

MASTER'S OPINION

The attorneys representing the claimants and the Archdiocese in the above titled matter appeared before me on July 10, 2009 to review the parties' positions as to the publication of the deposition of Bishop Raymond E. Goedert taken in connection with the mediation of certain claims.

Background

The parties entered into a Mediation Agreement on September 23, 2006. The purpose of the Agreement was to establish a process whereby certain claims would be resolved through negotiation and mediation, rather than through litigation or a trial. Thomas F. Gibbons serves as the mediator and the undersigned serves as a Master to decide certain issues related to the sharing of information. To aid and facilitate the settlement of certain claims, Jeffrey R. Anderson took the deposition of Bishop Goedert on November 13, 2007 pursuant to provisions in the Agreement relating to the sharing of information. Bishop Goedert served as the Vicar for Priests in the Archdiocese from July 1, 1987 through September, 1991. As Vicar for Priests, his responsibilities included dealing with allegations that certain priests sexually abused minors. Many of the claims at issue have now been settled.

The claimants' attorneys have expressed an interest in disseminating Bishop Goedert's deposition. The Archdiocese expressed certain concerns regarding publication. Those concerns are addressed in this opinion.

The Archdiocese's Concerns

Both the Archdiocese and the claimants have expressed concern for the privacy of certain people who are identified in the original transcript and exhibits of the deposition. These people may be those who brought forward allegations or others who were not directly involved with the

allegations. They are either identified by name or by other circumstances that are described. Both the Archdiocese and the claimants agree that the names and identifying information of these third parties should not be disclosed.

In addition, the Archdiocese is concerned about how its observance of mandatory mental health confidentiality laws impacts the description of Bishop Goedert's efforts to respond to allegations of clergy misconduct. Bishop Goedert testified that it was the Archdiocese's regular practice to obtain a full forensic psychiatric evaluation of accused clergy from institutions that specialized in evaluation and treatment of sexual offenders and to rely on those evaluations. Bishop Goedert testified that he would not have recommended that any cleric remain in ministry where forensic psychiatrists identified a risk to children. The Archdiocese is concerned that without the disclosure of information about these opinions, Bishop Goedert's actions may appear arbitrary or unwarranted. The Archdiocese maintains that the professional advice it received cannot be disclosed because the Illinois Mental Health and Developmental Disabilities Confidentiality Act prohibits the disclosure of confidential mental health information. While the claimants disagree regarding the application and scope of the Illinois Mental Health and Developmental Disabilities Confidentiality Act under these circumstances, in an abundance of caution, all references to accused clergy receiving psychiatric evaluations or treatment have been redacted from the deposition transcript and exhibits. For the same reason, all of the advice and/or recommendations Bishop Goedert or the Archdiocese received from forensic psychiatrists concerning the suitability of accused clergy for any form of ministry have been redacted.

Finally, the Archdiocese expressed a concern that publication of Bishop Goedert's deposition may be confusing because Bishop Goedert's testimony describes practices prior to 1992. Joseph Cardinal Bernardin appointed a Special Commission in 1992 to review those

practices as part of an effort to improve the Archdiocese's response to allegations of sexual abuse of minors. As a result of the Special Commission's report, the Archdiocese adopted and promulgated new policies and procedures on September 21, 1992. From time to time since then, the Archdiocese has made changes intended to strengthen and improve those policies. These new policies and procedures have been in effect for more than sixteen years. Among other things, the policies create a nine-person review board (the majority of whom are lay people) to consider allegations that a priest sexually abused a minor. The policies also provide for a lay staff person to assist the Review Board. The lay staff person receives allegations on behalf of the Review Board and promptly reports them to the public authorities. A complete statement of the policies can be found on the Archdiocese's website at:

<http://policy.archchicago.org/policies/bk2ttl3chpt1num1100.pdf>.

Thus, the Archdiocese believes that readers of the transcript should be reminded that Bishop Goedert's testimony describes an approach that has not been in place since 1992.

The Claimants' Response

As mentioned above, the claimants share the Archdiocese privacy concerns for other victims and third parties. However, the claimants do not believe that the Archdiocese's other concerns create any particular problems for the disclosure of the deposition transcript and, in any event, believe that any concerns can be addressed by reasonable redactions or other means.

The Parties' Agreement

Because of this disagreement, the parties met with the Mediator, Thomas F. Gibbons, to review the deposition transcript and exhibits. They have agreed to delete or black out certain words from the deposition to help address the Archdiocese's concerns. Those deletions are sometimes called "redactions." The purpose of the redactions is to protect the privacy of those

bringing forward allegations as well as of persons who are not directly involved in these cases, and to protect information that the Archdiocese believes must be kept confidential by law. In the exhibits, the vast majority of the redactions protect the privacy of those bringing allegations. As a result of this mediation, the parties have agreed to publication of the deposition with these redactions.

OPINION

The parties have asked the Master to review the Archdiocese's concerns and the agreed upon redactions and render an opinion about these matters. The Master has carefully done so. However, it should be noted that the parties did not request and the Master has not provided a legal opinion regarding the applicability or scope of any legal privilege. Rather, the Master acknowledges the Archdiocese's concerns and the Claimants' response, approves the parties' agreed upon redactions and the attachment of this opinion to Bishop Goedert's deposition as means to address those concerns. In addition, the Master points out the following important facts about the deposition:

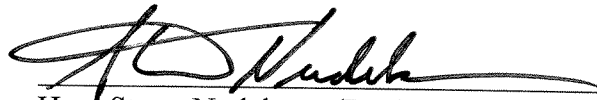
1. The purpose of the deposition was to allow the claimants' attorney, Jeffrey R. Anderson, to ask Bishop Goedert questions to assist in resolving certain claims fairly and promptly.
2. At a deposition, only the witness provides testimony under oath. The words of the attorneys are not testimony. The attorney taking the deposition asks questions that he or she chooses. Accordingly, a deposition is not meant to provide a full view of a case. In addition, Illinois law provides for discovery depositions, which are not intended to be used as evidence, and evidence depositions that require stricter standards. Bishop Goedert's deposition was a discovery deposition and therefore contains hearsay and other testimony that may or may not be admissible in evidence.
3. The attorney taking a deposition also has wide latitude in the use of documents. He or she can present documents from the witness files or other documents that the witness may not have seen, and that may or may not be accurate. Documents created by attorneys and statements made by attorneys are not evidence.

This opinion shall be attached to Bishop Goedert's deposition whenever it is published.

Based upon the information the Master has been supplied thus far, this ruling shall issue.

I wish to thank the parties and their attorneys for the professional and cooperative way in which they addressed the difficult questions presented by the dissemination of this deposition.

Entered July 15, 2009

A handwritten signature in black ink, appearing to read "Stuart Nudelman", is written over a horizontal line.

Hon. Stuart Nudelman (Ret.)
Master

(*1)

STATE OF ILLINOIS)
) SS:
COUNTY OF C O O K)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

COUNTY DEPARTMENT - LAW DIVISION

JOHN DOES AND WOES,)

Plaintiffs,)

vs.)

ARCHDIOCESE OF CHICAGO,)

Defendant.

videotaped deposition of RAYMOND GOEDERT, taken
in the above-entitled cause, before SUSAN
HASELKAMP, Certified Shorthand Reporter for the
State of Illinois, on the 13th day of November,
2007, at the hour of 9:43 a.m. at 330 North
LaSalle Street, Chicago, Illinois, pursuant to
notice.

Reported by: Susan Haselkamp, CSR

License No.: 084-004022

(*2)

APPEARANCES:

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ALSO PRESENT: Jessica Arbour
Anthony Micheletto, Videographer

(*3)

I N D E X

WITNESS

EXAMINATION

RAYMOND GOEDERT

By Mr. Anderson

4

By Mr. Pearlman

239

E X H I B I T S

NUMBER

MARKED FOR ID

Goedert Deposition Exhibit

No. 1	4
No. 4-10	4
No. 12-13	4
No. 15-18	4
No. 20	4
No. 22-23	4
No. 25	4
No. 27-36	4
No. 38-41	4
No. 43	4
No. 45	4
No. 52	4
No. 55	4
No. 60	4
No. 70-71	4
No. 77	4
No. 80	4
No. 85	4
No. 100	4
No. 100A	4

(*4)

(Whereupon, Goedert Deposition
Exhibit Nos. 1, 4-10, 12-13,
15-18, 20, 22-23, 25, 27-36,
38-41, 43, 45, 52, 55, 60,
70-71, 77, 80, 85, 100 and 100A
were marked for
identification.)

THE VIDEOGRAPHER: This is Anthony
Micheletto in association with McCorkle Court
Reporters, 200 North LaSalle Street, Chicago,
Illinois. I am the operator of this camera. We
are on the record on November 13, 2007. The
time is 9:43 a.m. as indicated on the video
screen.

This is the videotaped deposition of
Bishop Raymond Goedert and it is being taken
pursuant to local rules of Civil Procedure on
behalf of the plaintiffs. We are at 330 North
Wabash, Chicago, Illinois. This case is
captioned to John Does and Roes versus
Archdiocese of Chicago. Will the attorneys
please identify themselves for the video record.

MR. ANDERSON: Representing several
plaintiffs, Jeff Anderson.

(*5)

MR. GEOLY: For the Catholic Bishop of Chicago and for the witness, James Geoly.

THE VIDEOGRAPHER: Our court reporter today is Susan Haselkamp also with McCorkle Court Reporters in Chicago, Illinois.

Please swear in the witness.

(Whereupon, the witness was duly sworn.)

RAYMOND GOEDERT,
having been first duly sworn, was examined and testified as follows:

EXAMINATION

BY MR. ANDERSON:

Q. Bishop, would you please state your full name for the record and we'd also ask you to spell your last name.

A. My name is Raymond Goedert,
G-O-E-D-E-R-T.

Q. Bishop, we met this morning and you understand that the testimony that you are giving today is being recorded both by videotape and transcription?

A. Yes.

Q. Okay. Have you ever sat for or given a

(*6)

deposition in any other matter prior to today?

A. Yes.

Q. How many times have you?

A. Once.

Q. In what kind of matter was that,
Bishop?

A. That was a case in which -- I have to
be careful. I can't use names here.

Q. You can use -- was that in the matter
involving Father Lutz?

A. Yes.

Q. Okay. That's L-U-T-Z?

A. Right.

Q. Yes. We have a paper that we have
agreed that when we use the names of some
victims or possible victims or their family
members, we'll use an index where we'll write
their names and then refer to them as Jane or
John Does, okay?

A. Sure.

Q. If for any reason, Bishop, you don't
understand any question that I ask you today,
just let me know and I'll try to make it clearer
to you. By my calculation, it looks like you

(*7)

have been working as a priest to the Archdiocese of Chicago now for over 55 years.

A. Right.

Q. And in that time, you have served in a number of capacities and worked for the Archdiocese as an Associate Pastor, as a Pastor, as a Vicar General, as an administrator, as a Vicar For Clergy among other things, correct?

A. Yes.

Q. And it's also correct to say that at all times as a priest of the Archdiocese, you worked under a promise of obedience to your superior the Cardinal Archbishop?

A. Yes.

Q. And you also operate under a promise of celibate chastity, do you not?

A. Yes.

Q. What does celibate chastity mean?

A. Celibate chastity would indicate that I've accepted the responsibility of never engaging in any type of sexual activity with anyone else and would never marry.

Q. In your training to become a priest or since having become one in the Archdiocese, did

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you receive any training in how to manage your own sexuality and abide by the promise of celibate chastity?

A. Yes.

Q. When did you first get training of that sort?

A. It would have been in the years that I was in theology. So that would be roughly '48, '49 to '52. In that area.

Q. Any training since then?

A. Only the same training that all of us have received from time to time, particularly since the sexual abuse issue became so prominent, the diocese would sponsor days in which this would be discussed.

Q. In your view, when did the issue of sexual abuse in the Archdiocese become so prominent?

A. I would put it probably in the area of 1985, '86. When I became Vicar For Priests in '87, it was -- I don't know whether prominent is the word. But it was certainly very much on the minds of all of us.

Q. What event or circumstances caused it

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to be on the minds of you or as you say, all of us in the Archdiocese?

A. Well, for me, personally, it became prominent because I became Vicar For Priests and my responsibility was to deal with it.

Q. And when is the first time as a priest of the Archdiocese you had to or did deal with the issue of sexual abuse by one of the clergy?

A. The first time I had to deal with it would have been sometime in 1987 when I became Vicar For Priests.

Q. Okay. And thinking to 1987, in that timeframe, what priest would that have been that you first became involved in having to deal with that issue?

MR. GEOLY: I think we have to at this point establish whether this is somebody who -- whose name is among the list of priests that have been acknowledged. I'm going to use a word that's not a term of art, my word, a substantiated case. If it's not, perhaps there's a way we could use your same list and refer to the person anonymously for now and then figure out later if that's a name that has been

(*10)

or should be disclosed.

There's no problem at all if it's somebody that's already on the list of substantiated cases.

BY MR. ANDERSON:

Q. Yeah. Why don't -- I'm going to hand you what we have marked as Exhibit 100, Bishop. And this is a posting that has been made by the Archdiocese of Chicago as priests who have been identified in which there has been substantiated allegation made?

MR. GEOLY: And just so we're clear, we'll use that word for our common understanding today. That may not necessarily be the standard for the process used to evaluate these cases.

BY MR. ANDERSON:

Q. Right. And I think the document itself, if you look at the top of it, it says, Archdiocesan Priests With Substantiated Allegations of Sexual Misconduct With Minors. Do you see that at the top, Bishop?

A. I do.

Q. Okay. So looking at that exhibit, do you see the name of the priest who you first had

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to deal with as it pertains to sexual abuse?

A. The difficulty I have, Jeff, is I honestly don't remember who was the first, you know. I could guess, but I don't want to guess to answer your question.

Q. Right. And let's just think back to that moment in time, then. Why don't you, without identifying the name of the priest because you're not able to remember that at the moment -- and if you do, Bishop, during the deposition, just let me know I do remember who it is now and then you can identify that person. But --

A. Could I ask --

Q. Sure.

A. -- to get a clear understanding of your question? Are you really concerned? I mean, who literally was the very first one that I dealt with or -- in other words, I can remember dealing with different ones. But whether they were the very first, I would have a hard time.

Q. I understand. And I think what we'll try to do is try to get your best recollection. If -- you know, if it's one of the earliest or

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one of the earliest that might suffice and I'll give you an opportunity to clarify that.

A. Okay. I could answer it that way.

Q. Okay. So thinking back to the instance in -- in or about 1987 where you had your first experience where you dealt with an allegation of sexual abuse by one of the clergy, what do you remember about how that information came to you, Bishop?

A. Now, I'm going to have to ask you to help me to understand. The difficulty I'm having is I was trying to understand who was literally the first case I handled. I can -- in the case that is coming to my mind now, the allegation came to me through previous information that was already in the file. And a new allegation had been made anonymously. And it was at that point that I became Vicar For Priests. So I never really received myself an allegation that wasn't already in process.

Q. All right. And so do you remember now the name of that priest or not? You just remember --

A. Oh, no, I remember it. It's just was

(*13)

he the first.

Q. Okay.

A. There might have been another one before that I don't remember.

Q. Okay. With that qualification, let's talk about that priest then.

A. It was certainly early on.

Q. Okay. And who was that priest?

A. I'm able to say it? Father Mayer, Robert Mayer.

Q. In your best estimate, how many different times have you become involved in the handling of complaints or the receiving of reports or something having to do with the dealing with any allegation of sexual abuse by one of the clergy while you have worked as a priest of the Archdiocese? Do you have any way of making an estimate of that?

A. I really couldn't give you a number. You know, it's -- it would be pretty difficult. I wasn't keeping tally or anything.

Q. I understand. It's fair to say that there have been many times where allegations have been made and you have become involved in

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some capacity, either as a priest, as Vicar For Clergy, as a Vicar in General or as an Auxiliary Bishop, correct?

A. Yes.

Q. Are you able to make a gross number or a gross estimate of what that number may have been or would you have become involved in some capacity? Less than 100, more than 100?

A. I would rather not guess. I never kept track of the numbers and, you know, I could easily be off.

Q. Fair enough. In preparation for today, Bishop, did you have an opportunity or did you review any materials?

A. With our attorneys I did review some of the cases.

Q. Okay. And I'm not interested what was said between you and your attorneys. But I am interested in what materials, if any, you actually reviewed or looked at in preparation for today.

MR. GEOLY: I'm going to -- go ahead.

BY MR. ANDERSON:

Q. Would you --

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MR. GEOLY: Let me let you finish first.

BY MR. ANDERSON:

Q. Okay. What would that have been?

MR. GEOLY: I'm just going to ask to caution the Bishop. If you've reviewed materials on your own, that is fine to disclose that. I would caution the Bishop not to disclose specific items that your attorney may have shown you for the purposes of preparation.

BY MR. ANDERSON:

Q. With that caution and with the question before you, if you could answer it, good luck.

A. Ask it once more.

Q. Yeah, let's ask it this way. I trust you reviewed some materials, some priest files?

A. Again, with my attorney. I don't have any files no, so --

Q. Okay. Let me -- let me ask you. That leads to the next question I was going to ask you. Have you ever maintained any of your own files and/or records in connection with any investigation or reports or activity that you have undertaken responsive to a report of sexual

(*16)

abuse?

A. If your question is have I ever in the past retained records, yes, I did, all the time that I was Vicar For Priests and frequently after. Because I continued to assist even as Vicar General. But I no longer have those records.

Q. And the records that you did recreate as Vicar For Priests in that connection, where would they be today?

A. I presume in the Vicar For Priests file.

Q. Okay. Did you ever create records, notes or files that didn't go into some file, be it the priest file or the subsecretal file?

MR. GEOLY: Could we hear that question, again, please?

BY MR. ANDERSON:

Q. Did you ever create any notes or records concerning allegations of sexual abuse that didn't go into the priest file or the subsecretal file?

MR. GEOLY: We haven't established that there is a subsecretal file.

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BY MR. ANDERSON:

Q. Is there a subsecretal file maintained by the Archdiocese under Canon [489]?

A. If there is, I don't know where it is.

Q. There was, was there not?

A. At one time years and years ago.

Q. Okay. How many years ago?

A. When I started working at the Chancery Office, that would have been 1956, I was aware that there was. I never knew the contents, but I knew that there was supposedly such a file. But I'm not aware of any.

Q. Okay. And you are aware that under canon law and specifically Canon [489] under the 83 Code, there is a requirement that the ordinary keep any material deemed to be scandalous in a subsecretal file to be accessed only by him and his designee called the subsecretal file; is that correct?

A. Yes.

Q. Okay. And as far as you know, Bishop, how long was a subsecretal file maintained by the Archdiocese of Chicago?

A. I wouldn't be able to answer that.

(*18)

Q. Okay. So let's go back to the question about your own records or files. Are there any records, files, notes that you made pertaining to allegations of sexual abuse that would not have made their way into the Archdiocesan files, for example, you kept on your own or destroyed?

A. I hear your question asking me if it's anything I made. Is that --

Q. Yes.

A. The answer is no.

Q. Okay. Are you aware of any records having been made by any employee, clergy or official of the Archdiocese that pertained to sexual abuse that were destroyed for some reason --

A. No.

Q. -- purposefully or inadvertently?

A. No.

Q. So as far as you know, Bishop, are all of the files, reports, complaints, at least those documented and of which you're aware, still in the existence and somewhere maintained in the files of the Archdiocese?

A. I would presume so.

(*19)

Q. Okay. Are you aware of any practice in this Archdiocese -- because there is in some dioceses across the country of a routine purging of the priest files after a period of time, for example, after death or after the passage of a designated period of time where parts of files are destroyed or all the files are destroyed?

A. I'm really not aware of any instance of this. It was never anything I would be responsible for. But I can't say that it hasn't happened, particularly not in these kinds of cases. But the ordinary priest file where the priest dies, they may purge it of some of the data, the appointments. That, I don't know.

Q. Okay. Are you aware of any instances where any clergy or officials of the Archdiocese have removed and/or destroyed files pertaining to sexual abuse for the purpose of avoiding scandal?

A. I'm not aware of that, no.

Q. Okay. It would appear that you were first appointed Vicar For Clergy did you say in 1987?

A. Yes.

(*20)

Q. And you also have served as Vicar General for a number of years, it looks like by my calculation, over 13 years in total. Does that sound right?

A. Well, February of '95 to September of '03. And then for maybe three or four months in '04 when Bishop Conway died.

Q. Okay. So that would be closer to nine years, I guess.

A. As far as I know, yeah.

Q. And you have worked as Auxiliary Bishop and was actually appointed and installed as Auxiliary Bishop in 1991; were you not?

A. Yes.

Q. So that would be 16 years in that capacity?

A. Yes.

Q. As Auxiliary Bishop, do you have responsibility for a given vicariate or do you have responsibility over the entire geographic Archdiocese?

A. As Auxiliary Bishop, we had responsibility for a particular vicariate.

Q. And in the 16 or so years that you have

(*21)

been Auxiliary Bishop, have you had a particular vicariate?

A. Yes, but only until 1995.

Q. Okay. And then what changed in '95?

A. In February of 1995, Cardinal Bernardin appointed me Vicar General.

Q. Okay. And once appointed Vicar General, is it fair to say that at least the time you were appointed by Cardinal Bernardin and worked under him that the Vicar General was kind of the right-hand man to the Archbishop Cardinal?

A. We don't use that word. But I guess you would say that, yeah.

Q. Who would have been the primary consultor in your view and experience to Cardinal Bernardin at least after you were appointed Vicar General?

A. Say that, again, please, Jeff?

Q. Who do you believe to have been the primary advisor to Cardinal Bernardin, at least after the time you were appointed the Vicar General by him?

A. Are you asking in all matters?

(*22)

Q. Yeah. There's usually somebody that they look to more than anybody else. And I appreciate in this Archdiocese, given its size, there's six auxiliary bishops and a number of officials. But in general, who more than anybody else would have been Cardinal Bernardin's primary advisor?

A. Well, in the time that I was Vicar General, which was from '95 until he died in November of '96, I would say the principal advisor was Sister Brian Costello.

Q. And where is she now?

A. She's retired.

Q. And what was her title during that time?

A. I think it was Chief of Staff.

Q. During that time, who was the Moderator of the Curia?

A. While I was Vicar General? The Moderator of the Curia was initially Father Kevin Spiess and subsequently Father Peter Bowman.

Q. As Vicar For Clergy and during the time that you served as Vicar For Clergy, would it be

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fair to say that one of your primary responsibilities was to deal with any problems that surfaced pertaining to clergy in the Archdiocese?

A. On paper, that probably wouldn't appear as so. In reality, yes.

Q. Ultimately, all the priests answer to the Cardinal Archbishop, correct?

A. Yes.

Q. And so as Vicar For Clergy, you are effectively appointed to deal with those problems. And when they arise, bring them to the Cardinal in his office. Is that a fair description?

A. If you're saying the Cardinal in his office, yes.

Q. Or is it more correct to say just to the Cardinal?

A. No. More correct, his office. Because the person to whom I reported directly, was the Vicar General.

Q. In terms of allegations of sexual abuse by clergy in the Archdiocese and when a complaint or report would arise, is it fair to

(*24)

say that that is the kind of matter that is to be handled ultimately by the presiding ordinary, the Cardinal Archbishop?

A. I would not say yes to that if you mean that he would have to handle it personally. It would be utterly impossible for him. And so he delegates. That's what a Vicar For Priests was, a delegate by the Cardinal.

Q. So it's fair to say that the Vicar For Priests, as you understood the position while you had it, was the Cardinal's delegate to deal with sexual abuse issues when they arose by clergy?

A. Among his other responsibilities, yes.

Q. And ultimately report those to the Cardinal?

A. Yes. But ordinarily through his Vicar General.

Q. Bishop, how many times, if any, have you personally reported suspicions of sexual abuse of minors by clergy to law enforcement authorities?

A. How many times have I personally reported to the civil authorities?

(*25)

Q. Yes.

A. None.

Q. How many times, if any, have you delegated the responsibility to someone in the Archdiocese in which that individual has reported suspicions of sexual abuse by minors -- by clergy of minors to law enforcement authorities?

A. I would have to say none. But only because you used the word delegated. And I did not delegate anyone. Our usual practice was when an allegation came in, I would consult with our legal advisors.

And if there was any need for the matter to be reported, they would see to it that it was reported. If it was in a school issue, they'd have whoever discovered it in the school would make the report and so on if it hadn't been made already. But that would be an automatic thing that we would -- I would discuss it with the legal advisors and ask them to take whatever action was necessary.

Q. When you referred to the usual practice, why is it that it was to go to the

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legal advisors for the Archdiocese first before to law enforcement?

A. At that time, as you know, the clergy were not mandated reporters. And so we would not -- you know, unless apart from my role if I had heard it when I was pastor or something like that, it would be a different story. But this was our usual practice that -- I don't know the civil law. I'm not a civil lawyer. So I would refer to them. They would know whether or not it should be reported.

Q. When do you believe, if at all, you became a mandated reporter, that is, somebody required to report suspicions of sexual abuse to law enforcement?

A. I'm pretty sure the law was just passed in Illinois maybe a year or so ago that clergy became mandated reporters. It might be two years. I don't know.

Q. Is it correct to say that the Archdiocese runs and owns and operates several schools?

A. Yes.

Q. So is it also correct to say that the

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cardinal and his delegates, including the Auxiliary Bishops oversee the operation of those schools?

A. Yes.

Q. Is it also correct to say that the Cardinal and his Bishops are, in fact, the shepherds of the flock of the Archdiocese?

A. Yes.

Q. And in that flock, that includes parishioners and their children?

A. Yes.

Q. Is it also correct to say that -- that the Bishop is the head of schools?

A. Not to my way of thinking. We don't talk that way.

Q. When in your understanding, Bishop, were teachers required to be reporters, mandated reporters of suspicions of sexual abuse?

A. As far as I knew, they were mandated reporters at the time I became Vicar For Priests. They probably were mandated before that. But I don't remember when the law came into effect.

Q. When in time do you believe principals

(*28)

of the parochial schools operated by the Archdiocese were required to be reporters mandated by law to report suspicions of abuse?

A. Again, I would say I was aware of it when I became Vicar For Priests because I had to deal with it. Prior to that, I might have been aware of it, but it wasn't, you know, something that I thought about.

Q. And in a parochial school system in the Archdiocese above the principals, there are superintendents of schools, are there not?

A. Yes.

Q. When in time do you believe the superintendents of schools were required to make mandated reports?

A. I'd have to say the same.

Q. And who is the -- oversees the superintendent of schools, the parochial schools in the Archdiocese of Chicago?

A. He would report to the Cardinal.

Q. And in any given vicariate, a school, a superintendent of school would also report to the Bishop in charge of that particular vicariate who then in turn reports to the

(*29)

Cardinal, correct?

A. I don't think it works that way. But I'm not -- I'm not totally sure if he reports -- but his primary reporting would be to the Cardinal. He certainly would consult with the vicar of the area if -- whatever the situation was required it.

Q. Certainly the Cardinal can't individually hire and supervise all the principals, correct?

A. Correct.

Q. And it is correct to say that the superintendents of schools are required to participate in hiring and the supervision of the principals, correct?

A. Only -- I believe only recently does the contract with the principal require the superintendent's signature. Prior to that, I don't think he would have anything to do about the hiring. But I'm not really sure of that.

Q. Who in your view or experience supervises the superintendent of schools, then?

A. The primary person would be the Cardinal.

(*30)

Q. Okay. Going back to what you described as the usual practice. You indicated that it had been the usual practice to consult with legal advisors, if needed, when an allegation of sexual abuse arose.

What policy or protocol, if there is one in writing, that required or mandated that you or other clergy would consult with legal advisors first when a suspicion of sexual abuse arose?

MR. GEOLY: You're asking if there's a written protocol?

MR. ANDERSON: Yes.

THE WITNESS: At the time that I became Vicar For Priests?

BY MR. ANDERSON:

Q. Yes.

A. I'm not aware of any written protocol. And I don't think it's fair to say that the first ones we consulted were the legal advisors for this reason. At that time, I wouldn't know how to work a conference call with all these machines.

When I became Vicar For Priests, I felt

(*31)

the need to have people with whom I could consult in order to make sure that I was making appropriate decisions. Not in every case. In some cases it was so clear, it was -- but I felt it was important to have a group. And I began to develop -- I don't recall what we -- I think we called it just a task force at the beginning. If I could have reached all five or so at the same time, I would have done it.

But I would usually call our legal advisor because he did have the capacity for plugging in others. And one of the others would be a mental health person. Because we usually arranged for an assessment and so on. And as time went on, others were added.

So it isn't like we were looking to the legal advisor to be the key decision maker. He was one of a group that participated.

Q. And you mentioned a mental health professional as being a member of that group, correct?

A. Yes.

Q. Somebody that would look at the priest to see whether they were fit or dangerous or the

(*32)

like?

A. Well, initially, we just wanted to know what do we do. We needed to get an assessment and so on. We wanted to find out is this person really a danger to children. Are children at risk. And so that would be our --

Q. Is that mental health professional that you looked to most frequently Dr. Cavanaugh of Cavanaugh and Associates?

A. At that time it was.

Q. What time are you referring to?

A. '87 to '91.

Q. And then after that, who would have been the mental health professional looked to by the Archdiocese, after '91?

A. I really can't answer because I was no longer working with the cases.

Q. Okay. You did maintain some involvement in your capacity as Vicar General, did you not?

A. Yes. At that time, what I called the task force before had developed into a regular group. I think we called it -- well, the initials are PCAC. I'd have to think what they

(*33)

stand for. Professional committee or something. And I was asked to stay on because I had experience with those kinds of cases. And so I stayed as a member of that committee.

Q. Is it fair to say that of all of the people in the Archdiocese, you're the one that's probably had more experience dealing with allegations of sexual abuse than any other individual in the Archdiocese in Chicago at least since 1970?

A. I have no idea, Jeff. I don't keep tabs of those things.

Q. Well, you know, thinking -- I know you don't and I wouldn't expect you to. But when you think about it and reflect on it for a moment, which I'm asking you to do, I mean, is there anybody else that you can think of that has had to deal with this issue more often or longer than you?

A. Well, I would think Jimmy Lago has probably had much more certainly in recent years in dealing with the issue.

Q. And he became Chancellor approximately -- I've got it here somewhere, but

(*34)

do you know?

A. Jeff, I'm 80-years old.

Q. Well, I tell you, you're doing pretty darn good. And I'm not going to expect you to remember. But I have a chart, Bishop, and --

A. What does it show?

Q. And according to my chart it says that in 2000, he was appointed Chancellor. And his predecessor was a Father and now Auxiliary Bishop Thomas Paprocki. Does that sound right?

A. Yeah.

Q. Okay. And then the predecessor to Bishop Paprocki as Chancellor would have been Robert Kealy, K-E-A-L-Y. Is he still alive?

A. Yes.

Q. Okay. Where is he now?

A. I don't know.

Q. Okay. You had referred to the usual practice in the Archdiocese. And when -- particularly during the time where you have been involved with allegations of sexual abuse, is it fair to say that the usual practice in this Archdiocese had been that when an allegation was made, that after legal advisors were consulted,

(*35)

that the priest was sent to treatment or evaluation?

A. Do you mind phrasing that question, again, Jeff? Because --

Q. Sure. Is it fair to say that -- you had referred to the usual practice when allegations arose. And is it fair to say that the usual practice in this Archdiocese has been that when an allegation was made in the past against a priest, that after consulting with legal advisors, the priest was sent to treatment or evaluation?

MR. GEOLY: Are we talking about when Bishop Goedert was Vicar For Priests or other times?

MR. ANDERSON: We could limit it to certain -- let's talk about before Jimmy Lago who is a lay person, so we call him Jimmy, became Chancellor in 2000.

MR. GEOLY: I'm a little unclear of the scope of the question. I'm not trying to make you work harder. But could we make it clearer? Either read it back or just say it one more time?

(*36)

MR. ANDERSON: Sure. I'll take another run at it.

MR. GEOLY: Thank you.

BY MR. ANDERSON:

Q. Bishop, is it fair to say that the usual practice of the Archdiocese has been when an allegation of abuse surfaced after consulting to legal -- after consulting with legal advisors, to refer the priest to treatment or for evaluation?

A. The way I understand your question, Jeff, the answer is no.

Q. What have -- what would have been the usual practice as you understood it before 2000 and particularly while you worked as Vicar For Clergy and on the committee?

A. My usually --

MR. GEOLY: Do you need to break that down into different time frames?

THE WITNESS: Well, I don't think so in order to -- I'm trying to answer his question. And the reason I said no was because I thought there was something missing in what you said about --

(*37)

BY MR. ANDERSON:

Q. What was missing? What would have been -- what would have been the usual practice?

A. Well, the usual practice that I would have had, I would interview the victim and receive the allegation from him or her. I would then interview the accused and receive his response. And that was almost like the same day. There was hardly any time lag.

And then I would consult with our team, which would include legal advisors, mental health experts and so on. And on the basis of that conversation, we would decide whether or not assessments should be made at one place or another and so on. Do you see --

Q. I got it.

A. Okay.

Q. I'm just making some notes because I was listening carefully. And if I heard you correctly, your response to the usual practice that you employed was first to interview the victim, second step was to interview the accused cleric or employee, whoever it was.

A. Well, I didn't deal --

(*38)

Q. Just the cleric?

A. Yeah, I didn't deal with lay people.

Q. Second, accused cleric. The third would be to consult with the team that you already referred to. And the fourth step then would be to make a decision to send them to assessment or evaluation?

A. Yes.

Q. And then when we're talking about the usual practices after they were sent to -- for assessment or evaluation, what would have then been the next step in employing the usual practice paradigm? What happened?

A. One of the first things that we would do after receiving the allegation from the victim would be to see whether or not the victim was under treatment or counseling. And if they were, we would indicate that the Archdiocese would cover the cost of that. If they did not have anyone, we would have them talk with -- if they had an attorney and have him arrange someone for them.

With regard to the accused, it would depend on what the assessment showed, if it

(*39)

required inpatient treatment, we would arrange for that. The same with if it was outpatient, we would arrange for that.

Q. And is it also correct to say that more often than not, after assessment, the accused was returned to ministry in some form with some kind of monitoring?

A. If the assessment showed he needed treatment, that would have to take place before he would be returned to any form of ministry.

Q. So is it correct to say that you and the team that was created to deal with this relied heavy on the mental health professionals that did the assessment to determine whether or not an accused was fit for ministry and to continue in it?

A. Well, that kind of matter is not my expertise and it's not the lawyers' expertise. So we did rely on those who were expert in this and particularly locally, we had a group that was highly regarded by the Federal Bureau of Investigation and a few others. The courts used them and we thought, you know, that was the best help we could get. So we would rely -- I don't

(*40)

want to say solely, but I would have to say their opinions were regarded highly.

Q. Under the usual practice where you'd interview the victim first, what training have you had ever, Bishop, in protocols for interviewing victims of sexual abuse?

A. For that specifically, none.

Q. I know you are trained as a canon lawyer and are certainly trained for the priesthood. Beyond the training you received for those two aspects of vocation, what training have you had in -- in sexual abuse at all?

A. Training, I would have to say no specific training. Counseling, I did participate in a course at Loyola. But that wasn't for specifically these kinds of cases.

Q. When was that course, Bishop?

A. Boy, I don't remember the year.

Q. Okay.

A. It would have been before I became pastor. So probably in the latter '60s, early '70s.

MR. GEOLY: Jeff.

BY MR. ANDERSON:

(*41)

Q. What training --

MR. GEOLY: Jeff, I don't want to break you up. I'd like to take a break soon.

MR. ANDERSON: Sure.

MR. GEOLY: We can do it now or you can proceed with the next question, if you like.

MR. ANDERSON: Sure. No. You want to take a break right now? Sure.

VIDEOGRAPHER: We're off the record at 10:35 a.m.

(Whereupon, a short break was taken.)

THE VIDEOGRAPHER: We are back on the record at 10:49 a.m.

BY MR. ANDERSON:

Q. Bishop, I want to follow-up on a couple of things you mentioned before the break. I've got these people next to me saying you have to ask about this stuff.

A. Go ahead.

Q. I know. You mentioned at one point that in response to one of my questions about -- I think it was having to do with principal advisors to the Cardinal at a given point in

(*42)

time. And you said that -- we were talking about Sister Costello. And then at some point we were talking about -- you made a mention of Father Robert Peter Bowman and having some role. What role did he have?

A. He was Moderator of the Curia. That's the title.

Q. Okay. And to your knowledge, what involvement did Father Robert Bowman have in matters pertaining to sexual abuse by the clergy, the investigation of it and/or the handling of it?

A. I don't think he had any.

Q. Okay. If you look at Exhibit 100, you'll see a Robert Peter Bowman who was removed from public ministry on 5/2002. Is that the Robert Peter Bowman you were just referring to?

A. Yes. Robert is his first name, but he always went by Peter.

Q. Okay. When we were talking about people who were handling it currently, that is, matters of sexual abuse, you said that Jimmy Lago as Chancellor is kind of the go-to guy?

A. Well, he -- go-to guy. He was

(*43)

designated by the Cardinal. I forget what title he was given. But he was kind of to oversee everything involved with this issue.

Q. Okay. And as I had mentioned, Thomas and now Bishop Thomas Paprocki was his predecessor as Chancellor, correct?

A. Yes.

Q. And according to the records I have, he was Chancellor from '93 to Lago's appointment in 2000. Does that sound about right?

A. Probably, yeah.

Q. What involvement did Bishop Paprocki have in these matters, to your knowledge; that is, matters pertaining to the reports, complaints and suspicions of sexual abuse?

A. When he was -- Father Paprocki as Chancellor, he also sat in on the meetings of our group which at that time was called PCAC. And he was actually the secretary or chairperson who conducted the meetings. He subsequently became, I'm pretty sure, the Cardinal's delegate to the review board.

Q. When would that have been?

A. Well, it would be sometime before he

(*44)

was ordained Bishop. I don't know the exact years.

Q. And approximately when was Thomas Paprocki installed as a Bishop, roughly?

A. I would say '97 or so, maybe '98.

Q. Okay. Yeah. Actually, it looks like according to the Catholic Directory, which I refer to, it might have been later than that. It might have been as late as 2002. But this could be wrong.

A. No, my memory could be wrong.

Q. Who knows. We'll see. It's not important. In any case, Bishop Paprocki's predecessor was Robert Kealy, Father Robert Kealy, K-E-A-L-Y, as Chancellor?

A. Yes.

Q. What was his role in these matters pertaining to suspicions, investigations and the handling of sexual abuse?

A. My recollection is that he also participated in the meetings of PCAC, which would review various cases from, you know, once a month or so.

Q. Okay. If you look at Page 2, Bishop,

(*45)

of the -- of Exhibit 100, that is the
Archdiocesan Priests With Substantiated
Allegations of Sexual Misconduct, two-thirds of
the page down, do you see Robert Louis Kealy?

A. Yes.

Q. As a man designated as having had
substantiated allegations of sexual misconduct
with minors?

A. Yes.

Q. Is that the same one we were just
talking about who served as Chancellor and on
the committee?

A. Yes.

Q. I'd like to go back to the usual
practices that we had been talking about and
follow-up on some of the questions that -- and
information that you're providing to us and that
connection.

I had asked you about your experience
in interviewing victims and training and you
said, really, I hadn't had any. My next
question is what experience -- in step two of
your usual practice was to interview the accused
cleric.

(*46)

My question to you, Bishop, is what training have you had in interview techniques of an individual accused of a crime such as sexual abuse?

A. I was a member of the Metropolitan Tribunal for 20 years. And this was pretty much our responsibility. In church law, it's a little different than, I think, civil law. In church law, the Judge does a lot of the questioning.

So I would -- I would think over the years, I learned how to question adult -- most of the victims that came to us were adults. I never interviewed what you would consider a young child. Most of the -- in fact, I think most of them when they came -- I don't even remember anybody coming that was still a minor.

I may have done one, but I don't remember. So I was dealing with adults, whether it was the victim or the accused. In our life as parish priests, we're doing this all the time. Were we trained specifically in dealing with sexual abuse, no.

Q. So if I'm hearing you correctly, then,

(*47)

your experience or training and all of it that you received was in the context of having been a member of the Metropolitan Tribunal for 20 years and in church law; is that correct?

A. Plus the years that I was a parish priest before I --

Q. Are you aware -- in interviewing a victim and in interviewing then the accused, is your purpose and -- excuse me. In the usual practices that you're discussing here in interviewing the victim and interviewing the accused, is your purpose to determine whether or not sexual abused has occurred?

A. I'd have to say no.

Q. Okay. What would have been your purpose then in interviewing the victim and then the accused?

A. The purpose of interviewing the victim was to simply learn from him or her what -- what is the allegation.

Q. And then how would you and did you determine whether the allegation was true, substantiated or not?

A. Are you asking immediately after

(*48)

interviewing the victim?

Q. Well, as a part of the usual practice that you employed, how would that determination be made by you or others that it, in fact, had happened?

A. After I interviewed the victim and received the allegation, I would call in the priest accused and I would present it to him and ask his response. In those days, the priest frequently, if not almost always, admitted.

Q. And in those instances where the priest after being interviewed by you, and to use your words, almost always admitted, the sexual abuse, after the priest admitted that to you on those occasions, in how many instances did you turn that admission over to the law enforcement or civil authorities?

A. None.

Q. Why not, Bishop?

A. At that time, we were not mandated reporters. And almost always the victim was no longer a minor. We had attempted to present it to the DCFS and they refused to accept it because they said they were only handling cases

(*49)

of minors.

At times we would present it anyway, but they wouldn't -- they wouldn't handle it. I'm talking about 20 years ago. Things are different, quite different now.

Q. And is it fair to say then that because the law didn't require you to, at least in your view, you didn't turn it over to law enforcement?

MR. GEOLY: Objection, asked and answered. I think the Bishop just answered that very question.

MR. ANDERSON: Are you instructing him not to answer?

MR. GEOLY: No. That's my objection. You asked why and he told you why. And now you're asking him again.

MR. ANDERSON: Okay. I'll ask another question.

BY MR. ANDERSON:

Q. Bishop, given your training and 20 years as a -- in the Metropolitan Tribunal and your training in the church law, as you said it, and then your training as a parish priest,

(*50)

is it fair to say that all that training was in the usual practice of the Catholic church in terms of how to handle a problem such as this?

A. When you say, such as this, Jeff, were you referring to sex abuse?

Q. Yes.

A. Run the question once more, please?

Q. Is it fair to say that all the training you've had in interviewing victims and/or accused and employing the usual practice you've described all came from experience and training you received in how a Catholic church official is expected to handle this matter as opposed to a non-cleric?

A. I think to that question, I'd answer no.

Q. Well, then what outside resources did you draw upon then, outside of the resources of the Catholic church in interviewing victims and/or accused?

A. We used many resources. I don't even know if they were Catholic or not. We didn't -- we weren't concerned of what their religion was. We were concerned about their competence. We

(*51)

relied on the ones that were trained to deal with this to question both the victim and the priest accused.

If the victim wished to, you know, attend to someone in that position. With regard to the accused, the treatment centers that we used, as I say -- and some of them, I'm sure, were Catholic, but I don't know that they were. But they would pursue the questioning with them. That's their training. I didn't pretend to be a counselor to any of them. I just wanted to know what are the facts.

Q. Okay. Would it be fair to say, Bishop, in your experience at least prior to the creation of the charter in 2002, that it was the practice of the priests and the officials of this diocese and others that when a problem of sexual abuse would come forth, that the practice was to keep that internal within the priests and the officials of the church?

A. No.

Q. When is the first time to your knowledge any allegation of sexual abuse by a priest of the Archdiocese was made known to

(*52)

members of the public or law enforcement by any officials of the church?

A. Exactly when the first time?

Q. Yes.

A. I don't know. It was certainly when I was Vicar For Priests. Because we were involved very much with the State's Attorney at that time.

Q. And --

A. But it might very well have been prior to my becoming Vicar For Priests. I'm just not familiar with what was done at that time.

Q. Other than making certain information available to the State's Attorney, which it sounds like you believe had been made; is that correct?

A. Well, in the case that I'm thinking of, it clearly was made.

Q. What case are you thinking of?

A. Am I --

MR. GEOLY: Is that a name that's on this list?

THE WITNESS: Yes.

MR. GEOLY: Then you can use the name.

(*53)

THE WITNESS: I can use it? In the case of Holihan.

BY MR. ANDERSON:

Q. And on Exhibit 100, you're referring to Daniel Mark Holihan?

A. Right.

Q. He was removed from public ministry in 2002?

A. Yeah.

Q. When was that information concerning Father Holihan made known to anybody outside the Archdiocese?

A. I wouldn't be able to give the exact date. But it would be sometime between '87 and '91. I was still Vicar For Priests when we dealt with it.

Q. And who brought that information outside of the Archdiocese?

A. I presume the principal of the school or the teacher of the children that spoke. But I don't know for certain.

Q. Do you have a name or recall who that would have been or was?

A. I can't remember the name. But I'm

(*54)

sure it's on the record.

Q. And so is it your recollection, Bishop, that the principal or a teacher reported the information concerning Holihan to somebody outside of the Archdiocese?

A. They reported -- my understanding is that they made the report to DCFS.

Q. DCFS, okay. And other than in that connection and in that instance, are there any other instances prior to 2002 that you're aware of where information pertaining to sexual abuse by a cleric was reported to individuals outside of the Archdiocese?

A. I'm not saying it didn't happen. But right now, I'm drawing a blank. It's too long ago.

Q. Bishop, when in -- when an adult, whether it's a priest or a family member or anybody else, engages in sexual contact with a child or a minor, you understand that's a crime, do you not?

A. Yes.

Q. When did you first come to know that that was a crime?

(*55)

A. Well, I obviously knew it once I became Vicar For Priests because I had to deal with it. Whether I knew it before then, at this point, I presume I just took it for granted that it was a crime.

Q. As an adult and as a priest now for over 55 years, you know the police are the ones that handle crimes and are trained to investigate them, do you not?

A. Yes.

Q. If you know that to be the case, then why were you, as a matter of usual practice, interviewing victims and accused priests of crimes instead of turning it over to law enforcement who are trained to do that?

A. Today, that's what we would do. In those days, that wasn't what we did. The people that we dealt with, the victims, for the most part as far as I can remember, were adults. And they certainly were free to go to the civil authorities. Most of them that I interviewed in those days wanted no part of that. They wanted the situation to remain confidential. And we would respect that.

(*56)

Q. Isn't it also true that there has been and there is a practice prior to at least 2002 in this Archdiocese and elsewhere to keep crimes by clerics of sexual abuse secret and to handle it internally and allow the church officials to handle it?

A. I guess I wouldn't use the word secret. If you're using the word confidential, I would answer yes. When I became Vicar For Priests, I saw my role similar to what a pastor's role is, whether I'm dealing with victims or whether I'm dealing with the accused.

And I think certainly the accused looked upon the relationship as a confidential relationship. And so I tried to observe that with both the accused and the victim. Most of the victims at that time, simply wanted to have help for the victim and make sure that the accused wouldn't do it again or hoped that the accused wouldn't do it again. They were not looking to get involved with the civil law.

We never told them they could not or anything like that or even encouraged them. But it was their choice.

(*57)

Q. So instead of using the word secret, I'll use the term confidential. It was the practice to keep this confidential. And when you say confidential, that would be among members of the clergy and the officials in the Archdiocese, correct, and their advisors?

A. I would think so.

Q. Well, you're trained in canon law. And canon law, among other things, has protocols that set forth how certain matters are to be handled, disciplinary -- disciplining the priest, precepts, suspensions, removal of the faculties and the obligations of the priests to the bishops and the like, correct?

A. Yes.

Q. And it's also fair to say that a part of the canon law sets forth the -- really the policy manual relating to the employment of priests and the obligations of priests to bishops and vice versa?

MR. GEOLY: Objection, vague and ambiguous and calls for legal conclusions.

BY MR. ANDERSON:

Q. Well, you're a canon lawyer, aren't

(*58)

you?

A. Yeah, but I'm a has been.

Q. Well, you were the president of the Canon Law Society for some time, weren't you?

A. It wasn't my fault.

Q. But in any case, we digress for a moment. The fact is that the canon law provides for a broader array of things. And among it, it sets certain rules for handling certain problems within the clerical culture, correct, and there are penalties?

A. Yeah.

Q. And there are crimes designated, correct?

A. Yes.

Q. And in the canon law, a priest engaging -- abusing a child is a crime, is it not?

A. Yes.

Q. Is it fair to say then that -- is it fair to say, Bishop, that you and others in the Archdiocese at least prior to 2002, relied more upon your history and training in the canon law in dealing with this than in the civil law?

(*59)

A. Give me that once more, Jeff.

Q. Is it fair to say that in the handling of sexual abuse, at least prior to 2002, you relied upon your training and experience and what is written in the canon law as opposed to what is written in the civil laws?

A. I think I'd say no.

MR. ANDERSON: I guess we're out of tape. We're going to change tape here for a moment.

THE VIDEOGRAPHER: We're off the record at 11:17 a.m. with the end of Tape Number 1.

(Whereupon, a discussion was had off the record.)

THE VIDEOGRAPHER: We're back on the record at 11:23 a.m. with the start of Tape Number 2.

BY MR. ANDERSON:

Q. Bishop, I just want to follow-up with your last response about reliance upon Catholic church practices and protocols and canon laws versus reliance upon the civil laws in handling of sexual abuse.

You say that you answered no to the

(*60)

question regarding whether in your view at least prior to 2002 you and others like you relied upon church practices as opposed to civil practices in handling this. Why do you say no to that?

A. The reason I said no, Jeff, was that if we followed what canon law says -- I forget the canon now, whatever the number. A crime of this kind would require a church trial. And the difficulty with the church trial is the church law -- I presume civil law is similar. The church law allows for certain degrees of guilt, degrees of imputability and so on.

And we almost knew beforehand that if a person actually did this crime that he's accused of, very likely his imputability would be diminished in many cases, particularly if he was under the influence of alcohol or marijuana or something like that. And as a result, we could go through the whole thing of a trial and in the end you'd have nothing because they would say it hasn't been proven that the crime was committed by somebody who was fully conscious of what he was doing and so on.

(*61)

So we rarely used that. Maybe with hindsight, we would use it more frequently. But I don't even know that we relied on the civil law. I'm not a civil lawyer, so I wasn't -- I knew the civil law considered it a crime. But all -- civil law also has degrees of guilt and so on.

But I'm not a civil lawyer. I think we just relied on -- a lot on our -- we knew it was wrong, what was done. And we used our common sense and prudence with the help of people -- expert in the field to assist us in resolving these cases.

Q. It is fair to say that when you say we, that means you and other officials in the church relied upon assistance of others, those are consultants that you hired and lawyers, right?

A. Yes.

Q. And is it also fair to say that in all instances at least prior to 2002 that you're aware, this was kept confidential, except in the Holihan situation that you mentioned?

A. Well, I know that within the time -- you better ask the question again. I'm --

(*62)

Q. Can you cite other than to the instance of Father Holihan that you mentioned, any instance where an allegation of sexual abuse surfaced and was handled by the Archdiocese and officials and their advisors where it was not kept confidential?

A. The answer is yes. And I'm looking at -- if a name is on the chart, I can say it?

Q. Yes.

A. In the Strand case, we went to I believe it was St. Mary's Church in Des Plaines. And we went with a group which included two women who were experts in dealing with child care. I don't know what the name is.

Q. When was that, Bishop?

A. Well, again, I don't know the year. But it would have been while I was Vicar For Priests. So sometime between '87 and '91.

Q. And my question to you is was there anybody within the Archdiocese or its advisors that brought the information pertaining to Stand to outside authorities first before others did?

MR. GEOLY: Did you understand the question?

(*63)

THE WITNESS: Yeah. I'm trying to think. I don't think I was Vicar For Priests when Strand was first dealt with.

BY MR. ANDERSON:

Q. Wasn't the Strand situation in response to others having reported it to members of the parish and making it public as opposed to Archdiocesan people?

A. I just don't know.

Q. Okay. Any other instances that you can point to or remember where the information pertaining to sexual abuse was not kept confidential by the Archdiocese and officials, priests or their advisors and made known to members of the public or authorities?

A. Could I look at the list?

Q. Sure.

A. And you're talking about before 2002?

Q. I am right now.

A. I don't see any others on the list.

Q. Is it correct to say that there is a historical protocol in the Catholic church and employed by the Archdiocese that requires you as a priest and others like you to avoid scandal?

(*64)

A. That's ordinary common sense, that our

responsibility -- everybody, yours, too, to avoid scandal. If you mean scandal in the strict sense of the word, where, you know, your conduct or behavior would invite others to maybe perform similarly. That -- we have to avoid that.

* * * * *

(*65)

(*66)

BY MR. ANDERSON:

Q. Are you familiar with the term internal forum?

A. Yes.

Q. What does that mean?

A. It could mean two things. Internal forum the way we ordinarily understand it is the communication between a penitent and the confessor in the confessionals in the sacrament

(*67)

of penance.

That's what we call internal sacramental forum. It's within the sacrament of reconciliation. Anything that I hear in the sacrament of reconciliation, I must keep confidential forever.

Q. When a victim says that they were abused and report a sexual abuse to you or to one of your subordinates, would you consider that to be a communication in internal forum?

A. Have they confessed this --

Q. Outside the confessional.

A. Outside. Yes, I would consider that.

Again, I'm not talking about today. Because today we tell them right out, this is not something that's going to be kept confidential. So they -- you know, if they're going to tell us, fine. But they have to know.

Q. I'm talking about the past.

A. In the past, we would consider that internal non-sacramental forum. The communication between a parishioner and the pastor. That's how I saw most of what I heard as Vicar For Priests from the victim or accused.

(*68)

And that's what I tried to respect.

Q. And that accounts in part why this was not -- information pertaining to sexual abuse was not shared outside of the forum of the Archdiocese, correct?

A. Yeah, I was --

Q. You did point to Father Holihan as being an instance where you recall where an actual -- actual information was made outside of the Archdiocese or internal forum or its advisors.

And I'd like to ask you about that. In 1990, I have information that a good touch, bad touch video was being showed to sixth graders at

Our Lady of the Snows parish. That's where Mark Holihan had been serving, correct?

A. Yes.

Q. And a group of boys at that time told a teacher that they had been molested by Father Holihan. Does that sound pretty correct?

A. Yes.

Q. And at that time Father Holihan was removed from the parish and told not to be around kids. Does that sound correct?

(*69)

A. Yes.

Q. Who would have told him that?

A. I did.

Q. And at that time, the information I have says that his ministerial faculties were not removed nor was his reassignment published -- well. Let me ask. At that time, his ministerial faculties were not removed; is that correct?

A. I presume so.

Q. And it's also correct at that time, he resigned his pastorate at Our Lady of the Snows and began residing, living at a new parish?

A. I can't say now that it was at that time that he resigned from the parish. I'd have to look at the file to see when the resignation took place.

Q. Is it also correct and I think --

A. Pardon me, Jeff.

Q. I'm sorry.

A. No. I just wanted to -- you said and lived at another parish. I'm not sure of that either where he went -- I'd have to see the file again.

(*70)

Q. Fair enough. He did resign at our Lady of the Snows. You do remember that or not?

A. Well, resignation requires that he send a letter to the Cardinal resigning the parish. I don't know that he did it upon being removed. Usually we want to wait until we see what the facts are and so on.

Q. Whose idea was it for him to leave the parish?

A. I did.

Q. Okay. So you said, you have to leave the parish at least?

A. Yes.

Q. Okay. And did he resign sometime after that?

A. He would have resigned sometime after. Sure.

Q. Okay, got it. And I think you said in that instance, information was made available to those outside of the Archdiocese and their advisors. And that was a teacher reported it to

DCFS; is that correct?

A. Well, I'm presuming either the teacher or the principal.

(*71)

Q. Okay.

A. Probably the teacher.

Q. And do you recall that DCFS found that allegation to have been, quote, indicated or what we would call credible, that means believable?

A. Yes.

Q. And do you recall, Bishop, that for whatever reason, the State's Attorney declined to prosecute Father Holihan at that time?

A. I do recall.

Q. Do you recall if anybody from the Archdiocese discussed that decision before it was made with the then State's Attorney?

A. No.

Q. Did you?

A. I did not, no.

Q. Had you ever had contact with the then State's Attorney pertaining to a matter of sexual abuse prior to 1990 for any reason?

MR. GEOLY: There were a lot of words there. Can we hear the question one more time?

MR. ANDERSON: Sure. I'm sorry.

(*72)

BY MR. ANDERSON:

Q. Did you, Bishop, ever have any contact with the State's Attorney pertaining to any matters of sexual abuse by clergy in the Archdiocese?

A. No.

Q. Okay. Going back to Holihan. In the years that followed the DCFS having made that finding and Father Holihan, he remained a priest in the Archdiocese, correct?

A. Yes.

Q. And did it come to your attention that he was assigned to another parish?

A. If he was, I don't remember that.

Q. Do you recall that after the finding by DCFS and his departure from Our Lady of the Snows, that there were several phone calls and letters from concerned parishioners who saw Holihan with teenagers?

A. I do recall some -- bringing that to my attention, yes.

Q. What do you remember about that beyond what we just --

A. Right now, I just vaguely remember

(*73)

somebody saying they thought they saw him driving in a car with a teenager. But I don't

know if they even gave a name.

Q. Do you recall that at the time that that information was received by you, that Father Holihan was under a mandate from you -- actually issued by the Cardinal through you to not have contact with these teenagers and youth?

A. Not have contact, not be alone with teenagers under 18.

Q. And then after the information surfaced that he was with these teenagers or concerns were expressed by parishioners, did you then meet with Holihan and tell him -- give him some instructions?

A. I don't remember. But I would have presumed that I would have.

Q. I have some information that either you or somebody from the Archdiocese at that time told him to stop causing trouble for himself. Do you recall that or having information like that?

A. No.

Q. Are you aware that he eventually took a

(*74)

job with Catholic Charities, which is operated by the Archdiocese?

A. Yes.

Q. And while he was with Catholic Charities, are you aware that he was supposed to have been monitored?

A. Yes.

Q. And what did monitoring mean then as it pertained to Holihan and other priests such as him accused of abuse?

MR. GEOLY: Do you want to just address Holihan first? Because that's at least a specific case.

MR. ANDERSON: That's fair.

THE WITNESS: I would have to say I -- you know, you'd have to ask Bishop Conway what he considered monitoring. But you know he's deceased, so.

BY MR. ANDERSON:

Q. Was Bishop Conway the one that was supposed to be monitoring Holihan at the time or what?

A. He may have delegated it to someone else at Catholic Charities. I'm just not

(*75)

familiar with that.

Q. Do you recall that after all these events that we just described that Father Holihan was given frequent permission to travel for extended periods of time, sometimes out of the country to perform various sacraments such as weddings? Do you have any knowledge of that?

A. What years are we talking?

Q. This would have been after the allegations were indicated by DCFS and he left Our Lady of Snows and went to Catholic Charities and continued to work and be monitored?

A. I'm not aware of him traveling around the country to do weddings.

Q. Was Holihan ever asked if he had committed the sexual -- a crime of sexual abuse by these kids by you or any official in the diocese?

A. Yes.

Q. What did he say?

A. He never felt that he abused the children. He -- in his mind, he was showing friendliness and affection. But never in his

(*76)

mind did he consider his behavior as abuse, at least when I was dealing with him.

Q. Okay. He expressed that to you?

A. Yes.

Q. So he expressed to you that he didn't think what he was doing with these kids was sexual abuse, correct?

A. Yes.

Q. He did admit, however, having shown affection towards these kids including the touching of their genitals?

A. Over the clothes, yes.

Q. And when he told you that, you knew

that it was a crime for an adult, a priest to be touching youth on their genitals over the clothes or under the clothes, correct?

A. Yes.

(*77)

Q. I've got 10 to 12:00. I'm going to work for a while. But I want to be deferential to you, Bishop. Would you like to take a break for lunch now?

(*78)

MR. GEOLY: Well, what we've got is lunch coming in.

MR. ANDERSON: Okay.

MR. GEOLY: And I thought it would be set up or that they would be ready to set it up right now. It could be that they're waiting because our door is closed.

MR. PEARLMAN: Let me check.

MR. ANDERSON: If it's okay, we'll go ahead for a while here. If at any time you want to take a break, then we'll plan on taking breaks. See this pile of documents here?

THE WITNESS: Do we have to go through that?

MR. ANDERSON: I know. Here we go.

BY MR. ANDERSON:

Q. So I'm going to try and work through these fast. We are going to get done today. I

am hoping to be on a 6:30 flight. So that tells you I'm going to work fast.

A. Not too fast.

Q. I know. If I work too fast, we'd be gone, right? But I'm going to have -- Jessica hand me the pile of documents. I'm going to go

(*79)

through some of them with you, Bishop.

MS. ARBOUR: I think I just moved the camera.

THE WITNESS: Which way?

MS. ARBOUR: It scooted that way. So it may need to be turned this way, towards me.

BY MR. ANDERSON:

Q. We premarked these. And the first document that we're going to hand you and counsel is actually something for convenience. I just asked Mr. Geoly to prepare.

And I'm not asking you to certify that this is absolutely correct. But it basically was just kind of an outline of your assignment history, a cursory outline of your assignment history so that I didn't have to walk you through this date by date. It may be correct, it may not. But does it look -- does it look -- is it correct?

A. Just the spelling of Barnabas, if you don't mind, B-A-R-N-A-B-A-S.

Q. Got it, okay.

A. I think the rest of it is pretty

(*80)

accurate. Yeah.

Q. Close enough anyway for our purposes?

A. Yes.

* * * * *

(*81)

(*82)

Q. I'm going to write down a name here,
Bishop. And it's just John Doe 1. And you
can -- if you could show that to Mr. Geoly, as
well.

MR. GEOLY: I can see it. Thank you.
I can see it.

BY MR. ANDERSON:

Q. And we're going to call him John Doe 1.

A. Okay.

Q. And his family, you know, that -- Doe
family 1. You came to know that family, did you
not, while at St. Barnabas?

A. Yes.

Q. And you came to learn that Father Mayer
was accused of having sexually abused John Doe
1, did you not?

(*83)

A. Yes.

Q. And how did you learn that -- learn of
that?

A. John Doe 1 came to see me out of the clear blue. We received an e-mail. He wrote an e-mail to the diocese and information office asking how he could get in touch with me. And they gave him the information. And then he e-mailed me and then eventually came to Chicago and I met with him.

Q. That actually happened or was alleged to have happened at St. Barnabas?

A. Yes.

MR. GEOLY: The abuse we're talking about.

BY MR. ANDERSON:

Q. Yeah, the abuse of John Doe 1 by Mayer.

A. Yes.

Q. And you were the -- you were actually the pastor in '76 to '87?

A. Right.

Q. And I think that the abuse was -- was that while you were pastor?

A. No.

(*84)

Q. It was right before?

A. No. Mayer had already been transferred elsewhere.

Q. Okay. Did you have any reason to believe that what John Doe reported to you wasn't true, that Mayer had abused him?

A. Was not true?

Q. Did you believe John Doe?

A. I believed John Doe. Yes.

Q. You believed that Robert Mayer had sexually abused him?

A. Yes.

Q. How many kids do you believe Robert Mayer abused besides John Doe 1?

A. I have no idea.

Q. More than 50?

A. I really have no idea.

Q. Did you ever investigate to find out?

A. I dealt with cases that were brought to my attention while I was Vicar For Priests and probably heard of others after I left. But I have no memory of it now.

Q. Do you know if any officials of the Archdiocese ever conducted any internal

(*85)

investigation to make some determination of how many kids Father Robert Mayer actually abused?

A. Well, prior to my becoming Vicar For Priests, there had been a lawsuit of some sort involving allegations made. And it was settled, resolved.

I'm not sure what was -- what the decisions were based on. I just don't know. All I know is that it was resolved, whatever the allegations were.

Q. Okay. And I'm writing down in our confidential list, No. 2, the name of somebody that we'll call as Doe 2. That would be the mom and the son Doe 2.

A. What's the son?

Q. I think that's the son's name. I might be wrong on the son's name.

A. Yeah.

Q. The mom's name --

A. Yes.

Q. -- is that the lawsuit you're referring to?

A. Yes.

Q. Okay. And what was your role in the

(*86)

settlement of that suit, Bishop?

A. I had no role.

* * * * *

(*87-88)

(*89)

Q. Do you remember making an effort to find Holihan's file and not being able to locate it or just don't remember at all?

A. I just don't remember.

Q. Okay. We can assume that if he's a priest of the diocese, there is a file, certainly a priest file maintained on all of them and that there would have been one on him. Is that a fair assumption?

A. I think so. In a letter as you described, though, would not be in what we call the priest file, like which covers appointments and so on. If the letter was of that nature, my guess is it would have gone to the Vicar For Priests.

Q. Okay. So that leads to another area that I needed to ask you about. There's a file -- a separate file maintained by the Vicar For Priests apart from the ordinary priest file, is what I'm hearing, correct?

A. Yes, yes.

(*90)

Q. Okay. And the -- a letter such as this, that is a report of possible sexual abuse, would you have customarily gone to the file for Vicar For Priests?

A. Yes.

Q. As opposed to the priest file?

A. I would presume so.

* * * * *

Q. How long was that separate file maintained by a Vicar For Clergy or Vicar For Priests?

A. Well, the Vicar For Priests file began when Father Ventura was named in 1983. So if such a request -- such a letter came in, I presume it would have been turned over to him.

(*91)

Q. I see. And what kind of materials would go to the file for Vicar For Priests as distinguished from the materials that go to the ordinary priest personnel file?

A. Ordinarily, the Vicar For Priests would have files on any priest who came of his own free will to meet with the Vicar For Priests. In addition, it would have any file that came in from any source regarding the conduct of a priest.

Q. And that would be misconduct?

A. Misconduct.

Q. Yeah. So if there was a report by a child or a parishioner of suspected sexual abuse, that would go to the priest -- the Vicar For Priests file?

A. That's my presumption.

Q. If there was a rumor and a document of a rumor of misconduct or sexual abuse by a priest and it was documented, that would go to the Vicar For Priests file?

A. Yeah, presuming this is not anonymous.

Q. Well, I don't know. Is there a -- do you make -- did you and -- does the Archdiocese

(*92)

make a distinction between an anonymous report and one that isn't?

A. Actually, we would also have the

anonymous report. The Vicar For Priests would -- at least he would notify the priest that such a report came in about him.

Q. And if there was a conversation between the Vicar For Priests, a non-confessional conversation between the Vicar For Priests and the priest such as you described with Father Holihan, and the priest says, well, I did abuse these kids or I did engage in sexual contact with them or, you know, something like that and the Vicar For Priests records that, that would be maintained also in the file for Vicar For Priests?

A. I could only speak for when I was Vicar For Priests. I would ordinarily memorialize meetings that I had, conversations that I had. But keep in mind that at that time, that kind of a conversation would be considered a confidential communication between the priest and myself.

And so I'm a little concerned even here

(*93)

whether I have a right to speak about this case. Do I?

MR. GEOLY: Well, the question is what would happen with the document. Would it go in your file? I think that's what you were asked.

THE WITNESS: I'm sorry, yes, it would.

It would be in the file.

BY MR. ANDERSON:

Q. Okay. And whether -- and whether the -- the conversation -- all such conversation as we just described is what you would consider confidential, which means you would keep that within the confines of the Archdiocese and/or the file you described, correct?

MR. GEOLY: Objection. I don't know what you mean by all there.

BY MR. ANDERSON:

Q. Well, the -- let's say a priest admits that he had sexually abused a child and he admits it to the Vicar For Priests, to you, you make a recording of that. You document that. You put that into the Vicar For Priests file, correct, of that -- of that priest?

A. Yes.

(*94)

Q. Okay. And it's your position, and I trust the position of the Archdiocese, that that is confidential information?

A. At that time, that's how the relationship was considered between the Vicar For Priests and priests.

Q. Who defined that for you to be a confidential relationship?

A. I'd have to say when I took over from Father Ventura, he -- he would have discussed

that aspect with me. I think it became clearer to all of us when the issue was resolved by Judge Fitzgerald, which he recognized that at that time, these conversations were considered confidential.

Q. So did -- if I'm hearing you correctly, was it Cardinal Bernardin through former Vicar For Priests Ventura that led you to the belief that that information would be considered confidential?

A. Yes. Because when I took over the office, that's exactly how I felt, that I was pastor to the priests.

Q. And you referred to Judge Fitzgerald

(*95)

making some kind of finding that is confidential. Tell me about that. That's news to me. What were you referring to?

A. At that time -- and I don't recall the case that was involved. But the question was what material can we give and what material shouldn't we give. And our attorneys gave the material to Judge Fitzgerald and indicated what they thought should be reserved from anyone else because of the confidential nature that that was considered to be, like the pastor/penitent privilege. And the decision that was made by Judge Fitzgerald was he accepted that as

confidential.

Q. And so was that effort you just described in 1992 in anticipation of disclosures being made by the Archdiocese to the then State's Attorney or another time?

A. It was -- I know the State's Attorney Office was trying -- again, my recollection. The State's Attorney was trying to subpoena a number of our files.

And we felt we could give him whatever he had a right to have. But we could withhold

(*96)

what he did not have a right to have. And the attorneys went through the case and redacted, I think is the word, any lawyer/client privilege, any penitent/priest privilege, any mental health privilege.

Q. Was that in connection with the Maday case that that was done?

A. Right now, I don't remember what it was in connection. And I don't remember whether I was still Vicar For Priests when the decision came down. I just don't remember.

Q. Was Judge Fitzgerald then a presiding sitting Judge where this determination was made that you believe?

A. To my memory, he was a presiding Judge at the criminal court.

Q. Okay. So it's in the context of some

criminal case?

A. Probably.

Q. And the prosecution of Father Maday or another priest of the Archdiocese?

A. I just don't remember which one.

Q. Fair enough. Just so I understand you and I think the position of the Archdiocese. Up

(*97)

until that decision, you and the Archdiocese had considered an admission by a priest documented to an official of the Archdiocese of sexual abuse to be confidential and that -- correct?

A. Yes.

Q. And that -- when that issue came up, Judge Fitzgerald decided that in that case, there was a determination that there was a confessional privilege that applied to that particular communication, correct?

MR. GEOLY: Time out. Objection. Let me just ask. Are you asking him to characterize Fitzgerald's opinion in detail now?

MR. ANDERSON: Well, your understanding of it is -- because he's operating on his understanding of this.

MR. GEOLY: Well, we're speaking in a very high level of generality right now and very hypothetically. We're not talking about any particular case or particular information you're

asking from him. So I don't have a problem with him telling you what he remembers about this. I just have a problem with him parsing a legal opinion for you.

(*98)

MR. ANDERSON: Maybe you can save us some time, Jim. Did he come down with a decision in one case that said in this particular case there's a confessional privilege that applies to --

MR. GEOLY: I can give you a copy of the decision. I can get one for you today.

MR. ANDERSON: Did it apply to one case?

MR. GEOLY: It wasn't one case. It was a grand jury investigation. And there wasn't a particular prosecution, as I recall. But I'd be happy to share a copy of the opinion with you.

MR. ANDERSON: Okay.

BY MR. ANDERSON:

Q. Bishop, what do you know about a grand jury investigation having been underway and what role did you have in that?

A. As far as my memory today, I had no role and I know nothing about the grand jury investigation. I probably heard something about it through the newspapers and others. But I had -- to my knowledge, I had no role in it at all.

(*99)

Q. Other than -- other than having given the deposition in a matter of the Lutz case, have you given any testimony either in grand jury or in trial or in any other place that pertains to your knowledge of sexual abuse in the Archdiocese by any of the cleric?

A. Yes.

Q. When and where?

A. I was called as a witness in the case of Father Mayer.

Q. And you were called by Father Mayer and his lawyers to testify?

A. I don't think so. I think it was -- I think it was the prosecuting.

Q. Prosecuting?

A. I think so.

Q. And what do you remember having testified to at that time?

A. I honestly don't remember. It wasn't a lengthy thing, I know that. But I don't remember what questions were asked. I simply answered whatever questions were asked of me. But I don't remember the questions now.

Q. Okay. Going back to the

(*100)

confidential -- let me rephrase this. Going back to the topic of the Archdiocese considering

the conversation wherein a priest admits to the Vicar For Clergy that he has engaged in sexual abuse or a crime of misconduct and that is documented by the Vicar For Clergy. I heard you say that it would be customarily placed in the file pertaining to that priest, maintained by the Vicar For Clergy, correct?

A. Yes.

Q. And -- and I also heard you say that at the time that was done while you were Vicar For Clergy and you were led to believe your predecessor, Father Ventura, that was considered confidential and not to be shared with anybody outside the Archdiocese, correct?

A. Yes.

Q. And to this day, have those documents maintained by your predecessor and/or by you wherein a priest may have admitted having committed crimes been shared with anybody outside of the Archdiocese?

A. I could only speak for when I was Vicar For Priests. What has happened afterwards, I

(*101)

don't know.

Q. What had -- what had -- what had happened up until your -- the end of your tenure for Vicar For Priests, which would have been

19 --

A. 91.

Q. -- 91. Up until that time, it remained confidential?

A. To my knowledge, it was, yes.

Q. And -- and you have no personal knowledge of the current practices and those employed until 2002?

A. I have no recollection of knowing what's involved.

Q. Okay. I'd like to go back to focus on Father Robert Mayer and mom Doe Number 2 has reported that in November of 1986, she made a call to you. In 1986, you were the Vicar For Priests?

A. No.

Q. You were not. In 1986, what was your title?

A. Pastor.

Q. You were a pastor at St. Barnabas?

(*102)

A. A pastor at St. Barnabas.

Q. I misspoke, yeah. You were a pastor at St. Barnabas. And Father Mayer had been an associate at St. Barnabas?

A. Yes.

Q. In any case, Jane Doe or Mom Doe 2 reports that she made a call to you concerned that Mayer was abusing kids or had abused kids in the parish. Do you remember such a call from

a mom who I've identified as Jane Doe 2 to you?

A. No. And are you saying it was in November of '86?

Q. Well, the date may not be precise --

A. I don't recall.

Q. That's why --

A. Yeah.

Q. Do you remember -- I guess the question to be more fair, Bishop, do you remember any call from Jane Doe 2, the mom who we'll describe as Mom Doe Number 2 to you saying, I'm concerned that Father Mayer is abusing kids in our parish at St. Barnabas?

MR. GEOLY: At St. Barnabas?

BY MR. ANDERSON:

(*103)

Q. Or at the new parish.

MR. GEOLY: Do you understand the question?

BY MR. ANDERSON:

Q. It was either at St. Barnabas or his later parish? Actually, Mom Doe would have been -- 2 would have been at St. Edna's.

A. Right.

Q. And the call would have come at the time, I think, Mayer was at St. Barnabas?

MR. GEOLY: Can you start over. Just start the question again so we have it straight?

BY MR. ANDERSON:

Q. Here's -- here's how I'll put the question. Do you have any memory of having received a call from Mom Doe 2 about concerns of Mayer having committed sexual abuse of kids at all?

A. Anywhere?

Q. Yeah, from this mom at any time?

A. I don't recall any call. But I don't want to say that it didn't happen. I just don't recall any call.

Q. Okay. She's given a statement to us

(*104)

that she made such a call and reported that it was to you. And I'm paraphrasing.

But she reports that you had stated to her that the Archdiocese was aware of Mayer's history and had been told to not have unsupervised contact with children. My question to you, Bishop, is do you remember having made such a statement to a mom or that mom pertaining to Father Mayer?

MR. GEOLY: Can we clarify something, Jeff? Were you stating that it was Mayer who was told not to have contact -- unsupervised contact with minors?

MR. ANDERSON: Yes. Did I misstate it?

MR. GEOLY: I'm not sure. I may have misunderstood you.

BY MR. ANDERSON:

Q. Do you want me to ask that question again, Bishop?

A. Yeah, let's try it.

Q. Do you remember telling any mom or Mom Doe 2 when concerns were expressed that Mayer was abusing children that the Archdiocese was aware of Mayer's history and he was not allowed

(*105)

to have unsupervised contact with children?

A. I don't recall the specifics that you're mentioning. But I would want to say I do recall having a conversation with Mom 2. My recollection is that conversation was at St. Edna's when a group of us went out there to give the people there a chance to tell us whether or not any of their children experienced this kind of -- so I did have a conversation and I remember specifically to her.

Because at that point -- you know, keep in mind, this is after everything unfolded at St. Odilo's. And I believe I apologized to her for any hurt that might have been caused by either him or ourselves in the way we handled things.

Q. Did you tell her what the Archdiocese was now doing about protecting other children and keeping Mayer away from those kids so that he would not repeat the crimes that the

Archdiocese knew he already committed?

A. Well, I can't say that I remember here and now what exactly I said, whether I said that or not. I just don't remember. It wouldn't

(*106)

surprise me if I said it because that was the case.

Q. I'm going to show you what we've marked as Exhibit 5. Now, this is handwritten. We've already provided you a copy of this, Jim.

MR. GEOLY: Thank you.

BY MR. ANDERSON:

Q. And to the extent necessary, we'll take -- we'll do redactions. Oh, they've already been done, okay. I'll represent to you that this is the handwriting of Mom Doe 2, okay?

And I'm not going to ask you to read the whole thing. But it is her account of some events in and around 1986. Look at the second page, Bishop. Well, let's just look at the first. Because let's just see if there's some mistake by somebody here. You'll see the first sentence says, father introduced himself --

A. Pardon me, Jeff. The first mistake is the year, if we could correct that.

Q. That's why I say there was a mistake.

A. I wasn't Vicar For Priests.

MR. GEOLY: Yeah, let him ask you the

question.

(*107)

THE WITNESS: Okay. I'm sorry. I'm sorry.

BY MR. ANDERSON:

Q. I was just looking like there was a mistake here. Because the first sentence says, Father introduced himself at the new -- at the new Vicar of Priests for the Diocese of Chicago, having taken over for Father Ventura.

And at the date above this, you'll see it says November 11th and then 1986 is written in. Now, there's a mistake by somebody here if you weren't Vicar For Priests yet, right?

A. Right.

Q. So did you serve as an interim or temporary Vicar For Priests for a period of time?

A. No. I became the Vicar For Priests July 1 of '87. And I just periodically met with Father Ventura before. But I was never considered temporary.

Q. Okay. So this '86 date that's written up there might be the wrong year?

A. I would think so.

Q. In any case, we're in agreement that

(*108)

you were the Vicar For Priests in November of 1987?

A. Yes.

Q. Okay. So the first sentence states that Father introduced himself as or at the new Vicar of Priests for the Diocese of Chicago having taken over for Father Ventura.

The last sentence in this document, I will read it and ask you a question. At this time, were you aware that there had been a settlement made of some kind with this woman and her mom -- this mom and her son?

A. I probably saw it in the case file.

Q. And do you recall her then raising concerns about the Archdiocese not having abided by their promises as they had been made to her in this settlement about Mayer and him not having contact with kids and the like?

A. I can't honestly say that I remember the details of the conversation.

Q. Okay.

A. I'm not saying it didn't happen, I just don't remember.

Q. Okay. Look at the last sentence of the

(*109)

first page. I'll read it and then see if it refreshes for you, Bishop.

It says, the Judge relayed to Serritella upon questioning that he had spoken with me and it seemed I was not satisfied with

settlement and that I was concerned that the Archdiocese had not and was not living up to its settlement agreement. And then it states, Goedert said he met with Serritella yesterday.

Does that refresh your recollection at all, Bishop, about these events at least as recounted by her?

A. No. I really have no knowledge of the contents of this settlement. And I don't recall ever being told what the contents were.

Q. Okay. Let's look at the last full sentence of the second page. I will read that to you then ask you a question, Bishop.

And it is the seventh line from the top. It states, I told Goedert what I am concerned about, always have been and always will be, is the possibility that Mayer could further harm young people. Because as far as I could see from other instances I had known about

(*110)

at St. Stephens, Mayer remains unrestricted.

Do you remember or does that refresh your recollection as to what Mom Doe 2 told you at that time?

A. No, because I don't really remember the conversation.

Q. Okay. Look at the third page. You'll see at the second -- the first paragraph that says, I told Goedert that, for various reasons,

I had gone into the Daley Center records and found that many people have been through the file in the past years. Most recently an attorney for the Des Plaines Police Department, which alarmed me because Mayer is in Des Plaines.

Do you remember that being told to you?

MR. GEOLY: By this person, by Mom Doe?

MR. ANDERSON: Yes.

THE WITNESS: No.

BY MR. ANDERSON:

Q. Okay.

A. I'm not saying she didn't, I'm just saying I have no memory of it.

Q. Fair enough. The next sentence and

(*111)

I'll read says, yes, Goedert said he'd already spoken with the Chief of Police there to find out what that was about. The Chief told Goedert that was prompted by an anonymous call he had received regarding Mayer.

Bishop, do you remember having spoken to the Chief of Police and/or anything having to do with this?

A. I'm hesitating because I don't remember if it was the Chief of Police or who. But I did speak to someone regarding this, yes.

Q. Who?

A. Well, that's why I say, I don't remember.

Q. It was a police officer?

A. It was somebody connected with the police station.

Q. What prompted you to do that? What motivated you to have that conversation? Was it initiated by you or by him?

A. I think at this time, my recollection is I think I heard it from him. The story that I got -- well, I'm not certain if he initiated it or if we heard it from some other source.

(*112)

But I was aware that there was an anonymous call.

The anonymous call, to my recollection, was actually to a TV station. And the TV station passed it onto the Chief of Police. And either he called us or -- I don't know, but I became aware of it.

Q. And at this point in time -- and we'll assume it was '87, Mayer was denying that he had abused boys and he was being continued in ministry, correct?

A. Yes.

Q. And how long after 1987 was Father Mayer continued in ministry by the Archdiocese?

A. He remained in ministry until it would

have been 1991, I believe, when -- July of 1991, I think when we -- the Cardinal required that he submit his resignation.

Q. And in 1987, you, as Vicar For the Priests and having talked with Mom Doe 2 and others, did you believe at that time Father Mayer had, in fact, abused children while serving as a priest at the Archdiocese?

(*113)

MR. GEOLY: I want to object that we have not established that Bishop Goedert had a conversation with Mom Doe of that kind. He didn't remember the conversation.

MR. ANDERSON: He said he had a conversation with her.

MR. GEOLY: That's my objection. But subject to the objection, you can answer the question.

THE WITNESS: Can you ask the question again, Jeff?

BY MR. ANDERSON:

Q. The question is in 1987, did you believe that Father Mayer had abused kids?

A. I did not believe that I had enough information to say that he had committed abuse of minor children. The reason why I was never sure is because we would hear accusations from people who were present at the time. And we

would hear just the opposite from other people who were there at the time, people who would deny that such a thing occurred, you know.

So we were always left with an uncertainty. I was well aware of some of his

(*114)

totally inappropriate behavior. But at that time, it never rose to the level that I thought gave me assurance that there was abuse of children as was being alleged. I have to admit it was very difficult dealing with this.

Q. Bishop, what was the level that these reports and/or information had to rise to that gave you enough assurance to believe that he had abused children?

A. What was the level that it would have to arise to?

Q. Yes. You said it never rose to the level that gave you the assurance that he had abused. My question is what level is that? What was required by you for it to be --

A. Had people that were present on the same occasions agreed that what was being alleged, happened, I think that would have been sufficient.

But we never were able to get that. People would always deny. There was always the confused situation. And of course he denied any impropriety.

Q. Well, were you aware then that most
(*115)

offenders accused of sexual abuse when
confronted, deny it?

A. Yeah.

Q. Okay. And so it's no surprise that
Mayer would deny it. Did you or any
Archdiocesan officials conduct --

A. Pardon me, Jeff. I want to back up.
Because I'm aware that in general, people tend
to deny. My experience in dealing with the
priests who I had to confront with this was that
they admitted it.

Q. Did you consider most of those priests
to be your family?

A. I -- I certainly consider them to be in
a special relationship with the Bishop of the
Diocese and therefore in a sense, brothers.
Yes.

Q. And -- and you had no specialized
training in investigation of crimes. Why didn't
you turn this over to people that did have such
training, such as law enforcement?

A. I think I've answered that a few times
already today. At the present time, since about
1992 when the new policies went into effect,
(*116)

we've turned over everything to the civil

authorities.

Prior to that, we were not mandated reporters. We felt that the information that was exchanged between a priest on the Vicar For Priests was the confidential conversation that exists between a pastor and his parishioners. I saw them as my parishioners.

MR. ANDERSON: It looks like we have to take a break and change tapes.

THE VIDEOGRAPHER: We are off the record at 1:52 p.m. at the end of Tape 2.

(Whereupon, a short break was taken.)

VIDEOGRAPHER: Back on the record at 12:00 p.m. with the start of Tape Number 3.

BY MR. ANDERSON:

Q. Bishop, you had mentioned that at that point in time, when you were Vicar For Clergy -- and I think we were talking about '87, that most of the priests had admitted to you that when asked if they had abused, that they had; is that what you had said?

A. Yes.

(*117)

Q. How many priests before Mayer denied it had admitted to you that they had abused kids?

A. I won't be able to remember the number of priests that I interviewed. But that's just my recollection that most of them admitted --

maybe not to the same extent, but they admitted it.

Q. Do you remember the names of any of the priests who were asked if they had abused and made such an admission to you that they had before Mayer was denying this in '86, '87?

MR. GEOLY: I just want to make a clarification. Bishop Goedert started as Vicar For Priests in '87. So he wouldn't have been the Vicar For Priests before that.

MR. ANDERSON: I'm aware of that. But this question is broader, priests having admitted it to him.

MR. GEOLY: To him.

MR. ANDERSON: Yeah.

MR. GEOLY: That's why I'm confused by the question.

Do you understand how it's being asked?

THE WITNESS: Well, I presume he's

(*118)

asking about cases that I handled.

MR. GEOLY: That's why I'm confused. Because if it's cases he handled, it couldn't have been before '87.

MR. ANDERSON: Well, he may have been involved in another capacity, so that's why I'm asking.

MR. GEOLY: Okay. Fair enough.

MR. ANDERSON: He's saying that in 1987, most had admitted it. So that presumes that he had conversations with some before then. And that's what I want to know.

MR. GEOLY: Okay. I just think we're getting hung up on a turn of phrase that maybe doesn't mean much. So go ahead and clarify it. That's fine.

THE WITNESS: I never interviewed or spoke to any priests that were accused before I actually took over the office. So I would have no knowledge --

BY MR. ANDERSON:

Q. Okay.

A. -- of anything prior to '87.

Q. All right. One final question then I'm

(*119)

going to go to these documents and that is this. You say that when Father Mayer denied this to you or another priest admitted having abused children to you, that the Archdiocese and you consider that confidential at that time. And it was a requirement of confidentiality, correct?

A. Yes.

Q. And it's also -- was it a requirement that after a priest admitted that to you that the Archdiocese continue that priest in ministry?

A. Not in all cases. Dependent on the

case itself.

Q. It is a fact that a number of priests were continued in ministry after having admitted having committed crimes of sexual abuse, correct?

A. I'd have to say that some were. I wouldn't be saying that all were.

* * * * *

(*120)

(*121)

Do you know anything about Chester Przybylo and information concerning him in 1986 as to why he could not be incardinated into the Archdiocese of Chicago?

A. I wouldn't be able to say it had any connection with incardination. But I was aware -- and I don't know if it was as Vicar For Priests or as a friend of Chester's former pastor. I just recall him saying something to the effect that at a wedding practice, Chester kind of pushed somebody around. It had nothing to do with -- at that time, I didn't know anything about child abuse. But I remember a conversation like that.

* * * * *

(*122)

BY MR. ANDERSON:

Q. Were you aware of or did you ever receive information that in 1986, after a string of allegations involving possible sexual abuse

at St. Clemens, Robert Becker, Father Robert Becker was removed from his position?

A. Prior to becoming Vicar For Priests in 1987, I knew nothing about Father Becker's history. I only learned it when I became Vicar For Priests.

Q. How did you learn it?

A. Father Becker was one of those who was told by Father Ventura to report to the Vicar For Priests' office. I don't remember if it was once a month or whatever. And I would meet with

(*123)

him fairly regularly, maybe once a month, once every couple of months.

Q. So you learned at that time then that Father Becker was under monitoring for past -- for allegations of past abuse?

A. Yes.

Q. And at that time, what did monitoring mean and who was monitoring him?

A. At that time, I think the extent of the monitoring would have been certainly myself. He'd be reporting to me on occasion. And I don't remember whether at that time Father Ventura had anyone in the parish monitoring him.

Q. Okay. I'm showing you what has been produced and marked as Exhibit 4. This pertains to Becker and copied to Cardinal Bernardin or

sent to Cardinal Bernardin in 1986.

Have you ever reviewed this for any reason after having become Vicar For Priests?

A. At this point, I'd say I don't remember ever seeing this document. But I don't want to say I didn't see it. But I don't remember it.

* * * * *

(*124-126)

(*127)

BY MR. ANDERSON:

Q. Okay. Bishop, I want to move on. I'll show you what we have marked as Exhibit No. 6. This would pertain to Father Kenneth Ruge, R-U-G-E.

* * * * *

(*128)

Q. Did you know that Ruge had been accused of abuse and was on monitoring before you became Vicar For Priests?

A. No.

Q. Did you learn it after?

A. Yes.

Q. How?

A. By reading the file.

Q. Okay. And what -- and who was monitoring him, making sure that he wasn't around kids and didn't abuse other kids?

(*129)

A. Our understanding of monitoring then is quite different from what it is now. I think

that the Vicar For Priests would have asked someone at the parish, usually the pastor, to be sure that he doesn't violate that mandate.

Q. According to a sentencing transcript, we have information that Father Vincent McCaffrey, who was charged with violations involving pornography and convicted, when did you first become aware that Father McCaffrey had sexually abused or was accused of having sexually abused children?

A. When I became Vicar For Priests.

Q. How did you learn that?

A. Through the files, certainly.

Q. In February of 1987, a parishioner reports that her son had been abused by Father McCaffrey on four different occasions. Father McCaffrey is put on medical leave and is told to stay away from minors.

Other than him having been told to stay away from minors, did anybody from the Archdiocese to your knowledge, take any other action to keep him away from minors?

(*130)

A. If you're talking before July 1st of 1987, I simply don't know.

Q. And after July 1st of '87?

A. Well, my recollection in my dealings with him, we searched out a pastor who we thought would be both kind but tough. And we

had him be the monitor at the parish level.

Q. When you say we, is that yourself and the Cardinal?

A. At this point, I don't remember who all was involved in that. It certainly would have been myself. But beyond that, I don't remember. I presume we would have notified the Cardinal but --

Q. Yourself and perhaps somebody else under authority delegated you by the Cardinal; is that correct?

A. Yes.

Q. In the sentencing transcript, it was stated that McCaffrey had been treated at St. Lukes taking up to 30 medications a day, according to him. Did you know that?

A. No. Well, pardon me. I think I knew he was treated at St. Lukes. I'm not aware of

(*131)

medications.

Q. Okay. And according to McCaffrey, he was reassigned to a parish, after these earlier reports, where he was told to have, quote, limited contact with minors and that his pastor would be monitoring him. Who was that pastor?

A. I presume that they're talking about Father Marty O'Donovan at Lady Of Good Counsel, I think it was.

* * * * *

(*132)

Q. Did you know that Father McCaffrey was open and shared with other priests, including Patrick Cecil that he was receiving treatment at St. Luke's, not for alcoholism as some thought but for childhood sexual abuse, abuse of minors?

* * * * *

THE WITNESS: That's what I'm pondering. I would have to say no to that. I'm aware that he was a friend of Cecil's and aware of -- but I don't know that he shared that.

BY MR. ANDERSON:

Q. Okay. I'm going to show you what we've marked as 32. This pertains to McCaffrey and it goes -- and this is on Archdiocese of Chicago

(*133)

Vicar For Priests stationery. The date is February 8, '91. It's to the file. And then that's blacked out. Would this be to you?

A. No. It's a file that I created.

Q. Okay.

A. That was my habit. Memo to file. It's just for my own sake to keep track of what's going on.

Q. Okay. So because we got this from the Court, a lot of -- there's a lot of what we call redactions, black outs. So under -- see at the top it says, to file and then there's a paren.

Is that -- would that be you? Does your name appear there?

A. I presume it's my name.

Q. Okay. And it regards Vincent McCaffrey. And the date is February 8, 1991, correct?

A. Yes.

Q. And then the person that -- the first part is blacked out. It says -- and it follows, the pastor of Our Lady of Good Counsel called at 9:50 and said that he wanted to get advice on a situation involving Vince. That would be Marty

(*134)

O'Donnell?

A. He's the pastor of Good Counsel. Am I able to talk about the things that are redacted? I'm not --

MR. GEOLY: Yeah. No, I don't have a problem with you speaking about Father O'Donnell's name. I mean, that's fine.

THE WITNESS: It's Marty O'Donovan.

BY MR. ANDERSON:

Q. O'Donovan. Pardon me.

A. Yes.

MR. GEOLY: I didn't hear you right the first time, either.

THE WITNESS: Maybe I mumbled.

BY MR. ANDERSON:

Q. Was -- Bishop, was Father O'Donovan the

person assigned to monitor McCaffrey, told that McCaffrey's problem was sexual abuse of minors?

A. Yes. He knew fully the history.

Q. Who told him that?

A. I did. And I suspect Vince told him, too.

Q. In the case of McCaffrey, we have allegations of sexual abuse involving minors,

(*135)

correct?

A. Yes.

Q. We have treatment of him, correct?

A. Am I able --

MR. GEOLY: Well, you've reflected it in information you provided.

BY MR. ANDERSON:

Q. These are public records.

A. All right, yes. Yes.

Q. And then we have reassignment of him in a pastorate of monitoring?

MR. GEOLY: Not as a pastor.

THE WITNESS: He's not a pastor.

BY MR. ANDERSON:

Q. He was continued as a priest, was he not?

A. Yes.

Q. And he was continued and transferred to what assignment?

A. Lady of Good Counsel. I haven't read the whole memo to refresh my memory. But I think that was the last place he was.

Q. And at our Lady Of Good Counsel, more allegations surfaced, did they not?

(*136)

A. Outside of what Marty told me in this memo, I don't remember other people coming forward. But I just don't remember.

Q. Well, this memo reflects more allegations, does it not?

MR. GEOLY: Should we refer to the memo?

THE WITNESS: I better read -- I better read the memo, then.

BY MR. ANDERSON:

Q. I'm going to go through some of the things in the memo. You'll see at the first sentence, blank has observed that Vince continues to associate with high school boys. Is not suggesting that there is anything sexual in the relationship, but he feels uneasy.

Let me just -- at Paragraph two it says, what really upset blank was the fact that Vince did take one kid overnight this past weekend. That's a violation of his restrictions, wasn't it?

A. Yes, unless there were other adults present.

Q. Ten lines down, it says, this is the
(*137)

boy that blank is most concerned about as the relationships seems to be very close. Vince and the boy went to Vince's cottage on February 1st in the afternoon and stayed through Sunday February 3rd. This is information that's pretty suspicious of more sexual abuse, isn't it, Bishop?

A. It's suspicious, yeah.

Q. Over what period of time did Father O'Donovan observe this behavior going on as reflected in the memo you created?

MR. GEOLY: Objection, calls for speculation.

BY MR. ANDERSON:

Q. What timeframe?

A. At this point, I don't remember if he told me how long it had been going on.

Q. There were allegations of impropriety, suspicions of sexual abuse against Vince McCaffrey before he was ordained. Were you aware of that?

A. Before he was ordained?

Q. Yeah, while a deacon.

A. I'm not sure if he was a deacon at a
(*138)

parish in Calumet City St. Victors. Was he a

deacon? Do your records show that?

MR. GEOLY: The question was, do you remember it. He can't help you with it.

BY MR. ANDERSON:

Q. Did you receive information that Vince McCaffrey had committed or was suspected of having committed sexual abuse of minors before he even became ordained as a priest, for example, as a deacon?

A. I was not aware of it until I became Vicar For Priests.

Q. And then once you became Vicar For Priests, did you learn that Vince McCaffrey had been accused or reports have been made of him having committed sexual abuse at every parish that he had served?

MR. GEOLY: Did you hear that question?

THE WITNESS: Well, it sounded like you were asking if I heard that he was accused at every parish.

BY MR. ANDERSON:

Q. Yes.

A. And I wouldn't be able to say yes to

(*139)

that because I don't even know all of the parishes he was in.

Q. Okay. I'm going to direct your attention because I'm not working chronologically. We're bouncing around a bit.

But I'm directing your attention to Father Joseph L. Fitzharris. He's on the list that we already discussed to have had allegations substantiated against him. And Exhibit 7 is a document that obviously is of recent origin. But my question is in March of 1987, Father Fitzharris was convicted of child sexual abuse in Cook County. Were you aware of that, Bishop?

A. I was not aware of it in March of '87. I became aware of it after I became Vicar For Priests. Let me -- let me -- I'm not sure when I became aware of it about Cook County and whatnot. I presume it was in the record and I saw it there.

Q. Okay. Well, you'll see in this document that it states in a request made by us about him that it states, in March of 1987 Fitzharris was convicted of the offense of

(*140)

criminal sexual abuse in the Circuit Court of Cook County and was sentenced to supervision.

MR. GEOLY: What's the question?

BY MR. ANDERSON:

Q. Did you know that?

A. When I became Vicar For Priests, I did.

Q. And then it states, the Archbishop placed Joseph L. Fitzharris under restrictions

with monitoring. Were you aware of that when you became Vicar For Clergy?

A. For Priests?

Q. For Priests?

A. Yes. I --

Q. Who was his monitor?

A. At that time, the monitor would be myself. And the pastor of the parish, wherever he lived, would usually know the situation and be told to watch him.

Q. So if I'm reading this correctly, a convicted sex offender is being continued in ministry by the Archbishop with monitoring; is that correct?

A. He -- because a priest has to live somewhere, he's allowed to remain in a parish

(*141)

setting. But his ministry is certainly restricted. In his case, he would not be allowed to be alone with any minors. And so -- but he remained in the parish, yes.

Q. And he remained in ministry to the extent he was allowed to administer all of the sacraments --

A. Yes.

Q. -- at mass?

A. Yes.

Q. And do all the priestly functions that a priest is allowed to do with the possible

exception of being alone with minors, correct?

A. I would probably say yes, except I have hesitation because he was in -- again, am I -- anything on this list I'm able to speak about, mental health and that?

MR. GEOLY: Not necessarily mental health information. But the names of the priests on that list, you can use in the deposition.

THE WITNESS: I don't know how to answer that, then.

MR. GEOLY: You're also free to discuss (*142) the practices that you employed and your general approach.

THE WITNESS: Well, the practices would require that he was --

BY MR. ANDERSON:

Q. Getting some help for the problem?

A. Yeah, okay. If I could do that without violating the rule.

Q. If we look at the exhibit, the next paragraph reads, in October of 1991, Joseph Fitzharris was withdrawn from ministry. Now, this would be four years after he was convicted, right?

A. Yes.

Q. And is it also correct to say that when

Fitzharris was convicted in 1987, that was not very publicly known, nothing was reported, for example, in the newspapers about it?

A. I don't know if it was in the newspapers or not.

Q. The same paragraph goes on to state that in January 1995, Joseph Fitzharris resigned from priestly ministry. And that would be four years after he was withdrawn and eight years

(*143)

after he was convicted. Does that sound right?

A. I have to presume those are the right dates, yeah.

Q. To your knowledge, Bishop, was Fitzharris withdrawn from in 1991 because another allegation came forward or another report had been made?

A. I was not Vicar For Priests at that time. So I don't know what the reason was. But keen in mind that we had quite a switch. The whole procedure that we followed evolved. And at this point, the Cardinal had appointed the commission. And eventually out of the Commission, came the policies of 1992.

So it could be that as a result of the commissions work, that he was removed. But I don't know that for a fact.

Q. It would appear to me, at least on my review of this, that the commissions were -- it

was reflected in policies and some practices that were implemented in '92. There were quite a few removals in '92. The withdrawal of ministry of Fitzharris was '91 before a number of other withdrawals. So my question to you is

(*144)

do you really know the reason for his withdrawal of ministry in '91?

A. No.

* * * * *

(*145)

Q. Okay. I'm going to show you Exhibit 8. Now, this pertains to Bishop -- Father Mayer, again. And we're in May of 1987. And if you look at this document, it is on Archdiocese of Chicago stationery, it looks like from the office for priests.

A. Uh-huh.

Q. And at that point in time, this would still be Ventura, correct?

A. Right.

Q. And this is marked confidential at the upper right hand corner and it's underlined. Is this the same kind of confidentiality that you

(*146)

were talking about before that you and your predecessor operated under that caused you to believe that this was information that should be kept in and among members of the Archdiocese and

their advisors?

A. Yes.

Q. Okay.

MR. GEOLY: And for the record, though, this document was produced to you by the Archdiocese in discovery. So it has not been withheld, other than the redactions that are on here.

MS. ARBOUR: That's actually mine.

MR. GEOLY: Those are your redactions so we didn't even redact it.

MR. ANDERSON: Yeah. We redacted to take some names out of some possible victims, I think.

MR. GEOLY: Okay.

BY MR. ANDERSON:

Q. Look at the last page of this document. I'm not going to spend a lot more time with it because Father Ventura prepared it. But you'll see -- you have to look at the second to last

(*147)

page on 6/2/87. It states, meeting with Father Bob Mayer, Father Len Mezydlo, M-E-Z-Y-D-L-O, Father Ray Goedert and Father Ventura to discuss the conclusion of the investigation and the plan for the future.

So there's an investigation in which you're involved, at least in the meeting here on

6/2/87, correct?

A. Yes. I wasn't aware of it, but I presume it took place. Yes.

Q. And this would be an investigation of Mayer committing abuse against minors, correct?

A. Well, in reading the whole -- I haven't read the whole thing carefully. But it seems like it was primarily responding to that call that the Chief of Police had received and whatever investigation of that that Father Ventura did. Unless there's other things in there that I didn't catch.

Q. Okay. And then it states, to discuss a conclusion of the investigation on the plan for the future which involves a) continuance of his present assignment to its conclusion next June, which means he is allowed to continue ministry,

(*148)

correct?

A. Yes.

Q. B) complete psychological evaluation by Dr. Cavanaugh. And Dr. Cavanaugh was actually with Isaac Ray Center and one of the people utilized by the Archdiocese to help you do evaluations of these guys --

A. Yes.

Q. -- who were accused of abuse?

A. Yes.

Q. In making decisions to continue these

guys accused in ministry, you didn't rely exclusively on Cavanaugh to make that decision, did you?

A. No.

Q. You relied on your own judgment and the discretion of the -- ultimately the Archbishop cardinal, correct?

A. At that time, we would certainly utilize the input from the mental health people. And we would discuss it among our task force, our group and then a recommendation would be given to the Cardinal, so in effect, he responded to our recommendation.

(*149)

Q. Okay. So whether the decision was made to continue Mayer in ministry with at least these restrictions under this plan, you knew that he had been suspected of or had committed crimes against children?

MR. GEOLY: Well, this refers to an anonymous report to a TV station.

THE WITNESS: You know, that's where I'm confused. Because I'm not aware of any allegation about -- I don't know what the allegation was that was made to the TV station that was passed onto the Chief of Police. I don't know whether it was an allegation of abuse of children or not.

BY MR. ANDERSON:

Q. You knew that there had been a lawsuit brought against the Archdiocese and Mayer by Mother Doe 2, had you not?

A. Back in the early '80s?

Q. Yes.

A. Yes.

Q. And that at that time, there were allegations made that he abused several boys in addition to Doe 2, correct?

(*150)

A. Yes.

Q. Didn't that cause you to have additional concerns about this new allegation that is being reflected here in 1987?

A. Did I have concern, yes.

Q. And why wasn't this then brought to the police? Why wasn't this document and what you knew about him in the past brought to the police?

A. Probably for the same reason that I've mentioned as he states on there, the information that is given to us, we consider it confidential. Today, it's totally different.

But I'm thinking 20 years ago how we dealt with things. We've learned.

Q. Bishop, I'm going to hand you Exhibit 9. And while Jessica is giving that to you, this one pertains to Father Ruge. And

because I'm working chronologically now, I direct your attention to him and this document. June of 1987, Vicar For Priests, that would be either you or Ventura. And I think it's Ventura because it's from him. But it's to you. So it looks like -- it looks like, you know, you're

(*151)

just taking over for him. Is that --

A. Well, July 1. But I was meeting with him off and on prior to that, you know.

Q. So this is really kind of transitional information being exchanged?

A. That's how I would see it, yes.

Q. And as I read this, Ventura is writing to you to update you on Ruge. At this time, Ruge is in parish ministry working mostly with seniors. And he only has contact with youth if other adults are around. Do you see that in the third paragraph?

A. Yes.

Q. His only contact with youth is supervised situations such as a retreat outing for servers.

How is one to know that, if that's really being honored by him?

A. I would presume in this case that the pastor probably gave information to Father Ventura that there were teachers and parents and

so on. Is that your question, Jeff?

Q. Well, I think you answered it. How many allegations, reports or complaints had been

(*152)

made against Ruge having abused or been suspected of abusing minors at the time of this document?

A. I don't know.

Q. The confidentiality that you spoke of, didn't prevent you from sharing this information with other clergy, it just prevented you from sharing it with any non-clergy; is that correct?

MR. GEOLY: Which information?

BY MR. ANDERSON:

Q. Information that you're receiving about sexual abuse by priests and from priests?

A. I considered -- whatever I heard as Vicar For Priests I considered it confidential in the same way I would as pastor. I received a communication from a parishioner. I simply would not talk about it to anyone except those who had a right to know because of their position in the diocese.

Q. Well, what about those that are working with that priest who is accused, who is supposed to be monitored, the assistant pastors working with him, the housekeepers, the pastors, all those other people that are there. Did you

(*153)

believe that you could tell them?

A. Yes. Because we felt we had to have someone overseeing him, and so we did tell them. Yes.

Q. If you could tell the housekeepers, the other employees, the assistant pastors and the like, that this guy had a history and you should keep an eye on him, why couldn't you tell the parishioners?

A. I'm not aware of ever telling housekeepers. Where is that?

Q. Okay. Let's say assistant pastors, then, let's say pastors, let's say administrators.

A. We would only --

Q. Why don't you let me finish the question. I'm sorry, Bishop.

A. That's okay.

Q. And hearing you correctly, you're laboring the then belief that this information is confidential. But you could tell pastors, you could tell other priests, you could tell assistant pastors, you could tell other clergy, some -- and certainly anybody that was required

(*154)

to keep an eye on him, such as monitors, correct?

A. No. I would not feel free to tell this

clergyman or that clergyman or this housekeeper or that housekeeper. The only one I would feel free to tell would be the one whom we're asking to monitor his behavior.

Q. And that particular protocol under which you were then laboring, was that written somewhere or is that just passed down?

A. Well, if you read the Fitzgerald decision and all of the material that went into it, you will see that Father Ventura had written a document for the sake of the priests in the Diocese describing the role that he had as Vicar For Priests. He was the first one to be appointed such.

You'll also see a document in which I state how I see the position. And I think both of those documents speak to this issue of confidentiality.

Q. I'm going to show you Exhibit 10. This one pertains to Father Robert Mayer, June 2, 1987 Archdiocese stationery, Vicar For Priests'

(*155)

office. From Father Ventura regarding Mayer to the file and there are individuals signing it, you being one of them, correct?

A. Yes.

Q. This document reflects, does it not, that in June of 1987, Ventura's writing to update -- let me just see. This is June 2nd.

You and two other bishops are meeting with Mayer to lay out a series of mandates in response to a phone call from the Des Plaines Police, correct?

MR. GEOLY: I'm sorry, Jeff, I -- somewhere in that question, you lost me.

BY MR. ANDERSON:

Q. I think it's priest, excuse me. I think what -- I read this document as you and two other priests are meeting with Mayer to lay out a series of mandates in response to the May 11th phone call from the Des Plaines Police; is that correct?

A. Can you ask it again, please?

Q. You'll see it says on May 11, 1987, Police Chief Joseph Kozenczak of Des Plaines informed me that he received anonymous information?

(*156)

A. Uh-huh.

Q. Okay. And this involves Mayer, correct?

A. Yes.

MR. GEOLY: This is Ventura writing, right?

MR. ANDERSON: Yes.

BY MR. ANDERSON:

Q. And this last sentence of the first

paragraph says, however, the fact of the concerns indicates need for special supervision of Father Mayer. Now, this is special supervision as opposed to supervision. What is special supervision in contrast to the former supervision?

* * * * *

Q. Yeah, okay. So what does this special

(*157)

supervision mean?

A. I know one thing, it means because of our concerns, we required that another assessment be made. Because we were concerned is he a risk to children. And we wanted to be certain that by leaving him there, that children would not be at risk.

And so we did call for a special evaluation. There was no new allegation made, other than this anonymous call to the TV station. And we don't know the content of that or anything. It was just because of the situation that we thought we've got to get another assessment of this fellow.

* * * * *

Q. And 2, a canonical mandate is given to Mayer to avoid all unsupervised contact with all persons under the age of 21. This applies especially to his private living quarters in the rectory. Why is that spelled out to apply

especially to his private quarters in the

(*158)

rectory?

A. Well, I can only speculate now. But I presume it was because a number of allegations were made in the past that he seemed to invite young people into his room at the rectory. And we -- you know, we thought it's inappropriate and we wanted to make sure that he understands that he's not to do that.

Q. And among those allegations was him supplying alcohol to minors?

A. That was one of them, yes.

Q. Among those allegations was him engaging in circle jerks, masturbation with him and other kids?

A. I don't remember -- as you described it, I don't remember that. But it may have been there.

Q. Among those allegations was him smoking marijuana with kids in the rectory?

A. I seem to remember that allegation.

Q. Among the allegations was nudity by him and encouraging other kids to be nude in his presence in the rectory?

A. I don't remember the precise thing that

(*159)

he was nude. I do remember something about him

coming out of the shower. Whether he had a towel on or not, I don't remember that.

* * * * *

Q. Okay. So tell me this, then, Bishop,

(*160)

when is the first time you, as Vicar For Priests, warned any parishioners that Father Mayer posed a risk of harm to their children?

A. My memory of it is -- the first time was when we went to St. Odilo's. Unfortunately, it was after the fact he had already been removed. And we also went to St. Edna and I believe St. Stephen. But at the moment, I can't remember whether it was before or after the Odilo thing.

Q. And you're correct, that was after the fact that you told parishioners. It was too late because the kids had already been hurt, right?

A. (Nodding).

Q. Tell me this. When in time did you warn any parishioners that any of these priests who were under restrictions and against whom allegations have been made, were told about what you knew?

A. Well, as I said, our policies, our procedures evolved quite a bit over the years. In the beginning, we did not notify the

parishioners. I believe that we began to notify
(*161)

the parishioners only at the time when we
removed a priest from the parish. I can't put a
date on that. But that's when we started to
have someone go and read a letter, a statement
at the parish.

* * * * *

BY MR. ANDERSON:

Q. Because there are a number of priests
who continue in the ministry under restriction.
We've identified some of them and I have more to
ask you about that are in these documents.

So my question to you, Bishop, is when
is the first time that you personally or were
involved in the Archdiocese warning parishioners
that there is a priest in ministry against whom
allegations have been made of sexual abuse and

(*162)
is being monitored by us?

MR. GEOLY: So it's the monitoring
situation that you're asking about?

MR. ANDERSON: Yes.

THE WITNESS: At this time, I'm drawing
a blank as to when we began to go to parishes,
whether or not it predated removal from
ministry. I just don't remember exactly when.

BY MR. ANDERSON:

Q. I looked at these documents, Bishop,

and I haven't seen anyplace where it was documented that you ever told the parishioners that you were removing a priest from ministry for sexual abuse.

I've seen documentation that you removed them from ministry for personal reasons or health reasons. Do you have any recollection of ever having told parishioners that a priest was being removed from ministry for having abused children?

A. Well, we certainly did, for instance, in the Holihan case. They already knew it.

Q. Holihan was convicted, wasn't he?

A. No.

(*163)

Q. Okay. Did you tell them it was for sexual abuse?

A. Yeah, they knew the story.

Q. Okay. Other than Holihan, do you or anybody -- I'll ask you the question again. Do you have any personal recollection of you or anybody else from the Archdiocese ever warning the parishioners and/or informing the parishioners that you were removing the priests from ministry because of sexual abuse?

A. Well, we certainly did in the Mayer case. But we had already -- he had already been removed, though, when we told the people.

I know we went to St. Mary's in Des
Plaines about the Strand case. But again, I
don't know the -- you know, the exact timing of
it. But he had already been removed.

MR. GEOLY: But the question is whether
you told the parishioners the reason for the
removal.

THE WITNESS: In the Strand case?

MR. GEOLY: In general.

BY MR. ANDERSON:

Q. In any case. I was -- if you had any

(*164)

recollection of ever having told the reason for
the removal of it being sexual abuse as opposed
to it being personal reasons, health reason or
some other.

A. All right. Yeah, I'd say the Strand
case we certainly told the people.

Q. Any others?

A. The three cases that I remember where
we actually told them the whole story was Mayer,
Holihan and Strand. Now, whether there were
others, at the moment, I'm not thinking of any.

* * * * *

BY MR. ANDERSON:

* * * * *

(*165)

Q. Okay. I'm showing you Exhibit 12.

This is from you to Mayer. And at the second

paragraph, the last sentence says, but rather for your own protection lest any occasion be given to persons who may want to hurt you by bringing up again the charges from the past.

Here it's written that there's concern about Father Mayer and it's being expressed by you. And that sentence begins with, again, the

(*166)

purpose of this is not our concern that something inappropriate might happen, but rather for your protection.

My question, Bishop, is did you ever write or express in writing concern about the protection of the children?

MR. GEOLY: Can I just ask you, Bishop, to read the entire -- to yourself just read the entire Paragraph 2 so you can see the context of that sentence.

BY MR. ANDERSON:

Q. So my question is, you're expressing concern about protecting Father Mayer, correct?

A. Yes. But we'd be concerned that children not be in any way hurt. But at the moment what I'm saying there is to protect you. Because it seems like he would somehow bring out accusations, allegations and ones which we can never establish with certainty. But somehow his behavior would create that.

Q. I'm showing you Exhibit 13 again. It

again pertains to Mayer. The second paragraph, third sentence, it refers to, I explained that I would like it to be a place that would both

(*167)

physically and psychologically distant from the three parishes where difficulty has arisen.

Were all those three parishes where difficulty arisen involved his conduct pertaining to minors?

MR. GEOLY: Pardon me. Where are we? On the document, where is that?

MR. ANDERSON: Paragraph 2, first sentence.

THE WITNESS: At the three parishes that he's talking, allegations were made. Usually it regarded his conduct with minors, all though at St. Stephens, we have no idea what the allegation was.

BY MR. ANDERSON:

Q. All right. 17 is another one involving Mayer in May of '88. Is this authored by you?

A. If it's in 1988, it had to be me. Yes.

Q. I'm showing you now Exhibit 15 pertaining to Father James Hagan. And it appears the Archdiocese learns that Hagan is being investigated by DCFS for his sexually graphic discussions with children, correct?

A. Yes.

(*168)

Q. And then showing you Document 16, you wrote this also pertaining to Hagan. It appears here that the same time, a mother calls because some of parents said that Hagan has been abusing boys. Is this written by you?

A. The memo is mine.

Q. Okay. Is it correct to say that Hagan remained in the parish as pastor?

A. I don't think he's pastor. I think he's at -- I think he's still at St. Gertrude's as an associate pastor.

Q. It appears that he's a pastor at St. Dennis in May of '88. Oh, St. Gertrude, excuse me. It says, pastor at St. Gertrude's.

MR. GEOLY: But that's not referring to Hagan.

BY MR. ANDERSON:

Q. So is it correct to say that he remained at least then as associate pastor at St. Gertrude's after this information was recorded?

A. The answer to your question is yes. But before when you asked the question, you said he was accused of fondling boys and I don't

(*169)

think that was accurate.

Q. Look at Paragraph 3 of 16. In the course of her comments, she mentioned that some

of the parents are disturbed now about the associate pastor who is accused of fondling the children; that is correct, isn't it? That's what it says.

A. Yeah, as long as you didn't say boys. Because it seemed to me that the case I dealt with was a girl.

Q. Okay. I got it. Exhibit 18 goes back to Mayer. And this is November of '88. The first paragraph, fourth sentence says, also it will give us another year or so to sit out a possible threat of the book or TV movie coming out.

The negative side is that Dionysius is a place where the lay person got in trouble with pedophilia and there is a criminal case pending against that person. Thus far, there are no lawsuits against our church. However, if people who want to do harm to Bob decide to spread gossip out in Cicero, it could become a can of worms inasmuch as the people would be saying

(*170)

first they put up but this lay person who is active in the parish and now they send us a pedophile pastor.

My question to you is, is it correct to say that the concern is about avoiding scandal and keeping this a secret as opposed to

protecting the kids?

A. I don't like -- you are separating the two and I'd like to think we were concerned for the children. And up to this point, we still had no [certitude] about him abusing children. We were giving him another chance to prove himself. And we obviously were concerned about causing scandal, yes.

You have to keep in mind, all of this was when I was Vicar For Priests. And our policies evolved and are quite different now. I mean, today there would be no way he'd be in that parish.

Q. I'm handing you Exhibit 19, Bishop. And this is to the Clergy Personnel Board. It's written by Auxiliary Bishop Jay Jakubowski. It -- essentially, there's a recommendation here. Did you agree with the recommendation

(*171)

being made?

MR. GEOLY: Do you want to take a look at it?

THE WITNESS: Could I read it?

BY MR. ANDERSON:

Q. Well, let me cut through it so you don't have to. At the third paragraph in the middle, it says -- let me read it. We agree that Father Mayer would be the ideal priest to bring St. Dionysius to a level of where we

thought a parish should be. In other words, he's being recommended for a position there.

Did you support the recommendation in the placement to him at St. Odilo?

A. Well, I don't actually remember supporting the recommendation. I presume I did. But I don't support and didn't support all the phrases that were used.

Q. Okay.

A. I didn't consider him ideal.

Q. And at this point in time, had any of the parishioners been warned of the concerns, the complaints, the restrictions, the evaluations or the settlements that have been

(*172)

made in the past regarding this guy?

A. The parishioners at St. Dionysius?

Q. At anywhere.

A. At this time --

Q. At St. Dionysius.

A. I doubt it. I would think not.

Q. I'm showing you Exhibit 20, again, Father Mayer. It's a call from [REDACTED] -- actually, you called her. And at 3 it says, I explained to [REDACTED] the nature of my call. I wanted to put her at ease. Did you tell her anything about the history that you knew that the Archdiocese had concerning Mayer

and the sexual abuse and suspicions around it?

A. I would presume I did. But I don't have a memory of it at the moment.

Q. It's not reflected in this moment. Was the Archdiocese expecting her to be his monitor then?

A. I think we were expecting Bishop Jay Jakubowski to be his monitor. But --

MR. GEOLY: Look at the date of the memo, Bishop. This is a little out of order. This memo is from 1988. So it's not the

(*173)

St. Odilo's appointment that was discussed in the 1990 document.

THE WITNESS: It's the St. Dionysius, isn't it?

MR. GEOLY: Right, right.

THE WITNESS: Yes. Did I answer your question, Jeff?

BY MR. ANDERSON:

Q. Yeah, I think you did.

A. Okay.

* * * * *

(*174)

Q. Okay. Do you remember anything to do with Kissane in '88?

A. I dealt with Kissane, but I don't remember the date.

Q. What do you remember doing pertaining

to Kissane?

A. With regard to Kissane, again, I'm not sure of the very first allegation or if there were many. But I do recall an allegation being made. I interviewed the person who made the allegation and we followed our usual practice of requiring him to -- I presume I did it in this case. That was my usual practice, to require that he be assessed and so on.

Q. Okay. He was continued in ministry?

A. Well, I'm drawing a blank right now whether we allowed him to stay -- to stay there or what. I just don't remember.

Q. In June of 1989, the information I have is that a woman comes forward and tells the Archdiocese that as an 8th grader [REDACTED] she

(*175)

was abused by Joe Kissane, [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] Do you know anything about that? Do you remember that?

A. I remember that. Yes.

* * * * *

(*176)

Q. Exhibit 22 pertains to Father Maday. The date is July 8, 1988 and -- from the Archbishop and he takes a sabbatical. Is there any other paperwork on file -- well, let me ask you this. What do you know about Maday taking a

sabbatical at this point in time and his request for it?

A. I don't remember. But --

Q. Had he been involved inappropriately with children?

MR. GEOLY: I think he was still answering your question.

MR. ANDERSON: I'm sorry, Bishop.

THE WITNESS: What were you --

MR. GEOLY: Were you still answering the question or were you done?

THE WITNESS: All I was going to say

(*177)

was I don't remember but it could have happened.

BY MR. ANDERSON:

Q. Yes.

A. I didn't deal with --

Q. This document says he's requesting a sabbatical. And so you don't remember the reason for that?

A. See, I was never involved with those kinds of decisions.

Q. I'm showing you now Exhibit No. 33 --
23. This pertains to Vincent McCaffrey. It's dated March 30, '89, Archdiocese of Chicago, Vicar For Priests' stationery, several typed written pages. Is this something you prepared, Bishop? It's got a lot of deletions on it.
But --

A. Should I read the rest of it or what?

Q. My question is did you prepare it?

A. Well, given the date, it certainly looks like my, you know --

Q. Look at the last Page, No. 23. It states, it seemed unfair to insist that Vince move out of St. Josaphat. But on the other hand, I don't see much of an alternative. If he

(*178)

stays, we run the risk that someone else might be phoned just as the blank were and they may not be as discrete.

Moreover, what do we do if someone starts checking things out and finds that Vince does have a past history, question mark. This would certainly compromise both blank, myself and the Diocese. It would appear as though we were covering up for Vince and not telling the blank exactly what the story is.

When you wrote this, your concern was to avoid scandal and keep this secret?

A. I think that's -- I think that's something that in every case I would like to think we use the word confidential than secret. But in this particular case, I was also concerned at the discomfort that was felt by the couple that had mentioned this.

They weren't accusing him of anything

that happened at that parish. They simply had heard from somebody about Vince's previous history.

* * * * *

(*179)

BY MR. ANDERSON:

Q. Was McCaffrey removed from ministry at this point?

A. It was at this point -- the answer is no. It was at this point that he went to Lady of Good Counsel.

Q. In 1989, Bishop, Father Maday is assigned, according to records, to St. Jude the Apostle. The other priests there were Fathers Murphy and Powers.

And police investigators were told that Maday was warned not to have boys in his rectory room and did not comply. Were you involved in that?

(*180)

A. What's the date?

Q. 1989 Maday.

A. I would have been, yes.

MR. GEOLY: Do you remember that happening?

THE WITNESS: I don't.

BY MR. ANDERSON:

Q. Why was Fathers Murphy and Powers told

that he couldn't have boys in his room? What had he done or what had been reported that he had done that caused them to have been told that?

A. At this point, I just -- I vaguely remember something about St. Jude. But I don't remember telling Father Powers and the other that -- you know, I just don't remember.

* * * * *

(*181-183)
(*184)

BY MR. ANDERSON:

Q. Okay. In May of 1990, Father Robert Craig -- and I'm showing you a letter that he wrote to Cardinal Bernardin apologizing for attending Quigley Seminary graduation. But given his involvement with the seminary over the years, we didn't feel right about not being allowed to go.

In the first page it states I may as well -- at the start of the first -- second paragraph. It states, I may as well get the bad news out first. I was at Quigley South's final graduation. I know you don't agree, but I think you made a mistake. What -- do you know what Cardinal Bernardin -- or excuse me, what Father Craig is referring to here?

(*185)

MR. GEOLY: Objection, calls for speculation. But you can answer the question.

THE WITNESS: Well, I presume it's the closing of Quigley South that many people disagreed with.

BY MR. ANDERSON:

Q. Why would that be related to Craig?

A. I really don't know.

* * * * *

Q. In June of 1, 1990 -- I'm going to show

(*186)

you a document Exhibit 27. Again, this is to Cardinal Bernardin, Archdiocese of Chicago, Vicar For Priests' stationery from you.

* * * * *

(*187)

BY MR. ANDERSON:

Q. I'll direct your attention to the second page of this document. It's numbered Paragraph 4 in the last sentence. I'm going to read it and then I'll ask you a question.

If someone does go public and digs up the past, the possibility of scandal can be minimized if we're able to counter such an attack with the data revealed in blank. Did you write that?

A. Well, I'm presuming I wrote the whole memo. I don't know now what's under the blank.

Q. Well, I think it's probably an evaluation. But you don't remember what it is, so I'm not going to speculate, if you don't

remember.

A. Well --

Q. The first question is you wrote this, obviously?

A. Yes.

Q. And so you're concerned about scandal, are you not?

(*188)

A. Yes.

Q. And you were at all times concerned about scandal?

A. Yeah.

Q. Okay. I'm showing you Exhibit 28. This involves Norbert Maday, July of 1990. Detective called St. Jude the Apostle pastor to report that Maday molested his son in 1988. Were you involved in this?

A. I was certainly involved with this. It sounds like -- Father McDonagh wrote the memo. But it sounds similar to what I had learned, that a policeman whom we can never track down because he gave an address or a phone number that wasn't --

Q. Did you make the effort to track him down?

A. Well, Father McDonagh was the assistant Vicar For Priests. And since he wrote the memo, I presume at the time that he would have done

whatever was appropriate.

Q. So it's correct to say that Maday was continued in parish work without warning to parishioners and without report to police?

(*189)

A. Yeah, as was the practice then. It's totally different now, but that was the practice.

Q. Okay. Exhibit 29 is a -- is to the file prepared by you. The date is August 25, 1990. And the last sentence says, on the other hand if it causes some sort of public situation, it would be much better that Bob not be in a position of pastor when things erupt.

And it refers to earlier Bob's deposition. Why is Bob's deposition being taken, do you know?

A. No.

Q. And then again your words at the last sentence here about the public situation and it's better that Bob not be in a position when things erupt. Try to avoid scandal and keep this confidential, correct?

A. Yes.

Q. Okay. Exhibit 30, Bishop, we'll hand you involves Father Craig. It's dated September 13, 1990. And the mother of victim tells her parish priest he had Father Ed Maloney, M-A-L-O-N-E-Y, that her son was abused

(*190)

by Craig. And here -- here you write, Father Ed said that Bob has kids on the second floor of the rectory all the time. Do you see that at 4?

A. Uh-huh.

Q. He spends an awful lot of time with kids. It's correct to say that Father Craig was continuing in the ministry after this memo was created and this information received?

A. I'm not sure I remember getting this and I remember interviewing him, whether we allowed him to stay there with the pastor knowing the situation or whether we removed him at that time. Because there was a time when we put them in a separate setting.

Q. Okay. Actually, Exhibit 31 reflects that a month later, Craig is put on a medical leave of absence. [REDACTED]

[REDACTED]

Craig is also given permission by you to celebrate a jubilee mass at his parish so as not to upset his mother. And you write in this exhibit, quote, I told him there is a pattern in Bob's activity that some of the things he'd done will constitute criminal behavior, unquote.

(*191)

Do you see that at the third paragraph?

A. Yes.

* * * * *

Q. I'm showing you what we've marked now as 80. And this is a letter from you to Robert Craig, -- Rev. Robert Craig October 16, 1990. And you're asking him for a list of names and addresses of his -- I presume is that of kids he abused?

A. He had mentioned -- when I confronted him on the abuse that was already brought by that woman before, he had indicated that there were others.

Q. Did you ask him how many?

A. I did not ask him how many. He did -- he did tell me, but I don't remember the number.

Q. Okay. It was -- it was more than five?

A. My recollection is yes, but I wouldn't be able to go --

Q. And this information was kept

(*192)

confidential?

A. Confidential from whom?

Q. Well, in the hands of the Archdiocese and for its representatives only?

A. I'd have to say --

MR. GEOLY: Well look at the document.

BY MR. ANDERSON:

Q. Well, let me say its representatives and its advisors.

A. Well, we did want to contact others who

were victims. But so in that sense, we were going beyond just the Archbishop and his advisors.

Q. And you didn't because?

A. Well, at this point, I'm not sure whether we did or didn't. Apparently his attorney recommended against it.

Q. Did you make this request of any other offenders before Craig in 1990, to give the names of your victims so we can reach out to them and/or help them?

A. At this point, I don't remember. Because usually we only had the one allegation and I did not ask.

(*193)

Q. This actually came up with Craig because he raised it?

A. Yes.

Q. I'm showing you Exhibit 33. This involves Father Robert Mayer, May 30, 1991, a three-page memo to the file prepared by you.

This is a memo that you wrote concerning Mayer and an anonymous allegation has been made -- at least another allegation has been made against him. And this is an anonymous one; is that correct?

A. No. Are you looking at the same one?

Q. 33?

A. It was not anonymous. The name is right above there where it says, he came to see me.

* * * * *

(*194)
(*195)

Q. So I'm showing you Exhibit 34. And this involves Father Kenneth Ruge, again to the file prepared by you, correct, Bishop?

A. Yeah, it has my name, so I own it.

* * * * *

Q. And he was abused by Ruge, correct?

A. Yes. I'd have to read this whole thing. But --

Q. Look at the third page, Paragraph 12. It states, blank said that he has never heard anything about Ken since. He doesn't know whether or not the Diocese is aware of this or if he was ever treated.

But blank said he just doesn't want any scandal for the church. He has no intention of making this public and he certainly doesn't wish harm to Ken but blank feels that we cannot

(*196)

afford any more scandals.

What did you do responsive to this?

MR. GEOLY: Do you need to look at the whole document?

THE WITNESS: I think I would have to

read it because I don't know what the document is about.

BY MR. ANDERSON:

Q. Okay.

A. Do you want me to read it or --

Q. Okay. Let's look at 35. I think that answers pretty much -- at least what you documented what was done.

And if you look at it on June 4, 1991, a memo prepared by you the day after the priest -- victim met with you. Did you give Ruge the okay to be assigned for a pastorate?

A. No.

Q. Was he removed from ministry as a result of this information?

A. He was removed from ministry. But I don't recall if it was a result of this particular case or others. I don't remember.

Q. I'm handing you Exhibit 36, Bishop.

(*197)

This one refers back to Father Robert Mayer. And I'm not going to go through the whole thing. But there is one sentence I want to ask you about at Paragraph 2. I asked Dave whether or not he was aware of any inappropriate behavior on Bob's part. He said it appeared that Bob lacked good judgment.

When I asked him to what he was referring, he responded, anyone who had the

problem that he had, would be expected to use much greater discretion. When the word the problem is being used by you and it pertained to the priest, is that code for sexual abuse?

A. I would never describe it as code for sexual abuse. But I presume that's what we're talking about, yeah.

Q. Was Mayer removed from ministry as a result of this information in this memo?

A. I think his removal was right around this time. The other -- now, I forget the date on the other memo about the -- the one that came to see me. It all came to a head at that time. He was -- he was asked to resign. So whether it was right after this or not, I'm not sure.

(*198)

Q. I'm now showing you Exhibit 38. And this is actually -- there's documentation that shows that on July 1, 1991, you met with Mayer to receive his resignation as pastor and Cardinal Bernardin was in that meeting.

And this would appear to be a draft of a message given by Cardinal Bernardin. Did you prepare this draft for the Cardinal?

A. I'm pretty sure I did.

Q. Were you taking the position here in the Archdiocese that if he goes to treatment, he'd be allowed back in ministry?

MR. GEOLY: Where is that?

THE WITNESS: I don't see it.

BY MR. ANDERSON:

Q. Paragraph 5. Furthermore, I direct you, then black out, the Vicar of Priests and then I will remain in contact with you, and then blank, and a determination will eventually be made as to whether or not you will be permitted to return to active ministry.

MR. GEOLY: That's Number 5.

THE WITNESS: I see it. At that time, keep in mind that our practice was we would

(*199)

return a person to ministry if there was no danger to children. Our practice has changed radically over the years. And since 1991, shortly after he was asked to resign, the policy became quite different. And we have adhered to it ever since. That for the most part, they would not be allowed to stay in ministry.

There was no way -- at this time the Cardinal was getting ready to meet with him to tell him to resign. And this was a statement that I gave that the Cardinal could use in the conversation.

BY MR. ANDERSON:

Q. You'll see in Exhibit 38 the message to be given under the name of Cardinal Bernardin at the first paragraph. I'll read it and then ask

you a question. In the middle it states, over the years you have repeatedly been the subject of allegations of sexual impropriety, and yet you have refused to modify your behavior in such a way that the risk to yourself and to the church would be eliminated.

Now, there's no mention of the children in here, is there, just Father Mayer and the

(*200)

church, right?

A. You have to understand. I think in all our dealings, we were concerned about children. We never had a clear allegation that was substantiated until that individual came forward.

And the Cardinal is simply saying that you had been given many chances. We never were able to have proven allegations, but there was smoke all the time. And we asked you to revise your behavior and he obviously didn't.

Q. Paragraph -- Exhibit 39 that you have before you -- that we're placing before you, as you receive this, this is to Cardinal Bernardin from you, June 24, '91 involving Mayer.

At the second page, Paragraph D -- 7D it states, Bob should be told that if he cooperates (i.e., resigns and agrees to enter treatment) a more benign statement will be read

at all the weekend masses, a statement that will simply say that Bob has decided to resign the parish for personal reasons, et cetera.

So, Bishop, as I read this, you and the Cardinal are prepared to inform the masses that

(*201)

he would be resigning for personal reasons, not for reasons of sexual abuse, right?

A. Yes.

Q. And what did -- what did the parish get told?

A. The parish was told for personal reasons.

Q. I'm showing you Exhibit 40, which is effectively just a memo of the July 1st meeting with the Cardinal, Bishop Jakubowski and you with Mayer, correct?

A. Yes.

Q. And I've read this and I don't see any reference to protecting children. But in Paragraph 4, I see at the first sentence it's written, Bob said that we're going to have to help him to handle the political fallout and the Cardinal responded that he was going to do whatever he could to protect Bob's reputation.

Did I read that correctly?

MR. GEOLY: Do you want to read the rest of it?

BY MR. ANDERSON:

Q. Now, this is before Bob Mayer is
(*202)

arrested, isn't it?

A. Yeah.

Q. Okay. At Paragraph 6, Bishop, let me read a part of it and ask you a question. After the meeting concluded, the Cardinal, Bishop Jakubowski and I continued to discuss the situation. We agreed that if a priest asked us why Bob was treated in this fashion, we would tell the truth. In a sense, Bob has forfeited his right to privacy and we will not let the church or any of us take the heat for his behavior. On the other hand, we will do our best to protect him as far as his parishioners and others are concerned.

So what are you contemplating there, lying until comply?

A. Lying?

Q. Yes.

A. Where do you mean?

Q. Well, you say that we agreed we would tell -- we agreed that if priests ask us why Bob was treated in this fashion, we would tell the truth.

A. We would let the priests know what had
(*203)

happened in that case.

Q. What about the parishioners, what would you tell them?

A. I think we were still following our procedures at that time. If this was 1991 or '92 after the policies were promulgated, there would be a total difference.

Q. Okay.

MR. GEOLY: Can we go off the record for a moment?

MR. ANDERSON: Do you want to take a break?

MR. GEOLY: I want to ask you about scheduling, given the time of day and all.

THE VIDEOGRAPHER: We are off the record at 4:26 p.m.

(Whereupon, a short break was taken.)

THE VIDEOGRAPHER: We're back on the record at 4:39 p.m. with the start of Tape Number 5.

BY MR. ANDERSON:

Q. Okay. Bishop, I'm handing you Exhibit 41, a letter to parishioners from

(*204)

Archbishop Bernardin. This involves Mayer. And it states in the body, because of personal reasons, however, he is asked that I accept his resignation effective immediately so that he may go on sabbatical.

In this case, Bernardin told him to resign, did he not?

A. Yes.

* * * * *

(*205)

Q. And in the case of Mayer here, it states, on sabbatical. What is that supposed to mean?

A. I don't know what Cardinal Bernardin had in mind. I presume it was to go for treatment.

Q. Well, it's a big word. But in effect what it means is we're getting him out of here to keep him quiet, to keep him away from the police and not let the parishioners know the true facts, that being that this guy is a criminal, right?

MR. GEOLY: Is that a question?

MR. ANDERSON: Yeah.

THE WITNESS: I don't think that is the thought process that we would go through in something like this.

BY MR. ANDERSON:

Q. But in terms of the actions, it is what

(*206)

you did or at least what the Archdiocese did, isn't it?

A. It is what we did. And I think the way you are characterizing it is not really what was

in our minds at the time any more than it is when a corporation does the same thing.

They don't spell out all of the problems and so on that somebody might have encountered, but they just say, he resigned for personal reasons.

Q. In this corporation, there's a problem with sexual abuse of minors by clerics.

A. Right.

Q. And the parishioners aren't being told. In the case of Father Maday, the parishioners were told, as they were in Mayer, that he was going on sabbatical in 1988 when, in fact, there had been a long history of abuse, correct?

MR. GEOLY: Objection. That does assume facts not in evidence. He testified not having any knowledge of that 1988 document on Maday and his sabbatical.

BY MR. ANDERSON:

Q. Well, I'll represent to you that

(*207)

documents reflect that the parishioners were never told this. And documents show him going on sabbatical. With that in mind, it's the same pattern that we've been talking about here, isn't it?

MR. GEOLY: Objection, vague and ambiguous and assumes facts not proven, not in

evidence concerning patterns. You can answer the question.

THE WITNESS: I can?

MR. GEOLY: You can if you can. Go right ahead and answer it, even if he's looking at papers.

BY MR. ANDERSON:

Q. You can answer that question.

A. Is that all right?

Q. Yeah, sure?

MR. GEOLY: Jeff's already onto the next question. He remembers that he asked you one, so you still have to answer it.

MR. PEARLMAN: And you're polite enough to wait for him.

THE WITNESS: The answer wasn't so specific to what you had asked. But I do think

(*208)

what you brought out is something that we are well aware of now. It's a lot easier for us to see clearly that we made a mistake.

And the Mayer case is probably what triggered the appointment of a commission to look into this whole question out of which came the policies of 1992. And so as bad as it all sounds, the Mayer case is what helped us to see that we were not doing the proper thing.

And from that point on, I do think we changed.

* * * * *

(*209-210)

(*211)

Q. Well, let me put it to you this way,
Bishop. You said that it changed in 1992,

(*212)

didn't you?

A. The procedures changed, yes.

* * * * *

Q. Let me show you Exhibit 43. This is
three-page notes of a parish a leadership
meeting at St. Odilo's parish, where you talk
about you being present here. And you'll see at
the second page at the third paragraph, it says,

[REDACTED]

(*213)

[REDACTED] spoke of how not knowing the
circumstances of Mayer's problem and
restrictions put her in a very vulnerable spot,
especially vis a vis the children. She was
controlled but angry and frustrated. Now, I
appreciate that this was written in 1991, was it
not?

A. Yes.

MR. GEOLY: Well, what's the date on
it. Have we established who wrote this
document?

BY MR. ANDERSON:

Q. Did you?

A. No.

Q. Okay. Someone -- you'll see at the middle it says -- you're referred to here. You'll see someone asked if the parish might be sued. Ray explained that that would not happen. Do you see that?

MR. GEOLY: Where is that?

THE WITNESS: No.

BY MR. ANDERSON:

Q. That's one, one, two, three, four, the fifth paragraphs down. Someone asked if the

(*214)

parish might be sued, Ray explained that that would not happen.

And above that, it states Ray Goedert answered that the school is being evaluated and is doing a very good job. So that Ray, I presume, is you; is it not, Bishop?

A. Well, where it says Ray Goedert -- I don't know who wrote the memo, but -- and I don't know what the question was.

MR. GEOLY: What was the question?

BY MR. ANDERSON:

Q. The question is, according to this memo, a parishioner asked if the parish might be sued?

MR. GEOLY: Do you remember being asked that question?

THE WITNESS. No.

BY MR. ANDERSON:

Q. Do you remember giving the answer no, it won't happen?

A. No, I don't remember that.

Q. Okay. And going back --

A. I'm not saying it didn't happen, I just don't remember.

(*215)

Q. Okay. Just going back to [REDACTED] and the concerns that she was expressing about being in the dark and being vulnerable and her concerns about the children. Who is monitoring Mayer at this time?

A. In October, he was gone.

Q. At the time of St. Odilo's?

A. He was gone in -- I think it's June of '91. July 2nd he announced to the parishioners that he was gone.

Q. And who was monitoring him before he left then?

A. Well, I -- to some extent, Bishop Jakubowski is the vicar would be the one who would be concerned, and I as the Vicar For Priests would have been -- before he was removed, I would have been the one that was meeting with him.

Q. And so nobody at the parish knew that he was even being monitored?

A. Probably the only ones at the parish who knew were the family that -- because they were part of the parish, I mean they were very active.

(*216)

Q. And, Bishop, I know you're no longer the Vicar For Clergy and you recently have been Vicar General, but you remain auxiliary. Are you aware that the parishioners and the employees around Dan McCormack were never told that he was being monitored, that reports have been made and they expressed the same concerns about him that were being expressed about Mayer in 1991? Are you aware of that?

A. No. I really don't know the details of the McCormack case, but I accept that.

Q. It's disturbing, isn't it, Bishop?

A. Well, I think that's why I said that this case, as bad as it might seem, the pluses that it got us to look at our policies and procedures and while we maybe didn't arrive at the perfect solution, we certainly changed quite a bit.

Q. Well, did you look at the Defen Baugh report that was done, the audit that was done where the Archdiocese hired Defen Baugh to give them a report and they rendered findings in connection with Joseph Bennett and Dan McCormack. Did you read that?

(*217)

A. I did read the Defen Baugh report. At this point, I don't remember the content.

Q. And I'll represent to you that they found -- these independent auditors found that what the Archdiocese did in the case of Joseph Bennett and Dan McCormack in the last two years was the very same things that the Archdiocese had done and failed to do in 1991 and before.

MR. GEOLY: Wait for a question.

BY MR. ANDERSON:

Q. When you read the report, did you note the similarities?

MR. GEOLY: I'm going to object that it mischaracterizes the Defen Bough report and let you answer the question as best you can.

THE WITNESS: Well, it would be hard to answer the question because I did read the report at the time it came out. But I don't remember the content enough to even comment at this time.

BY MR. ANDERSON:

Q. I read the report, Bishop, and it made me sick. Did it make you sick?

A. Not that I can recall. It doesn't mean

(*218)

I was happy with it or anything like that. But I don't remember the report enough to,

you know --

Q. Okay. I'm going to go through these real quick now. 45 is October, '91. This involves Ruge. And under 4, it states, Father Steve Tebes, T-E-B-E-S, was appointed pastor a short time ago. He did not have knowledge of Father Ruge's previous history. And he's Ruge's supervisor and he's not told that Ruge has got a history of sexual molestation. What do you know about that?

A. Nothing.

(*219)

* * * * *

Q. Tell me what you remember about your dealings with Cloutier.

A. Yes.

Q. He was accused of sexual abuse, wasn't he?

A. Yes.

Q. He was actually accused of raping two kids. And then at gunpoint, threatening their lives and the lives of their parents if they told, right?

A. I remember it -- that goes back to the '70s or so?

Q. Yeah. That went to the Oak Lawn Police in '79, didn't it?

A. I didn't think it was Oak Lawn. But it was one of those southern, south towns.

(*220)

Q. Okay. So your knowledge of that is kind of after the fact?

A. Very much after, yeah.

Q. When did you first learn and how did you first learn Bill Cloutier was a predatory child molester?

A. When I became Vicar For Priests, it was one of the cases that I dealt with because he was reporting every month and that type of thing.

Q. And so he was being continued in ministry under monitoring, right?

A. Yes.

(*221)

* * * * *

Q. Yeah, I'm sorry. And so Father Cloutier remained in ministry and nobody was told about that, parishioners or anybody else?

A. Well, the pastor of the parish where he was at the time I dealt with him was aware.

Q. And that was about it, though, right?

A. As far as I know, probably.

Q. In fact, the public didn't even know about Cloutier and all these other priests until -- until we brought suit and brought this all out to the public, right?

A. Well, I don't know, you know, when all

(*222)

that happened. Whether that was a question of whether you were the one that brought Cloutier out to the public, I didn't know that.

Q. I was. And can you point to an instance in which any one of these priests who had known histories of sexual molestation had been made known to the public by representatives of the Archdiocese, yourself or others?

A. Well, I remember being present at -- I think I mentioned it before. St. Stephens, St. Edna's, St. Mary's, Lady Of the Snows, at which it was communicated to the public exactly what the problem was. I'm not sure of the timing of it.

* * * * *

Witness was shown Exhibits 52, 55, 60, 70, 71, 77

(*223-233)

(*234)

BY MR. ANDERSON:

Q. Okay. It looks like on November 1, '96, you assumed the day-to-day responsibilities for the Archdiocese as Cardinal Bernardin's health continued to decline. Does that sound right?

A. What date did you give?

Q. November 1, '96.

A. I thought it was a little earlier. It could have been.

Q. He died on November 17, '96?

A. No, November 14th.

Q. Okay.

A. Tomorrow is his anniversary.

Q. Okay.

A. He was quite, quite sick. And I thought it was the end of October, but I could be wrong. Your date might be right.

But I again, I was not taking over as adjutor as Vicar General. He was asking me to carry the responsibility.

* * * * *

(*235)

Q. I'm showing you Exhibit 85. This is dated May of 2005. And it's a declaration in which Cardinal George and yourself signed that Mayer left the priesthood because of violations of Canon 1395, a violation of chastity. Is it fair and correct to say that this could have been signed by you and/or the presiding Cardinal at any time while Mayer was a priest of the Archdiocese?

A. It was signed by us on May 28th.

Q. It was signed in 2005.

A. Yeah.

Q. My question is why wasn't it signed in 1970, '71, '72, '73, '74, '75, '76 or earlier?

A. 1970, I don't know that we had any issues at all with Mayer. The reason it's signed --

(*236)

Q. Then let's use 1990, '91.

A. That's okay.

Q. Why wouldn't have --

A. The reason why it is signed in '05 is because the Cardinal had asked me to look into the question of whatever priests had left the active ministry, not anything with regard to sexual abuse or whatever. Whatever reason they left, if they had not been laicized, we wanted the records to show in the file that they were no longer authorized to represent the Diocese, et cetera, all the things that we said there.

I did this in some 260 cases. It had nothing to do -- except in this case, sometimes Paragraph 2, I would say, because they entered a marriage outside the church. In this case, it was referring to the sexual misconduct.

Q. Look at 2d and e. D says that the Archdiocese does not consider itself in any way responsible for the activities of Robert E. Mayer. Why is that so?

A. It's simply a document to let whoever would see that file know that we do not consider him in any way a representative of the

(*237)

Archdiocese of Chicago.

Q. From this point forward you mean. Is that what that means?

A. Well, we haven't considered it for quite a while. But this is when -- because he just asked me probably some time in 2005 -- 2005 to do this. So that's why it's done in that year.

Q. Okay. And then Exhibit 2e -- excuse me, Number 2e says that the Archdiocese is not to be held liable for any scandal or harm to souls for which he has been or is responsible. That refers to the past. Why is this written so?

A. I suppose basically because we don't believe that whatever he has done, he's responsible for his own behavior, that the Archdiocese really can't be held accountable. Now, we've been held accountable by society and by lawsuits, et cetera. But basically, he is responsible for his own behavior.

In this particular case, if it came down to somebody asking now today did we act responsibly by allowing him to stay in ministry,

(*238)

I would say yes, but it was a poor decision when you look at everything about this man.

[REDACTED]

[REDACTED]

[REDACTED] And until that final case, we never had a substantiated allegation, I mean a

proven one. We had lots of people saying things.

Q. Would you say the same thing about Cloutier?

MR. GEOLY: With respect to what? What?

BY MR. ANDERSON:

Q. You never had substantiated allegations?

A. No, I would not say the same. Because apparently the police, you know, had the -- why they didn't pursue prosecution, I don't know.

Q. But he was continued in ministry.

A. Yes.

Q. Would you say the same thing about Fitzharris? He was convicted but continued in ministry. Excuse me, Holihan. Yeah, we'll just say the same thing.

(*239)

A. When was Fitzharris convicted?

Q. 1987. It was quiet but it was a conviction.

MR. GEOLY: Do you know that? I know it came up earlier in the deposition. But it's now --

THE WITNESS: At this point, I don't remember.

MR. GEOLY: Okay. We've been going eight hours.

THE WITNESS: Yeah.

MR. GEOLY: So I want to make sure that the Bishop is clear on what you're asking him. Let's do this, I'll withdraw that question.

Mark just whispered in my ear that he wants to take a break for five minutes. I think I'm done in five minutes. So between the two of us, I think we're done in ten. So I'm going to try to be done in ten. After we take a 35-minute break.

THE WITNESS: Do we count the break?

MR. ANDERSON: Well, let me put it this way, I'm kind of devilish.

VIDEOGRAPHER: We're off the record at

(*240)

5:28 p.m.

(Whereupon, a short break was taken.)

THE VIDEOGRAPHER: We're back on the record at 5:43 p.m.

EXAMINATION

BY MR. PEARLMAN:

Q. Bishop Goedert, previously you were shown Exhibit 100, which is a list that's in front of you.

I want to mark something as Exhibit 100A. And what I'd like you to do is just if we can go through this list -- and I'm

not going to read each name to you. But maybe if you can just put an X next to each of the names on here where during your tenure as Vicar For Priests you were aware of an allegation either through a review of the files or through an allegation being made to you of each of the priests on this list.

A. During my role as Vicar For Priests?

Q. Yes. I appreciate that you may not recall every one. So I'm asking you to do this by memory. And I'm not holding you to the

(*241)

accuracy of that without the benefit of documents. I appreciate that.

MR. GEOLY: So as best you can recall.

BY MR. PEARLMAN:

Q. As best you can recall from any source, whether it was Father Ventura telling you, whether it was a file review of a file that existed or any allegation from any source?

A. But just during the period of '87 to '91 when I was Vicar For Priests.

Q. Right. I'm not asking you for things you learned after 1991.

A. Okay. An X is that what you want?

Q. Just an X next to the name is fine.

A. It's a little difficult because of my involvement continuing on PCAC and whether I dealt with a case as vicar or as a member of

PCAC. In some -- in some of them, I know clearly I dealt with. Can I mention --

Q. Sure. If there's --

MR. GEOLY: Just try to use your best recollection and do the best you can. We understand this may not be perfect.

THE WITNESS: Yeah.

(*242)

MR. GEOLY: This represents what you remember right now.

THE WITNESS: Well, you know, I remember about a case. But whether it started with me or I heard it --

BY MR. PEARLMAN:

Q. Yeah, you don't know why you know of it?

A. Yeah.

Q. I understand just go with the ones that you --

A. Any allegation?

Q. Yes, of sexual abuse.

A. Does it -- sex abuse of a minor, is that what we're asking?

Q. Yes.

A. So if it was adult misconduct -- I may have made a mistake here. I put an X in front of a name. I dealt with him, but it had nothing to do with sex abuse.

Q. You could cross that off.

A. Delete it? Okay.

Q. Scratch it out. I'm fine with that.

A. It's harder than I thought to

(*243)

separate -- I know a lot about some of these,
but I don't know what the source was, whether I
really dealt with it.

The Xs are the ones I'm pretty certain
about. There are others that I really just have
doubt. I just don't remember.

MR. GEOLY: When we're done, I can make
a copy of that, right.

MR. PEARLMAN: Sure. And we have no
further questions. Thank you for your time.

MR. GEOLY: Okay.

(FURTHER DEPONENT SAITH NOT.)

Most Rev. Raymond Goedert
Assignments

1952 – Ordained

1952-54 – Associate Pastor, St. Gabriel Parish

1954-56 – Pursuit of Licentiate in Canon Law, Pontifical Gregorian University, Rome

1956-76 – Marriage Tribunal, Archdiocese of Chicago

1974-75 – President, Presbyteral Council, Archdiocese of Chicago

1976-87 – Pastor, St. Barnabus Parish

1987-91 – Vicar for Priests, Archdiocese of Chicago

1991 – Ordained a bishop; Auxiliary Bishop of Chicago

1991 – Episcopal Vicar, Vicariate I, Archdiocese of Chicago

1995-96 – Vicar General, Archdiocese of Chicago

1996-97 – Administrator, Archdiocese of Chicago

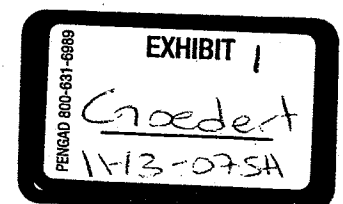
1997-2003 – Vicar General, Archdiocese of Chicago

2003- present - Retired

2004 – Vicar General, Archdiocese of Chicago (temporary assignment)

2007 – present - Administrator, St. Gabriel Parish

452571



October 23, 1986

Dear Cardinal Bernardin:

In these past months when I have been on sick leave, I have seriously considered many physical and emotional health issues. I am now aware that my health demands changes in my work. I do not believe that it is in my best interests to continue as Officialis of the Archdiocese of Chicago.

I am aware that my term of office comes to an end on December 31, 1986. I ask that I not be reappointed to another term.


I am also aware that the Tribunal has been functioning smoothly in my absence. I believe that it would not be in the best interests of the Tribunal, nor of my own health, if I were to attempt to resume the duties of Officialis for the few short weeks remaining in my term. I ask, therefore, that you accept my resignation from the office of Officialis, effective immediately.

I want to thank you for your constant care and concern for me, and to assure you that I stand ready to serve the Archdiocese in any way I can.

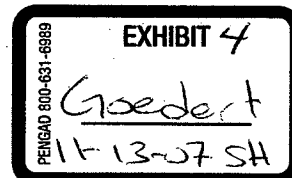
Sincerely yours in Christ,

Robert C. Becker

Rev. Robert C. Becker



Joseph Cardinal Bernardin
Archbishop of Chicago
P.O. Box 1979
Chicago, IL 60690



Ex. 4

This is a conversation between Father Ray Goedert
[redacted] when he called her on [redacted]
Tuesday November 11, ¹⁹⁸⁶ at approximately 11:15 a.m.

Fr. introduced himself at the new Vicar of Priests for the diocese of Chicago, having taken over for Fr. Ventura. I asked, "Fr. Ventura's not Vicar any more?" He said I sounded surprised. I said I was - I hadn't heard there was a change and asked what happened. He explained that a Vicar's appointment lasts four years; Fr. Ventura's term was up last year and he (Fr. Goedert) was then appointed. Fr. Ventura has been on sabbatical in the Holy Land since and is expected to return next week. I told him I had respect for Fr. Ventura - that he knew how to get things done in that position, and get it done pastorally.

Goedert said that the Archdiocese had received a call from James Serritella - The reason was that Judge O'Brien had called Serritella as an ethical courtesy to notify opposing counsel that he (the judge) and I had ordered transcripts of the settlement hearing in the Mayer case. The judge relayed to Serritella upon questioning that he had spoken with me and it seemed I was not satisfied with the settlement and that I

was concerned that the Archdiocese had not and was not living up to its settlement agreement. Gredert said he met with Ferritella yesterday and also with the Cardinal in separate meetings.

I told Gredert that indeed we were never satisfied with the agreement because it had not included any indication that Mayer would receive professional counseling or therapy nor be restricted from contact with young people which were our primary concerns. No one in the Archdiocese would commit that on paper and we never knew what - if anything was being done about his problem. Everyone from Vels to Kiating to the Cardinal told us "trust us" and to just "forgive, forget and go on with your lives". So, I said, there really wasn't much to live up to in the agreement - we got a check for half the attorney's fees and the Cardinal saw us for an hour - simple! The obligations were complete. I told Gredert what I am concerned about, always have been and always will be, is the possibility that Mayer could further harm young people because, as far as I could see from other instances I'd known about at St. Stephen's Mayer remains unrestricted. I said I had

visited or called Fr. Ventura a couple times after the case was settled to report what I was hearing. It was no skin off our nose if the Archdiocese chose to do nothing - our kids were out of it - but I made a promise to the judge, the Cardinal and myself that if this man ever hurt another child, I would be there for that family with our records in hand to support that family. And, I said, I would have to bring my records because the records at Sally Center are pretty sparse.

I told Gredert that, for various reasons, I had gone into the Sally Center records and found that many people have been through the file in past years - most recently, an attorney for the Des Plaines Police Department which alarmed me because Mayer's in Des Plaines.

Yes, Gredert said, he'd already spoken with the Chief of Police there to find out what that was about. The Chief told Gredert that was prompted by an anonymous call he had received regarding Mayer. The police tried to look into it, but it was anonymous, so it was difficult to investigate or track.

Other calls that came into the station were only rumors and hearsay, mostly based on his past. Goedert said he asked Mayer if he was "doing it" and Mayer said no. Goedert said he told Mayer that he would unfortunately have to live with rumor for the rest of his life because of the case publicity. I commented on 3 things here:

- 1) "Rumor" - with this man, Mayer, and his kinds of problems the Archdiocese couldn't afford not to investigate any and all rumors. Archdiocesan officials said our incident was rumor, hearsay, irrelevant, couldn't be proven...
- 2) Mayer's denial - he denied our boy's incident too
- 3) Mayer's "unfortunate" circumstance of having to "live with it" - so do we all, including our boys for whom the Archdiocese did nothing, not even ask how they are.

Well, you've accomplished quite a bit, Goedert said. Because of you the Archdiocese is treating these cases differently. I've had

to deal with some. The system has changed, he said. Now, the first thing we do is call the family and inquire about the boy, try to get them into counseling. Gredert says he has a case right now where they've offered counseling to the boy.

As a matter of fact, Gredert explained, ^{psych} priests and bishops are meeting in Oakbrook this week to discuss the problem. He said it's like alcoholism 10 years ago - then there was a stigma and nobody wanted to talk about it. This problem always existed, but now it is trying to be understood and taken care of. I said it was nice they were meeting, but one element was still missing - families' input of what happens in these instances.

Gredert said he had met with Sorritella and the Cardinal to try and find out what he could reveal to me. He said he couldn't tell me results, but that Mayer's been under psychological counseling and is currently undergoing a battery of psychological testing. The Archdiocese is waiting for the psych's recommendations. He said Mayer is under mandate of the Archdiocese, which means that he is not allowed to have unsupervised

contact with minor children. But, Guedert said, there's little they can do if children choose to follow him. He said Mayer has a sort of charisma with young people - they follow him and admire him. There's one young man who is a priest today because of Fr. Max. He has nothing but the deepest admiration for him.

I said that, of course, children follow him, his "Charisma" comes from supplying young people with alcohol and letting them, giving permission for them, to do what their parents don't allow them to do. I said I knew of a specific case at St Stephen's where his "initiation process" was put into play with one young boy (8th grade) and the family chose to move out of the parish as a result. I had reported this to Fr. Ventura.

I told Fr. ^{support} that I thought it was nice that Mayer was getting counselling, but this man has major problems which need long-term, in-depth, clinical help. He should not have been put back in a parish, in the same environment - and only miles away where he is accessible to the boys of his previous parishes. His "Counselling" sessions

more as ludicrous as lecturing an alcoholic and sitting him back up at a bar and saying "now, don't drink any more." It doesn't work.

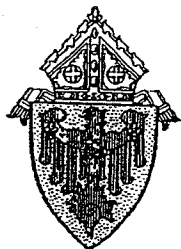
Grudut assured me that the pastor is trained in psychology, is aware of Mayer's problems and is observing him. I said I understood that the pastor is ill and resides four floors away from Mayer.

He spoke some more in general about psychophilia. He said I could be a help to him in this new position of his — and he believed a parent's point of view would be good to have. He set a meeting date for Sat 1:30 at [REDACTED]'s.

11/15/86

[REDACTED] invitation to dinner
Talk about where to meet

Record Breakfast
mtg w/ [REDACTED]



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

7/94

KENNETH RUGE, CLASS OF 1963, ABOUT 57 YRS OLD
Mother and Father dead. Sister died in '82. No other family
except his brother-in-law.

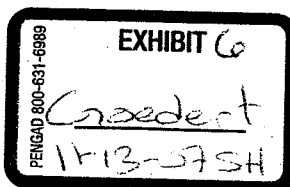
Served at St. Rosalie (63-67), Holy Redeemer (67-74), Divine
Infant (74-79), St. Leonard (79-85), Divine Savior (85-91).

Served as an associate pastor until withdrawal in Oct. of
1991. he has been
working for Catholic Charities in an administrative-
maintenance role with no access to minors.

Presently he is under protocols for free time, housing and
working situations. No return to ministry is foreseen in the
future.

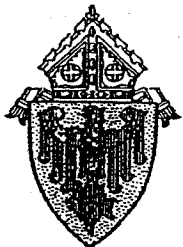
Chronology of his situation:

- . 11/11/86 - Fr. Jakubowski recd. call from of
St. Leonard's in Berwyn, reporting abuse of her son,
16, claims one-time abuse on 10/12/85. Indicates there may be
more. Ruge was stationed at Divine Savior in Norridge. This
will be the latest date for abuse. Later accusations took
place earlier in time than 1985.
- . 11/15/86 - and son see Fr. Ventura, the Vicar, with
details of the event. Ruge was drinking heavily at this time.
- . 11/17/86 - Ruge was dealt with by Vicar.
Spiritual work. Placed under mandate of not being
with minors. No cottage trips. Regular monitoring by VP.



Ex 6

CB(RU)00005



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

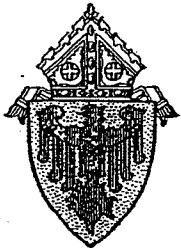
CHICAGO, ILLINOIS 60611

Off: (312) 642-1837

Fax: (312) 642-4933

- . 1/14/87 - spiritual evaluation
- . 4/3/87 - call from re: other boys saying they had been up to cottage. Ruge denies he was there with them; says he allows families to use cottage when he is not there. No reason to doubt it.
- . 1/1/91 - call from Fr. Henkel of Divine Infant, one-time assignment of Ruge, telling of a woman whose two sons say they know others abused by Ruge and Fr. Becker (who has since died). Woman wished to remain anonymous. Young men never came forward.
- . 6/4/91 - question from Personnel Board about Ruge being nominated for pastor arose. Vicar (Goedert) puts it on hold. Goedert asks for further
- . 9/19/91 - seeks and gets help for her son,
- . 10/94 - Commission reviews Ruge case.
- . 11/4/91 - Cardinal informs Ruge of his immediate removal upon Commission recommendation. Ruge goes to monitored living situation.
- . 11/15/91 - meeting with Divine Savior leadership to explain removal and prepare for public announcement.
- . Pastors of all parishes where Ruge was assigned meet and are told to be especially alert to people who come forward with questions and possible allegations.
- . 11/20/91 - Vicar (POM) speaks to who is relieved at Ruge's removal.
- . 11/22/91 - call of inquiry from a woman named " " who wondered if her son, now 27, had been abused by Ruge. I advised her to call her son and tell him news of Ruge removal and watch his reaction.
- . 11/22/91 - woman with young children calls, praising Ruge.

CB(RU)00006



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

CHICAGO, ILLINOIS 60611

Off: (312) 642-1837

Fax: (312) 642-4933

[REDACTED]

[REDACTED]

ALL THE ABOVE MATERIALS WERE GIVEN TO THE STATES ATTORNEY'S OFFICE IN JUNE OF 1992.

. 2/92.

. 3/27/92 - another young man comes forward - () - same type of complaints - fondling, wanting to sleep in nude at Woodhaven, nestling up close while in bed - happened 6 or seven times.

. 5/92 - Young man (22) comes forward with more allegations vs. Ruge - when boy was 12-13.

. 10/28/92 - Another young man (23) admits abuse when he was 9-10.

. 2/19/93 - Family in [REDACTED] (the ones FRBD is now dealing with) brought forward their allegations.

Victims: (total confidentiality at his request),
, and now

ARCHDIOCESE OF CHICAGO

Jimmy M. Lago
Chancellor



Post Office Box 1979
Chicago, Illinois 60690-1979

September 30, 2004

Ms. Jessica Arbour
332 Minnesota St., #E1000 First National
St. Paul MN 55101

RE: Rev. Joseph L. Fitzharris

Dear Ms. Arbour:

We have received your request for information regarding Joseph L. Fitzharris. The records of the Archdiocese of Chicago reflect that Joseph L. Fitzharris was ordained a priest of the Archdiocese on April 28, 1962.

In March 1987 Joseph L. Fitzharris was convicted of the offense of criminal sexual abuse in the Circuit Court of Cook County and was sentenced to supervision. The Archbishop placed Joseph L. Fitzharris under restrictions with monitoring.

In October 1991 Joseph L. Fitzharris was withdrawn from ministry. In January 1995 Joseph L. Fitzharris resigned from priestly ministry.

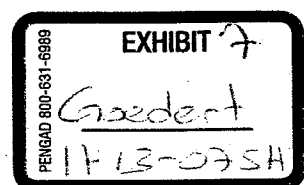
Please understand, a determination that there is reasonable cause to suspect that a priest has engaged in sexual misconduct with a minor does not mean that the allegation has been proved. It means the allegation has been determined to have sufficient reliability to warrant further action by the Archdiocese.

If you have additional information regarding this individual you wish to bring to our attention, please contact Ms. Leah McCluskey of the Office of Professional Responsibility at (312) 751-5205.

Sincerely,

A handwritten signature in black ink, appearing to read "Jimmy M. Lago".

Jimmy M. Lago
Chancellor

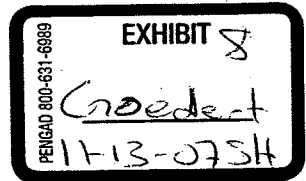




ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690



Vicar for Priests
800 North Clark Street, Suite 311
Chicago, Illinois 60611
Off: (312) 642-1837
Res: (312) 528-0540

TO: File

FROM: T. Ventura TV

CONFIDENTIAL

6-09-87

RE: Rev. Robert Mayer

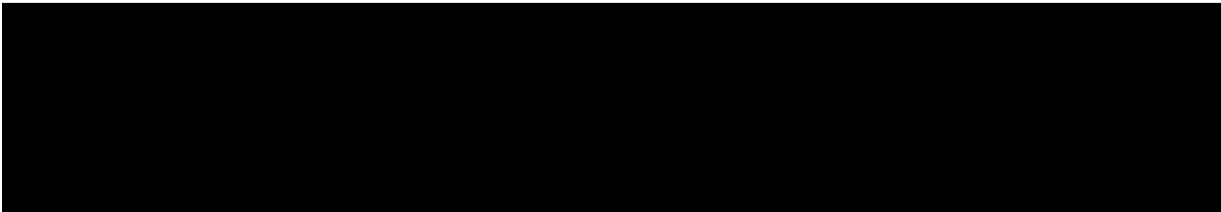
- 5-11-87 Call from Fr. John Smyth stating that Police Chief of Des Plaines informed him that they were concerned that Fr. Mayer may be serving liquor to minors. The police are investigating this and are concerned about other inappropriate activities. They may go to the State Attorney about this.
- 5-12-87 Call to Chief Joseph Kozenczak (391-5450) who said a Tribune reporter informed the Des Plaines police about an anonymous call he received from a 15 year old boy who said he was invited by another 15 year old to a party given by Fr. Mayer at which liquor was served to minors and Fr. M. engaged in oral sex with him. The police conducted surveillance on the rectory for the past 3 weeks and have identified 3 teens who frequent the rectory. They also have been in contact with an adult who has expressed concern about Fr. Mayer's activities. At this point, there is no formal complaint.
- 5-12-87 Call to Fr. Mayer at his family cottage (587-0215) to inform him of the accusations. He denied any wrongdoing. He said that no persons under 17 are allowed in his room, that no liquor is served to minors and there is absolutely no inappropriate activity. He said that a group of four teens, age 17 or older, visit him regularly after school. They are: [REDACTED]. They can confirm what he says. Fr. Mayer was informed that since these are serious and sensitive charges, he is to leave the rectory and take a leave of absence from his duties until they can be investigated. He agreed and left the rectory the next day (ie., May 13). He can be reached at his family cottage.
- 5-12-87 Conversation with Fr. Mazydlo, pastor. ([REDACTED]) He said that four boys around age 17 or 18 visit Fr. Mayer regularly, but never anyone younger than that. Sometimes they are noisy and get into roughousing, but there is no indication of anything inappropriate. Liquor is served only when other adults are present. He has never seen it served to minors. Sometimes they watch movies on a VCR but there are no indications that they are inappropriate films.
- 5-12-87 Conversation with [REDACTED] She feels there is no substance to the allegations since she is present in the rectory a great deal and would know what goes on. The only regular younger visitors to Fr. Mayer are 2 Mundelein seminarians who are 20 or 21 and 3 or 4 high school seniors around 17 or 18. She said that Fr. Mayer has made a tremendous contribution to the vitality of the parish and to transfer him because of rumors or unsubstantiated charges would be unfair to the people

Ex 8

CB3/MAY 00739

as well as to Fr. Mayer. She said that he is not perfect, that he can be arrogant and is sometimes his own worst enemy with his comments to people, but that there is no basis for accusations that he serves liquor or engages in sexual activities. She said there are people who spread rumors about everyone in the parish and in the town. She reiterated her belief that after a long period of unrest and instability in the parish, Mayer has brought strong leadership and should remain unless there is clear evidence to substantiate the charges.

5-13-87



5-17-87

Call from Fr. Bob Banzin, a close friend of Fr. Mayer. He said Fr. Mayer is very depressed by these accusations. He said Mayer is a "character" but he is hard-working and effective. He has often been present when young people are visiting Mayer, and has never seen any sign of alcohol, sex or anything amiss. He said Mayer just enjoys "sitting around and blabbing." He hopes the matter can be resolved quickly. If there is evidence, deal with it. If not, Mayer should be cleared and reinstated. He is concerned about the anonymity of the charges and the third or fourth hand reporting.

5-20-87

Visit to Chief Kozenczak by Fathers Kealy and Ventura at the Des Plaines Police Station, 1420 Miner St., Des Plaines. We stated that our inquiries had surfaced no information to support the charges and asked if he could provide more data. He said that a) they had conducted surveillance for 3 weeks from suppertime to 9:00 or 10:00 PM on Tuesdays near the Rectory. They observed 3 youths around 17 years of age who visited regularly. At one time a youth was observed through the window drinking from a green bottle which the observing officers said might have been beer. Also in the course of the investigation they came in contact with an adult, a reliable person, who expressed concern about Fr. Mayer. They had promised to keep this person's identity confidential. The Chief said that youth officers hoped to develop rapport with the teens and learn more about it. When asked about [redacted] or Fr. Mezydlo, the Chief said that neither had been involved in this case. When asked about the original contact, the Chief said it was Pat Curry of Channel 5 News who contacted an officer on his staff about a month ago.

5-22-87

Call from [redacted] who had heard that Fr. Mayer was in trouble. He has known Mayer for 10 years. Back at [redacted] he used to hang around the rectory. He said Mayer was an excellent influence on him and many others. In fact, he was a big reason for [redacted] entering the Seminary. He said Mayer was controversial and has an impatient temperament, but he never witnessed any illegal or immoral or harmful behavior. He said he would send a letter to express all of this on paper.

5-22-87

Meeting with Fr. Mezydlo. He said the matter of a 15 year old's involvement with Mayer is a mystery to him. The only persons that young who were around

the rectory in recent months were two eighth graders watering the plants as part of a Confirmation project. He said Mayer is brilliant, and a superb speaker and organizer. He can be abrasive and sometimes seeks to "grab power" in the parish, but when the pastor addresses this he will back off. Bob gets depressed once in a while, especially when these accusations surface. The most recent tension between himself and Mayer concerned the Finance Committee, but that seems to be resolved. The parish will survive if Mayer leaves, but some people will be upset and disappointed.

5-24-87 Conversation with Cardinal Bernardin who was in Rome the past week. There are two values: first, investigate these charges thoroughly since this is a serious matter. The television reporter seems to be the key person since he is the only link with the anonymous accuser. Second, we must be fair to Fr. Mayer especially if these prove to be ungrounded charges. However, if he remains at the parish there should be a professional evaluation and strong supervision to be doubly sure nothing is amiss.

5-26-87 Call from [REDACTED] from [REDACTED] who heard from a friend that Fr. Mayer was in trouble. She knew him since she was 13 and worked as a [REDACTED]. He never did anything dishonorable, but served as a male role model for many youngsters whose fathers traveled a lot due to business. She feels that Mayer's style of ministry was to challenge the affluence and status quo of a wealthy community. This ruffled some feathers, but helped many people. This may be a context in which people may want to cause him trouble. She will write a letter expressing her observations.

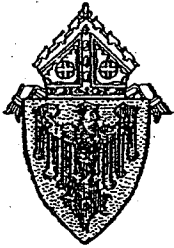
5-29-87 After a number of attempts to contact Pat Curry at Channel 5, I reached him at [REDACTED]. He said he received an anonymous call from a teen boy who said Fr. Mayer of Des Plaines showed porno movies to teen boys on a regular basis in his home. The caller was concerned about a friend, another teen, who attended these. He wasn't sure whether there was any sexual activity or not. Mr. Curry said they get anonymous calls all the time. People don't realize that the media won't make a story out of such information unless it is substantiated and newsworthy. Just in case there was something to it, however, he phoned a Des Plaines detective who said he would look into it and, if anything checked out, would call him back. He never did so. Mr. Curry said that if he learns anything more he will contact me.

5-29-87 Meeting with [REDACTED] born [REDACTED] and [REDACTED] born [REDACTED] and [REDACTED] were unable to be present as planned. When informed of the accusations, they said they were ridiculous and "garbage." They said Fr. Mayer has had a very important positive influence on their lives, that they have never experienced any bad behavior on his part and that, if the accusations had not caused so much trouble for Fr. Mayer, they would be a joke. They said the only criticisms they hear about Fr. Mayer is that he is "too modern" and "too direct."

6-2-87 Meeting with Fr. Bob Mayer, Fr. Len Mezydlo, Fr. Ray Goedert, and Fr. Ventura to discuss the conclusion of the investigation and the plan for the future which involves a) continuance of his present assignment to

its conclusion next June b) complete psychological evaluation by Dr. Cavanaugh c) mandate to avoid all unsupervised contact with people under 21 d) supervision by pastor and Vicar for Priests. A copy of the summary is included.

addendum: 6-30-87 after repeated efforts over the past 2 weeks I contacted Chief Konyewych to inform him that I had completed my inquiry & reported to my superiors & the decision was to allow Fr. Mayer to complete his last year of this assignment & transfer him in June. We are also taking other measures to address the concerns raised. He thanked me for keeping him informed.



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

June 19, 1987

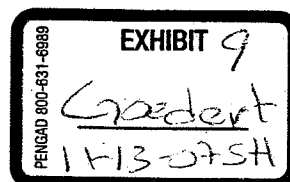
Vicar for Priests
800 North Clark Street, Suite 311
Chicago, Illinois 60611
Off: (312) 642-1837
Res: (312) 528-0540

TO: Ray Goedert
FROM: Tom Ventura *TV*
RE: Ken Ruge (progress report)

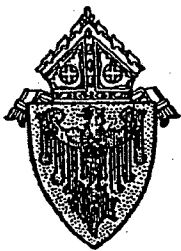
[REDACTED]

3. Ken seems happy with his current assignment at Divine Savior and has focused on work with Senior Citizens and adults through the Christ Renews His Parish program. His only contact with youth is in supervised situations such as a recent outing for Servers to Holiday Park near Fox Lake where 3 teachers and 4 parents served as supervisors.

4. Please contact Ken at [REDACTED] (rectory) to arrange a supervisory meeting in a month or so.



CB(RU)00087



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

June 2, 1987

Vicar for Priests
800 North Clark Street, Suite 311
Chicago, Illinois 60611
Off: (312) 642-1837
Res: (312) 528-0540

TO: file
FROM: Tom Ventura
RE: Rev. Robert Mayer

On May 11, 1987 Police Chief Joseph Kozenczak of Des Plaines informed me that he had received anonymous information through a media reporter raising concerns about the activities of Rev. Robert Mayer, especially regarding teenagers. Having investigated the matter, I discovered no facts to corroborate these concerns. However, the fact of the concerns indicates need for special supervision of Father Mayer. Therefore, the following plan is to be implemented as of this date.

[REDACTED] A report and recommendations will be communicated to the Vicar for Priests.

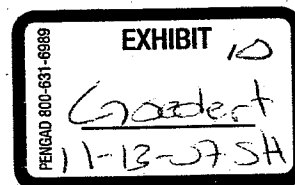
2. A canonical mandate is given to Fr. Mayer to avoid all unsupervised contact with all persons under the age of 21. This applies especially to his private living quarters in the rectory. He is not to have persons under age 21 as guests at his cottage unless other adults are present.

3. He is to continue his present assignment at St. Stephen Parish, Des Plaines for the completion of his five year term of office if these conditions are observed. However, there is no possibility of extending the assignment beyond that time. In other words, Fr. Mayer is to pursue a new assignment through the regular Personnel Board process during the Spring of 1988.

4. Supervision: His local on-site supervisor will be his current pastor, Rev. Leonard Mezydlo, who is to make a monthly progress report in writing to the Vicar for Priests. In addition, Father Mayer will meet monthly with the Vicar for Priests.

5. The following persons were present when the above points were communicated and discussed:

Thomas Ventura
Robert Mayer
Raymond Gaedert
Leonard P. Mezydlo



CB3/MAY 00704

Ex 10



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

MAR 23 1988

Vicar for Priests

800 North Clark Street, Suite 311

Chicago, Illinois 60611

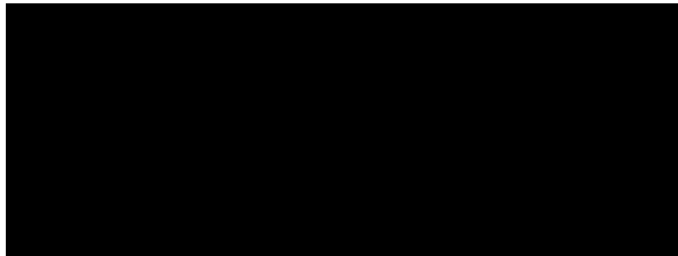
Off: (312) 642-1837

March 21, 1988

Rev. Robert Mayer
St. Stephen Rectory
1267 Everett Street
Des Plaines, Illinois 60018

Dear Bob,

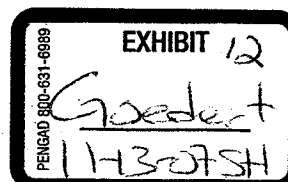
This will simply be a confirmation in writing of the things we discussed at the Retreat House on March 2:



at

2. You agreed to continue to abide by the mandate to avoid all unsupervised contact with minors under the age of 18. This applies to your private quarters at the rectory, your cottage, or wherever. Again, the purpose of this is not our concern that something inappropriate might happen, but rather for your own protection lest any occasion be given to persons who may want to hurt you by bringing up again the charges from the past.

3. With regard to your future assignment, you accepted the limitation of the Review Team to the effect that there should be both "physical, as well as psychological distance" from your last three parishes. And the reason for this is the same as above -- namely, to minimize the risk of unfriendly people reactivating the same old charges. In our discussion, you did state a preference for a parish north of Madison Street and I relayed that request to the Personnel Board.



CB3/MAY 00614

EX 12

Thanks again, Bob, for your cooperation. I know this has been a very painful period in your life. Let's hope it's all behind you now. Good luck in your pursuit of your next assignment. And if I can be of any help, don't hesitate to call.

With best wishes, I remain

Fraternally yours,


Rev. Raymond Goedert



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Vicar for Priests
800 North Clark Street, Suite 311
Chicago, Illinois 60611
Off: (312) 642-1837

TO: File

DATE: March 2, 1988

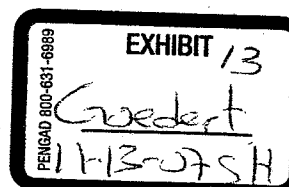
RE: Robert Mayer

1. I met with Bob today at the retreat house. [REDACTED]

2. With regard to his next assignment, I explained that I would like it to be a place that would be both physically and psychologically distant from the three parishes where difficulties have arisen. Bob is kind of sensitive about saying that there have been problems at St. Stephen's, as he really thinks that things have gone very well there. The only problem was the anonymous phone calls to the TV station and Bob honestly thinks that that was perpetrated by the group at St. Edna's. Bob wants a place that really wants him and where he can work. He would like to stay north of Madison, if possible, as all of his support group, family, etc. are north rather than south. Ken Velo is Bob's contact man on the Personnel Board. I will have to check with the Board to see if St. Stephen's is on Open Listing. Bob said that the staff is very supportive of him, including the pastor. While he thinks Lenny has problems of his own, nevertheless, Lenny has been supportive of him. Bob feels that St. Stephen's is a very workable place. The [REDACTED] is very good. [REDACTED]

[REDACTED] She was formerly [REDACTED]. I am free to consult with any of them.

3. I talked to Bob about the mandate not to have youngsters under 18 in the rectory, cottage, or anywhere else without another adult being present. This is no problem for Bob. He has made up his mind long ago not to have anything to do with that age group. I told him the reason for the mandate was simply that we want to eliminate as much as possible anything which could lead people to complain about Bob. Since this has been the source of complaint in the past, even though there seems to be no truth to the charges of pedophilia, for Bob's own sake, the mandate remains. Bob accepted this.



CB3/MAY 00970

EX 1311



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

CHICAGO, ILLINOIS 60611

Off: (312) 642-1837

Fax: (312) 642-4933

4/22/96

REV. JAMES HAGAN, ORDAINED 1974, ABOUT 47 YEARS OF AGE

PASTOR OF ST. DENIS FROM 1988 TO PRESENT.

ST. GERTRUDE (NORTH SIDE) FROM 86-88,

ST. RICHARDS FROM 81-86,

ST. CATHERINE OF SIENNA FROM 74-81,

ST. JUSTIN MARTYR AS DEACON BEFORE ORDINATION.

. 5/9/88 - named pastor of St. Denis.

. 5/13/88 - [REDACTED] social worker reports that:

- Fr. Hagan's sex instruction to jr. high people are far too explicit. Some parents were upset.

- Social worker reports that her daughter said Hagan sat young boys and girls on his lap during confession.

. 5/14/88 - Full inquiry followed. DCFS notified. States Attorney office informed. The girl said, in an interview with Fr. Goedert, that she had not been on his lap. She knew he sometimes had little children on his lap during the Children's Mass. That was all.

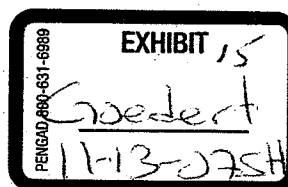
In face-to-face confessions with children, Hagan would reach out as they sat before him, hold their hands, and sometimes the back of his hands would be on their knees. This was his only contact.

. 5/26/88 - States Attorney meets with Hagan and finds no cause.

. 5/31/88 - States Attorney signs off on case.

. 6/6/88 - DCFS is said to have reported "unfounded".

. 12/91 - Cardinal's Commission reviews particulars of this case and agreed with the way the case was handled and felt there was no need for further action. Hagan was notified.



HAG-CB3-00526



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

TO: File

DATE: May 20, 1988

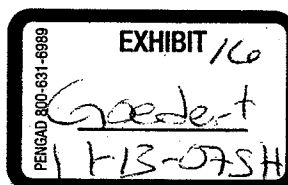
RE: [REDACTED]

Vicar for Priests
800 North Clark Street, Suite 311
Chicago, Illinois 60611
Off: (312) 642-1837

1. [REDACTED]

2. [REDACTED]

3. In the course of her comments, she mentioned that some of the parents are disturbed now about the associate pastor who is accused of fondeling the children. [REDACTED] said she didn't know anything about that and she dropped the subject immediately. Nor did she refer to it any more in our conversation. Her real complaint seems to be against [REDACTED]



HAG-CB3-00550



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

TO: File

DATE: May 4, 1988

RE: Bob Mayer

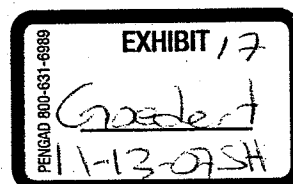
Vicar for Priests
800 North Clark Street, Suite 311
Chicago, Illinois 60611
Off: (312) 642-1837

Art Krueger approached me today at the Presbyteral meeting. He wanted to know what I thought about Bob Mayer. Apparently the Personnel Board had suggested Bob Mayer as an associate to Art and Ken Velo told him to get in touch with me. I filled in Art as best I could.

Subsequent to my meeting with Art, Bishop Jakubowski approached me.

[REDACTED]

I also suggested that maybe Bob Mayer would be better at St. Pascal's than St. Bartholomew's in view of [REDACTED] condition and the fact that Bob is highly organized, etc. And that was one of the parishes that Bob was going to put on his list. I told Bishop Jakubowski that the Personnel Board had already been looking at St. Bartholomew's for Bob, but if he thought he ought to push Bob's appointment to St. Pascal's, I would talk to the Board about it.



CB3/MAY 00974



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

800 NORTH CLARK STREET, SUITE 311

CHICAGO, ILLINOIS 60610

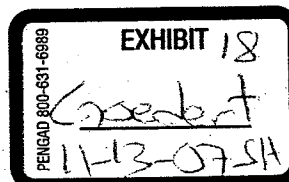
Off: (312) 642-1837

TO: File [REDACTED]

DATE: Nov. 11, 1988

RE: Robert Mayer

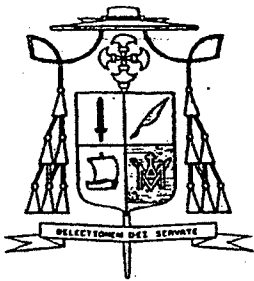
1. The committee was informed by Ray Goedert that Bob Mayer is going to go to St. Dionysius in Cicero as an administrator. This has positive and negative points. The positive is that Bob will be given another chance to prove himself. Also, it will give us another year or so to sit out the possible threat of the book or TV movie coming out. The negative side is that Dionysius is the place where the lay person got in trouble with pedophilia and there is a criminal case pending against that person. Thus far, there are no law suits against the Church. However, if people who want to do harm to Bob decide to spread gossip out in Cicero, it could become a can of worms inasmuch as the people would be saying first they put up with this lay person who was quite active in the parish, and now they send us a pedophile pastor.
2. It was agreed that Bob Mayer should be notified of the situation of this lay person in case he is not aware of it. It would probably be better if [REDACTED] would fill him in on this, as [REDACTED] is Bob's contact man and made the arrangements with him to go to St. Dionysius.
3. It was also suggested that Ray Goedert discuss Bob Mayer with the current DRE, who used to be the principal. The school is now closed and at the time of this lay person's arrest, the principal was by far the best person on the scene. The pastor felt overwhelmed by the whole situation. Because the former principal is now the DRE, I should fill her in on Bob's situation.



CB3/MAY 01018

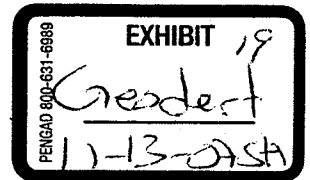
Ex 18

COPY



Archdiocese of Chicago

4646 North Austin Avenue - Chicago, Illinois 60630



Office of the Auxiliary Bishop

June 19, 1990

Clergy Personnel Board
25 West Chicago Avenue
Chicago, Illinois 60625

Dear Members of the Clergy Personnel Board:

I am writing on behalf of Reverend Robert Mayer. I spoke with him this morning and, at my suggestion, he is applying for the pastorate of St. Odilo Parish. As Vicar of St. Odilo, I wholeheartedly support this appointment of Father Mayer. He is most qualified to fulfill this role.

(St. Stephens)
Father Mayer was asked to go to St. Mary's in Des Plaines and there he did a most noble job. He was responsible for upgrading many of the ministries in the parish. He was also responsible for the "new look" in the rectory and church.

When St. Dionysius Parish was at the lowest ebb of Christianity, Reverend Ray Goedert, Reverend Andrew McDonough, the dean, Reverend Daniel Coughlin and I met to consider candidates for the new administrator. We agreed that Father Mayer would be the ideal priest to bring St. Dionysius to the level of where we thought a parish should be. In a very short time, Father Mayer organized the parish with a Finance Committee, a Parish Council and all the ministries that a Parish should have. We set up a program where the parish could survive paying all its debt. He brought about a vibrant and viable parish.

Unfortunately, according to the Cicero Parish Planning Program, it was decided to close St. Dionysius Parish. Father Mayer cooperated with the closing of St. Dionysius. He prepared and convinced the parishioners that for the good of the Archdiocese and for the strength of the Catholic Church, it was imperative that St. Dionysius close and become amalgamated with the stronger Churches in Cicero.

Up to this time, we have been asking Father Mayer to help us out of certain predicaments. Now Father Mayer is asking us to do something for him, namely, to be named pastor of St. Odilo Parish.

EX 19

CB3/MAY 00716

There may have been stories spoken about Father Mayer. Nonetheless, I am willing to take responsibility and accountability as Vicar over St. Odilo Parish. I believe Father Mayer is an excellent and appropriate candidate for this particular parish and I earnestly support him.

It would be entirely just to Father Mayer and most providential to the parishioners of St. Odilo who need his leadership for Father Mayer to be appointed pastor of this parish.

Sincerely,

+ "Jake"

Most Reverend Thad Jakubowski

TJJ/kg



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

800 NORTH CLARK STREET, SUITE 311

CHICAGO, ILLINOIS 60610

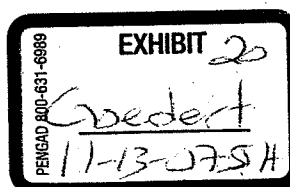
Off: (312) 642-1837

TO: File (R. Goedert)

DATE: Dec. 3, 1988

RE: Robert Mayer

1. I called [REDACTED] [REDACTED]. She was the former principal at St. Dionysius during the time when the lay volunteer was arrested.
2. [REDACTED] said that Fr. Mayer arrived Dec. 1 and is staying temporarily at St. Mary of Chestowich. Fr. Kozién hasn't moved out yet. He did not begin to pack until Fr. Mayer arrived. Fr. Mayer intends to turn the convent into a parish center and eventually the Sisters will go to live in the present rectory.
3. I explained to [REDACTED] the nature of my call. I wanted to put her at ease in the event she should hear anything at all about Bob in connection with children, etc. She was grateful for the call. I assured her that if she were to hear anything at all that she wanted to check with me about she should feel free to call.



CB3/MAY 01021



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Office of the Archbishop

July 8, 1988

Dear Norb,

In light of the recommendation of the Sabbatical Board, I am pleased to grant your request for a sabbatical beginning September 1, 1988 through February 1, 1989. Please inform Father Ken Velo of your address during this time.

The appointment is made with the understanding that you will return to your position at Our Lady of the Ridge upon your return.

Following archdiocesan and Sabbatical Board policy, the parish will pay your salary for the period of the 5-month sabbatical. The Center for Development in Ministry will pay tuition, room and board expenses.

May I take this opportunity to thank you for your fine work at Our Lady of the Ridge as well as for your twenty-four years of service to the Archdiocese.

As you look forward to this important transition in your priesthood, please know that you have my support and prayers. Please pray for me as well.

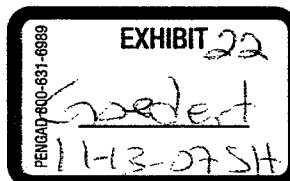
With cordial good wishes, I remain

Sincerely yours in Christ,

Archbishop of Chicago

Rev. Norbert Maday ⁹⁶⁴
Our Lady of the Ridge ³⁴⁹⁰
10811 S. Ridgeland
Chicago Ridge, IL 60415

cc: Rev. Kenneth Velo
Rev. Wayne F. Prist
Clergy Personnel Board
Rev. Thomas Sloan



CB7/MAD 00026

EX 02



Off: (312) 642-1837

ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

800 NORTH CLARK STREET, SUITE 311

CHICAGO, ILLINOIS 60610

TO: File ([REDACTED])

DATE: March 30, 1989

RE: Vincent McCaffrey

4. According to [REDACTED], the caller did not identify himself by name but stated that he was a Chicago policeman. He said that he was on patrol and he and his partner came across two 12 year old boys who flagged them down. The boys claimed that the man in the car a half a block away or so had offered them \$20 if they would get into the car and have sex actions with him. The cops pursued the car and they asked the driver what he was doing in the area. The driver said he was asking the boys for directions to a grocery store in the area. When the police returned to the two kids, they were too frightened to pursue the issue. The policeman talked it over with his partner and decided to make the phone call. According to [REDACTED], the policeman did not sound vindictive. He sounded sincere. [REDACTED] believed him.

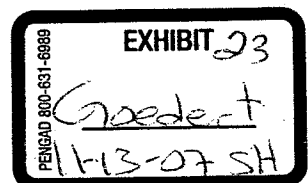


Exhibit 3
McCaffrey 541

9. The caller said he was a Chicago policeman working the wagon. That's the word he used, but he also spoke of the beat car. He asked [REDACTED] if he knew Vince McCaffrey. He then told [REDACTED] that two 12-year-olds waved him down and said the guy in the car up there pulled over, offered them \$20 to come into the car and have sex games. They chased the car, stopping him a Leland and Magnolia. They asked what he was doing around there. Vince said he was looking for a grocery store. Vince was very apologetic. The policemen went back to the children and they were very scared.

10. [REDACTED]

[REDACTED] The policeman was divorced. He said he talked it over with his partner and he just felt he had to talk to someone to make sure his own conscience was clear in the event a child were to get hurt. The policeman sounded genuine to [REDACTED]. It sounded like he was trying to be discrete. [REDACTED] asked the policeman why he didn't take Fr. McCaffrey in. [REDACTED] said that he used to be a policeman himself and he would have felt obliged to at least take the "culprit" in for questioning. The policeman said that the two boys didn't want to get involved.

18. I met with [redacted] and Vince and asked [redacted] to relate the events as he heard them. I then asked Vince for his reaction. Vince said there had been no incident recently at all. The incident I described actually took place in early February, probably the first week of February, 1988, a year ago. A paddy wagon stopped Vince on Lawrence Avenue. The policeman said two 12-year-olds accused Vince of propositioning them and Vince denied it. The policeman asked Vince for his drivers' license. He also asked Vince what he did and he told him he was a priest. The policeman told him that he had better stay out of the neighborhood. This happened on Lawrence Avenue about two blocks west of Broadway. Vince said that what really happened was as follows: Vince had come up on a stop sign. These two kids were on the side making as if they were going to cross the street. They started out, then stopped. They began to play "chicken" with Vince and his car. Vince was getting very angry. He really thought they were going to throw a rock through his window. But Vince insists that he never said a single word to the kids and made no gestures. Vince said he was really shook up by the incident. The police asked him what he was doing in the neighborhood. He had just come from a White Hen pantry. The police didn't act like they believed Vince. They said that he had better watch out because they were going to keep an eye out for his car and he should stay out of the neighborhood. Vince wondered at the time what he should do, whether he should say something to Dom or to me.

19. Dom said he was scared for the parish. This has the potential of doing great harm to the school families, to the parish, to Vince. How do we protect all of these entities?

20. Vince said it was a terrible experience for him. He was scared and didn't know what to do and didn't think anyone would believe him. He is beginning to realize there is no future in parish ministry for him. He just recently made efforts to get into graduate school to work towards some sort of a degree. He hoped that maybe down the line he could work for Catholic Charities helping out

with sexual disorder cases or something like that.

21. Vince said the police did not believe him that night and he thinks they believed the kids. They talked down to Vince. It was very humiliating. This was around 9:15 PM, [REDACTED] It was in the Uptown area, so it wouldn't be unusual for kids to roam the streets.

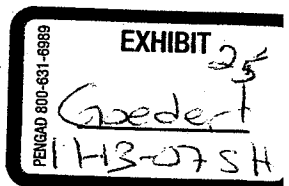
23. I really did not know what to do. It seemed unfair to insist that Vince move out of St. Josaphat, but on the other hand, I don't see much of an alternative. If he stays, we run the risk that someone else might be phoned just as the [REDACTED] were and they may not be as discrete. Moreover, what do we do if someone starts checking things out and finds that Vince does have a past history? This would certainly compromise both [REDACTED] myself and the diocese as it would appear as though we were covering up for Vince and not telling the [REDACTED] exactly what the story is. It's a complicated mess and I thought I would

24. I also put in a call to see whether or not I could track down the information through the police department. I left a message with my contact person and I will see whether or not he can get any information about the incident, either a year ago or recently.

My dear brother Joseph, ^{sent a St. Mark Parish}
^{personal response} ^{5/30/98} CRAIG
I came away to the retreat house for a ³⁰⁰
few days to rest awhile in the Lord - and
try to get the priorities straight again.

I was reading your letter on the Church
(finally!) and thinking of you on the
news lately and all the things going
on, so I decided to write to share some
of my feelings. I know you have many
with whom to consult and share your
feelings with - but I think - sometimes,
you must wonder what the "average guy"
thinks - one who's not so important.

I may as well get the bad news out
first. I was at Quigley South's final
graduation. I know you don't agree, but
I think you made a mistake. I've been
involved with a lot of high schools in
my own little way of vocation work,
but I always felt the Quigley faculty
was a little more in touch and interested
in their students. I also felt confident
in recommending the school to Hispanics.
They had such a nice mixture of ethnic
groups - and did a lot for the future
of the Church and its leaderships -



even if not many chose the ministerial priesthood.

What's done is done! I will miss it! Unlike other priests, it has nothing to do with my trust in you. It bothers me when I hear people say "He listens to this one or that one." I don't pretend to understand the politics of the Church - although I'm not naive enough to believe they don't exist.

I feel very thankful that the retreat house is here. I know this property is valuable. I come here and walk and hear the birds and see the animals and breathe deeply of God's life-giving Spirit. I'd be a lot busier than I am if I didn't have this place. It's such a contrast from Division & Western. Everyone here from Bob Ferrigan (we'll miss him) to the sisters to the staff - is so gracious and accomodating. Please try to keep this place (or find me a cabin in the woods, if we must sell.)

I hope you don't mind me writing like this. I've never done this before - It just seemed like you could use an honest, friendly note. All this headache with Churches closing - or joining together.

Second, and even more importantly,
I admire you as a man of action.
You do things that are not easy to do.
You come across as sincere and
honest, worthy of trust. You also
are a man of prayer. You don't know
how refreshing that is to see and ~~feel~~
feel in a leader (and also, to say -
in my opinion - ~~usual~~ unusual)
You still come across so warm and
genuine - so human, so humble.

And so, my brother, with trust, with
respect, with the desire that God keeps
you strong in your convictions, I ask
you not to be too discouraged ever. With
all the offices and people and priests -
you have to deal with - you're doing just
fine -
and, from one of your brothers out there,
know that I feel comfortable in putting
my life in your hands.

P.S. you needn't feel
obliged to reply - but, from
time to time I might drop
a little note - if you don't
mind!

with love in Christ,

Bob Craig
St. Mark.

I never want to be a pastor, especially with all these headaches. And you get all the complaints. People need a larger view of Church, like you present in your letter. The Church isn't a building - no matter how pretty it is. God doesn't mind where we worship Him - ~~and~~ only how - and that we do worship. If we could all think bigger, we wouldn't have so many problems. We all like to think that we think bigger (especially we priests) until the problems strike closer to home (not my church!)

So many poor pastors have so many more worries with the cutbacks (and more time-consuming paperwork).

The bottom line and my main reason for writing this letter is, whether I agree or not, (and that could make life pretty boring - if we agreed all the time) you have my support and my prayers - for a couple of reasons.

First, you're the boss. I take that obedience promise pretty seriously. I still believe in God and His shepherds. My role is a lot smaller.



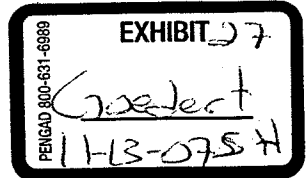
Off: (312) 642-1837

ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

800 NORTH CLARK STREET, SUITE 311

CHICAGO, ILLINOIS 60610



TO: Cardinal Bernardin

FROM: Rev. Raymond Goedert *RG*

DATE: June 23, 1990

RE: Rev. Robert Mayer

1. As you are probably aware, Bob Mayer has applied for the pastorate of St. Odilo. I was asked by Ray Cusack if I had any objections, in the light of all that has happened over the last 8 or 9 years. My response to Ray was somewhat noncommittal, as I really am not sure just what ought to be done. Part of me would welcome Bob being named a pastor, but there is also the concerns I have for the risks involved. Ultimately, the decision to appoint Bob a pastor or not will be yours, but I thought I should offer some input.

2. As you well know, Bob is a very talented but controversial person. I do think that he has been humbled a bit by all that he has gone through with the litigation and subsequent investigations. I have no doubt that he would be a very dynamic pastor, and were he to be named to St. Odilo, you can be sure Berwyn would never be the same again.

3. As I see it, the risks involved can be reduced to three, all somewhat related:

A. The original allegations against Bob were that he was guilty of inappropriate sexual behavior toward minors. [REDACTED]

[REDACTED] As Tom Ventura used to say, "There has always been a lot of smoke surrounding Bob, and there is no guarantee that the allegations of sexual misconduct won't surface again."

B. Bob does have a history, and unfortunately this history has been recorded, whether truthfully or not, in the book "Assault on Innocence" by Hilary Styles, supposedly the pseudonym used by [REDACTED] the mother of one of the boys involved with Bob. [REDACTED] has a real vendetta against Bob, and rumor has it that Hollywood is producing a movie based on her book.

C. This same [REDACTED] according to John Hurley, the pastor at St. Edna, is currently working towards a law degree. John is convinced that once she passes the bar, she will offer her legal services to anyone who has been mistreated by priests. This same woman is supposed to be connected with the

CB3/MAY 01038

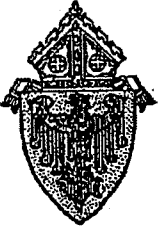
Ex 27

██████████ and was quoted in the Baltimore Sun article at the time of the Bishops' meeting in 1989. So obviously, she is not adverse to going to the press with her crusade.

4. Having said the above, I am not thereby opposed to Bob's appointment. Bishop Jakubowski strongly supports it, and I presume his judgement is based on the very successful way in which Bob handled his role as administrator at St. Dionysius and in the manner in which he prepared the people for the closing of that parish. Moreover, I don't think it is fair to hold him hostage, as it were, to what this woman or others may or may not do. And if someone does go public and digs up the past, the possibility of scandal can be minimized if we are able to counter such an attack with the data revealed in ██████████

5. In all honesty, I am ambivalent on just what you ought to do. But I do think the time has come to decide whether or not Bob will ever be a pastor. In fairness to him, we cannot let him dangle indefinitely. He has to know once and for all whether or not he will ever be permitted to become a pastor in this Archdiocese.

6. Perhaps it would be worth having a staffing of sorts on this before you make a final decision. If this seems advisable, I would suggest Tom Ventura, Jim Roache, Jim Serritella and I be included in the discussion.



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS
800 NORTH CLARK STREET, SUITE 311
CHICAGO, ILLINOIS 60610

Off: (312) 642-1837

TO: File
FROM: Rev. Andrew McDonagh
DATE: July 16, 1990
RE: Norbert Maday

1. Fr. Jack Powers (708-333-3550, rectory, [REDACTED], pastor of St. Jude, South Holland, called Monday morning to report that a certain [REDACTED] called the rectory to charge that his child had been molested by Fr. Maday 2 years ago and he learned about it just then. He was very angry and said he was going to call the South Holland Police.

2. I suggested that Fr. Jack call the detective. The reply was that no one by that name lived there.

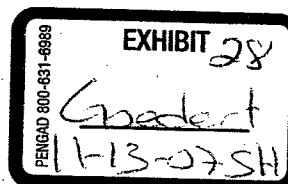
3. Fr. Norbert Maday '64, is the alleged perpetrator. Fr. Norb has been at St. Jude about a year, 5 years at Our Lady of Ridge (the phone prefix given by the caller is in Our Lady of the Ridge area. Also, I called the police station, asking for a [REDACTED]. The police said no one by that name was a member of their force nor did they know of anyone by that name in the surrounding forces). He was 5 years at St. Bede. I don't know about the other 4 years.

4. On Monday, July 16, Fr. Maday in company with 4 parents took 15 boys and girls to Schaeffer Lake for an all-day picnic. Father spends a lot of time with kids -- has them in his room. Jack and Fr. John Michael Murphy have discussed this and have some concern.

5. I told Fr. Powers to call back if there is more.

6. Today (7/18) I called Fr. Powers and suggested he tell Fr. Maday about the incident. Fr. Powers feels he can handle the situation. I suggested also that Jack could invite Norbert to talk with me. I asked that he be cautious not to give the impression that there is anything punitive involved.

CB3/MAD 01462



x 28



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

800 NORTH CLARK STREET, SUITE 311

CHICAGO, ILLINOIS 60610

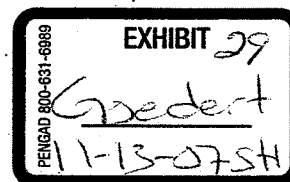
Off: (312) 642-1837

TO: File (R. Goedert)

DATE: Aug. 25, 1990

RE: Robert Mayer

In a conversation with Bishop Gorman today, he mentioned a number of cases which the Cardinal brought to his attention, one of which was Bob Mayer. In view of the fact that Bob's deposition is supposed to come up some time in September, Jack's advice to the Cardinal was that he hold off the appointment to St. Odilo until we see the results of that deposition. If nothing happens, well and good. On the other hand, if it causes some sort of public situation, then it would be much better that Bob not be in the position of pastor when things erupt.



CB3/MAY 00844

x29



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

800 NORTH CLARK STREET, SUITE 311
CHICAGO, ILLINOIS 60610

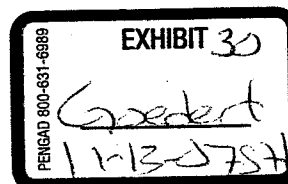
Off: (312) 642-1837

TO: File (R. Goedert)

DATE: Sept. 13, 1990

RE: Robert Craig '74

1. Ed Maloney called from St. Mark's [REDACTED]. He called at 3:40 P.M.
2. Ed said that a woman came to see him at the rectory at the request of Fr. James Socias, an Opus Dei priest at mid-town. She had gone to see Fr. James and he suggested that she talk to the pastor. She actually lives at [REDACTED] in St. Ann's parish on the near south side. Her telephone number is [REDACTED].
3. The woman's name is Mrs. [REDACTED]. She was concerned about her son, [REDACTED] is about 20 years old. [REDACTED]
[REDACTED] He then told her that Fr. Craig, who used to be the assistant at St. Ann's, had been abusing him for six months or so. [REDACTED]
[REDACTED]
4. Ed said that Bob has kids on the second floor all the time. He spends an awful lot of time with kids. Right now Bob's mother is sick. For some reason, the burden of caring for the mother is Bob's and Larry seems not to get involved at all.
5. After talking to Ed, I called Fr. Socias at Mid-town (421-8129). He is a Spanish priest from Barcelona and has been in the Philippines for 9 years, having come to this country just a year and a half or so ago. He spends a good deal of his time hearing confessions at Mid-town, Notre Dame Church and Five Holy Martyrs. This woman sees him almost every week for the last year or so. She doesn't want to cause any trouble, but she did tell him about her son, age 20 or 21 who mentioned to her about Fr. Craig.
6. When I asked Fr. Socias just exactly what she said Craig did to her son, he said he didn't really go into it deeply with her. He did not want to give it too much importance. He simply told her to tell the pastor about it and then to make sure that her children don't hang around the rectory. Evidently a lot of them continued to see Fr. Craig even after he was transferred to St. Mark.
7. In view of the fact that the woman doesn't speak English that well, I asked Fr. James if he would interview her again, together with the son, and try to get the complete story. After he hears from them, I asked him to give me a call. If possible, I would like to set up an appointment for the son before I confront Bob Craig on it.



CRA-CB3-00383

x30



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS
800 NORTH CLARK STREET, SUITE 311
CHICAGO, ILLINOIS 60610

Off: (312) 642-1837

TO: File (R. Goedert)

DATE: Oct. 12, 1990

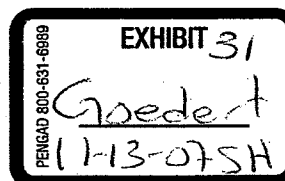
RE: Robert Craig

1. I spoke to Dan Sullivan today. I explained everything to him. [REDACTED]

2. I explained to Dan that I had given permission for Bob to concelebrate the Jubilee Mass, as I did not want to create any wonderment on the part of his mother. However, apart from that one event, I told Dan that I had asked Bob to refrain from all public ministry.

3. I explained the nature of Bob's problem, indicating that it is more than just one incident. I told him that there was a pattern in Bob's activity and that some of the things that he has done would constitute criminal behavior. For that reason, it is necessary to have someone serve as an on-site supervisor, checking on Bob periodically, etc. Dan agreed to do this. I told him to give me a call next week, after the Jubilee celebration, if he had any other questions to ask about this.

4. The news about Bob came as a shock to Dan, as he has a very high regard for both Bob and [REDACTED]. Dan said that he served as [REDACTED] deacon supervisor and got to know him quite well. Dan's telephone number is [REDACTED]



CRA-CB3-00361

x31



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

800 NORTH CLARK STREET, SUITE 311

CHICAGO, ILLINOIS 60610

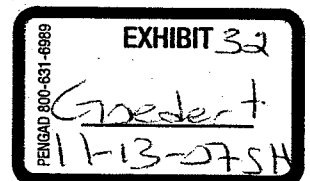
Off: (312) 642-1837

TO: File ([REDACTED])

DATE: Feb. 8, 1991

RE: Vincent McCaffrey

1. [REDACTED] the pastor of Our Lady of Good Counsel, called at 9:50 A.M. [REDACTED] said that he wanted to get advice on a situation involving Vince. [REDACTED] is getting very uneasy about Vince's behavior. Vince has been at Our Lady of Good Counsel almost two years. [REDACTED] has observed that Vince continues to associate with high school boys. They are parishioners, but not those who work in the rectory. [REDACTED] is not suggesting that there is anything sexual in the relationship, but he feels uneasy about it and has discussed this with Vince. Vince will help some of these boys with their homework. One time he told [REDACTED] that he was going to take some of the kids to ski and they would stay at his cottage in Twin Lakes. [REDACTED] did not think that that was a wise thing for him to do and [REDACTED] was relieved when Vince decided not to.
2. What really upset [REDACTED] was the fact that Vince did take one kid overnight this past weekend. It was clear to [REDACTED] that Vince didn't want [REDACTED] to know about it. [REDACTED] said that a group of kids from the parish was going to Wilmot that day and [REDACTED] invited Vince to come along. Vince declined, but didn't say anything to [REDACTED] about why he was not interested in going. [REDACTED] found out what actually happened purely by accident. He said that when he and the rest of the group got to Wilmot, one of the parishioners, who had driven up, just made a comment to [REDACTED] that he saw Vince McCaffrey. He passed him on the highway and Vince was in the car together with [REDACTED], a high school freshman. This is the boy that [REDACTED] is most concerned about, as the relationships seems to be very close. Vince and the boy went up to Vince's cottage on Feb. 1 in the afternoon and stayed through Sunday afternoon, Feb. 3. [REDACTED] also mentioned that two nights before the ski trip, [REDACTED] father called around 11:30 P.M. This would have been Thursday, Jan. 31. He asked if [REDACTED] was at the rectory. [REDACTED] wasn't, but he was out with Vince. [REDACTED] told Vince that he was upset about this and didn't want parents to be calling all hours of the night looking for their sons.
3. I asked [REDACTED] whether or not any other adults were present at Vince's cottage and he said that others were there. Whether or not they were, [REDACTED] doesn't really know. Vince assured [REDACTED] that nothing inappropriate happened.



McCaffrey 545

5. I told [REDACTED] that all of this seems to be signs that Vince is in serious trouble. I commended [REDACTED] for his courage in bringing this to our attention, as that is precisely what his role as parish supervisor requires. I asked [REDACTED] if he would be willing to meet with [REDACTED] and myself, together with Vince, and confront Vince with all of this. [REDACTED] said that while he would not look forward to such a meeting, nevertheless he would do it. I told him that I would call [REDACTED] and set up something and get back to [REDACTED].



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS
800 NORTH CLARK STREET, SUITE 311
CHICAGO, ILLINOIS 60610

Off: (312) 642-1837

TO: File (R. Goedert)

DATE: May 30, 1991

RE: Robert Mayer

1. [REDACTED] came to see me today at 12 noon. [REDACTED]
[REDACTED]

2. I asked [REDACTED] to describe for me whatever his experiences have been with Fr. Mayer. [REDACTED]
[REDACTED]

3. [REDACTED]
[REDACTED]

4. [REDACTED]
[REDACTED]

5. [REDACTED]
[REDACTED]

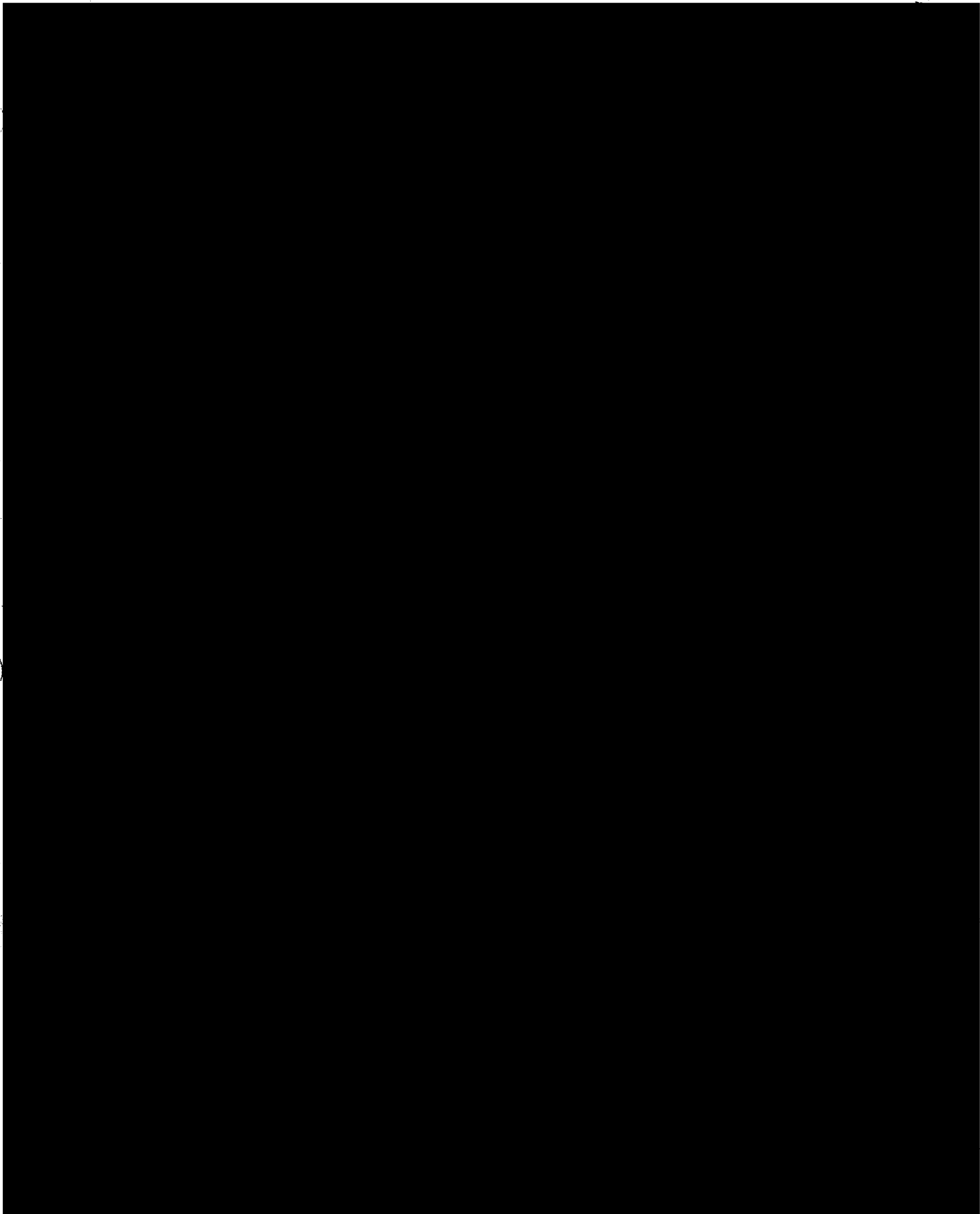
PERC 800-631-6089

EXHIBIT 33

Goedert
11-13-07SA

CB3/MAY 00815

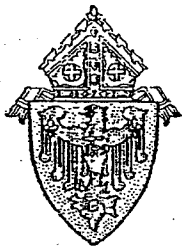
x33



11. [REDACTED]

12. [REDACTED] said that he really thinks that Fr. Mayer has a problem. He said he doesn't think it's restricted to any one sex or age. [REDACTED]

CB3/MAY 00817



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

800 NORTH CLARK STREET, SUITE 311

CHICAGO, ILLINOIS 60610

Off: (312) 642-1837

TO: File (R. Goedert)

DATE: June 3, 1991

RE: Kenneth Ruge

1. [REDACTED], ordained in [REDACTED], came to see me today at his own request. [REDACTED]

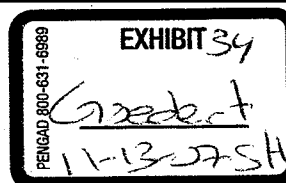
2. [REDACTED] Kenneth Ruge was the associate.

3. story is as follows:

[REDACTED] Fr. Ruge used to take altar boys swimming at Fenwick High School [REDACTED]

[REDACTED] You had to swim in the nude. Everyone was naked, including the priests. [REDACTED]

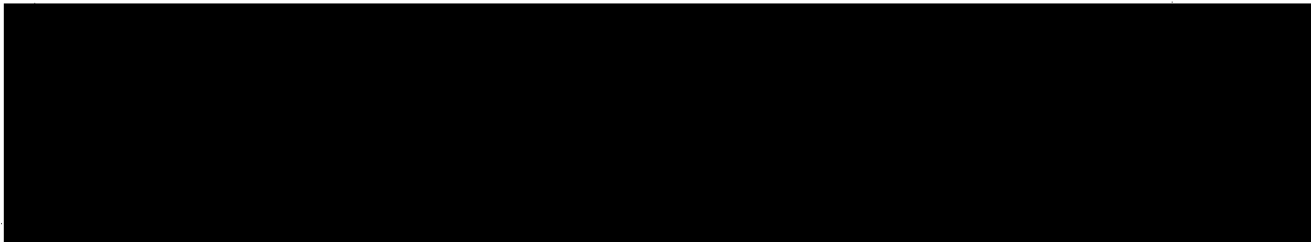
[REDACTED] said that Ken also had a trailer home at Woodhaven Lake near Kankakee. As a reward for serving, he would frequently take the altar boys there. [REDACTED]



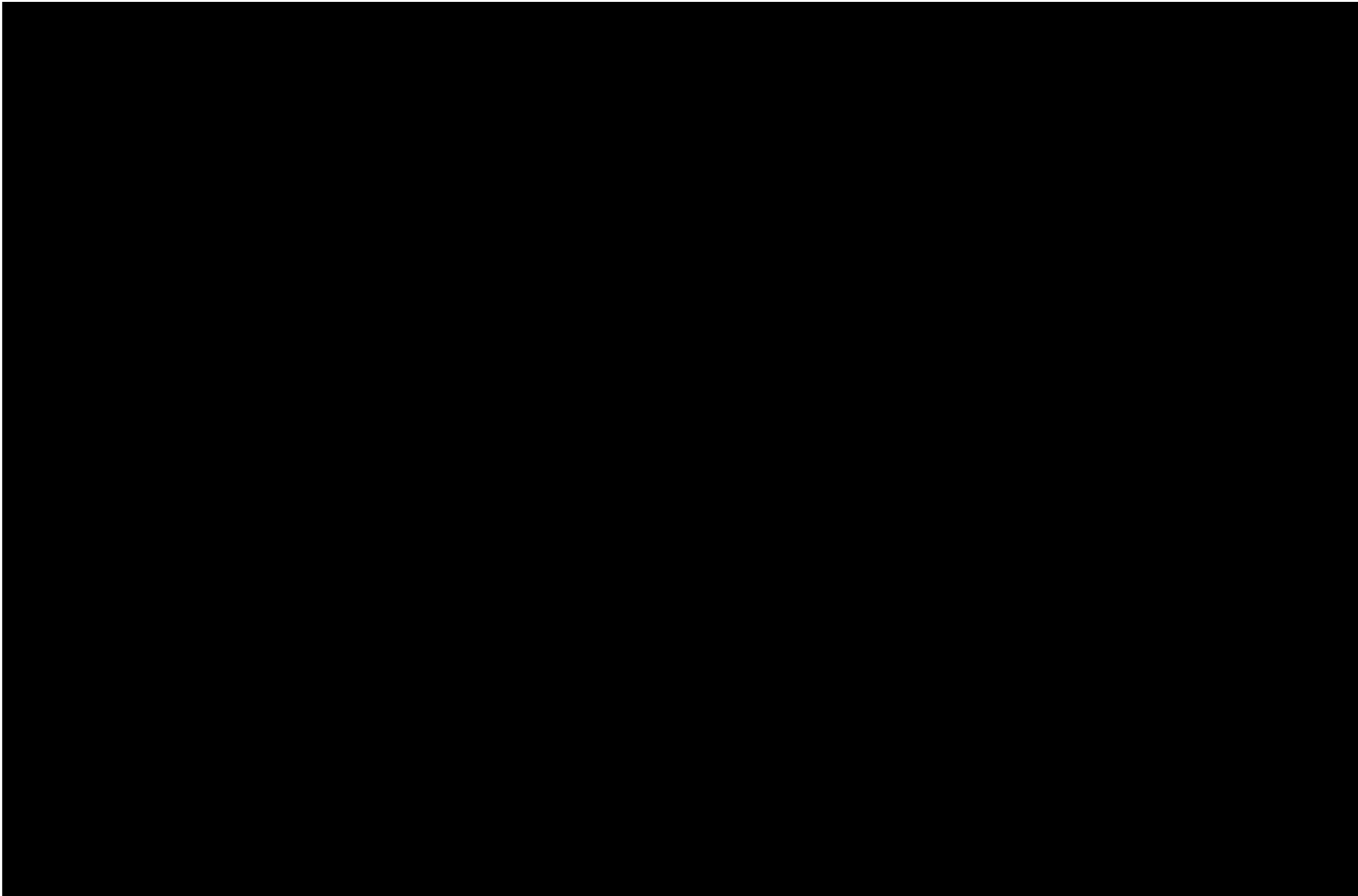
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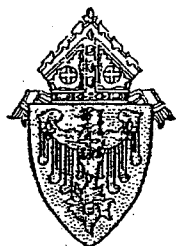
x 34





11. I asked again if he could recall any other victims. He really could not, but because the kids joked about it all the time, he presumes that there were other victims.





ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

800 NORTH CLARK STREET, SUITE 311

CHICAGO, ILLINOIS 60610

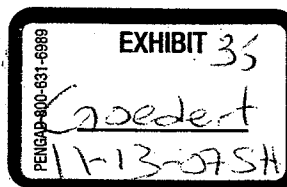
Off: (312) 642-1837

TO: File (R. Goedert)

DATE: June 4, 1991

RE: Ken Velo

In speaking to Ken Velo about other matters, I asked if he was privy to those names of persons applying for the pastorates. He said that he was. I asked him to make sure that the Personnel Board did not consider Ken Ruge for a pastorate until I was able to get back to them. I did not go into detail with Ken why I was asking for that and he did not ask any questions, but assured me that he would see to it that Ken's name would not come up for consideration until I gave an O.K.



CB(RU)00085

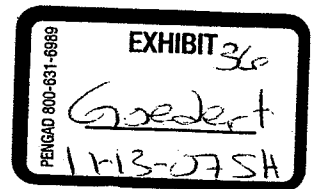
x35



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

800 NORTH CLARK STREET, SUITE 311
CHICAGO, ILLINOIS 60610



Off: (312) 642-1837

TO: File (R. Goedert)

DATE: June 10, 1991

RE: Robert Mayer

1. I spoke to Dave Mulvihill today. Dave is a resident at St. Odilo. He is working in the Tribunal, so his knowledge of what goes on at St. Odilo is limited by the fact that he is usually not around during the day time except for weekends. Ordinarily he would get back to the rectory around 6 P.M.
2. I asked Dave whether or not he was aware of any inappropriate behavior on Bob's part. He said that he did feel that Bob lacked good judgement. When I asked him to what he was referring, he responded that anyone who had the problem that he had would be expected to use much greater discretion. But Bob continues to have kids of grammar school and high school age in the rectory. In fact, Dave used the phrase that "kids are all over the place". I asked Dave how he knew this. Was it first-hand information or hearsay. Dave responded that in view of the fact that he is ordinarily at the Tribunal during the day, it is only when he would come home early that he would see kids in Bob's room. I asked Dave approximately how often this has happened and he said that he thought it was twice. I asked if the kids were definitely minors, and Dave said that they were. I asked if any other adults were present at the time and Dave said "no".
3. I asked Dave if there were any other concerns being expressed by either staff or parishioners. He said that Bob gets mixed reviews. His homilies are usually about 12 minutes, but the rest of the Sunday Mass is quite quick. A Sunday Mass probably lasts about 35 minutes. Some people like this, but others complain. Some people enjoy his homilies, while others say it is just pop psychology, and not religious as such. Just what they mean by that, Dave doesn't know. Dave did comment that the people from St. Dionysius who came over to St. Odilo's really do think that Bob is a wonderful priest. They look upon him as "God".
4. I asked Dave if he had ever seen any pornography in Bob's room. He responded that he has not. I asked whether he would be in Bob's room at different times and he responded that usually they all congregate in Bob's room Saturday evening after the 5:00 Mass. They have a drink before dinner. On those occasions, Bob's room is always very neat. He will usually have just one book out that he is reading at a time and everything else is put away. Dave said that it is just the opposite of his own room. Dave said that he has never seen any pornography, either magazines or video tape, and never heard anything about such in Bob's room.
5. I asked Dave what he thought about the appointment of Bob to the pastorate. Dave said that his own vision is rather myopic in that he only sees what happens after 6 P.M. and on weekends. From what Dave can gather, he doesn't see Bob working that closely with the people. And any of the staff members that were here when Bob came are no longer here. Dave didn't want to make a big thing out of this, as many pastors change staff when they arrive. But Dave finds Bob

Ex 36

CB3/MAY 00863

to be somewhat inconsistent in the sense that to your face everything will be great, but behind your back he will demean a person. Dave cited as an example both the Youth Minister and the Business Manager who are recently hired by Bob and yet he claims he doesn't really like them. Dave doesn't understand that mentality.

6. I again asked Dave if he had any concern himself about any type of immorality at St. Odilo since Bob's coming and he responded in the negative.

7. I then asked Dave what Bob's usual pattern would be in the evenings. In other words, would he be occupied as most pastors with all sorts of parish meetings, events, etc.? I was trying to determine whether Bob was continuing the pattern he established at St. Edna's, whereby he seemed to turn his phone off and spend most of the evenings entertaining young people. Dave said that St. Odilo's is not like other parishes. They simply never have had evening meetings, primarily because the bulk of the parish consists of senior citizens. For that reason, the meetings are all held during the day. However, a Parish Council is now being formed, so that may change things. I asked Dave if they had a Finance Committee and he said there were one or two people on it, but just what their responsibilities are is not clear. Dave said that they usually have dinner at 6 P.M., end around 7:15 P.M. and that's about it for the evening. As far as Dave knows, there is no congregating of kids in Bob's rooms in the evenings.

DRAFT OF MESSAGE TO BE GIVEN BY CARDINAL TO BOB MAYER ON JULY 1, 1991

1. I cannot tell you how hurt and disappointed and angry I am that this meeting today has become a necessity. I feel that you have betrayed me and violated the trust I placed in you. Over the years, you have repeatedly been the subject of allegations of sexual impropriety, and yet you have refused to modify your behavior in such a way that the risk to yourself and to the Church would be eliminated. Your appointment to St. Odilo, as you well know, was approved by me only after I received your solemn assurance that you would no longer engage in the kind of behaviors that caused so much distress for your parishioners and yourself in your previous assignments. I regret to say that I now have reason to believe that you have broken this promise.

2. On June 2, 1987, you signed an agreement which included among other things the following condition for your continuation in ministry:

"A canonical mandate is given to Fr. Mayer to avoid all unsupervised contact with all persons under the age of 21. This applies especially to his private living quarters in the rectory. He is not to have persons under age 21 as guests at his cottage unless other adults are present".

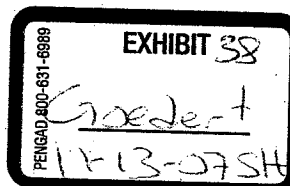
have recently learned
I know that you have violated this mandate on more than one occasion in the short time that you have been at St. Odilo's. Moreover, I also *recently learned* have knowledge of grossly inappropriate behavior on your part towards a young man, involving touches, sexual innuendos and pornographic material. Even if you deny any sexual intent, your judgment in these matters is so obviously impaired that I cannot allow you to continue in this position of trust any longer.

3. I am convinced, Bob, that you are laboring under the kind of psychic defect referred to in Canons 1041 and 1044, and for this reason I am withdrawing your faculties and I forbid you any and all exercise of your Sacred Orders until such time as it is evident that you are capable of resuming effective priestly ministry.

4. You are no longer empowered to act, therefore, as pastor of St. Odilo Parish. Because you have so seriously violated the trust I placed in you, I am asking you today to submit your resignation. If you refuse to do so, I will initiate immediately the canonical process for your removal.

5. Furthermore, I direct you to [REDACTED] on Wednesday, July 10. The Vicar for Priests and I will remain in contact with you [REDACTED] and a determination will eventually be made as to whether or not you will be permitted to return to the active ministry.

6. This decision, Bob, grieves me deeply. I can only hope and pray that you will commit yourself to participate fully [REDACTED] and, with the Lord's help, return to the Archdiocese a much better man and a much better priest.



CB3/MAY 00687

EX 38



Off: (312) 642-1837

ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

800 NORTH CLARK STREET, SUITE 311
CHICAGO, ILLINOIS 60610

PENGAD-800-631-6989

EXHIBIT 39

Goedert
1113-075H

TO: CARDINAL BERNARDIN
FROM: REV. RAY GOEDERT *RG*
DATE: JUNE 24, 1991
RE: REV. ROBERT MAYER

1. I am enclosing the revised drafts of:
 - A. The statement for you to make in confronting Bob on July 1;
 - B. The letter to be read at the weekend Masses if Bob cooperates (i.e. resigns and agrees to go for treatment)
 - C. The letter to be read at the weekend Masses if Bob refused to resign or to go for treatment.
2. I am also attaching the following:
 - A. A copy of the two Canons (1041 and 1044) upon which your decision to withdraw his faculties is based;
 - B. A copy of the agreement Bob signed on 6/2/87 giving the canonical mandate to avoid all unsupervised contact with persons under the age of 21.
3. As it stands now, the meeting with Bob will be on Monday, July 1 at 4:30 p.m. He will be asked to resign effective immediately. If he refuses to resign, he should be informed that the canonical process for his removal will begin immediately.
4. Bob should be directed to remove all of his belongings within the next 24 or 48 hours, whichever you think is more reasonable, and take up his residence either at his cottage, at Little Flower, or at any rectory approved by you. Bob Banzen is a classmate and close friend, so Bob Mayer might very well choose St. John Brebeuf.
5. Bob should be informed that he [REDACTED] on Wednesday, July 10. The Vicar for Priests will arrange to get the plane ticket.
6. With regard to a replacement, the Personnel Board will initiate its process immediately if Bob resigns; otherwise, as soon as the parish is declared vacant. In the meantime, a retired pastor would be named administrator. We agreed that [REDACTED] would be our first choice. I think it is important that you call [REDACTED] personally to make the request. (I spoke to [REDACTED] today 6/24/91 and gave him the background).
7. With regard to the confrontation itself on July 1, I would suggest that the following elements be included:
 - A. The meeting would begin with a clear statement from yourself of the decision that has already been made - namely, that Bob has violated the trust you put in him and that you are now

EX 39

CB3/MAY 00820

asking for his resignation.

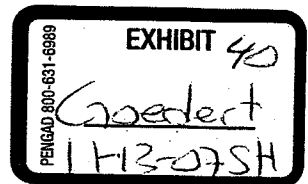
- B. Only after you have completed your statement would Bob be given the opportunity to respond. However, you should make it clear to him that this is not a fact finding session and that even if Bob denies the present charge, you nevertheless are convinced that he has violated the mandate, that he has acted quite inappropriately, that his conduct has been such that you believe that he is laboring under a psychic defect so serious that you judge him incapable of rightly carrying out the pastoral ministry (Canons 1041 and 1044), and for this reason his faculties are removed and he may not exercise any Sacred Orders whatever.
 - C. Bob should be told that a decision will eventually be made, [REDACTED] as to whether or not he will be allowed to return to ministry in any capacity.
 - D. Bob should be told that if he cooperates (i.e. resigns and agrees to enter treatment), a more benign statement will be read at all the weekend Masses, a statement that will simply say that Bob has decided to resign the parish for personal reasons, etc. However, if Bob refuses to cooperate, a more severe statement will be read giving the nature of the charge against him, etc.
8. With regard to the statement to the parishioners, we agreed it should be:
- A. In the form of a letter from you to the people
 - B. Read by Bishop Jakubowski at all the Masses the weekend of July 6-7.
9. A major concern remains - what will be the fallout, especially in connection with the [REDACTED] case and with those at St. Edna who brought the law suit against Bob some ten years ago?

I honestly have no answer. The fallout could very well be serious, and I think the only thing we can do is to tell the truth - namely, that until this incident, we were never able to substantiate any of the allegations made against him.



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS
800 NORTH CLARK STREET, SUITE 311
CHICAGO, ILLINOIS 60610



Off: (312) 642-1837

TO: File (R. Goedert)

DATE: JULY 1, 1991

RE: ROBERT MAYER

1. The Cardinal, Bishop Jakubowski and I met with Bob Mayer from 4:30 p.m. to approximately 6:30 p.m. The Cardinal began the meeting by paraphrasing the statement that had been drafted for this purpose. He made it very clear to Bob that he was expecting him to resign and that if Bob refused to resign, he would institute the canonical process for removal. The Cardinal was very firm in this and made it clear to Bob that the issue was non-negotiable.
2. After the Cardinal concluded his statement, he asked Bob for his response, reaction, etc. Bob was very upset and felt that this was a terrible injustice. He insisted that he had done nothing wrong and that he has done his very best to be a good priest, etc. When Bob continued to press the issue that unknown persons were making unknown charges, the Cardinal then told Bob the name of the accuser and turned it over to me to spell out the details of the charges. Once Bob realized who it was that was making the accusations, he seemed to back down and not protest his innocence as strongly as he had initially. Eventually, the Cardinal asked Bob again for his resignation and Bob signed it.
3. Bob then asked about his future and whether there was any hope for him. The Cardinal indicated that the future depends on Bob and that if [REDACTED] is successful, he would be able to receive another assignment. When Bob asked if he could ever be made a pastor again, the Cardinal said: "It depends on the outcome of the treatment. I don't rule out the possibility, but neither do I make any promises."
4. Bob said that we are going to have to help him to handle the political fallout and the Cardinal responded that he was willing to do whatever he could to protect Bob's reputation. On the other hand, if Bob had refused to resign, the Cardinal said that he would have to spell out the reasons for his dismissal, etc.
5. The Cardinal told Bob that his faculties were withdrawn as of that moment and that he could no longer exercise the office of pastor. He further stated that Bob would have to move everything out of the premises by Wednesday evening. He also stated that Bob would have to report to [REDACTED] on Wednesday, July 10. Bob said that he wanted some time to think about this and to consult with his friends, etc. He agreed to call me on the next day. He was going to be up at his cottage with his priest friends and would have a chance to discuss it with them.
6. After the meeting concluded, the Cardinal, Bishop Jakubowski and I continued to discuss the situation. We agreed that if the priests ask us why Bob was treated in this fashion, we would tell the truth. In a sense, Bob has forfeited his right to privacy and we will not let the church or any of us take the heat.

Ex 40

CB3/MAY 00689

for his behavior. On the other hand, we will do our best to protect him as far as his parishioners and others are concerned.

7. After the meeting, I then put in a call to [REDACTED] in order to see if Joyce Brothers could do the moving and [REDACTED] agreed. They will be at St. Odilo's on Wednesday at 10:30 a.m.

8. I also called [REDACTED] to let him know what had happened. He will try to take over on Friday.

9. Jake indicated that he may be tied up at the time of some of the Masses, so I or someone else will share it with him.

JULY 3, 1991

1. Bob Mayer called [REDACTED]. I then called [REDACTED] to let her know and gave Bob her name and number and asked him to call her on Wednesday to get whatever information he needed.

2. I told Bob that I would purchase the plane tickets. I also asked him to draft [REDACTED]

3. I tried to reach [REDACTED] at 4:45 but she was not home. I then reached [REDACTED] at his place of work and told him what had transpired. [REDACTED] said that his parents were out of town but would be back that evening. I said that I would try and call them later tonight.

3. I also called St. Odilo's to talk to Dave Mulvihill, but he was not home yet. I put in a call at the Tribunal but there was no answer.

4. I will have to verify with Bob just exactly what the Mass schedule is. According to our directory, the Saturday evening Mass is at 5:00 p.m. and the Sunday Masses are at 8:30, 10:00 and 11:30. Bob will be staying at the cottage and his number there is (708) 587-0215.



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979
CHICAGO, ILLINOIS 60690

COPY

Office of the Archbishop

July 2, 1991

My dear Parishioners:

It is with great sadness that I must convey to you information that I know will be distressing. As you are aware, Father Mayer, your pastor, has been with you approximately ten months. During this time, he has accomplished much for the welfare of your parish, and for that I am grateful, as I know you are. Because of personal reasons, however, he has asked that I accept his resignation effective immediately so that he may go on sabbatical. I have done so, and until such time as a new pastor is appointed, I have asked Reverend Martin Borowczyk, the well-respected retired pastor of St. Constance Parish, to administer the affairs of St. Odilo.

I ask your prayers for Father Mayer, for Father Borowczyk, and for your entire parish that Our Blessed Lord will be with you as you make the adjustment that lies ahead.

Be assured of my prayers and special blessing.

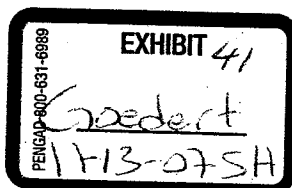
With cordial good wishes, I remain

Sincerely yours in Christ,

Joseph Card. Bernardin
Archbishop of Chicago

Parishioners of St. Odilo Parish
2244 South East Avenue
Berwyn, Illinois 60402

COPY



CB3/MAY 00686

Ex 41

Oct. 23, 1991
St. Odilo Parish
Meeting with Parish Leadership

Present: Jill Gardiner, Ralph Bonaccorsi, McDonagh, Goedert, Jakubowski,
Gorman, Cyscon, Mulvihill, Dunleavy, POM

From the parish, the following groups were represented: A & R Society, Scouts, Pastoral Council, School Board, Finance Committee, Parents' Club, Ushers, Music Ministry, Ministry of Care, Eucharistic Ministers, DRE, Youth Ministry.

Again Peter Cyscon led off with prayer and introduced POM, who introduced the panel and the first speaker B. Goedert. Ray gave substantially the same statement as on Tuesday night, then questions were entertained.

First question was from [REDACTED] brother of [REDACTED] priests. Said he was a lieutenant with State Police, member of Pastoral Council. In a way he set the tone for the meeting - positive for the most part with emphasis on avoiding our unhelpful procedures in the future. Later Jill Gardiner was to characterize the meeting as sad rather than angry - though some people were obviously still angry and hurt.

He asked: What will the Diocese do to avoid this kind of fiasco in the future - what are your procedures? He said that the attempt to cover up was an insult and, at least, some people should have had information - both about Mayer's background and when removal took place.

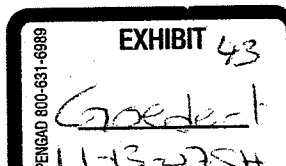
He then asked what we were doing to inform good priests and to shore up their self esteem. We spoke of this meeting, the task forces to be formed, the talk to fourth year seminarians on 10/28 and other initiatives.

[REDACTED] confided to me at the break that he was determined this meeting would be positive yet truthful. He wanted to do what he could to assure something good would come from it.

Another question from an older man: Why did we hear it from the media, from others and not from our own newspaper? Again the issue of silence was spoken to.

Jill Gardiner (wrongly introduced as Gail by POM) then spoke about what happens when this kind of situation happens. She spoke of people's upheaval, of the range of normal reactions. Some of it predictable, some of not so. She went on to validate their reactions. She spoke of emotionality of reactions, the variety of reactions, how this trauma can trigger past traumas in their lives, the volatile nature of people's reactions.

She indicated there would be much ambivalence - especially among leadership. Some people found Mayer a wonderful and helpful person. (This regard for Mayer also surfaced in one-to-ones at the break.) Jill then talked about what could be helpful to the people. She called for people to accept their feelings and the feelings of others. She said information, and plans for moving forward are important. So also prayers, returning to good "business as usual" routines, respect for all varieties of reactions, seeking appropriate help.



Jill concluded reminding people that there was a tremendous power for healing within the Odilo community itself. She told the people they were key people in that healing.

More questions:

One man indicated he himself had been abused and accused wrongly as a younger person. He had sympathy for Mayer and had been almost threatened by a person recently when he was accused of defending "that man" meaning Mayer. He wanted to know if others had been bothered besides the one young man who came forward. Jill explained about the young girl at Tuesday night's meeting and Ray explained about the original accusation that triggered the removal. Ray also mentioned concerns that had surfaced in small groups on the previous night but were not reported out for understandable reasons.

[REDACTED] spoke of how not knowing the circumstances of Mayer's problem and restrictions put her in a very vulnerable spot - especially vis a vis the children. She was controlled but angry and frustrated.

A man on the Finance Committee said that the parish had been hurt by this. People would not come to Church, children would not enter school, the financial picture would be worsened. What would the diocese do to bail out the parish?

Ray Goedert answered that the school is being evaluated and is doing a very good job. It will grow. He said the diocese through the Vicar and Vicar of priests will continue to monitor the parish situation and try to be of help to Peter and leadership until it's no longer necessary.

Someone asked if the parish might be sued. Ray explained that that would not happen. Andy McD. spoke to the feelings he was picking up and he explained how the diocese's ability to deal with situations around sexual abuse is just growing - he used the AA experience of 25 years ago as a paradigm.

In the break, one young man from the youth ministry privately expressed great anger at the group for knocking Mayer. For him, Mayer had been an entry back to the Church. He was angry and said he was through with the Church now. Several of the youth ministry team seemed to share this supportive feeling for Mayer.

After the break, more questions: Any real proof that he was guilty of the charges? We went over them again. How far back do the allegations against Mayer go? Ray explained the 1982 situation.

One woman, obviously emotional and still angry, said that this was the third meeting she had attended and she was still so enraged at the diocese for sending in a man under a mandate without supervision.

Then POM introduced the possibility of informing the rest of the parish. He talked about a letter being read at all Masses this coming weekend from the Cardinal, with the opportunity for further information and feedback afterwards in the school hall. A young man said the Cardinal himself should come out, not B. Gorman. Gorman said we would inform the Cardinal of that sentiment.

Once again [redacted] intervened and said that the Cardinal's coming would occasion a media circus and the primary reason for the meeting - the dispensing of information - would be lost. He suggested Gorman come this weekend, information be given - and then at a later date, the Cardinal should be invited in to give his input. Most of the people found this approach to be acceptable - especially the sympathetic older people. The crowd was not unanimous in this, but seemed to favor it over other options.

One man asked whether help would be available for individual parishioners who had been psychically hurt by what had happened. We assured him it would. An older lady from the A & R table said the Cardinal should tape a message to the people Sunday. Another man suggested a TV program by the Cardinal to the Archdiocese in general, but which would also cover Odilo's problem.

[redacted] said the Cardinal should have a big meeting with all the people invited. Peter Cyscon took an active part in the planning of the next meetings then. He spoke against a big parish meeting - which he had originally favored - on the grounds that people would not be heard.

Another older man said the problem was being exaggerated, the Cardinal shouldn't be involved. The problem was that the P. Bd. had not done their job when surveying the parish and recommending a pastor.

[redacted] recalled an incident years ago when the pastor, C. Skach, had stood before the people and announced he was a recovering alcoholic. The people had cheered him. He encouraged the Cardinal and the diocese to trust the people to respond in a Christian way. "We made it through that crisis; we'll make it through this one." There was general agreement among others.

Women from the A&R Society were volunteered to help with coffee and on the weekend. Leadership was encouraged to be present, to direct people, to explain, to heal.

Peter Cyscon closed the meeting with a short talk in which, in a comfortable and kidding way, he told the people that the Diocese, with all its problems, is demonstrating real care for the people. He extolled the various vicars and priests.

(He did not mention the great work done by the consultants and facilitators from the OCE and elsewhere. The presence of Craddock, Gardner, Bonaccorsi, Guccione, Leone, et al has been an essential ingredient and has kept these meetings from being total disasters!)

It's clear however that Peter has high regard for all who have come to help. He called them his "family" and encouraged the people to trust them. He said the Spirit is at work. Faith, Peter said emotionally, is all about dying and rising - and that's what is happening at St. Odilo. His message was met with approval and applause.

The panel stayed around afterwards and each of us learned more about where people were at. Suggestions were also made to us, some of which have real merit. E.g. an 800 number people could call for information, for help - the number to be posted in the school, in the bulletin.

WHAT ELSE SHOULD BE ADDED TO THIS SUMMARY?

AGENDA FOR MEETING WITH PEOPLE OF DIVINE SAVIOR
FRIDAY, NOV. 15, 1991 7:00 P.M.

Prayer - Fr. STEVE TEBES
Introduction by STEVE
All are introduced

1. May we ask something of one another this evening. This is a family meeting; we are members of this family dealing with a confidential personnel matter. We would ask that all of us observe confidentiality about what goes on at this meeting. Is that agreed?

2. As some of you may already know, Fr. Ken Ruge has been removed by the Archdiocese from his assignment as associate pastor of Divine Savior. His removal will come as a shock to you perhaps. However, over the past few years, Fr. Ruge has been struggling with some issues in his personal life.

3. Some years back an accusation of sexual abuse of a young person was brought against him.

As far as we know, there has been no recurrence of this problem.

4. Because of his willingness to cooperate and with the archdiocesan authorities, Fr. Ruge was allowed to remain in parish ministry. Within the past few months,

- and again he has done so with total cooperation. When Fr. Steve Tebes was appointed pastor a short time ago, he did not have knowledge of Fr. Ruge's previous history.

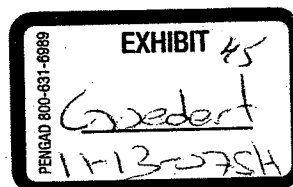
5. But we are at a new moment now.

More-
over, heightened concern in both Church and society has brought the Archdiocese to a new understanding of its policy of placing or retaining such priests in parish ministry. So in order to avoid even the possibility of risks to young people, the Archdiocese has removed Fr. Ruge from parish ministry.

Cardinal Bernardin and Fr. Ruge met recently to discuss what this meant. It was a very moving experience.

He will
not be returning to Divine Savior in the future.

6. We wanted to share this information with this small group from the parish so that you may know the truth. We also want to ask your advice on how we may present this information to the rest of your parish. Before we do that, however, I will answer any questions you may have at this time.



CB(RU)00079



Off: (312) 642-1837

ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS
800 NORTH CLARK STREET, SUITE 311
CHICAGO, ILLINOIS 60610

OK for typing

TO: Cardinal Bernardin
FROM: Rev. Patrick O'Malley
DATE: Jan. 7, 1992
RE: Rev. Norbert Maday -- possible letter

Dear Norb,

Pat O'Malley has informed me of your conversations about the [REDACTED]. I want to once again reassure you that I am requesting that you take this [REDACTED] as a help for you and for ourselves.

An allegation of child molestation was made against you. Who made the call is a point we cannot determine. In a sense, it is anonymous. But, in the present climate, for your protection and for the Archdiocese's protection, I submitted the situation to the Commission I had appointed. They recommended that you [REDACTED].

At my house on the day we talked, you shared with me your fear and your own misgivings about what might have occurred in the past. I understand, Norb, and I want you to know that, in no way, will the test or whatever the [REDACTED] discloses be held "against" you. That's not the way I operate. If one of my priests needs help, I will do all I can to make sure he gets that help. You have served the Archdiocese well over the years. I want to see that service continue and even deepen. You have always been a generous priest.

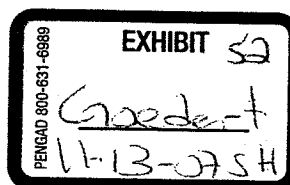
We are thinking of your future, Norb, and of your physical and emotional well-being. [REDACTED]

[REDACTED] I assure you I will have the same regard for you after the [REDACTED] as I will have after your physical exams. I want to see you whole and well.

Please believe me when I offer you this word of encouragement. Let's work together and the loving grace of God will be even more a part of our lives. I will be praying for you as you move through this important phase of your life. If you want to talk to me, don't hesitate to call.

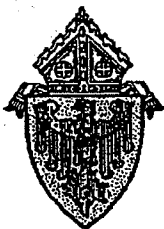
Traternally yours in X
Sincerely yours,

Cardinal Bernardin



CB3/MAD 01459

EX 52



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

April 8, 1992

Rev. Norbert Maday
Post Office Box 16703
Chicago, Illinois 60616-0703

Dear Norb,

After our conversation on August 8 in the morning, I wanted to clarify our reasoning for not allowing that letter.

One, the Archdiocese does not want to appear as if it is making a judgement about innocence or guilt while the investigation is proceeding. Anything like that letter which would appear in an Archdiocesan or a parish publication might be construed by the opposition as such a judgement.

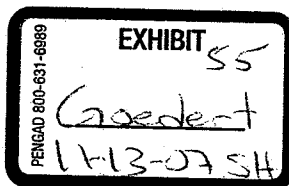
Secondly, we are always afraid that if your name appears in a bulletin or in a newspaper that it might trigger someone else, out of anger or whatever, to come forward to bring an accusation. That is the reason why we are asking you to be very circumspect in your behavior and to follow the parameters of the protocol that has been set down. Your lawyer's advice not to go to that Health Club without Ernie present is very good advice and I hope that you follow it.

I'll be in touch.

Faternally yours,

Rev. Patrick O'Malley
Vicar for Priests

CB3/MAD 01439



EX 55

ARCHDIOCESE OF CHICAGO

Office of the Chancellor



Post Office Box 1979
Chicago, Illinois 60690

(312) 751-8220
Fax (312) 751-5381

November 25, 1992

Reverend Norbert J. Maday
P.O. Box 16702
Chicago, Illinois 60616-0703

Dear Father Maday:

At the direction of Cardinal Bernardin, I am writing in response to your request to review the restriction forbidding you to wear the Roman collar or any other form of clerical garb while you are on an administrative leave of absence.

The Cardinal has reviewed your request with his advisors. Accordingly, as explained to you by Father Patrick O'Malley, Vicar for Priests, you are hereby dispensed from paragraph #5 of the Precept Imposing Restrictions, dated July 1, 1992, during such times as you are required to appear publicly in connection with your pending prosecution.

With every best wish, I remain

Sincerely yours in Christ,

Thomas J. Paprocki

Reverend Thomas J. Paprocki
Chancellor

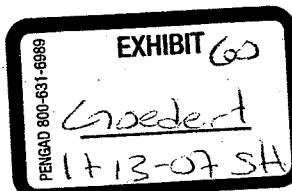
Given at the Chancery

Robert J. Zelenka S.D.
Vice-Chancellor

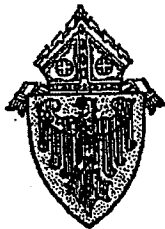
cc: Reverend Patrick J. O'Malley, Vicar for Priests
Mr. John O'Malley, Office of Legal Counsel
Mr. James Serritella, Legal Counsel

TJP/cfb

CB3/MAD 00870



Ex 60



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

CHICAGO, ILLINOIS 60611

Off: (312) 642-1837

Fax: (312) 642-4933

Memo

To: Cardinal Bernardin

From: Rev. Patrick O'Malley *Jon*

Date: 3/5/95

Re: Norbert Maday

On 3/3/95 I visited Norb at Columbia Correctional Facility. He is no longer in isolation and so our visit was much less strained than it was back in January.

They allowed us a little longer time, about an hour and a half, and we had a good conversation. I was able to talk to Norb more directly about why he is in the prison and what our perception of his history is.

Norb has been pressured by the people at the facility to get into a treatment program for sex abusers. He has some concern about generating information while he is awaiting his appeal. I told him that concern should be directly discussed with his attorney.

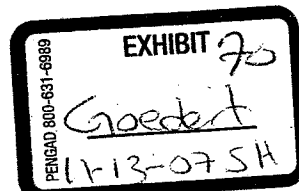
He also has some concern about whether you would want him to get into such a program. I told him that I am certain you would want him to get help. I also told him that, while he is able to write to you several times a week, you can only return his letters when you have the opportunity. He understood that and doesn't expect you to respond every time he writes.

All in all, he seemed to be in a better frame of mind. I spoke to Jerry Boyle, his attorney, last week.

Their request for a lessening of the sentence was dismissed. That is the first step in the appeal of the case. Now papers will be submitted and the usual legal point-counterpoint will take place. Boyle thinks that the case may go to the Appellate Court around July. The court then has 90 to 120 days normally to respond. So a decision on the appeal may not be forthcoming until well into the fall or early winter.

I'll keep you informed as we go along about the matter.

CB3/MAD 01129



Date: April 25, 1996

Subject: Father James Hagan

From: [REDACTED]

To: Whoever is looking into the allegations of misconduct. Is it still Mr. Bonacoursi?

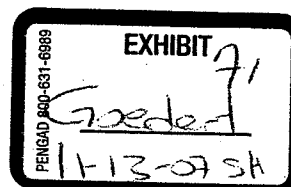
I was very upset to hear the allegations re. Father James Hagan. In 1988 several mothers from St. Gertrude's (17) called [REDACTED] at St. Gertrude's to complain about Father Hagan rubbing their daughter's legs in face to face confession and putting his hands very high up on their legs under their skirts. The girls were especially upset when Fr. Hagan then was selected to teach them sex education in a room with just the girls and with the door closed. There were complaints made to the principal who was not cooperative. As I was not the parent of a girl I heard that when the moms planned a meeting to discuss this the pastor broke up the meeting and said it would look bad for the parish. [REDACTED]

[REDACTED] My son agreed to tell his story to DCFS and the police as did one brave young woman. The other girls took back their stories after the pastor approached their mothers. I called to complain to [REDACTED] who said he would believe [REDACTED] over me any day as [REDACTED] was his friend.

I was very upset to hear Hagan was reassigned to St. Denis especially after that school had experienced molestation by a science teacher that same year. I talked to [REDACTED] and voiced my dismay.

I know that the Archdiocese must be aware of this. Why did you allow him to go to St. Denis? I had better hear soon that you are acknowledging this or I will have to go to the media. This is incestuous and very very sad. In 1988 I told the Archdiocese they had better watch him and if anything else happened I would go public. I will or ask the students to do so. If even one St. Denis student comes forward let it be on your conscience. I pray you will make the correct decision.

[REDACTED]



HAG-CB-00013

ARCHDIOCESE OF CHICAGO

Office of the Metropolitan Tribunal
Rev. Patrick R. Lagges, J.C.D.
Phone: (312) 751-8384
e-mail: plaggess@archchicago.org



155 E. Superior St.
Chicago, Illinois 60611

Fax: (312) 751-8314

MEMORANDUM

RECEIVED

OCT 29 2004

ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

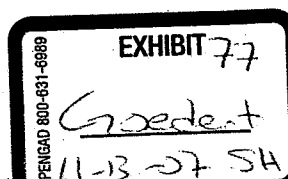
TO: Leah McCluskey
FROM: Father Lagges
RE: Revs. Norbert Maday [REDACTED]
DATE: 28 October, 2004

A while ago, we were discussing a possible assurance that Cardinal Bernardin had given to Fr. Maday [REDACTED] that he would not seek the canonical penalty of dismissal from the clerical state. At that time, I said that I may have copies of those letters in my files.

I was finally able to locate copies of the letters that were sent in June, 1996. I have enclosed them with this memo.

As you can see, Cardinal Bernardin did say that he would not seek the penalty of dismissal from the clerical state. He also said that any decisions about future ministry would have to be made in accordance with universal and particular law. He did not, however, promise that he would not seek other penalties which might be less severe than dismissal from the clerical state.

I hope this assists you.



CB5/MAD 00810



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS
800 NORTH CLARK STREET, SUITE 311
CHICAGO, ILLINOIS 60610

Off: (312) 642-1837

October 16, 1990

Rev. Robert Craig
[REDACTED]

Dear Bob,

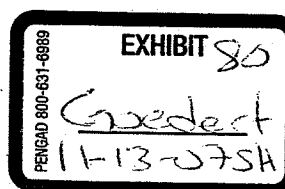
At a meeting with Jim Serritella and Carrie Huff, subsequent to our last conversation on Oct. 8, I discussed the conflict of interests that has arisen in regard to the list of names and addresses I had asked you to provide. While recognizing that Mr. Tuite's advice is designed to protect you from the possibility of further incrimination, the Archdiocese also has responsibilities that it cannot ignore. Primary among these, of course, is the necessity to provide professional counseling to those victims who need it and wish to avail themselves of this service at no expense to themselves.

As mentioned above, Bob, I am painfully aware of the conflict of interests that this situation creates. I would appreciate your discussing this with Mr. Tuite and would ask that he be in touch with Mr. Serritella, so that we might resolve this impasse as soon as possible.

With prayers for you and your mother, Bob, I remain

Faternally yours,


Rev. Raymond Goedert



CRA-CB3-00358

x 80

ARCHDIOCESE OF CHICAGO

Office of the Archbishop



Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-5200
Fax: (312) 337-6379

DECLARATION

IN THE NAME OF THE MOST HOLY TRINITY. AMEN

- (1) Whereas Robert E. Mayer, born on [REDACTED] was ordained a priest of the Archdiocese of Chicago on April 30, 1964 at St. Mary of the Lake Seminary, Mundelein, Illinois, and
- (2) Whereas he left the active ministry in 1993 and, because of violations against Canon 1395 § 2, would never be permitted to return,

I, Francis Cardinal George, O.M.I., by the grace of God and the favor of the Apostolic See, Archbishop of Chicago, do hereby declare:

- a) That Robert E. Mayer has no authorization whatsoever to act as an agent of this Archdiocese;
- b) that he is no longer affiliated as a priest in any way with the Archdiocese of Chicago;
- c) that he is not to represent himself as a Roman Catholic priest with canonical faculties, nor is he to present himself as a 'Catholic priest in good standing';
- d) that the Archdiocese does not consider itself in any way responsible for the activities of Robert E. Mayer, and
- e) that the Archdiocese is not to be held liable for any scandal or harm to souls for which he has been or is responsible.

Handwritten signature of Francis Cardinal George in black ink.

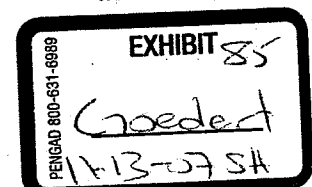
Francis Cardinal George, O.M.I.
Archbishop of Chicago

May 28, 2005

Handwritten signature of Raymond E. Goedert in black ink, preceded by a plus sign.

Most Rev. Raymond E. Goedert
Ecclesiastical Notary

MAY-CB6-00001



Archdiocesan Priests with Substantiated Allegations of Sexual Misconduct with Minors
(Includes living current and former priests and deceased priests who were able to respond to the allegations before they died)

The following Archdiocesan priests are no longer in public ministry because an allegation of sexual misconduct with a minor has been substantiated. The list includes priests against whom there have been substantiated allegations since 1950.

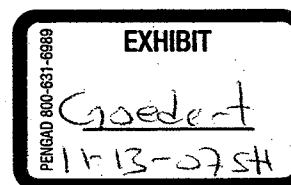
The allegations were substantiated by the Archdiocese's Review Process for Continuation of Ministry administered by the Professional Responsibility Review Board. Prior to the creation of the Review Board in 1992, allegations were substantiated by administrative review. None of the priests are in ministry.

An allegation is deemed to be substantiated if there is reasonable cause to believe that abuse occurred. This determination follows a process of consultation and is not a legal judgment.

Deceased priests who did not have an opportunity to respond to an allegation before they died are not included on the list.

Every effort has been made to make sure that the list is accurate. Questions about the list should be in writing and directed to the Office of the Chancellor, Archdiocese of Chicago, P.O. Box 1979, Chicago, IL 60690.

NAME	DATE OF ORDINATION	ACTION/STATUS
Baranowski, Alexander Sylvester	5/3/1955	Resigned 6/1975
Bartz, Richard Barry	5/8/1974	Resigned 6/2002
Becker, Robert Charles	4/29/1965	Deceased 10/1989
Bennett, Joseph R.	4/26/1966	Removed from Public Ministry 2/3/2006
Bogdan, Leonard Adolph	5/3/1960	Retired from Diocese of Kalamazoo 6/30/2000
Bowman, Robert Peter	5/3/1955	Removed from Public Ministry 5/2002
Braun, David Francis	5/5/1954	Deceased 12/1997
Buck, Daniel Peter	5/12/1971	Removed from Public Ministry 6/2002
Burns, Eugene Patrick	5/3/1955	Deceased 1/2005
Calicott, John Walter	5/8/1974	Removed from Public Ministry 6/2002
Cloutier, William J.	5/14/1975	Deceased 8/2003



NAME	DATE OF ORDINATION	ACTION/STATUS
Craig, Robert	5/8/1974	Resigned 10/1993
Curran, John William	5/3/1957	Deceased 3/2000
Czajka, Norman J.	5/1/1961	Removed from Public Ministry 4/2006
DeRoeck, Walter George	5/12/1971	Resigned 8/2001
Dilla, Francis Emil	5/1/1953	Deceased 2/2005
Fassbinder, Richard Wayne	5/1/1953	Deceased 5/2004
Fitzharris, Joseph L.	4/28/1962	Resigned 1/1995
Flosi, James Vincent	5/12/1971	Resigned 7/1992
Friese, Robert	5/10/1978	Resigned 8/1985
Garza, Jesus P.	5/9/1979	Resigned 7/2000
Hagan, James Craig	5/8/1974	Resigned 4/1997
Hefferan, John Edward	5/1/1956	Removed from Public Ministry 10/2003
Hogan, Michael J.	5/19/1984	Resigned 7/1993
Holihan, Daniel Mark	5/3/1957	Removed from Public Ministry 6/2002
Huppenbauer, Walter Edward	5/3/1957	Removed from Public Ministry 10/2002
Job, Thomas	5/13/1970	Resigned 12/1992
Kealy, Robert Louis	5/10/1972	Resigned 4/2006
Keehan, John James	4/27/1967	Removed from Public Ministry 6/2002
Keough, John Joseph	5/1/1952	Resigned 3/1982
Kissane, Joseph Patrick	5/14/1969	Resigned 1/1993
Kmak, Leonard Paul	5/7/1959	Deceased 7/2002
Lupo, William L.	4/29/1965	Resigned 12/2002
Maday, Norbert J.	4/30/1964	Removed from Public Ministry 3/1992
Mayer, Robert E.	4/30/1964	Resigned 1/1994
McCaffrey, Vincent	5/10/1978	Resigned 12/1993
McCormack, Daniel J.	5/21/1994	Removed from Public Ministry 2/17/06

NAME	DATE OF ORDINATION	ACTION/STATUS
McDonald, Robert Joseph	5/9/1973	Resigned 6/1990
McNamara, Peter John	6/6/1970	Resigned 8/1971
Mulsoff, Donald John	5/14/1969	Deceased 11/2005
O'Brien, William John	5/9/1973	Resigned 4/2006
Owens, Joseph	4/29/1965	Resigned 4/1970
Ray, James M.	5/14/1975	Removed from Public Ministry 6/2002
Robinson, John Allen	5/12/1971	Removed from Public Ministry 1/2003
Rohrich, John F.	4/29/1965	Resigned 6/1975
Romano, Russell Lawrence	5/9/1973	Resigned 10/1991
Ruge, Kenneth Charles	5/1/1963	Deceased 5/2002
Savage, Joseph E.	3/16/1918	Deceased 6/1974
Skriba, Raymond Francis	5/3/1957	Removed from Public Ministry 7/2002
Snieg, Marion Joseph	5/3/1955	Deceased 6/2005
Steel, James R.	5/2/1968	Resigned 5/13/1992
Stepek, Robert A.	5/13/1981	Removed from Public Ministry 11/4/2006
Stewart, Victor E.	5/10/1978	Deceased 6/1994
Strand, Ralph S.	4/30/1964	Removed from Public Ministry 3/1993
Swade, Thomas J.	5/1/1961	Removed from Public Ministry 6/2002
Swider, Henry Peter	5/3/1950	Resigned 2/1974
Tanghal, Albert	5/18/1991	Deceased 12/2003
Thomas, Joseph S.	5/1/1952	Retired/Removed from Public Ministry 10/2002
Turlo, Walter Joseph	5/13/1970	Removed from Public Ministry 6/2005
Ulatowski, Donald Francis	5/1/1956	Deceased 6/1999
Vader, Anthony Joseph	5/1/1952	Removed from Public Ministry 2/2003
Weston, Michael Howard	5/9/1973	Resigned 9/1993

Archdiocesan Priests with Substantiated Allegations of Sexual Misconduct with Minors
(Includes living current and former priests and deceased priests who were able to respond to the allegations before they died)

The following Archdiocesan priests are no longer in public ministry because an allegation of sexual misconduct with a minor has been substantiated. The list includes priests against whom there have been substantiated allegations since 1950.

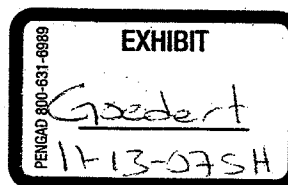
The allegations were substantiated by the Archdiocese's Review Process for Continuation of Ministry administered by the Professional Responsibility Review Board. Prior to the creation of the Review Board in 1992, allegations were substantiated by administrative review. None of the priests are in ministry.

An allegation is deemed to be substantiated if there is reasonable cause to believe that abuse occurred. This determination follows a process of consultation and is not a legal judgment.

Deceased priests who did not have an opportunity to respond to an allegation before they died are not included on the list.

Every effort has been made to make sure that the list is accurate. Questions about the list should be in writing and directed to the Office of the Chancellor, Archdiocese of Chicago, P.O. Box 1979, Chicago, IL 60690.

NAME	DATE OF ORDINATION	ACTION/STATUS
Baranowski, Alexander Sylvester	5/3/1955	Resigned 6/1975
X Bartz, Richard Barry	5/8/1974	Resigned 6/2002
X Becker, Robert Charles	4/29/1965	Deceased 10/1989
Bennett, Joseph R.	4/26/1966	Removed from Public Ministry 2/3/2006
X Bogdan, Leonard Adolph	5/3/1960	Retired from Diocese of Kalamazoo 6/30/2000
Bowman, Robert Peter	5/3/1955	Removed from Public Ministry 5/2002
X Braun, David Francis	5/5/1954	Deceased 12/1997
X Buck, Daniel Peter	5/12/1971	Removed from Public Ministry 6/2002
Burns, Eugene Patrick	5/3/1955	Deceased 1/2005
Calicott, John Walter	5/8/1974	Removed from Public Ministry 6/2002
X Cloutier, William J.	5/14/1975	Deceased 8/2003



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	NAME	DATE OF ORDINATION	ACTION/STATUS
X	Craig, Robert	5/8/1974	Resigned 10/1993
X	Curran, John William	5/3/1957	Deceased 3/2000
	Czajka, Norman J.	5/1/1961	Removed from Public Ministry 4/2006
X	DeRoeck, Walter George	5/12/1971	Resigned 8/2001
	Dilla, Francis Emil	5/1/1953	Deceased 2/2005
	Fassbinder, Richard Wayne	5/1/1953	Deceased 5/2004
X	Fitzharris, Joseph L.	4/28/1962	Resigned 1/1995
X	Flosi, James Vincent	5/12/1971	Resigned 7/1992
	Friese, Robert	5/10/1978	Resigned 8/1985
	Garza, Jesus P.	5/9/1979	Resigned 7/2000
X	Hagan, James Craig	5/8/1974	Resigned 4/1997
	Hefferan, John Edward	5/1/1956	Removed from Public Ministry 10/2003
X	Hogan, Michael J.	5/19/1984	Resigned 7/1993
X	Holihan, Daniel Mark	5/3/1957	Removed from Public Ministry 6/2002
	Huppenbauer, Walter Edward	5/3/1957	Removed from Public Ministry 10/2002
	Job, Thomas	5/13/1970	Resigned 12/1992
	Kealy, Robert Louis	5/10/1972	Resigned 4/2006
	Keehan, John James	4/27/1967	Removed from Public Ministry 6/2002
	Keough, John Joseph	5/1/1952	Resigned 3/1982
X	Kissane, Joseph Patrick	5/14/1969	Resigned 1/1993
	Kmak, Leonard Paul	5/7/1959	Deceased 7/2002
	Lupo, William L.	4/29/1965	Resigned 12/2002
X	Maday, Norbert J.	4/30/1964	Removed from Public Ministry 3/1992
X	Mayer, Robert E.	4/30/1964	Resigned 1/1994
X	McCaffrey, Vincent	5/10/1978	Resigned 12/1993
	McCormack, Daniel J.	5/21/1994	Removed from Public Ministry 2/17/06

NAME	DATE OF ORDINATION	ACTION/STATUS
X McDonald, Robert Joseph	5/9/1973	Resigned 6/1990
McNamara, Peter John	6/6/1970	Resigned 8/1971
Mulsoff, Donald John	5/14/1969	Deceased 11/2005
O'Brien, William John	5/9/1973	Resigned 4/2006
Owens, Joseph	4/29/1965	Resigned 4/1970
X Ray, James M.	5/14/1975	Removed from Public Ministry 6/2002
Robinson, John Allen	5/12/1971	Removed from Public Ministry 1/2003
Rohrich, John F.	4/29/1965	Resigned 6/1975
X Romano, Russell Lawrence	5/9/1973	Resigned 10/1991
X Ruge, Kenneth Charles	5/1/1963	Deceased 5/2002
Savage, Joseph E.	3/16/1918	Deceased 6/1974
Skriba, Raymond Francis	5/3/1957	Removed from Public Ministry 7/2002
X Snieg, Marion Joseph	5/3/1955	Deceased 6/2005
Steel, James R.	5/2/1968	Resigned 5/13/1992
Stepek, Robert A.	5/13/1981	Removed from Public Ministry 11/4/2006
X Stewart, Victor E.	5/10/1978	Deceased 6/1994
Strand, Ralph S.	4/30/1964	Removed from Public Ministry 3/1993
X Swade, Thomas J.	5/1/1961	Removed from Public Ministry 6/2002
Swider, Henry Peter	5/3/1950	Resigned 2/1974
Tanghal, Albert	5/18/1991	Deceased 12/2003
Thomas, Joseph S.	5/1/1952	Retired/Removed from Public Ministry 10/2002
Turlo, Walter Joseph	5/13/1970	Removed from Public Ministry 6/2005
Ulatowski, Donald Francis	5/1/1956	Deceased 6/1999
Vader, Anthony Joseph	5/1/1952	Removed from Public Ministry 2/2003
Weston, Michael Howard	5/9/1973	Resigned 9/1993