

with complaints from the Regional Superior of the Brothers of Mercy. The complaints involved a young man (age 19) employed at the facility who reported "inappropriate remarks and touching" by Father Smith. In the second case, a novice brother (age 25) reported "touching by Father Art" (October 14, 2013). In a letter dated October 25, 2013, the Regional Superior wrote to me stating: "Due to the unfortunate circumstances involving Father Art Smith and, in particular, his inappropriate conduct with employees, we no longer consider him a member of the Spiritual Care Department. Regrettably, Father Smith's actions have become a matter of gossip in our facilities. I regret we must terminate Father Smith's work on our campus."

During this time, Father Art also assisted in pastoral care (on a part-time basis) at one of our area suburban hospitals. On October 15, 2013 the Director of the Hospital Apostolate in the Diocese issued a complaint about inappropriate behavior with a 30 year old male patient Father Art had visited who smelled alcohol on Father's breath and was uncomfortable "as Father was caressing his forearm." Father Art was dismissed from that position.

I would also note that back in 2004, when Father Art was pastor in one of our city parishes, a seminarian was assigned to assist in pastoral care at the parish. The seminarian noted that Father Art seemed to "groom" him to get his affection. One night the seminarian recounted an incident where Father Art came to his room, came into his bed, and began to touch his genitalia. The complaint was received at the diocesan level and addressed with Father Smith.

I have as Bishop asked Father Art to seek counseling, which he has indeed done in response to my request.

On the basis of his cooperation in regard to regular counseling, I have granted Father Smith faculties to function as a priest in the Diocese of Buffalo. I also have assigned a priest in the Diocese to continue to monitor the ministry of Father Art.

I need to note that in all cases and at all times, I have continued to express fraternal outreach, care, and pastoral support, as well as concern for Father Art and will continue to do so.

I hope all the information I have provided fulfills the request of your Excellency as to a summary of the case and present status of Father Arthur J. Smith.

Should further information need to be provided, I am at your service.

I offer your Excellency my prayerful support and every best wish.

Yours sincerely in Christ,

Most Reverend Richard J. Malone  
Bishop of Buffalo