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- S E A L E D -  
STATE OF CONNECTICUT : SUPERIOR COURT  
JUDICIAL DISTRICT OF FAIRFIELD  
AT BRIDGEPORT

-----x VOLUME I  
GEORGE L. ROSADO, JR., ET AL., :

Plaintiffs, :

-versus- : CV93 0302072S

BRIDGEPORT ROMAN CATHOLIC :  
DIOCESAN CORP., ET AL.,

Defendants. :

-----x  
BRIAN FREIBOTT, ET AL., :

Plaintiffs, :

-versus- : CV94 0316574S

BRIDGEPORT ROMAN CATHOLIC :  
DIOCESAN CORP., ET AL.,

Defendants. :

-----x

Videotaped Deposition of  
MONSIGNOR ANDREW T. CUSACK, taken pursuant  
to Notice, at the offices of Durant,  
Nichols, Houston, Mitchell & Sheahan, 1000  
Lafayette Boulevard, Bridgeport,  
Connecticut, before Gerald Gale, a Notary  
Public and Registered Merit Reporter in and  
for the State of Connecticut, on Monday,  
November 11, 1996, at 10:00 a.m. (slp4101T(slp4101T

1 regard to her claim that she and Father Coleman  
 2 were engaged?  
 3 A. I have no recollection of that.  
 4 Q. You have no recollection of that. Do  
 5 you have the recollection of meeting with a  
 6 man named F-016 who claimed that she  
 7 and Father Coleman were engaged?  
 8 A. I have no recollection of that.  
 9 Q. You have no recollection of that at  
 10 all?  
 11 A. I do not.  
 12 Q. Do you recall claims of sexual abuse  
 13 that were made against Father Coleman?  
 14 A. I have no recollection of sexual abuse  
 15 with regard to Father Coleman, no.  
 16 Q. No recollection at all?  
 17 A. None.  
 18 Q. Do you recall meeting with a  
 19 Mrs. Harding in regard to her sons whom she  
 20 claimed were sexually abused by Father Coleman?  
 21 A. I have no recollection of meeting with  
 22 her, no.  
 23 Q. You have no recollection?  
 24 A. No.  
 25 Q. Does that mean that you don't remember?

1 and treatment?  
 2 A. Yes, because we received reports and  
 3 rumors that he was drinking.  
 4 Q. And -- You received reports and rumors  
 5 that he was drinking?  
 6 A. That's right.  
 7 Q. Could you tell me at what parish was he  
 8 when you received those reports?  
 9 A. I would have to -- I am almost certain  
 10 they were Assumption in Westport.  
 11 Q. All right.  
 12 A. But I would stand corrected there, but  
 13 I am almost certain.  
 14 Q. You are telling me that there were no  
 15 complaints that you received at that time that  
 16 Father Moore was involved, or at least it was  
 17 claimed that he was abusing young boys?  
 18 A. I have no recollection of sexual  
 19 misconduct on the part of Father Joe Moore.  
 20 Q. I am asking you whether there was a  
 21 claim made, Monsignor.  
 22 A. I have no recollection of a claim being  
 23 made.  
 24 Q. No claim, all right.  
 25 A. No.

1 A. No, I -- Yes, I don't remember.  
 2 Q. Do you recall getting a complaint from  
 3 Father Victor Martin regarding Father Coleman  
 4 and his conduct with young men?  
 5 A. Father Victor Martin of the diocese?  
 6 Q. Yes.  
 7 A. I have no recollection of that at all.  
 8 Q. You have no recollection of that. Did  
 9 you know a Father Joseph Moore?  
 10 A. I did, yes.  
 11 Q. Did you have any complaints of sexual  
 12 abuse against Father Moore?  
 13 A. I have no recollection of any sexual  
 14 complaints against Father Moore.  
 15 Q. You don't have a very good memory, do  
 16 you, Monsignor?  
 17 A. No, I have an excellent memory,  
 18 Attorney.  
 19 Q. Do you ever recall meeting in Wilton at  
 20 11:30 in the evening with a Mr. M-003 and  
 21 Mr. M-008, in regard to the fact that Father  
 22 Moore abused their sons?  
 23 A. No, I do not recall that at all. I  
 24 have no recollection.  
 25 Q. You have no memory of that?

1 Q. And when you sent Father Moore down to  
 2 St. Luke's, it was strictly --  
 3 A. Up to St. Luke's.  
 4 Q. Up to St. Luke's, it was strictly for  
 5 alcohol?  
 6 A. That's right.  
 7 Q. And there was no other evaluations  
 8 made?  
 9 A. At that time any priest sent to  
 10 St. Luke Institute, either in Massachusetts or  
 11 in Maryland, they were only sent there for  
 12 alcohol, no other reason.  
 13 Q. And you do not recall telling a parent,  
 14 "I want you to know that Joe has been tested  
 15 and that he is not a homosexual"?  
 16 A. I do not recall that statement.  
 17 Q. You don't remember that?  
 18 A. I don't.  
 19 Q. Now let me ask you, would it be  
 20 something that would stick in your mind, the  
 21 fact that you met with two boys and their  
 22 fathers regarding a claim of sexual abuse of  
 23 priests of the Diocese of Bridgeport?  
 24 A. Your question -- Focus your question  
 25 more, please.

1 A. No.  
 2 Q. You don't remember the fact that you  
 3 sat with these people for over a half hour and  
 4 discussed with them the fact that Father Moore  
 5 attempted to sexually assault these two boys  
 6 that were members of the Assumption Parish in  
 7 Westport, you don't remember that?  
 8 A. I do not have any recall of that.  
 9 Q. Do you recall sending Father Joseph  
 10 Moore for psychological testing?  
 11 A. No. I recall sending Father Joseph  
 12 Moore to St. Luke's Institute, who at that time  
 13 had two places, one in Massachusetts and the  
 14 second in Maryland, and Joe, because of space,  
 15 was sent to Massachusetts. He completed the  
 16 therapeutic process and the 12-step focus of  
 17 that program, and he was home shortly -- I would  
 18 not be able to know the exact time, but  
 19 approximating, it was a short time after,  
 20 I use I felt that he needed a place that was  
 21 more therapeutic. I asked the bishop's  
 22 permission for Joe to be sent to Southdown in  
 23 Canada, and he was sent there.  
 24 Q. Now, could you tell me, why was it that  
 25 you initially sent Father Moore for evaluation

1 MR. TREMONT: May we have that  
 2 question read?  
 3 (Question read.)  
 4 A. Yes, that would stand out in my mind.  
 5 Q. Okay. So that if -- And you say you  
 6 don't remember it?  
 7 A. I have no recall.  
 8 Q. So is it fair to say that you don't  
 9 believe it happened?  
 10 A. No, I'll stay with my words. I don't  
 11 recall this visitation.  
 12 Q. That would be fairly significant,  
 13 wouldn't it, such a visitation?  
 14 A. Surely.  
 15 Q. So that you recall, for example, that  
 16 you did send Father Moore to St. Luke's and you  
 17 recall that he required additional treatment?  
 18 A. That was my evaluation, because I  
 19 wasn't satisfied with his participation in  
 20 St. Luke Institute, and also behavior after his  
 21 return continued to give evidence for drinking.  
 22 Q. But you remember all that?  
 23 A. Oh, sure.  
 24 Q. And you remember that about Father  
 25 Moore, but you don't remember anything about

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1 these people coming in and making a complaint?  
2 A. No, I do not.  
3 Q. Now, as far as Father Coleman is  
4 concerned, you have no recollection of speaking  
5 with an attorney regarding the fact that Father  
6 Coleman was living with a woman and owned  
7 property in common with the woman with whom he  
8 was living?  
9 A. I have no recollection of that  
10 information being given to me by an attorney  
11 with Father Coleman, no.  
12 Q. You don't remember being shown deeds  
13 which indicated that Father Coleman was -- owned  
14 property with a woman in two places, Bridgeport  
15 next to St. Patrick's Church, and in Milford?  
16 A. I do not remember being shown deeds.  
17 Q. Do you remember a lawsuit that was  
18 brought by a woman against the Diocese of  
19 Bridgeport alleging a relationship between  
20 herself and Father Coleman?  
21 A. Well, yeah -- No one came to me about  
22 that lawsuit, no.  
23 Q. I don't follow you. You said, "Yeah,  
24 no one came to me." Do you remember the  
25 lawsuit?

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1 A. The lawsuit was discussed by Bernie  
2 Reedy, that he was taking care of that.  
3 Q. Who is Bernie Reedy?  
4 A. In charge of the finances of the  
5 diocese.  
6 Q. You remember the lawsuit, though?  
7 A. Through Bernie Reedy. I had nothing to  
8 do with the receiving of the information, the  
9 process of the information, or if so, what's  
10 happened, closure to the information, no.  
11 Q. You don't remember -- as far as that  
12 lawsuit is concerned, that you heard about, you  
13 have no recollection about meeting with anyone  
14 before that lawsuit was instituted?  
15 A. I do not.  
16 Q. Or after that lawsuit was instituted?  
17 A. I do not.  
18 Q. Now, did you ever have any complaints  
19 in regard to Father Coleman of any nature?  
20 A. Certainly not of a sexual nature. Did  
21 I know of complaints about Father Coleman?  
22 Through rumor of priests of the diocese, I knew  
23 he wasn't well received as a leader, as a pastor  
24 of St. Patrick's, that I knew.  
25 Q. And anything before he was at

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1 St. Patrick's?  
2 A. No, in fact, Father Coleman was at  
3 Stamford Catholic High School as let's say an  
4 adjunct in the ice hockey program of the high  
5 school, and I knew him then. In fact, I admired  
6 him very much in terms of his skills at ice  
7 hockey, and on his own, he ran a very respected  
8 ice hockey program with a number of the men in  
9 the athletic program of the high school.  
10 Q. So your answer is no?  
11 A. To what, please?  
12 Q. You never knew of any complaints or  
13 misconduct before that incident at  
14 St. Patrick's?  
15 A. No. No, I did not.  
16 Q. Now, what about Father Martin  
17 Federici? Do you know Father Federici?  
18 A. Yes, I know Father Federici.  
19 Q. Did you have any complaints in regard  
20 to Father Federici?  
21 A. Yes, we did.  
22 Q. All right. Could you tell me what the  
23 nature of the complaints were?  
24 A. I really would have to approximate the  
25 sequence of the nature, but the first complaint

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1 that came to my attention, I believe, was when  
2 the man appeared at the chancery office with the  
3 gun. I would like time to reflect on that.  
4 Prior to that, the incident was  
5 of a sexual nature when I had him  
6 psychologically assessed by a Monsignor James  
7 Cassidy, a priest psychologist and mentor for my  
8 doctorate, and subsequently, I had him see  
9 Father Jim O'Toole --  
10 MR. SWEENEY: Father or doctor?  
11 A. Excuse me, doctor. James O'Toole of  
12 Ridgefield, Connecticut, director of  
13 psychological services at St. Mary, Waterbury,  
14 and he continued in therapy with Dr. O'Toole and  
15 Benedict Rochelle, Benedict Rochelle, as the  
16 spiritual adviser to the therapeutic process.  
17 All three -- Well, Dr. Cassidy, Dr. O'Toole and  
18 Benedict Rochelle, also a doctor, were -- knew  
19 one another well, and that was the first  
20 complaint that I am recalling now.  
21 And the second was when the  
22 father first came, he wanted directly to see the  
23 bishop, and I am not sure whether the bishop was  
24 available, and Monsignor Tetreault saw him, and  
25 he was carrying a gun. And either that

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1 afternoon or the next day, the father was asked  
2 to see me by Monsignor Tetreault. The father  
3 did not come to my office with a gun.  
4 Q. You had two complaints that you recall?  
5 A. That's right.  
6 Q. Now, let's go to the first complaint.  
7 What was the nature of the first complaint?  
8 A. The nature of the first complaint, Jim  
9 Cassidy, I believe that came from the police  
10 department, and it was about a boy in Father  
11 Federici's car, okay, I think it's getting  
12 clearer, and he touched his leg. I don't think  
13 there was -- in fact, my memory, there was no  
14 sexual advance on the part of the Father  
15 Federici toward this boy, but he went to the  
16 police.  
17 Q. The boy went -- as far as you recall,  
18 the boy went to the police?  
19 A. Right.  
20 Q. And what police department was that?  
21 A. I would only be guessing here.  
22 MR. SWEENEY: You have no  
23 obligation to guess, but if you have any idea,  
24 if you can give us an estimate.  
25 A. I don't recall.

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1 Q. Well, where was Father Federici  
2 stationed at that time when this incident  
3 occurred?  
4 A. Father Federici was stationed in -- I  
5 believe, in Westport.  
6 Q. Would that be at Assumption?  
7 A. At Assumption in Westport.  
8 Q. And the -- Do you recall who the  
9 complaint was addressed to? In other words, you  
10 say the police called or -- the police called?  
11 A. That's right.  
12 Q. Who did they -- In other words, did  
13 you speak with them?  
14 A. I believe --  
15 Q. Or the bishop did?  
16 A. No. I think the police, yes, came to  
17 the bishop and/or Monsignor Donnelly, the pastor  
18 of Westport. If the police did not go to  
19 monsignor, Marty shared that information with  
20 the monsignor.  
21 Q. All right. Let's take that particular  
22 occasion. I am going to ask you later a number  
23 of questions, and I don't want to be redundant  
24 but we may just in the nature of this  
25 deposition, it just may be necessary to have

1 Q. And getting back now to the reports of  
2 the psychologist or psychiatrist that treated  
3 Father Federici, I had asked you approximately  
4 how long do you recall he was under treatment,  
5 do you remember?

6 A. I would only be able to approximate  
7 Mr. O'Toole's, and I would say it was about a  
8 year, standard deviation about two months, and  
9 his tenure with Benedict Rochelle was much  
10 longer.

11 Q. Is it Benedict?

12 A. Benedict Rochelle.

13 Q. Who is Benedict Rochelle?

14 A. Benedict Rochelle is a priest  
15 psychologist who is many things. He is the --  
16 he is a Capuchin priest, director of the  
17 spiritual development program of the Archdiocese  
18 of New York, and also a cohort with our national  
19 institute for clergy formation.

20 Q. Where was he at the time?

21 A. In Larchmont, New York.

22 Q. That's when Father Federici --

23 A. And it's called the Trinity Home --

24 excuse me, Trinity Retreat House.

25 Q. Trinity Retreat House.

1 only address, encourages the use of  
2 psychological sciences in any question of  
3 formation, both health, becoming healthier in  
4 the priesthood, as well as the not so healthy.  
5 So that's why I am answering it.

6 MR. SWEENEY: That doesn't answer  
7 the question. To get on with today's event, if  
8 you could confine your answer to responding to  
9 what Mr. Tremont asks, we will move along much  
10 more efficiently. Perhaps it would be best if  
11 the question were read back and we could get a  
12 concise answer.

13 MR. TREMONT: No problem reading  
14 the question.

15 (Question read.)

16 MR. SWEENEY: This calls for a  
17 "yes" or "no" answer. It's just a very simple  
18 "yes" or "no" answer. Would you give your  
19 answer?

20 A. Would you repeat the question,  
21 Attorney?

22 Q. Let me repeat it. Under canon law, the  
23 episcopal vicar of the office of the clergy and  
24 religious is not required to be a psychologist  
25 or a psychiatrist, is he?

1 A. Right.

2 Q. Now, at the time that you had this  
3 first complaint against Father Federici, was  
4 there a board that -- such as a priest personnel  
5 board or a personnel advisory board, did that  
6 come into effect later on?

7 A. When I received the complaint about  
8 Father Federici, was there a personnel board at  
9 that time. I would only have to -- Hold on, I  
10 can answer that. Yes, there was.

11 Q. There was, all right. Would you share  
12 information with the personnel board?

13 A. I would not.

14 Q. You would not?

15 A. I would not.

16 Q. And then --

17 A. The priests of the diocese were aware  
18 of this through Bishop Curtis.

19 Q. Excuse me, the priests of the diocese  
20 were aware of what through Bishop Curtis?

21 A. That at no time would their sharing  
22 with me be violated by a sharing to anyone  
23 except what -- well, in this instance, Marty  
24 Federici would give me permission to share with.  
25 Q. So that --

1 A. No, he is not.

2 Q. And the individual -- I will withdraw  
3 that.

4 Who succeeded you as vicar in  
5 that office?

6 A. Monsignor Laurence Bronkiewicz.

7 Q. Do you know whether Monsignor  
8 Bronkiewicz is a psychiatrist?

9 A. He is not.

10 Q. Do you know if he has a degree in -- a  
11 Ph.D. in psychology?

12 A. No, but he has done privately and his  
13 own industry extensive studies in the area.

14 Q. That's not the question, is it?

15 A. Well, that is my answer.

16 Q. It's not responsive, but okay. Now,  
17 the work that you did with Father Federici, in  
18 other words, the investigation that you  
19 conducted, you did as episcopal vicar of the  
20 diocese, did you not?

21 A. Was I episcopal vicar by that time or  
22 director of clergy and religious? I believe I  
23 was episcopal vicar by that time.

24 Q. But you did it under either of those  
25 hats?

1 A. We followed the normal professional  
2 procedures of the psychological practice.

3 Q. I am not asking about the psychological  
4 practice.

5 A. But I am telling you.

6 Q. Yes, but I am not asking about them.  
7 You were episcopal vicar of the office of clergy  
8 and religious?

9 A. That's right.

10 Q. All right. And that doesn't require a  
11 psychiatrist, does it?

12 A. Certainly in an advisory capacity, he  
13 would be well informed to do so.

14 Q. Are you telling me now that canon law  
15 requires of the episcopal vicar of the office of  
16 clergy and religious be a psychiatrist?

17 A. Oh, no.

18 Q. Does it require him to be a  
19 psychologist?

20 Attorney, I would like a little more  
21 respectfully in tone answer your question by  
22 stating that in the present Holy Father's  
23 pastores dabo vobis in the formation of clergy,  
24 both prior to ordination and after ordination,  
25 the Holy Father does address the use, and not

1 A. Yes, either.

2 Q. One or the other, depending on the time  
3 frame that we are involved with.

4 Now, you indicated that there was  
5 a second complaint in regard to Father Federici.

6 A. That's right.

7 Q. All right. And that occurred at the  
8 St. Joseph Church in Shelton?

9 A. That's right.

10 Q. Could you tell me -- you started to  
11 tell us a bit about it. Tell us the nature of  
12 that complaint.

13 A. I would have to be somewhat -- maybe  
14 not as exact about what occurred, when the  
15 father, carrying a gun, asked to see the bishop,  
16 who was present or wasn't present, saw, I  
17 believe his title at the time was Chancellor or  
18 Vice Chancellor Monsignor Tetreault.

19 Q. May I ask how you knew the man was  
20 carrying a gun?

21 A. Through Monsignor Tetreault.

22 Q. Could you tell me, in other words, what  
23 he told you? Did he see him with the gun, or  
24 why did he believe he had a gun?

25 A. Yes, he was quite, almost frenetic

1 would meet weekly, because normally, except  
 2 obviously for pastorates, appointments were made  
 3 in May.  
 4 Q. What was the procedure that the  
 5 personnel board would use in order to determine  
 6 appointments and make its appointments?  
 7 A. We would discuss fitting candidates for  
 8 a given opening.  
 9 Q. Would you entertain the request of a  
 10 candidate?  
 11 A. For a pastorate, yes.  
 12 Q. So that if -- if a person wanted to be  
 13 a pastor, for instance, he could write a letter  
 14 or petition the board and ask that he be  
 15 assigned?  
 16 A. Well, we had a procedure where, when a  
 17 pastorate opened, it would go out to all the  
 18 priests of the diocese. Priests ordained 10  
 19 years and beyond were able to apply to the  
 20 pastorate, and then the individual applicant  
 21 would be interviewed by the entire personnel  
 22 board.  
 23 Q. All right. And the board would make a  
 24 decision in filling the pastorate?  
 25 A. No. The board would give the three

1 A. Yes.  
 2 Q. What would they know in regard to the  
 3 therapeutic process?  
 4 A. That a therapeutic process was  
 5 completed and the respective therapist said he  
 6 was willing and able for another assignment.  
 7 Q. Now when you say a therapeutic process  
 8 was completed, does that mean, Monsignor, that  
 9 they would be advised only that it was a quote,  
 10 unquote, therapeutic process or that they would  
 11 be advised it was a therapeutic process that was  
 12 in regard to sex, alcohol or some other  
 13 specific?  
 14 A. They would be advised just as to the  
 15 therapeutic process.  
 16 Q. And generically, as you said it, that  
 17 is what that would be, they would be told that,  
 18 and he was ready for duty?  
 19 A. That's right.  
 20 Q. And then he was assigned. Let me ask  
 21 you, when did you leave the Bridgeport diocese  
 22 as episcopal vicar?  
 23 A. October 7TH, 1987.  
 24 THE WITNESS: Correct me, Larry?  
 25 A. I think that's exactly it.

1 choices to the bishop, and the bishop would  
 2 choose from the three.  
 3 Q. So that the board came up with three  
 4 people usually?  
 5 A. That's right.  
 6 Q. And I assume there were some exceptions  
 7 or not?  
 8 A. There could have been. There could  
 9 have been.  
 10 Q. And would -- in the course of doing  
 11 this, would you review the personnel file of the  
 12 priest?  
 13 A. We might. We might.  
 14 Q. That was available to you, the  
 15 personnel board, was it not?  
 16 A. Oh, yes.  
 17 Q. Now, in this instance, for example,  
 18 when Father Federici was terminated at  
 19 St. Joseph's, is the board advised of the reason  
 20 for his termination?  
 21 A. The board is not.  
 22 Q. Merely that he has been terminated?  
 23 A. That's right.  
 24 Q. And now you are going to look for an  
 25 appointment to fill -- You said the reason that

1 Q. All right, 1987.  
 2 A. Hold on a second. Yes, this is our  
 3 tenth anniversary. Yes.  
 4 Q. Now, the -- you don't -- I will  
 5 withdraw that.  
 6 Now, do you recall receiving  
 7 complaints in regard to Father Gavin O'Connor?  
 8 A. I do, yes.  
 9 Q. Could you tell me the first complaint  
 10 that you recall receiving of Father O'Connor?  
 11 A. Yes, either or both parents went to a  
 12 priest of the diocese, who in turn went to a  
 13 priest on the personnel board, who in turn told  
 14 the personnel board -- at that time there were  
 15 three of us -- that there was a priest in  
 16 trouble in the diocese, and I gave him 24 hours,  
 17 said priest on the personnel board, that I know  
 18 the name of the priest that was in trouble.  
 19 Q. So that you received this information  
 20 through the chain that you just discussed in an  
 21 anonymous fashion; in other words, the priest  
 22 was not identified?  
 23 A. The priest was instructed by the  
 24 parents not to tell anyone. Parent or parents.  
 25 Q. You say the first priest was

1 you had advised the board is that there would be  
 2 an opening?  
 3 A. That's right. To fill the appointment  
 4 of the vacant pastorate, yes.  
 5 Q. All right. In that case Father  
 6 Federici wasn't a pastor?  
 7 A. Yes, he was.  
 8 Q. He was, all right. And when Father  
 9 Federici was appointed to St. Edward's, how  
 10 would he have been chosen for St. Edward's?  
 11 What is the procedure that would have been  
 12 followed?  
 13 A. It would be discussed by the personnel  
 14 board, and the bishop would be part of that  
 15 discussion. We are talking about now, Marty is  
 16 going back as an associate and not as a pastor.  
 17 The bishop would be part of the discussion with  
 18 the personnel board when it involved associates.  
 19 Q. And obviously the board would not  
 20 discuss the incident, the sexual incident  
 21 involved with Marty?  
 22 A. They would not know of the specifics,  
 23 but they would know of the therapeutic process.  
 24 There was a therapeutic process involved.  
 25 Q. They would know that?

1 instructed?  
 2 A. Right.  
 3 Q. In other words, the priest that they  
 4 had come to?  
 5 A. That's right.  
 6 Q. Did you eventually determine that it  
 7 was Father O'Connor?  
 8 A. I was informed within the 24-hour  
 9 period, yes, by Father Scheyd.  
 10 Q. Who was Father Scheyd at that time?  
 11 A. He was a member of the personnel board  
 12 and I believe rector of the cathedral.  
 13 Q. That's St. Augustine's?  
 14 A. That's right.  
 15 Q. It's always been the cathedral?  
 16 A. Right.  
 17 Q. What was the nature of the claim that  
 18 was given to you at that time?  
 19 A. By whom, please, Attorney?  
 20 Q. When you ultimately found it was Father  
 21 O'Connor?  
 22 A. That he abused -- the initial  
 23 information, I'm not sure as to the numbers  
 24 because again it vacillated, whether it was two  
 25 brothers or three brothers. My recollection was

Q. Well, you know that priests did have sex with children over the course of time, did you not? I mean, the history of the Catholic church, priests did have sex with children, did they not?

Well, I hope you are asking me this -- I did not know when I was ordained.

Q. You didn't know?

A. When I was ordained to the Roman Catholic priesthood, I did not know that priests violated children.

MR. SWEENEY: Mr. Tremont, it's 1:15. We have gone 15 minutes past the normal lunch hour break. If you are getting into a new topic, maybe this would be the time to take a break. I think, you know, it's the normal time for any of us to refuel with a midday meal.

MR. TREMONT: I don't know how long we'll be, but we'll be a while.

MR. SWEENEY: My sense is you've probably got a whole day so why don't we take a luncheon break now.

THE VIDEOGRAPHER: Off the record at 1:16 p.m.  
(Luncheon: 1:16 to 2:39 p.m.)

1 A. As every priest did, yes, and in fact,  
2 in moral theology we covered pedophilia, but  
3 that's not your question. Your question was did  
4 I have knowledge, and I did not.  
5 Q. You say you covered pedophilia in moral  
6 theology?  
7 A. Yes.  
8 Q. On the basis that this was an unnatural  
9 act?  
10 A. Unnatural act and a sinful act.  
11 Q. And a sinful act, okay. And let me ask  
12 you, you also told me that the reason that  
13 persons tried to keep visitors on the first  
14 floor of rectories was because of the fact that  
15 the priests desire privacy upstairs as opposed  
16 to the feeling that there would be any type of  
17 sexual activity going up in the upper floors of  
18 the rectory? Is that what you said?  
19 A. Yes, and also in our diocese, we would  
20 have meetings and there is a pastoral book, that  
21 indicated and asked that for the privacy of  
22 other priests, we would not -- it was asked that  
23 we not use above the first floor. There was no  
24 indication that the rationale was other than the  
25 privacy and the -- privacy of the rest of the

THE VIDEOGRAPHER: On the record at 2:39 p.m.

BY MR. TREMONT:

Q. Now, Monsignor, when were you ordained?  
A. May 21, 1960.

Q. 1960. And you are indicating to me that in 1960, when you were ordained, you were not aware of the fact that historically that Roman Catholic priests, not obviously a majority or substantial number of them, but Roman Catholic priests did have sex with children?

MR. SWEENEY: Objection as to Counsel. You are asserting that it's a fact, and that's in dispute.

MR. TREMONT: Well, I am asking. I am asking.

A. I was unaware that such --

Q. Were you aware of the fact that there was a canon, canon law, which prohibited the sexual activity between a priest and children?

A. Oh, yes. Yes.

Q. Isn't it fair to assume, through your educational process, that the reason that there was a canon forbidding it is because that particular type of conduct occurred?

1 clergy.  
2 Q. Getting back to the canon law and the  
3 canon law which was affecting you at that time,  
4 which would be the canons of 1917, would that be  
5 your impression of what the effective canons  
6 were of the Roman Catholic Church at the time  
7 that you were ordained in 1960?  
8 A. That's right.  
9 Q. And subsequently, was it '83, that the  
10 new canons came out after the Vatican Council?  
11 A. Yes.  
12 Q. All right. And under the 1917 canons,  
13 was it not a fact that a priest should not even  
14 have overnight in the rectory, living in a  
15 rectory, the rectory itself not in your bedroom  
16 or the priests' bedroom, any young woman  
17 specifically?  
18 A. Not to my knowledge, and if that is in  
19 the canon, as we were pastorally instructed in  
20 the seminary, if there was young women or young  
21 men, for that matter, it would be again  
22 safeguarding the privacy of. To my knowledge,  
23 there was no prohibition of such in a rectory.  
24 Q. It would be safeguarding the privacy so  
25 that you would have less privacy with a young

A. Well, assumptions are always poor, as you know, Attorney, and in canon law, there are 3 things that are put as preventative measures not necessarily reality messages and, again, my knowledge, and I would leave open to -- because of the lack of knowledge, and if we cover that in law, I did not know it was going on in the Catholic priesthood in 1960, even to any degree.

Q. All right. And you were aware of the fact that historically in the church, there was a problem with priests having illicit relationships with children?

A. If that were so, I was not aware of it.

Q. You are not aware it. So you learned from history reading, doing your studying and your history and your theology, you were not aware of the fact that that occurred?

Exactly.

All right. And even occurred among the hierarchy, you weren't aware of that?

A. I was not.

Q. And you did go through a rather extensive -- I assume, rather extensive study of theology and the history of the church?

1 girl as opposed to an elderly woman?  
2 A. We did not confine it to a woman. It  
3 was people in general.  
4 Q. That's your understanding of what the  
5 canons say?  
6 A. That's right.  
7 Q. And that the canons did not restrict  
8 women in the rectory to a person who was related  
9 to you or of such an age that they might present  
10 no temptation as far as the general public was  
11 concerned, that you didn't learn or understand?  
12 A. Right. For example, my parents stayed  
13 at our rectory.  
14 Q. I understand. They were related to  
15 you?  
16 A. Yes.  
17 Q. But you didn't understand what I just  
18 said; in other words, it wasn't your  
19 understanding that the canons of the Roman  
20 Catholic Church attempted to avoid the  
21 appearance of impropriety by a priest by  
22 prohibiting having the priests from having young  
23 women who were not related living or working in  
24 a rectory?  
25 A. That's right.

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1 Q. Now, when you became the episcopal  
2 vicar of the clergy -- I will withdraw that.  
3 When you became the -- you had  
4 your first job, which was the director, who was  
5 your predecessor in that position?  
6 A. John Toomey, Monsignor Toomey.  
7 Q. All right. Did you talk with Monsignor  
8 Toomey in regard to your duties or his  
9 experience?  
10 A. I did not.  
11 Q. You never did?  
12 A. No, because the design of my assignment  
13 was a little different than John's. John was in  
14 service of the bishop, and by direction of the  
15 Vatican Council, I was in service of the priests  
16 of the diocese. There was a redirection of  
17 focus as a result of the council.  
18 Q. All right, but weren't you interested  
19 in whether there were any problems, specific  
20 problems regarding the clergy in the diocese?  
21 A. Did I -- Are you still with John  
22 Toomey? Did I go to John Toomey about -- to  
23 create such an awareness?  
24 Q. Yes. In other words, you are taking on  
25 a position that somebody else had generally?

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1 A. Right.  
2 Q. At that point you talked to your  
3 predecessor, and your predecessor, if you will,  
4 fills you in or says, "Well, you know, we're  
5 having a problem here or this may be a problem,"  
6 you didn't do that?  
7 A. I did not.  
8 Q. You did not.  
9 A. I did not by design, by education and  
10 by the -- where the ministry was asked to go.  
11 Q. Did you discuss with the bishop any  
12 problems that may have existed regarding, let's  
13 say, the celibacy of clergy in the diocese?  
14 A. I did not.  
15 Q. Not at all?  
16 A. I did not.  
17 Q. Do you know Father Laurence Brett?  
18 A. I do.  
19 Q. How do you know Father Brett?  
20 A. He was a priest of the diocese, I  
21 believe ordained a year after me, and when I  
22 was -- perhaps more than a year, but  
23 approximately, and when I was stationed at  
24 Stamford Catholic High School, he was an  
25 associate at St. Cecilia School.

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1 Q. And did you have any complaints of  
2 sexual abuse regarding Father Brett?  
3 A. I did not. You mean at Stamford  
4 Catholic? No I did not.  
5 Q. Anyplace.  
6 A. I did not.  
7 Q. Did you ever know of any claims of  
8 sexual abuse regarding Father Brett?  
9 A. I did not know it was sexual abuse. I  
10 did know that he was asked to leave the diocese.  
11 Q. How was it that you knew he was asked  
12 to leave?  
13 A. Well, the way professional men or men  
14 in general discuss -- because Larry was at  
15 Sacred Heart University when this occurred. It  
16 was a new university. He was somewhat abruptly  
17 leaving, so it would have been, you know,  
18 normative talk. Did I know why he was asked?  
19 No.  
20 Q. So that you are saying that he was --  
21 you knew him at Sacred Heart University?  
22 A. I did not. I didn't even know him at  
23 St. Cecilia's.  
24 Q. I am sorry, I thought you said he was  
25 at Stamford Catholic High School?

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1 A. No, I was at Stamford Catholic High  
2 School. He was two miles up on the road on the  
3 same Newfield Avenue, but we did not know one  
4 another. Obviously we said hello to one  
5 another, we were priests of the same diocese,  
6 but I did not know him.  
7 Q. Well, you mentioned him as Larry?  
8 A. That's right.  
9 Q. So you didn't know him but for the fact  
10 that he was a priest in the same diocese?  
11 A. That's right. And let me tell you, I  
12 knew him as Larry, the first time I saw him  
13 since he left the diocese was two years ago when  
14 he was giving a retreat and I was giving a  
15 retreat at the same location, and that was the  
16 first I saw him since he left the diocese.  
17 Q. All right. You are saying he was  
18 giving a retreat?  
19 A. Right.  
20 Q. Where was that?  
21 A. Malvern, Pennsylvania.  
22 Q. And you were also giving a retreat at  
23 that point?  
24 A. Two separate populations.  
25 Q. Do you know what diocese he is

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1 presently associated with?  
2 A. I have no idea.  
3 Q. What was the -- Withdraw that.  
4 Did you discuss with him at that  
5 time anything about his leaving the diocese?  
6 A. Oh, no. Oh no.  
7 Q. You said that when he left the  
8 diocese -- You knew he left the diocese when he  
9 was at Sacred Heart University?  
10 A. That's right.  
11 Q. Were you on the personnel board at that  
12 time?  
13 A. I was not.  
14 Q. You were not. And you never inquired  
15 to determine why he left?  
16 A. No, I had no reason to, and I had no  
17 desire to.  
18 Q. All right. Now you become episcopal  
19 vicar of the diocese, okay?  
20 A. Right.  
21 Q. At this point. Your appointment is  
22 from Bishop Curtis?  
23 A. Right.  
24 Q. Who has got a hands-on approach to his  
25 management of the diocese?

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1 A. Right.  
2 Q. Okay. At that point I asked you --  
3 THE VIDEOGRAPHER: Excuse me, in  
4 reference to the audio --  
5 MR. TREMONT: Well, we can talk  
6 over it because they're going to keep going  
7 forever.  
8 MR. SWEENEY: This is a temporary  
9 aberration. I hope it is.  
10 THE VIDEOGRAPHER: I am asking  
11 for a pause.  
12 (Discussion off the record.)  
13 MR. TREMONT: We have a record.  
14 MR. SWEENEY: My sense is that  
15 someone is putting something down a slot, and I  
16 hope it stops.  
17 MR. TREMONT: They are doing a  
18 total reconstruction up there, and we just  
19 happened to be up there. I mean, literally. It  
20 may go on, but the room is bigger than our  
21 room. We have a quiet place at least. This may  
22 go on and on and on. There are masons up there  
23 working, so I suspect it will be quite noisy,  
24 but we do have the record so there shouldn't be  
25 a problem.

1 Q. Now, when you were vicar general, did  
 2 you discuss --  
 3 MR. SWEENEY: He was not vicar  
 4 general.  
 5 MR. TREMONT: I am sorry.  
 6 Q. When you were episcopal vicar, did you  
 7 discuss with Bishop Curtis anything about  
 8 sexual -- I will withdraw that -- the violation  
 9 of the vow of celibacy by members of the  
 10 diocese?  
 11 A. I discussed with the bishop the notion  
 12 of how to -- as part of our program an ongoing  
 13 formation with regard to celibacy, yes, because  
 14 of problems in the diocese, not because of my  
 15 passion for the Lord and the Church.  
 16 Q. Did you discuss with Bishop Curtis the  
 17 previous experience of the Diocese of Bridgeport  
 18 during his tenure in regard to sexual abuse by  
 19 priests and children?  
 20 A. I did not.  
 21 Q. Why wouldn't you do that?  
 22 A. Because I was educated enough and I had  
 23 a different approach to this kind of possible  
 24 revelation and, also important to me as priest  
 25 in the service of priests, to establish as much

1 of Larry Brett's in the diocese asked me to ask  
 2 the bishop was there any possibility that the  
 3 bishop would allow Larry to return to the  
 4 diocese.  
 5 The bishop said absolutely not,  
 6 and I didn't ask him why.  
 7 MR. TREMONT: Well now, may I  
 8 have my question read, please?  
 9 (Record read.)  
 10 Q. Now you said you learned of it when the  
 11 bishop's conference addressed the issue of  
 12 pedophilia in 1986. How did you learn of it  
 13 specifically?  
 14 A. No, I learned that the topic of that  
 15 conference was pedophilia in the American  
 16 priesthood. It had nothing to do with Larry  
 17 Brett. The topic of the conference was  
 18 pedophilia.  
 19 Q. Let me ask you, you are pretty up on  
 20 it; at that point you were a psychologist?  
 21 A. Right.  
 22 Q. And you were up on what was going on  
 23 generally in the community of psychology and the  
 24 priesthood?  
 25 A. Yes, but I wanted to state that what

1 trust as I possibly could, so that in the trust,  
 2 they would be as confidential as they possibly  
 3 could with me, and when that caught on, I saw  
 4 that this worked, and that was my mode of  
 5 leadership.  
 6 Q. That doesn't answer my question at  
 7 all. Let's go back --  
 8 A. Well, it certainly does.  
 9 Q. The bishop is the bishop.  
 10 A. In my view.  
 11 Q. All right. The bishop is the bishop.  
 12 Q. The bishop appoints you as episcopal vicar?  
 13 A. Right.  
 14 Q. And part of your area of concern is the  
 15 violation of the vow of chastity?  
 16 A. Right.  
 17 Q. And you have indicated to me that you  
 18 had absolutely no knowledge of the fact that  
 19 Catholic priests might sexually abuse children?  
 20 A. That's right.  
 21 Q. All right. When you were appointed to  
 22 this position, did you not discuss with the  
 23 bishop what the experience of the diocese was in  
 24 regard to the breaking or the incontinence in  
 25 the vow of chastity by its priests?

1 was going on became much more known in 1986 and  
 2 beyond.  
 3 Q. And it did. But it was, before that it  
 4 was in the early 1980s, was it not, that the  
 5 papal nuncio had raised through his office in  
 6 Washington the question of pedophilia and the  
 7 North American church?  
 8 A. That would have been an instruction  
 9 given me, yes.  
 10 Q. That would be before the 1986 bishop's  
 11 conference?  
 12 A. Yes, but as I recall, the letter was  
 13 not in any way admitting to -- that's not the  
 14 word -- communicating that there was a genuine  
 15 problem with pedophilia in the American  
 16 priesthood, at least to my knowledge. It did  
 17 not occur until Bishop Curtis came back from the  
 18 bishop's conference.  
 19 Q. The letter was in regard, was it not,  
 20 in to a suggestion or warning that this conduct  
 21 was going on?  
 22 A. And if I remember rightly, marginally  
 23 was the word used by --  
 24 Q. Fine. Fine. Let's assume that it was  
 25 a word similar to marginally. The point is that

1 A. I did not.  
 2 Q. Now, were you aware of the fact that  
 3 the bishop was aware of the fact that Father  
 4 Brett had sodomized individuals while he was a  
 5 priest at Sacred Heart University?  
 6 A. I was not.  
 7 Q. You were not?  
 8 A. No, I was not.  
 9 Q. He never told you that?  
 10 A. He never told me this.  
 11 Q. And you never asked him?  
 12 A. I never asked him.  
 13 Q. And you didn't know until this date?  
 14 A. No, I learned of this when the bishop's  
 15 conference of 1986, approximation, addressed the  
 16 pedophilia aspect of the priests of the United  
 17 States.  
 18 When the bishop returned, the  
 19 speaker at that particular conference was Jim  
 20 a Jesuit, MD, psychiatrist, he gave the  
 21 address, and I asked the bishop's permission,  
 22 could I ask Jim, who was then a professional  
 23 friend of mine, also a speaker, to come to the  
 24 diocese, and which he did, and I wouldn't be  
 25 able to tell you the year, but a priest friend

1 there was an indication that it was occurring,  
 2 so certainly at that point, Monsignor, you were  
 3 aware of the fact that these particular things  
 4 could occur?  
 5 A. Yes, I was more aware of it, in my  
 6 training as a psychologist.  
 7 Q. What do you mean by that?  
 8 A. It was part of the matter given to me  
 9 in my doctoral study.  
 10 Q. When did you receive your doctorate?  
 11 A. 1975.  
 12 Q. All right. So that you were aware of  
 13 it then prior to 1975 during the course of your  
 14 doctoral studies?  
 15 A. That's right.  
 16 Q. Okay. Now, did you, before 1986 and  
 17 prior to 1975, discuss that issue with Bishop  
 18 Curtis?  
 19 A. I did not.  
 20 Q. Did Bishop Curtis discuss that issue  
 21 with you during that time period between 1975  
 22 and 1986?  
 23 A. Not to my knowledge.  
 24 Q. Did you ever -- Well, I will withdraw  
 25 that.

1 Did you know the Reverend Stanley  
 2 Koziol?  
 3 A. I do.  
 4 Q. How did you know him?  
 5 A. I knew him as a priest of the diocese.  
 6 Q. Was he a priest during the entire  
 7 period that you were a priest, if you recall?  
 8 A. I think he was ordained just a year or  
 9 two before me, yes, he would have been during my  
 10 entire priesthood.  
 11 Q. Did you ever receive any complaints of  
 12 sexual abuse against Father Koziol?  
 13 A. No, I did not.  
 14 Q. Were you aware of the fact that there  
 15 were claims made against Father Koziol of sexual  
 16 abuse with children when he was a priest and  
 17 associated with St. Rose's church in Newtown?  
 18 A. I have no remembrance of such an  
 19 awareness.  
 20 Q. I am not -- I will withdraw that.  
 21 I am not suggesting at this point  
 22 that those instances occurred while you were the  
 23 episcopal vicar?  
 24 A. I know that, because if they did and  
 25 they were known by the diocese, they would have

1 them and you were aware of them, how could you  
 2 refuse to consider it? How could you say,  
 3 "Well, these things have happened, they have  
 4 come to us, but I am going to refuse to accept  
 5 the fact that priests sexually abuse children?"  
 6 A. I do not generalize from a marginal  
 7 population to the general population. I did not  
 8 feel that the general population needed such a  
 9 parent/child model.  
 10 Q. Because of the fact that it was only a  
 11 marginal group --  
 12 A. Right.  
 13 Q. -- that were involved?  
 14 A. Right.  
 15 Q. Did you know Father Andrew Gilbride?  
 16 A. I did, yes.  
 17 Q. All right. Again, how did you know  
 18 him; in what capacity?  
 19 A. As a priest of the diocese and as the  
 20 rector of our new seminary in Southport and as  
 21 an invitee to give lectures at the seminary and  
 22 also his parish of St. Ambrose.  
 23 Q. All right. You said the new seminary  
 24 in Southport, what was that seminary?  
 25 A. Christ The King.

1 been known by me.  
 2 Q. Why do you say you know that?  
 3 A. I'm sorry?  
 4 Q. Why do you say you know that?  
 5 A. Because it was never my knowledge  
 6 during my tenure and it was never my previous  
 7 knowledge.  
 8 Q. I am asking you --  
 9 A. Directly. I never -- I have no recall  
 10 of Stanley Koziol's sexual activity as a priest.  
 11 Q. At some point I assume you did have a  
 12 discussion with Bishop Curtis about sexual abuse  
 13 of children because of the instances that you  
 14 investigated?  
 15 A. Oh, sure, when -- During my tenure?  
 16 Q. Yes.  
 17 A. Yes.  
 18 Q. All right. And did you then issue a  
 19 rule that children could not be in the bedrooms  
 20 of priests in a rectory?  
 21 A. No, I did not.  
 22 Q. Did you ever discuss that with the  
 23 bishop?  
 24 A. I did not discuss with the bishop, but  
 25 the bishop did discuss with the -- the bishop

1 Q. And that seminary no longer exists?  
 2 A. That's right.  
 3 Q. How long did that seminary operate,  
 4 approximately, just a very rough --  
 5 A. I am going to say -- Okay, a very  
 6 approximation would be 10 to 15 years.  
 7 Q. All right. Do you recall when it  
 8 closed, about when?  
 9 A. I would not even about.  
 10 Q. Okay. If you don't --  
 11 A. I would not.  
 12 Q. Now, was there any other seminary in  
 13 existence in the diocese, within the diocese,  
 14 while you were in the diocese?  
 15 A. Yes, there was a seminary for the Holy  
 16 Ghost Fathers in -- at West Norwalk.  
 17 Q. What was the name of that seminary?  
 18 A. I am going to say the Holy Ghost  
 19 Fathers.  
 20 Q. Did you, and when I say "you," I am  
 21 putting your other hat on now that we seem to  
 22 have a misunderstanding on, and that is the --  
 23 as far as director of vocations, did you have  
 24 any of your -- when I say your people,  
 25 seminarians or individuals who were going to be

1 did discuss with the presbyterate.  
 2 MR. SWEENEY: It certainly means  
 3 the priests of the diocese.  
 4 A. The presbyterate of the diocese, that  
 5 out of -- to protect the privacy of one another,  
 6 we were not to invite people beyond the first  
 7 floor.  
 8 Q. Again, you are saying -- I think you  
 9 said it two or three times, Monsignor, to  
 10 protect the privacy of others?  
 11 A. That's right.  
 12 Q. It didn't have any relationship to  
 13 protecting the chastity of the children?  
 14 A. Attorney, this was not the mind. We  
 15 looked at one another as priests.  
 16 Q. And yet you are telling me, Monsignor,  
 17 that you were investigating claims that were  
 18 brought to you by persons, by parents, by the  
 19 police, by others, by Monsignor Tetreault,  
 20 claims that priests were indeed having sexual --  
 21 committing sexual acts, whether it was oral sex  
 22 or anal sex, touching or feeling with children,  
 23 and you acted on those, you actually acted on  
 24 them, that's correct.  
 25 Well, if you did indeed act on

1 sponsored by the Diocese of Bridgeport at the  
 2 Holy Ghost Fathers seminary?  
 3 A. We did, yes.  
 4 Q. All right. And what kind of  
 5 arrangement did you ever in that regard?  
 6 A. Obviously that society agreed and we  
 7 had a Father Stokley, I am going to call him,  
 8 big tall blonde fellow, who was my presence  
 9 there by supervisor of the few men we had there,  
 10 and the men were there because of the  
 11 individuality of their background. Specifically  
 12 they were older and came in with more training  
 13 than the average applicant to the diocese.  
 14 Q. So these would be people that may have  
 15 had a delayed vocation, or could they have been  
 16 persons that were brothers or some other kind of  
 17 a religious in a different diocese or --  
 18 A. They had previous training in religious  
 19 formation as well as vowed formation.  
 20 Q. And that's -- You use that particular  
 21 seminary for those people as opposed to a young  
 22 man who might be coming in directly from high  
 23 school or college?  
 24 A. Right, and then we would also use John  
 25 the 23rd. It was an individual election.

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- (1) and perhaps we can undo the experience that you  
 (2) showed.  
 (3) Q. I am asking you, what were your  
 (4) specific duties as Episcopal Vicar for Clergy  
 (5) and Religious in the Diocese?  
 (6) A. Okay. Director of Vocations, Director  
 (7) of Continuing Formation of Clergy, Director of  
 (8) the Permanent Diaconate, Director of Personnel  
 (9) and Vicar for Religious.  
 (10) Q. Excuse me. What does Vicar for  
 (11) Religious mean?  
 (12) A. It's the vicar for the religious women  
 (13) and brothers of the Diocese of Bridgeport in  
 (14) consecrated life.  
 (15) Q. These would be nonordained -- I  
 (16) shouldn't say that. These would be persons who  
 (17) may not be priests, they would be brothers and  
 (18) nuns?  
 (19) A. Yes. Hopefully, now, I can make it  
 (20) clear for you. Except, attorney, when you're  
 (21) dealing with religious orders, they have both  
 (22) priests and brothers, so there's a bit blur  
 (23) there but normally that blur would be clarified  
 (24) by my title of vicar, Episcopal Vicar for  
 (25) Clergy. They would come under that umbrella but

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- (1) there are some aspects of their life which would  
 (2) be akin to the consecrated life, the vowed life  
 (3) of brothers and sisters.  
 (4) Q. As Vicar for Religious in this last  
 (5) aspect which you just described, some of those  
 (6) personnel would be in orders, would they not?  
 (7) A. All would be, attorney. I am fairly  
 (8) accurate on that, yes.  
 (9) Q. Basically, would you have jurisdiction  
 (10) over them, if you will, while they were in an  
 (11) order?  
 (12) A. We wouldn't have jurisdiction,  
 (13) attorney. Their major superior would but  
 (14) insofar as they were in the Diocese, my duties  
 (15) would be essentially to see them cooperate with  
 (16) the local bishop.  
 (17) Q. So were you, if you will, I say a  
 (18) coordinator? Did you sort of coordinate them or  
 (19) be sure that they were not doing anything that  
 (20) this bishop, whoever the local bishop might be,  
 (21) might disapprove of?  
 (22) A. Or approve of. In other words, it  
 (23) would be a facilitator as well as, at times, an  
 (24) investigator.  
 (25) Q. All right. Now, you indicate that you

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- (1) were also personnel director?  
 (2) A. Right.  
 (3) Q. Now, what did your duties entail as  
 (4) personnel director?  
 (5) A. As personnel director, I would direct  
 (6) the other persons on the personnel board and we  
 (7) would meet, and there were three of us,  
 (8) including myself, with the bishop and discuss  
 (9) personnel, essentially changes in the Diocese.  
 (10) Q. When you say you were personnel  
 (11) director, did that mean that you kept -- did you  
 (12) keep the personnel records on the priest, for  
 (13) instance?  
 (14) A. I would keep, for example, the bishop's  
 (15) announcement of the changes. I would keep, for  
 (16) example, the two preference sheets that I sent  
 (17) out during my tenure where the priest listed his  
 (18) preferences. I would keep his educational  
 (19) background, which was a sheet, essentially  
 (20) curriculum vitae, and that would be the extent  
 (21) of what I would have, fairly much, in my office.  
 (22) Q. And where would you keep, beyond in  
 (23) your office -- I mean, where would you keep  
 (24) that? Would you keep that in a file under the  
 (25) priest's name?

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- (1) A. It would be a file to the left of my  
 (2) desk.  
 (3) Q. Under the priest's name?  
 (4) A. That's right.  
 (5) Q. So that in your office, you would have  
 (6) a file for every priest in the Diocese?  
 (7) A. Yes, a file that I just described.  
 (8) Q. For every priest in the Diocese?  
 (9) A. That's right. Excuse me. For every  
 (10) Diocesan priest in the Diocese.  
 (11) Q. For every Diocesan priest, because  
 (12) again, you would have no basic control as far as  
 (13) transferring or assigning priests who might be  
 (14) associated with an order?  
 (15) A. That's right.  
 (16) Q. Now, when you came to your office,  
 (17) whether as Episcopal Vicar, or before as  
 (18) director, did your predecessor have those files?  
 (19) A. I have no -- my files? No, he did not.  
 (20) Q. Excuse me. You say your files. Did  
 (21) you create new files?  
 (22) A. That's right, that's right.  
 (23) Q. Well, let's try to go back then because  
 (24) that's my next question, which is: I'm  
 (25) interested in records. You had indicated to us

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- (1) that there were three files in the Diocese.  
 (2) A. So I'm told, right.  
 (3) Q. That there was the bishop's secret  
 (4) archives, that there was the personnel file and  
 (5) there was your own file.  
 (6) A. Right.  
 (7) Q. Now, let's go back. When you first  
 (8) undertook the duties of this office, what kind  
 (9) of files were there in regard to the priests in  
 (10) the Diocese?  
 (11) A. In my office?  
 (12) Q. In the chancery, in the Catholic  
 (13) Center.  
 (14) A. I have no idea.  
 (15) Q. Monsignor, you came in and you became  
 (16) the personnel director?  
 (17) A. That's right.  
 (18) Q. At the point you became personnel  
 (19) director, I assume you wanted to see what your  
 (20) personnel consisted of, no?  
 (21) A. Not only did I know my personnel, I  
 (22) knew where each man was stationed. I began my  
 (23) own files when I was appointed.  
 (24) Q. Well, there were no files before you  
 (25) were appointed?

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- (1) A. I had no files before I was appointed,  
 (2) received no files when I was appointed.  
 (3) Q. So you are telling me that there were  
 (4) no files -- when you came into this position,  
 (5) the Diocese had no files on priests?  
 (6) A. No, I'm not talking about the Diocese.  
 (7) I'm talking about Monsignor Andrew Cusack.  
 (8) Q. I understand that. Obviously before  
 (9) you had the position, you would have no files.  
 (10) I'm asking you, when you came into the position,  
 (11) were there personnel files involving Diocesan  
 (12) priests?  
 (13) A. Oh, yes, in the bishop's office, no  
 (14) doubt.  
 (15) Q. You say, "no doubt." Didn't you ever  
 (16) have to refer to a personnel file?  
 (17) A. At no time during my tenure, did I go  
 (18) to either file referenced by the bishop.  
 (19) Q. Monsignor, you now get this position,  
 (20) you've just been appointed to this position, and  
 (21) a priest -- you have some involvement or some  
 (22) question regarding a priest, a promotion of a  
 (23) priest, a transfer, where would the -- you  
 (24) wouldn't call the priest and ask him to send you  
 (25) his CV, would you? Wouldn't that be someplace

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- (1) in the chancery?
- (2) A. I might not need a CV because I knew
- (3) the priests of our Diocese extremely well. I
- (4) had a great knowledge of the priests of the Diocese.
- (5) Q. So you are telling me that you never
- (6) consulted files at all outside of a file which
- (7) you may have constructed when you first came
- (8) into the -- into this position?
- (9) A. As far as I can recall, I never saw the
- (10) two files in the bishop's section of the
- (11) Catholic Center.
- (12) Q. All right. Now, you say, "the two
- (13) files in the bishop's section." Just so we will
- (14) all understand this. One file we agree is the
- (15) secret archives; is that correct?
- (16) A. Yes.
- (17) Q. And the secret archives basically are
- (18) quote, unquote, the bishop's files. He's
- (19) required to keep those under the Canon Law?
- (20) A. That's right.
- (21) Q. Those files are, as the name implies,
- (22) secret?
- (23) A. Right.
- (24) Q. And I believe you -- all right. So you
- (25)

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- (1) never saw those --
- (2) A. No.
- (3) Q. -- or never had reason to consult them?
- (4) A. No, nor did I know where they were
- (5) located.
- (6) Q. Now, there was a second file, a
- (7) personnel file, that you are aware of?
- (8) A. Right.
- (9) Q. Now, the personnel files, where were
- (10) the personnel files?
- (11) A. I do not know.
- (12) Q. So you never looked at a personnel
- (13) file?
- (14) A. In the bishop's section, no. I have no
- (15) memory of seeing that file.
- (16) Q. I don't want to argue with you. I just
- (17) want to be sure that we understand each other:
- (18) You say, "in the bishop's section."
- (19) I'm eliminating the secret
- (20) archives. Now, what do you mean when you say,
- (21) "the bishop's section"?
- (22) A. I think I can understand your --
- (23) attorney, I was not part of the chancery office
- (24) and that's what we mean by the bishop's
- (25) section. I was part of the Catholic Center

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- (1) section. I don't know if that makes it clearer.
- (2) Q. Somebody, for example, has to file
- (3) income tax returns, I assume, has to make W-2
- (4) forms, somebody -- in other words, there's
- (5) papers that have to be generated for all
- (6) employees, including priests; is that correct?
- (7) A. I believe so. I have my own
- (8) accountant, yes.
- (9) Q. But I am just saying; you were the
- (10) personnel director and what I am getting at,
- (11) someplace there had to be information generated
- (12) on priests just as you'd have information about
- (13) any employee, medical coverage, whatever it
- (14) might be.
- (15) A. Oh, that would not be in my file. That
- (16) would be in the bishop's file.
- (17) Q. You're calling that the bishop -- the
- (18) personnel file, okay, so I can distinguish it
- (19) from the secret archives?
- (20) A. See, attorney, I'm not able to tell you
- (21) what Bishop Curtis called his file, but
- (22) personnel file, yes, I hope that's the name he
- (23) gave it.
- (24) Q. Well, you're saying Bishop Curtis
- (25) called this file. I'm asking you about the file

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- (1) that included basically information regarding a
- (2) priest.
- (3) MR. SWEENEY: Pardon me, Counsel,
- (4) to just help you through this, I think you're
- (5) now referring to what may be described as
- (6) payroll records pertaining to priests. That I
- (7) think is a little different from the records
- (8) that would contain letters of appointment, his
- (9) seminary credentials and things of that type. I
- (10) think there is a distinction there.
- (11) BY MR. TREMONT:
- (12) Q. Let me ask you about the seminary
- (13) records of a priest. Where would that be?
- (14) A. They would be in the bishop's file.
- (15) Q. And you would have seen those?
- (16) A. Prior to going -- I would have seen
- (17) them when they were seminarians, yes, but not
- (18) after ordination.
- (19) Q. You did look at those files, did you
- (20) not, the files that included the seminary
- (21) records after you were vicar?
- (22) A. No, I knew of the files of seminarians
- (23) as Director of Vocations, and did I look at the
- (24) bishop's files on seminarians? To my knowledge,
- (25) attorney, once they were ordained, I did not

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- (1) look at these files.
- (2) Q. You told us, I believe, last week, that
- (3) you knew that Father Pcolka had been treated by
- (4) Dr. Meshkin while he was in the seminary.
- (5) A. That's right.
- (6) Q. How did you get that information?
- (7) A. From Monsignor George Curtis.
- (8) Q. So you asked -- you didn't look at a
- (9) file, Father Pcolka's file when you were trying
- (10) to make a determination as to whether Father
- (11) Pcolka may have molested a young woman, you
- (12) didn't look at his personnel file?
- (13) A. I did not, no.
- (14) Q. But you went and talked to somebody
- (15) else --
- (16) A. Monsignor George Curtis.
- (17) Q. -- to find out what might have been --
- (18) what he might have done in the seminary?
- (19) A. Yes, because Monsignor George Curtis
- (20) was the personnel person at that time, and also
- (21) to my knowledge, if not just friendly, was a
- (22) close friend of Dr. Meshkin on the -- well,
- (23) okay.
- (24) Q. Monsignor Curtis was a close friend of
- (25) Dr. Meshkin?

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- (1) A. That's right.
- (2) Q. But how would you have known, doctor,
- (3) to talk to Monsignor Curtis when you didn't know
- (4) that Dr. Meshkin had treated Raymond Pcolka?
- (5) A. Through Monsignor George Curtis.
- (6) Q. But how would you know that? How would
- (7) you know that he treated him?
- (8) A. Because he was vocation person at that
- (9) time, and I went to inquire about him.
- (10) Q. Why did you inquire about the -- to the
- (11) vocation person?
- (12) A. Why did I?
- (13) Q. Yes.
- (14) A. Because when we're vocation directors,
- (15) we know the personal life of a seminarian during
- (16) his seminary experience.
- (17) Q. Wouldn't it have been fruitful for you
- (18) to have taken a look at his file if indeed his
- (19) file contained letters from psychologists and/or
- (20) psychiatrists regarding Father Pcolka's
- (21) problems, his treatment, his diagnosis?
- (22) A. That certainly would have been an
- (23) option. I chose another one.
- (24) Q. I assume those personnel files were
- (25) available to you.

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- (1) be in the bishop's file, yes.
- (2) Q. Well, now, how would it get into the
- (3) bishop's file?
- (4) A. Through my information.
- (5) Q. How was that -- physically, how was
- (6) that done?
- (7) A. I would immediately inform the bishop
- (8) of the complaint and/or rumor.
- (9) Q. Yes, and? You said it would get into
- (10) the bishop's file?
- (11) A. That's right.
- (12) Q. How would that be done?
- (13) A. He would put a notation of such.
- (14) Q. Would that be done by a memo, would it
- (15) be a typed notation?
- (16) A. I have no idea, attorney.
- (17) Q. Well, how do you know he would put a
- (18) notation in?
- (19) A. My trust that that was his methodology.
- (20) Q. I am sorry. Why do you say your trust
- (21) that it was his methodology?
- (22) A. Well, because it was a behavioral
- (23) communication, alleged to -- or true, and even
- (24) though assumptions are poor, I would assume that
- (25) he would -- he would do that. Excuse me. No,

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- (1) he would write it down in my presence. He would
- (2) write it down in my presence.
- (3) Q. All right. Let me ask you, and that
- (4) would go -- I'll withdraw that.
- (5) That would go in the bishop's
- (6) file?
- (7) A. Right.
- (8) Q. Now, as far as your file was concerned,
- (9) would you also make a notation?
- (10) A. I would not.
- (11) Q. Any reason why you wouldn't?
- (12) A. Yes, again, under the notion of
- (13) continued trust and the professionalism of my
- (14) office.
- (15) Q. What does continued trust have to do
- (16) with making a notation in your personnel files
- (17) that a complaint was made about a -- one of your
- (18) priests?
- (19) A. I saw no reason for duplication of file
- (20) and because of the expertise that we use, I
- (21) further saw no reason to put it in my file.
- (22) Q. Excuse me. You say because of the
- (23) expertise that you use.
- (24) A. That's right.
- (25) Q. What do you mean by that?

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- (1) A. We would immediately require -- in the
- (2) beginning of my term, an expert in assessing
- (3) alcoholism. Toward the end of my tenure, there
- (4) was a hospital process, a threefold testing,
- (5) that tested for whether we were dealing with
- (6) alcoholism or problem drinking.
- (7) Q. Now, let's assume that there was
- (8) treatment, as you're indicating now, would the
- (9) treatment be recorded someplace?
- (10) A. That's right, in the bishop's file.
- (11) Q. In the bishop's file?
- (12) A. That's right.
- (13) Q. Not in your file?
- (14) A. That's right.
- (15) Q. What would that consist of, that
- (16) treatment recording?
- (17) A. Attorney, I would have to say I would
- (18) not know, at least I would not recall because
- (19) all such would be given to me orally. I would
- (20) be visiting the priest in question while he was
- (21) under treatment, on one, perhaps two occasions
- (22) the bishop came with me, and so I saw no need
- (23) for duplication of record.
- (24) If, in fact, the institution
- (25) decided to send a full report, then the bishop's

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- (1) interest was, was this man -- did this man bring
- (2) the treatment to closure and was he fit to
- (3) return to active ministry. Those were the two
- (4) inquiries of the bishop.
- (5) Q. Who indicated, in other words -- I
- (6) will withdraw that.
- (7) Where was that indicated, in
- (8) other words, that he was fit to return? Would
- (9) that be indicated in a document in the bishop's
- (10) file?
- (11) A. It would be indicated to me orally,
- (12) certainly, and since most frequently we used at
- (13) that time when it was an alcoholic treatment
- (14) center and not its present thrust -- Dr. Valcour
- (15) and I would, in my visit to the treatment
- (16) center, share the results of the experience
- (17) there orally. He would also bring in the staff
- (18) persons that dealt with the priest during the
- (19) time.
- (20) Q. There would be no evaluation made in
- (21) writing?
- (22) A. Not to my knowledge.
- (23) Q. Was there a reason for that?
- (24) A. More accurately, not to my recall.
- (25) Yes, there was a reason, because

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- (1) our visit to the treatment center prior to the
- (2) man's release was an extremely thorough one and
- (3) then one of the treatment persons would come up
- (4) to the returning assignment of the priest.
- (5) Q. What do you mean by that, that he would
- (6) come up to the returning assignment?
- (7) A. Sometimes the priest would be
- (8) recommended to go back to the assignment that he
- (9) left prior to going for treatment, other times
- (10) he would be advised by the expertise of
- (11) St. Luke's for a new assignment.
- (12) Q. But you said something about the
- (13) returning assignment. Who would -- would
- (14) somebody come up from the institution?
- (15) A. That's right, and I would join them.
- (16) Q. Where would they go?
- (17) A. Well, they would come to my office
- (18) initially and -- but when I went down there
- (19) prior to the man's discharge, we would discuss
- (20) such matters as his returning assignment. It
- (21) would be 30 days prior to his discharge.
- (22) Q. But that would not be in writing?
- (23) A. That would not, to my knowledge.
- (24) Q. Now, where are your files, the Cusack
- (25) files?

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- (1) A. At the moment?
- (2) Q. Yeah.
- (3) A. I have no idea.
- (4) Q. Where were they when you left the
- (5) Diocese?
- (6) A. In my office.
- (7) Q. Did you give them to Monsignor
- (8) Bronkiewicz?
- (9) A. Insofar as I gave him my office.
- (10) Q. Did you discuss them with him?
- (11) A. I had no discussion with -- of my files
- (12) with Monsignor Bronkiewicz.
- (13) Q. You didn't tell him that you had these
- (14) files that you had set up?
- (15) A. Oh, surely. We were associates prior
- (16) to the assignments, so he knew where our files
- (17) were, yes.
- (18) Q. When you say, "we were associates,"
- (19) what do you mean by that?
- (20) A. Well, Father Bronkiewicz, again I think
- (21) I am accurate in these details, when he returned
- (22) from study in Rome, I believe his immediate
- (23) assignment was to be my associate.
- (24) Q. Approximately how long was he your
- (25) associate before you left, approximately?

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- (1) you just said it now, said that the confessional
- (2) was involved, and you said thereafter, you never
- (3) spoke with the boy?
- (4) A. See, again, attorney, when I mentioned "the boy," I meant Marty Federici. Are we talking about Marty Federici's communication with Father Groeschel?
- (5) Q. All right. Well, let's go back again.
- (6) You indicated that a complaint was given to you by Monsignor Tetreault --
- (7) A. Right.
- (8) Q. -- that a boy indicated that there was sexual contact, a parishioner, between Father Federici and that boy, which started in the confessional and moved on to the rectory, that's what you were told by Father Tetreault?
- (9) A. I was told by Father Tetreault that the boy came to Father Federici in confession and in confession, either the boy invited himself,
- (10) "Could I see you in the parlor," or and Father Federici invited the boy to the parlor of the rectory.
- (11) Q. You told me last week, quote, Monsignor Tetreault, "He told me that the son first came to the confession and then he was invited over

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- (1) to the rectory, and in the rectory parlor, he was invited by Father Federici to have genital contact with Father Federici." That that's what you were told.
- (2) A. I would like to stay with the idea that what was given to me was that Marty exposed himself.
- (3) Q. It's not a question of staying with the idea, Monsignor. It's answering the question.
- (4) A. Okay, give me the question, please.
- (5) MR. TREMONT: Read it back, please.
- (6) (Questions and answers read.)
- (7) BY MR. TREMONT:
- (8) Q. Is that what you were told?
- (9) A. My recollection was, clearly, there was an exposure on the part of Marty. I have vaguer recollection, and therefore, I don't recall that there was oral sex.
- (10) Q. I am asking you now about the confessional.
- (11) A. Okay.
- (12) Q. All right. You indicated to me that there was a concern about what may have occurred in the confessional.

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- (1) A. That's right.
- (2) Q. You indicated that Father Federici denied that anything occurred in the confessional.
- (3) A. To Father Groeschel, right.
- (4) Q. That was communicated to you?
- (5) A. Father Groeschel communicated that to me.
- (6) Q. By Father Groeschel, okay. I'm saying to you that you never determined whether indeed the boy claimed it did occur in the confessional.
- (7) A. Again, please.
- (8) Q. That you never determined whether the boy claimed it did occur in the confessional.
- (9) A. The boy, as communicated to me by Father Groeschel, communicated, according to Marty, that there was no physical contact in the confessional.
- (10) Q. You say "the boy communicated."
- (11) A. To Father Federici.
- (12) Q. Well, the boy --
- (13) A. Excuse me --
- (14) Q. Did the boy talk to Father Federici?
- (15) A. Father Federici communicated to Father

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- (1) Groeschel that there was no physical contact in the confessional.
- (2) Q. All right, but I understand that. But you never determined that from the victim?
- (3) A. Did I?
- (4) Q. Yes.
- (5) A. No, I did not, no.
- (6) Q. Or nobody on your behalf?
- (7) A. No, that's right.
- (8) Q. Now, when you were on these retreat circuits, was there a time that sexual abuse of children by the clergy was discussed as retreat topics?
- (9) A. I do not recall a single question and answer period of priests, that involved the question of pedophilia.
- (10) Q. Or not only pedophilia but sexual abuse of minors, let's put it that way, ubophilia (Ph.), under the age of 18?
- (11) A. There would be questions about homosexuality but not questions about -- I don't recall a single question about pedophilia.
- (12) MR. SWEENEY: The question, Monsignor, is even if it was not pedophilia, do you recall any questions about sexual contact by

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- (1) a priest with any minor under the age of 18, and perhaps over the age of 12 or 13.
- (2) MR. TREMONT: That wasn't the question; though --
- (3) MR. SWEENEY: I think that's what you're asking.
- (4) MR. TREMONT: No, not whether he recalled any questions.
- (5) BY MR. TREMONT:
- (6) Q. I'm asking whether there was any topics or discussions in the retreat concerning sexual activity with priests and minors, persons under the age of 18?
- (7) A. There would be content in talks on the question of sexuality in general, heterosexuality and homosexuality, in particular, and were there questions that would emanate from that contact, yes.
- (8) Q. What was the nature of those questions?
- (9) A. Is there anything that you could do about this, professionally?
- (10) Q. About what?
- (11) A. The idea of heterosexual, homosexual acting out.
- (12) Q. You mean by that, in other words, being

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- (1) sexually active, either as a heterosexual or a homosexual?
- (2) A. That's right.
- (3) Q. When you say, "Could you do something about that, professionally," what do you mean by "do something"?
- (4) A. Well, in the professional world, there is a real division of opinion, increasingly so in 1996, that when you're dealing with homosexuality, and I believe it's safe to say normative to psychological/psychiatric literature internationally, that post-puberty and the word "homosexuality" is used. I don't believe in the DSM-4, that the word -- you'll have to help me with this because it's new to our nomenclature -- ebophilia, when it involves someone under 18.
- (5) Q. That is also referred to, I think, or was, as ubophilia (Ph.)?
- (6) MR. SWEENEY: Ebophilia?
- (7) E-b-o-p-h-i-l-i-a.
- (8) A. That would be it, yes, whatever way you pronounce it. This was not in my -- we did not draw that distinction when I was in doing doctoral work. Post-puberty was considered

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- (1) homosexuality, and it was in our talks, we stood
- (2) with the side that there is something that you
- (3) can do with the question of post-puberty, with
- (4) one's own gender.
- Q. So you are saying that basically in the
- (7) earlier part of your career, you looked at
- (8) pedophilia as an act involving children that
- (9) were pre-puberty but once they got beyond
- (10) pre-puberty, if there was sex with those
- (11) children by one of the same gender, you called
- (12) it, or professionally, homosexuality?
- (13) A. That's right. But the more common
- (14) parlance, and yes, would reference this as
- (15) homosexuality.
- Q. And if a priest - if anybody, forget a
- (16) priest, if any person had sex with a 13- or 14-
- (17) or 15-year-old child of the opposite gender,
- (18) that would be heterosexuality?
- (19) A. Heterosexuality.
- Q. But obviously the church specifically
- (20) made a distinction about having sex and having
- (21) sex with minors, did it not?
- (22) A. Oh, yes. Oh, yes, surely. By "minors"
- (23) - would you explain what you mean by
- (24) "minors"?
- (25)

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- (1) Q. I believe the Canon Law has a
- (2) definition and I believe - and I could be
- (3) mistaken, Monsignor - that it was 16 years old
- (4) or 14 years old.
- (5) A. I think 14, right. And I believe, but
- (6) you'd have to get more research on that, as the
- (7) nutritional expertise developed, the puberty
- (8) comes earlier, in other words, the age of 14 is
- (9) the normative of the menstrual in girl, the
- (10) erection in boy, that's the age given in Canon
- (11) Law - I believe it's 14.
- (12) But in a commentary on that, and
- (13) I think this is germane to your question, even
- (14) in psychology, because, for example, in America,
- (15) the post-puberty is coming earlier and earlier
- (16) and they're blaming it on the nutritional
- (17) substance of our country.
- (18) Q. But at time, I assume that puberty
- (19) reached man and woman at the age of six or seven
- (20) or eight years as opposed to -
- (21) A. Puberty?
- (22) Q. Puberty.
- (23) A. When?
- (24) Q. Pardon?
- (25) A. When did this occur?

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- (1) Q. Way, way back, millions and billions of
- (2) years ago.
- (3) A. I see, I see. That would be new
- (4) knowledge.
- (5) Q. All right. Now, during the - did
- (6) there ever come a time - well, I'll withdraw
- (7) that. I'll withdraw that.
- (8) Now, I'd like to go through the
- (9) various faculties and facilities that you may
- (10) have used while you were vicar and director in
- (11) regard to the treatment of priests that had
- (12) problems. All right? Now, let me start off,
- (13) you indicated in the last deposition - portion
- (14) of the deposition, I think you indicated two
- (15) places, St. Luke's and Trinity. So let me start
- (16) off, if I may -
- (17) A. No, attorney. Southdown in East
- (18) Aurora, a suburb of Toronto, Canada, and St.
- (19) Luke's, and they had at one time, two, let's say
- (20) agencies, one in Massachusetts, the other in
- (21) Suitland, Maryland.
- Q. First, you have St. Luke's, which had a
- (23) place in Massachusetts and a place in Maryland?
- (24) A. That's right.
- (25) Q. And then you have Southdown, is it?

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- (1) A. Southdown.
- (2) Q. S-o-u-t-h, and that's - where is that?
- (3) A. In East Aurora, A-u-r-o-r-a, Canada.
- (4) Q. Now, what other places did you use
- (5) during your tenure? You used Trinity House?
- (6) A. No, attorney, that would not be a
- (7) treatment center. It would be a retreat center
- (8) but because of the presence, and that's were
- (9) Benedict Groeschel lived, it would be a place
- (10) that we would send men, yes.
- (11) Q. So Trinity House was not a treatment
- (12) center?
- (13) A. No. No. The treatment person at
- (14) Trinity House would be Benedict Groeschel.
- (15) Q. Well, first, the institution itself,
- (16) Trinity House was not a treatment center?
- (17) A. In other words, would it be listed
- (18) professionally as a treatment center?
- (19) Q. Yes.
- (20) A. No, attorney.
- (21) Q. What is Trinity House?
- (22) A. It's a retreat center where a number of
- (23) - well, on the major level - the major
- (24) experience at Trinity House would be a priest
- (25) going on retreat. And because of the expertise

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- (1) of Benedict Groeschel, it's nationally known
- (2) that priests are sent to him mainly for
- (3) diagnosis.
- (4) (Henry Lyons arrived at
- (5) 12:20 p.m.)
- (6) BY MR. TREMONT:
- (7) Q. But the place itself, Trinity House, is
- (8) generally as you said, a retreat house?
- (9) A. That's right.
- (10) Q. And priests would voluntarily go there
- (11) and go there for a spiritual retreat?
- (12) A. That's right.
- (13) Q. Now, what other places besides
- (14) St. Luke's and Southdown?
- (15) A. Those would be the only two centers we
- (16) would send people. Our preference was private
- (17) care.
- (18) Q. Did you ever use the Institute of
- (19) Living?
- (20) A. I believe, attorney, during my tenure,
- (21) no. During my tenure.
- (22) Q. But you knew the Jesuit that was
- (23) running it?
- (24) A. I don't think, attorney, he was there
- (25) until after I had left office but we're close

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- (1) friends.
- (2) Q. I didn't mean to interrupt you.
- (3) A. That's all right.
- (4) Q. Now, as far as St. Luke's is concerned,
- (5) what program did they have for priests that may
- (6) have been attracted to children?
- (7) A. That became the primary place of
- (8) reference, jointly with Johns Hopkins Hospital,
- (9) for pedophilia. I wouldn't know the year. I
- (10) would want to guess after, more near the close
- (11) of my tenure.
- (12) Q. Well, let's start at the beginning of
- (13) your tenure.
- (14) A. It was an alcoholic center. It was for
- (15) the treatment of the disease of alcoholism.
- (16) Q. Did you send Father Federici anyplace,
- (17) to any center?
- (18) A. Father Federici, to my knowledge, was
- (19) never sent to any center, except again
- (20) Trinity -
- (21) Q. We'll get to the individuals or the
- (22) retreat place, but none of the two centers that
- (23) you indicated, that St. Luke's and Southdown,
- (24) that you used?
- (25) A. Not that I recall, no.

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(1) Q. And did you send Father Pcolka to any center?  
 (2) center?  
 (3) A. Did I send? No, attorney.  
 (4) Q. Did you send Father Carr to any center?  
 A. No, attorney.  
 (5) Q. And what about Gavin O'Connor, did you send him to any center?  
 (6) A. I did not, no.  
 (7) MR. TREMONT: We're just about  
 (8) out on the tape, I think, so that we can stop at  
 (9) this point. I think we have about a minute  
 (10) left.  
 (11) THE VIDEOGRAPHER: This concludes  
 (12) videotape number one on this testimony. Going  
 (13) off record, 12:25 p.m.  
 (14) (Discussion off the record.)  
 (15) (Recess: 12:25 p.m. to 1:49 p.m.)  
 (16) THE VIDEOGRAPHER: We're back on  
 (17) record, this marks videotape number two in this  
 (18) testimony, 1:49 p.m.  
 (19) BY MR. TREMONT:  
 (20) Q. Monsignor, we were discussing before  
 (21) the luncheon break the institutions to which you  
 (22) may have sent trouble priests while you were  
 (23) director or vicar of the Diocese of Bridgeport,  
 (24)  
 (25)

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(1) and you've indicated two places, St. Luke's and  
 (2) Southdown, and you've indicated those would be  
 (3) the only institutions that you would have used  
 (4) as opposed to sending someone to an individual  
 (5) psychologist or psychiatrist; is that correct,  
 (6) sir?  
 (7) A. That's right.  
 (8) Q. Now, as far as Southdown is concerned,  
 (9) when you first became involved in this position,  
 (10) what kind of a program did Southdown have?  
 (11) A. Yes. Southdown was a combination of  
 (12) therapeutic center and the treatment of the  
 (13) disease of alcoholism.  
 (14) Q. Did it treat anything besides  
 (15) alcoholism?  
 (16) A. They would talk in terms of personality  
 (17) disorder in general.  
 (18) Q. Well, would you only send people to  
 (19) Southdown that had alcohol problems?  
 (20) A. Would I?  
 (21) Q. Yes.  
 (22) A. My decision about, at the initial -  
 (23) the more announced and renowned was St. Luke's  
 (24) center. If I thought there was a further need  
 (25) beyond the disease of alcoholism, in other

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(1) words, that there was some kind of personality  
 (2) maladjustments, whatever, then that would be my  
 (3) suggestion, Southdown.  
 (4) Q. All right. I think you mean  
 (5) St. Luke's?  
 (6) A. No, Southdown.  
 (7) Q. Southdown.  
 (8) A. If there was a combination, even  
 (9) though, again - yes, Southdown would be a  
 (10) therapeutic center as well as a 12-step disease  
 (11) of alcoholism.  
 (12) Q. Let's go back, let's start with  
 (13) St. Luke's then. As far as St. Luke's, did you  
 (14) ever send anyone to St. Luke's that you believed  
 (15) had any problem except alcohol?  
 (16) A. No. Southdown would be my preference  
 (17) when - no, I sent no one to St. Luke's.  
 (18) Q. So St. Luke's was strictly alcohol?  
 (19) A. The disease of alcoholism.  
 (20) Q. The disease of alcoholism.  
 (21) A. At that time.  
 (22) Q. "At that time," meaning at the  
 (23) beginning?  
 (24) A. That's right.  
 (25) Q. Now, as - let's now go right through

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(1) to the end of your tenure. Did you ever send  
 (2) anyone to St. Luke's that had problems that were  
 (3) beyond alcohol?  
 (4) A. To my knowledge, no, and I make that  
 (5) qualification - to my knowledge, no.  
 (6) Q. No, all right. So that the only  
 (7) individuals that you would have requested get  
 (8) treatment at St. Luke's, were persons whom you  
 (9) believe had strictly alcohol problems?  
 (10) A. Who had the disease of alcoholism.  
 (11) Q. The disease of alcoholism. I think you  
 (12) mentioned, for instance, that Father Moore was  
 (13) one of the priests that you had treated for  
 (14) alcohol?  
 (15) A. That's right.  
 (16) Q. And where did you have him treated?  
 (17) A. The treatment was at both institutions,  
 (18) at St. Luke's as well as Southdown. The reason  
 (19) for the repeat of the disease of alcoholism,  
 (20) Father Moore lived with me for two days and  
 (21) during that study of Father Moore, it was my  
 (22) clear impression, and I consulted another  
 (23) psychiatrist in this instance, that he concurred  
 (24) with me, that he needed both, a rehabilitation  
 (25) with regard to the disease of alcoholism as well

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(1) as therapy.  
 (2) Q. So when -  
 (3) A. And thus he went to Southdown.  
 (4) Q. Why would he need the therapy as well?  
 (5) A. Well, there were -  
 (6) MR. SWEENEY: Pardon me. Isn't  
 (7) this getting in - if it's got anything to do  
 (8) with a sexual disorder, I think your question is  
 (9) legitimate because I think Judge Levin has said  
 (10) that he can - you can inquire with respect to  
 (11) sexual misconduct complaints regarding any one  
 (12) of a dozen and a half priests, including Father  
 (13) Moore. Now, to the extent your getting into  
 (14) disorders that have nothing to do with sex, and  
 (15) it's not Father Pcolka, then I question the -  
 (16) whether your question is germane.  
 (17) MR. TREMONT: Well, the claim on  
 (18) the question is that, you may recall that it is  
 (19) my claim that there were sexual complaints,  
 (20) which I think I'll be able to verify without any  
 (21) difficulty, against Father Moore and that  
 (22) relates to the answers that the deponent had  
 (23) previously given in regard to Father Moore and  
 (24) that's why I am pursuing this. So there is a  
 (25) specific reason for this that I can, you know,

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(1) back up and verify. And that's, incidentally,  
 (2) all the alcohol questions, because of some  
 (3) combinations we'll get into very soon, I think  
 (4) relate, Mr. Sweeney, to the sexual stuff, or the  
 (5) treatment. And I'm trying to be careful about  
 (6) that. I'm not making - raising broad questions  
 (7) but for the specific instances.  
 (8) BY MR. TREMONT:  
 (9) Q. So could you tell me what were - what  
 (10) was the therapeutic thing that you thought he  
 (11) needed, what was his problem?  
 (12) A. I made an assessment that he had a poor  
 (13) self-image, that the amount of drinking that he  
 (14) was doing indicated self-destructive patterns.  
 (15) Was there anything further that I - just, with  
 (16) him, I sensed that he needed more than the  
 (17) treatment of the disease of alcoholism.  
 (18) Q. Let's go back, if we can. I believe  
 (19) you indicated to me previously that you heard  
 (20) rumors in regard to Father Moore's drinking,  
 (21) that's how it came to your attention; is that  
 (22) correct?  
 (23) A. To my knowledge.  
 (24) Q. Was there a specific complaint?  
 (25) A. To my knowledge. Was there a specific

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- (1) complaint? See, those things are – can often  
 (2) be concomitant. I am not sure but certainly I  
 (3) heard rumors about his drinking, and also I  
 (4) recall at one of our sessions, continuing  
 (5) education sessions, at Three Door Restaurant in  
 (6) Bridgeport, my own observation of Joe.  
 (7) Q. Now, as a result of that, you – you  
 (8) saw him? Did you see him to indicate that you  
 (9) felt he should undergo some sort of therapy?  
 (10) A. Oh, yes. Oh, yes.  
 (11) Q. So you saw him and you talked with him?  
 (12) A. That's right.  
 (13) Q. And at that time, you sent him to  
 (14) St. Luke's?  
 (15) A. The – we sent him to Southdown.  
 (16) Q. Southdown?  
 (17) A. Okay.  
 (18) Q. So you sent him to Southdown and you  
 (19) sent him for what purpose?  
 (20) A. To primarily receive therapeutic  
 (21) therapy.  
 (22) Q. For what, for the alcoholism?  
 (23) A. No, for what they would discover at  
 (24) Southdown.  
 (25) Q. So I thought you had indicated that if

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- (1) you thought there was a therapeutic problem,  
 (2) you'd send them to Southdown but that Father  
 (3) Moore had been sent to St. Luke's first?  
 (4) A. Yeah. I was wrong on the sequence of  
 (5) this, but the content is exactly as I gave it.  
 (6) Q. But you first – he first went to  
 (7) Southdown, is that what you mean by "sequence"?  
 (8) Well, you say it.  
 (9) A. I'm going to have to – the first  
 (10) center was St. Luke's.  
 (11) Q. Now, incidentally, you're doing all  
 (12) this from memory, Father?  
 (13) A. That's right.  
 (14) Q. So that you don't have any notes  
 (15) anyplace, for example, that would indicate where  
 (16) Father Moore had been sent and how long he was  
 (17) there and what your evaluation was, why you sent  
 (18) him, again, that Monsignor Bronkiewicz could sit  
 (19) back and look at now if he were, for example,  
 (20) trying to evaluate a complaint or something in  
 (21) regard to Father Moore; is that correct?  
 (22) A. Well, it would be correct now but it  
 (23) wouldn't be correct when I was in office.  
 (24) Q. Well, you were there. You remembered  
 (25) it?

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- (1) A. That's right.  
 (2) Q. But if you're not there, there is no  
 (3) recordation of these things that – these  
 (4) conferences and these conclusions?  
 (5) A. Well, except in my ability to recall  
 (6) what I can recall, honestly, what took place.  
 (7) Q. But that presupposes that you're alive  
 (8) and competent and all of us are expendable. In  
 (9) other words, the fact of the matter is that if  
 (10) you are not alive or you are not competent,  
 (11) there is no other place where the Diocese, in  
 (12) trying to ascertain the personality or conduct  
 (13) of its priest, and/or its more than employees  
 (14) obviously, its priests can look for these  
 (15) observations, for instance, that you're sharing  
 (16) with us about Father Moore?  
 (17) A. Oh, sure. In the bishop's file, this  
 (18) would be there.  
 (19) Q. So the bishop's file then would contain  
 (20) your conclusions and analysis of this?  
 (21) A. No, they would contain the conclusions  
 (22) of both institutions.  
 (23) Q. Okay. Let me go back. You first then  
 (24) sent him to Southdown?  
 (25) A. That's right.

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- (1) Q. Now, you say you sent him there for  
 (2) alcohol and for other therapy, and you mentioned  
 (3) the 12 points or steps. What are they?  
 (4) A. What I'd like to state, he went to  
 (5) St. Luke's for the disease of alcoholism. He  
 (6) came home from St. Luke's and their judgment was  
 (7) that he had brought to successful closure the  
 (8) treatment offered at St. Luke's.  
 (9) Shortly after he came home, he  
 (10) began to drink again and it was my observation,  
 (11) and that was collaborated by the file of Bishop  
 (12) Curtis, that we needed to do more than was  
 (13) offered at St. Luke's, and thus, he was sent to  
 (14) Southdown.  
 (15) Q. How was it collaborated by the file of  
 (16) Bishop Curtis?  
 (17) A. Well, let me just, because the file  
 (18) system has come up, once we received a complaint  
 (19) and/or a rumor, I saw the bishop immediately, check his  
 (20) okay. The bishop would immediately check his  
 (21) file, his personnel file to see if there was any  
 (22) collaborative knowledge in his file about a  
 (23) respective active priest. If that was so, the  
 (24) bishop would share that with me and I would in  
 (25) turn share that with the referral, in this

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- (1) instance, agency of Southdown and – Excuse me,  
 (2) St. Luke's and Southdown.  
 (3) Q. You told us before that you never saw  
 (4) the bishop's files.  
 (5) A. I never saw the bishop's files, that's  
 (6) right. The bishop communicated his files – he  
 (7) looked into his files when I communicated that  
 (8) this priest, either by rumor, by a person  
 (9) sharing with us, or my own information, was  
 (10) brought to our attention. The bishop would  
 (11) check his file and come back and say, yes, this  
 (12) was in his file or this was not in his file.  
 (13) Q. The bishop then would – Bishop Curtis  
 (14) would, instead of giving you the file with the  
 (15) information in it – would synthesize for you  
 (16) the psychologist or psychiatrist's report in the  
 (17) file if the person was previously treated; is  
 (18) that what you're telling us?  
 (19) A. No, I'm telling you, I think, more,  
 (20) attorney. Because again, this has come a few  
 (21) times. Let me be very clear because I do think  
 (22) it's disserving the exactitude with which we  
 (23) went at each report given to us.  
 (24) When it came to my attention, as  
 (25) the initial contact person, of a rumor or an

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- (1) actuality of any kind of misbehavior, in this  
 (2) instance of drinking, I would report it to the  
 (3) bishop. The primary reason for reporting it to  
 (4) the bishop was, he would check his file, was  
 (5) there anything previous in his file. If there  
 (6) was, he would share that. If there wasn't, he  
 (7) would not share it, and then he would give me  
 (8) permission to follow through on what I was  
 (9) recommending.  
 (10) Q. Now, you say if it was there, he would  
 (11) share it. How would he share it?  
 (12) A. He would share it; for example, there  
 (13) was a report on the disease of alcoholism.  
 (14) Q. So he would give you the report?  
 (15) A. He would not give me the report. What  
 (16) he would – this was an oral conversation about  
 (17) what his files indicated.  
 (18) Q. Now, you're a professional, you're a  
 (19) psychologist, correct?  
 (20) A. That's right.  
 (21) Q. And you are going to refer Father  
 (22) Moore, in this instance let's say, out for  
 (23) treatment.  
 (24) A. Yes.  
 (25) Q. And you know or it appears that Father

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- (1) Moore has been previously treated, and there is
- (2) a report that was generated in regard to his
- (3) prior treatment.
- (4) A. That's right.
- (5) Q. And Bishop Curtis was not a
- (6) psychologist?
- (7) A. Right.
- (8) Q. And is it fair to say that he relied on
- (9) you for your expertise in psychological
- (10) assessment?
- (11) A. He relied on it but -- are we keeping
- (12) to the Jim Moore report?
- (13) Q. No, generally.
- (14) A. Generally, yes, he relied on, but again
- (15) I want clarity because you brought it up enough,
- (16) that my file, okay, would not have this
- (17) information. The bishop's file would, and the
- (18) primary reason for my going from my office to
- (19) the bishop's office with a report or an alleged
- (20) or even rumor, is to see, was there anything in
- (21) the bishop's file that collaborated the story.
- (22) Q. I think that's a little different that
- (23) what you told us before lunch, and of course the
- (24) transcript will indicate that, Monsignor, but
- (25) the fact is you're telling us now, that the

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- (1) bishop had in his file a report, a psychiatric
- (2) or psychological report, a treatment report,
- (3) about a priest, and the bishop would say to you,
- (4) yes, this individual was treated before but
- (5) would not give you, the expert, if you will, the
- (6) report for you to analyze and digest.
- (7) A. He would not. He would give me the
- (8) oral substance of what he had in the file.
- (9) Q. So he'd read it and he would give you
- (10) the oral -- and you would never say, "Gee, I'd
- (11) like to see the report"?
- (12) A. I had no desire to.
- (13) Q. You had no desire to at all?
- (14) A. No.
- (15) Q. So that as a medical individual, as a
- (16) person who treats, you have no desire of getting
- (17) the history and getting the treatment mode from
- (18) the individual, the professional, who did it as
- (19) opposed to a patient?
- (20) A. Well, I'm not a medical person, but as
- (21) a psychologist, I would not have interest -- if
- (22) there was a previous report, in my judgment, we
- (23) were going on with a greater effort at healing
- (24) the respective priest.
- (25) Q. So you don't think that the prior

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- (1) complaints, the prior treatment, the prior
- (2) diagnosis of an individual is of interest to you
- (3) in treating --
- (4) A. No, attorney.
- (5) MR. SWEENEY: That's not what
- (6) he's saying, Paul.
- (7) MR. TREMONT: Well, I'm asking
- (8) him. This cross-examination, Mr. Sweeney.
- (9) MR. SWEENEY: I know, but you're
- (10) going over the same ground.
- (11) MR. TREMONT: Well, I'm not going
- (12) over the same ground.
- (13) BY MR. TREMONT:
- (14) Q. Is that what you're saying --
- (15) THE WITNESS: Well, shall I --
- (16) MR. SWEENEY: Answer the question
- (17) as best you can.
- (18) A. When there is recidivism of any kind,
- (19) there's a need for greater therapeutic process.
- (20) Insofar as the bishop would say there's a
- (21) previous behavior and now there's a return to
- (22) the behavior, then it would be the bishop's
- (23) expectancy and my expertise to get a greater
- (24) care system for the priest.
- (25) Q. But wouldn't you like to know what the

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- (1) specific finding was?
- (2) A. The bishop would give me a summary
- (3) report of what he had in his file, yes.
- (4) Q. How would he give you the summary
- (5) report?
- (6) A. Well, it would vary with each summary.
- (7) Q. How would he do it?
- (8) A. By conversation in his office. I was
- (9) in his office, or he'd be in my office.
- (10) Q. He wouldn't say, "Here" -- he wouldn't
- (11) say, "Take a look at the report"?
- (12) A. He would not --
- (13) Q. Why wouldn't he share the report --
- (14) A. -- nor would I ask.
- (15) MR. SWEENEY: This has been asked
- (16) and answered about a half a dozen times.
- (17) BY MR. TREMONT:
- (18) Q. Why wouldn't he share the report with
- (19) you?
- (20) A. Perhaps because I did not ask for it
- (21) and I did not ask for it because, again, we have
- (22) a return to the similar behavior or, for
- (23) example, to worse behavior. Any return to a
- (24) previous behavior from the consultation --
- (25) again, I want to repeat that my file would not

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- (1) indicate this. But primary, going to the
- (2) bishop, because again our approach was not to
- (3) leave any unstone turned (sic), with regard to
- (4) rumor or report.
- (5) Q. Are you saying you don't want to leave
- (6) any unstone turned (sic) but the point of the
- (7) matter is that we now have Father Moore, whom
- (8) you sent to St. Luke's -- you sent him the first
- (9) time? Did you send him there?
- (10) A. Yes, I was responsible for his going to
- (11) St. Luke's.
- (12) Q. And you sent him there because you felt
- (13) he had an alcohol problem?
- (14) A. That's right.
- (15) MR. SWEENEY: That's been asked
- (16) and answered at least a half a dozen times
- (17) already.
- (18) BY MR. TREMONT:
- (19) Q. And it was strictly an alcohol problem,
- (20) is that what you're saying?
- (21) A. That's right, as they found. Now,
- (22) again --
- (23) MR. SWEENEY: Monsignor, there's
- (24) no question.
- (25) THE WITNESS: Okay. Thank you.

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- (1) MR. SWEENEY: We have to move
- (2) along.
- (3) MR. TREMONT: He can speak. If
- (4) he wants to speak, it's all right.
- (5) MR. SWEENEY: No. You can answer
- (6) the questions asked. You're going to be here
- (7) all day saying the same things if you don't
- (8) limit your answers to the question asked.
- (9) BY MR. TREMONT:
- (10) Q. Now, the -- It was strictly an alcohol
- (11) problem at that point?
- (12) MR. SWEENEY: I'm going to object
- (13) on principle. It's been asked and answered. On
- (14) to the next question, Mr. Tremont.
- (15) MR. TREMONT: It's not on
- (16) principle. I mean, you are interrupting the
- (17) witness when the witness is trying to answer,
- (18) Mr. Sweeney. It's your own witness and you're
- (19) interrupting him. I'm just trying to follow a
- (20) simple flow.
- (21) MR. SWEENEY: Mr. Tremont, you've
- (22) asked the question, you've gotten the answer
- (23) already at least four times. On to the next
- (24) question, please.
- (25) MR. TREMONT: I've gotten four

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- (1) different answers, okay, and that's the basis
- (2) for it. Four answers --
- (3) MR. SWEENEY: One last time.
- Please listen to the question and answer it so
- we can go on to something else.
- BY MR. TREMONT:
- (7) Q. Now, when he came back from St. Luke's,
- (8) was that the time that he spent two days with
- (9) you or was it sometime subsequent?
- (10) A. Sometime after that he spent a time
- (11) with me.
- (12) Q. So he came back from St. Luke's and he
- (13) was in the active ministry.
- (14) A. He was in --
- (15) Q. The active ministry.
- (16) A. That's right. He was found fit for the
- (17) active ministry.
- (18) Q. And he was in it?
- (19) A. That's right.
- (20) Q. Then at some point, why was it that you
- (21) spent two days with him after that?
- (22) A. Because we had received rumors that he
- (23) had returned to drink.
- (24) Q. So these were the -- if you will, the
- (25) second rumors that you received or reports?

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- (1) A. Well, all right, the second rumors.
- (2) Q. Yes, because the first ones brought him
- (3) to St. Luke's.
- (4) A. That's right.
- (5) Q. So now, when you received the second
- (6) rumor, you decided at that point to what, test
- (7) him, observe him or what?
- (8) A. I didn't need to go by rumor. The
- (9) evening, the first evening he spent in the
- (10) adjacent residence to my own in Wilton, Father
- (11) Moore got drunk, and when he sobered up, we
- (12) talked and it was clear to me that he needed
- more intensification of, with regard to the
- disease and his self-concept.
- (15) Q. How did that come about, that you
- (16) determined that he had a problem beyond the
- (17) alcoholism --
- (18) A. My own expertise. My own education.
- (19) Q. Yes, but I mean, what did you do? Was
- (20) it through observation, what was it through
- (21) conversation, what was it through testing?
- (22) A. Well, it's not consistent to come out
- (23) of one's room, no matter where one is, and to
- (24) find a man lying in the bushes and totally
- (25) drunk.

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- (1) Q. What does that have to do with
- (2) self-esteem?
- (3) A. Well, it's my judgment that that's the
- (4) root of all human behavior, or better, human --
- (5) it's at the root of all behavior. This is
- (6) prescinding from God. At the root of all
- (7) behavior, for better or for worse.
- (8) Q. Is what?
- (9) A. The problem of self-esteem.
- (10) Q. If that's the case then, why would you
- (11) not have sent every alcoholic, including Father
- (12) Moore, immediately to Southdown because they had
- (13) a program that related to that?
- (14) A. Because our preference -- first of all,
- (15) each priest was treated individually and we sent
- (16) them where it was in his best interests.
- (17) Q. But you indicated just now that the
- (18) reason that Father Moore went to Southdown the
- (19) second time, is you felt that he needed therapy
- (20) for things other than his alcoholism, which you
- said specifically one thing was self-esteem?
- (23) A. Yes. When I spoke to Dr. Eigner, the
- (24) admission person at Southdown, I asked him to
- (25) look at both, the disease as well as the
- personality profile.

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- (1) Q. What I am saying to you is that if, in
- (2) fact, your conclusion in finding him drunk
- (3) behind the bushes, in other words, that any
- (4) person that was involved in that or an alcoholic
- (5) had a self-esteem problem, why wouldn't you send
- (6) them all to Southdown?
- (7) A. It wasn't my option. I don't treat
- (8) people globally.
- (9) Q. I thought you had an option. I thought
- (10) it was up to you to decide where to send them.
- (11) A. Well, I had an option, because I don't
- (12) treat people as group but as individuals, my
- (13) option would be St. Luke or Southdown. I would
- (14) make a professional judgment and I would
- (15) invariably collaborate with others.
- (16) Q. Right but I'm saying, what's the basis
- (17) of that professional judgment, why choose one
- (18) over the other?
- (19) A. It would vary with each person.
- (20) Q. I thought you said that you chose
- (21) St. Luke's if it was strictly alcohol, didn't
- (22) you say that?
- (23) MR. SWEENEY: He said it. It's
- (24) been asked. He's answered it. Now, please go
- (25) on to the next question. We're going to be here

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- (1) all day long.
- (2) MR. TREMONT: Mr. Sweeney, he's
- (3) saying something different now, and this
- (4) cross-examination.
- (5) MR. SWEENEY: He's not.
- (6) MR. TREMONT: You can say he's
- (7) not but he is and you know it's in the
- (8) transcript. This is what he's saying.
- (9) MR. SWEENEY: He's already told
- (10) you the reason he sent him to St. Luke's
- (11) institute was because he needed alcohol
- (12) treatment. He's said it at least six times.
- (13) You don't need to hear it a seventh.
- (14) BY MR. TREMONT:
- (15) Q. Southdown, you would send someone that
- (16) needed more than alcohol treatment, correct?
- (17) MR. SWEENEY: That's been asked
- (18) and answered already. On to the next question,
- (19) please.
- (20) BY MR. TREMONT:
- (21) Q. Why did you send Father Moore to
- (22) St. Luke's initially when you knew he needed
- (23) more than alcohol treatment?
- (24) A. Because we had in mind a follow-up when
- (25) he returned from the disease of alcoholism at

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- (1) St. Luke's, to follow-up on his seeing a
- (2) psychiatrist in our area.
- (3) Q. So you had planned then, from the
- (4) beginning -- when you sent him to St. Luke's,
- (5) you had planned that he was going the require
- (6) further care which was beyond alcohol?
- (7) A. As a professional person, that was my
- (8) assessment.
- (9) MR. SWEENEY: The answer is "yes"
- (10) or "no," Monsignor.
- (11) A. Yes.
- (12) MR. SWEENEY: Mr. Tremont, we're
- (13) going to be here all afternoon if we don't move
- (14) along.
- (15) MR. TREMONT: Well, we may be
- (16) here all afternoon. We may have to have another
- (17) session. The point is, the witness, it's -- I'm
- (18) running this deposition. The witness is
- (19) answering. I don't think you should interrupt
- (20) him.
- (21) MR. SWEENEY: But you have no
- (22) right to ask him the same question six times.
- (23) MR. TREMONT: Mr. Sweeney, I do
- (24) when I get six different answers, okay?
- (25) MR. SWEENEY: Well, you haven't

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- (1) had six different answers, you've had consistent
- (2) answers, and let's go on. Come on.
- (3) BY MR. TREMONT:
- (4) Q. Now, what psychiatrist were you going to send him to when he left St. Luke's?
- (5) A. Dr. George Kelly of Fairfield - of Fairfield, Connecticut.
- (6) Q. And did you send him to Dr. Kelly?
- (7) A. That's right.
- (8) Q. For how long a period was he with Dr. Kelly?
- (9) A. A little over a year.
- (10) Q. And did you communicate with Dr. Kelly during this period?
- (11) A. During the entire time, right.
- (12) Q. And then for a year, he was sober?
- (13) A. That's right, and to my - well, yes.
- (14) Q. He was taking care of his other psychological, psychiatric problems that he had - Dr. Kelly was taking care?
- (15) A. That's right.
- (16) Q. And during that time, you had no complaint of sexual abuse by Father Moore?
- (17) A. I do not recall any sexual complaints during that time.

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- (1) Q. And you never - let me ask you this, did you ever ask that someone assess Father Moore to determine whether he was a homosexual?
- (2) A. Did I ask the therapeutic center?
- (3) Q. Did you ask anyone.
- (4) MR. SWEENEY: "Yes" or "no" answer.
- (5) A. No, I did not.
- (6) Q. You didn't. And did you ever get any information from anyone, whether it's Dr. Kelly or St. Luke's or Southdown, that he was or was not a homosexual?
- (7) A. There was the statement made to us from Southdown that there was psychosexual confusion, which does not necessitate homosexuality.
- (8) Q. What does psychosexual confusion, what does that mean to you?
- (9) A. We don't have six months.
- (10) Q. We can -
- (11) A. Psychosexual confusion means that he needed a stronger identity with regard to his image of himself as a man.
- (12) Q. What did you do with that conclusion, how did that affect -
- (13) A. That was worked on in both therapeutic

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- (1) centers, more extensively at Southdown, and followed up by doctor George Kelly.
- (2) Q. How long was Father Moore at Southdown?
- (3) A. Attorney, I'd only be able to guess, but I'm -
- (4) MR. SWEENEY: You have no obligation to guess, Monsignor. You either know or you don't.
- (5) BY MR. TREMONT:
- (6) Q. Give us an estimate.
- (7) MR. SWEENEY: If you can give us an estimate, fine. Do not guess.
- (8) BY MR. TREMONT:
- (9) Q. Give us an estimate.
- (10) A. I can give an estimate. Almost a year.
- (11) Q. Almost a year. During the time that he was there, I assume he obviously was not engaged in any priestly duties in Connecticut.
- (12) A. Or anyplace.
- (13) Q. Well, certainly not Connecticut.
- (14) A. No.
- (15) Q. And then he returned?
- (16) A. He returned.
- (17) Q. When he returned, did you place any restrictions on him?

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- (1) A. Both places met with the pastor - they sent up a member of the staff to speak to the pastor and they outlined the after care with where he was living, and he returned to both institutions, to the outcare provisions that were assigned to him and he continued his outcare when he was with Dr. George Kelly.
- (2) Q. Now, did you assign any restrictions?
- (3) A. I did not. I followed the expertise of the institution.
- (4) Q. And what - where was he at that point, what church was he assigned to?
- (5) A. I am not certain.
- (6) Q. Did you do anything to be assured that he wouldn't be involved with young parishioners?
- (7) A. We were not given that advice and there was no need to have this kind of prohibition.
- (8) MR. SWEENEY: It calls for a "yes" or "no" answer. Yes or no.
- (9) BY MR. TREMONT:
- (10) Q. You say there was no need to have this kind of prohibition. You said he had some sort of sexual problems, right?
- (11) A. When he went to the -
- (12) Q. Right?

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- (1) A. To be sent home from such institutions, there would be a remediation if not an elimination of the confusion.
- (2) Q. So that you believe that persons, let's take an example - I'm not saying Father Moore, but a pedophile goes to an institution and he goes for six months or a year, and he comes out and he's cured?
- (3) A. I did not say that.
- (4) Q. All right. So that the fact that Father Moore came out of an institution, why would you assume that he was cured, if you will, of the sexual problems that he was having?
- (5) A. We don't use the word "cured." It was given to us that he was now competent, capable of having greater insight, thereby greater responsibility in - not controlling, but in not being a danger in this area.
- (6) Q. Well, wouldn't you think it would be safer to keep him away from youth groups or altar boys?
- (7) A. It was not their judgment.
- (8) Q. Whose judgment?
- (9) A. The institutions where we sent him to.
- (10) Q. Well, what about yourself, you're a

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- (1) psychologist, you were a psychologist at that time. Didn't you have any judgment?
- (2) A. I had a judgment but I followed the judgment of the people that we sent him to, and continued the judgment in a supportive way, in other words, to follow through with George Kelly. This was not the advice.
- (3) Q. Let me ask you, if a priest had an alcoholic problem, what would you do about him saying mass, as far as the using wine during the -
- (4) A. It depended on the priest. Again, the expert of their respective agency, some necessitated the dispensation - I think that's this right word, of the church to use grape juice. Others were not given this requirement.
- (5) Q. Who determined whether - not the dispensation, I realize comes from Rome, but who determined it was necessary for a priest to have that dispensation?
- (6) A. The institution that he attended.
- (7) Q. And by "institution" you mean St. Luke's or Southdown?
- (8) A. St. Luke's or Southdown.
- (9) Q. Would you tell an alcoholic, a person

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- (1) who is recovering from alcoholism, that he
- (2) should be able to drink?
- (3) A. At no time, at no time.
- (4) Q. And I assume then that if someone had a
- (5) proclivity sexually towards children, would you
- (6) not try to keep him away from an environment
- (7) where there were a lot of children?
- (8) A. If that was the instruction given to us
- (9) by the, either private therapist or the agency,
- (10) yes, we would, right.
- (11) Q. But you would do it on your own, you
- (12) wouldn't think that would be a prudent thing to
- (13) do?
- (14) A. No, because again, what my role, once
- (15) they were in the hands of the expert, was to
- (16) follow the expert. And my role then, having the
- (17) expert's advice, was more as priest than as
- (18) psychologist.
- (19) Q. But you're an expert?
- (20) A. Yes, and but -- for example, should it
- (21) ever happen, if I went to dinner with you, I
- (22) would not use my expertise. I would be off
- (23) duty.
- (24) Q. I don't quite understand that. If you
- (25) went to dinner with me, if I had -- if I

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- (1) happened to be a good cook, and I would use my
- (2) expertise in cooking if we had dinner together,
- (3) but actually if you went to dinner with me, you
- (4) mean you wouldn't psychoanalyze me?
- (5) A. Let me draw the analogy --
- (6) Q. You probably have already, I'm sure.
- (7) In fact, I'm positive you have, and you know you
- (8) have.
- (9) A. Well, I certainly would -- what I'm
- (10) saying is, I was off duty once I received the
- (11) expert's opinion.
- (12) Q. But you read Bishop Curtis's
- (13) deposition, you told us. You did read Bishop
- (14) Curtis's deposition?
- (15) A. What do you mean, "deposition"?
- (16) Q. Well, I think you indicated that
- (17) Mr. Sweeney sent you the deposition of Bishop
- (18) Curtis.
- (19) A. Sorry, attorney, yes.
- (20) MR. SWEENEY: The transcripts,
- (21) Counselor, the transcripts of his testimony?
- (22) MR. TREMONT: I said he read the
- (23) deposition, transcript.
- (24) BY MR. TREMONT:
- (25) Q. And you see that Bishop Curtis relied

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- (1) on you.
- (2) A. Oh, no question at all.
- (3) Q. He was very proud of you.
- (4) A. And I was proud of him.
- (5) Q. Part of his reliance is because he said
- (6) this man has a degree, he's a psychologist.
- (7) A. That's right.
- (8) Q. He knew what to do about these things.
- (9) A. That's right.
- (10) Q. Now, you had some complaints about
- (11) Father Carr, if you recall --
- (12) A. Yes.
- (13) Q. -- you told us.
- (14) MR. SWEENEY: One complaint,
- (15) Counsel.
- (16) MR. TREMONT: No, he didn't say
- (17) one complaint. He had two boys --
- (18) MR. SWEENEY: All right.
- (19) MR. TREMONT: All right?
- (20) A. In the one scene.
- (21) Q. A hand on each lap, if I recall, in a
- (22) movie theatre.
- (23) A. Not lap, the knee.
- (24) Q. The knee in a movie theatre.
- (25) A. At the same time, simultaneously.

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- (1) Q. Now, subsequently, Father Carr wound up
- (2) at the Notre Dame Boys High School, right?
- (3) A. That's right.
- (4) Q. Do you think that was a good place for
- (5) a priest to go when there were complaints
- (6) brought by parents that he may have sexually
- (7) touched young persons?
- (8) A. That was the advice of Dr. Bill Larkin.
- (9) Q. Dr. Larkin said it was good to put him
- (10) in a boys school; is that what you are telling
- (11) me?
- (12) A. I'd have to ask you what you mean by
- (13) "good." If that's a value judgment, he was
- (14) speaking as a psychologist. It wasn't a value
- (15) judgment -- it was a conviction that he was not
- (16) in a dangerous environment.
- (17) Q. So you're saying that Dr. Larkin
- (18) recommended that he be put in a boys high
- (19) school?
- (20) A. We would have to go back a step,
- (21) attorney. In the personnel board, it was asked
- (22) that he be assigned to Notre Dame High School.
- (23) The bishop was present and I asked, could we
- (24) leave this agenda until the next session, and I
- (25) asked at that time Dr. Larkin's opinion about

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- (1) such an appointment and he saw no reason for his
- (2) having such an appointment.
- (3) Q. You're telling me that you called
- (4) Dr. Larkin --
- (5) A. No, I visited with him. It was that
- (6) serious and also -- yes.
- (7) Q. Why do you say, "it was that serious"?
- (8) MR. SWEENEY: Well, pardon me.
- (9) Can let him finish his answer. You said it
- (10) was --
- (11) MR. TREMONT: That serious, he
- (12) said.
- (13) MR. SWEENEY: And you also said
- (14) you visited with him. Did you finish that
- (15) answer?
- (16) MR. TREMONT: He said that
- (17) before, yeah.
- (18) BY MR. TREMONT:
- (19) Q. So why do you say, "it was that
- (20) serious"?
- (21) A. Because again, the -- when I
- (22) recommended Dr. Larkin after the Wilton
- (23) experience, I shared the idea that this was what
- (24) the personnel board had in mind, and that I
- (25) thought I had a serious obligation, not because

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- (1) of the behavior, but to confer that Dr. Larkin
- (2) would agree with our assessment.
- (3) Q. What do you mean when you say not
- (4) because of the behavior? For what other reason
- (5) would you have --
- (6) A. Any time we used a psychologist, when a
- (7) man was in therapy, before an appointment was
- (8) given, I would consult with him, does he have
- (9) any reason to have misgiving about or does he
- (10) have any advice for the board.
- (11) Q. So you're telling me that each time you
- (12) had a man in therapy, you called up the
- (13) psychologist or the psychiatrist, whoever it
- (14) might be, to determine whether that person
- (15) approved of this type of an assignment?
- (16) A. That would be correct.
- (17) Q. Do you have a letter, for instance,
- (18) from Dr. Larkin indicating that he was thought
- (19) it was a good place for Father Carr to be, at a
- (20) school, a high school for boys?
- (21) A. I do not have a letter, no.
- (22) Q. Was Father Carr under treatment of
- (23) Dr. Larkin during that period of time, or had he
- (24) completed --
- (25) A. That's right.

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- (1) Q. Oh, he was still under treatment?
- (2) A. And much after he went to Notre Dame.
- (3) Q. So that it was during his treatment and
- (4) therapy that you assigned him to the Notre Dame High School for Boys?
- (5) A. Bishop Curtis assigned him to Notre Dame Boys High School, at the advice of the personnel board.
- (6) Q. Well, didn't you interview Father Carr about that assignment?
- (7) A. We all did, yes.
- (8) Q. No, didn't you interview him, not "we all"? You alone, separately.
- (9) A. No, I did not.
- (10) Q. You did not?
- (11) A. No.
- (12) Q. So you would disagree with the statement of Father Carr who said that you interviewed him in 1986 regarding his request to be placed at the Notre Dame High School for Boys?
- (13) MR. SWEENEY: Well, there's no inconsistency.
- (14) BY MR. TREMONT:
- (15) Q. I am asking, do you -

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- (1) A. I followed strictly the advice of Dr. Larkin with regard to his appointment.
- (2) MR. SWEENEY: Monsignor, the question is -
- (3) Q. That's not the question.
- (4) MR. SWEENEY: - whether you participated in any view of Father Carr before he was assigned to Notre Dame.
- (5) MR. TREMONT: No, that's not the question, Mr. Sweeney. It's not the question.
- (6) MR. SWEENEY: I think the question was -
- (7) MR. TREMONT: It's not the question.
- (8) BY MR. TREMONT:
- (9) Q. I said, did you yourself, alone, interview Father Carr in 1986 -
- (10) MR. SWEENEY: If you recall.
- (11) Q. - when he requested that he go to Notre Dame High School?
- (12) A. He saw me about the request, as the member of the personnel board, that he would like to go to Notre Dame High School. Did I discuss, was that -
- (13) Q. What is your question?

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- (1) Q. So you did interview him privately?
- (2) A. He came to me about wanting to teach at Notre Dame High School.
- (3) Q. Right. So this individual, against whom you had a complaint by at least two people that he was doing something with their children, you went ahead and decided that it would be fine for him to go to an all-boys school while he was under therapy for sexual problems that he had with children?
- (4) A. This was not my interview. The interview was, Father Carr came to me of his interest in going to Notre Dame, and I in turn went to Dr. Larkin.
- (5) Q. All right. So said to you, "I want to go to Notre Dame." Isn't that like sending Dracula to guard the blood bank?
- (6) MR. SWEENEY: You don't have to answer that question. That's argumentative.
- (7) Please go on to the next question.
- (8) BY MR. TREMONT:
- (9) Q. I mean, you're taking - this man made that request. Why didn't you put him some other place?
- (10) A. That was not the advice of Dr. Larkin.

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- (1) Q. So you're saying Dr. Larkin thought it was a good idea that he was in a boys high school?
- (2) A. And - yes.
- (3) Q. Okay, that's what Dr. Larkin would say?
- (4) A. Yes.
- (5) Q. Incidentally, do you know where Dr. Larkin is now?
- (6) A. Yes, in Hamden, Connecticut.
- (7) Q. And did you get a report or something from Dr. Larkin to cover that?
- (8) A. Oral.
- (9) Q. Oral. Nothing in writing?
- (10) A. That's right.
- (11) Q. Obviously, the personnel board was unaware of the fact that Father Carr was under therapy because of the sexual charges brought by parents begins him?
- (12) A. The parents did not conclude, as you are, that these were sexual charges.
- (13) Q. Well, you said that last time, except two parents came to you.
- (14) A. That's right, a husband and wife of both boys.
- (15) Q. So there were four parents?

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- (1) A. Two parents, yes, or four persons.
- (2) Q. Four persons?
- (3) A. Okay.
- (4) Q. And I thought there were only two before, but there's four of them. Okay.
- (5) So the four parents came to you and they indicated that their children were disturbed, right?
- (6) A. That's right.
- (7) Q. So why would you think the children would be disturbed?
- (8) A. Because it's unusual behavior to put one's hand at the same time on boys' knees.
- (9) Q. So you thought it was unusual behavior?
- (10) A. That's right.
- (11) Q. What would you make of it?
- (12) A. I would not immediately conclude that it was a sexual advance, and why I didn't want to conclude anything is that I knew that I could get the expertise of Dr. Larkin.
- (13) Q. Do you know why the boys were upset about that? I mean, how would one boy know what he did to the other boy?
- (14) MR. SWEENEY: "Yes" or "no."
- (15) A. No.

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- (1) Q. You don't know why they were upset.
- (2) In that particular case, you immediately, as I understand it, insisted that he undergo treatment.
- (3) A. Yes.
- (4) Q. Now, what was the conclusions that you reached in regard to Father Carr, what did they tell you about him? What was wrong with him?
- (5) A. Who are the "they"?
- (6) Q. Where did you send him for the first - did you - where did you send him first?
- (7) A. Dr. Larkin, for four years.
- (8) Q. What did Dr. Larkin tell you?
- (9) A. Well, there were many things over the course of the four years with Charlie Carr, and he was fully cooperative, and he saw no reason for the being reticent, in fact, encouraged his appointment to Notre Dame and was very exacting while he was there of Charlie and increasingly found him less danger.
- (10) Q. All right. Less dangerous?
- (11) A. No danger.
- (12) Q. Well, let's find out - he found him less dangerous.
- (13) Let's go back. What was his

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(1) Q. No. You received that letter.  
 (2) A. I was not shown this letter, no.  
 (3) Your question, attorney, was did  
 (4) I receive -- that this was given to me the last  
 time I was here and I'm asking --  
 Q. That letter was -- you read that  
 (7) letter?  
 (8) A. Yeah, but this letter was not given to  
 (9) me the last time I was here.  
 (10) MR. SWEENEY: I think we can  
 (11) stipulate this letter was not on the table at  
 (12) last week's session of this deposition.  
 (13) BY MR. TREMONT:  
 (14) Q. Well, you saw that letter, had you not?  
 (15) MR. SWEENEY: This was addressed  
 (16) to you back in June of '83.  
 (17) A. I would like to read it, attorney. It  
 (18) was not given to me the last session.  
 (19) MR. SWEENEY: We can stipulate to  
 (20) that.  
 (21) A. Yes, I received this letter, yes.  
 (22) Q. That letter --  
 (23) MR. TREMONT: We should mark this  
 (24) as Plaintiff's Exhibit B for identification. I  
 (25) think we only marked one thing before, okay.

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(1) (Plaintiff's Exhibit B marked for  
 (2) identification.)  
 (3) BY MR. TREMONT:  
 (4) Q. Now, this letter is dated June 30th of  
 (5) 1983 and it signed by a F-006 and addressed  
 (6) to you. Now --  
 (7) MR. SWEENEY: Pardon me,  
 (8) Counsel. Doesn't the signature read F-006  
 (9) ?  
 (10) MR. TREMONT: As I say, it says  
 (11) F-006. It's typed up.  
 (12) MR. SWEENEY: But the signature  
 above the name is F-006, is it not?  
 MR. TREMONT: What difference  
 (15) does that make?  
 (16) MR. SWEENEY: Well, I think we  
 (17) got to identify it correctly.  
 (18) MR. TREMONT: Well, I think the  
 (19) way to identify it, I see a F-006 on the  
 (20) bottom. Is that a problem? I think we've got  
 (21) it marked for identification. I don't think  
 (22) we're going to lose the letter, Mr. Sweeney,  
 (23) like the other letter that we lost, Plaintiff's  
 (24) Exhibit A.  
 (25) BY MR. TREMONT:

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(1) Q. In any event, this letter is dated June  
 (2) 30th of 1983. I want to ask you, Monsignor,  
 (3) after you received this letter, after you  
 (4) received it, and while you were in your position  
 (5) as vicar, did you receive another complaint in  
 (6) writing from a Mr. M-016 (Ph.) regarding  
 (7) Father Pcolka?  
 (8) A. I have no recollection of receiving  
 (9) such a letter.  
 (10) Q. If you had received that letter, where  
 (11) would it be?  
 (12) A. It would be in the bishop's file.  
 (13) Q. When you say, "the bishop's file," that  
 (14) would be the bishop's personnel file as opposed  
 (15) to the secret archives?  
 (16) A. Personnel file.  
 (17) Q. Incidentally, do you know where this  
 (18) letter was, this letter, B for identification?  
 (19) A. Yes, that would be in the bishop's  
 (20) file, personnel file.  
 Q. But it was addressed to you?  
 A. That's right.  
 (23) Q. Why wouldn't it be in your file?  
 (24) A. Because just as this letter and the  
 (25) answer to this letter, that's what the bishop

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(1) would ask, where they'd be placed, that they be  
 (2) placed in his file.  
 (3) Q. What was the request as far as that is  
 (4) concerned?  
 (5) A. I am sorry, attorney.  
 (6) Q. What was the bishop's request as far  
 (7) as --  
 (8) A. That he would place these letters in  
 (9) his own personnel file.  
 (10) Q. What do you mean by "these letters"?  
 (11) A. The two that are before you.  
 (12) Q. How do you categorize this letter  
 (13) that's addressed to you, Monsignor, regarding  
 (14) Father Pcolka, as opposed to other letters that  
 (15) might be addressed to you regarding priests?  
 (16) A. Well, you'd have to show me the  
 (17) individual letter and then I could answer you,  
 (18) why are they in the bishop's file.  
 (19) Q. Why is this one in the bishop's file?  
 (20) A. The bishop asked that that's where they  
 (21) be filed.  
 (22) Q. That specifically he asked you?  
 (23) A. That's right, as well as the subsequent  
 (24) letter of July 7.  
 (25) Q. So did he say to you, "Would you,

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(1) please, in other words, be sure that we put in  
 (2) my file this letter from F-006 ?  
 (3) A. That's right, yes.  
 (4) Q. Is there any reason the bishop asked  
 (5) you to put that letter in?  
 (6) A. Yes, that was the advice given to him  
 (7) by Judge O'Connell.  
 (8) Q. The judge advised him to put it in his  
 (9) file as opposed to your file?  
 (10) A. That's right, on the date of -- and the  
 (11) next letter, which I believe is July 7th.  
 (12) Q. Now, a copy of this letter apparently  
 (13) was sent to Bishop Walter Curtis?  
 (14) A. That's right.  
 (15) Q. So wouldn't Bishop Curtis have a copy  
 (16) in his file?  
 (17) A. I am sure he did, if it's a CC letter.  
 (18) That did not change the advice of the attorney.  
 (19) Q. So did the attorney tell you to take  
 (20) your copy out of your file; is that what you're  
 (21) saying?  
 (22) A. No. This was already in the hands of  
 (23) Bishop Curtis, given to him by me. I knew about  
 (24) his receiving the carbon copy, and we were  
 (25) trying to have it -- a session with Attorney

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(1) O'Connell, to give a response to F-006 -- but  
 (2) let's get the right name. Wasn't she called  
 (3) F-006?  
 (4) Q. I don't know. Mr. Sweeney indicates  
 (5) it's in the letters.  
 (6) MR. SWEENEY: It looks like  
 (7) F-006 to me, one word.  
 (8) A. F-006, again, I thought in our  
 (9) exchange, it was F-006, F-006, fine.  
 (10) Q. So there were two copies, there were  
 (11) two letters, copies of Plaintiff's Exhibit B?  
 (12) A. Oh, sure. Otherwise, we wouldn't have  
 (13) "CC" on it.  
 (14) Q. Now, who requested that the two copies  
 (15) be kept in one file?  
 (16) A. Attorney O'Connell.  
 (17) Q. Attorney O'Connell?  
 (18) A. Mm-hmm.  
 (19) Q. Did you contact Attorney O'Connell  
 (20) before you received this letter of June 30 of  
 (21) 1983?  
 (22) A. Attorney O'Connell would have been  
 (23) informed of the date that F-006 came in with her  
 (24) counselor from -- and that was done by myself  
 (25) and Bishop Curtis.

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- (1) Q. Now, when would you have informed him,
- (2) after the meeting or before the meeting?
- (3) A. No, after the meeting.
- Q. After the meeting. After the meeting
- that you had, the -
- How long did that meeting take,
- (7) do you recall? Do you recall how long the
- (8) meeting was? If you recall. You may not
- (9) recall.
- (10) A. Oh, I'll say an hour.
- (11) Q. And what did they tell you Father
- (12) Pcolka did to her?
- (13) A. As far as I can recall, the word
- (14) "fondle" by F-006 was used. Because she was,
- (15) in my judgment, heavily coached, book kind of
- (16) knowledge, questions, I began to question the
- (17) counselor. I asked, but was not recognized,
- (18) that F-006 speak more. I must say, she was -
- (19) and I did that because she was extremely afraid
- (20) that I would violate what she was sharing in the
- (21) meeting, particularly with her own father whom
- (22) she had seen as a friend of Ray, but she also
- (23) correspondingly grew into a fear that anyone in
- (24) her family would get out, and then the closing
- (25) fear that this would become in any way public

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- (1) knowledge.
- (2) Q. This was during the course of the
- (3) conversation?
- (4) A. That's right.
- (5) Q. And you assured her that that would not
- (6) happen?
- (7) A. I assured her that wouldn't happen,
- (8) right.
- (9) Q. And your remembrance is that the only
- (10) thing she said or they said was "fondling"?
- (11) A. That's the only thing I can recall,
- attorney.
- Q. Do you recall that she told you that
- this started on her seventh birthday?
- (15) A. I recall that she told me it occurred
- (16) on - as a young girl. I recall that vividly.
- (17) Did I recall the date of the birth - the date
- (18) that it took place? No.
- (19) Q. Not the date, but that it was her
- (20) seventh birthday.
- (21) A. No, I just recall that it was as a
- (22) young girl.
- (23) Q. Do you recall that she said that Father
- (24) Pcolka, in the presence of the psychologist that
- (25) was with her, was going to give her a birthday

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- (1) spanking?
- (2) A. I do not recall that, attorney.
- (3) Q. Do you recall that he told her that
- (4) they would do 69 and that as a seven-year-old
- (5) child, he took his penis and put it in her mouth
- (6) and performed oral sex on her?
- (7) A. I don't recall that, attorney.
- (8) Q. You'd remember that, I assume, it's
- (9) pretty graphic.
- (10) A. I would.
- (11) Q. And that that was said to you in the
- (12) presence of a psychologist, a counselor that
- (13) came with her?
- (14) A. A counselor in training.
- (15) Q. Whoever it was, the individual was
- (16) there with her when she gave you this
- (17) information.
- (18) A. That's right.
- (19) Q. But you don't remember that?
- A. I do not, attorney, no.
- Q. All you remember is fondling.
- A. Mm-hmm.
- (23) Q. Now, let me ask you, you've heard about
- (24) the other complaints now about Father Pcolka?
- (25) A. I do.

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- (1) Q. And you've heard that, as we mentioned
- (2) the last time, there were a substantial number
- (3) of complaints, as I went through the entire
- (4) Diocese, practically, from his first
- (5) assignment.
- (6) In retrospect, do you agree that
- (7) your judgment on Pcolka was incorrect?
- (8) A. No, I would have to stay with my
- (9) judgment as a professional and as accurate.
- (10) Q. All right. So you think he's okay?
- (11) A. As a result of that meeting, from
- (12) Benedict, my thorough investigation with the
- (13) various persons that knew Ray and also my
- (14) concluding consultation with Dr. Peter Holland
- (15) in New York, and then at our dinner at the New
- (16) York Athletic Club, in the Pelham, with Bishop
- (17) Curtis, Father Benedict Groeschel and myself, I
- (18) have moral certitude I did what a professional
- (19) would do with the information that he had at the
- (20) end.
- (21) I did ask, at the end, that the
- (22) - that F-006 return with her - the
- (23) counselor's supervisor.
- (24) Q. So that you do not believe then that
- (25) your judgment was incorrect?

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- (1) A. I do not.
- (2) Q. Now, after she told you the story, you
- (3) indicated that you disbelieved it. You didn't
- (4) believe her?
- (5) A. Oh, no, I did not indicate that. I
- (6) left this entirely - I wanted him to be
- (7) immediately evaluated by Benedict Groeschel. I
- (8) didn't have belief or disbelief, I just had
- (9) disgust.
- (10) Q. Disgust over what?
- (11) A. What was given to me by F-006, who
- (12) was a very fine young woman, and my disgust was
- (13) with the hope that my judgment was accurate and
- (14) that's why I did a thorough investigation on my
- (15) part.
- (16) Q. Why did you have disgust? You had
- (17) disgust over what?
- (18) A. I would find it - I find it
- (19) disgusting, for fondling a child that young.
- (20) Q. Obviously, I think we all would do
- (21) that, Monsignor.
- (22) A. That would be a hope.
- (23) Q. But are you not indicating that you
- (24) thought she was coached, you didn't believe her?
- (25) A. I thoroughly found her counselee

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- (1) incompetent to the situation.
- (2) Q. It's not a question of her counselor
- (3) being competent or not. The fact is, didn't you
- (4) indicate that you felt that her story was
- (5) coached, that it was untrue?
- (6) A. It was coached and also the language
- (7) was almost missing F-006 as a person. It was
- (8) coming out of a textbook rather than trying to
- (9) understand a fine young woman.
- (10) Q. Well, you said she said, "fondling"?
- (11) A. Right.
- (12) Q. Is that coming out of a textbook?
- (13) A. That's my recall.
- (14) Q. And you did indicate, though, that you
- (15) basically - you didn't believe her, did you?
- (16) When you're saying she's coached, it's coming
- (17) out of a textbook, aren't you saying that you -
- (18) MR. SWEENEY: Counsel, this has
- (19) been asked and answered already.
- (20) BY MR. TREMONT:
- (21) Q. Aren't you saying that didn't you
- (22) believe her?
- (23) A. I am not saying that. I wouldn't have
- (24) gone through the investigation I did with regard
- (25) to Father Pcolka, nor would I have called

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- (1) Q. And what is he?
- (2) A. He was a clinical psychologist.
- (3) Dr. Peter Holland, Ph.D.
- Q. And what was his Ph.D. in?
- A. Clinical psychology, and his method is psychoanalytic.
- Q. Where was he?
- A. East 86th Street, between Madison and Park Avenue.
- Let's see I also had a woman or two. Mary Ann Reilly but -- are you asking me for just doctors, attorney?
- Q. Well, I'm asking you for doctors or psychologists. I mean, they're not MD's, but that would treat your priest that had disorders.
- A. Mary Ann, Sister Mary Ann Reilly at Notre Dame High School. She had a Ph.D. in guidance counseling, had a practice at Notre Dame High School and also in her convent at Park Avenue. It was then her convent.
- In an advisory capacity -- what was her first name? Dr. Kelly. This is a woman.
- Q. You mentioned Dr. George Kelly. Is

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- (1) this another Dr. Kelly?
- A. Yeah. No, this is a woman. Doctor -- I'd only be guessing at her first name. And I just give her as an advisory. She came to some of our dinners where all of these people were present, and I knew her and referred -- I'm not sure, other than priests who wanted to see a psychologist in terms of health, becoming healthier. Dr. Patricia Kelly.
- Q. Patricia Kelly.
- A. Right.
- Q. Where did she practice?
- A. She practices in Philadelphia. I believe the Town of Chester.
- Q. Is that it?
- A. Dr. Tom McGrath, SJ, Ph.D., clinical psychologist.
- And in one instance, Dr. Walter Smith, SJ, Ph.D., Fairfield University, but I underscore, one instance.
- If you just give me two minutes,
- I'll be able to -- Excuse me. Father James Lloyd, L-I-o-y-d, CSP. That's the society they belong to as a Paulist father. Ph.D. And he's a clinical psychologist.

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- (1) I believe that's enough, and if I forgot anyone --
- Q. Now, those people that you have just mentioned, the group of professionals, they were individuals who would treat your or consult with your priests in the Diocese for various psychological problems?
- A. Not necessarily. In fact, the majority, attorney, would not be for problems.
- Many of them would be for priests, because of our emphasis on health, becoming healthier, they would see them, some would consider them their spiritual directors, with a clinical background, they found the combination best. So it was not always problem centered, no.
- Q. Well, how would they see them? I mean, why would you refer them to these people if the priest was in good mental health?
- A. Well, excellent question. They would come in and that's exactly what they wanted to do, that was exactly the tenor we created through our continuing education program. The psychology was clearly moving away from problem-centeredness into a healthy person becoming healthier.

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- (1) Q. In other words, the person would express the need, or -- that's what I'm trying to ask. Is the person expressing it or are you telling the person, "Look, we think you should do this"?
- A. Either, or as a result of a talk that we would have, they were encouraged this way.
- Another name would be Dr. James Gill. He was very much active in our -- MD, SJ.
- Q. Now, where was Dr. Gill at that time?
- A. His practice at that time, attorney, was -- James Gill, at that time. He's been around. When we were using him, he was at the Jesuit House in Cambridge, Massachusetts. He saw one or two of our priests at that center.
- Q. You never sent to Dr. Gill any of the priests that there was -- that at least there was a claim or belief that they might have had sexual problems?
- A. To Dr. Gill?
- Q. Yes.
- A. We did not, no.
- Q. Now, you didn't mention Dr. Meshkin.
- You didn't use Dr. Meshkin, did you; is that correct?

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- (1) A. Yes, in fact, thank you. With Dr. Meshkin, I want to mention his understudy.
- Dr. John Ragowski, we used both of those.
- Q. Did you use Dr. Meshkin?
- A. Yes, we did. Certainly, did I use him, yes.
- Q. So that you used Dr. Meshkin from the time you became vicar?
- A. That's right. That's right.
- Q. And also Dr. Ragowski?
- A. Dr. Ragowski. More commonly, Dr. Ragowski because of the commitment of Dr. Meshkin as the head of the hospital of psychiatry at St. Vincent.
- Q. They had separate practices --
- A. They had separate practices.
- Q. -- correct?
- A. That's right.
- Q. Now --
- A. Also, he was an adviser to our -- Dr. Meshkin was an advisor to some of the things I did. We were professional friends.
- Q. Do you agree with the statement that the Catholic parents had a right to assume that their priests were celibate?

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- (1) A. Focus your question, please.
- Q. Do you agree with the statement that Catholic parents had a right to assume that their priests were celibate?
- A. Yes, and with every right for the human responsibility.
- Q. Now, you mentioned the -- that there was an issue with Father Federici as to whether an act of sexual misconduct occurred in the confessional or outside of the confessional, and you said that if it occurred within the confessional, it was very significant.
- Could you explain that to me?
- A. Yes, it's automatic excommunication.
- In other words, the priest, of himself, is excommunicated.
- Q. If he does what?
- A. Solicitation in the confessional.
- Q. Solicitation of sex in the confessional?
- A. That's right. Excuse me. Any form of solicitation. You'd have to ask a canonist, is there a more variable to solicitation.
- Q. So if you had concluded that Father Federici had solicited the sex in the