

P. Magaldi 1-3-97

CONFIDENTIAL MEMORANDUM

In re:
Date: January 3, 1997

From: Bishop Delaney
In re: Visit from
Date: January 3, 1997

a 17-year-old college student from [redacted] parish called me this morning and then came in to see me. (He is a junior at [redacted] University and is home on break.) He was urged to come by Fr. [redacted] to whom he had talked about the following matter.

Since diocesan policies will be applied and a full report of the matter will be made, I will only sketch briefly here what [redacted] told me.

In the early summer of 1995 [redacted] met Fr. Philip Magaldi when he went to confession at [redacted]. PM got talking to him afterwards and invited him out to eat. That began a relationship that [redacted] felt was odd. Over the course of the summer PM took him out to eat a number of times at rather expensive restaurants. One time in the swimming pool at PM's apartment, [redacted] felt that PM was getting too friendly. One day PM asked [redacted] to give him an enema, telling him that the doctor had prescribed it and that he needed help. [redacted] helped him then and a couple of other times. PM gave him \$25 each time. After [redacted] returned to school in [redacted] PM sent him several checks in the amount of \$100. In the fall of 1995 PM was visiting in [redacted] with his mother, and asked [redacted] to come to the hotel. He took him to dinner. When [redacted] was leaving, PM embraced him and kissed him on the mouth. [redacted] did not respond and was disturbed. PM wrote him later explaining away what he did and sending more money. But [redacted] didn't respond, and the whole thing ended.

[redacted] has realized that what happened was unwholesome and is worried that PM may be doing the same—or worse—to other young men. Fr. [redacted] convinced him that he needed to report it to the Diocese. [redacted] seems to be at ease with the whole matter now that he has had the chance to talk about it. However, my suspicion is that some counseling would be helpful. I told him that, and he thinks he doesn't need it. Given the intensity and the great detail with which he told the story (I had to interrupt several times to move it along) I think he needs to do some more work on it. [redacted] is a very committed young Catholic, quite knowledgeable about the Church. Although what happened was not very overt, it did disturb him very much.

I explained to [redacted] about our misconduct policies and that normally I would not have spoken with him alone. He is quite willing to speak with a committee. He does not want any publicity. He especially doesn't want his parents to know about it. I assured him of complete confidentiality.

His home address: [redacted] (I promised to be most discreet if [redacted] were necessary to call him at home.)

He will call Father Wilson on Monday morning, January 6. Since I will be on retreat, I will have spoken to RWW by telephone.

(he return to [redacted] on Jan 12th)

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January 8, 1997

→ Notes of Fr. Robert Wilson

Concern: Interview with _____ in re, actions of Philip Magaldi

Home: _____ (Do not contact
through parents - he
does not want them to know about the incident).

met this date with _____ and myself,
Father Robert Wilson. We began by explaining that we are part of a
committee to investigate sexual misconduct complaints. We also told him that
we knew that he had already met with the bishop.

He was articulate and forthcoming in his description of the events. They
began in July of 1995 when he went to confession at
Parish. He went there because the time was better for him than at his home
parish. PM said subsequently on several occasions how providential it was
that he came to his confessional on that day at that time.

PM suggested that they get together for lunch "to talk about
thought that it would be great to have a priest as a friend, and agreed. They
went out two or three times to Fort Worth restaurants and then to Il Sorrento, a
fancy restaurant in Dallas. PM always introduced _____ "as his nephew." He
also encouraged _____ to have beer or wine.

PM lives in an apartment complex with his mother. He invited _____ over to go
swimming. During the swimming _____ described PM as moving closer and
closer to him, so that he would have to swim away. He thinks this swimming
incident was the week after he met PM. Finally, _____ said, "I got tired of
playing dodge, and said, let's get out."

During the entire relationship PM would "goose" him, i.e. grab his buttocks.

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When asked why he did that, he said "we always did that in high school."

was concerned that PM never wore his collar out with him, but rather lay clothes. When asked about it PM replied that the archbishop (sic) had given him permission.

PM asked for a favor. He said the doctor had prescribed four enemas for him, and asked if would give them to him. He asked why not your mother, and PM replied that he did not want to show his private parts to his mother, that he was embarrassed. PM said that he would get him a note from the doctor. Finally agreed. PM then gave him \$25 which he said he would have had to pay the doctor. said he did not want the money, but PM insisted, saying that he had just had a \$200 raise and that he did not need the money.

During this narration, and throughout the interview, explained his actions, often rationalizing. In this case, he said that he "was trying to do PM a favor."

When left for PM gave him a \$100 check. He continued to send him \$100 checks every six weeks. PM says that he told him not to, but that PM continued to send the checks.

In the fall PM went Rhode Island to pick up his mother, and came to to see. He greeted him and hugged him. felt that it was the kind of a hug that he was comfortable receiving from a girl, but was turned off by PM. PM introduced to his mother, and then when they left, he hugged him, and kissed him on the lips, a wet kiss (not open mouth said or "I would have been scarred for life").

PM send a letter after returning to Fort Worth. He said that he hoped that did not take it wrong, rather that PM has kissed him just like he kissed his mother. There was nothing wrong about it.

That was the last contact made by PM. The incidents therefore were during three or four months of summer and fall of 1995.

Since that time had occasion to be "hit on" by a 30 year old who claims that he counsels gay priests. It was this person who led to think that maybe PM was not so innocent. was concerned about having attracted a second gay person.

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Father Wilson apologized for the church and for PM. So did
Father Wilson also encouraged to seek counseling in At first
seemed to think it was not necessary, but [redacted] pointed out that he
seemed to take responsibility for the relationship, feeling he had to "help PM,"
and that he had described doing the same thing with his girl friend. He agreed
that he needed to work on that. [redacted] gave him her card, and suggested
that he call [redacted] and ask to talk to their counseling
department. Father Wilson wrote his address on the same card for billing
purposes. The diocese will pay for the counseling.

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Robert W. Wilson

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January 8, 1997 - On this date I met with Father Bob Wilson and [redacted] to interview [redacted] a [redacted] year old [redacted] regarding a complaint of alleged sexual misconduct he recently made against P. Magaldi. [redacted] had gone to PM for confession to discuss a sensitive personal issue, because he had missed confession in his own parish. During confession, according to [redacted] PM shared significant personal instances regarding the same subject, ostensibly to help [redacted] deal with the situation.

[redacted] is unclear if PM asked him to lunch during confession or immediately following. [redacted] accepted and looked forward to a friendship with a priest, thinking that discussions with a priest could serve to strengthen his own faith. [redacted] appears to have a great deal of concern about his faith. He is aware of questioning on the part of PM to determine that he [redacted] was at least 18 years old. Again, he is unclear if this was during or immediately following confession. Eventually PM treated him to dinner at expensive restaurants and encouraged him to drink wine even though he was not 21. He introduced [redacted] as his nephew so he "would have a reason to be with him." The relationship was characterized by much hugging and touching. According to [redacted] PM frequently "grabbed my butt." [redacted] challenged PM on these actions and was told that "he and his friends had always done that in high school." [redacted] described a time when he went swimming with PM in the apartment pool. He said he had to dodge PM several times to avoid contact and finally said, "that's it, let's get out."

When asked directly why he didn't leave the relationship, [redacted] said that he thought he could help PM act more appropriately, to develop behaviors more fitting for a priest.

Eventually PM asked [redacted] to administer a series of 4 enemas, giving [redacted] directions to "put the nozzle in my butt and move it in and out." [redacted] resisted this and suggested PM have his mother (who lives with him) administer them. PM reportedly said, "That would be embarrassing; I don't want my mother seeing my butt." PM offered to show [redacted] a note from the doctor indicating a need for the enemas. He said he didn't want to have them administered at the doctor's office because he would charge \$25. [redacted] says he declined seeing the note and did administer the enemas. PM paid [redacted] \$25. per enema.

When [redacted] PM sent him money (\$100.00) about every six weeks to "help him out." PM came to [redacted] on one occasion to see [redacted]. He was reportedly in the area to meet his mother and accompany her back to Texas. [redacted] said he went up to PM's room to see the mother. As PM and [redacted] entered the hall to return to the lobby, PM began massaging [redacted] shoulders and back; he continued this until they reached the elevator where PM kissed him full on the lips. [redacted] says he pulled away and left. He stated he later received a letter from PM telling him not to be upset about the kiss; he meant it only in a "family way." [redacted] didn't respond to the letter and has not heard from PM since.

He is currently home for [redacted]. During this time, he related this story to Father [redacted] who advised him to talk to the Bishop.

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is a poor historian in terms of times, dates, etc. Additionally he has poorly defined relationship barriers and there may be some sexual confusion. I advised him to take advantage of counseling because of his description of the relationship with PM. He entered the relationship with the idea that it might be faith strengthening. As the relationship progressed, he altered his expectations; seeing himself in the position of helping PM learn how to act more appropriately. One has to consider that his willingness to shift expectations was a way to continue the relationship. In talking with him, he admitted that he changed relationship expectations with girls too. It is clear that he needs some help in this area as well as resolving the situation with PM.

sought support from a man who is know in _____ for counseling homosexual priests. He interpreted actions of that person as "hitting on me." While we didn't spend time looking into the particulars, it was obvious that he was concerned that this would happen to him twice. I referred him to _____ and offered to get him a contact if he wished.

January 9, 1997 - Met with Father Bob Wilson and _____ to continue the investigation in the allegation of sexual misconduct against P. Magaldi. PM told a completely different story than _____

During the interview he was anxious and agitated. He had read the misconduct policy the night before and was concerned about his own defense. He had assumed that there would be a major law suit involving large sums of settlement money and was told by Father Wilson that this did not appear to be the case.

He categorically denied all wrong doing, he has no idea why _____ would say these things about him. (He thinks he might have introduced him as his nephew, but that was because _____ had called him Uncle Phil. He may have ordered wine for himself, but would never have encourage _____ to join him. He took _____ to dinner and befriended him because he "saw him as a potential vocation."

PM said they discussed _____ conflicts with his girlfriend, and his uncertainties about going away to school. PM said he was just being a support.

Yes, he has hugged _____ but says that is because he (PM) is an Italian; "and besides, people hug all the time at _____. He has met both of _____ parents; in fact they had attended Mass at _____ several times. He had invited _____ to come to his apartment to swim, and said that _____ had been there on other occasions too, including twice with his girlfriend.

He did admit to the enemas. According to PM, he has had a "colon situation" and the doctor had suggested that he take 4 enemas. He could have gone to the emergency room to have them administered but they would have charged him \$35. He says that he asked _____ to administer the enemas because he needed help to hold the container section of the apparatus and to release the clip. _____ agreed to "help him

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out" if he could just stand there and turn his head so he wouldn't have to look. PM agreed to insert the nozzle himself. He admitted that he paid _____ to give him the enemas.

He agreed that he sent _____ money after he moved to _____, but said he was just trying to help him with expenses; he said he has given money to people before. He stopped sending him money because of his own financial situation.

PM denies that he kissed _____ on the lips. He might have kissed him on both cheeks "as Italians do" but "certainly not a wet kiss on the lips."

He denies the letter that _____ says PM sent him following the encounter in the hotel. Regarding the letter, PM's words were, "No, I never wrote him a letter - did he save it or something." He again stated he didn't write to _____ but that _____ wrote to him, sending him a "pomographic card"; that card being a Hallmark card with 21 naked babies with the caption reading: "A 21 Bun Salute." PM said he thought _____ was making a comical reference to the enemas.

He continued to deny the wet kiss on the lips in fact, when leaving the room, in an effort to be humorous, he said "of course now if that had been a French kiss, but that would never happen because I'm Italian." In leaving he hugged Father Wilson.

PM is interesting, even entertaining, but completely without insight regarding his actions and certainly lacking in sound judgment. He assumes no responsibility and sees nothing questionable in his actions. Many times during the interview PM said something like: "look, my psychological profile says I lead with my heart, not my head." I was struck with the fact that he uses his psychological profile as a license for his behaviors, completely overlooking the insights provided by such assessments.

I do not believe the enemas were part of a medical plan. Emergency Rooms are not the usual facility for the administration of out patient enemas. Perhaps the physician would have suggested a home health agency if PM was unable to carry out these procedures for himself. Certainly that avenue would be less costly and more convenient than an emergency room visit. Additionally, most enemas are designed for self administration. It is my impression that PM demonstrated sexually inappropriate behavior by involving _____ in the administration of the enemas.

My sense is that there this situation is more involved, but the reports are so different it is hard to determine the extent and types of participation by either of these two parties. In my mind, however, the enema situation is enough to establish sexual misconduct on the part of PM.

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Notes of [redacted]

Fr. Bob,

Below is a summary of our meeting with [redacted] on January 8th, 1997.

[redacted] is a young [redacted]. His encounter with Fr. Magaldi began on July 4th weekend in 1985 while attending a reconciliation service at [redacted] parish. [redacted] was discussing a problem with a sexual matter with Fr. Magaldi, when Fr. befriended him indicating he himself had had the same problem as a teen, and had experiences beyond what [redacted] was confessing. He offered to take [redacted] out for dinner afterwards to talk about [redacted] and [redacted] was just getting ready to go up for the first time. Over the course of the next several months, Fr. Magaldi is accused of pursuing more intense relations with [redacted] often with manipulative and sexual overtones.

Fr. Magaldi took him out to eat, at times at rather expensive restaurants, and purchased wine allowing [redacted] to partake, although [redacted] was still a minor. On these outings, Fr. would never wear his collar, and would introduce [redacted] as his "nephew." He invited [redacted] over to his apartment to go swimming, and during the visit continually moved too close to [redacted] for his comfort. [redacted] finally had to say "Let's get out." Fr. would often "gripe" [redacted] affectionately, grabbing and pinching his buttocks. Although [redacted] indicated he did not like this behavior, Fr. nonetheless pursued. [redacted] apparently discounted much of this behavior as Fr. being extremely "touchy/feely" in his personal relationships.

After establishing a relationship with [redacted] Fr. asked him to perform a series of four enemas that the doctor had recommended over a one month period. [redacted] felt extremely uncomfortable with this, but concurred since Fr. indicated there was no one else to do this, and he did not want to pay the nurse at the doctor's office \$25 to perform this activity. He instead offered [redacted] the money, and [redacted] refused. But Fr. insisted and gave him four \$25 checks. He followed, after [redacted] left to [redacted] with subsequent payments in the amounts of \$100 approximately every six weeks.

During the fall of 95, Fr. Magaldi was up in [redacted] picking up his mother and visiting a friend in [redacted]. He wanted to see [redacted] and invited him to the hotel where he and his mother were staying. As they left his hotel room, Fr. offered to give [redacted] a massage. This is something [redacted] family does often, but the position Fr. used was too close for [redacted] comfort. After the massage, as they were departing, during the normal embrace, Fr. Magaldi kissed him on the lips, totally shocking [redacted]. It was certainly not the type of kiss [redacted] would expect in this kind of relationship. It was the "straw that broke the camel's back" for [redacted] and he decided not to see Fr. again. He received a letter from Fr. later that semester, explaining away the kiss as typical between family members in his family.

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Fr. Bob,

Notes of

1997

Below is a summary of our meeting with Fr. Magaldi on January 9th re: the allegations from [redacted]. It was difficult to keep accurate notes of Fr. Magaldi's comments since they did not follow a consistent line of thought; I feel he was feeling anxiety due to the situation and was speaking rather fast and jumping from one thought to another.

He indicated that he had taken [redacted] to lunch out of concern for him as a [redacted] going off to [redacted] for the first time. Since Fr. was from the [redacted] area, he felt he could offer some insight and advice. He did not recall [redacted] reaction in the swimming pool, and commented that he had invited several altar servers over to swim, and had not had any complaints from them or their parents. In fact, there was one family who expressed concern that their son had not been invited to swim.

Fr. Magaldi did recall the situation over the enemas, and had indicated that the equipment he was using required someone to hold a bag, and to release the liquid, and that was the function [redacted] was asked to perform and agreed. All other aspects of the procedure, including inserting the probe, was done by Fr. himself. [redacted] agreed to assist as long as he "could turn his head."

As relates to the kiss on the mouth that [redacted] spoke of at the hotel in [redacted] Fr. consistently denied that he would ever do such a thing, almost going out of his way to act disgusted at the thought. He did acknowledge that everything else occurred as [redacted] had communicated. He indicated that [redacted] was the one who initiated the "hugs", and that [redacted] was the one who liked to refer to Fr. as "Uncle Phil", therefore implying Fr. might have introduced him as his nephew in keeping with [redacted] desires. He indicated that he never perceived [redacted] uncomfortableness around Fr., and even at the time of the alleged kiss on the mouth. He did not recall sending [redacted] a letter explaining away the kiss, but did ask, "Did he keep it?"

Fr. commented several times regarding coaching he had received throughout his career as a priest regarding physical activity around lay people which might be perceived in the wrong way. He discussed several things [redacted] had said regarding activity at [redacted] with the altar servers, and other youth. Since arriving at [redacted] he said he's supervised as many as 175 altar boys, and never had a problem such as this arise. One comment that struck me while discussing his personality and Italian heritage, he commented that "being Italian, my hands are always ready." This comment was made regarding innocent embraces and such with parishioners, students, etc.

In summation, we decided there were three things that were clearly defined by [redacted] as acts unbecoming the relationship he had with Fr. Magaldi:

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1. Fr. Goosing him repeatedly
2. Series of four enemas that ... assisted with
3. The kiss on the mouth at the ... hotel

Fr. categorically denies the first and third, but agrees to his fault in judgment in the second. Based on this alone, we concluded there was sexual misconduct, and that probably more of ... allegations were merited, even though Fr. denied them.

Respectfully submitted,

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Magaldi
1-12-97

January 12, 1997

Notes of Fr. Robert Wilson

In re, interview of Father Philip Magaldi, concerning accusations of

and I, Father Robert Wilson, met with PM on January 9.

Although he admitted knowing everything was a matter of surprise to him that all this was happening. He kept saying he just couldn't believe it, and in this day and time, accusations are going to happen to everyone. He said that his personality is the problem. He leads with his heart, not his head.

I began by outlining allegations. PM generally denied any intention of seduction. When asked about specific details he rambled in his answers, usually denying memory, and sometimes then recalling, but with the incident being less dramatic, or lesser in number, etc. E.g. At first he claimed not to remember giving money, but then said he was just trying to help him as a college kid with no money. He claimed not to have sent a \$100 check every six weeks or so, but "a couple of checks for \$50.00."

He admitted meeting in the confessional, but correctly said he could not speak of what was said. He talked about being Italian and hugging everyone, and interestingly, remembered giving a hug in the confessional after having completed the face to face confession. He also claimed that had been coming to although he belongs to

He admitted the lunches, but seemed to deny the liquor. He just couldn't remember, but it wasn't a big deal.

He denied making advances to in the swimming pool.

He said that he had even talked to parents (at least his father) to be sure that they did not misconstrue his going out with him. He knew about father being scandalized by the affair in the papers concerning the priest at

Finally, I outlined the three major concrete physical actions that were noteworthy: consistently grabbing on the buttocks ("goosing him"); asking to give him four consecutive enemas; and giving him a wet kiss on the lips after leaving the hotel room in where he had taken to see his mother. PM had already denied inappropriate hugging and any other kind of

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sexual innuendo. He denied the physical grabbing of [redacted] by the buttocks and the kiss. He admitted to asking for help with the enema. He claims that [redacted] at first refused, but then agreed if he didn't have to look, but only had to hold the enema bag up and turn it on, all the while keeping his eyes averted.

[redacted] in the debriefing said that she does not believe that the kind of enema PM described is still on the market. He may have had one at home. Enemas sold today are fleet enemas, and are self applied.

PM asked if he was suspended. I told him that he was not. In the beginning he asked if this was a legal matter in the civil courts. I said that it was not. He asked if [redacted] was after money. I said that he was not. I told PM that the bishop would contact him after having received the report of the committee.

Robert A. Wilson

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January 12, 1997

By Father Robert Wilson

Executive Summary. Accusation of Father Philip Magaldi by

a 27-year old male, appeared to a committee of three on January 8, 1997. The committee was made up of [redacted] and myself, Father Robert Wilson. He accused PM of having been guilty of sexual exploitation in the summer and fall of 1995 (sexual exploitation was not his wording). PM appeared before the committee on January 9. Both interviews took place at the offices of Catholic Charities. The incidents took place when [redacted] was 18.

The committee believes that PM is guilty of sexual exploitation. Although he denies portions of the allegations (see notes on testimony), he admits having asked [redacted] to give him four enemas. The committee of three unanimously believes that this was inappropriate, and that it was exploitative behavior, implicitly sexual in nature. While not questioning the truthfulness of either party, the members of the committee have no reason to disbelieve the allegations made by [redacted] which were not admitted by PM.

We believe that PM attempted to minimize the impact of the enemas by his description of what happened. His description was different from that of [redacted].

The committee does not believe that St. Luke's or another institution for residential treatment is indicated for PM. Such treatment will probably not help him, since it is primarily for addicts of one kind or the other. The committee members believe that PM is currently in a supervisory situation where Monsignor King, PM's pastor, exercises the most careful placement of parameters possible in our diocesan system. Therefore, we recommend that he be left there. However, we believe he should be made aware of the consequences of his actions, and assigned to community service at Catholic Charities where he will work in the food bank or in some similar service project. No length of time was suggested, but it should be substantial in order to convince PM of the seriousness of his actions.

Robert W. Wilson

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CONFIDENTIAL MEMORANDUM

In re: Magaldi, Philip
Date: January 17, 1997

From: Bishop Delaney
In re: Father Philip Magaldi
Date: January 17, 1997

I met today with Father Philip Magaldi. Msgr. Charles King and Father Robert Wilson were present. We met to discuss the results of the investigation brought about by the report of that PM had acted improperly with him. The results of the investigation are attached.

I explained to PM that the three person committee as well as I myself found his actions to be improper. He insists that he had no motivation other than helping / I insisted that his very lack of awareness of the import of his actions was itself cause for great concern.

The result: He will continue as associate pastor of Saint John's and will be under very close supervision by Msgr. King for at least the next year. He will no longer be responsible for the altar boys, but will make older parishioners the main object of his ministry. He will meet each week with the pastor to lay out his schedule. He understands that his relationship with parishioners is to be kept on a professional basis and that he will not confuse a pastoral concern with socializing.

Father Wilson will inform and the committee members of the outcome of the investigation.

cc. P. Magaldi
C. King

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Philip Magaldi
2-13-97

February 13, 1997

Memo to Files
from Father Robert Wilson *RW*

Concern:

After Bishop Delaney and I met with Father Phil Magaldi and Monsignor Charles King on January 17 I called three people with the outcome of the meeting. The outcome was that PM is to remain at St. John's under the close supervision of CK. CK stated at the meeting that he intends to meet weekly with PM to review the activities of the week, but that he will expect to know PM's exact schedule each day. He will also expect to be informed when PM has to change it. In essence he wants to know where PM is every hour of the day. He expects PM to keep office hours at St. John's daily according a schedule he will establish. He informed PM that he is taking from him responsibility for the altar servers. He indicated that he planned to have him work with senior citizens, and that he would give regular visitation assignments to him. BD and CK agreed that this would be a probationary period of one year, and that it will be evaluated at that time.

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On January 20 I reached both other members of the investigating committee. I gave them the above in detail. The outcome was close to what the committee recommended.

After several tries, I reached _____ at _____ This was on February 4. I gave him the entire story, stating that this is a severe reprimand to a priest, and very unusual. He said he had hoped that PM would be moved to a parish where there is no school. I explained that PM would not be in contact with youth in the parish, and had been taken off the altar server duty. I also explained that CK is the supervisor most likely to oversee the behavior of PM during the probationary year. He was concerned about what would happen after that, and I told him of the evaluation to take place after one year. He seemed satisfied. He said "this brings it to closure." He asked for assistance in accessing Catholic Charities in _____ I looked up the number and gave it to him. He said he planned to call for counseling, as we had suggested. I asked that he have Catholic Charities bill us.

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ST. JOHN THE APOSTLE PARISH

7341 Glenview

Fort Worth, Texas 76180

(817) 284-4811



June 10, 1997

Most Reverend Joseph P. Delaney
Bishop of Ft. Worth
800 W. Loop 820 South
Ft. Worth, TX 76108-2919

Dear Bishop,

I preface these remarks by reminding you that I am forever grateful for your support during my legal ordeal in Rhode Island and accepting me for service in the Diocese of Ft. Worth.

On May 6, 1992 when I was sentenced to serve 2 years in the Adult Correctional Institutions of the State of Rhode Island after pleading guilty to something I had not done in order to spare the Bishop of Providence, the priesthood and the Church further embarrassment, I felt that I would be able to handle any disappointment or humiliation in the future. That was until this past weekend when my hopes of the "Dream Team" for Grapevine were demolished.

When Nolan High wanted me to serve there I was told that the Personnel Board unanimously voted against it because I was "too pastorally oriented" to serve in a school.

When you invited Brother Paul and me to your office to get to know one another and look forward to serving in a parish that could afford both an Administrator and Sacramental Minister, you said it was your "dream" that he serve as an administrator and I as Sacramental Minister. It was pointed out that there was nothing available at the time and we tossed about a couple of ideas, one of which was St. Francis in Grapevine. No promises were made but the seeds of hope were sown.

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A few weeks ago Charlie King told me that the "Dream Team" would never happen. Now it has come true. A dream turned into a nightmare. I marvel at how the Personnel Board takes care of its own. Is it coincidence that Pemberton got to Holy Family, Scantlin to Blessed Sacrament, Rivero to Denton and now Robinson to Grapevine?

Msgr. King told us he suggested this taking over the Sacramental responsibilities at St. George's. He did not ask Dan or me what we thought. He also said someone was needed for Grapevine and since Ken wanted out of St. George's he would get a "substantial" parish. King told the parishioners here Sunday that "we were worried about losing one priest, but the Bishop has informed us that St. John's will take over Sacramental responsibilities for St. George's."

I have cooperated fully with the suggestions of how to bring my monthly expenses and income into line, sacrificing willingly to show that I could do it if given the chance. Mr. Scott MacDonald as well as Msgr. King can testify to my success in this.

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I have for six months now accepted the humiliation of having to make a weekly report of my daily schedule, where I go, with whom, etc., like a child to a parent. At 61 years of age and nearly 37 years as a priest, you have to realize how repugnant this is.

All this I have accepted in the sincere hope of being given a chance to prove I can be the priest I was ordained to be.

Msgr. King also told me during one of my reporting sessions that he would block any suggestion of the Personnel Board to recommend my being assigned to a parish and I have come to resent this to the point that I find it very difficult to continue serving as one of his associates. Dan Kelly wanted to get away from him after only serving a year here. I have put up with four years of his need to be the center of attention and sharing more with lay persons about the running of the parish than with us priests. Actually I feel the only reason he wants me here is because of my favorable rapport with all the parishioners, regardless of age. This offer to serve St. George's insures his keeping two assistants.

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I again reiterate that I am truly grateful for the support you extended to me during and after my legal problems. I cannot help but feel however that something has happened to our friendship and fraternal spirit and that I am destined in your mind to be an associate until the age of retirement.

Asking a remembrance in your prayers, I remain

Fraternally yours in Christ,

Phil

Rev. Philip A. Magaldi

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CONFIDENTIAL

10-04-04 Order
0441

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In re: Magaldi, Philip

Date: June 23, 1997

CONFIDENTIAL MEMORANDUM

From: Bishop Delaney
Date: June 23, 1997
In re: Father Philip Magaldi

I met today with PM to discuss a letter he wrote me (and a similar one to Fr. J. Scantlin) complaining about being ignored by the personnel board, etc.

I reminded him of our meeting several months ago after he had been involved in what may have been a case of sexual impropriety. That and the serious problems he was having with handling his finances led me to ask Msgr. C. King to undertake direct supervision of his ministry and finances. He resents this and vented in the letter he wrote. I was very direct in questioning him:

--He does know that he will never be a pastor in the normal sense, but hopes that he will be able to be somewhat on his own some day in some capacity as a sacramental minister. I left this possibility up in the air as something to be considered at a later date.

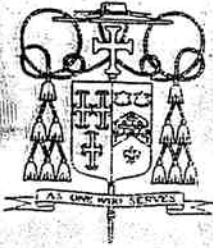
--He also knows that for the next eight months, at least, he will continue under the close supervision of CK.

--He knows that the decision not to assign him with Paul McMullen to St. George was mine, and not the personnel board's.

--He realizes that he is very blessed to be able to continue in priestly ministry, even under the circumstances.

I imagine that it will be necessary periodically to repeat this kind of interview, since PM will probably forget about it all and begin complaining again.

10-04-04 Order
0442



DIOCESE OF PROVIDENCE

ONE CATHEDRAL SQUARE

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FAX (401) 278-4548

OFFICE OF THE BISHOP

December 4, 1998

STRICTLY PERSONAL AND CONFIDENTIAL

Most Reverend Joseph P. Delaney, DD

Bishop of Forth Worth
The Catholic Center
800 West Loop 820 S.
Fort Worth, TX 76108

Dear Bishop Delaney:

I am forwarding for your information a copy of a report faxed to me late yesterday afternoon by Mr. Robert N. McCarthy, Director of the Office of Education and Compliance for the Diocese of Providence.

The report contains a summary of complaints made by the Reverend Philip Magaldi, now a priest of the Diocese of Fort Worth, against

As you will note, the report is a summary of Mr. McCarthy's inquiries. The complete report is in his possession.

With sentiments of fraternal esteem, I am

Sincerely yours in Christ,

Robert E. Mulvaney

Bishop of Providence

Enclosure

10-04-04 Order
0443

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DIOCESE OF PROVIDENCE

433 ELMWOOD AVENUE
PROVIDENCE, RI 02907

401-941-0760 • FAX 401-941-1195

OFFICE OF
EDUCATION & COMPLIANCE

December 3, 1998

CONFIDENTIAL

To: Bishop Robert E. Mulvey
Monsignor Robert E. Evans
Monsignor George L. Frappier

From: Lieutenant Robert N. McCarthy (Ret.)
Director, Office of Education & Compliance
Diocese of Providence

RE: Reverend Philip Magaldi

DOCUMENT IS NOT TO BE REPRODUCED.

1. On Monday, November 2, 1998, at 4:30 p.m., Monsignor Robert C. Evans received a telephone call at the Chancery from an individual who identified himself as _____ of _____ advised Monsignor Evans that he was calling in behalf of a friend and roommate

2. _____ further advised Monsignor Evans that _____ had a block on his telephone and could not call out and request that he be contacted by calling _____, regarding a matter involving a priest of the Providence Diocese.

3. Immediately on completion of this call, Monsignor Evans contacted this office regarding the matter. After a brief discussion with Monsignor Evans, I called _____ at the above number. _____ advised me that a little over thirty years ago, while a young child riding a bicycle in Worcester, Massachusetts, he got a flat tire. An individual who he later identified as Reverend Philip Magaldi, stopped to assist him. He further advised that he placed his bike in the trunk of the car and offered to give young _____ a ride home.

4. _____ further alleges, that instead of giving him a ride home, he took him to a hotel in Worcester that he identified as the Holiday Inn after dropping off his bike in his yard. _____ then alleges that the individual who identified himself as a Priest brought him to a hotel room at the Holiday Inn and went through a mood change. _____ stated that he began to talk "about sin and all sorts of real crazy stuff. I was scared...I told him I wanted to leave. He

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0444

said I couldn't. Uhm, he never physically stopped me but I was scared of him, you know. I was maybe eight-five pounds. I was a real pip-squeak."

5. I then asked what then happened? He replied, "He raped me. He ah, had this thing with enemas. Use to call it holy water. And he did it to me and then he...then he forcibly performed oral sex on me. Then he wanted me to do it to him and I couldn't." I then asked if this individual sodomized him? He responded, "Anal sex?" McCarthy, "Yes.", "Ycs."

6. The following is a portion of the transcript of page five of an interview of conducted on Sunday, November 29, 1998.

McCarthy Ah, besides sodomizing you he then performed oral sex on you.
After he sodomized me...

McCarthy Ah
...he wanted me to do it to him, and I...I couldn't. I couldn't. You know, I

McCarthy Yup

I wasn't capable physically. And ah, I remember I was trying to get dressed, I remember he made me sit down on the bed and he...I don't know when I got the lecture about how I'd be removed from my family, this that and the other thing. I think it was...might have been after. It might even have been before that, but he started performing oral sex on me and nothing would happen. I was totally freaked out, sort of. Uhm...

McCarthy How old would you have been at this time?

Fourteen, fifteen, maybe thirteen, I don't know. Maybe sixteen. I'm sorr...I don't know. I don't remember the year.

7. On page six of that same interview, further relates the following.

Uhm, I guess when he realized that I wasn't able to do that, he made me give him an enema.

McCarthy Did he give you an enema?

Oh yeah. And he hurt me with it. I mean he wouldn't stop. And ah...

McCarthy Is this prior to the anal sex? Or after?

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0445

Yeah, prior. That's right before he did the oral sex he made me do that to him. I was just like totally disgusted with it, you know, I was

McCarthy Uhm hmm.

But I was so afraid.

McCarthy Yup

I couldn't. There was no way I could. That's when he started performing oral sex on me. It was still no results.

8. I once again asked how he knew this individual was a Priest if he did not have clerical garb on, he related, "Oh yeah, he bragged about being an Priest. Uhm, and in the hotel room he showed me ah, the collar and all that stuff. He had all that stuff...It was sitting...uhm, he had a shirt, a jacket and stuff over a chair and there was one of the collars on the table."

9. further alleges that this individual that he has identified and Father Philip Magaldi would give him money after these sexual encounters that went on for several years. After this first encounter, he alleges that Father Magaldi gave him three hundred dollars cash.

10. stated "...But from that day on I couldn't even go to school. I had to smoke pot before I went to school, during school, buy pills, whatever, and that money he gave me, that... has abused her out and cocaine for more than twenty years in addition to alcohol and other drugs. He currently is in a program in and stated that he is attempting to put his life back together and needs to come to terms with various issues in his life, and this is one of the biggest issues he is dealing with.

11. advised me that he wants to protect others from Father Magaldi, put closure on the matter, and rejoin his and in is a who is currently unemployed and was

12. further alleges that this abuse with Father Magaldi went on for several years and during that time there was approximately a dozen and a half incidents. He related to me that these events ended when he went into the In all of these events, he states that Father Magaldi gave him money.

13. on , earned money as a street prostitute in and during one evening he was sitting on the steps of the library hustling, and a vehicle stopped and it was Father Magaldi. He got in the vehicle and they had another sexual encounter.

14. has also been incarcerated in has the result of his arrest by the Police.

15. This office has various memos and notes, a taped recorded interview and transcript of regarding his allegations and I await your instructions as to this matter. Monsignor

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0446

Evans has advised me that Father Magaldi is no longer a Priest of the Diocese of Providence and is currently a Priest in Texas.

Respectfully submitted,

Robert N. McCarthy

Lieutenant Robert N. McCarthy (Ret.)
Director, Office of Education & Compliance
Diocese of Providence

cc: File

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10-04-04 Order
0447

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DIOCESE OF PROVIDENCE

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OFFICE OF
EDUCATION & COMPLIANCE

December 11, 1998

Most Reverend Joseph P. Delaney, D.D.
Bishop of Fort Worth
The Catholic Center
800 West Loop 820 S.
Fort Worth, Texas 76108

CONFIDENTIAL

RE:

Reverend Philip Magaldi

Dear Bishop Delaney:

At the direction of the Most Reverend Robert E. Mulvey, D.D., Bishop of Providence, and at your request, I am forwarding a copy of all of the written and audio material that is found in the files of the Office of Education and Compliance regarding this matter.

This material is a direct result of a complaint made by _____ against the Reverend Philip Magaldi on November 2, 1998, regarding alleged sexual abuse that occurred to him while both a minor and an adult in the City of Worcester, Massachusetts.

On completion of your review of this material, Bishop Mulvey has asked me to have you contact him at (401) 278-4545 regarding this matter.

With all good wishes and best regards, I remain

Respectfully,

Lieutenant Robert N. McCarthy (Ret.)
Director, Office of Education & Compliance
Diocese of Providence

Enclosures

cc: Bishop Robert E. Mulvey, D.D.

10-04-04 Order
0448

In re: Magaldi, Philip
Date: December 14, 1998

CONFIDENTIAL MEMORANDUM

To: Files
From: Bishop Delaney
Date: December 14, 1998
In re: Father Philip Magaldi

I received a letter today marked "strictly personal and confidential" from Bishop Robert Mulvee of Providence forwarding to me a memorandum written by Robert N. McCarthy, Director of the Office of Education and Compliance for the Diocese of Providence about accusations made against Father Philip Magaldi by [redacted]. A copy of these documents is attached.

After reading the material and discussing it with Father Robert Wilson, I called Mr. McCarthy and spoke to him. He explained that he had interviewed [redacted] in person and found him to be quite credible. He told me that there did not seem to be any immediate danger of publicity about the charges. He offered to send me by expedited mail a copy of the taped interview with [redacted] and the other materials he had pertaining to the case. He also offered to help in any way that he could, provided Bishop Mulvee was agreeable.

I told him that I would be back in touch with him after reviewing the materials.

10-04-04 Order
0449

In re: Magaldi, Philip

Date: December 17, 1998

CONFIDENTIAL MEMORANDUM

To: Files
From: Bishop Delaney
Date: December 17, 1998
In re: Father Philip Magaldi

The material from the Diocese of Providence arrived today from Robert McCarthy. Included were the tape of the interview he had with _____, a transcript of that tape, and the file of this incident from its beginning four weeks ago.

After listening to the tape, I convened the sub-committee (of the diocesan sexual misconduct group) that had heard the complaint against him in January, 1997. The members: Father Wilson, _____

The committee listened to most of the interview with me and then discussed the way to proceed. It was decided to meet with PM on Saturday, December 19 and let him hear the tape. Given the similarity to the incident 23 months ago, the committee discerns a pattern of misconduct reaching back many years. The outcome of the meeting may be removing PM from active ministry, sending him to Rhode Island for a polygraph test, and then to _____ for evaluation.

I am trying to reach Bishop Mulvey to discuss the matter with him and to ask for Robert McCarthy's assistance in having the accuser, _____ take the polygraph test and also setting it up for PM. I also want to discuss with the bishop the legal implications for his diocese so that we don't precipitate any difficulty for them.

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