

EXPERT REPORT

of

REV. THOMAS P. DOYLE, O.P., J.C.D., C.A.D.C.

In the case of

JOHN DOE I-V vs REV. NICHOLAS KATINAS et al.

1. My name is Father Thomas Patrick Doyle. I am an ordained Catholic priest in the Dominican Order. I also served as an officer in the United States Air Force from 1986 until 2004. I was ordained a Catholic priest in 1970. I currently reside in Vienna, Virginia. *My curriculum vitae* is attached.
2. I hold a Bachelor of Arts in Philosophy from the Aquinas Institute of Philosophy in Illinois granted in 1966. I hold an M.A. in Philosophy from the Aquinas Institute of Philosophy earned in 1968. In 1971 I received an M.A. in political science from the University of Wisconsin and another M.A. in theology from Aquinas Institute of Theology, Dubuque, Iowa. I hold a Master of Church Administration from Catholic University of America granted in 1976. In 1977 I received at M.A. in Canon Law from the University of Ottawa, Ottawa, Ontario. I have a Pontifical Licentiate in Canon Law from St. Paul University in Ottawa, Canada granted in 1977. I earned a Pontifical Doctorate in Canon Law from Catholic University of America granted in 1978. I am also a fully certified addictions counselor, having trained at the Naval School of Health Sciences in San Diego and the University of Oklahoma at Norman, Oklahoma.
3. My major involvement in clergy sexual abuse cases began in June 1984 concerning the Diocese of Lafayette, Louisiana where Fr. Gilbert Gauthier had been accused of sexually abusing a number of minor boys. The publicity generated from this case involving minor victims had also provoked revelations of widespread clergy sexual abuse in several other Catholic dioceses. As the situation became public, additional similar incidents around the United States were brought to the Vatican Embassy's attention.
4. I have testified as an expert witness and consultant in clergy sexual abuse cases since 1988 and have studied documentation in cases from approximately 190 of the 195 Catholic dioceses in the United States. In the course of this work, I have reviewed more than 1,500 priest personnel files. I have been qualified as an expert witness and/or consultant on clergy sex abuse cases for more than eighteen (18) years involving several hundred separate cases in the United States, Canada, the U.K., Ireland, New Zealand, Australia and Israel. I have appeared before the legislatures of the States of Pennsylvania, Ohio, Colorado, California, Delaware, Maryland and the District of

Columbia to testify relative to child protective legislation including matters related to child abuse, clergy reporting statutes and statutes of limitations. I have also appeared before or consulted with several grand juries in the United States.

5. I have worked extensively with clergy sexual abuse victims of both sexes ranging in age from nine years old to 92 years of age. I have provided pastoral care to their families including parents, spouses and children. I have also worked as a canonical consultant with Dioceses and Religious Orders, giving presentations and lectures and developing policies and procedures in this area as well as assisting numerous dioceses in the United States and abroad in compiling similar policies and procedures. I have given workshops to various dioceses around the country on the issue of clerical sexual misconduct against minors. I have lectured extensively and published articles on issues related to sexual abuse by clerics and religious brothers. In addition to working with victims of sex abuse I have also worked since 1984 with accused clerics as a canonical advocate and advisor and as a pastoral support person.
6. I have had experience as a consultant and expert witness in sexual abuse cases from denominations other than the Roman Catholic Church. These have included the Baptist denomination, the Church of God in Christ, the Episcopal Church in America and the Methodist Church. I have also had experience with sex abuse cases from the Greek Orthodox Church in the United States. Part of my academic training in Canon Law included study of the canonical traditions, structure and practices of the Orthodox Churches. Insofar as my area of specialization was medieval canon law, it was essential that I study the canonical collections and laws of the Orthodox Churches, contained in a book called the *Pedalion* as well as the classical Roman laws promulgated by the Roman emperors of the east and of the west.
7. I reviewed the following documents in reaching my opinions in this case:
 - ! Plaintiffs' Second Amended Petition;
 - ! Plaintiffs' Fifth Amended Petition;
 - ! Documents produced by Defendant GOAA
 - ! Documents produced by Defendant Holy Trinity
 - ! [REDACTED] affidavit;
 - ! Elaine Loumbas affidavit;
 - ! [REDACTED] affidavit
 - ! [REDACTED] affidavit;
 - ! [REDACTED] affidavit
 - ! Deposition and Exhibits of George Kachavos
 - ! Deposition and Exhibits of Leo Manta
 - ! Deposition and Exhibits of [REDACTED]
 - ! Deposition and Exhibits of [REDACTED]
 - ! Deposition and Exhibits of Nick Carayannopolous
 - ! Deposition and Exhibits of Basil Xeros

! Deposition and Exhibits of Reverend Nicholas Triantafilou
 ! Deposition and Exhibits of Father Michael Kontogiogis
 ! Deposition and Exhibits of [REDACTED]
 ! Deposition and Exhibits of [REDACTED]
 ! Deposition and Exhibits of [REDACTED]
 ! Deposition and Exhibits of [REDACTED]
 ! Deposition and Exhibits of [REDACTED]
 ! St. Luke Records
 ! Spiritual Court Records
 ! Charter of GOAA
 ! Special Uniform Parish Regulations
 ! "DZ" documents
 ! Various media reports
 ! GOAA 2003 Sexual Misconduct Policy

8. Nicholas Katinas was ordained a priest in the Greek Orthodox Church on June 2, 1963 and remained a priest until he was defrocked by the Greek Orthodox Spiritual Court on June 15, 2007. He was first assigned to Assumption Church, Madison WI from 1963 to 1969. Between 1969 and September 1978 he was pastor of Assumption Church in Olympia Fields, Illinois. He was pastor of Holy Trinity Church in Dallas from September 1978 until he was suspended on July 5, 2006. He was suspended and eventually defrocked because of allegations that he had engaged in illicit sexual contact with a minor boy during his tenure as pastor of Assumption Church in Olympia Fields during the seventies. When confronted he admitted that he had such contact with five other boys. The man who brought the accusation that resulted in the suspension and trial, Dan Ziagos, entered a release agreement with the Greek Orthodox Church authorities and entities on Jan. 26, 2007 (GOAA 00490).
9. Prior to his suspension Katinas was sent to St. Luke Institute for evaluation. The report from SLI indicates that the Greek Orthodox authorities sent him there when they discovered that he had sexually abused five boys in the 1970's. (GOAA 00049). The report stated that Katinas admitted at SLI that he had engaged in sex with 5 boys between the sixties (when he was in Madison) through the early 1980's. Nevertheless, Katinas denied that he engaged in any sexual contact with minors while he was in Dallas. The same report says that Katinas spoke to a counselor in the early 1980's after a parent had complained about him. Presumably the complaint was to Church authorities. The report also says that there was an investigation into Katinas' sexual behavior in 1996.
10. Five men have come forward and charged that Nicholas Katinas had sexual contact with them while they were minors and he was a pastor at Holy Trinity Church in Dallas (1978-2006):

John Doe I sexually abused beginning in 1983 when he was 13

John Doe II sexually abused beginning in 1982 when he was 14
John Doe III sexually abused beginning in 1981 when he was 15
John Doe IV sexually abused beginning in 1987 when he was 11
John Doe V sexually abused beginning in 1984 when he was 14

11. The sexual abuses of Does I-V were not the first instances of sexual contact between Nick Katinas and minor male parishioners. The documentation shows that the Greek Orthodox Church authorities knew that Nick Katinas had engaged in sexual contact with minors while he was pastor at Assumption Parish in Olympia Fields, Illinois. Metropolitan Isaiah of Denver had been the chancellor of the Greek diocese in Chicago while Katinas was pastor in that area. In his letter to the parishioners of Holy Trinity in response to the news that Nick Katinas had been accused of sexual abuse of minors, Metropolitan Isaiah stated: *Never in the past fifty-three years have I ever heard anything detrimental against his character or behavior.*” (Feb. 27, 2007, GOAA 00247) This statement is interesting in that the documentation shows that [REDACTED], mother of John Doe I and John Doe II sent an email to Fr. Michael Kontogiorgis on Sept. 22, 2006 with an explicit statement of the charge of sexual abuse. Fr. Michael responded on Sept. 24, 2006. Fr. Kontogiorgis stated in an affidavit (5-21-08) that he had conducted an investigation into charges of sexual abuse by Katinas in October 2005 and that as a result Katinas was sent to St. Luke Institute. Furthermore, as far back in 1987, Archdiocesan Vicar General Triantafilou had conducted an investigation into the abuse of Doe IV and shared this information with Chancellor Isaiah.
12. The documentation provided me for study revealed that the leadership of the Greek Orthodox Church was aware that Nick Katinas had engaged in illicit sexual contact with minors prior to the time when Katinas had been assigned as pastor to Holy Trinity Parish in Dallas. In spite of this knowledge, the documentation revealed that these authorities never informed the parishioners of Holy Trinity that there had been charges made against Katinas.
13. Assumption parish in Olympia Fields was within the canonical jurisdiction of the Greek Orthodox Metropolis of Chicago, which in turn was within the jurisdiction of the Greek Orthodox Archdiocese of North and South America. Holy Trinity Parish in Dallas was within the Metropolis of Denver and also under the jurisdiction of the Archdiocese of North and South America. The pastors of parishes are assigned directly by the Metropolis.

The Greek Orthodox Authorities had knowledge of Katinas before he went to Dallas.

14. Although Metropolitan Isaiah said in his letter of Feb. 27, 2007, that he had no knowledge of any reports of sexual abuse by Nick Katinas prior to that time, it is probable that he did indeed have knowledge of at least one report of such abuse additional to Doe IV dating back to the mid -1970's when Katinas was pastor at Assumption Church in Olympia Fields. At that time the Metropolitan Isaiah was the chancellor of the Chicago Diocese.
 - A. George Kachavos was a member of the parish council from 1969 to 1985 (Kachavos depo, p. 8). He testified that he had heard a rumor about an assault on a boy named [REDACTED] by Fr. Katinas.
 - B. Mr. Kachavos testified that as President of the Parish Council (1974 to 1978) he asked the church attorney and parish council Vice President, Mr. Gust Dickett, about it and the latter confirmed that he had heard it also.
 - C. Mr. Kachavos told Mr. Dickett that Katinas would have to leave the parish.
 - D. Mr. Kachavos testified that he actually saw Fr. Katinas and a young man named [REDACTED] in an office and that the young man was putting his pants and shirt on when he saw him (ibid., p. 33)
 - E. Mr. Kachavos testified that he believed that Fr. Katinas was re-assigned out of the parish because the archdiocese was aware of the sexual misconduct (Ibid., p.42)
 - F. Elaine Loumbas provided an affidavit on May 5, 2008. In it she stated that in a conversation with Leo Manta, also a long time parishioner and council member, he informed she and her husband that he had been told by a psychiatrist who had treated Katinas in the 70's that Katinas should be kept away from boys. She also stated that Manta had told her that he had communicated the information to the Greek diocese in Chicago and to the Archdiocese in new York (Loumbas affidavit, nn. 4,5,6)
 - G. In his own deposition Mr. Manta said he did not remember much about that period of time. However, he did confirm that Fr. Katinas had asked him to recommend a psychiatrist and he had given him the name of the man whom he had been seeing. He was aware Katinas saw this psychiatrist.
 - H. Mr. Manta also recalled a conversation with a man named Andy Athens, now former Archdiocesan Council President and current member. (Both Manta and Athens are "Archons," select individuals who are dedicated to the temporal welfare of the Church and service to the Patriarch.) In this conversation Manta stated that they had a problem with the priest at his church. Since this was made

in the context of the discussion about sexual improprieties, it is probable that his reference was intended as and understood as a “sexual” problem. (Manta deposition, p. 21)

15. Based on the evidence provided from the sources listed in par. 13 above, it is clear that the Greek Orthodox ecclesiastical authorities were notified of the alleged sexual abuse of minors by Fr. Katinas prior to his assignment to Holy Trinity in Dallas.
16. The ultimate authority in the Metropolis of Chicago at that time was Metropolitan Timotheos. Metropolitan Isaiah, now of Denver, was the chancellor at the time in Chicago. The pastors of parishes in a diocese are subject to the authority of the Metropolitan. Each parish is mandated to have a parish council. Membership on the parish council is considered a ministry according to the Uniform Parish Regulations published by the Greek Orthodox Archdiocese of America in 2007 (cf. Art. 24, section 1, p. 30). The Parish council is also considered the Board of Trustees of the Parish if local civil law requires such a body as the legal owner of the parish property. The parish council is not a mere decoration nor is it a purely a consultative body. The Uniform Parish Regulations set forth the duties of the council. In his deposition George Kachavos, a long time member of the council of Assumption Parish in Olympia Fields, IL, said that the council conducted the business of the church. The council also was responsible for requesting the assignment of a new pastor, according to this witness (Kachavos, p. 18). The Regulations use language that leads to the conclusion that the council is an essential element in the working of the parish and also in the working of the Metropolis. Article 30, p. 36 says: “*The priest together with the parish council is responsible to the respective Hierarchy for the whole life and activities of the parish.*”
17. Parish council members are required to attend training sessions which include the process or protocol to be followed if a council member has a concern about a clergyman. A complaint is to be communicated to the local bishop who in turn forwards it to the archbishop. This process was in place between 1974-78 as well as now. (Triantafilou deposition, p. 55-56.)
18. The testimony of George Kachavos indicates that notice of Fr. Katinas sexual abuse was not simply idle rumor floating around the parish. It was brought to the attention of parish council members who are an essential and foundational element in the governmental structure of the parish. The testimony of Elaine Loumbas further shows Mr. Manta was advised by a psychiatrist to keep Fr. Katinas away from boys and that he passed this information on to the proper hierarchical authorities. Although there is little in Leo Manta’s deposition that clearly corroborates the testimony of Kachavos and Loumbas, their testimony is in agreement and leads to the probability of a direct report having been made to the Metropolis and also the Archbishop in New York.
19. Mr. Kachavos also testified that he believed that the attorney, Gust Dickett,

communicated the council's concerns about Fr. Katinas through Leo Manta to the archdiocese. These concerns were related to the assault on [REDACTED]. (Kachavos, p. 128-129).

20. Mr. Kachavos also testified that there had been problems involving some form of illicit sexual activity by two or three priests who had been assigned to the parish after Fr. Katinas. (Kachavos, p. 21)

The Response of the Greek Orthodox Leadership to Clergy Abuse Reports

21. Nicholas Katinas was not the first priest of the Greek Orthodox archdiocese to be charged with sexual abuse of minors. The web site POKROV lists 16 priests who have been sanctioned in some way by the Church. It also lists 16 priests whose actions have resulted in civil law suits. The Greek Orthodox archdiocese has adopted a sexual misconduct policy. The latest version of this policy available for scrutiny is dated April 3, 2003. This policy states that it has replaced similar policies put in place in 1994 and again in 2002.
22. The policies of the Archdiocese appear to be comprehensive. However, the media coverage of clergy sexual abuse in the Greek Orthodox Church, as seen in the various articles and editorials published in The National Herald, reveal a significant degree of criticism of the Orthodox leadership over the way they have handled sex abuse allegations. This is evidenced by a council member, Catherine Metropoulis¹. Several of the articles included in the case documentation refer directly to the Archdiocese's and the Metropolis' responses to the case of Nicholas Katinas. The news reports criticized the secrecy of the archdiocese, the long delays in taking action and the apparent reluctance to defrock Katinas.
23. Fr. Michael Kontogiorgis, assistant chancellor of the Greek Orthodox Archdiocese, visited Holy Trinity parish in February 2007. He met with the parish council and the next day addressed the parish at a meeting attended by about 400 people. According to his deposition and press reports, he was open with the community. By contrast the reaction of Metropolitan Isaiah, in the form of a letter to the parish on Feb. 22, 2007 and a sermon preached at a visit to the parish in May, 2007, projects a different attitude.
 - A. In his letter he praised Fr. Katinas after stating that, although he had known him for 53 years, he had never heard of any problems until the summer of 2006.
 - B. He advised the people to have mercy and be compassionate: *"Yet, many of those who consider themselves good Christians have no concept of compassion, mercy and forgiveness....Let us then forgive the errors and the sins of others, whoever*

¹ Letter to the Orthodox Reform Editor, May 5, 2008.

they may be.,” The Metropolitan was sharply criticized for his letter and for his past actions in regard to Katinas and other priests accused of sexual abuse by Mr. Paul Cromidas, an Orthodox layman who had been a member of the parish board of Holy Trinity Parish (cf. Letter, April 15, 2007)

- C. Metropolitan Isaiah visited the parish and preached a sermon on May 27, 2007. He said in the sermon that Katinas was a friend and referred to him as a “fallen priest.” Referring to the charges he then said *“If he did, I don’t know. I have no information. And all of us fall in other ways.”* He went on to criticize SNAP (Support Network of those Abused by Priests) for writing him a critical letter. He also criticized the secular media for its coverage. (The National Herald, July 7, 2007).
24. The hierarchical authorities from the Metropolis of Chicago did not inform the parish council of Holy Trinity Parish of the report of sexual abuse by Fr. Katinas. It is not known if a report or any form of information was passed between the Church authorities in Chicago to the Church authorities at the Metropolis of Denver. The transfer of priests between metropolises is covered by the Regulations, Article 17, section 2 and by the Archdiocesan Charter, Article 16.
25. The duties of the parish priest are set forth in Article 17, section 1 of the Regulations. These duties state, among other things, that *“He shall sanctify his parishioners through the administration of the sacraments and the performance of all other prescribed services of worship. He shall also proclaim the gospel and impart knowledge of the doctrines, traditions, canons and disciplines of the Church. Further he shall guide the growth and progress of the parish in the Christian life through the performance of his pastoral duties. Priests are accountable to their respective hierarch and will submit a report of their ministry to him annually.”*
26. One of the duties of the Metropolitan is to *“oversee each parish in his metropolis, evaluating its life and progress, advising it and ensuring its conformity with the faith, tradition and holy canons of the church...”* (Regulations, Art. 10, section 2, p.)
27. The official policy on sexual misconduct, revised and published by the Greek Orthodox Archdiocese on May 14, 2002, clearly states that the Church does not tolerate sexual misconduct. This position is grounded in the traditions and moral theology of the Church as set forth in its canons. The basic canon law book of the Church, The Pedalion, does not contain any specific canons that outlaw sexual contact with children or adolescents. The fact that this type of sexual behavior is not specifically mentioned does not mean that it is not condemned. The canons that deal with sexual misconduct by the clergy are understood to include form of sexual behavior other than fornication strictly speaking. Canon 25 of the Canons of the Holy and Renowned Apostles forbids fornication by clerics (Pedalion, p. 35). Also, *Neocaesarea*, 1, convened in the year 315, states the same prohibition.

28. Same-sex relations between men were not called “homosexual” relations until the mid-nineteenth century when the term itself was first used. Throughout the historic canonical and theological literature of both the Eastern and Western traditions, homosexual relations were known as *sodomy*. The literature refers not to sexual orientation but to sexual acts. Canon VII of the Canons of St. Basil the Great (4th century) condemns “sodomist.” Canon 62 also refers to sodomy and applies a canonical penalty equal to that applied to adultery.
29. It is worth mentioning that the Roman Emperor Justinian (reigned from 527 to 563), took a dim view of same-sex relations. In the monumental collection of ancient Roman Law known as the Institutes of Justinian there is contained a law which punishes sodomy with death. This law (Institutes, Book IV, Title 18, 4) repeats a similar law from the pre-Christian Lex Iulia de Adulteries promulgated by Caesar Augustus in about B.C. 17. Several of the commentators offered interpretations of the meaning of the word *stuprum* or illicit sexual behavior. While most included fornication with widows and virgins as well as adultery as offenses under *stuprum*, several also included sexual contact between men and boys in this category. Three of the most prominent Roman jurists, Modestinus, Papinian and Julius Paulus applies this interpretation and Paulus held that the penalty should be capital punishment.
30. The canons prohibiting sodomy and other illicit sexual acts are also applicable to the clergy. The document “Canonical Opinion-Homosexual Acts” by Orthodox priest and canonical scholar Fr. Patrick Viscus, makes several references to the canons and the applicable penalties. There is no question that sodomy or homosexual acts by Greek Orthodox Clerics are forbidden. Curiously, Orthodox officials appear reluctant to acknowledge pederasty, a Greek term and pagan practice surely well known to them. Vice-Chancellor Kontagiorgis, for example, professes not even to know the meaning of the word — “Sexual relations between a man and a boy.” (Depo. 121:24-122:11)
31. Looking to the canons it is possible to find legislation that speaks to the obligations of bishops relative to accepting or assigning clerics into their jurisdictions. Canon 15 of the Apostolic Canons forbids a priest from moving from one province (or Metropolis in contemporary language) to another without the respective bishops’ permission. The following canon (canon 16) refers to a bishop who accepts a priest from another jurisdiction in defiance of a “deprivation” prescribed against the priest. (Pedalion, p. 27). The interpretation of this canon refers to priests who have been suspended and then allowed to minister in another region. The fundamental issue is not simply the canonical penalty of suspension but the condition or act which caused the suspension. The spirit of this legislation is as valid today as it was in the century when it was promulgated. The purpose of the law is to prevent harm from being inflicted on the faithful by a priest guilty of some form of wrong-doing. The canons forbid sodomy and other forms of illicit sexual behavior. Clerics who commit such acts are to be punished, usually by defrocking but short of this by some other form of punishment. This canon forbids a bishop from accepting a priest from another jurisdiction who has been punished for sodomy or other

canonical crimes. The commentary itself indicates how seriously the lawgivers took such actions: “...let such a bishop be excommunicated, for the reason that he is becoming a teacher of disorderliness and of scandals.” (Pedalion, p. 28).

32. The applicability of such legislation to the case at hand is obvious. The Metropolitan(then Bishop) of Chicago should not have assigned Fr. Katinas to the parish in Dallas whether Katinas had been canonically prosecuted or not. He had been reported to the Diocese for illicit sexual behavior which was disruptive of the faith life of the members of the Church. His assignment to Holy Trinity Parish resulted in further disruption as well as the violation of several young men from the parish.
33. The manner in which the Archdiocese investigated the report by the parents of John Doe IV is also indicative of the way sexual abuse reports are responded to by the church authorities. The Vicar General at the time, Fr. Nick Triantafilou, visited the parents at least twice and took copious notes of his meetings. These meetings took place in 1987. The Archdiocese had no written protocol for the investigation of complaints of clergy sex abuse. The pattern and practice of disregarding or down-playing reports continued. The parents of the victim both testified by deposition and affidavit that Fr. Triantafilou attempted to convince them that their son had been mistaken and that no sexual abuse had taken place. In his own deposition Fr. Triantafilou comes close to admitting that this was the case: “*I might have just said ‘There is a misunderstanding here,’*” (p. 81).
34. Fr. Triantafilou did not interview any members of the parish council. He did not interview any other parents nor did he speak with other staff members of the parish. None of the notes he took during the investigation have been produced for review.
35. The parents of John Doe IV chose to believe Fr. Triantafilou or at least to accept his conclusion that no serious sexual abuse had taken place. This must be placed in the context of the unequal relationship between the parents, who are lay people, and Fr. Triantafilou who is a priest. In this regard, I have done a great deal of research into the influence and power that Catholic priests have over lay people. I have used the term “religious duress” to describe the reaction of lay people to the undue influence by priests. Another term which is more traditional in Catholic theology and law is “reverential fear.” This is a fear that arises in one who feels threatened with the displeasure of one whom he or she has great reverence or respect for. I believe that the same conclusions can be reached concerning the reaction of lay people to Greek orthodox priests or bishops. In this case it is quite possible that such undue influence caused the parents of John Doe IV to accept Fr. Triantafilou’s word uncritically as to the sexual abuse of their son. In his deposition Fr. Triantafilou confirms that Greek people are taught to hold the priests in his esteem because he is believed to be “*the representative of Christ on earth.*” (Triantafilou, p. 180).
36. Fr. Triantafilou also testified that he informed Bishop Isaiah who was then chancellor of the Archdiocese, of his meetings. According to the deponent, the bishop did not read the

written notes nor did he ask for a report. Also, he did not make any contact with Fr. Katinas. (Triantafilou, pp. 106-107). This is unusual in light of the bishop's position and the fact that he had considerable authority in such matters. On the other hand one must also take into account the fact that the bishop and Fr. Katinas were close friends and that after the report and investigation was completed nothing further was done and Fr. Katinas remained as pastor until 2006.

37. The report of the incident with John Doe IV also constitutes notice. The investigation, which in my opinion was seriously deficient, resulted in no change. Two years later in 1989 another report was made to a staff member of Holy Trinity parish. Basil Xeros who had been the director of Sunday school since the sixties, was called by John Doe I in 1989 who informed him that Fr. Katinas had touched him inappropriately. Basil Xeros held an important position in the parish in that he was entrusted with the religious education of the parish children. As such he is presumed to have had the responsibility of safeguarding the welfare of his charges. Although the event had happened prior to the disclosure, Mr. Xeros nevertheless had a responsibility to the children of the parish because he was still in charge of Sunday School and Fr. Katinas was still pastor. He advised John Doe I to confront Fr. Katinas and work it out with him. He should have reported the call to the higher authorities of the Metropolis and not made the preposterous suggestion that John Doe I confront his alleged abuser. (Cf. Xeros, p. 30). This untrained, illogical approach exemplifies the faulty procedure of the Greek Church at all levels for protecting its children.
38. Fr. Katinas had a pattern of inappropriate sexual behavior which spanned the entire period of his priestly ministry in the Greek Orthodox Church. Some of this behavior was with age-appropriate males and much of it was with minors.
 - A. Admitted sex with five teenaged boys between the late sixties and early eighties (St. Luke Institute Report, 5-25-06, p. 3)
 - B. Was reported for assault on [REDACTED] in Olympia Fields, IL (George Kachavos deposition)
 - C. Was seen by George Kachavos with a young boy in a parish office between 74-78.
 - D. Admits receiving counseling in the early eighties for giving a boy a "wedgie."
 - E. Parents of John Doe IV report incident which is investigated by Fr. Triantafilou in 1987.
 - F. John Doe I calls Basil Xeros and reports improper touching in 1988-1989.
 - G. He is sent for six weeks of counseling as a result of a report that he had inappropriately hugged a boy in 1996 (St. Luke Institute Report, p. 4)

- H. Caught in a sting at a Dallas YMCA and identified by police as engaging in homosexual acts (██████████ affidavit) in the early 1990s.
39. All of the above incidents were known at approximately the same time they took place. The sexual abuse of the minors at Assumption Parish in Olympia Fields and Holy Trinity Parish in Dallas are separate incidents. In spite of the fact that Fr. Katinas was sent for counseling on at least two occasions prior to being sent to St. Luke Institute and in spite of the reports of inappropriate sexual behavior in the seventies and in the nineties, there was no comprehensive investigation carried out by the Church and Fr. Katinas was simply allowed to continue in unsupervised ministry until he was suspended in 2006.
40. There are serious discrepancies between the official statements of the Greek Orthodox Church as well as the canonical regulations of the Church and the actual practice in regard to sexual abuse by clerics. Although there was no specific protocol for responding to reports of clergy sexual abuse until 2002, the canonical tradition makes it clear that sexual abuse by a cleric is a serious sin that merits defrocking. Each metropolis has a spiritual court presided over by the bishop. This would be the proper venue for a formal response to an allegation of sexual misconduct and in fact was the venue at which Fr. Katinas was returned to the lay state. Apart from the problems related to the case of Fr. Katinas the treatment of other cases shows a distinct pattern of non-compliance by the Greek ecclesiastical authorities with their own standards.
- A. Fr. Gabriel Barrow was accepted as a priest in the Greek orthodox Archdiocese after being dismissed from the Antiochian Archdiocese for sexual abuse. The auxiliary bishop of the Antiochian Archdiocese wrote to Metropolitan Isaiah of Denver in 2000 and informed him that a man had come forward alleging abuse. In spite of this there was no action taken until 2005 and even then the reasons for the defrocking were not released for several months.
- B. Fr. Michael Rymer was suspended in December 2003 but the suspension was only listed in an official publication in May 2006. No reason was given although the actual cause was sexual abuse of a mentally incompetent person. Rymer was defrocked in December 2006.
- C. Fr. Nick Katinas continues to serve as a priest after several reports are made of sexually inappropriate behavior. Finally he is suspended in July 2006 yet the archdiocese waited eight months to announce the reasons and to inform the Dallas parish even though the 2002 guidelines stipulate that disciplining a cleric for sexual misconduct should be disclosed to the parish and the church community in general.
41. None of the documentation provided me for review and study contained any plausible explanations from any Church authorities for the delays criticized by members of the Greek community. There also are no plausible explanations for the lack of proper

investigation into the various reports made about Fr. Katinas up to the investigation triggered by the report from Dan Ziagos.

42. The Church's own canon law has provided a response to those who have been negligent in the matter of sexual abuse by clerics. St. Basil the Great says that one who knows that another is sinning and does nothing, covering up the fact and keeping silent, himself participates in the wickedness and is guilty of sin (Canon 71 in Pedalion, p. 833 and p. 504).
43. Conclusions
 - A. The canon law of the Greek Orthodox Church forbids sexual abuse of minors by clerics. Furthermore it forbids cooperation in the crime of sexual abuse by remaining silent and inactive if one, especially one in authority, has knowledge of sexual abuse.
 - B. The authorities of the Greek Orthodox Church and the Metropolis of Chicago had notice that Fr. Nick Katinas had acted in an inappropriate and sexually abusive manner with minor males during the period when he was pastor at Assumption Church in Olympia Fields, Illinois. In spite of reports made to the diocesan authorities nothing was done and Fr. Katinas was sent to another parish in Dallas Texas, contrary to the Church's own canons.
 - C. The authorities of the Greek Orthodox Archdiocese of America and the current Metropolitan of Denver, Isaiah, had notice that Fr. Nick Katinas was engaged in inappropriate sexual activity with minor males from at least 1970's onward but did nothing. The investigation as conducted in 1987 was inadequate and insufficient to determine what had actually happened.
 - D. The Greek Orthodox Hierarchical authorities have demonstrated a pattern of irresponsible and negligent response to reports of sexual abuse by clerics. Perhaps the clearest indicator of the hierarchical attitude is found in the letter of Metropolitan Isaiah to the Dallas parish of February 22, 2007 and the subsequent sermon which he preached at the parish on May 26, 2007.

- E. If the Greek Orthodox ecclesiastical authorities had responded in an appropriate and responsible manner to the first reports of sexual abuse emanating from the parish in Olympia Fields, and if they had intervened and either removed Fr. Katinas from active ministry and provided him with necessary counseling and supervision, the tragic sexual abuse of the plaintiffs at Holy Trinity parish would not have taken place.

June 21, 2008

Thomas P. Doyle, J.C.D., C.A.D.C.