

BishopAccountability.org

Former Priest Sentenced to Nine Years on Child Porn Charge

By Jim Salter
Associated Press, carried in Duluth News Tribune
December 09, 2005

St. Louis - A former Roman Catholic priest from Wisconsin who was previously convicted of a sex crime involving a child was sentenced Friday to nine years in federal prison for possessing child pornography.

David Malsch, 66, was also fined \$12,500. He pleaded guilty in February in federal court in St. Louis to one felony count of receipt of child pornography.

Malsch was previously convicted of child enticement in 1993 in Wisconsin, and in 2001 was sent to the Wounded Brothers Recon Facility, a home for troubled priests in the eastern Missouri town Robertsville. That's where 28 images of child porn were discovered in his room by federal investigators in 2003.

"Since Father Malsch's stay at the Wounded Brothers Center did not curtail his child pornography activities, perhaps prison time is the only way to protect innocent victims from him," U.S. Attorney Catherine Hanaway said.

The Rev. Philip Heslin, chief operations officer for the Superior (Wis.) diocese, where Malsch spent his entire career, said Malsch was removed from the priesthood in June. He was ordained in the diocese, which covers Wisconsin's 16 northernmost counties, in 1967.

"It's a sad turn of events for him," Heslin said. "He's had a very difficult life. You feel sorry for him, how he got caught up in something like this."

Allegations of inappropriate behavior with a child against Malsch date to the early 1980s, when he was serving St. Patrick church in Superior, diocese officials have said. In 2002, Superior Bishop Raphael Fliss apologized publicly for the diocese's failure to more thoroughly investigate Malsch.

Malsch was removed from St. Patrick in 1984 and was sent for a psychological evaluation at a treatment facility, where he spent 111 days.

After a brief stay in Rhinelander, Wis., Malsch was sent to St. Mary's church in Tomahawk, Wis., in 1987 as an associate pastor. In 1991, the Lincoln County, Wis., Sheriff's Department began investigating allegations that Malsch had sexually assaulted a 14-year-old Tomahawk boy with learning disabilities at a motel. Investigators found a locked trunk filled with pornography in Malsch's home, and he was suspended from his duties as a priest.

In 1993, Malsch pleaded no contest to one count of child enticement for the motel assault. He was sentenced to eight years probation. He also was ordered not to work as a priest or counselor.

In January 2001, Marathon County, Wis., Judge Raymond Thums ruled that Malsch continued to be a sexually violent person and ordered him committed to the facility in Robertsville, about 50 miles southwest of St. Louis.

Federal authorities searched Malsch's room at the Wounded Brothers Center on Oct. 22, 2003, and found 28 photos of child porn. Hanaway said some of the photos came through the mail from California. Malsch had also forwarded other photographs of child porn to a pen pal in Pennsylvania.

"We've long believed Malsch belongs in prison, not at a church run pedophile center," said David Clohessy of St. Louis, national director of the Survivors Network of those Abused by Priests. "Missouri citizens and public officials should rethink the wisdom of importing repeat sex offenders like Malsch into our state."

Clohessy said the fact that Malsch was still receiving child porn after legal trouble and counseling "shows just how deeply rooted and uncontrollable the urges of sex offenders are."