

IN THE IOWA DISTRICT COURT FOR JOHNSON COUNTY

MICHAEL KASPER, ROBERT KASPER,
and ARDEN KASPER,

Plaintiffs,

vs.

FATHER JAMES ELMER LEU,
individually and as agent
of Diocese of Davenport and
Roman Catholic Bishop of
Davenport; MOST REVEREND
GERALD O'KEEFE, FATHER HARRY
LINNENBRINK, and MONSIGNOR
W. ROBERT SCHMIDT, all
individually and as agents
of the Diocese of Davenport;
THE ROMAN CATHOLIC BISHOP OF
DAVENPORT; and THE DIOCESE OF
DAVENPORT,

Defendants.

LAW NO. 53102

DEPOSITION OF
BISHOP GERALD
O'KEEFE

ORIGINAL

DEPOSITION OF BISHOP GERALD O'KEEFE,

taken at the Law Offices of Lane & Waterman,

600 Davenport Bank Building, Davenport, Iowa, on

June 12, 1991, commencing at 9:10 a.m., before

Alanna G. Jeffery, Certified Shorthand Reporter and

Notary Public in and for the State of Iowa. Also

present: Defendants Monsignor W. Robert Schmidt, Clerk of District Court

and Father Harry Linnenbrink; and Kathy Flynn from

The Aetna.

ALANNA JEFFERY, CSR, RPR, CM
319-355-3338

EXHIBIT

2

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1 initiated against him, or began?

2 A. I'm not sure. It was sometime in the
3 spring of '89.

4 Q. Was it before you suspended his
5 faculties?

6 A. No, afterwards, I think.

7 Q. What, then, prompted you to suspend his
8 faculty?

9 A. His leaving the Kahl Home.

10 Q. Why did he leave the Kahl Home?

11 A. I can't tell you what his own disposition
12 was. I don't know.

13 Q. Was that an action that he took on his
14 volition?

15 A. Yes. That's correct.

16 Q. You didn't ask him to leave.

17 A. I did not ask him.

18 Q. Why would the leaving the Kahl Home in
19 itself, if it did, result in suspension of his
20 faculty?

21 A. Because he wasn't ministering to anybody,
22 and the criminal action had become more imminent.

23 Q. Before Father Leu was accused of sexual
24 misconduct, Bishop, have you had any other
25 Diocese accused of sexual misconduct?

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P.M.

EDWARD F. STEINBRECH
CLERK OF DISTRICT COURT

1 A. Yes.

2 Q. When, in time, did it happen before?

3 A. I think about a year before.

4 Q. Was any canonical proceedings initiated
5 against the priest accused of that conduct?

6 A. No. We suspended his faculties, and
7 he went away for treatment.

8 Q. And before that time, a year before
9 Father Leu was accused, any other priest accused
10 while you've been Bishop?

11 A. No.

12 Q. There was no criminal proceeding in
13 connection with that priest, was there?

14 A. That is correct. There was not.

15 Q. Now, you are aware that Father Leu
16 ultimately got charged in the criminal courts and
17 ultimately pled guilty to a matter and that the
18 public record reflects that it happened very
19 quickly.

20 My question to you, Bishop, is, did you
21 become involved in any way in that matter?

22 A. Only after he pleaded guilty, I was asked
23 to write a letter to the judge.

24 Q. Who asked you to do that?

25 A. His attorney, Mr. Berger. Mr. Lane was

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CLERK OF DISTRICT COURT

1 effect.

2 Q. Had the policy began to be formulated
3 before it was disclosed that Father Leu had been
4 engaged in sexual conduct with children?

5 A. I don't know. I'm not clear on my dates.

6 Q. The other priest of the Diocese of
7 Davenport that you had mentioned had been accused
8 of sexual misconduct that has resulted in some sort
9 of civil lawsuit; has your deposition been taken in
10 that matter?

11 A. No. No, it has not.

12 Q. Has that matter been concluded, do you
13 know?

14 A. No.

15 Q. It is pending?

16 A. Yes.

17 Q. Other than that priest and Father Leu,
18 to this day, have any other priests, to your
19 knowledge, been accused of sexual misconduct with
20 youths since you've been Bishop?

21 A. Not to my knowledge, no.

22 Q. And so the only times you had to
23 with that situation would be this involving
24 Leu and that other priest. Is that correct?

25 A. That is right.

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A. M. P. M.

AUG 25 1992

Father
EDWARD T. STENBRECH
CLERK OF DISTRICT COURT