

1 Here -- I see the word here.

2 Q. Right.

3 And you see that on Exhibit 76, don't you?

4 A. Yes, I do. I see it here.

5 Q. Let me show you Exhibit 213. We took this
6 off the internet --

7 A. Uh-huh.

8 Q. -- because we didn't know what a keratosis
9 is either. And so when we looked at this, this
10 gave us a picture of what -- what is described as a
11 cluster of keratosis.

12 Do you see it now?

13 A. I do.

14 MR. KLENK: Objection, is this something that's
15 purported to be of Father Bennett?

16 MR. ANDERSON: No. No. This is to help us
17 understand what keratosis means.

18 MR. KLENK: Oh, you went for medical advice to
19 the internet. Okay.

20 MR. ANDERSON: If you've got an objection, make
21 it. I'm going to ask a question.

22 MR. KLENK: Please do.

23 BY MR. ANDERSON:

24 Q. We got this from the Mayo Clinic so we

1 could understand what is a keratosis. I didn't
2 know the word either, Cardinal, so, you know. And
3 this -- this picture is -- purports to represent a
4 cluster of keratosis, that is, spots.

5 When you look at one of those, what does
6 it look like to you?

7 A. A spot on the skin.

8 Q. It looks like a birthmark, doesn't it?

9 A. I wouldn't know how to distinguish a spot
10 like that and a birthmark.

11 Q. I wouldn't either.

12 How would a nine-year-old?

13 A. Yeah.

14 Well, in fact, the Review Board said
15 reasonable cause to suspect based upon the physical
16 evidence and I accepted that and then put the case
17 together and sent it to Rome.

18 Q. And in fact --

19 A. I took him out of ministry.

20 Q. Father Grace, however, was the one that
21 was trying to keep this from being adjudicated
22 against Bennett, wasn't he?

23 A. I think you'd have to ask Father Grace
24 that.

1 Q. Okay.

2 Why don't we just -- you know, 78 is the
3 memorandum of the Review Board where you met with
4 them and -- and, essentially, the Review Board said
5 the medical evidence was against Grace and Bennett
6 and you --

7 MR. KLENK: Not so fast. I don't know if this
8 man's ever seen this before.

9 THE WITNESS: I'm sorry. I don't see what
10 you're saying is in here. Where is what you're
11 saying in here, please?

12 MR. ANDERSON: Okay.

13 BY MR. ANDERSON:

14 Q. Let me just ask you this --

15 MR. KLENK: Could you let him take a moment to
16 read the document that you just --

17 MR. ANDERSON: No. No, I don't want to take --
18 we don't need to.

19 MR. KLENK: You don't want him to read it?

20 MR. PEARLMAN: Hold on. Let's just say it
21 different.

22 MR. ANDERSON: Let me --

23 MR. PEARLMAN: If he remembers the meeting. He
24 doesn't need the document.

1 MR. KLENK: Fair enough. Fair enough.

2 MR. ANDERSON: Let me just ask the question.

3 BY MR. ANDERSON:

4 Q. Do you remember meeting with the Board as
5 this document reflects?

6 A. Yes, I did.

7 Q. Okay.

8 And is the document -- okay.

9 A. Uh-huh.

10 Q. And -- and as a result of your meeting
11 with that board, you became aware that the Review
12 Board believed the medical evidence and thus the
13 account of the victim?

14 A. I knew that when I accepted the
15 recommendation before this meeting.

16 Q. When -- how long before the meeting?

17 A. You had the date on the other document,
18 sir. This is a December 3rd meeting. I think it
19 was in November, wasn't it? I'm not sure. We just
20 had that document.

21 Q. And when you accepted the
22 recommendation --

23 A. October 15th, wasn't it?

24 Q. On October 15th, was Bennett still in

1 ministry?

2 A. Yes.

3 Q. And you continued him in ministry?

4 A. Until the Review Board process was
5 complete --

6 Q. Look at --

7 A. -- and then I removed him.

8 Q. -- Exhibit 79.

9 The Review Board process was still ongoing
10 when you removed Bennett?

11 A. Yes. We changed the policy as a result of
12 the McCormack case.

13 Q. Look at 79. And this is another letter
14 from me to the Archdiocese and Leah McCluskey. And
15 this would be another letter of alarm and concern
16 wherein I state when I met with you in our offices
17 in connection with another matter on October 24th,
18 I asked you about the status of this matter and you
19 reported to me that it was being given immediate
20 consideration by the Cardinal at that time and
21 would let us know immediately. And I asked that
22 your prompt attention to this be greatly
23 appreciated.

24 Was this letter brought to your attention,
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1 Cardinal?

2 MR. KLENK: I would object to the form of the
3 question.

4 THE WITNESS: Well, this is the first time I've
5 seen this letter.

6 MR. ANDERSON: Okay.

7 Let's just take -- let's just take a few
8 minute break here.

9 THE VIDEOGRAPHER: We are going off the record
10 at 3:23 p.m.

11 (A short break was taken.)

12 THE VIDEOGRAPHER: We are going back on the
13 record at 3:38 p.m. This is the beginning of
14 videotape number five.

15 BY MR. ANDERSON:

16 Q. Cardinal, you had said, I think, several
17 times that Father Dubi was a suitable monitor for
18 Father Bennett and I think you maintain that to
19 that -- to this day?

20 A. I believe so, yes.

21 Q. I'd like to show you Exhibit 100 and this
22 is testimony taken in a canonical trial in a
23 canonical matter under oath from Father Kub. And
24 I'll direct your attention to just a portion of it

1 at page five beginning at -- actually, it's five at
2 the top.

3 A. Uh-huh.

4 Q. Question, may I ask you who the friend
5 was? Answer, Father Lenny Dubi. Question, and how
6 did Father Len Dubi approach this topic with you?
7 Answer, pushed me in a corner and said keep your
8 nose out of Bennett's business. Question, did you
9 share with Len the substance with -- did you share
10 with Father Dubi the substance of your concerns,
11 why you were concerned? Answer, yes I did.
12 Question, and how did he respond to you? Answer,
13 it's none of your business he said. Question, so
14 he did not respond to your line of argumentation?
15 Answer, no, he did not respond to my line of
16 argumentation at all.

17 My question to you, Cardinal, is do you --
18 did you know about Dubi and Father Kub's account of
19 Dubi's conduct in response to --

20 A. Not when --

21 MR. KLENK: Excuse me. Are you finished with
22 the question?

23 THE WITNESS: I'm sorry. Yes?

24 MR. ANDERSON: Yes.

1 THE WITNESS: No, I did not when I appointed
2 him monitor -- when the Vicar For Priests appointed
3 him monitor.

4 BY MR. ANDERSON:

5 Q. Is this the first time anybody has brought
6 this particular testimony involving Dubi and his
7 relationship to Bennett and response to this matter
8 to your attention?

9 A. No. I have seen this.

10 Q. Just recently in preparation for today?

11 A. Perhaps a couple weeks ago.

12 Q. So you still think that Dubi was the guy
13 to be monitoring Bennett?

14 MR. KLENK: What was -- what's the date --
15 what's the date on this? Does it have a date for a
16 foundation?

17 MR. ANDERSON: This would be August 7, 2006.

18 MR. KLENK: Thanks. Thanks.

19 MR. ANDERSON: And the cover on it is
20 Archdiocese Chicago.

21 Okay.

22 BY MR. ANDERSON:

23 Q. In connection with Father Bennett, you had
24 indicated earlier that there had been no

1 allegations made against Bennett since his removal;
2 is that right?

3 A. I think there are further allegations that
4 have come forward since he was first removed about
5 the case we were speaking about but I -- I'm sorry.
6 Go ahead.

7 Q. And when Bennett was removed, it appeared
8 in the newspaper and became published --

9 A. Yes.

10 Q. -- for the first time that Bennett had
11 been accused, right?

12 A. Uh-huh.

13 Q. Yes?

14 A. Yes.

15 Q. And the date of Bennett's removal by you
16 was?

17 A. It would have been in -- in January 2006
18 or the first part of February 2006.

19 Q. And that was several years after the first
20 allegation against him had been actually lodged,
21 correct?

22 A. The one that the Review Board found
23 unsubstantiated.

24 Q. And showing you 82.

1 This would be another allegation and by my
2 count, allegation number five made against
3 Father Bennett of sexual abuse?

4 A. That is reported to have occurred 20 years
5 earlier.

6 Q. Yes.

7 But it now came forward --

8 A. Yes.

9 Q. -- as a result of --

10 A. That's right.

11 Q. -- public disclosure of Bennett having
12 been accused which had earlier been kept quiet,
13 right?

14 MR. KLENK: Objection to the form of the
15 question.

16 THE WITNESS: We always told everybody when we
17 removed a priest from ministry.

18 MR. ANDERSON: Okay.

19 BY MR. ANDERSON:

20 Q. So now the public and the community of
21 faith know that Bennett has been accused as a
22 result of --

23 A. Not just --

24 Q. Just a moment.

1 A. I'm sorry.

2 Q. Let me ask the question.

3 At least now, 82 came forward with an
4 allegation -- Exhibit 82 shows that another
5 allegation -- another victim came forward, correct?

6 A. That's correct.

7 Q. And this, by our count, would now have --
8 be allegation number five that we've talked about
9 against Bennett?

10 A. If you take all the allegations, proved
11 and unproved, yes.

12 Q. Okay.

13 Showing you Exhibit 84. This says
14 February 3, 2006 and this is a letter from you to
15 the Bishop of Indiana then -- actually, your Vicar
16 for -- for Priests, Vince Costello?

17 A. Uh-huh.

18 Q. And I presume he wrote this with your
19 permission?

20 A. I asked him to be sure that Bennett had a
21 monitor where he was living and that the Bishop
22 knew.

23 Q. And --

24 A. I haven't seen this but --

1 Q. This letter appears to reflect that you
2 and Father Costello are attempting to permit
3 Bennett to live out of state?

4 MR. KLENK: Excuse me. Can I take a moment to
5 read this?

6 BY MR. ANDERSON:

7 Q. And work out of state; is that correct,
8 Cardinal?

9 A. Not to work out of state, no. He's
10 removed from ministry.

11 Q. To live in Gary, Indiana?

12 A. In a home that he has there.

13 Q. And are you aware that that's a property
14 owned with Dubi, Father Dubi?

15 A. I was not aware of that.

16 Q. Showing you 85.

17 By the way, in order for Father Bennett to
18 live in Gary, Indiana, it requires both your
19 permission as his Ordinary and the permission of
20 the Ordinary of the Diocese in which he's going to
21 reside, correct?

22 A. No.

23 Q. Can he live -- can -- can one of your
24 priests live in the Diocese of another bishop

1 without securing the permission of that bishop?

2 A. Yes.

3 Q. So it wasn't necessary to write to the
4 Bishop of Gary -- Gary, Indiana -- Indiana then to
5 get permission for him to -- to live there?

6 A. Not for permission to live, no.

7 Q. Then why was permission being sought?

8 A. We were notifying him for the safety of
9 children that this is a priest who we have found to
10 be reasonably suspect and for the sake of the
11 protection, here are all the restrictions placed on
12 him and would you please be sure that he does no --
13 does no ministry. You do need permission for
14 ministry, not to live. And we wanted to be sure he
15 would not ask for permission to minister by telling
16 the Bishop what the circumstances were.

17 Q. If a priest is living outside the Diocese
18 and he is in residence as -- nevermind.

19 Let's go to Exhibit 85. This is a letter
20 from Bishop then Vicar General Rassas --

21 A. Yes.

22 Q. -- to Reverend Melczek?

23 A. Uh-huh.

24 Q. A priest of the Archdiocese, Reverend

1 Bennett, pastor of Holy Ghost Parish in South
2 Holland has been placed on leave. As of this
3 moment, he has been asked to reside at the home
4 that is within the Diocese of Gary. His address
5 is. The next paragraph, the incident in question
6 occurred about 30 years ago and surfaced about two
7 years ago here in the Archdiocese. The
8 circumstances have been under review for some time
9 but the information is not completely clear. For
10 this reason, he has not been canonically removed
11 from his parish. To the best of our knowledge,
12 there have been no other reported allegations
13 related to him.

14 First, that last sentence, to the best of
15 our knowledge, there have been no other reported
16 allegations related to him is just not true, is it?

17 A. This is February 1st. The other
18 allegations came in after that as did the Review
19 Board finding but the prior unfounded allegations
20 were, of course, a couple years earlier, yes, as I
21 recall.

22 Q. As of this date, there have been two
23 allegations that have been founded now and two
24 allegations that have been made but unfounded,

1 correct?

2 A. Unfounded, yes. I wasn't aware on
3 February 1st that the Review Board had founded the
4 other allegations. That was later, wasn't it, that
5 same week?

6 Q. In any case, this refers to allegations
7 and we have established that at least four, perhaps
8 more, allegations have been made at the time of
9 this letter?

10 A. There were the two that you mentioned,
11 yes.

12 Q. Showing you 86. This would be the
13 Archdiocese's documentation of additional
14 allegations against accused Father Bennett.

15 And by my count, if you agree, this would
16 be -- or do you agree this would be allegation six
17 against Father Bennett?

18 A. I'm not sure, sir. It says third party so
19 I presume it was. The others, I think, were
20 brought forward by the accuser themselves.

21 Q. Okay.

22 But this is, none the -- nonetheless, the
23 document -- Archdiocesan documentation of another
24 allegation against Bennett?

1 A. Yes. I don't know what the date -- this
2 is April. It's 1997 -- of 2007 rather, yes.

3 Q. You can see that the date the allegation
4 was received was February 6, '06.

5 Do you see that?

6 A. Oh, yes, I see.

7 Q. At this point in time, has the Archdiocese
8 or you requested that the original determination
9 made of no cause be revisited?

10 A. We were visiting the further allegations
11 and all we needed was one and they were proceeding
12 very quickly. With one allegation, we can take him
13 permanently out of ministry and so it was important
14 to finish the current allegations.

15 Q. We're going to show you Exhibit 89. This
16 is a summary time line of an allegation against
17 Bennett. The date of this allegation received is
18 February 9, '06.

19 And this, by my count, ours so far, at
20 least, would be number seven, correct? Allegation
21 number seven against Bennett?

22 A. I don't see the name of the accuser so I
23 really am unable to --

24 Q. Well, no, I don't either --

1 A. -- respond.

2 Q. -- because it hasn't been provided but my
3 question, Cardinal, is that it is documentation --
4 Archdiocesan documentation of another allegation of
5 sexual misconduct made against Bennett and it's
6 documented as such on another date?

7 A. It is another date?

8 Q. Yes. This is February 9, '06.

9 A. Yes, but we had other allegations, didn't
10 we, from --

11 Q. That was the 6th of February. This is the
12 9th.

13 A. I see. Well, then this is another
14 allegation.

15 Q. I'm showing you now 90 and this is a
16 memorandum from Leah McCluskey regarding Bennett.
17 It's cc'd on the second page to the delegate on the
18 Board, the Vicar of Priests and Assistance Ministry
19 and it details on February 10th that two voice
20 messages had been received on February 8th and an
21 allegation of sexual misconduct by Bennett.

22 So this would be allegation number eight?

23 A. Unless since the date is February 9th it's
24 the same as the one you just showed me.

1 Q. Showing you 91.

2 A. He was, of course, removed at this time,
3 wasn't he? I think. I'm sure he was, yes.

4 Q. Cardinal, you just said we just need one
5 report to take action, didn't you?

6 A. Yes.

7 Q. Well, think back to those two women that
8 were the original victims -- or two boys that were
9 the original victims and who made the original
10 report, first report against Bennett and think
11 about what -- think about the fact that no cause
12 had been found as it pertained to one of those who
13 passed a polygraph.

14 Doesn't it seem at this point in time that
15 you had a duty to go back to them through their
16 lawyer and otherwise and say, hey, we better take a
17 look at this --

18 A. I think we --

19 Q. -- and we better minister to them?

20 A. I think we should revisit that, yes.

21 Q. Yeah. Thank you.

22 A. Yeah.

23 Q. Showing you 91. This is from

24

copied
218

1 to McCluskey and is sent to the Vicar for Priests
2 Costello.

3 I'd very quickly like to read the second
4 paragraph because it just contains some
5 information.

6 MR. KLENK: Excuse me. I just take a moment.
7 I need to read this.

8 MR. ANDERSON: I will read it and then I'll --
9 I'll ask a question while you read.

10 BY MR. ANDERSON:

11 Q. Three of the people mentioned that they
12 had knowledge of Father Joe Bennett being sexually
13 active with women in the parish when he was here
14 back in the late 1960s and later when he was
15 pastor. One of the people mentioned that when he
16 was a teenager here in the late '60s, his teenage
17 friends often spoke of going to the rectory and
18 being given alcoholic drinks by Father Joe Bennett.
19 The last sentence in the next paragraph says the
20 four people who came forward told me these things
21 with the understanding that I would pass it on.

22 Is this information that was brought to
23 your attention, Cardinal?

24 A. I don't recall this being brought to my

1 attention. It's February 14th. None of the forms
2 stated they had been directly involved
3 personally --

4 Q. Yeah.

5 A. -- with the alleged misconduct.

6 Q. But this is more alarming information,
7 isn't it?

8 A. Oh, it -- it -- it creates an --

9 MR. KLENK: Objection to the form of the
10 question. I'm sorry. You can answer it.

11 THE WITNESS: Well, it -- it -- it creates an
12 atmosphere of sexual misconduct surrounding a name.

13 BY MR. ANDERSON:

14 Q. Showing you 92. This would be a
15 memorandum dated February 27, '06 and it attaches a
16 copy of a new allegation received by their office
17 on February 24, '06.

18 So this would be another allegation
19 against Bennett which would, by my count, be
20 allegation number nine, sound correct?

21 A. By someone unknown.

22 Q. Showing you Exhibit 93. This is March 23,
23 '06, a letter to Shauna Boliker, Assistant State
24 Attorney, from John O'Malley, the director of legal

1 service for the Archdiocese, copied to others. And
2 it states please be advised the Archdiocese of
3 Chicago received a notice of investigation from the
4 Department of Children and Family Services dated
5 February 2, '06 on behalf of, quote, unknown two
6 minor, unquote. The unknown minor alleged that an
7 Archdiocesan priest, Father Joe Bennett, had
8 sexually abused him/her at Holy Ghost Church in
9 South Holland.

10 What do you know about this?

11 A. The date is unknown. The accuser is
12 unknown. Someone received a call at the DCFS that
13 told us and we told the State's Attorney according
14 to our policy to share any information with the
15 civil authorities even in this case about an act
16 whose date is unknown and the accuser is unknown
17 but I think we depend, therefore, on DCFS to do the
18 investigating.

19 Q. Okay.

20 And if this is a minor, that is, somebody
21 under the age of 18, this is recent, isn't it?

22 A. Well, that is unknown. The date of birth
23 is unknown.

24 Q. But it's being referred to as a minor,

1 isn't it?

2 A. How would you know it if it's unknown?

3 The date of birth is unknown. I'm sorry. I don't
4 mean to be difficult. It just that -- it says date
5 of birth is unknown. Date of alleged abuse is
6 unknown. The minor is unknown.

7 Q. Well, that's, you know, one of the reasons
8 I'm inquiring of you, Cardinal, because I think
9 you've said that you really want to protect these
10 children.

11 A. Absolutely.

12 Q. And if -- if this is a minor, that means
13 that is a recent allegation and I guess I'm asking
14 you that -- if you know anything more about this
15 than what -- what is reflected in the document?

16 A. I --

17 MR. KLENK: Objection -- objection to the form
18 of the question and the assumptions in it.

19 Go ahead.

20 THE WITNESS: I don't and the document doesn't
21 know anything about it either.

22 BY MR. ANDERSON:

23 Q. Well, now that you reviewed this document
24 and I presented it to you -- and I presume for the

1 first time you've seen it -- what would you -- what
2 are you going to do about this?

3 A. It was given, I'm sure, to Leah McCluskey
4 to open a file for an unknown accuser whose date of
5 birth is unknown and a date of the alleged incident
6 is also unknown. And it's important to have those
7 files because then when other information comes in,
8 you have a framework to put it into.

9 Q. It's even more important to have some of
10 these facts known, whether there is a minor out
11 there who has been abused by Father Bennett and get
12 some facts known, isn't it?

13 A. To the extent that it's possible to know
14 that, yes. DCFS is investigating, apparently.

15 Q. What is the Archdiocese doing about it?

16 A. We are saying if someone unknown
17 previously comes forward with a date for the
18 alleged abuse which is still unknown and is willing
19 to say that he or she was a minor when the abuse
20 took place, we have a case that we can investigate.

21 Q. Look at 94.

22 A. I don't know what else --

23 MR. KLENK: We don't have 94.

24 THE WITNESS: I'm sorry. I don't have 94.

1 BY MR. ANDERSON:

2 Q. This is dated May 3, 2006, a memorandum
3 again, Archdiocese, copy to a number -- the same
4 individuals. May 3rd, PRA received a phone call
5 today from Ms. Brigitte Broadway of the department
6 regarding Mr. Blank allegation of sexual misconduct
7 of a minor against Reverend Bennett.

8 This would be, by my count, now 11
9 allegations against him?

10 A. Joe Bennett is withdrawn.

11 Q. Yes.

12 A. This is old actions which I'm sure are
13 being investigated now so that the victim can be
14 helped. That's the protocol.

15 Q. And you'll look at the third paragraph
16 from the bottom, it states Ms. Broadway stated that
17 she was calling to clarify if PRA had or had not
18 spoken with blank and/or knew of his claim that
19 Father Bennett had molested his children.

20 Children is in the plural, isn't it, so
21 that's more than one?

22 A. Yes.

23 Q. So there's -- okay. Let's look at number
24 98. This, again, is another memorandum. This one

1 dated June 29, '06. Ms. Broadway expressing her
2 frustration and at the third paragraph,
3 Ms. Broadway then asked PRA the following
4 questions, what is the status?

5 A. Uh-huh.

6 Q. And at the second page, the paragraph
7 indented right above the last paragraph begins with
8 ask PRA. I'd like to read that and ask you a
9 question. Ask PRA if anyone at the Archdiocese of
10 Chicago has spoken with either Ms. Blank or
11 Ms. Blank. PRA provided Ms. Broadway with
12 Dr. Michael Bland's name and contact information.

13 This appears to be another victim so that
14 would be, if it is, victim 12, correct?

15 A. I don't know if it's another victim. The
16 first paragraph would lead me to think it might be
17 Jane Doe One and Jane Doe Two.

18 This is testimony to our ongoing
19 cooperation with DCFS, the civil authorities, in
20 trying to pursue every bit of information that they
21 get and that we get. And in that sense, to reach
22 out. This is the Victim's Assistance Ministry
23 report of how they had reached out to the victims
24 to try to be of some help.

1 Q. And that outreach that you're referring to
2 by Victim's Assistance Ministry is done privately
3 between them and the victims, right?

4 A. Yes. It's counseling. It's spiritual
5 help. Privately, it's known --

6 Q. Cardinal --

7 A. The lawyers know it.

8 Q. Okay.

9 Cardinal, as of June 29, 2006, what had
10 the Archdiocese done to reach out to the public and
11 the community of faith to inform them that other
12 victims of Bennett have come forward?

13 A. We've informed every parish where he has
14 been stationed that if there are other victims,
15 they should come forward which is why [REDACTED]
16 in the other parish has come forward with other
17 information.

18 Q. To date, the only news accounts that have
19 been publically disseminated by the Archdiocese is
20 been -- has been Dwyer's statement there was one
21 allegation that resulted in his removal, that's it?

22 MR. KLENK: Objection.

23 Go ahead.

24 THE WITNESS: I tell you that's -- that's not

1 true.

2 BY MR. ANDERSON:

3 Q. Well, tell me, Cardinal, then if there is
4 any other information --

5 A. The withdrawal was public.

6 Q. Just a moment. Let me ask the question.

7 A. I'm sorry. I'm sorry. Sure.

8 Q. That's okay.

9 Tell me, Cardinal, if there's been any
10 other information disseminated by the Archdiocese
11 representatives, your office or otherwise, other
12 than that given by father -- the public relations,
13 Mr. Dwyer, that -- that there was one allegation
14 resulted in Bennett's removal?

15 A. I'm sure there were other reports when he
16 was removed. That was one story. Whenever we
17 remove a priest, there are reports in the paper and
18 explanations given.

19 Q. But what has the public been told?

20 A. In the paper, they can read the fact of
21 the removal for reasonable cause to suspect that he
22 had abused a minor.

23 Q. For one allegation, right?

24 A. No. That's just one story you read. The
227

1 papers were full of these stories.

2 Q. I know but has there been any
3 dissemination by you or the Archdiocese beyond that
4 which I showed you there was one allegation?

5 A. Yes, of course.

6 Q. There -- of course? Why do you say that?
7 Where is it? I haven't seen it.

8 A. We go to every single parish where he
9 served and said there have been allegations against
10 him and we have reasonable cause to suspect and,
11 therefore, he's removed from ministry. Would other
12 victims please come forward. That's dissemination
13 it seems to me, sir.

14 Q. Cardinal, I got to tell you, you know that
15 I've been working across the table with the
16 Archdiocese in connection with these cases for a
17 long time.

18 You know that?

19 A. I respect your work, sir.

20 Q. And you got to know -- and this is a
21 question -- I am absolutely shocked to have gotten
22 this information that I've reviewed with you this
23 week and to have seen now that there are as many as
24 a dozen allegations against Bennett. It came as a

1 complete shock to me and I'm tracking everything
2 that you are doing on this issue.

3 Why is it that this comes as news to me
4 when you claim that people -- all these other
5 people know this?

6 MR. KLENK: I object to the form of the
7 question.

8 BY MR. ANDERSON:

9 Q. What do you think?

10 A. Well, you learn, don't you, sir, of
11 allegations when accusers come to you and ask to be
12 defended which you do well. In every one of these
13 cases, the Archdiocese is addressing with the help
14 of another lawyer or yourself the claim. The
15 Victim's Assistance Ministry is outreaching to
16 them. The civil authorities are informed.

17 Bennett is out of ministry permanently.

18 Q. But the people out there believe that
19 there was only one allegation. I was lead to
20 believe that the Archdiocese thought there was only
21 one allegation until this week, Cardinal.

22 A. Well, the people who are writing in know
23 there are more than one allegation and that all
24 goes into the newspapers, sir.

1 Q. I'm going to show you 81.

2 Do you have doubt whether Joe Bennett
3 committed sexual abuse against minors, Cardinal?

4 A. No. I share the Review Board's
5 conviction.

6 Q. That he abused minors?

7 A. Yes.

8 Q. How many do you believe he abused?

9 A. Well, you've presented a good number here.
10 I don't know of all these cases. I wasn't aware --
11 haven't had findings in all these cases. So I
12 usually wait for the Review Board's finding before
13 I make up my own mind but I would say -- yeah,
14 the -- the ones that the Review Board has found
15 reasonable cause to suspect, I'm sure of those.
16 The others are still being investigated.

17 Q. Okay.

18 Cardinal, I have presented to you in
19 making this case to you the documents that the
20 Archdiocese has retained and I just received this
21 week.

22 Wouldn't you agree that it's time for you
23 and us to make this information that we just shared
24 here on the record known to the public?

1 A. Every time the Review Board comes up with
2 reasonable cause to suspect, we look at where we
3 should bring that information next. So I think the
4 information is public, sir.

5 Q. If it's not --

6 A. His name is on the list. It's been in the
7 newspapers. Others have come in because it is
8 public. The very fact the people come forward,
9 doesn't that mean, I think, that --

10 Q. Well, others came forward because his
11 removal was made public and his removal was,
12 according to Dwyer, based on one allegation. We
13 now know that there are at least a dozen.

14 And so those victims who are still
15 suffering in silence who may not have come forward
16 and those that did and weren't believed the first
17 time, don't you think they need to know as well as
18 the public that this priest may have abused this
19 many kids?

20 MR. KLENK: Objection, compound to the form.

21 You can answer.

22 THE WITNESS: To the last thing, I believe the
23 public does know, sir, and that's why we're getting
24 more allegations.

1 BY MR. ANDERSON:

2 Q. You know that --

3 A. I think -- go ahead. I'm sorry.

4 MR. KLENK: He was going to finish his answer.

5 THE WITNESS: Go ahead.

6 MR. ANDERSON: No. You finish, please. I
7 didn't meant to interrupt.

8 THE WITNESS: I agree with you that we should
9 go back and check again in the case of the two
10 where a prior Review Board had found there was no
11 reasonable cause to suspect, to reach out to them
12 as possible victims.

13 MR. ANDERSON: Okay.

14 BY MR. ANDERSON:

15 Q. Well, I'm -- I'm asking you to consider
16 and having your representatives consider making a
17 further public dissemination that elaborates on the
18 information that I've presented to you and the case
19 that I made here today. I'm asking you to consider
20 doing that.

21 Will you consider that?

22

23

24

1 A. Of course, I'll consider anything that we
2 can do to be sure that more victims come forward
3 and know they're not alone.

4 Q. You understand and you've come to
5 understand that victims of abuse by clergy and any
6 authority figure suffer in silence and they blame
7 themselves and they think they're the only ones,
8 right?

9 A. I -- I have heard many say that. That's
10 why the importance of making this so public because
11 then they have a chance to know I'm not alone. I
12 don't have to imagine I'm the only one. That's
13 very important, yes.

14 Q. Okay.

15 Cardinal, I'm going to show you 81.

16 Do you have that before you?

17 A. Yes, I have.

18 Q. Okay.

19 This is from you to a [REDACTED]

20 And what is this? Is this a response to a
21 letter received?

22 A. This is a response to a man from [REDACTED]
23 [REDACTED] who was very adamantly convinced that

24 Father Bennett was innocent and was being

1 mistreated by the Archdiocese in being removed.

2 Q. And -- and you did respond to him and
3 provide him with the information -- with this
4 information in this letter, right?

5 A. Yes, sir.

6 Q. In the second paragraph, you say as you
7 may know, the Archdiocese of Chicago follows the
8 national protocols for investigating allegations of
9 sexual abuse against a priest.

10 Did you and your Archdiocese follow the --
11 the national protocols for the investigating the
12 allegation made against Bennett?

13 A. Yes, we did.

14 Q. It then says the allegations -- excuse
15 me -- the allegation.

16 That's singular, isn't it, not
17 allegations?

18 A. Yes, because that's all he was talking to
19 me about. He was talking to me about Jane Doe One.

20 Q. Well, he was talking to you about one
21 allegation because there's only been one allegation
22 that's been made public, right?

23 A. No, because it's the only one that he had
24 a personal opinion about as far as I know from his

1 letter.

2 Q. Okay.

3 The sentence says the allegation -- and
4 you wrote the allegation against Father Bennett was
5 made about two and one half years ago and the
6 investigation has taken an extraordinary long
7 period of time because of its complexity.

8 That's what you wrote?

9 A. That's true.

10 Q. And, actually, it's taken four years, not
11 two and a half years, correct?

12 A. I don't believe so but I'd have to go back
13 and check the dates. I'm sorry if that's
14 incorrect. I believe, again, we're talking about
15 Jane Doe One.

16 Q. Then you write normally, the investigation
17 is finished and a decision has been made before the
18 future of a priest is decided. In the case of
19 Father Bennett, because the investigation had taken
20 so long, there were external pressures.

21 What external pressures?

22 A. The change in the policy because of the
23 McCormack case. He was asking why when it wasn't
24 completed he was still taken out. We changed our

1 policy.

2 Q. And when you say that the -- because the
3 investigation had taken so long, the fact is,
4 Cardinal, the investigation took so long because
5 once the Review Board made its recommendation, you
6 chose to get the file and delay it and do your own?

7 A. I didn't do an investigation. I wanted to
8 see what the victims were saying because it did
9 take a very long time for Leah to visit all these
10 people in Washington, in San Antonio. The victims
11 were scattered across the length of the land. It
12 took a long time to get the investigation even
13 before the Review Board in complete form. Longer
14 than usual.

15 Q. The next paragraph says with you, I hope
16 that Father Bennett is innocent of these
17 allegations.

18 A. I always hope that an allegation is not
19 true because it means somebody's been hurt.

20 Q. Well, if you just told me that you believe
21 he had did it -- done it as you did here under oath
22 today, why didn't you tell [REDACTED] you believe
23 that this allegation was -- was true and that there
24 were many more allegations that have been made?

1 Why didn't you tell him?

2 A. Because I didn't know of all the
3 allegations that you brought forward at the time
4 that I wrote this letter.

5 Q. How many did you know of as of July 14,
6 2006 when you wrote this?

7 A. What I had in mind was Jane Doe One, that
8 was what the letter -- his letter to me which was a
9 very strong letter in his defense. I was trying to
10 respond to that.

11 Q. You then write the Review Board does
12 careful work but should the Holy See find he is
13 innocent of these charges, he will be returned to
14 active ministry unless there are charges to be
15 investigated -- excuse me -- unless there are other
16 charges to be investigated.

17 So you're implying here that there are no
18 other charges to be investigated?

19 A. No. I can't tell people about other
20 victims. I can't divulge that kind of information
21 and I was in a sense telling him that even though
22 you may think he's innocent here, there are
23 probably other charges to be investigated.

24 Q. You can tell him there are multiple

1 allegations against Father Bennett, some of which
2 have been found to have been -- cause to believe
3 were true and further allegations to be
4 investigated, couldn't you?

5 A. Would you go over that again, please?

6 Q. You could have told this person in July
7 of 2006 that there were two substantiated
8 allegations and there have been other allegations
9 that are being investigated that have been brought
10 against Bennett?

11 A. I did tell him that by saying unless there
12 are other charges to be investigated.

13 Q. No. You said unless there are other
14 charges to be investigated. You didn't tell him
15 there are other charges being investigated?

16 A. No, but that's enough to tell him that
17 just because he's concerned about one case doesn't
18 mean it's the only case.

19 Q. You chose these words, didn't you,
20 Cardinal?

21 A. And that's what I meant to say.

22 Q. Look at the P.S. P.S., we have no choice
23 but to send the case.

24 When you say we have no choice --

1 A. That's right. That's the protocol.

2 Q. -- but to send the case to the Holy See
3 for review, that is the regulation for every case?

4 A. That's true.

5 Q. You then go on to say, of course, I hope
6 Father Bennett is innocent. Who would not?

7 A. I hope all the charges are not true
8 because it means that somebody's been abused.
9 That's a terrible, terrible development in
10 someone's life. You always hope that the
11 allegation isn't quite what the accuser says it is.

12 Q. Well, hope is one thing but facts are
13 another and the facts are that there have been
14 multiple allegations against this priest and
15 instead of telling this writer this, you told him
16 that you're hoping he's innocent, right?

17 A. I would hope that he would be innocent. I
18 don't believe it but who would not, that's what I
19 said.

20 Q. Then why didn't you tell this writer that
21 you -- that not only you didn't believe it, that
22 your board didn't believe it and that there were
23 multiple allegations? Why didn't you do that?

24 MR. KLENK: Please don't point at the witness.

1 MR. ANDERSON: I didn't.

2 THE WITNESS: I think the letter says that in a
3 form that a very, very angry friend and defender of
4 Father Bennett might take to heart. That's what I
5 was hoping to do here.

6 BY MR. ANDERSON:

7 Q. The last sentence I'm going to read and
8 then I'd like to ask you about it. You state
9 rather than with me, I suggest you talk to his
10 accusers.

11 Cardinal, are you telling [REDACTED] to
12 contact these victims and intimidate them or
13 interrogate --

14 A. No.

15 Q. -- them and talk to them?

16 MR. KLENK: Objection.

17 THE WITNESS: No, I'm not saying that.

18 BY MR. ANDERSON:

19 Q. What are you saying to him?

20 A. He wanted to know the details of the
21 allegations, what was said and I can't divulge
22 that. It would be wrong to divulge that. The only
23 one -- he knows the -- he knows the accuser. If he
24 wants to get the kind of information he wants, he

1 can't get it from me.

2 Q. This is, obviously, a man of faith that
3 had contacted you that you are writing back and you
4 are giving him guidance to contact the accusers.

5 And you used the word accusers, right?

6 A. That's correct.

7 Q. You don't use the word victims who have
8 been found to have been credibly believed by me and
9 the Review Board, do you?

10 A. No, I don't.

11 Q. You call them accusers like this is
12 unsubstantiated, don't you?

13 A. It's the word he used in his letter to me.

14 Q. This is not good, is it, Cardinal?

15 A. It could have been better written, yes.

16 Q. Cardinal, don't you think you ought to
17 correct this? You ought to write this guy and say,
18 look, I've got some more information and the
19 information is as we've established here today, we
20 know there are multiple accusers, we know that your
21 board has found it to be true and we know that you
22 believe it to be true and --

23 MR. KLENK: Please don't point at this witness.

24 MR. ANDERSON: I'm just --

1 MR. KLENK: You are.

2 MR. ANDERSON: I apologize for pointing. I'm
3 just using my hand to direct my question.

4 THE WITNESS: Sure.

5 BY MR. ANDERSON:

6 Q. Don't you think it's time to write
7 [REDACTED] and set the record straight here?

8 A. I think I will make inquiry about him and
9 I had thought even when I wrote this that the time
10 was going to come when we would go back and I would
11 go back personally to South Holland after the Holy
12 See has returned the case to us, as I'm sure they
13 will, with permanent removal and explain the whole
14 situation to everybody once again.

15 Q. Okay. Thank you, Cardinal. I appreciate
16 that you're going to do that.

17 A. Yes.

18 Q. And I appreciate that you're going to do
19 that soon because --

20 A. Well, I was supposed to do it in two weeks
21 and we don't have the case back and the present
22 pastor said it's best to wait until we have the
23 case back.

24 Q. Cardinal, there was a priest by the name

1 of Raymond Skriba, S-K-R-I-B-A?

2 A. Yes.

3 Q. And do you recall that the Review Board
4 found that there were credible allegations that had
5 been made against him; that you continued him in
6 ministry after that finding?

7 A. He was removed from ministry as he is now
8 and I thought it was on the basis of what the
9 Review Board found.

10 Q. Don't you recall that before you removed
11 him and after they made the finding of cause to
12 believe that you asked the Board to go back and
13 take another look at it?

14 A. If I did, it was because other information
15 had come to me either from the parish or from
16 someone else that meant the discussion wasn't
17 completed.

18 Q. And do you recall then that you did not
19 remove him immediately on the recommendation but
20 rather did so later after you had asked them to
21 reconsider?

22 A. I don't recall all the details but it
23 would have been on the basis of further information
24 that I wasn't sure they had considered.

1 Q. And at least, initially, you agreed then
2 that you did not follow the recommendation of the
3 Board in connection with Skriba?

4 A. Well, I did but I --

5 Q. Not initially?

6 MR. KLENK: Please -- please let him finish.

7 THE WITNESS: I did but I wanted them to be
8 sure they had all the information.

9 BY MR. ANDERSON:

10 Q. In the -- and there's several other cases
11 where you did not follow the recommendation of the
12 Review Board and we've talked about McCormack where
13 you didn't?

14 A. That was advice. It was not reasonable
15 cause to suspect. I asked them to finish the
16 investigation.

17 Q. And October 15, '05, the Board found and
18 recommended removal and you did not follow that?

19 A. Because they didn't -- couldn't tell me
20 that there was reasonable cause to suspect. The
21 investigation wasn't finished but I wish I had.
22 You're -- you're -- what you're saying is -- is --
23 I've taken to heart. I'm very sorry.

24 Q. In connection with Father Mayday, the

1 Board recommended laicization, did they not?

2 A. And he has been laicized.

3 Q. And you --

4 A. I'm not sure that the Board recommended
5 that, sir, but we have acted to laicize him.

6 Q. Do you have recollection that the Board
7 having recommended to you on three different
8 occasions in 2000 that Mayday be laicized and you
9 declined to follow that?

10 A. I don't recall that. Mayday was in prison
11 when I came to the Archdiocese so I've never talked
12 to him and I don't recall all the incidents of the
13 further allegations that have come since he's in
14 prison.

15 Q. When was Mayday laicized?

16 A. A few months ago.

17 Q. When did you petition for it?

18 A. Some months before that.

19 Q. So it was this year sometime -- or late
20 last year?

21 A. I don't remember the exact date.

22 Q. Are you aware that Mayday is in prison
23 now?

24 A. I believe he's in protective custody of

1 the State of Wisconsin at our request.

2 Q. And he had been and was in prison for
3 three counts of sexual assault on a minor and one
4 count of intimidation of a witness?

5 A. I wasn't sure of the last one. I knew he
6 was in prison, I was told when I got here, for
7 sexual abuse of a minor child.

8 Q. Other than him being a priest of the
9 Archdiocese, do you have any special relationship
10 with or to him?

11 A. No. I've never met him.

12 Q. Do you know how many allegations of sexual
13 abuse have been made and/or recorded by the
14 Archdiocese against Father Mayday?

15 A. I don't know the number but they are
16 multiple.

17 Q. My staff has counted between 35 and 45.
18 Does that come as a shock or news to you?

19 A. I didn't know it was that high but I knew
20 there were a good number.

21 Q. That's actually a bad number, isn't it?

22 A. Yes, it is.

23 Q. Did you participate in any way or help in
24 trying to get him civilly committed?

1 A. Yes. When his 20-year term was coming to
2 an end and the State was going to release him,
3 because I'd come to know of the case in more detail
4 and the many allegations were coming forward and
5 because he would not take the treatment that the
6 State wanted to give him, I consider him a danger
7 to children and I made that case to the State and
8 asked him to keep him in some sense in custody to
9 protect children.

10 Q. Cardinal, the attorney for the State of
11 Wisconsin who is attempting to civilly commit
12 Mayday contacted me and reported to me that you and
13 your office was refusing to provide them with the
14 information concerning Father Mayday so they could
15 civilly commit him.

16 MR. KLENK: Objection. I'm sorry.

17 BY MR. ANDERSON:

18 Q. Have you at any time become aware that
19 those that are trying to commit him are under the
20 belief that you're refusing to cooperate?

21 MR. KLENK: Objection to the form of the
22 question and evidentiary assumptions in it.

23 THE WITNESS: I wrote a letter, maybe two,
24 asking that the State of Wisconsin not release him

1 for the protection of children. I don't understand
2 what you're telling me. It's news to me.

3 BY MR. ANDERSON:

4 Q. Well, I'm representing to you that they
5 contacted me three months ago and said they were
6 petitioning him. He was scheduled to get out of
7 prison and they were petitioning to civilly commit
8 him.

9 A. Yes.

10 Q. They were trying to get files and
11 allegations regarding Mayday so they could commit
12 him as a predator, sexual offender after his
13 release.

14 A. Uh-huh.

15 Q. And they told me that your office would
16 not give them the files so they got them from me.

17 Do you know anything about that?

18 A. No, I don't. I asked them to do just
19 that. I wrote two letters, I believe.

20 Q. I'd like to show you Exhibit 21. Now,
21 this is dated September 8, 1997 and so this would
22 be shortly after your appointment and installation
23 as cardinal -- as Archbishop of Chicago, correct?

24 A. Yes.

1 Q. And this is a letter to then the Governor
2 of Wisconsin where Mayday is incarcerated --

3 A. Yes.

4 Q. -- Tommy Thompson?

5 A. Uh-huh.

6 Q. And the first sentence, you say thank you
7 for your personal thoughtfulness in granting an
8 extra -- extraordinary permission for the body of
9 Catherine Mayday to be brought to the Fox Lake
10 Correctional Facility for the viewing of her son
11 Norbert. It was an exceptional act of charity.

12 Are you seeking some special privileges be
13 granted Father Mayday?

14 A. I asked that he be able to see the body of
15 his mother whose death apparently, as I was told,
16 had affected him grievously.

17 Q. Was it granted?

18 A. Yes, it was. That's why I wrote this
19 letter of thanks.

20 Q. Showing you 22. It says October of '97, a
21 month later the same year. And the Vicar for
22 Priests, then McBrady, at -- I presume with your
23 permission writes to Robert Mayday -- excuse me --
24 Norbert Mayday in prison, Dear Norb and I'd like to

1 read from the second paragraph in the middle. I
2 met with Warden Berge and Associate Warden Benik
3 who, as you know, oversees treatment programs.
4 They were both adamant that no special program
5 would be designed for you or any other inmate.

6 Were you seeking through your Vicar for
7 Priests then some special treatment for him?

8 A. No, I was not. He was seeking special
9 treatment for himself.

10 Q. The next paragraph says that the
11 Archbishop would like you to go to the Oshkosh
12 program because he feels this is your best
13 opportunity.

14 Is this -- does that mean that's his best
15 opportunity for early release?

16 A. It meant his best opportunity to come to
17 terms with what he had done which he still refuses
18 to do.

19 Q. The last paragraph says the Archbishop
20 hopes you will accept the parameters of your
21 confinement and avail yourself of this program
22 which offers the possibility for early release?

23 A. Yes.

24 Q. So the -- the benefit is to Mayday to --