

**IN THE COURT OF COMMON PLEAS
ALLEGHENY COUNTY, PENNSYLVANIA**

IN RE: : SUPREME COURT OF PENNSYLVANIA
: 2 W.D. MISC. DKT. 2016
THE FORTIETH STATEWIDE :
: ALLEGHENY COUNTY COMMON PLEAS
INVESTIGATING GRAND JURY : CP-02-MD-571-2016
:
: NOTICE 1

INTRODUCTION

We, the members of the Fortieth Statewide Investigating Grand Jury, having received testimony and evidence pertaining to violations of the Crimes Code of Pennsylvania occurring in Clarion, Crawford and Jefferson Counties, Pennsylvania pursuant to Notice of Submission of Investigation No. 1, do hereby make the following findings of fact and recommendation of charges.

FINDINGS OF FACT

The Fortieth Statewide Investigating Grand Jury received evidence from the Diocese of Erie in connection with an ongoing investigation into child sexual abuse committed by members of the clergy and religious personnel. This evidence led to the discovery of young men who had been sexually assaulted by Father David Poulson ("Poulson") when they were minors. The assaults occurred at church rectories in Clarion and Crawford Counties, as well as at a remote, isolated hunting camp in Jefferson County.

David Poulson

Poulson was ordained a Roman Catholic priest on June 22, 1979 and was assigned to the Diocese of Erie in 1997. The Diocese of Erie consists of the counties of: Erie, Crawford, Mercer, Venango, Warren, Forest, Clarion, Jefferson, Elk, McKean, Clearfield, Cameron and Potter Counties. The Grand Jury learned that Poulson's assignments were as follows:

<u>TITLE</u>	<u>ASSIGNMENT</u>	<u>DATES</u>
Faculty	Bradford Central Christian High School Bradford, PA	7/5/1979 to 6/9/1982
Weekend Education	St. Francis of Assisi, Bradford, PA	7/5/1979 to 6/9/1982
Faculty	Gannon University, Erie, PA	6/9/1982 to 8/24/1997
Director, Parochial Administrator	Gannon University, Erie, PA	6/1/1991 to 8/24/1997
Administrator	St. Francis of Assisi, Clearfield, PA	8/24/1997 to 12/3/1997
Pastor	St. Agnes, Morrisdale, PA	12/3/1997 to 6/6/2000
Sp. Ministries/Catholic Chaplain	Clarion University, Clarion, PA	6/6/2000 to 7/24/2001
Pastor	St. Michael's, Fryburg, PA	6/7/2000 to 6/30/2006
Chaplain	Dio. Div. of World Apostolate of Fatima	8/8/2000
Pastor	St. Michael's, Fryburg, PA	7/1/2006 to 11/8/2010
Pastor	St. Anthony of Padua, Cambridge Springs, PA	11/8/2010 to 11/8/2016
Pastor	St. Bernadette, Cambridge Springs, PA	11/8/2010 to 11/8/2016
Dean	Meadville Deanery, Meadville, PA	1/13/2012 to 9/11/2014
Other	Bishop's Delegate to Mass In the Extraordinary	11/1/2013 to 10/31/2018
Other	Diocesan Liaison to the Catholic Charismatic Renewal	11/29/2013 to 11/28/2018
Dean	Meadville Deanery, Meadville, PA	9/12/2014 to 9/11/2019
Diocesan Board	Presbyteral Council, Erie, PA	9/12/2014 to 9/11/2019

Investigation

The Grand Jury reviewed a January 26, 2018 memorandum that was provided to the Pennsylvania Office of Attorney General ("OAG") by the Diocese of Erie. The memorandum was written by Father Chris Singer ("Father Singer") and addressed to the attention of Bishop Lawrence Persico ("Bishop Persico"). The memorandum recounted a telephone conversation that Father Singer had with Father Raymond Akeriwe ("Father Akeriwe"), a chaplain at Fort Hood, Texas, earlier that day. Father Akeriwe advised that a soldier (hereinafter "Victim 1") had disclosed that he had been sexually abused by Poulson when he was a child.

Subsequent to this telephone call, counsel for the Diocese of Erie interviewed Poulson on February 9, 2018. During the interview, Poulson advised that "a friend of mine and I have property near Clarion" with a "little cabin." The Grand Jury learned that Poulson's friend and co-owner of the property is Mark Bettwy ("Bettwy"), who is presently employed as a sergeant with the Pennsylvania State Police. Poulson explained that he met Bettwy at Gannon University when Bettwy was a student there and Poulson was a member of the faculty. They have been "friends ever since." Poulson stated that in the mid-2000s, Bettwy discovered a piece of property that was approximately 40 acres and "we bought it." He did not know whose name appeared on the deed, however.¹ Shortly after they purchased the land, Poulson saw a one-room "Amish-type" log cabin and decided that he would buy a similar cabin for the property.

Poulson informed Diocesan counsel that he had not been to the property since he left Fryburg, Clarion County in 2010 to begin his assignment in Cambridge Springs, Crawford County. With respect to Bettwy, Paulson noted that Bettwy and his family did not use the

¹ On February 13, 2018, OAG Special Agent Jack Brickner located a deed for 40 acres of land owned by Mark Bettwy and David Poulson in the Jefferson County Register and Recorder of Deeds Office.

property as often as anticipated. Poulson stated that he and Bettwy were waiting for the timber to mature and were "getting ready" to sell the property.

Poulson estimated that he took 20 trips to the cabin and that approximately one-half of those trips were made in the company of minor boys. All of the trips with the boys required at least one overnight stay at the cabin. Poulson admitted that he was attracted to young men and had spent many hours, days and nights with several young men under the age of 18. He then provided the names of six children that he took to his cabin alone. Those names were provided to the OAG by counsel for the Diocese.

On February 28, 2018, Victim 1 was interviewed by OAG Special Agent Steve Adametz ("Agent Adametz"). Victim 1, who is presently 23-years old, was born in Wisconsin and his family moved to Pennsylvania when he was seven or eight years of age. Upon arrival in Pennsylvania, the Catholic Church played a major role in his family's life because they were new to the area. Victim 1 related that his parents believed that the local priest, a young man in his late 20s, would be a good role model for their children. That priest was Poulson. Victim 1 became very close with Poulson and viewed him as a friend who would take him places, buy him things, and go camping with him. Poulson was a welcomed and frequent visitor to his family's home.

Victim 1 informed Agent Adametz that Poulson began to sexually molest him when he was approximately eight-years-old. The abuse continued until he was 16. The abuse involved Poulson kissing Victim 1's lips, kissing his neck, and sucking on his ear lobes. Poulson also fondled Victim 1's genitals and penis, to include masturbation. Victim 1 reported that on several occasions he was made to reciprocate this behavior on Poulson. The abuse occurred on a bi-weekly basis from 2002 to 2010. Poulson made Victim 1 go to confession and confess the sexual abuse to Poulson in his capacity as a priest.

Victim 1 stated that his parents encouraged him to spend time with Poulson at the church rectory and at Poulson's camp. He revealed that he was sexually assaulted by Poulson at the rectories at St. Michael's in Fryberg and at St. Anthony's in Cambridge Springs. The abuse at the rectories usually occurred on Sundays, after the victim served as an altar boy at mass. When asked to estimate the number of times that he was assaulted at the rectories, Victim 1 stated that it occurred in excess of 20 occasions. With respect to Poulson's camp, Victim 1 advised Agent Adametz that he was assaulted at that location between five and 10 times. He described this hunting camp as being in a very remote location in either Clation or Jefferson County and that it took approximately 10 minutes to reach it after turning off the road. According to Victim 1, the cabin was a small, one-room, one-floor structure that was approximately 16 feet long by eight feet wide. It was made of rough cut pine and had no heat, electricity or water. Victim 1 further described a rocky fire pit in the front of the structure and a covered front porch that could fit two rocking chairs. He advised Agent Adametz that the camp was always in good shape and "new looking."

Victim 1 advised that when he was taken to the camp, he was always alone with Poulson. There was no bed there, so Poulson would bring one air mattress for the two of them to share. Poulson also brought his laptop to watch DVDs. Victim 1 believes that the last time that he went to the camp and was sexually abused by Poulson was in the summer of 2010. He was 16-years-old at the time. Shortly afterwards, Victim 1 left Pennsylvania. He has not had any contact with Poulson since 2013.

On March 6, 2018, OAG agents executed a search warrant on Poulson and Bettwy's property. The plot of land contained a small, one-room cabin that was consistent with the

description provided by Victim 1. The Grand Jury had the opportunity to view photographs of the cabin.

During the week of March 12, 2018, the Grand Jury heard testimony from Bettwy who confirmed that he shared ownership of the property with Poulson. Bettwy stated that he was aware that Poulson frequented the camp with young boys. Bettwy then returned to the Grand Jury on April 16, 2018 and recounted a statement that Poulson had made when they purchased the property. Specifically, Poulson indicated his desire to see property ownership relinquished to the Bettwy family in the event that he [Poulson] was ever accused of molesting altar boys.

On March 15, 2018, the Grand Jury heard testimony from Victim 2 who revealed that he had contact with Poulson between 2003 and 2006 when he was 15 to 18 years of age. On several occasions over the course of those years, he went with Poulson alone to his hunting camp. He knew that Poulson co-owned the property with a policeman whom he met while he [Victim 2] was at the camp on an altar server retreat. The policeman was not wearing a uniform at that time, however.

Victim 2 disclosed to the Grand Jury that while they were at the camp, Poulson put his hand under his [Victim 2's] shirt and rubbed his stomach and chest. During this same incident, Poulson slid his hand down the Victim 2's pants, underneath his underwear and towards his genitals. Victim 2 was able to roll away and thus avoided further abuse. He stated that he froze when it was happening to him and worried that Poulson would be mad or offended if he stopped him.

During the course of his testimony, Victim 2 positively identified the cabin depicted in the photographs taken during the execution of the search warrant as the location where he was

assaulted. Victim 2 noted that Poulson would use his laptop to watch movies while they were at the cabin.

The Grand Jury heard from nine other individuals who had contact with Poulson at the time when they were minors. The men described how Poulson would flirt and "wrestle" with them. One witness testified that he "joked" with Poulson about his sexual preference for little boys. Those who had visited the cabin explained that Poulson would bring a laptop computer and watch DVDs while they were there. They all noted that Poulson was neither an outdoorsman nor a hunter.

One witness testified that in early 1979, he was a student at Bradford Central Christian High School. At that time, Poulson had just started working as a teacher and soon became a trusted friend to him. Poulson took the witness to local chess matches and mentored him spiritually. However, the chess matches then turned into dinners. The dinners soon included dinner with alcohol. Poulson then began showering the witness with gifts and cash. The witness told the Grand Jury that Poulson liked to poke and tickle him. This activity then developed into rough-housing which, in turn, developed into wrestling. He added that Poulson would often grab him from behind to engage in horseplay. This activity occurred in either the rectory or the church. On at least one occasion, the witness recalled that Poulson had an erection while they were "wrestling."

The Grand Jury issued a subpoena to the Diocese of Erie that was served on September 1, 2016. The Diocese was required to produce any and all records related to child sexual abuse perpetrated by priests and religious leaders of the Diocese. In response, the Grand Jury received, *inter alia*, a confidential memorandum dated May 24, 2010. In that memorandum, Bishop Donald Trautman noted that complaints had been received regarding Poulson's contact with

minors. The memorandum revealed that during a recorded interview, Poulson admitted that his text messages with male minors were "suggestive to sexual advances." He also admitted to Trautman that during the course of tutoring a minor, he shared a book with the boy and was "aroused." He then admitted to hugging the boy. Trautman's memorandum indicated that he [Trautman] "admonished" Poulson and told him to "cease and desist" such behavior. He further noted that spending time alone with a minor was a violation of Diocesan policy. Poulson continued in active ministry within the Diocese of Erie until his resignation on February 12, 2018.