAC, the same tool used to discredit Anthony despite all of his objectively superlative evaluations. Despite receiving numerous communications from multiple experts and other sources on Gorgia’s behalf, Dolan refuses to investigate Park and Harman and resolve what appear to be very specious allegations against Gorgia. Apparently averse toward the prospect of an investigation, Dolan went so far as to hand-write his decision to “discard the correspondence” of the pained Gorgia parents requesting an investigation into the “ulterior motive” behind the injustices precipitated against their son.

What is common in the accounts brought forward by the above mentioned seminarians is that all the cases appear to involve defamation and sexual discrimination against heterosexually-oriented seminarians who refuse to be accepting of what they perceive to be a homosexual seminary culture.

It appears to be no coincidence that Fathers Peter Harman and Adam Park both were ordained by and have ties to prelates like ex-Cardinal Theodore McCarrick and Bishop Daniel Ryan who have been shown to have engaged in sex with priests among others. It also appears that Cardinal Dolan’s refusal to investigate these two priests is in clear violation of recently promulgated Church documents including *Vos Estis* and *Christus vivit*. In his refusal to allow Gorgia to serve him with the evidence of alleged behavioral problems of Father Park similar to those which resulted in the 2018 dismissals of Father Gatto in Buffalo and Monsignor Maroney in Brighton, one might find Dolan guilty of “omission” which is legally defined as “a failure to act which can give rise to liability when the law imposes a duty to act and the defendant is in breach of that duty.”

Evidence indicates that Dolan was already in receipt on multiple occasions of reports regarding allegations of misconduct by Park and cover-up by Harman and by Dolan himself, and yet failed to act in accord with Church law. The Vatican Congregation for Clergy, in receipt of abundant case-related documentation, charged Dolan with the task of resolving the case, and correspondences of 22 April 2020 and 8 May 2020 similarly relayed the reported misconduct and the urgency of an investigation. Given the inactivity to date, Dolan, Harman, and other responsible prelates may be considered in default of *Vos Estis*, art. 1, §1a-b, which mandates that action be taken not only against “derelicts against the sixth commandment,” but also against those who commit “actions or omissions intended to interfere with or avoid civil investigations or canonical investigations...”

This is not the first time Cardinal Dolan has been accused of covering up for alleged homosexual predators. In December 2018, Cardinal Sean O’Malley reported Dolan to the Apostolic Nuncio, Archbishop Christophe Pierre, for allowing Father Donald Timone to remain in active ministry despite two settlements paid for allegations of sexual abuse of teenage boys. By turning in another cardinal for negligence, O’Malley may have wished to show that he was not soft on abuse after being criticized for not creating a more probing and transparent board to investigate the alleged homosexual culture at St. John’s Seminary.

A rector who was contacted about the current vocation situation in the Church wrote, "If there is not a strong formation program with solid candidates, the mediocrity will result in closures." Unfortunately, some exceptional candidates like Anthony Gorgia and others have had the misfortune of attending seminaries with very poor formation programs and left or felt compelled to leave because of environments where seminarians were being propositioned by seminary administrators, faculty members, or other students.

Ordinaries and vocation directors who are weighing where to send their priesthood candidates for formation may be particularly interested in learning what steps Cardinal Dolan and the NAC Board of Governors are taking amid allegations of sexual harassment and perceived homosexual behavior which – as of this date – they appear to be covering up. An investigation of the alleged misbehavior and the perceived subsequent cover-up should not resemble the whitewashed inspection undertaken by Cardinal Edwin O'Brien in 2005-2006, nor the 2018 investigation into St. John's Seminary led by Auxiliary Bishop Mark O'Connell who was a seminary faculty member at the time of the scandal who allegedly did little to stem homosexual misconduct. Former St. John's seminarian, John Monaco, advised Cardinal Sean O'Malley to avoid creating a compromised investigative body when he wrote, "The Catholic people have seen how bishops policing themselves and conducting internal investigations can jeopardize the objectivity so desperately needed for the pursuit of justice." The manner in which the Congregation for Clergy forwarded the Gorgia case back to Dolan for resolution, despite the fact that he himself was implicated in covering up the misbehavior, resembles how appeals to the Vatican by nuns who encountered abuse were remanded to ordinaries who were already aware of or complicit in the abuse they suffered.

Until a truly uncompromising investigation of the North American College is completed; the results made known; and any problems resolved; NAC seminarians currently quarantined in the US and future potential nominees to study at the NAC may be potentially in danger of victimization given the toxic environment under the administration of Fathers Harman and Park that enabled what happened to Anthony Gorgia to take place.

Gene Thomas Gomulka is a retired Navy captain/chaplain who served on active duty at Marine Corps and Navy commands for over 24 years. A Catholic priest (monsignor) ordained for the Pennsylvania Altoona-Johnstown diocese, Gomulka and Dominican Father Thomas Doyle had their ecclesiastical endorsements revoked as a result of their support for sexual abuse victims and their confrontations with Church leaders who underreported and covered up abuse.