

12:14:03 1 Q And how do you know that was the practice?  
2 A Because in the 1987, documents that we  
3 were putting together in policies and procedures,  
4 there was reference made to that.

12:14:30 5 Q And so can you say with certainty that the  
6 pastor was told at St. Thomas the Apostle that he  
7 had molested kids?  
8 A I just presume he was.  
9 Q Who do you presume told him that?

12:14:47 10 A It would have been Monsignor Curry.  
11 Q Was there anybody else that you presume  
12 that would be notified?  
13 A I don't recall.  
14 Q Okay. There was no policy in place, for  
15 example, the local police be notified like if it was  
16 any other sex offender?  
17 A No.  
18 Q Okay. Did you think of Father Baker as a  
19 sex offender, Cardinal, when you brought him back?

12:15:13 20 A I did but as somebody who I felt was  
21 really trying to change his life.  
22 Q And what was it about Father Baker that  
23 made you believe that?  
24 A The fact that he came in to self report.

12:15:46 25 Q So if anybody didn't self report, is your

12:15:49 1 testimony then that -- under those circumstances,  
2 you would have called the police?

3 In other words, if you found out from  
4 sources other than the priests themselves that they  
12:16:00 5 had molested, was it your policy then under those  
6 circumstances to call the police?

7 MR. HENNIGAN: That's about the 400th  
8 question on that subject and it's 12:15.

9 MR. MANLY: You can answer.

12:16:13 10 THE WITNESS: As I said before, the first  
11 line reporters were normally the first ones to know  
12 of the problem and they were the ones that contacted  
13 the police.

14 MR. MANLY: Okay. All right. We'll take  
12:16:24 15 a break, so 30 minutes.

16 MR. HENNIGAN: Do the best we can.

17 THE VIDEOGRAPHER: Off record at  
18 12:16 p.m. This concludes tape 1.

19 (Lunch recess.)

01:08:47 20 THE VIDEOGRAPHER: Returning to record at  
21 1:09 p.m. This begins tape 2.

22 (Judge Elias present.)

23 MR. MANLY: Are you okay, Mr. Steier?

24 MR. STEIER: I'm barely.  
25

01:09:47 1 BY MR. MANLY:

2 Q All right. Do you have Exhibit 1 in front  
3 of you?

4 A Yes.

01:09:55 5 Q Now, from basically June of '87 until  
6 roughly April of 2000, Father Baker is assigned to a  
7 variety of parish assignments according to this  
8 document.

9 Is that accurate to your  
01:10:17 10 recollection?

11 A He was actually assigned in residence to a  
12 few but he was also assigned on a temporary basis as  
13 administrator to some parishes. However, I -- they  
14 were short periods of time and I do not know whether  
01:10:41 15 he actually resided there or not.

16 Q Just for the record, when somebody is  
17 assigned as an administrator to a parish in the  
18 Archdiocese of Los Angeles, in other words, a priest  
19 is assigned as an administrator, what does that  
01:10:55 20 mean?

21 A Basically, the short term assignments, it  
22 means somebody who can come in and sign the checks  
23 and leave, basically.

24 Q Okay. But he's effectively the pastor  
01:11:06 25 until he's replaced, right?

01:11:10 1 A Well, not really. These pro tem  
2 assignments for a few months, couple months, two,  
3 three months are primarily to facilitate signing  
4 checks.

01:11:20 5 Q So he didn't say mass there?

6 A I don't know.

7 Q Your understanding, when you assign him as  
8 administrator, he was just going to sign checks, you  
9 certainly didn't think he was going to say mass and  
01:11:31 10 be the pastor of the church, did you?

11 A I suspect each of these was a little  
12 different but I don't know exactly what he did  
13 there.

14 Q Who assigned him as administrator?

01:11:42 15 A That would have been Monsignor Curry.

16 Q Okay. Let me show you a document we'll  
17 mark as Exhibit 2, this is a document previously  
18 marked CIVBAKE 000232. It is a memorandum dated May  
19 24th, 2001 to you from Father Timothy Dyer.

01:12:25 20 (Exhibit 2 was marked by the court  
21 reporter.)

22 BY MR. MANLY:

23 Q Have you ever seen this document before?

24 A Yes.

01:12:27 25 Q Okay. Can you read -- it's a short

01:12:30 1 paragraph. Could you just read that into the  
2 record, Cardinal?

3 A "As you know Monsignor [REDACTED] has left  
4 for Lancaster and we will need a part-time  
01:12:47 5 Administrator or" -- I suspect he means for -- "the  
6 next six-to-eight weeks inasmuch as his associate  
7 Father [REDACTED], is not incardinated, I have  
8 asked Father Michael Baker to fill in -- pending  
9 your approval. Father Baker would spend weekends in

01:13:00 10 the parish and return during this week according to  
11 need. There is also a Redemptorist priest, whom  
12 Monsignor [REDACTED] knows, in residence during this  
13 time."

14 Q Does that refresh your recollection you  
01:13:14 15 were involved in his appointment at lease of that  
16 parish?

17 A Yes.

18 Q And that is your signature at the bottom  
19 of the document?

01:13:24 20 A Yes.

21 Q It says cross, meaning Bishop, RMM, those  
22 are your initials?

23 A Yes.

24 Q And that is your handwriting, sir?

01:13:30 25 A Yes.

01:13:30 1 Q And it says, "I concur. Thanks.  
2 5-25-91," right?  
3 A Yes.  
4 Q When it says -- it appears he's going to  
01:13:47 5 be living at the parish on the weekends?  
6 A I'm not sure about living.  
7 Q It says, "Father Baker would spend  
8 weekends in the parish and return during the week."  
9 Was that okay with you?  
01:13:59 10 A Yes.  
11 Q Is there a school at that parish?  
12 A I'm not sure what -- St. Linus parish,  
13 yes.  
14 Q Do you have any -- when you did this, did  
01:14:16 15 you think about writing, "Remember, he should not  
16 have contact with kids," or appointing somebody to  
17 supervise him or anything of that nature?  
18 A No, because from his return from the  
19 paracletes, he was fulfilling his aftercare  
01:14:38 20 agreement and there were no suspicions.  
21 Q Was anybody told on site at this parish at  
22 St. Linus that he had previously molested a child  
23 and was under restricted ministry?  
24 A I don't know.  
01:14:58 25 Q At least it doesn't appear that that was

01:15:01 1 happening from this document, right?

2 A This document doesn't speak about that.

3 Q Father Timothy Dyer at the time was the  
4 Vicar for Clergy?

01:15:20 5 A Yes.

6 Q Can you tell us, you said he was  
7 fulfilling the terms of his aftercare agreement.  
8 What were those terms?

9 A I don't remember specifically because I  
01:15:29 10 didn't review that recently.

11 Q Was one of the terms he was not to have  
12 unsupervised contact with children?

13 A Again, I didn't review the documents so I  
14 don't know for sure.

01:15:40 15 Q Where is that document?

16 A I presume in his file.

17 Q Okay. So according to Exhibit 1, if you  
18 would move back to that and look at the page of  
19 Exhibit 1, does it appear to you based on that,

01:16:08 20 Cardinal, that he was assigned at St. Linus from  
21 June of '91 to November of '91?

22 A No.

23 Q Okay. Can you tell how long his  
24 assignment at St. Linus lasted from Exhibit 1 or do  
01:16:29 25 you have any independent recollection of it?

01:16:32 1 A I don't remember when that -- when it  
2 ended.

3 Q Normally, when a priest is moved -- well,  
4 let me ask it this way, is it the normal practice in  
01:16:44 5 the Archdiocese when a priest wants to be moved or  
6 is going to be moved, that that goes through the  
7 Priest Personnel Board?

8 A Temporary administrators routinely does  
9 not. The Vicar for the Clergy makes that  
01:16:58 10 determination.

11 Q Was there a policy in the Archdiocese that  
12 priests accused of abuse were not presented to the  
13 Priest Personnel Board for assignment?

14 A Not that I'm aware of.

01:17:13 15 Q The Priest Personnel Board reviews the  
16 priest's file and advises you on suitability for  
17 assignment; is that correct?

18 MR. WOODS: Can I hear the question back,  
19 please?

01:17:24 20 MR. MANLY: I'll ask it again.

21 BY MR. MANLY:

22 Q The Priest Personnel Board's job is to  
23 review a priest's personnel file and possible  
24 assignments and make recommendations to you on  
01:17:36 25 assignments for priests; is that correct?



01:17:38 1 MR. WOODS: I'm going to object as  
2 compound.

3 THE WITNESS: The job of the clergy  
4 Personnel Board is almost always full-time  
01:17:48 5 assignments, full-time pastors, full year long or  
6 more administrators, full-time associate pastors,  
7 not these temporary --

8 BY MR. MANLY:

9 Q Cardinal, who -- I'm sorry. I  
01:17:58 10 inadvertently interrupted you. I'm sorry.

11 A I said not these temporary brief  
12 assignments.

13 Q Cardinal, who in the Archdiocese was aware  
14 that Michael Baker was a child molester prior to  
01:18:13 15 2000?

16 A I really don't know.

17 Q Besides you and the Vicar for Clergy, can  
18 you think of anybody else?

19 A I -- certainly, I imagine the Auxiliary  
01:18:26 20 Bishops were aware. I don't know who else would  
21 have been aware.

22 Q Were you trying to keep it a secret?

23 A Not really.

24 Q Okay. Did any of the associate pastors or  
01:18:46 25 priests that he worked with at St. Linus, were they

01:18:50 1 made aware that he had molested kids?  
2 MR. HENNIGAN: Didn't you already ask that  
3 question?  
4 MR. MANLY: Did I?  
01:18:56 5 BY MR. MANLY:  
6 Q How about at St. Gerard Majella, did  
7 anybody know there? Was anybody advised?  
8 A Not that I am aware of.  
9 Q How about at St. Mary's?  
01:19:12 10 A I simply don't know.  
11 Q Do you have -- do you know if anybody at  
12 St. Lucy's -- was it the custom and practice of your  
13 office to advise priests at parishes where  
14 Father Baker was going to act as administrator that he  
01:19:22 15 had previously offended with a child?  
16 A Again, most of these, he did not reside at  
17 the place and I don't know exactly what the Vicar  
18 for Clergy told them.  
19 Q Was it the custom and practice -- was it  
01:19:34 20 your custom and practice to make sure that somebody  
21 advised priests that were going to serve with  
22 Father Baker at parishes, whether he lived there or not,  
23 that he previously offended with a child?  
24 A I know that they would have been told  
01:19:50 25 something but it was not -- not my job. The Vicar

01:19:53 1 for Clergy is the one who would notify them.

2 Q Ultimately, did you view it as your job to  
3 make sure that kids who went to church were safe?

4 A I'm sorry?

01:20:04 5 Q Ultimately, as the Archbishop or the  
6 Cardinal of the Archdiocese of Los Angeles, did you  
7 view it as your job to make sure that children that  
8 were attending church were safe?

9 A Yes.

01:20:15 10 Q So given that, is there a reason you  
11 didn't advise the parishes and the families who  
12 attended mass that they had a child molester who was  
13 serving as a parish priest?

14 A Well, remember these years that we're  
01:20:35 15 looking at here, the procedures and policies were  
16 being strengthened constantly.

17 And during this period of time that  
18 Michael Baker would have had these temporary  
19 assignments, I don't believe there was a specific  
01:20:49 20 policy about notifying the parish.

21 Q Cardinal, did it ever occur to you that in  
22 order to keep kids safe from a child molester in the  
23 early 90's, that it would be a good idea to let  
24 parents know that a priest who was serving there had  
01:21:10 25 offended with a child?

01:21:14 1 A Well, keep in mind, we deal with these  
2 case by case. In this case, he had come forward,  
3 self admitted, went for treatment and all during  
4 this time, was going to therapy and we had no

01:21:30 5 complaints about him. So my presumption was, is  
6 that whatever his problem was was not reoccurring.

7 Q Very respectfully, my question is a little  
8 different, sir.

9 My question is, did it ever occur to  
01:21:42 10 you at any time with Michael Baker or any other  
11 priest that when a priest offends a little boy or a  
12 little girl and they're going to be put back in a  
13 parish after that, it would be prudent, smart and  
14 safe to let people know that he had done that  
01:21:57 15 before?

16 A Well, in the case of Michael Baker, he was  
17 not put back into a regular parish.

18 Q Okay. Cardinal --

19 MR. MANLY: Your honor, can I get an  
01:22:09 20 answer to my question?

21 THE COURT: Why don't you read the  
22 question back, please.

23 (The record was read as follows:

24 "Very respectfully, my question  
01:21:39 25 is a little different, sir.

01:21:40 1 My question is, did it ever occur  
2 to you at any time with Michael  
3 Baker or any other priest that when  
4 a priest offends a little boy or a  
01:21:49 5 little girl and they're going to be  
6 put back in a parish after that, it  
7 would be prudent, smart and safe to  
8 let people know that he had done  
9 that before?)"

01:22:40 10 MR. WOODS: I'll object, it's a  
11 hypothetical. There is no time frame.

12 MR. MANLY: You can answer, Cardinal.

13 THE WITNESS: As I said, he was not  
14 assigned to a parish. That was in your question.

01:22:57 15 BY MR. MANLY:

16 Q Okay. Let's change the question and say  
17 serving in the parish. Let me ask the question so  
18 it is clear.

19 Cardinal, did it occur to you at any  
01:23:08 20 time when allowing a priest to say mass and  
21 otherwise serve in a parish, that it would be  
22 prudent, safe and smart to let the parish know, the  
23 people at the parish know that this priest had  
24 previously offended with a little boy or a little  
01:23:28 25 girl?

01:23:31 1 A As I said, in this time frame, that was  
2 not our normal practice because that kind of priest  
3 would never be put full time into a parish  
4 situation.

01:23:42 5 Q Respectfully, my question is different.  
6 Did you ever think about that? Did you ever think  
7 that might be a good idea?

8 MR. HENNIGAN: I think at this point, he's  
9 answered it, meaning that it was not the situation  
01:23:51 10 and, therefore, it didn't come up.

11 BY MR. MANLY:

12 Q So at no point -- your testimony is at no  
13 point when considering specifically to assign  
14 Michael Baker to serve in parishes and administer  
01:24:02 15 the sacraments to the faithful and to the families  
16 and the boys and girls, did you ever consider the  
17 possibility of it being prudent to let people in the  
18 parish know that he had molested kids?

19 A I'm not sure if I thought about that or  
01:24:18 20 not.

21 Q Now, did you ever go to any of these  
22 parishes while he was assigned there and perform  
23 confirmation services or visit the parish?

24 A I don't recall doing that, no.

01:24:42 25 Q Did you ever go to St. Columbkille while

01:24:45 1 he served there?

2 A I don't think so.

3 Q So if my client and his family say they  
4 recall you being there with him while this boy was

01:25:02 5 -- he was serving mass, do you take issue with that  
6 or do you just don't remember?

7 A I just don't remember.

8 Q Let me show you the next document we'll  
9 mark as Exhibit 3.

01:25:50 10 (Exhibit 3 was marked by the court  
11 reporter.)

12 BY MR. MANLY:

13 Q Have you had a chance to read it?

14 A I can't make out all the words.

01:26:49 15 Q I think -- let me tell you what I think it  
16 says and maybe you can follow along with me,  
17 Cardinal.

18 It says, "Roger. Thank you so much  
19 for blessing our priest council area meeting at

01:27:02 20 St. Hilary's. Appreciate mucho being a member of, 'your  
21 parish.' Thought you might be interested in any of the  
22 handouts at today's meeting. Thank you, Mike."

23 Does that look about right?

24 A Yes.

01:27:16 25 Q Do you recall going to a meeting at

01:27:19 1 St. Hilary's?  
2 A No.  
3 Q And do you know why he would address you  
4 as Roger?  
01:27:27 5 MR. HENNIGAN: Who's he?  
6 MR. MANLY: Mike Baker.  
7 MR. HENNIGAN: Any evidence that this is  
8 Mike Baker?  
9 MR. MANLY: Uh-huh. Go ahead.  
01:27:34 10 MR. HENNIGAN: I'm sorry. There is no  
11 foundation.  
12 MR. MANLY: That's what it's been  
13 presented to us as. It was presented by Mr. Steier  
14 and produced as a Cardinal correspondence. Am I  
01:27:47 15 wrong about that?  
16 MR. STEIER: I doubt if I have ever  
17 produced that.  
18 MR. MANLY: Mr. Woods, you've produced it.  
19 MR. HENNIGAN: Let me just say there's no  
01:27:55 20 foundation for the question.  
21 BY MR. MANLY:  
22 Q Assuming that this was written by  
23 Mike Baker to you, do you know why he would address you  
24 as Roger?  
01:28:04 25 A I have no idea.



01:28:05 1 MR. MANLY: And let me read the Bates  
2 label number as CIVBAKE 000107. Whose Bates number  
3 is that?  
4 MR. STEIER: I believe that's the  
01:28:18 5 personnel file.  
6 MR. MANLY: That's what I thought.  
7 THE COURT: Is there a question?  
8 MR. MANLY: Probably not.  
9 THE COURT: Why don't you go on with the  
01:28:28 10 questions.  
11 BY MR. MANLY:  
12 Q 'So do you know why he would address you as  
13 Roger?  
14 MR. HENNIGAN: Again, there is no  
01:28:33 15 foundation. If the question is why would  
16 Michael Baker address him as Roger, that's a question.  
17 BY MR. MANLY:  
18 Q If this is from him and it was -- I mean,  
19 it was in his personnel file, so I presume it is, do  
01:28:46 20 you know why he would address his Archbishop as  
21 Roger?  
22 MR. HENNIGAN: You can ask the question  
23 without an improper foundation.  
24 MR. MANLY: Okay. You can answer.  
01:28:57 25 THE COURT: I think the question is -- the

01:28:58 1 question he is saying you need to ask is, "Does he  
2 address you by your first name?"

3 MR. MANLY: I've already asked that.

4 BY MR. MANLY:

01:29:06 5 Q Did he address you by your first name,  
6 Cardinal?

7 A I don't remember.

8 Q Now, when was Monsignor Dyer the Vicar for  
9 Clergy, Cardinal?

01:29:30 10 A He was I believe the second Vicar for  
11 Clergy.

12 Q After Curry?

13 A So they were five year -- I think five  
14 year terms, so that would have been '86 to '91. So  
01:29:43 15 '91 to approximately '96, around in there.

16 Q Okay. So if you look at the entry dated  
17 8-1-92, it says, "Assigned to residence at  
18 St. Elizabeth's in Van Nuys."

19 Was that a parish?

01:30:07 20 A Yes.

21 Q And did that have a school?

22 A I believe it does.

23 Q Okay. And who -- who was notified at

24 St. Elizabeth's that Father Baker was a child molester,

01:30:19 25 if anyone?

01:30:21 1 A I don't know.

2 Q Who was responsible for notifying them, if  
3 anyone, that Father Baker was a child molester?

4 A I would suspect the Vicar for Clergy.

01:30:38 5 Q Was it your expectation that  
6 Monsignor Dyer would notify the school principal and/or  
7 the pastor, if Father Baker was going to be assigned  
8 there, that he had previously molested children?

9 A It's my recollection that by 1992, most of  
01:30:58 10 the priests, the Archdiocese knew that he was in  
11 specialized ministry and had gone for treatment and  
12 was in the special assignments. What they knew  
13 about that, I don't know.

14 Q What specialized ministry?

01:31:17 15 A Well, he was working with retired priests.  
16 He worked at catholic charities with the aging.  
17 Again, ministry the sick and retired priests, the  
18 county hospital, those kinds of ministries.

19 Q So are you saying -- when you say most of  
01:31:37 20 the priests knew he was in specialized ministry, are  
21 you telling me most of the priests knew he had  
22 molested children, is that what you mean?

23 A No.

24 Q Well, I asked you who would you expect the  
01:31:49 25 Vicar for Clergy to notify, the pastor, the priest

01:31:55 1 and/or the principal at St. Elizabeth's that he had  
2 previously molested kids. Let me kind of repeat  
3 that question.

4 Would you expect him to do that in  
01:32:05 5 1992?

6 A It would seem to me by 1992, he had been  
7 six years now in treatment and no reports of any  
8 difficulty, any problem and so the assumption most  
9 likely was that he was doing well.

01:32:24 10 Q So I take it --

11 A And no need to notify the people in the  
12 parish.

13 Q So I take it by your answer, there was no  
14 need to do that and you didn't expect he would?

01:32:45 15 A No.

16 Q Okay. Now, if there were reports, they  
17 would be in the file, correct? If somebody had  
18 reported between '86 and 2000, it would be the  
19 Archdiocese's custom and practice to put them in his  
01:33:13 20 confidential file; is that correct?

21 A Yes.

22 Q Are there any reports of boundary  
23 violations or misconduct between 1986 and 2000 in  
24 his file?

01:33:25 25 MR. HENNIGAN: Other than the ones that

01:33:26 1 are listed here in this document.

2 THE WITNESS: Well, there is one listed  
3 here.

4 BY MR. MANLY:

01:33:30 5 Q Okay. So at that point, when he had a  
6 violation, is that the point where the parish is  
7 notified?

8 A He was in one parish at that point.

9 Q Was the parish notified that he was a  
01:33:42 10 child molester at that point?

11 A I don't know.

12 Q Whose job was that?

13 A It would have been the Vicar for Clergy.

14 Q Cardinal, when you were trying to make the  
01:33:58 15 decisions on how to handle Baker, what weight did  
16 you give the risk of harm to kids from being  
17 molested by him? Did that enter your mind that  
18 there was a risk?

19 A The case -- sorry. The case of  
01:34:17 20 Michael Baker is unique. When you have somebody come  
21 forward and self report with the voiced intent of  
22 getting over whatever his problem was, he got the  
23 benefit of the doubt and he was in therapy regularly, no  
24 reports of any difficulty. So in his case, he got the  
01:34:45 25 benefit of the doubt.

01:34:47 1 Q Okay. My question is a little different,  
2 respectfully.

3 My question is, did you ever consider  
4 the gravity of the harm that would be done to kids  
01:34:58 5 if he molested again when you decided to put him  
6 back in a parish?

7 A Well, he was not assigned a full-time  
8 ministry in a parish.

9 Q Cardinal, when you let him back into  
01:35:10 10 parishes and have access to families, just greeting  
11 them in the back of the church after mass, did you  
12 ever consider the possibility that if you were wrong  
13 and he offended again, that a child could be  
14 gravely, gravely hurt?

01:35:29 15 A Well, my understanding was that any of his  
16 presence in a parish would have been in an extremely  
17 public way, not a private way where he could harm  
18 anybody.

19 Q Well, Cardinal, so is the answer you just  
01:35:45 20 didn't think about it?

21 A It isn't that I didn't think about it.  
22 It's that I didn't think he was going to be in a  
23 position where he would have any opportunity to.

24 Q Did you ever think that maybe the proper  
01:36:00 25 thing to do or the right thing to do is give parents

01:36:04

1 that choice rather than making it for them?

2 MR. HENNIGAN: At this point, he's just  
3 arguing with him.

01:36:15

4 THE COURT: Sustained. It's also being  
5 repetitive.

6 BY MR. MANLY:

7 Q Cardinal, when you decided not to tell --  
8 when you decided -- did you make a -- well, let me  
9 ask it a different way.

01:36:42

10 Who, if anyone, recommended to you to  
11 allow him to serve in any capacity in a parish? Did  
12 anybody recommend that to you or did you decide that  
13 yourself after --

01:36:53

14 MR. HENNIGAN: He has already established  
15 that's the Vicar's job several times.

16 MR. MANLY: Excuse me. After 1986.

17 MR. HENNIGAN: Several times. Object;  
18 repetitive.

01:37:02

19 THE COURT: I don't know whether this  
20 question was asked while I was gone --

21 MR. MANLY: No.

22 THE COURT: -- whether anybody recommended  
23 it to you.

01:37:06

24 MR. MANLY: It was never asked.

25 MR. HENNIGAN: It has been established

01:37:07 1 that the Vicar makes these assignments.  
2 THE COURT: The question was, did anybody  
3 recommend it to you? Let's just hear the answer to  
4 this one.

01:37:15 5 THE WITNESS: So, again, what's the  
6 question?  
7 BY MR. MANLY:  
8 Q Did anybody recommend to you that  
9 Michael Baker be allowed to serve back in a parish in  
01:37:23 10 any capacity after 1986?  
11 A Yes, in a limited fashion.  
12 Q Who made that recommendation?  
13 A Usually, the Vicar for Clergy.  
14 Q Do you remember who made it in this  
01:37:35 15 instance?  
16 A In what year?  
17 Q Any time after 1986.  
18 A Well, in 1994 on, we then had the Sexual  
19 Abuse Advisory Board and they were involved in  
01:37:45 20 making recommendations.  
21 Q I see. So did they recommend that he be  
22 allowed to serve back in a parish?  
23 A When they came into being, he was already  
24 in this partial assignment.

01:37:59 25 Q I don't understand.



01:38:00 1 Did anybody, do you recall whether  
2 the Sexual Abuse Advisory Board, Monsignor Dyer or  
3 anybody else told you or made a recommendation to  
4 you that it would be a good idea to put this man  
01:38:12 5 back in a parish?

6 A Well, he was already in a parish, in  
7 residence.

8 Q At any time, Cardinal, did anybody from  
9 your staff recommend to you that you place  
01:38:27 10 Michael Baker back in a parish after he was a known  
11 molester?

12 A Oh, yes.

13 Q And who was that?

14 A Well, it would have been Monsignor Curry,  
01:38:39 15 Monsignor Dyer, continuing -- as long as he is  
16 fulfilling the terms of his aftercare agreement, he  
17 was allowed to do limited ministry.

18 Q I see. And the Sexual Abuse Advisory  
19 Board was advised, including Judge Byrne, that  
01:39:00 20 Michael Baker was a child molester and had admitted  
21 to molesting children and that you were going to  
22 place him in a limited capacity back in a parish; is  
23 that correct?

24 A He was already in the parish.

01:39:08 25 Q But he had assignments after that,

01:39:10 1 correct?

2 A No. No. After 1995, '96, when he has  
3 that report.

4 Q The advisory board was composed in 1992,  
01:39:26 5 correct?

6 A 1994.

7 Q Okay. All right. And did you ever bring  
8 the Baker case to the advisory board?

9 A I did not personally.

01:39:41 10 Q Did the Vicar for Clergy or somebody else?

11 A I don't know.

12 Q Looking at 6-12-95 it says, "Note re a  
13 breach of restrictions by contact with minors  
14 observed by pastor."

01:39:58 15 Do you see that?

16 A Yes.

17 Q And the pastor was Timothy Dyer?

18 A Yes.

19 Q And Timothy Dyer was the Vicar for Clergy?

01:40:05 20 A Yes.

21 Q Did you know Father Dyer was a classmate  
22 and long time friend of Father Baker?

23 A I did not at the time.

24 Q You didn't know that?

01:40:13 25 A No.

01:40:15 1 Q And was he supervising his friend's --  
2 well, was Dyer supervising Baker?  
3 A Yes.  
4 Q So do you remember what happened here that  
01:40:26 5 this refers to?  
6 A This was the situation where  
7 Monsignor Dyer saw a young man coming down the stairs, I  
8 believe in St. Columbkille rectory.  
9 Q And do you now know that young man as my  
01:40:48 10 client who is sitting in this room?  
11 A Yes.  
12 Q So did they tell you this at the time?  
13 A I believe so.  
14 Q Did it concern you?  
01:40:58 15 A Yes.  
16 Q Why?  
17 A Well, because he had been doing what I  
18 thought fine all the way along and this was the  
19 first indication that there might be a problem.  
01:41:11 20 Q Did you meet with Father Baker regarding  
21 this?  
22 A I did not.  
23 Q Who did?  
24 A I think Father Dyer and maybe  
01:41:18 25 Father [REDACTED].

01:41:20 1 Q And that's [REDACTED]?

2 A Yes.

3 Q And what position did he hold in the  
4 Archdiocese?

01:41:27 5 A He was the Associate Vicar for Clergy.

6 Q So they observe Luis coming out of --  
7 coming down the stairs from the living area; is that  
8 correct?

9 MR. STEIER: Objection; misstates the  
01:41:43 10 evidence. I don't know who "they" is.

11 MR. MANLY: I'm sorry. You're right.

12 BY MR. MANLY:

13 Q Monsignor Dyer observed, told you he  
14 observed a boy, you now know as Luis, coming out of  
01:41:53 15 the living area, down the stairs into the rectory?

16 A Yes.

17 Q And was that a violation of Father Baker's  
18 aftercare agreement?

19 A It was certainly a suspicious activity.

01:42:08 20 Q And there was a suspicion he may have  
21 molested the child, right?

22 A Possibly.

23 Q Okay. So I take it that the police were  
24 called and Child Protective Services were notified?

01:42:21 25 THE COURT: Counsel, don't laugh.

01:42:23 1 THE WITNESS: No, not that I'm aware of.

2 BY MR. MANLY:

3 Q Well, don't you think that was a good  
4 idea?

01:42:32 5 THE COURT: Sustained. Argumentative.

6 BY MR. MANLY:

7 Q Would you expect that if there was a  
8 suspicion that a little boy had been in the bedroom  
9 or in the living area of a known child molester, the  
10 right thing to do was for Monsignor Dyer to call the  
11 police?

01:42:43

12 MR. HENNIGAN: Argumentative.

13 THE COURT: Sustained.

14 BY MR. MANLY:

01:42:51 15 Q Is that your policy, that he should  
16 call --

17 MR. MANLY: Excuse me. I haven't finished  
18 my question.

19 MR. HENNIGAN: You finished it 25 times.

01:42:59 20 MR. MANLY: You don't want me to ask the  
21 question.

22 MR. HENNIGAN: I don't want you to ask it  
23 30 times.

24 MR. FINALDI: Policy changed. I think  
01:43:06 25 that's the confusion. The policy changed during the

01:43:08 1 years. Now we're on '97.

2 BY MR. MANLY:

3 Q In 1997, when this happened, did you tell  
4 somebody we need to notify Child Protective

01:43:20 5 Services?

6 MR. WOODS: This is '96?

7 MR. MANLY: Fine. '96.

8 THE WITNESS: When I was told by

9 Father Dyer, I said, "You get someone else and talk to  
10 the young man and see what happened."

01:43:29

11 BY MR. MANLY:

12 Q Did you ever consider, Cardinal, when you  
13 learned about this, that the proper thing to do in  
14 terms of child protection was to notify Child

01:43:42 15 Protective Services?

16 MR. HENNIGAN: Objection; repetitive,  
17 argumentative.

18 THE COURT: Sustained.

19 BY MR. MANLY:

01:43:47 20 Q Okay. Did it ever enter your mind that it  
21 might be appropriate to call Child Protection  
22 Services?

23 MR. HENNIGAN: That's the same question.

24 THE COURT: Counsel, that's the same

01:43:58 25 question.

01:43:59 1 MR. MANLY: What's wrong with the  
2 question?  
3 THE COURT: It is just not worded right.  
4 I can't word it for you but it's just not -- it's  
01:44:05 5 just argumentative. "Did it ever enter your mind"  
6 is just argumentative.  
7 MR. MANLY: Okay.  
8 BY MR. MANLY:  
9 Q Did you direct any of your staff to call  
01:44:14 10 Child Protective Service --  
11 MR. HENNIGAN: Repetitive.  
12 BY MR. MANLY:  
13 Q -- when you learned about it?  
14 THE COURT: On this one instance, is it in  
01:44:22 15 1996?  
16 MR. MANLY: Yes.  
17 THE COURT: You can answer that one.  
18 THE WITNESS: I directed Father Dyer to  
19 get someone else and meet with the young man and  
01:44:31 20 find out what happened.  
21 BY MR. MANLY:  
22 Q Cardinal, my question is different than  
23 that.  
24 Did you, in 1996, when you learned of  
01:44:39 25 this incident, direct your staff, Monsignor Dyer or

01:44:52 1 anybody else to call or notify Child Protective  
2 Services?

3 A No.

4 Q Why not?

01:44:54 5 A I thought the first step is to find out  
6 what had happened.

7 Q Wouldn't in your view -- well, let me ask  
8 this, did you ask if Child Protective Services had  
9 already been notified?

01:45:06 10 A I don't believe so.

11 Q Do you know as you sit here today what --  
12 well, let me ask it a different way.

13 Were you surprised that Child  
14 Protective Services hadn't been called by the time  
15 it got to you?

01:45:20 16 MR. HENNIGAN: This is enough. It's  
17 enough.

18 THE COURT: Counsel, move on to something  
19 else.

01:45:26 20 MR. MANLY: Okay.

21 BY MR. MANLY:

22 Q So you felt the proper first step was to  
23 investigate the matter yourself, you being the  
24 Archdiocese, not you personally?

01:45:40 25 A Well, since a young man was known to the



01:45:43 1 parish and was readily accessible, it would be very  
2 easy to find out whether he was delivering a package  
3 or what. He was seen on the stairway, I was told.  
4 Q Okay. So you had -- who did you have  
01:46:06 5 investigate this?  
6 THE COURT: That's been asked and  
7 answered.  
8 MR. MANLY: No, I don't think it has.  
9 BY MR. MANLY:  
01:46:11 10 Q Who investigated it for the Archdiocese?  
11 A Father Dyer.  
12 Q And what experience did Father Dyer have  
13 in investigating child abuse, if any?  
14 A I'm not sure.  
01:46:24 15 Q Did you think he was the best choice to  
16 investigate it?  
17 A Well, he was very competent Vicar for the  
18 Clergy.  
19 Q How many victims does Michael Baker have,  
01:46:34 20 Cardinal?  
21 A I have no idea.  
22 Q More than 20?  
23 A I have no idea.  
24 Q So do you know what Monsignor Dyer did?  
01:46:51 25 A He and Monsignor [REDACTED] met with the young

01:46:54

1 man.

2 Q Did they tell his parents?

3 A I don't know.

4 Q Certainly, you would expect if you --

01:47:01

5 certainly, it was your expectation as the

6 Archbishop, if any of your pastors suspected that

7 one of your priests had offended a child, that you

8 would notify the parents, right?

9 MR. HENNIGAN: This is pure argumentative,

01:47:16

10 speculation.

11 THE COURT: Sustained.

12 BY MR. MANLY:

13 Q Did you expect that or anticipate that

14 based on your knowledge and custom and practice in

01:47:25

15 handling these cases, that if somebody was going to

16 ask a child if they had been molested, that they

17 would tell their parents?

18 MR. HENNIGAN: Same question.

19 MR. MANLY: How is that improper? I want

01:47:37

20 to know if it was the custom and practice to ask a

21 child's parents.

22 THE COURT: The question is -- you are  
23 asking him, did you expect, do you do this, do that.

24 Ask him what the policies were, what the procedure

01:47:50

25 was, something that's substantive.

01:47:57

1 BY MR. MANLY:

2 Q Based on your knowledge and custom and  
3 practice, before somebody would ask a child about a  
4 sensitive matter like sexual contact with a priest,  
5 would you expect or would you understand that it was  
6 appropriate to get their parents' permission?

01:48:05

7 MR. HENNIGAN: You tell him to ask the  
8 policy and he goes right back almost word for  
9 word --

01:48:15

10 MR. MANLY: This is not a trial. Okay.  
11 This is a search for the truth. And I am entitled  
12 to ask lots of questions that may not be admissible  
13 at trial.

14 THE COURT: I understand that.

01:48:23

15 MR. MANLY: And what you are doing -- not  
16 you, your honor, but what's happening here is this  
17 is very important and I'm being shutdown.

18 THE COURT: You are not being shutdown.  
19 Your question really I think is, did you tell him to  
20 talk to the parents, do you think the parents should  
21 be contacted?

01:48:34

22 But did you expect somebody to do  
23 something, I mean, it's just so vague that it's  
24 impossible --

01:48:45

25 MR. MANLY: He's their boss. He has

01:48:46 1 expectations of how people are going to act. That's  
2 a perfectly appropriate question, your honor.

3 THE COURT: I don't think that's an  
4 appropriate question but I think it can be phrased  
01:48:56 5 in a way that is appropriate and is answerable.

6 MR. MANLY: Will you mark this portion of  
7 the transcript, please. What is so funny?

8 MR. HENNIGAN: The judge is right here.  
9 (Laughter.)

01:49:10 10 MR. MANLY: So what? I'm going to get the  
11 answer to this one way or the other and you can  
12 laugh at this all you want. I don't think this is  
13 the least bit funny.

14 THE COURT: Counsel --  
01:49:21 15 MR. MANLY: I have my client here who is  
16 the subject of this. I would appreciate you  
17 wouldn't laugh.

18 THE COURT: Counsel --  
19 MR. STEIER: I'm laughing at you, not him.

01:49:27 20 THE COURT: Counsel, that's it. Just ask  
21 a question and just phrase it differently and you  
22 can get your answer and we will move on.

23 BY MR. MANLY:

24 Q Cardinal, based on your custom and  
01:49:41 25 practice and your knowledge of the Archdiocese's

01:49:46 1 policies, was it practice and policy in the  
2 Archdiocese before a child was going to be  
3 interrogated as to whether a priest had molested  
4 them, that a priest would seek the parents'

01:49:57 5 permission to do that?

6 A It was the norm, especially in the  
7 schools, that not only would you seek their  
8 permission but you would have them there.

9 Q Okay. Do you know if that happened here?

01:50:11 10 A I don't know.

11 Q Let me represent to you my client's  
12 testified that nobody spoke to his mother about this  
13 or him.

14 Is that the first you have heard of  
01:50:34 15 this?

16 A I'm sorry?

17 Q Let me represent to you that my client has  
18 testified that Monsignor Dyer never spoke to him  
19 about this matter or his mother and his mother's  
01:50:37 20 testified to the same thing.

21 Does that -- do you have any  
22 indication or have you ever heard about that before  
23 today?

24 MR. WOODS: Heard about the testimony?

01:50:45 25

01:50:45 1 MR. MANLY: Yes.  
2 THE WITNESS: Yes, I heard about the  
3 testimony. .  
4 BY MR. MANLY:  
01:50:49 5 Q Did you ask Monsignor Dyer if he talked to  
6 my client?  
7 A I did.  
8 Q And what did he say?  
9 A He said, "Yes, Father [REDACTED] and I met  
01:50:59 10 with him and he categorically denied there was --  
11 anything inappropriate happened."  
12 Q Let me show you exhibit -- what we'll mark  
13 as Exhibit 3. It's a portion of the People of God  
14 Report. 4. Sorry.  
01:51:24 15 (Exhibit 4 was marked by the court  
16 reporter.)  
17 THE COURT: I'm going to leave you all for  
18 five minutes. All right?  
19 MR. MANLY: You may want to wait for this  
01:51:29 20 for five minutes.  
21 MR. HENNIGAN: I have a feeling that I'm  
22 going to object on repetition grounds but we'll wait  
23 until it gets started. 4?  
24 MR. MANLY: Page 3.  
01:51:44 25 MR. HENNIGAN: This is Exhibit 4, right?

01:51:46 1 MR. MANLY: Yes.  
2 MR. HENNIGAN: Page 3 is page 17.  
3 MR. MANLY: Yes.  
4 BY MR. MANLY:  
01:52:05 5 Q I'm going to ask you about the first  
6 paragraph, Cardinal. Could you read that for me and  
7 let me know.  
8 A I've read it.  
9 Q Did [REDACTED] write this?  
01:52:16 10 A No.  
11 Q Did [REDACTED] participate in the  
12 writing of this?  
13 A Not that I know of.  
14 Q Okay. Now, let me look, let me direct  
01:52:30 15 your attention --  
16 MR. MANLY: Could you just restrain  
17 yourself, Mr. Steier. I can hear you.  
18 MR. STEIER: It was Vince.  
19 MR. MANLY: Well, Vince then.  
01:52:40 20 BY MR. MANLY:  
21 Q "Father Michael Baker then approached the  
22 Archbishop to discuss his relationship with two boys  
23 from 1978 to 1985."  
24 The whole paragraph reads,  
01:52:50 25 "Cardinal Mahony has already acknowledged and apologized

01:52:55 1 for the mistakes made in handling Father Michael Baker,  
2 a case that brought many important lessons." Is that  
3 statement true?

4 A Yes.

01:53:04 5 Q "During the 1986 priest's retreat,  
6 Archbishop Mahony advised the priests that anyone  
7 who had engaged in misconduct with minors should  
8 meet with him confidentially, and that the  
9 Archdiocese would provide spiritual and  
01:53:14 10 psychological assistance as necessary;" is that  
11 true?

12 A Yes.

13 Q "Father Michael Baker then approached the  
14 Archbishop to discuss his relationship with two boys  
01:53:24 15 from 1978 to 1985;" is that true?

16 A Not exactly.

17 Q Well, what's not true about it?

18 A Well, 1978 came much later, not with my  
19 meeting with Michael Baker. He only admitted to a  
01:53:42 20 couple incidences, he said with two boys who were  
21 illegal aliens and went to Mexico.

22 Q If you look at Exhibit 1, it says -- at  
23 12-22-86 it says, "Meets with Cardinal Mahony and  
24 Vicar from Clergy to discuss his relationship with

01:54:04 25 two boys from 1978 to 1985," and it says it again



01:54:06 1 here, right?

2 A Yes.

3 Q But you have testified earlier that your  
4 recollection, it was one or two times with illegal

01:54:14 5 aliens; is that correct?

6 A That's what he told me.

7 Q Okay. Did you read this before it was  
8 published both times?

9 A I did.

01:54:22 10 Q Okay. Why didn't you correct that before  
11 it was published?

12 A Because when I saw it, this was in 2004.  
13 At that time, 2004, I knew there had been other  
14 cases before 1985. I knew it then.

01:54:45 15 So it didn't occur to me that the  
16 sentence should have been referring only to 1985,  
17 '86.

18 Q Nowhere in this report does it say  
19 anything about illegal aliens or people not living

01:55:00 20 in this country, does it?

21 A No.

22 Q And nowhere in this report is the  
23 substance of what you say happened with  
24 Michael Baker when he first came to you about one or two

01:55:11 25 times mentioned, is it?

01:55:12 1 A No, because this was a very brief summary.  
2 It's only a page about Michael Baker and  
3 Michael Baker's story is very long.

4 Q Okay. You said that -- you said that he  
01:55:28 5 told you it happened one or two times.

6 Did you take notes of that  
7 conversation?

8 MR. HENNIGAN: We've already asked that.

9 THE COURT: Sustained. I've heard that  
01:55:36 10 before.

11 BY MR. MANLY:

12 Q Do you know of the existence of any  
13 document that can corroborate what you have just  
14 told us about what Baker first told you?

01:55:44 15 A No.

16 Q Do you know where this -- so your  
17 testimony is -- let me be clear -- he never  
18 discussed with you at your initial meeting a  
19 relationship with two boys that he had from '78 to  
01:56:07 20 '85; is that right?

21 A That is correct.

22 MR. MANLY: All right. You can go now.  
23 Thank you, your honor.

24 (Judge Elias exits the room.)  
25

01:56:29 1 BY MR. MANLY:

2 Q When you learned of the '96 aftercare  
3 violation, did you move Father Baker?

4 A I referred the matter to the Sexual Abuse  
01:56:39 5 Advisory Board for fuller investigation.

6 Q Okay. [REDACTED]

7 [REDACTED]?

8 A [REDACTED]

9 Q And, naturally, they reported the incident  
01:56:53 10 to Child Protective Services after they found out  
11 about it?

12 A I don't know.

13 Q Do you know of any instance where anybody  
14 at the Child Protective -- I'm sorry -- do you know  
01:57:13 15 of any instance from 1992 or '94, whenever the SAAB  
16 Board was convened, to 2000 where anybody on that  
17 Board ever called the police or notified Child  
18 Protective Services or law enforcement about sexual  
19 abuse?

01:57:26 20 A Not that I'm aware of.

21 Q Did you know Judge Byrne before he went to  
22 the Board?

23 A Yes.

24 Q How did you know him?

01:57:39 25 A I had seen him at various events, catholic

01:57:43 1 charities and other events.

2 Q Okay. And how is it that he became  
3 Chairman of the Board?

4 A I don't recall except that I thought it  
01:57:59 5 would be good to have somebody with a judicial  
6 background head up this body.

7 Q Why?

8 A Well, because of their experience in  
9 dealing with factual situations and trying to  
01:58:18 10 determine the truth.

11 Q That was their job, to determine the  
12 truth?

13 A I'm sorry?

14 Q Was it their job to determine the truth?

01:58:26 15 A Yes.

16 Q Did they ever recommend to you at any time  
17 that law enforcement be notified about Father Baker?

18 A No.

19 Q Did they ever recommend to you at any time  
01:58:43 20 that you notify the parishes about Father Baker?

21 A Not that I recall.

22 Q So are you saying that never happened or  
23 you just don't remember it?

24 A I don't recall it.

01:58:59 25 Q Okay. Now, in or around 2000,

01:59:08 1 specifically, April of 2000, did you learn that  
2 there had been an allegation against Father Baker by  
3 boys from the Tuscon area?

4 A Yes.

01:59:23 5 Q And how did you come to learn that?

6 A I believe what happened -- from my  
7 recollection was that -- just a minute. I got this  
8 tangled here. Sorry.

9 My recollection was that these two  
01:59:41 10 young men who are now in their twenties, I believe,  
11 were suing Father Baker and -- in Arizona and  
12 Father Baker was not able to pay the amount they were  
13 seeking so they then decided to add the Archdiocese.

14 Q And so at that point, I take it, when you  
02:00:20 15 found this out, there was yet another allegation,  
16 you directed your staff to notify law enforcement?

17 MR. HENNIGAN: Will you stop with it?

18 MR. MANLY: No, I won't.

19 MR. HENNIGAN: It never happened. You  
02:00:29 20 know it never happened. And it's an argumentative  
21 question and it's offensive.

22 MR. MANLY: Yeah, especially if you were  
23 molested by Father Baker.

24 BY MR. MANLY:

02:00:38 25 Q So did you in 2000, when you learned about

02:00:41 1 this, direct your staff to notify Child Protective  
2 Services?

3 A I did not.

4 Q Why?

02:00:51 5 A The two men were adults. They were not  
6 children, so there was no longer suspected child  
7 abuse. These were adults.

8 These were two men very angry at  
9 Father Baker with an attorney who was very angry at  
02:01:08 10 Father Baker in Arizona. And I presumed if they  
11 thought they wanted to call the police, they would  
12 have called everybody in Arizona.

13 Q What was the policy when you had victims,  
14 because you now had two more victims, in the  
02:01:25 15 Archdiocese in or around 2000, regarding notifying  
16 law enforcement if they alleged they had been abused  
17 by a priest?

18 A If we learned of it when they were minors,  
19 then at that point, 1997 on, all of us were mandated  
02:01:47 20 reporters but these men in 2000 were adults. They  
21 weren't children.

22 Q Okay. Cardinal, when you learned in 2000  
23 that he had molested, did anybody ask him if he did  
24 it?

02:02:02 25 A I'm sorry?

02:02:02 1 Q Did anybody in 2000, when the Cadigan  
2 allegations came forward, ask Father Baker if he did  
3 it?

4 A I don't know if they asked him  
02:02:16 5 specifically.

6 Q Okay. Did you suspend him from ministry?

7 A Yes.

8 Q Why?

9 A Because in this lawsuit, he himself had  
02:02:24 10 already put up \$500,000, apparently, to make it all  
11 go away so I presumed he was guilty.

12 Q Now, at that point, I take it that you  
13 went back and notified all the parishes he had  
14 served in and tried to find out if he had offended  
02:02:42 15 other people as well?

16 MR. HENNIGAN: That's purely  
17 argumentative. He knows the answer to the question.

18 THE COURT: Sustained.

19 BY MR. MANLY:

02:02:48 20 Q Did the Archdiocese have a policy in 2000  
21 when it was found that there were credible  
22 allegations of abuse by a priest, that the parishes  
23 would be notified that priest served in?

24 A At that time, we would have if this had  
02:03:06 25 been something fairly recent but remember this is

02:03:09 1 going to be more than 15 years earlier.

2 Q Did you have a policy that required you to  
3 notify the parishes?

4 A Well, we handled every case on an  
02:03:22 5 individual basis depending on whether the abuse  
6 happened in a parish or not.

7 As I said, the first allegation we  
8 had -- we only had three over these years with  
9 Baker.

02:03:37 10 The first, these two men -- Baker had  
11 said these two young men were abused by him. He  
12 would not give any information which we found out  
13 was another one of his lies. He knew where they  
14 were. He knew their names and he knew their  
02:03:58 15 address.

16 And from then on, the next thing we  
17 hear is this situation in St. Columbkille where two  
18 of my finest priests claim they interviewed the  
19 young men and he said nothing happened. There was  
02:04:07 20 no untoward conduct of any kind.

21 And after that, remember, SAAB then  
22 put him on stricter limitations. Do you remember  
23 that? And then 2000, we have this lawsuit. That's  
24 the third one.

02:04:26 25 Q So when you had the lawsuit and you now



02:04:28           1       knew that he lied to you, at that point did you call  
                  2       the police?

                  3           A       I think I explained to you these men were  
                  4       adults. You call the police to report minors either  
02:04:40           5       being abused or in danger of being abused.

                  6           Q       Well, don't you call the police because  
                  7       you want someone prosecuted and put in jail? I'm  
                  8       not going to argue with you.

                  9           MR. WOODS: Thank you.

02:04:52           10       BY MR. MANLY:

                  11           Q       Is that the only time you call the police  
                  12       in your experience?

                  13           A       I'm sorry?

                  14           Q       Is the only time in your experience and in  
02:05:01           15       your custom and practice, the only time you would  
                  16       ever call the police is if you were being  
                  17       reported -- the report was about somebody who was  
                  18       currently a child; is that right?

                  19           A       Well, to file a suspected child abuse  
02:05:14           20       report, it requires that the victim be a child -- a  
                  21       minor, I mean.

                  22           Q       Did you ever talk to or call Chief Gates  
                  23       or Chief Parks, whoever was the police chief in  
                  24       2000 -- I think it was Chief Parks -- and say, "I  
02:05:35           25       have an allegation here against one of my priests,

02:05:37 1 he did it previously, maybe law enforcement should  
2 investigate this"?

3 MR. HENNIGAN: That's about the 23rd time  
4 we've asked that question.

02:05:45 5 THE COURT: I have heard that question  
6 before.

7 MR. MANLY: Not about 2000.

8 THE COURT: Not about 2000, but you talked  
9 about Chief Parks and Gates, so it was the same time  
02:05:55 10 frame.

11 MR. MANLY: No.

12 MR. HENNIGAN: He's established that no  
13 such call was made.

14 BY MR. MANLY:

02:06:00 15 Q So did you -- did the issue of reporting  
16 this to the police ever enter your mind when the  
17 Cadigan matter came up?

18 MR. HENNIGAN: Purely argumentative.

19 THE WITNESS: I answered that. I told  
02:06:16 20 you, these were adults. They were angry. They were  
21 furious at Baker.

22 They had an attorney that was furious  
23 at Baker. They were in a different state. It  
24 seemed to me if they really wanted to get him, they  
02:06:31 25 would have reported it in Arizona.