

0001
 1 - S E A L E D -
 2 STATE OF CONNECTICUT : SUPERIOR COURT
 3 JUDICIAL DISTRICT OF FAIRFIELD
 4 AT BRIDGEPORT
 5 -----X
 6 GEORGE L. ROSADO, JR., ET AL., :
 7 Plaintiffs, :
 8 -versus- : CV93 0302072S
 9 BRIDGEPORT ROMAN CATHOLIC :
 10 DIOCESAN CORP., ET AL., :
 11 Defendants. :
 12 -----X
 13 BRIAN FREIBOTT, ET AL., :
 14 Plaintiffs, :
 15 -versus- : CV94 0316574S
 16 BRIDGEPORT ROMAN CATHOLIC :
 17 DIOCESAN CORP., ET AL., :
 18 Defendants. :
 19 -----X
 20 Videotaped Deposition of BISHOP
 21 EDWARD EGAN, taken pursuant to Notice, at
 22 the law offices of Durant, Nichols,
 23 Houston, Mitchell & Sheahan, 1057 Broad
 24 Street, Bridgeport, Connecticut, before
 25 Gerald Gale, C.S.R., Registered Merit
 Reporter and a Notary Public in and for the
 State of Connecticut, on October 7, 1997,
 at 10:00 a.m.

0002
 1 A P P E A R A N C E S:
 2 For the Plaintiffs:
 3 TREMONT & SHELDON
 4 64 Lyon Terrace
 5 Bridgeport, Connecticut 06604
 6 By: T. PAUL TREMONT, ESQ.
 7 CINDY ROBINSON, ESQ.
 8 For the Plaintiffs James Krug and
 9 Jamie Bellaville:
 10 HENRY LYONS, III, ESQ.
 11 34 Sherman Court
 12 Fairfield, Connecticut 06430
 13 For the Defendant Father Pcolka:
 14 TIERNEY, ZULLO,
 15 FLAHERTY and MURPHY, P.C.
 16 134 East Avenue
 17 Norwalk, Connecticut 06851
 18 By: FRANK MURPHY, ESQ.
 19 For the Defendant The Diocese of
 20 Bridgeport:
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 22 One Goodwin Square
 23 Hartford, Connecticut 06103
 24 By: JOSEPH SWEENEY, ESQ.
 25 -and-
 26 DANAHY, TEDFORD, LAGNESE & NEAL
 27 21 Oak Street
 28 Hartford, Connecticut 06106
 29 By: MATTHEW G. CONWAY, ESQ.
 30 A L S O P R E S E N T:
 31 Kevin Aspinwall, Videographer
 32 Monsignor Laurence Bronkiewicz
 33
 34
 35

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0005
 1 MR. SWEENEY: For the preliminary
 2 record, I would like to have made a part of the
 3 record, Mr. Tremont, this is Judge Levin's
 4 ruling of December 8, which applied to Bishops
 5 Curtis and Egan and Father Pcolka. I would like
 6 to have it made part of the record. It's the
 7 same document we have had --
 8 MR. TREMONT: I have no
 9 objection. I just would like to make it clear
 10 that anything -- that the publication of
 11 anything from this deposition of Bishop Egan
 12 would be proscribed unless a further order of
 13 court, but that is not going to preclude us from
 14 disseminating any other information which we say
 15 have received from another source, including,
 16 for instance, the federal court depositions or
 17 anything else that I may have for Bishop Egan.
 18 MR. SWEENEY: That basically says
 19 that anything that comes out of this deposition
 20 cannot be publicized and attributed to this
 21 deposition.
 22 MR. TREMONT: Absolutely
 23 correct. That's what we have agreed to. That's
 24 fine. If you want to mark it as an exhibit, you
 25 can mark it.

0006
 1 MR. SWEENEY: Mr. Gale, you have
 2 seen a copy of this before. Mr. Gale, please
 3 sign a copy. Anybody that gets involved that --
 4 (Discussion off the record.)
 5 MR. TREMONT: What about the
 6 videographer?
 7 MR. SWEENEY: He signed it. I
 8 will have him sign it as well.
 9 (Discussion off the record.)
 10 (Defendant's Exhibit 1 marked
 11 for identification.)
 12 (Discussion off the record.)
 13 THE VIDEOGRAPHER: This is the
 14 deposition of Bishop Edward M. Egan, taken on
 15 behalf of the plaintiff in the case of George L.
 16 Rosado versus Bridgeport Roman Catholic Diocesan
 17 Corporation, et al., case No. CV 93 0302072S,
 18 filed in Superior Court, Judicial District of
 19 Fairfield at Bridgeport.
 20 Today's date is October 7, 1997.
 21 The time on videotape record is 10:09 a.m. This
 22 deposition is being held at 1057 Broad Street,
 23 Bridgeport, Connecticut.
 24 My name is Kevin Aspinwall, and I
 25 report by Hamilton Communications, 60 Pine Lake

0007
 1 Road, Westbrook, Connecticut.
 2 Would everyone please introduce
 3 themselves for the record?
 4 MR. TREMONT: T. Paul Tremont
 5 representing the plaintiffs.
 6 MS. ROBINSON: Cindy Robinson for
 7 the plaintiffs.
 8 MONSIGNOR BRONKIEWICZ: Monsignor
 9 Bronkiewicz, Diocese of Bridgeport.
 10 MR. MURPHY: Frank Murphy

10 MR. MURPHY: Frank Murphy
 11 representing Raymond Feolka.
 12 MR. CONWAY: Matthew Conway of
 13 Danaher, Tedford, Lagnese & Neal, representing
 14 the defendants, Bridgeport Roman Catholic
 15 Diocesan Corporation, Bishop Walter Curtis and
 16 Bishop Edward Egan.
 17 MR. SWEENEY: Attorney Joseph
 18 Sweeney of Halloran & Sage representing the
 19 defendants of Bridgeport Roman Catholic Diocesan
 20 Corporation and Bishop Walter Curtis.
 21 I believe in this particular
 22 case, Bishop Egan is not a party defendant, and
 23 of course, I represent Bishop Egan as a witness
 24 as well, and to my right, of course, is Bishop
 25 Egan, Edward Egan, the witness for this

0008

1 deposition.
 2 I would be very happy,
 3 Mr. Tremont, to stipulate as to the adequacy of
 4 the notice of today's deposition and as to the
 5 adequacy of Mr. Gale's qualifications both as a
 6 notary and court stenographer, and also be happy
 7 to stipulate to reserve, until the time of
 8 trial, objections to questions, except
 9 objections as to matters of form which might be
 10 cured by a timely objection and rephrasing.
 11 With respect to the fourth
 12 stipulation we sometimes enter, we would prefer
 13 to have the witness have an opportunity to read
 14 and sign the transcript of this deposition
 15 before it becomes final so we would not be
 16 prepared to stipulate with respect to the
 17 reading and signing which, of course, means that
 18 within 30 days from the transcript being
 19 provided, we'll return it as signed by the
 20 witness.
 21 Also, I think the record should
 22 reflect we've already marked as Defendants'
 23 Exhibit 1 for identification a copy of the
 24 protective order of the court of December 8,
 25 1994, regarding restricting, among other things.

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- (1) the use and dissemination of any information
- (2) which is provided during the course of this
- (3) deposition. Thank you.
- (4) MR. TREMONT: Okay. I agree to
- (5) those stipulations.
- (6) All right. Are we ready to
- (7) start? Would you swear the witness in, please?
- (8) BISHOP EDWARD M. EGAN,
- (9) called as a witness, having been first duly
- (10) sworn by Gerald Gale, a Notary Public
- (11) in and for the State of Connecticut, was
- (12) examined and testified as follows:
- (13) DIRECT EXAMINATION
- (14) BY MR. TREMONT:
- (15) Q. And would you be good enough, Bishop,
- (16) to tell us your birth date?
- (17) A. April 2nd, 1932.
- (18) Q. And where do you reside?
- (19) A. I reside in Stratford, Connecticut.
- (20) Q. What is your address?
- (21) A. 115 Bulmer --
- (22) Q. Okay.
- (23) A. -- Street, Stratford. B-u-l-m-e-r.
- (24) Q. Now, at the present time, you are the
- (25) Bishop of the Diocese of Bridgeport; is that

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- (1) correct?
- (2) A. I am the Bishop of the Diocese of
- (3) Bridgeport, yes.
- (4) Q. Would you then be considered the
- (5) Ordinary of this Diocese?
- (6) A. The old canonical language was
- (7) Ordinary, yes.
- (8) Q. So can we use those -- are those terms
- (9) interchangeable in regard to the office of the
- (10) position you have held since you have come to
- (11) Bridgeport, Connecticut?
- (12) A. They are interchangeable.
- (13) Q. Now, would you be good enough to tell
- (14) me, Bishop, what is your educational background?
- (15) A. I went to a seminary in -- outside of
- (16) Chicago for a course in philosophy. I went to a
- (17) seminary in Rome for a course in theology, and
- (18) I, some years after that, returned to Rome for a
- (19) course in canon law, which is the law of the
- (20) Catholic Church.
- (21) Q. Now did you get various degrees?
- (22) A. My degrees are a Bachelor of Arts from
- (23) the seminary I mentioned outside of Chicago.
- (24) Q. Excuse me, would you tell us what the
- (25) name of the --

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- (1) A. St. Mary of the Lake Seminary. The
- (2) degree in theology is called a licentiate, more
- (3) or less equivalent to a Master's degree, and the
- (4) degree in canon law is a doctoral degree.
- (5) Q. And Where did you get the licentiate?
- (6) A. In Rome, licentiate in theology I
- (7) received in Rome.
- (8) Q. Well, what was that, a Gregorian or --
- (9) A. I went to the Gregorian University.
- (10) Q. Is that where you received that degree?
- (11) A. Exactly.
- (12) Q. And then what about your doctorate in
- (13) canon law?
- (14) A. The same.
- (15) Q. And when did you receive your doctorate
- (16) in canon law?
- (17) A. 1963.
- (18) Q. As far as canon law is concerned, is
- (19) that a codification of the law of the church?
- (20) A. The law of the church since 1917 has
- (21) been codified, yes.
- (22) Q. How many codifications -- I'll
- (23) withdraw that.
- (24) I understand that the first
- (25) codification was in 1917.

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- (1) A. That's correct.
- (2) Q. Before that there was obviously canon
- (3) law, but it was not a code of canon law, if you
- (4) will; is that correct?
- (5) A. It was to be found in various
- (6) collections of norms and legislation, yes.
- (7) Q. And in 1917 for the first time the law
- (8) of the Roman Catholic Church was codified in
- (9) what you call a code of canon law. When was
- (10) it -- Was it recodified at any time after that,
- (11) Bishop?
- (12) A. Yes. The only other codification, the
- (13) second, was in 1983.
- (14) Q. So when you initially received your
- (15) doctorate in the Code of Canon Law, that would
- (16) be under the 1917 codification?
- (17) A. That is correct.
- (18) Q. And subsequently in 1983, that
- (19) codification was replaced by the so-called new
- (20) Code of Canon Law?
- (21) A. Fine, that is fine.
- (22) Q. And you are familiar, obviously, with
- (23) both?
- (24) A. I am.
- (25) Q. In fact you consider yourself and

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- (1) others consider you a canon law scholar?
- (2) A. Well, I accept that if they want to say
- (3) that.
- (4) Q. Well, don't you believe that you are,
- (5) you know, exceptionally qualified in the area of
- (6) canon law?
- (7) A. I believe that is safe, yes.
- (8) Q. All right. Now, at some point you
- (9) became consecrated as a Roman Catholic priest?
- (10) A. I was ordained a priest.
- (11) Q. All right. And when were you ordained
- (12) a priest?
- (13) A. In December of 1957.
- (14) Q. 1957?
- (15) A. Correct.
- (16) Q. All right. Now, would you be good
- (17) enough to tell me from December of 1957 up until
- (18) the time that you came to Bridgeport, which I
- (19) believe was in 1989, what positions did you hold
- (20) as a Roman Catholic priest?
- (21) A. Right. I came to Bridgeport in 1988.
- (22) Q. '88, all right. So up until that
- (23) point.
- (24) A. All right. I was ordained in 1957 and
- (25) came back to the United States in 1958. I was

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- (1) assigned a curate at a parish in Chicago. I
- (2) later became secretary and master of ceremonies
- (3) to the then Archbishop.
- (4) Q. Excuse me, how long were you a curate,
- (5) for what period of time?
- (6) A. A matter of months.
- (7) Q. Months. And then when you became the
- (8) secretary and/or master of ceremonies to the
- (9) Archbishop, at that time what was your -- did
- (10) you move to different premises and this was your
- (11) position?
- (12) A. Yes, thank you, I moved to different
- (13) premises, that's correct.
- (14) Q. Was your full time involved in acting
- (15) as a secretary and master of ceremonies?
- (16) A. Exactly.
- (17) Q. All right. For how long a period was
- (18) that, Bishop?
- (19) A. I left Chicago in 1960 to go back to
- (20) Rome to do my graduate studies. At that time I
- (21) was also involved in the faculty of the North
- (22) American College. And then in 1965, I returned
- (23) to Chicago where I acted as secretary and master
- (24) of ceremonies to the new Archbishop.
- (25) Q. Different Archbishop but the same

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- (1) position that you had previously held?
- (2) **A.** Exactly.
- (3) **Q.** All right.
- (4) **A.** And then subsequently became the
- (5) co-chancellor. There were two chancellors of
- (6) the Archdiocese, and I was one of them.
- (7) And then in 1972, I returned to
- (8) Rome and I worked in the Curia Romana. I worked
- (9) in the offices of the Vatican, and my position
- (10) was an auditor of a tribunal known as the Rota.
- (11) In 1985, I was consecrated a bishop.
- (12) **Q.** Excuse me, when you were auditor at the
- (13) Rota, what does an auditor mean?
- (14) **A.** In their language, the auditor is a
- (15) judge; it's one who hears a case, auditor.
- (16) **Q.** And what were the general nature of the
- (17) cases that you heard in that position?
- (18) **A.** They were largely issues of the
- (19) invalidity of the matrimonial bond.
- (20) **Q.** In that the -- without those cases
- (21) beyond the church annulment cases or the
- (22) matrimonial matters, were there other cases that
- (23) you may have heard as an auditor?
- (24) **A.** Yes, there were.
- (25) **Q.** Could you tell me the nature of those

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- (1) cases?
- (2) **A.** They were varied. They could be
- (3) questions of property. There could be questions
- (4) of the position of persons, whether or not
- (5) someone was the offspring that deserved to
- (6) receive inheritance. There could be a question
- (7) of whether someone had been maligned by another
- (8) and so forth.
- (9) **Q.** Were there any cases that you may have
- (10) heard which involved accusations against a
- (11) religious in regard to, to make it simple, the
- (12) vow of chastity?
- (13) **A.** I never had any cases that had to do
- (14) with sexual misconduct.
- (15) **Q.** Okay. And while -- Well, I'll
- (16) withdraw that.
- (17) Now you indicated that you then
- (18) were consecrated a bishop, and you were
- (19) consecrated a bishop in Rome?
- (20) **A.** Correct.
- (21) **Q.** And when was that, the date?
- (22) **A.** In May of 1985.
- (23) **Q.** And what was your -- You would have
- (24) had a title at that point, Bishop, would you
- (25) not? You would be consecrated to either a

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- (1) real -- real See, or I shouldn't say an
- (2) imaginary See, but an ancient See?
- (3) **A.** I would be consecrated in the title,
- (4) since you didn't have a diocese, it would be a
- (5) See that is a diocese that no longer existed,
- (6) yes, and my real position was an auxiliary
- (7) bishop of the Archdiocese of New York.
- (8) **Q.** So you were consecrated -- At the time
- (9) you were consecrated as bishop, do I understand
- (10) it that you understood that you were immediately
- (11) or shortly going to a position as an auxiliary
- (12) bishop in New York?
- (13) **A.** Correct.
- (14) **Q.** Okay. And when did you resume your
- (15) duties in New York?
- (16) **A.** I think I was in the job within six or
- (17) seven weeks.
- (18) **Q.** All right. And what was -- how long
- (19) did you remain Auxiliary Bishop of New York?
- (20) **A.** Shy of four years. I came here in
- (21) December of 1988.
- (22) **Q.** All right. Now, what was your
- (23) position -- I'll withdraw that.
- (24) What were your duties generally
- (25) as an auxiliary bishop in New York?

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- (1) **A.** My specific assignment was to be in
- (2) charge of the educational efforts of the
- (3) Archdiocese. They spoke of the position as
- (4) vicar for education.
- (5) **Q.** That would -- that entailed, in other
- (6) words, supervising all of the Diocesan schools
- (7) as well as Catholic education institutions that
- (8) may not have been directly Diocesan?
- (9) **A.** It had to do primarily with the schools
- (10) and the catechetical program. That would be for
- (11) children who were in public schools but in their
- (12) parishes or in other institutions were receiving
- (13) religious instruction. It had other elements,
- (14) too. Anything that had to do with education was
- (15) pretty much sent to the education office.
- (16) **Q.** So did you have any -- were you a
- (17) liaison or had any contact in relation, let's
- (18) say, to the Catholic colleges or university in
- (19) New York that were not Diocesan schools?
- (20) **A.** Yes, I did.
- (21) **Q.** Now, in addition to that work, Bishop
- (22) Egan, were you engaged in any other activities
- (23) while you were Bishop of New York?
- (24) **A.** My assignment was to be the Auxiliary
- (25) Bishop, vicar for education, and I am that.

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- (1) **Q.** All right. For instance, did you --
- (2) where were you -- generally where were you
- (3) living during that time?
- (4) **A.** During the entire period, I lived in an
- (5) apartment that was in a retired priests home.
- (6) **Q.** Okay. You didn't have a parish, for
- (7) instance, that you --
- (8) **A.** I did not have a parish.
- (9) **Q.** All right. And then in 1988, you
- (10) became Bishop of Bridgeport?
- (11) **A.** Correct.
- (12) **Q.** All right. So as far as your
- (13) background is concerned, is it fair to say that
- (14) about the only time -- and I'm not -- this isn't
- (15) a criticism, it's just an observation -- that
- (16) you would have acted as a parish priest would
- (17) have been the -- being a curate early after
- (18) your -- after you became a priest?
- (19) **A.** No, it wouldn't be fair to say that.
- (20) **Q.** All right. Well, tell me then.
- (21) **A.** During the period in which I was the
- (22) co-chancellor of the Archdiocese of Chicago, I
- (23) was also in charge of a parish on the south side
- (24) of Chicago, St. Leo, and while I was in Rome, I
- (25) was very much a part of a parish which was

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- (1) really not a parish, it was a -- it would have
- (2) been a parish in the United States for its size
- (3) but it didn't have the position of a parish. It
- (4) was kind of what we would call a mission parish,
- (5) and -- but it had regular Sunday operation, and
- (6) I was in charge of that in the sense that I took
- (7) care of it on the weekends for years.
- (8) **Q.** All right. Let me go back to
- (9) St. Leo's. St. Leo -- Were you the -- In
- (10) other words, as you were -- had your position in
- (11) Chicago either as a vice chancellor or as a
- (12) secretary, were you also the pastor of
- (13) St. Leo's?
- (14) **A.** No. Seeing that I was the chancellor,
- (15) co-chancellor of the Diocese and seeing that it
- (16) was a parish that was all black and we were
- (17) looking for adjustments in the neighborhood for
- (18) this particular parish, for the other parishes
- (19) that were around, the title I had when I was at
- (20) St. Leo's was merely administrator.
- (21) **Q.** Was there a pastor?
- (22) **A.** There had been a pastor, but I replaced
- (23) him, and when I left, a pastor was named.
- (24) **Q.** All right. So that you were there in
- (25) the parish and ran the parish as an

Page 21

- (1) administrator? When I say as an admin -- in
- (2) other words, that was your, you say your --
- (3) A. The title --
- (4) Q. The title.
- (5) A. -- was administrator, which meant that
- (6) I was the pastor for all practical purposes.
- (7) Q. What was the parish in trouble, I mean,
- (8) whether financially or --
- (9) A. Actually there was not a question of
- (10) finance, but there was a question of tremendous
- (11) change in that part of the south side of
- (12) Chicago.
- (13) Q. Now, did you have curates at that
- (14) parish?
- (15) A. I had two curates, and I had one man
- (16) who had been a pastor in the Diocese for many
- (17) years who was a resident.
- (18) Q. All right. At that Diocese. Now over
- (19) in Rome -- And are you talking about the first
- (20) time you had been to Rome or the second time
- (21) when you talked about this mission for the
- (22) church?
- (23) A. The mission church operation in Rome,
- (24) as I said, we didn't call it a mission, but the
- (25) mission operation was during my time working in

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- (1) the Vatican, and the work there was in that
- (2) parish to be of assistance to a pastor who was
- (3) quite hard of hearing and who took care of the
- (4) parish during the week, and they were very happy
- (5) on Sunday to have someone come in there that
- (6) would take care of the confessions and the
- (7) nature masses, and I did that.
- (8) Q. Was this an Italian parish or, was
- (9) it -- when I say a foreign, was it a national
- (10) parish?
- (11) A. It was -- all of the parishioners were
- (12) Italians.
- (13) Q. They were. So, in other words, this
- (14) was a -- I should say a local parish as opposed
- (15) to, let's say, students that might have been
- (16) North American college or families of diplomats?
- (17) A. A typical Italian family parish, middle
- (18) class Italian.
- (19) Q. And what was the name of that parish?
- (20) A. St. Angelina.
- (21) Q. St. Angelina. Now, when you were in --
- (22) At any time before you came to Bridgeport, did
- (23) you have any duties that particularly involved
- (24) you in issues of sexual abuse by members of the
- (25) clergy?

Page 23

- (1) A. I had no duties involving the sexual
- (2) abuse by the clergy or anyone else.
- (3) Q. All right. In other words, I'm just --
- (4) you had no such position, okay.
- (5) Now, one of the problems we have
- (6) had in this -- or I will withdraw that.
- (7) Bishop Egan, I assume that you
- (8) have either seen or read the depositions of
- (9) Bishop Curtis as they were presented in these
- (10) state court cases; is that correct?
- (11) A. I have seen part of them.
- (12) Q. You haven't read them entirely or seen
- (13) them entirely?
- (14) A. I can't say I have seen all of them,
- (15) no.
- (16) Q. All right. And what about Monsignor
- (17) Cusack, have you read or seen his depositions?
- (18) A. I have seen part of them.
- (19) Q. All right. And what about the
- (20) deposition of Father Pcolka and Father Federici,
- (21) have you read those depositions?
- (22) A. I have read
- (23) Q. You haven't read Father Pcolka's at
- (24) all?
- (25) A. I don't recall I have not.

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- (1) Q. Has anyone given you a summary of that
- (2) deposition?
- (3) A. No.
- (4) Q. No, you are not aware of what Father
- (5) Pcolka said in his deposition?
- (6) A. I have not seen it. I may have had a
- (7) resume given to me by my counsel, but I have not
- (8) seen it.
- (9) Q. But you are obviously interested in
- (10) what owe said?
- (11) A. I am indeed.
- (12) Q. All right. Are you aware of the fact
- (13) that he took the Fifth Amendment over a hundred
- (14) times?
- (15) A. I wouldn't know the number of times,
- (16) but I am aware of the Fifth Amendment, yes.
- (17) Q. That he took it?
- (18) A. Yes, sir.
- (19) Q. All right. Also with Father Federici,
- (20) are you aware of the fact that he also invoked
- (21) the Fifth Amendment in answers to questions of
- (22) sexual abuse?
- (23) A. I am not as well aware of the Father
- (24) Federici information as -- but if you say that's
- (25) what he did, I am sure you would say it

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- (1) correctly.
- (2) Q. One of the difficulties that we have
- (3) had in this case is the definition of terms,
- (4) whether we are talking about urophiles or
- (5) pedophiles or improper advances, sexual abuse or
- (6) what-have-you.
- (7) For the purposes of this
- (8) deposition, I am basically considering any
- (9) accusation of sexual misconduct, which would be
- (10) an accusation that would go to the violation of
- (11) a priest's chastity, that kind of an accusation,
- (12) as a question of so-called sexual abuse just to
- (13) avoid a misunderstanding. We can go into it
- (14) later on in detail as we get to various people,
- (15) but to avoid a misunderstanding that something
- (16) might be an improvident touching or something
- (17) might be really an alcoholic problem, although
- (18) it had an overlay of sex, so I just -- that is
- (19) sort of where I am starting. Okay? Do you
- (20) have --
- (21) A. I understood everything until the last
- (22) three or four sentences.
- (23) Q. I'm sorry. Monsignor Cusack indicated
- (24) in answer to some questions that he didn't
- (25) consider, for instance, Father Carr touching the

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- (1) knees and thighs of young men in a movie house
- (2) as a -- when the parents came to him and
- (3) complained, as a complaint of sexual abuse, he
- (4) considered that an improvident touching for
- (5) these times, or some such thing and, therefore,
- (6) did not indicate that was a sexual abuse claim.
- (7) He also indicated in regard to
- (8) some other priest, I think it was a Father
- (9) Moore, that complaints that were brought to him,
- (10) that Moore physically attacked two young men in
- (11) bed was -- he talked about a drunkenness problem
- (12) rather than a sexual abuse problem.
- (13) So what I am merely trying to say
- (14) that I -- to avoid a misunderstanding of terms,
- (15) I am merely, when I am asking questions
- (16) regarding a priest or situations, I am talking
- (17) about a complaint that may be made which broadly
- (18) relates to a violation of chastity, and then we
- (19) can move on from there.
- (20) MR. SWEENEY: Well, that is a
- (21) very technical thing. I think in your reference
- (22) to Monsignor Cusack's prior deposition testimony
- (23) about the Father Carr complaint, yes, I think it
- (24) involved touching of the knees of two boys in a
- (25) movie theater. I do not recall it involving the

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- (1) thigs. So I just technically want to register
- (2) that now.
- (3) MR. TREMONT: All right. I think
- (4) it involved both, but it may well be.
- (5) MR. SWEENEY: Okay. I just --
- (6) Other than that, I am prepared --
- (7) MR. TREMONT: Yeah, okay.
- (8) MR. SWEENEY: -- to go ahead with
- (9) what you say.
- (10) MR. TREMONT: All right.
- (11) Q. So let me ask you: When you received
- (12) word that you were going to become Bishop of
- (13) Bridgeport, did you have any meetings -- Well,
- (14) I will withdraw that.
- (15) Did you know Bishop Curtis before
- (16) that time?
- (17) A. I had met Bishop Curtis on one occasion
- (18) at a ceremony in New York.
- (19) Q. And at that time you were not aware of
- (20) the fact that you were going to take his
- (21) position?
- (22) A. This is correct.
- (23) Q. All right. When you became aware of
- (24) that fact, I assume at some point you met with
- (25) Bishop Curtis?

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- (1) A. Surely.
- (2) Q. All right. Now could you tell me
- (3) whether you ever had any meetings with him to
- (4) discuss the -- generally the Diocese and the
- (5) condition of the Diocese and your duties?
- (6) A. When I was assigned to the Diocese of
- (7) Bridgeport, I came to the Diocese and I met with
- (8) the bishop, and we sat and talked over the major
- (9) issues of the Diocese, and I would say it was
- (10) quite a generic conversation.
- (11) Q. Now that would have been almost 10
- (12) years ago?
- (13) A. It would have been in November of --
- (14) Q. '88?
- (15) A. 1988, when I installed in December of
- (16) 1988.
- (17) Q. All right. And when you said at that
- (18) point it was general, were you -- if you recall,
- (19) did the discussion involve any particular
- (20) problems in the Diocese that might relate to the
- (21) clergy in the Diocese? Just generally.
- (22) A. The discussions with Bishop Curtis were
- (23) very brief, very generic. He told me something
- (24) which I had known, that the clergy here were an
- (25) outstanding clergy by any measure, and he

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- (1) indicated that he was very proud of the way in
- (2) which the clergy had been prepared and the way
- (3) in which the clergy had comported themselves
- (4) over the years.
- (5) He felt he had done an excellent
- (6) job, and he indicated, of course, that as in any
- (7) organization, there were and would be problems,
- (8) and he was confident I would address them.
- (9) Q. Let me ask you, did he specifically --
- (10) Let's take it piece by piece. Do you recall
- (11) whether Monsignor Cusack was present at that
- (12) meeting?
- (13) A. Monsignor Cusack was not present at
- (14) that meeting.
- (15) Q. All right. Was anybody else present
- (16) that you recall?
- (17) A. Well, I was limiting it to one
- (18) meeting. The first meeting I had with Bishop
- (19) Curtis, I believe that most of his staff was
- (20) there, and then I had, maybe the same day or the
- (21) next day, another meeting, which would have been
- (22) more between the two of us; and then as the
- (23) months wore on, on occasion I would meet with
- (24) him about this or that in the Diocese, but
- (25) largely Bishop Curtis stepped aside and allowed

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- (1) me to proceed.
- (2) Q. And as I understand it, Bishop Curtis
- (3) during -- after you became bishop, and he
- (4) retired, he was physically within the Diocese
- (5) most of the time, was he not?
- (6) A. All of the time, yes.
- (7) Q. Well, I say most. He may have gone out
- (8) on a vacation, he may have gone on a retreat, he
- (9) may have visited South America, I don't know,
- (10) but I am saying that basically that he was
- (11) living within the Diocese so he was available?
- (12) A. Correct.
- (13) Q. All right. And what you have indicated
- (14) to me is that after you did indeed become
- (15) bishop, that he -- you did consult with him on
- (16) more than one occasion?
- (17) A. Not on many occasions, but I would say
- (18) that Bishop Curtis felt that I should learn
- (19) about the Diocese and proceed to take care of
- (20) the Diocese, but when I needed to speak with
- (21) him, I did.
- (22) Q. All right. So he was available and
- (23) willing, but he wasn't going to interfere?
- (24) A. I think that's very well expressed,
- (25) sir.

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- (1) Q. All right. Now, at the time that you
- (2) became bishop, there were a number of
- (3) administrative persons within the Diocese that
- (4) had worked under Bishop Curtis.
- (5) What was your -- when I say
- (6) policy, what did you do in regard to those
- (7) various people? Do they -- For example, is it
- (8) common ecclesiastical, I don't know, that
- (9) everyone resigns when a new -- you know, when a
- (10) bishop leaves or what? I mean, how -- what
- (11) happens?
- (12) A. All right. So your question is, what
- (13) became of the staff of Bishop Curtis?
- (14) Q. Would they continue on, or what -- does
- (15) the new -- I mean, what happens generally, how
- (16) is that done?
- (17) A. By provision of the Code of Canon Law,
- (18) the Vicar General ceases to be the Vicar
- (19) General, and in due course, a new bishop will
- (20) either reappoint the Vicar General or choose
- (21) another. Monsignor William Scheid (ph.) was the
- (22) Vicar General, and after a month or two or
- (23) three, I announced that he would continue as
- (24) Vicar General.
- (25) The vicar for clergy and

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- (1) religious, when I arrived, was a priest whom I
- (2) had known for a number of years and for whom I
- (3) had the highest regard and in whom I had
- (4) extraordinary trust. It was a great gift for me
- (5) to come here and find that we had a vicar for
- (6) clergy and religious who is and was Monsignor
- (7) Laurence Bronkiewicz.
- (8) Q. Excuse me, in other words, Monsignor
- (9) Cusack was not the vicar for clergy and
- (10) religious when you came here?
- (11) A. You are asking about when I came?
- (12) Q. Yes.
- (13) A. No, he was not.
- (14) Q. Was Monsignor Cusack here within the
- (15) Diocese?
- (16) A. Monsignor Cusack -- I don't want to
- (17) try to be more specific than I can. I would
- (18) only be guessing about when he left the Diocese,
- (19) but he left the Diocese before I arrived.
- (20) Q. All right. I don't want to jump ahead
- (21) of myself.
- (22) Do you recall at the time that,
- (23) or about the time that you were installed having
- (24) conversations with Monsignor Cusack who had
- (25) advised you that he would give you information

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- (1) regarding various priests?
- (2) A. No. I had -- At that time Monsignor
- (3) Bronkiewicz, Laurence Bronkiewicz, was the vicar
- (4) for clergy and religious and had been before I
- (5) arrived, and Monsignor Cusack, at the time that
- (6) I arrived and well before the time I arrived,
- (7) was living in New Jersey. I had great
- (8) confidence in Monsignor Bronkiewicz and
- (9) consulted with him about matters of priest
- (10) personnel and religious.
- (11) Q. Now, what other major appointments did
- (12) you make?
- (13) A. The tribunal vicar continued, Monsignor
- (14) Cuneo. The bishop's secretary continued. It
- (15) was at that time Father Kevin Wallin. There was
- (16) a man who held the position of Chancellor and
- (17) vicar of education, and he continued for a short
- (18) time.
- (19) Q. Okay. Now, when you settled in office,
- (20) Bishop Egan -- Well, I'll withdraw that.
- (21) Do you know how many,
- (22) approximately how many active priests are in
- (23) the -- are incardinated to the Diocese of
- (24) Bridgeport at this time, approximately?
- (25) A. The number of incardinated priests is

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- (1) around 265, and the number who are active here
- (2) in the Diocese would be around 205, 210.
- (3) Q. And at the -- in 1988 when you became
- (4) bishop, was the number, was it approximately the
- (5) same or was it different?
- (6) A. Somewhat less.
- (7) Q. It was less.
- (8) A. Somewhat smaller.
- (9) Q. All right. And at the time that -- So
- (10) it was would you say something like 250 or a
- (11) little less than that, incardinated,
- (12) approximately?
- (13) A. The -- I cannot give you off the top of
- (14) my head what it was, but we've had some small
- (15) increase. We certainly --
- (16) Q. All right. So we'll say it's around --
- (17) A. Let me finish the thought. I prefer
- (18) always to finish a sentence.
- (19) We had some significant happy
- (20) increase over the last eight or nine years.
- (21) Q. Now, did you make it a point to review
- (22) the background of all your priests?
- (23) A. No.
- (24) Q. You didn't?
- (25) A. No.

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- (1) Q. Weren't you interested when you came
- (2) into this new Diocese as to the quality or the
- (3) abilities or the certain propensities that
- (4) various priests might have that you might be
- (5) able to use in your ministry?
- (6) A. Your question, was I interested in the
- (7) qualities and propensities of the priests?
- (8) Q. And -- in other words, yes, didn't you
- (9) want to know what they specialized -- In other
- (10) words, looking at the staff, your priests -- I
- (11) will withdraw that.
- (12) You are the Bishop of the Diocese
- (13) and you have a function to fulfill under canon
- (14) law. That's correct?
- (15) A. That's correct.
- (16) Q. All right. And within the Diocese, in
- (17) order to help you perform your duties, you have
- (18) a number of priests?
- (19) A. Is that a question?
- (20) Q. Yes.
- (21) A. All right. I see that quite
- (22) differently. There are priests who work with me
- (23) at the Catholic Center, a very small number. I
- (24) see the bishop's duty to be of service in
- (25) being the priests who are working in

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- (1) parishes and the institutions, so I would be
- (2) uncomfortable with that expression of the priest
- (3) as staff or however you put that. Now, I am
- (4) interested in that their propensities, is that
- (5) what it was, and abilities.
- (6) Q. Well, Bishop, there is no question that
- (7) the -- that any priest that's incardinated to
- (8) this Diocese owes you obedience; isn't that so?
- (9) A. In certain areas, yes.
- (10) Q. And that you have a duty to see that
- (11) those priests perform their ministerial
- (12) functions; that's your duty as their Ordinary,
- (13) is it not, under canon law?
- (14) A. I think that's a fair statement. They
- (15) have duties which follow upon their
- (16) appointments, and certainly I do everything I
- (17) can to serve them so that they do that as well
- (18) as they possibly can do it.
- (19) Q. But it's more than you do everything
- (20) you can. I mean, I think -- isn't it true that
- (21) under canon law, I mean, you have an obligation
- (22) to supervise the priests within your Diocese and
- (23) see to it that they are properly performing
- (24) their duties; that's your responsibility as
- (25) Ordinary, and they must answer to you for that,

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- (1) isn't that what canon law says?
- (2) A. I don't know where you get the
- (3) supervise and so forth. I would be hesitant
- (4) about that.
- (5) Q. All right.
- (6) A. Well, why don't you ask the question,
- (7) and I'll answer it. Could you --
- (8) Q. We'll go through the various -- we'll
- (9) go, before we finish, through the Code of Canon
- (10) Law, and we can review all those sections and
- (11) see what you may or may not agree with or -- you
- (12) do agree -- Well, we'll go through that a
- (13) little later.
- (14) All right. Now, in any event,
- (15) you are telling me that you never sat down
- (16) during that, the initial time that you became
- (17) bishop to look at the nature, the kinds of
- (18) priests, the backgrounds of the priests that you
- (19) had in your Diocese?
- (20) A. Every day I was going over the
- (21) backgrounds of the priests. When I would go to
- (22) a parish, and you may know I am very active in
- (23) going to parishes. I believe next spring I have
- (24) 50 confirmations of the 88 parishes.
- (25) I immediately advise myself about

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- (1) the person in charge in the parish, the pastor.
- (2) I immediately advise myself about those who work
- (3) under him, as they say, the parochial vicars. I
- (4) immediately advise myself about the principal of
- (5) the school, if there is one, the director of
- (6) religious education for the catechetical programs,
- (7) and I do it step by step, parish by parish,
- (8) school by school, institution by institution.
- (9) I do not think that -- not I do
- (10) not think, I would not have sat down and tried
- (11) to go over the background of all the priests at
- (12) one fell swoop or at a series of meetings. I
- (13) would handle that step by step, but certainly
- (14) within a reasonably short time, I knew very well
- (15) with whom I was dealing, yes, and whom I was
- (16) serving.
- (17) Q. And in doing that, for instance, you
- (18) are indicating that if you were to go to a
- (19) parish, St. Patrick's, if you will, in
- (20) Bridgeport, Blessed Sacrament in Bridgeport, and
- (21) were you to visit that parish, at that point you
- (22) would determine which priests were active in
- (23) that -- I say "active," whether there was a
- (24) pastor curates in the parish, and you would
- (25) become familiar with them before you --

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- (1) A. That would not be the only time.
- (2) Certainly that was an example. I am going to be
- (3) going to a parish for a confirmation, an
- (4) installation, a celebration, an anniversary or
- (5) whatever, I very carefully got the background of
- (6) everyone whom I was likely to meet and --
- (7) Q. All right. And --
- (8) A. Allow me the finish, please. And if,
- (9) for instance, someone were to come to me and say
- (10) St. So-and-So parish wants to put an addition on
- (11) the school, this would be another occasion for
- (12) me to say, "All right. Now, let's see. Who is
- (13) working for the pastor there at St. So-and-So
- (14) school, how long has he been there, who is he,
- (15) what success has he had," and so forth.
- (16) So my becoming acquainted with
- (17) the priest whom I would be serving, as they did
- (18) their work in the Diocese, was not -- and I
- (19) believe wisely, was not an attempt just to have
- (20) an overview but within a short time, through
- (21) ordinary contacts and occasions, I knew very
- (22) well the priest whom I would be serving.
- (23) Q. Now, in doing that, I assume that you
- (24) would have looked at the background of the
- (25) priest?

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- (1) A. Certainly.
- (2) Q. Now, when you came to the Diocese,
- (3) would you be good enough to tell me what filing
- (4) system did you maintain in regard to priests in
- (5) the Diocese?
- (6) A. Surely. A filing system would be that
- (7) you would find, I believe, in most Dioceses,
- (8) each office, the bishop's office, the vicar for
- (9) clergy and religious, the catechetical office, the
- (10) school office and whatever, would have a file,
- (11) and certainly the bishop's office would have all
- (12) the priests' names in the file, the school's
- (13) office would have the priests with whom they
- (14) were dealing because of schools that were being
- (15) built or which they were serving in one way or
- (16) another, so there would be files in all of the
- (17) offices that served the priest in one way or
- (18) another.
- (19) The main file for priests, which
- (20) you might speak of as kind of a personnel file,
- (21) would be in the office, rightly, of the vicar
- (22) for clergy and religious, religious being
- (23) priests or sisters who are vowed not part of the
- (24) Diocese.
- (25) All of the offices maintained

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- (1) good files, and I was pleased with the files I
- (2) found.
- (3) Q. Let's start off with the bishop's file,
- (4) okay?
- (5) A. Yes.
- (6) Q. When you gained office, at that point
- (7) there were files regarding specific priests
- (8) which Bishop Curtis gave to you or were left in
- (9) his office for you?
- (10) A. If I said that, it was a mistake.
- (11) There would be a file in the bishop's office for
- (12) every priest, not for a specific priest.
- (13) Everyone would have files.
- (14) Q. Excuse me, when I am saying a specific
- (15) priest, I mean a file, in other words, files
- (16) which are so labeled and set up that they have
- (17) the names of specific priests, so I don't mean
- (18) there is a file for only one priest or only
- (19) five. I mean that there are files that are
- (20) specifically filed under the name of a priest --
- (21) A. All right. There is a --
- (22) Q. That's the identity of the file --
- (23) A. All right.
- (24) Q. -- if you will, in the bishop's
- (25) office.

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- (1) A. All right. If that's what you mean by
- (2) specific, good. There is a file that serves the
- (3) bishop that contains every priest of the Diocese
- (4) with a folder or two.
- (5) Q. Now, it's my understanding that those
- (6) particular files had been there from your
- (7) predecessor?
- (8) A. Certainly.
- (9) Q. All right. And then you maintained
- (10) them, you kept them up?
- (11) A. Correct.
- (12) Q. Now, what would you -- I will withdraw
- (13) that.
- (14) When you got to the -- came to
- (15) the office, what was contained in the -- We'll
- (16) call those the bishop's files, if you will.
- (17) What were contained in those files in regard to
- (18) a priests?
- (19) A. The usual thing to be found in that
- (20) kind of a file would be the indications of his
- (21) performance in the seminary, a document stating
- (22) that he was ordained on such and such a date, a
- (23) copy of each letter appointing him to whatever
- (24) assignments he had. If he were made a monsignor
- (25) or something like that, it would be in it. The

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- (1) bishop's file would be, I would say, a rather
- (2) generic file with the basics of what he had done
- (3) in relationship to the Diocese, mostly through
- (4) appointments by the bishop or through his
- (5) ordination.
- (6) Q. If there were any complaints or
- (7) disciplinary actions regarding that priest,
- (8) would that be contained in the bishop's file?
- (9) A. All right. If there were any
- (10) complaints or disciplinary actions, the
- (11) complaint or the disciplinary action was -- for
- (12) years, Bishop Curtis had -- was put in charge --
- (13) the man that was in charge of that was the vicar
- (14) for clergy and religious, and so the file would
- (15) contain, it would contain the complaints, or
- (16) disciplinary actions would be the file in the
- (17) office of the vicar for religious.
- (18) Q. So you're -- Are you telling me that
- (19) within Bishop Curtis -- I say Bishop Curtis's
- (20) files -- the files that you inherited --
- (21) A. Sure. Right.
- (22) Q. -- if you will, they were not of your
- (23) making, from Bishop Curtis, they did not contain
- (24) any complaints regarding priests?
- (25) A. I could well imagine something could

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- (1) have gotten in there, but certainly the style,
- (2) the policy, the way it was handled, was matters
- (3) of that kind were handled by the vicar for
- (4) clergy and religious and would have been in his
- (5) file.
- (6) Q. All right. Now, as you maintained
- (7) these files, Bishop Egan, did you place in the
- (8) bishop's priest files any papers or documents or
- (9) memos that might relate to the -- a complaint
- (10) being brought against a priest or investigation
- (11) regarding a priest?
- (12) A. To the best of my knowledge, the policy
- (13) would have been followed that any complaints or
- (14) disciplinary issues would have been handled by
- (15) the vicar for clergy and religious and placed in
- (16) his file.
- (17) Q. All right. So you didn't do it either,
- (18) you don't do it either. You don't -- Your
- (19) filing system does not include within the
- (20) so-called bishop's files complaints against
- (21) priests, that goes in another place?
- (22) A. That's right. Now, let's be very
- (23) clear. Someone could write a complaint that he
- (24) sings poorly or that his sermon was too short or
- (25) something of that sort, and there is a certain

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- (1) amount of that, and I wouldn't bother in most
- (2) cases -- so I might not put it in the file at
- (3) all, but I certainly would -- it could easily go
- (4) into the bishop's file if it was that kind of
- (5) thing, but it was something -- your words, I
- (6) think, were disciplinary issues or complaints.
- (7) Complaints, I take it you mean about what?
- (8) About the matter -- anything?
- (9) Q. A complaint -- I say a fairly
- (10) significant complaint, a complaint about an
- (11) alcohol problem, a complaint about --
- (12) A. All right.
- (13) Q. Let me ask you: Let's assume that it
- (14) was -- when I say a liturgical or a theological
- (15) complaint, that somebody indicates that a
- (16) particular priest is promoting a practice which
- (17) might be a violation of what -- of the teachings
- (18) of the church, somebody filed such a complaint,
- (19) nonsexual, I mean would that go to the vicar of
- (20) the clergy as opposed to the --
- (21) A. It would. It would. And the other one
- (22) you gave, the other example, I think, was
- (23) alcohol. It goes, too, it would certainly go
- (24) into there.
- (25) Q. All right. Now, the -- was there --

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- (1) You've told us of the bishop's files, if you
- (2) will, and you say that the vicar of the clergy
- (3) had separate files in regard to the various
- (4) priests. Now what would be the files of the
- (5) vicar of the clergy contain?
- (6) A. It would contain anything that he dealt
- (7) with. And incidentally, oftentimes he would be
- (8) dealing with something very pleasant, whether or
- (9) not somebody should be -- I don't know --
- (10) considered for postgraduate studies, whether or
- (11) not someone should be considered for some kind
- (12) of an idealistically honor. The files would not
- (13) always be anything negative.
- (14) But if it were in the area of
- (15) what anyone would commonly consider a personnel
- (16) issue of seriousness, it would go to the person
- (17) who was in charge of our priests or personnel
- (18) and our religious personnel as well, which was,
- (19) of course, Monsignor Bronkiewicz.
- (20) Q. Well now, is it your understanding that
- (21) the files that Monsignor Bronkiewicz keeps, for
- (22) instance, are files of all the priests in the
- (23) Diocese or files are only developed by the vicar
- (24) of clergy when an issue comes up, be it good or
- (25) bad?

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- (1) A. I would have trouble answering how --
- (2) the history of it, but I am quite sure that in
- (3) any Diocese, the files very likely would be one
- (4) for each.
- (5) Q. All right. And you have had occasion
- (6) to look at those files, I assume, involving some
- (7) particular priest?
- (8) A. When you say I have had occasion to
- (9) look for it, you mean go to it myself?
- (10) Q. Or have it brought to you.
- (11) A. Exactly, yes.
- (12) Q. Now, in addition to those two files,
- (13) you indicated that there were files regarding
- (14) priests that may be kept at schools, did you
- (15) say, and parishes?
- (16) A. School's office has a filing system,
- (17) and I'm quite sure, as I had a filing system in
- (18) New York, that the priests that related to
- (19) schools, catechitic, seminary work, adult
- (20) education and so forth, would very easily end up
- (21) with a folder because of the relationship.
- (22) I don't know that the
- (23) superintendent of schools needed to have a file
- (24) or needs to have a file on each and every
- (25) priest, the catechitics of the newspaper or the

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- (1) tribunal or whatever.
- (2) Q. What about the secret archives? Are
- (3) there any documents regarding priests, specific
- (4) priests, within the secret archives?
- (5) A. There are no documents in the secret
- (6) archives that have to do with any misbehavior by
- (7) priests. The secret archives is a canonical
- (8) requirement for a Diocese. You have to have
- (9) historical archives which would have historical
- (10) documents, Diocesan archives that has the
- (11) general documentation of the Diocese, when it
- (12) was founded and so forth, and then the set
- (13) aside, the secret is really -- means set aside,
- (14) the archives which have specific things in
- (15) there, and the one that would be of interest is
- (16) the one you mentioned, would there be anything
- (17) about -- you said about some misbehavior. Is
- (18) that what you said? What did you say?
- (19) Q. Right.
- (20) A. Yes. There is not.
- (21) Q. All right. Are you aware of the fact
- (22) that Bishop Curtis has testified that he did
- (23) indeed place various negative complaints, that
- (24) he would on occasion place negative complaints
- (25) regarding priests in the secret archives? Are

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- (1) you aware of that?
- (2) MR. SWEENEY: Just for the
- (3) record --
- (4) MR. TREMONT: That's not
- (5) counsel. Mr. Sweeney, it's not a --
- (6) MR. SWEENEY: Well, I think it
- (7) misstates the record, Counsel.
- (8) MR. TREMONT: Well, let's assume
- (9) it misstates it. Then you can clear the record
- (10) up. You don't have to do it at this point.
- (11) MR. SWEENEY: You are stating it
- (12) as a matter of fact, which is --
- (13) MR. TREMONT: I can have a right
- (14) to say anything, as a matter of fact, that I
- (15) wish.
- (16) MR. SWEENEY: Well, I wish the
- (17) record to reflect it's a misstatement of prior
- (18) evidence.
- (19) MR. TREMONT: Well, it isn't a
- (20) misstatement, Mr. Sweeney, and I am asking the
- (21) question.
- (22) May I have that question read
- (23) again.
- (24) (Question read.)
- (25) A. By negatives you mean, again you are

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- (1) speaking of sexual misconduct?
- (2) Q. Or he indicated -- things that were
- (3) negative against the priests, complaints that
- (4) were of a negative nature, it may be sexual
- (5) conduct, it may be something else, which was
- (6) deleterious to the priest's career.
- (7) A. I guess the question was am I
- (8) acquainted with what he said? That was the
- (9) question; is that right?
- (10) Q. Yes.
- (11) A. And my answer is no.
- (12) Q. All right. Did you ever find in the
- (13) so-called secret archives complaints regarding a
- (14) priest that were placed there before you became
- (15) Bishop of Bridgeport?
- (16) A. Again, do you want to say what kind of
- (17) complaints you have in mind? Any kind of a
- (18) complaint?
- (19) Q. I am saying negative complaints
- (20) regarding a priest.
- (21) A. I looked to see if there were any
- (22) complaints that had to do with misconduct of a
- (23) sexual sort, and there were not. I cannot say
- (24) whether or not there were -- anything negative
- (25) about a priest in the secret archives, as you

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- (1) call it, that Bishop Curtis kept.
- (2) Q. Excuse me, you say as I call it. I am
- (3) referring to a -- Bishop, if I may, read this to
- (4) you?
- (5) MR. SWEENEY: Counsel, what
- (6) page?
- (7) MR. TREMONT: Page 54, Bishop
- (8) Curtis, his deposition.
- (9) Q. Bishop Curtis deposition, could you
- (10) tell me what would happen to these medical
- (11) reports? This is regarding persons who against
- (12) which there was claims of sexual misconduct.
- (13) Where would they go after they were received?
- (14) They would go in the priest's
- (15) files, says Bishop Curtis.
- (16) When you say the priest's file,
- (17) are you talking about a file which is made up by
- (18) the Diocese with the name of the priest on it?
- (19) Yes.
- (20) A specific record?
- (21) Yes.
- (22) All right. And you had mentioned
- (23) before that there were times that you would take
- (24) a complaint in regard to a priest and take it
- (25) out of the file? I think you said because it

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- (1) was old or --
- (2) Answer: Out of the secret file,
- (3) says Bishop Curtis.
- (4) I say, question, out of the
- (5) secret file, okay. And where would you put that
- (6) when you took it out?
- (7) I would destroy it.
- (8) You would destroy it?
- (9) Yes.
- (10) And what was -- give me an
- (11) example of the reason you would do that.
- (12) Answer: Well, it would be -- it
- (13) would be an antiquated issue. It happened so
- (14) long before, there was no point in preserving it
- (15) any longer.
- (16) Now, based upon that testimony,
- (17) Bishop Egan, it was my understanding that Bishop
- (18) Curtis had kept within what he calls the secret
- (19) files, which were the secret archives, records
- (20) that regarded sexual misconduct by a priest,
- (21) okay; and it is your answer, as I understand it,
- (22) that when you reviewed those files of your
- (23) priests in the Bridgeport Diocese, the secret
- (24) files, you found no such records.
- (25) MR. SWEENEY: Objection,

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- (1) Counsel. There is a matter of form here, and I
- (2) want to just put it on the record. The
- (3) testimony you have read refers to a secret file,
- (4) the personnel file being secret, so it's not
- (5) shown to other people --
- (6) MR. TREMONT: Mr. Sweeney, you
- (7) know something, you have a very intelligent
- (8) witness here, and you have gone over this a
- (9) thousand times with him, and there is absolutely
- (10) no need to try to coach the witness. The
- (11) testimony is what the testimony is, and you know
- (12) what it is specifically.
- (13) MR. SWEENEY: I know what you --
- (14) MR. TREMONT: He can answer any
- (15) way he wishes.
- (16) A. You have to ask a question. Ask a
- (17) question.
- (18) Q. May I have an answer, please? If you
- (19) can't answer it, you just say.
- (20) MR. TREMONT: May we have read
- (21) the answer read, the question read.
- (22) (Question read.)
- (23) Q. The secret archives.
- (24) A. What question? Would you start again
- (25) for me? What is your question? Ask me your

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- (1) question
- (2) MR. TREMONT: We're just reading
- (3) the deposition, Bishop, which was interrupted.
- (4) MR. SWEENEY: Counsel, I want to
- (5) make this form issue very clear on the record.
- (6) There is a difference between secret personnel
- (7) files and secret archives. Now are you asking
- (8) this witness whether his review of the secret
- (9) archives being different from the secret
- (10) personnel files?
- (11) MR. TREMONT: Mr. Sweeney, we
- (12) have been on this case three years. I haven't
- (13) heard the term "secret personnel files." I've
- (14) never heard it, and I have never heard it until
- (15) today so you have a very quick mind and you
- (16) have managed to come up with secret personnel
- (17) files challenge you to find one place in one
- (18) piece of the thousands of pages that you have
- (19) managed to produce and we have produced in this
- (20) case that talks about the secret personnel
- (21) files all right?
- (22) MR. SWEENEY: Well, I think --
- (23) MR. TREMONT: I am sticking to my
- (24) question, Mr. Sweeney, and I will ask the
- (25) question once again.

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- (1) Q. You are telling me, Bishop Egan, that
- (2) you have reviewed the secret archives which are
- (3) kept in accordance with canon law and you have
- (4) found no complaints whatsoever of any reports or
- (5) records concerning sexual misconduct of priests?
- (6) A. That's correct. That's correct.
- (7) Q. Are you aware of the fact --
- (8) A. I thought your question was whether or
- (9) not there was something contradictory in Bishop
- (10) Curtis's statement, which I don't think there
- (11) is, but I'm not sure what you're asking --
- (12) Q. That's not my question. You asked me
- (13) to repeat it, I repeated it and you answered
- (14) it. Thank you.
- (15) Now were you advised at any time
- (16) by Bishop Curtis that he destroyed complaints
- (17) that were made against priests regarding
- (18) misconduct because he thought they were
- (19) antiquated?
- (20) A. I was never so advised. I do know
- (21) this --
- (22) Q. So your answer is first you were not so
- (23) advised?
- (24) A. I will leave it there.
- (25) Q. I save it there, okay.

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- (1) Now, did you have any discussions
- (2) with Monsignor Bronkiewicz regarding -- when you
- (3) first became Bishop, regarding any problems that
- (4) you might have with your clergy or that he had
- (5) with his clergy regarding chastity?
- (6) A. As any question would come up about a
- (7) particular individual, I would have immediately
- (8) discussed with Monsignor Bronkiewicz. Your
- (9) question was whether or not I discussed about
- (10) chastity of the priests in general? Was that
- (11) your question?
- (12) Q. Right.
- (13) A. No, I did not.
- (14) Q. In other words, at any point when you
- (15) got acquainted with the Diocese outside of the
- (16) information that you told me?
- (17) A. I didn't hear the last --
- (18) Q. All right. You indicated to me that
- (19) you became acquainted with the priests in the
- (20) Diocese by reviewing --
- (21) Off the record.)
- (22) BY MR. TREMONT:
- (23) Q. -- by reviewing their file or their
- (24) background before you went to, let's say, a
- (25) parish?

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- (1) A. Or when a letter would come in about
- (2) someone or when one of the priests would ask to
- (3) come and see me or if I happened to meet him
- (4) somewhere or something, whatever the occasion
- (5) was, I would take that occasion to inform myself
- (6) about the individual or the institution with
- (7) which he was involved.
- (8) Q. All right. You would use that as the
- (9) catalyst, some of that?
- (10) A. The catalyst, I said the occasion.
- (11) Q. Well, as opposed to setting down what
- (12) someone might do, and say, "Well, I have 225 or
- (13) 230 individuals that I am going to be involved
- (14) with and let me just quickly read up on them and
- (15) take a few a night or a half dozen, so I can
- (16) have an idea of the kinds of individuals or
- (17) personalities or background, educational
- (18) background, that I have in the parish."
- (19) You did it - in other words,
- (20) yours was induced by an action or activity, you
- (21) were going to meet somebody, somebody wanted to
- (22) see you?
- (23) A. I was going to go somewhere, whatever
- (24) the occasion might have been, and in a very
- (25) short time, I knew many.

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- (1) Q. Okay. Now, when - did you speak -
- (2) So what I am saying to you is that you sit down
- (3) and get an overview from Monsignor Bronkiewicz
- (4) and say to him, for instance, "Tell me, are
- (5) there - do we have any particular problems
- (6) regarding alcoholism, do we have particular
- (7) problems maybe regarding theology, do we have
- (8) any particular problems with any of the priests
- (9) that you feel may be a little overboard one way
- (10) or another, either reactionary, conservative or
- (11) what-have-you regarding theological doctrine,"
- (12) did you have that general discussion with him?
- (13) A. I had particularized discussions about
- (14) all those issues depending upon the individual
- (15) whose name came up or the group whose name came
- (16) up.
- (17) Q. All right. So you only did it as you,
- (18) indicated to us on the basis that you had a
- (19) particular reason, whatever it might be, to know
- (20) about or to become familiar with a priest?
- (21) A. Very quickly, I got to know the priests
- (22) very well, discussed all of them with Monsignor
- (23) Bronkiewicz because - occasion by occasion, I
- (24) came to inform myself.
- (25) Q. Now when you reviewed the background of

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- (1) a priest, did you use the files of the vicar of
- (2) clergy in addition to the so-called bishop's
- (3) file?
- (4) A. I didn't use either file.
- (5) Q. You used neither file?
- (6) A. That's right.
- (7) Q. And could you tell me why you didn't
- (8) look at a file?
- (9) A. On different occasions I am sure I
- (10) could have asked for a file, but I didn't do it
- (11) that way. I don't think that would be the
- (12) efficient way to do it. I would speak to
- (13) Monsignor Bronkiewicz about this person or
- (14) whoever was under discussion, I would seize
- (15) occasions to, if there were any problem at all
- (16) or any particularly fine element of this person,
- (17) to mention it to the other people on the staff,
- (18) the vicar general, the chancellor and so forth,
- (19) but there was no need to go and say, "Bring me a
- (20) file about so-and-so and I will read it" and so
- (21) forth. I did not do that.
- (22) Q. Is there any reason why you didn't?
- (23) A. There would be no reason to do it.
- (24) Q. Well, for instance, you have indicated
- (25) to me that the files might have included

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- (1) complaints that were made against priests or
- (2) questions of misconduct of a priest, wouldn't
- (3) that have e of interest to you?
- (4) A. It certainly would.
- (5) Q. Well, why wouldn't you take the file
- (6) and read it and find out what it was about?
- (7) A. If the discussion was about a
- (8) particular priest and I was advised that this
- (9) particular priest had some kind of problem, I
- (10) would certain imagine that - not imagine, but
- (11) what would happen someone could sit down and
- (12) tell me about it, someone could come in and
- (13) bring in the file on occasion if they wanted,
- (14) someone could hand me particular things in the
- (15) file to make it more clear what was being
- (16)-discussed, but I did not go priest by priest,
- (17) and say, "Has this man had any problem" or
- (18) anything of the sort. I rather found what was
- (19) needed by discussion and, when discussion was
- (20) not sufficient, to ask for individual letters,
- (21) whatever.
- (22) Q. Are you now saying that, in fact, you
- (23) did review specific files when an issue came up
- (24) regarding a specific priest?
- (25) A. Any time there was a serious issue

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- (1) about a priest, maybe he was an outstanding
- (2) priest that was being considered for a
- (3) particular position in the Diocese, yes,
- (4) anything in the file that was of interest, I
- (5) would say show it to me.
- (6) Q. But you wouldn't take the initiative to
- (7) say, "Let me have the priest - let look at the
- (8) entire file"?
- (9) A. I don't recall doing that, no.
- (10) Q. So the answer is that you did not do
- (11) that?
- (12) A. I did not think that was the way to
- (13) approach it, and I don't think it would have
- (14) been an effective way. There is only so much
- (15) you can remember. I took one file - one case
- (16) at a time. If there was a need to consult the
- (17) file, the file could be brought to me or
- (18) something inside the file could be given to me.
- (19) Q. What I am asking you, though, Bishop,
- (20) specifically is whether you reviewed files of a
- (21) specific priest that might be accused of
- (22) misconduct, the total, the complete file, your
- (23) bishop's file and the vicar of clergy's file at
- (24) any time.
- (25) A. Okay, fine. Well, that's - I perceive

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- (1) that as a different question. If there was a
- (2) question of misconduct, would I ask for the
- (3) file? Yes. But just because I was hearing
- (4) about this priest or was asking how he is and so
- (5) forth and what kind of work he is doing, there
- (6) would be no reason to go and ask for files, but
- (7) now this new question is, if I understand
- (8) correctly -
- (9) Q. I don't believe it's a new question,
- (10) but okay. This is your understanding is that
- (11) you would review at times the complete files
- (12) regarding -
- (13) A. If there were a question -- Isn't that
- (14) what you just said, a question of misconduct?
- (15) Q. Yes.
- (16) A. Okay.
- (17) Q. But whether - The point is you would
- (18) review, there were times when you would review
- (19) the complete file of a priest?
- (20) A. That's right.
- (21) Q. Both what was in the bishop's file and
- (22) what was in Monsignor Bronkiewicz's file?
- (23) A. Correct.
- (24) Q. Okay. Now, when you came to the
- (25) Diocese, was there any written policy regarding

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- (1) sexual misconduct of priests that you are aware
- (2) of?
- (3) A. To my knowledge, the policy, which was
- (4) very well worked out and excellently
- (5) implemented, was not written and distributed as
- (6) far as I know. I saw to that myself within a
- (7) short time.
- (8) Q. So when you got there, as far as you
- (9) knew, there was no written policy?
- (10) A. There was no written policy that I am
- (11) aware of. I mean the kind of thing I did, where
- (12) we specify exactly what it will be shared with
- (13) all the priests and that sort of thing, that was
- (14) not there.
- (15) Q. All right.
- (16) A. Written policy, printed policy.
- (17) Q. You say the policy was very well worked
- (18) out. All right. Tell me what was - when did -
- (19) you institute a written policy?
- (20) A. I'll be approximate, but I believe it
- (21) would be late 1989 or early 1990.
- (22) Q. All right. And what caused you to
- (23) issue a written policy?
- (24) A. I operate that way. I like to have
- (25) things written, and I had been in a school

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- (1) system where - and so, and then there were
- (2) discussions around the country about priests,
- (3) and I thought it was the proper thing to have a
- (4) written policy.
- (5) Q. Now -
- (6) A. And shared with the priests.
- (7) Q. You mentioned a few things. Let me go
- (8) back. You indicated something about your
- (9) experience with schools. Are you referring to
- (10) your experience in New York?
- (11) A. Right.
- (12) Q. All right. Was there a written policy
- (13) in New York when you were auxiliary bishop
- (14) regarding sexual misconduct?
- (15) A. I was referring to schoolteachers. The
- (16) policy that you have for schoolteachers, the
- (17) policy, how the files must be kept by principals
- (18) and so forth, and they must know what the law is
- (19) and so forth.
- (20) Q. Would you tell me about that? This is
- (21) in New York?
- (22) A. It's in New York, yes. There is a
- (23) policy for all the different actions of a
- (24) teacher. Does the teacher prepare the lessons
- (25) properly according to the Diocese, does he or

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- (1) she show up on time and so forth. Because of
- (2) issues of termination and so forth, you have to
- (3) keep those things, not only well in file but you
- (4) have to make it well known, it has to be written
- (5) and made known to the individual teachers. I
- (6) think it's a very good way to operate, and I
- (7) operate that way here.
- (8) Q. Well, what does that have to do with
- (9) sexual misconduct?
- (10) A. Well, if the teacher were involved or
- (11) accused of any sexual misconduct or any kind of
- (12) misconduct, that would be in the file.
- (13) Q. Okay. And you say that it would be -
- (14) that was a written policy of the Diocese of New
- (15) York?
- (16) A. Surely.
- (17) Q. And when you say it was disseminated -
- (18) A. The principals and the teachers would
- (19) know what the policy was.
- (20) Q. In other words, they would be -
- (21) A. Given a copy.
- (22) Q. But they would, I assume - They would
- (23) be given a copy of the policy?
- (24) A. Right.
- (25) Q. Obviously they wouldn't be given a copy

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- (1) of a complaint that might have been made about
- (2) some other teacher, they might be able to see
- (3) their own at some point, okay, but they would be
- (4) given a copy of the policy?
- (5) A. That's right.
- (6) Q. Let me ask you: At that time, was
- (7) there a policy in the Diocese of New York
- (8) regarding sexual misconduct of priests, a
- (9) written policy?
- (10) A. I don't recall. I don't know. I don't
- (11) think I - I don't know. I took care of the
- (12) education and I didn't get into the other.
- (13) Q. So that you, for instance, were never
- (14) aware when you were Bishop of New York about
- (15) anything that you, as a priest in the New York
- (16) Diocese, should do in regard to claims or
- (17) complaints of sexual abuse?
- (18) A. I cannot pull out of my memory right
- (19) now. If there was a policy that was stipulated
- (20) and printed, I am sure they would have given me
- (21) a copy and I certainly would have read it, but I
- (22) cannot recall right now.
- (23) Q. You yourself did have a policy for the
- (24) schools?
- (25) A. Right.

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- (1) Q. Which was your jurisdiction?
- (2) A. Right, and it was there before I
- (3) arrived.
- (4) Q. Okay. Now, when you - You indicated
- (5) to us that the other - I will withdraw that.
- (6) You thought a written policy was
- (7) a good idea, that is why you enact it?
- (8) A. That's why I did it, yes.
- (9) Q. You also indicated there was - Did
- (10) you indicate that there was - around that time
- (11) that there was discussion regarding sexual abuse
- (12) in the clergy?
- (13) A. Correct.
- (14) Q. Could you tell me about that?
- (15) A. It was in the newspapers and certainly
- (16) that would strengthen one's commitment, if one
- (17) was a written policy type of person, to take
- (18) care of it that way.
- (19) Q. Now, you belong to the National Council
- (20) of Catholic Bishops?
- (21) A. Every bishop that is an Ordinary, to
- (22) use your expression, residential bishop as we
- (23) say now, or an auxiliary bishop, immediately
- (24) becomes at the next meetings of the United
- (25) States Catholic Congress or the National

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- (1) Conference of Catholic Bishops a member.
- (2) Q. All right. And that was my - I think
- (3) you have answered my - My follow-up question
- (4) was whether you were a member as you were
- (5) Auxiliary Bishop of New York.
- (6) A. My answer would be yes.
- (7) Q. Okay. And did you attend meetings of
- (8) the conference as Auxiliary Bishop of New York?
- (9) A. I did.
- (10) Q. All right. And that would have been -
- (11) Was it 1985?
- (12) A. Correct.
- (13) Q. All right. So that you attended the
- (14) meetings from 1985 up until - well, you
- (15) attended them from 1985 through 1989 and beyond?
- (16) A. I attend them. I might miss one or
- (17) another, but I attend them.
- (18) Q. You get the publications and whatever?
- (19) A. That's right.
- (20) Q. It's disseminated. All right. Now -
- (21) MR. SWEENEY: Could we take a
- (22) mid-morning break? If we are in the middle of
- (23) something, we can wait, but I see we're at the
- (24) 11:30 time -
- (25) MR. TREMONT: Mr. Sweeney, I know

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- (1) you want to take your mid-morning break and your
- (2) customary lunch break.
- (3) MR. SWEENEY: Well, whatever
- (4) is --
- (5) MR. TREMONT: And I am willing to
- (6) go through on both of them, but fine, you want
- (7) to take it, take it.
- (8) MR. SWEENEY: If this is a good
- (9) time, fine.
- (10) MR. TREMONT: It's okay.
- (11) THE VIDEOGRAPHER: Going off the
- (12) record at 11:28 a.m.
- (13) (Recess: 11:30 to 11:45 a.m.).
- (14) THE VIDEOGRAPHER: We are now
- (15) back on record at 11:51 a.m.
- (16) BY MR. TREMONT:
- (17) Q. Now, Bishop, how was it that you
- (18) were -- you became aware of the sexual
- (19) misconduct policy of the Diocese of Bridgeport
- (20) as it was under your predecessor?
- (21) A. I met with Monsignor Bronkiewicz, and I
- (22) asked to know the policy in detail, and I asked
- (23) to know how they proceed with the implementation
- (24) of it, and I encouraged him to consider what I
- (25) thought to be an excellent procedure.

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- (1) Q. Couldn't tell us what Father
- (2) Bronkiewicz told you the policy was?
- (3) A. If there were an accusation or there
- (4) were reason to believe that there had been
- (5) sexual misconduct, the priest in question was
- (6) invited immediately to come and see Monsignor
- (7) Bronkiewicz after having informed me of the
- (8) concern of the accusation, if it was an
- (9) accusation, and he would see the accused.
- (10) The accused may deny the
- (11) accusation, there may be a number of things that
- (12) could ensue and Monsignor would make a report to
- (13) the Bishop on what he learned from that
- (14) conversation.
- (15) If it were thought that one might
- (16) in any way come to the conclusion that there was
- (17) something substantial, the approach was to see
- (18) to it that a professional psychiatric,
- (19) psychological evaluation was made, and in the
- (20) meantime, if this was something that was thought
- (21) to be substantial, the priest in question was --
- (22) you had his faculties as we say, had his
- (23) authority to exercise the priesthood withdrawn,
- (24) the report of the psychiatric psychological
- (25) persons or institution would be studied and a

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- (1) conclusion would be made about what needed to be
- (2) done. This, to my understanding, was carried
- (3) out for years, and I found it to be an excellent
- (4) approach.
- (5) Q. Did the policy as enunciated to you by
- (6) Monsignor Bronkiewicz indicate that there would
- (7) be a written record of the complaint and/or
- (8) investigation?
- (9) A. If there were a complaint, there would
- (10) very -- the complaint would be written, although
- (11) it could be -- no, it could be that, well, that
- (12) someone would come in and make the complaint
- (13) orally, but there would be certainly, in the
- (14) psychological evaluation, that would come back
- (15) something in writing.
- (16) I didn't hear you -- Say your
- (17) question again.
- (18) Q. I am asking whether the policy as
- (19) enunciated to you indicated that there would be
- (20) a recording, a record of the complaint and/or
- (21) investigation?
- (22) A. There would be such a record.
- (23) Q. All right. And the policy as Monsignor
- (24) Bronkiewicz enunciated to you included advising
- (25) the Ordinary of the Diocese when the complain

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- (1) was made?
- (2) A. Advising myself, the Bishop?
- (3) Q. Well, advising, not yourself but the
- (4) bishop.
- (5) A. Oh, I see. Yes, we're talking --
- (6) Right, all right. Yes, the Bishop would be
- (7) informed, obviously, yes.
- (8) Q. And did Monsignor Bronkiewicz indicate
- (9) to you whether there would be any dissemination
- (10) to members of the clergy, to pastors and school
- (11) authorities, and members of the clergy to the
- (12) effect that any incidents of sexual misconduct,
- (13) any claims or complaints, should be reported to
- (14) the Vicar General or somebody within the
- (15) Diocese?
- (16) A. Your question is did Monsignor
- (17) Bronkiewicz tell the priests that if they knew
- (18) of something they --
- (19) Q. No.
- (20) A. No. Say it again.
- (21) Q. Did Monsignor Bronkiewicz indicate to
- (22) you that the policy was that the pastors, the
- (23) priests, the school personnel, whoever it might
- (24) be, were advised that if there was any complaint
- (25) of sexual misconduct made against the priest,

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- (1) that that complaint should be brought to the
- (2) proper authority in the Diocese?
- (3) A. I'm not sure. I don't recall that
- (4) particular detail. It probably would be assumed
- (5) that if there were a serious substantial
- (6) complaint of this kind, a priest would bring it
- (7) to our attention, to the attention of the bishop
- (8) and/or the vicar for the clergy. Whether he
- (9) told me there was a specific detailed memorandum
- (10) or something of that sort, I don't know.
- (11) Q. Well, you indicated to me, I believe,
- (12) that it was your understanding that the policy
- (13) was oral, that there was no written policy
- (14) before you came?
- (15) A. The policy that had -- that we were
- (16) operating on was a policy which was unwritten,
- (17) that's right, unprinted.
- (18) Q. So I am asking you, I am assuming,
- (19) then, there would be no memorandum because the
- (20) policy was not written?
- (21) A. That's right.
- (22) Q. So I am asking whether included within
- (23) the oral policy, as it was understood, was that
- (24) pastors, for example, were to advise the Diocese
- (25) if there was a complaint of sexual misconduct

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- (1) against one of the priests?
- (2) A. I would have no doubt that the pastors
- (3) were to make such a report. Whether or not
- (4) Monsignor specified that as something as to the
- (5) policy, I don't know. It would be obvious that
- (6) they should.
- (7) Q. All right. You felt that that was a
- (8) good policy, the policy that existed?
- (9) A. I felt that the policy that was in
- (10) force when I came was well done in every way,
- (11) yes.
- (12) Q. All right. The policy that you assumed
- (13) to be in force was well done and was acceptable
- (14) to you?
- (15) A. Did I say assumed? I said it was the
- (16) policy.
- (17) Q. You are assuming, you are being told
- (18) this. You weren't there at the time, so you're
- (19) assuming that was the policy as a result of what
- (20) you were told, correct?
- (21) A. What was the -- Start your question
- (22) again.
- (23) Q. In other words, you were informed of
- (24) this, you told me, from Monsignor Bronkiewicz?
- (25) A. Yes, okay, informed.

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- (1) Q. So therefore you assumed that what he
- (2) told you was in effect the policy that was --
- (3) A. All right, with that explanation --
- (4) Q. Isn't that correct, you thought it was
- (5) a good policy?
- (6) A. I thought it was a good policy.
- (7) Q. And you continued it except that you
- (8) put it in writing, or did you add something to
- (9) it or take something from it?
- (10) A. No, I put it in writing.
- (11) Q. All right. And what you put in
- (12) writing, do you believe that presently you have
- (13) is the written policy of the Diocese, is the
- (14) same policy that Monsignor Bronkiewicz indicated
- (15) to you that the Diocese had followed previous to
- (16) your arrival?
- (17) A. I'm not as well informed about all the
- (18) details about previous to my arrival, but
- (19) certainly the general understanding was the same
- (20) on both.
- (21) MR. TREMONT: Off the record. I
- (22) say off the record, it's just to remind
- (23) Mr. Sweeney we never got that written --
- (24) THE REPORTER: Are we off?
- (25) MR. TREMONT: Well, you can put

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- (1) it on there. We --
- (2) MR. SWEENEY: Well, let's leave
- (3) this on the record. We each -- I received what
- (4) you filed last week. I thought we had sent you
- (5) the official policy. If we haven't, it's a form
- (6) document. I will be happy to get it to you.
- (7) MR. TREMONT: Okay.
- (8) MR. SWEENEY: I thought it had
- (9) been yours. I thought it was covered in
- (10) Monsignor Cusack's testimony, but you will have
- (11) the written policy. If you don't already, you
- (12) will.
- (13) MR. TREMONT: I do not recall it
- (14) covered in his testimony. Okay.
- (15) BY MR. TREMONT:
- (16) Q. Now, from the time that you were bishop
- (17) up until now, is Monsignor Bronkiewicz the
- (18) individual that is in charge of the
- (19) investigation of complaints of sexual
- (20) misconduct?
- (21) A. He is.
- (22) Q. I assume obviously that's done on your
- (23) behalf as bishop and always with your
- (24) ultimate -- when I say authority or veto, if you
- (25) will, you make the ultimate decision, I would

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- (1) assume?
- (2) A. About what?
- (3) Q. About any particular disciplinary
- (4) action or anything that should be done with a
- (5) priest, that would be your ultimate decision?
- (6) A. That is correct.
- (7) Q. Okay. Now you have indicated to us the
- (8) two reasons, if I recall, why you decided to --
- (9) three reasons why you decided to place this
- (10) policy in writing.
- (11) You had heard some talk around
- (12) 1989 about problems with sexual abuse in the
- (13) clergy. You had an experience -- your previous
- (14) experience in New York was that there was a
- (15) written policy regarding these things, and
- (16) thirdly, you are the type of individual that
- (17) likes to have things specific in writing. Those
- (18) were sort of --
- (19) A. Could we take them one at a time? The
- (20) first one was what again?
- (21) Q. I think you testified to this, and we
- (22) went through them seriatim --
- (23) A. Oh, yes. It wasn't that I had heard
- (24) something. It was that these matters were
- (25) discussed in the media communications and so

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- (1) forth, so they were well-known at that time,
- (2) these discussions.
- (3) Q. Well, you heard it, Bishop. I mean,
- (4) you heard it or you read it. It came to you --
- (5) A. What I meant to say, if I said I heard
- (6) it, I meant to say that I had been made aware of
- (7) it in the media and the ordinary way in which
- (8) people hear about things.
- (9) The second was because I found
- (10) such a policy effective with the teachers of the
- (11) Archdiocese of New York; and the third was, yes,
- (12) I am the kind of person that likes to have the
- (13) things written down.
- (14) Q. All right. Now from the time you
- (15) became bishop up until this time, Bishop Egan,
- (16) how many claims of sexual abuse have been
- (17) settled out of court? In other words, before a
- (18) lawsuit or after the filing of a secret -- a
- (19) lawsuit which is sealed on behalf of the
- (20) Diocese?
- (21) MR. SWEENEY: Counsel, I just
- (22) want to raise an issue here. There are -- there
- (23) was one such incident which became publicized
- (24) this past summer, where Attorney Laviano says he
- (25) brought something to you and that it showed up

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- (1) in the paper, but you are aware of that thing --
- (2) MR. TREMONT: I am not aware of
- (3) anything.
- (4) MR. SWEENEY: Well, your name was
- (5) mentioned in Judge Arterton's chambers, but I
- (6) won't get into that now.
- (7) There are such things as
- (8) settlement and confidentiality agreements where
- (9) the Diocese is bound to keep confidential,
- (10) settlements that are reached by its insurance
- (11) carrier, for example, and I think this is a
- (12) delicate area for that reason.
- (13) I think that we are certainly
- (14) prepared to discuss within the confines of this
- (15) deposition, particularly the one that Mister --
- (16) Attorney Laviano publicized, the settlement he
- (17) publicized this past summer, but I have to bring
- (18) your attention to the fact that quite often
- (19) when, as was the case of the matters that were
- (20) publicized this past summer, an insurance
- (21) carrier decides to make a settlement and asks
- (22) the Diocese to sign on, there is confidentiality
- (23) document, and it generally binds all parties not
- (24) to disclose it. So I think this may limit what
- (25) we can say, but going a step at a time, I would

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- (1) like to, in the interest of giving you as much
- (2) disclosure as we can, deal with it, but I have
- (3) to raise the red flag now that to the extent we
- (4) have so-called settlement of confidentiality
- (5) agreements, we are bound by those commitments
- (6) not to publicize; and having said that, I will
- (7) let you proceed with your questions.
- (8) MR. TREMONT: All right.
- (9) Q. Well, I want to include those secret
- (10) agreements or secret settlements or confidential
- (11) settlements as well. How many cases have been
- (12) settled on behalf of the Diocese?
- (13) A. I don't know the -- what my obligation
- (14) is before the law of -- the civil law, the state
- (15) law here, the government law, about anything
- (16) that might have one of these understandings, so
- (17) I am going to simply say I'll have to find out
- (18) what my obligations are.
- (19) MR. TREMONT: We can find out
- (20) right now. Mr. Sweeney, you can't say to me --
- (21) that there is any requirement, okay, that
- (22) precludes giving the number of instances without
- (23) mentioning the names of people. That certainly
- (24) is --
- (25) MR. SWEENEY: All right. I think

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- (1) that -
- (2) MR. TREMONT: Let's start off
- (3) there.
- (4) MR. SWEENEY: We'll try to deal
- (5) with this as gingerly as we can. I know the
- (6) bishop may not recall specifics, but I think it
- (7) can be stated that to my knowledge as counsel
- (8) for the Diocese, there were two, if I can use
- (9) the term twin sets of such settlements.
- (10) Now tell me the kind of
- (11) information you would like and we'll try to -
- (12) MR. TREMONT: Well, I would like
- (13) to do it through the witness.
- (14) MR. SWEENEY: All right. Well -
- (15) THE WITNESS: Am I allowed to
- (16) say - to answer this?
- (17) MR. SWEENEY: Names are to be
- (18) kept out of it.
- (19) MR. TREMONT: We are not talking
- (20) names. I am not asking names.
- (21) Q. I'm asking how many cases regarding
- (22) claims of sexual abuse, whether they were in
- (23) suit or not, in other words, the claim is filed
- (24) or somebody makes a claim about starting a
- (25) lawsuit, with the Diocese from 1989, or '88,

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- (1) when you became bishop, up until this time have
- (2) been settled, the number.
- (3) A. All right. The answer to that, if I am
- (4) allowed to give the answer, is one.
- (5) MR. SWEENEY: Well, I -
- (6) MR. TREMONT: Wait a second.
- (7) Mr. Sweeney, I am examining a witness, I am not
- (8) examining you. You are not under oath. I
- (9) appreciate your attempt to help me. Let me go
- (10) through this, if I can, in my own way. And if
- (11) there is a problem, we'll work that out. Okay.
- (12) Q. So to your knowledge, there was only
- (13) one case -
- (14) A. Well, case or person?
- (15) Q. One person.
- (16) A. One priest, is that the idea, the
- (17) question?
- (18) Q. No, person, individual, a claimant.
- (19) A. You're talking about the plaintiff
- (20) rather than the one that -
- (21) Q. Well, let's say the claimant, the
- (22) person who's the victim, we'll call him that.
- (23) A. Well, two. Two.
- (24) Q. All right. So to your memory, there
- (25) were two cases which were settled; is that

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- (1) correct?
- (2) A. Correct.
- (3) Q. We know that in the federal court, we
- (4) found that there were - there was a case
- (5) settled regarding an individual named Berliner;
- (6) that's correct, is it not?
- (7) A. Yes - Let me see if I can be sure I
- (8) have all this correct. Settled?
- (9) Q. Well, it was closed out by the payment
- (10) of money by somebody on your behalf, by the
- (11) payment of money by someone on your behalf?
- (12) A. I will change my - Two priests, two
- (13) priests.
- (14) Q. Before we get to priests, we are
- (15) talking about victims?
- (16) A. All right.
- (17) Q. If you want to call it that. Whatever
- (18) you wish to refer to them.
- (19) A. I cannot pull out of my memory the
- (20) exact situation on the Berliner, but if we add
- (21) that one, that would be two priests, and how
- (22) many plaintiffs I am not quite sure.
- (23) Q. All right. Well, let's take - first
- (24) let's take as far as Berliner is concerned, that
- (25) was a claim involving Laurence Brett, was it

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- (1) not?
- (2) A. Yes.
- (3) Q. Okay. And there was another case
- (4) involving Laurence Brett, which - and I have it
- (5) written down here someplace - that was
- (6) settled. Pinter. Is that correct? A man named
- (7) Pinter?
- (8) A. This had always to do with Brett?
- (9) Q. Yes.
- (10) A. Yes.
- (11) Q. So there is a case of - a case that
- (12) was settled for Berliner and for \$185,000. Do
- (13) you recall that? You testified to that in your
- (14) deposition.
- (15) A. Fine.
- (16) Q. And one for 62,000 with Pinter?
- (17) A. Yes.
- (18) Q. All right. Now outside of those two
- (19) cases, were there any other cases that were
- (20) settled?
- (21) A. Yes.
- (22) Q. How many more?
- (23) A. I believe there was just one plaintiff
- (24) and one accused.
- (25) Q. All right. There was a case that was

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- (1) settled on behalf of Gavin O'Connor, was there
- (2) not?
- (3) A. Yes.
- (4) Q. All right. And that was - there were
- (5) two claimants; is that correct?
- (6) A. I believe there were two - whether
- (7) they were two individual claimants that got it
- (8) together or not, I don't know. I would have to
- (9) look at the file, but there were two people
- (10) allegedly with misconduct, yes.
- (11) Q. All right. I am sorry, and they were
- (12) brothers, I believe?
- (13) A. Exactly.
- (14) Q. And there is a third brother that has
- (15) pending a case now against the Diocese -
- (16) A. That's correct. That's correct.
- (17) Q. - which has claims regarding Father
- (18) O'Connor?
- (19) A. Right.
- (20) Q. Beyond those cases, do you remember any
- (21) others?
- (22) A. I do not.
- (23) Q. What about a case involving Walter
- (24) Coleman?
- (25) A. I don't recall any settlement regarding

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- (1) Walter Coleman.
- (2) Q. You don't recall any?
- (3) A. No.
- (4) Q. It was made within the last three
- (5) years?
- (6) A. I don't recall any settlement regarding
- (7) Walter Coleman.
- (8) Q. All right. It's fair to say if there
- (9) were any settlement, you would be aware of it?
- (10) A. I would think so.
- (11) Q. All right. And you recall no other
- (12) settlement except for those which we have
- (13) mentioned?
- (14) A. Correct.
- (15) Q. Now, let me ask you, Bishop, when did
- (16) you first - as the Bishop of Bridgeport, when
- (17) did you first become aware of a claim of sexual
- (18) misconduct against one of your priests?
- (19) A. Shortly after my coming, I was told of
- (20) a case.
- (21) Q. Would you first describe that to me?
- (22) A. I was told that the accusation had been
- (23) made, and I immediately involved myself. It had
- (24) been made before I arrived. I immediately
- (25) learned everything I could about it.

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- (1) Q. Could you tell me, trying to take this
- (2) piece by piece, is this one of the priests
- (3) against whom an action is pending or was
- (4) pending?
- (5) A. No.
- (6) Q. All right. Now, in regard to that
- (7) particular priest that you mentioned, you
- (8) mentioned that the complaint was made before you
- (9) got here?
- (10) A. Correct.
- (11) Q. All right. And is it fair to say that
- (12) Monsignor Bronkiewicz made you aware of that?
- (13) A. Monsignor Bronkiewicz, I am sure, would
- (14) have made me aware of that, yes, not alone,
- (15) others would have, but certainly primarily
- (16) Monsignor Bronkiewicz.
- (17) Q. Okay. And do you recall whether that
- (18) was -- this particular complaint, was before or
- (19) after you instituted a written policy?
- (20) A. It was before.
- (21) Q. And could you tell me again, without
- (22) mentioning the name of the priest, what was the
- (23) nature of the complaint?
- (24) A. The nature of the complaint was that he
- (25) had been accused of sexual misconduct with

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- (1) minors.
- (2) Q. Now, Bishop, was this an accusation of
- (3) recent conduct with the minors or something that
- (4) had happened a number of years before?
- (5) A. It was something that happened a number
- (6) of years before.
- (7) Q. So this -- I will withdraw that.
- (8) What did you do, or order to be
- (9) done on your behalf?
- (10) A. We immediately had him brought in and
- (11) looked into this in depth. That had already
- (12) started before I came, as I said. He was
- (13) properly sent to the psychological institute
- (14) that we used, that I have used all the time I
- (15) have been here, and then I became convinced that
- (16) this gentleman did not belong in the priesthood.
- (17) I invited him to my office in a
- (18) very nice way. I didn't come on in order to,
- (19) have him come to the conclusion to which I had
- (20) come, namely that he should petition for what we
- (21) call reduction to the lay state.
- (22) I spoke with him at length on
- (23) this, and I asked him to sign a petition for an
- (24) administrative reduction to the lay state. He
- (25) did that within a month of my meeting him, and

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- (1) within a matter of months, he was reduced to the
- (2) lay state. All faculties, of course, had been
- (3) taken away, and he is now in no way at all
- (4) connected to the priesthood and has no priestly
- (5) obligations in virtue of that reduction.
- (6) Q. Did you -- I am sorry. You called
- (7) that process laicization, is that how --
- (8) A. Okay. I see --
- (9) Q. It refers to the lay state?
- (10) A. Yes, the -- Really the proper name,
- (11) and I am not going to push this, but the way
- (12) that it should be said is reduced to the lay
- (13) state.
- (14) Q. Reduced to the lay state?
- (15) A. Well, I mean I am sure that in common
- (16) parlance, I am sure in common parlance, people
- (17) say laicization.
- (18) Q. But it's reduced to the lay state.
- (19) A. You prompted me to use the right
- (20) language.
- (21) Q. Did you encourage Father Pcolka to do
- (22) the same?
- (23) A. I did not.
- (24) Q. You didn't, all right. And what about
- (25) Father Federici?

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- (1) I did not.
- (2) Okay. Now is there any reason why you
- (3) ~~don't~~ do it with Father Pcolka?
- (4) ~~It's~~ All right.
- (5) At the present time I am asking.
- (6) The process for Father Pcolka,
- (7) unfortunately, was stopped by Father Pcolka. I
- (8) ~~took~~ him in an institution for psychiatric
- (9) ~~study~~. I was awaiting a report from that
- (10) ~~institute~~. I told him he was to remain there
- (11) ~~and~~ the institute felt that they could give me
- (12) ~~and~~ I require, a full report, and despite my
- (13) ~~emphatic~~ orders to him to stay there and
- (14) ~~complete~~ this undertaking, he left and has not
- (15) ~~been~~ available to me to do what I could do, if I
- (16) ~~was~~ sure, as I was in the other case, that
- (17) ~~was~~ was a serious situation.
- (18) Bishop, Father Pcolka is still
- (19) ~~incardinated~~ in the Diocese, is he not?
- (20) A. The reduction to the lay state
- (21) ~~definitely~~ puts an end to the incardination. You
- (22) ~~no longer~~ longer have an obligation to provide
- (23) ~~maintenance~~ maintenance for this person, and this person no
- (24) ~~longer~~ longer has an obligation to clerical celibacy or
- (25) ~~the~~ the reading of the office. Until such time

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- (1) ~~that~~ that he is incardinated, unless he were to be
- (2) ~~incardinated~~ incardinated to another Diocese, which would not
- (3) ~~occur~~ occur in this circumstance.
- (4) Q. The answer to the question is he is
- (5) ~~still~~ still incardinated in the Diocese?
- (6) A. Father Pcolka is still incardinated to
- (7) the Diocese of Bridgeport.
- (8) Q. And you are still his bishop and he
- (9) ~~must~~ must obey you?
- (10) A. He certainly ought to obey me.
- (11) Q. And yet you are still providing him
- (12) ~~with~~ with a stipend despite the fact that he has
- (13) ~~disobeyed~~ disobeyed you in regard to your tenets of
- (14) ~~discipline~~ discipline and investigation?
- (15) A. That's right.
- (16) Q. All right. And you are also paying for
- (17) ~~his~~ his legal services?
- (18) A. I am required by the law of the church
- (19) ~~to~~ to provide him with a living until he is reduced
- (20) ~~to~~ to the lay state, if that should happen.
- (21) Q. In accordance with the canon law?
- (22) A. Correct. And as a policy of the
- (23) ~~Diocese~~ Diocese that I have instituted, I believe that
- (24) ~~it~~ it is wise and good for me to assist the priests
- (25) ~~in~~ in their legal needs even if they have been

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- (1) ~~disobedient~~ disobedient or whatever else.
- (2) Q. Okay. Now, after this first experience
- (3) ~~with~~ with this particular priest -- I will withdraw
- (4) ~~that~~ that.
- (5) ~~During~~ During the same time that you had
- (6) ~~the~~ the experience with this priest that you told us
- (7) ~~about~~ about, did you have an opportunity to look at
- (8) ~~his~~ his files?
- (9) A. A priest that I described as reduced to
- (10) ~~the~~ the lay state?
- (11) Q. Correct.
- (12) A. I did indeed.
- (13) Q. All right. And may I ask you whether
- (14) ~~the~~ the files had included prior investigations
- (15) ~~and/or~~ and/or complaints of misconduct?
- (16) A. They had included everything that we
- (17) ~~knew~~ knew about him in this area, and I cannot recall
- (18) ~~just~~ just what his story was in that regard, but it
- (19) ~~would~~ would have included the whole available
- (20) ~~information~~ information.
- (21) Q. Are you aware of the fact that
- (22) ~~Monsignor~~ Monsignor Bronkiewicz -- Well, I will withdraw
- (23) ~~that~~ that.
- (24) ~~Now~~ Now let's go over a couple of
- (25) ~~people~~ people that we know about. Let's go over with

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- (1) Father Brett. You determined early on in your
- (2) tenure as Bishop of Bridgeport that Father Brett
- (3) had committed more than one act of a sexual
- (4) nature involving students, did you not?
- (5) A. My knowledge was this: That way before
- (6) I came here, back in the early 1960s, I believe,
- (7) he had been accused of misconduct with a student
- (8) at Sacred Heart University.
- (9) Q. How did you find that out?
- (10) A. I was informed of that by Monsignor
- (11) Bronkiewicz.
- (12) Q. All right.
- (13) A. I also heard, because I want to be
- (14) complete with you, sir, that there had been an
- (15) allegation of improper homosexual type talk. If
- (16) that's what you have in mind, that's what I
- (17) knew.
- (18) Q. Bishop Egan, you sent a letter to
- (19) Father Brett on January 27, 1989, when you
- (20) became Bishop of Bridgeport, which I understand
- (21) was a letter that you had sent to a number of
- (22) priests that were unable to attend your
- (23) installation. Do you recall that?
- (24) A. Well, if I look at the letter, maybe I
- (25) will recall.

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- (1) (Discussion off the record.)
- (2) A. The question was did I send this
- (3) letter?
- (4) Q. I said you sent that as a letter that
- (5) you had sent, as I understand it, to a number of
- (6) priests that were incardinated in the Diocese of
- (7) Bridgeport that were unable to attend your
- (8) installation?
- (9) A. That's correct.
- (10) Q. All right. And do you believe that
- (11) that was the first communication you had with
- (12) Father Brett?
- (13) A. It looks to me as though it were a form
- (14) letter, for all intents and purposes.
- (15) Q. A form letter.
- (16) A. And it would be hardly much of a
- (17) communication, but it's the gracious thing to
- (18) do, very common.
- (19) Q. And at the time that you sent that
- (20) letter, I am assuming you were unaware of Father
- (21) Brett's past?
- (22) A. I was -- I assume the same.
- (23) Q. Okay. Now, you had a meeting with
- (24) Father Brett on July 9th of 1990, Bishop Egan.
- (25) Do you recall -- I am not asking you to recall

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- (1) the date. Do you recall that first meeting with
- (2) Father Brett?
- (3) A. I can't be sure that I recall the first
- (4) meeting with Father Brett, but if we have a
- (5) record that I met with him, I am sure I did.
- (6) Q. Yeah, and I'll give you this. I don't
- (7) have two copies of it and I -- Why don't you
- (8) read it and give it back to me unless
- (9) Mr. Sweeney has a copy.
- (10) THE VIDEOGRAPHER: This concludes
- (11) videotape No. 1. Going off the record 12:27
- (12) p.m.
- (13) (Plaintiff-Egan Exhibit A marked
- (14) for identification.)
- (15) THE VIDEOGRAPHER: We are back on
- (16) the record. This marks the beginning of
- (17) videotape No. 2 in this testimony, 12:29 p.m.
- (18) BY MR. TREMONT:
- (19) Q. What we've marked as Plaintiff's
- (20) Exhibit A -- May I have that, Bishop?
- (21) Have you read that memo?
- (22) A. I have.
- (23) Q. Now this is a -- as I understand it, a
- (24) memo that you have placed in the file, and it
- (25) says, "I met on Monday July 9, 1990, with

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- (1) Father Laurence F.X. Brett. And on July 9,
- (2) 1990, you had received a memo from Father
- (3) Bronkiewicz dated July 9th, indicating "This
- (4) morning in a telephone conversation with
- (5) Bronkiewicz he informed me of the reason which
- (6) led him to ask Father Brett to leave the Diocese
- (7) of Bridgeport and work elsewhere."
- (8) Does that refresh your memory?
- (9) A. I don't remember it, but I see it here
- (10) and it's fine.
- (11) Q. So you were going to meet with Father
- (12) Brett, as I understand it, on July 9?
- (13) A. What was the date that I met with
- (14) Father Brett?
- (15) Q. July 9th, the same day.
- (16) A. Yes.
- (17) Q. Is that correct, you were going to meet
- (18) with Father Brett?
- (19) A. I was going to meet with him, that's
- (20) right.
- (21) Q. And you inquired, you wanted to know
- (22) why he left?
- (23) A. I presume that was what it was. I'd
- (24) like to have known why he was where he was.
- (25) Q. Why he had left the Diocese or wasn't

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- (1) within the Diocese; is that correct?
- (2) A. Correct.
- (3) Q. And did you consult the files?
- (4) A. I probably did.
- (5) Q. All right. And could you tell me at
- (6) that time, Bishop, whether the file contained
- (7) the December 2nd, 1964 memorandum regarding
- (8) Father Brett?
- (9) A. This, I understand, was part of the
- (10) file, and therefore, I would have seen this
- (11) file, yes.
- (12) Q. So you would have seen that at that
- (13) time?
- (14) A. Yes, sir.
- (15) MR. TREMONT: All right. May I
- (16) have that marked as Plaintiff's Exhibit C and
- (17) the memo of Father Bronkiewicz marked as B.
- (18) (Plaintiff-Egan Exhibits B and C
- (19) marked for identification.)
- (20) Q. So that you would have -- you would
- (21) have read that memo; is that correct, Bishop?
- (22) MR. SWEENEY: Which memo are you
- (23) referring to?
- (24) MR. TREMONT: Memo, Plaintiff's
- (25) Exhibit C.

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- (1) MR. SWEENEY: Thank you.
- (2) A. I expect I don't have right now a
- (3) perfect memory of having read that memo, but I
- (4) certainly assume it would be very likely I read
- (5) that memo, yes, sir.
- (6) Q. Okay. And from that memo you became
- (7) aware of the fact, did you not, Bishop Egan,
- (8) that under your predecessor's administration of
- (9) the Diocese, it was decided that they would
- (10) feign hepatitis as the reason for Father Brett's
- (11) absence; is that correct?
- (12) A. That's what the final sentence says on
- (13) the second page.
- (14) Q. So they would hide the complaint of
- (15) sexual abuse and tell persons that he had
- (16) hepatitis and that is why he was not around?
- (17) A. I wouldn't read it that way.
- (18) Q. You wouldn't?
- (19) A. No, I would read it that this man is
- (20) going away, and if anyone asks, say he's not
- (21) well, he has hepatitis. That's quite a bit
- (22) different than saying you are going to hide it.
- (23) If someone were going to ask -- I don't perceive
- (24) it that way, that's not my style, but I think
- (25) that it's altogether understandable anybody

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- (1) reading it.
- (2) This person has been accused of
- (3) doing such and such, we're going to be sending
- (4) him away for attention. I wouldn't have done
- (5) this, but I don't think it's a serious matter.
- (6) Someone would say, well, if anybody asks, make
- (7) it that he's not well, that he has hepatitis.
- (8) The word "feign," of course, makes it somewhat
- (9) dramatic, but my reading of it is not -- my
- (10) reading is the one I have just given you.
- (11) Q. You say that -- he is not only accused
- (12) but he confesses, does he not?
- (13) A. Yes, but he is accused and he
- (14) confesses.
- (15) Q. He says, look it, he admits apparently
- (16) that he had oral sex with this young boy and
- (17) that he actually bit his penis and advised the
- (18) boy to go to confession elsewhere?
- (19) A. Well, I think you're not exactly
- (20) right. I don't think it was a young boy. Now,
- (21) I can't remember every detail, but it seemed to
- (22) me that the gentleman in question was an
- (23) 18-year-old student at Sacred Heart University.
- (24) Q. Are you aware of the fact that in
- (25) December of 1964 that an individual under 21

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- (1) years of age was a minor in the state of
- (2) Connecticut?
- (3) A. My problem, my clarification, had to do
- (4) with the expression "a young boy" about an
- (5) 18-year-old.
- (6) Q. A young -- All right, a minor, is that
- (7) better then?
- (8) A. Fine.
- (9) Q. That he was -- that he had this affair
- (10) with the minor, and it goes on to state that in
- (11) addition to that, that Father Brett admitted he
- (12) was having problems for which he was seeing a
- (13) psychiatrist and that Father Brett's pastor,
- (14) Father Stephenson, indicated that there was an
- (15) additional complaint against him?
- (16) A. The additional complaint, the nature of
- (17) it, I believe, was not the kind of thing that
- (18) happened with the other young man. I forget
- (19) what Father Stephenson said.
- (20) Q. Well, if you know what Father
- (21) Stephenson said, Monsignor, I wish that you'd
- (22) tell us because the only thing that we've ever
- (23) had produced in regard to Father Stephenson was
- (24) what appeared in this particular memo.
- (25) A. All right. Let's take a moment out and

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- (1) I will read the memo from start to finish.
- (2) Fine.
- (3) Q. Absolutely.
- (4) There isn't any indication of
- (5) that from Father Stephenson, is there in that
- (6) memo?
- (7) A. No, but there is an indication of
- (8) something else. I couldn't point out what it
- (9) was. Father Stevenson evidently, from what I
- (10) can see here -- see in fact the very day --
- (11) reported an incident to father. Now, what is an
- (12) incident? I don't know.
- (13) Q. Did you ever inquire what it was? Did
- (14) you ever ask Monsignor Genuario, who wrote that
- (15) memo, what the incident was?
- (16) A. No one knows what that incident was, as
- (17) far as I know.
- (18) Q. No one knows, so you did inquire about
- (19) it?
- (20) A. That's right.
- (21) Q. All right. And Monsignor Genuario told
- (22) you know one knew what the incident was?
- (23) A. No one could tell me what the incident
- (24) was.
- (25) Q. All right. You don't know that the

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- (1) incident was the fact that he was -- Brett was
- (2) abusing, or the claim that he was abusing the
- (3) 15-year-olds down at St. Cecilia's?
- (4) A. I don't know that to be the case.
- (5) Q. Now you indicated that the "feign"
- (6) was rather, you said, dramatic, was a dramatic
- (7) word, you said, or wasn't that your statement,
- (8) that you felt that a recurrence of hepatitis was
- (9) to be feigned should anyone ask didn't mean that
- (10) the Diocese was trying to hide the fact; is that
- (11) what your impression was?
- (12) A. Yes. I think it's done all the time in
- (13) other contexts.
- (14) Q. I am sure it is done all the time.
- (15) A. But not done by me, and I am sure that
- (16) this was an exceptional situation as far as the
- (17) Diocese was concerned. Someone is going away
- (18) for treatment, and if anyone should ask, this is
- (19) what you say. It's not unusual. I would not do
- (20) it.
- (21) Q. You would not do that. What would you
- (22) do?
- (23) A. If anyone were to ask, I would simply
- (24) say they probably had no business to ask and I
- (25) would just avoid the answer.

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- (1) Q. All right. And that's what you said,
- (2) incidentally, when you suggested that Father
- (3) Pcolka was relieved of his duties, that the
- (4) Diocese was to announce that he was on a medical
- (5) leave?
- (6) A. I don't recall that.
- (7) Q. Okay. We'll get on to that later.
- (8) You have obviously seen this
- (9) letter of December 7, 1964, in which the Vicar
- (10) General of the Diocese, William F. Kearney
- (11) advises the Reverend Frederick McManus of the
- (12) Catholic University of America who was inquiring
- (13) about Father Brett coming down and doing some
- (14) work musically, quote, "In the meantime, I
- (15) regret to inform up that Father Brett, due to
- (16) impaired health, is now on leave of absence."
- (17) You've seen that letter?
- (18) A. I have undoubtedly seen it. I don't
- (19) recall the --
- (20) Q. That, Bishop, you will agree, is not
- (21) the reason that he was --
- (22) A. Actually, no. This man, if you will
- (23) see him -- I don't even know -- you know, at
- (24) this time, that he came to see me, he was a very
- (25) delicate fellow. I understand he has had a

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- (1) history of hepatitis. I don't know, and this
- (2) all happened long before -- in the 1960s I
- (3) wasn't here, but I don't think there is anything
- (4) strange. He is a sickly-looking fellow.
- (5) Q. Well, you are not denying now that the
- (6) reason that he was sent out of the Diocese in
- (7) 1964 was not because he was a sickly-looking
- (8) fellow but that he was caught and there were a
- (9) lot of people who knew that he had abused a
- (10) minor student?
- (11) A. He was sent out of the Diocese for
- (12) treatment because he had been accused and had
- (13) confessed to the accusation that he had
- (14) misconduct with this 18-year-old student at
- (15) Sacred Heart University.
- (16) Q. Okay. Why wasn't he returned to the
- (17) Diocese to your knowledge?
- (18) A. There was an evaluation of this man, as
- (19) I understand it. All I know is from having read
- (20) files and had reports made to me, and he was.
- (21) not -- it was not required that he be taken, his
- (22) faculties be taken away and so forth.
- (23) He was, as I recall -- Remember,
- (24) I wasn't here in 1964.
- (25) Q. No, I understand that.

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- (1) A. Not involved, as far as I knew with
- (2) music, but I thought his involvement - and I
- (3) could be wrong - I thought his involvement had
- (4) to do with writings about liturgical matters.
- (5) Monsignor McManus, professor at Catholic
- (6) University who perhaps in the 1960s was
- (7) considered the preeminent expert in matters
- (8) liturgical. I am not surprised that Monsignor
- (9) McManus wanted him to work somehow or another
- (10) with him, and in his life he has become very
- (11) involved in liturgical publications, and I
- (12) believe they are in the Baltimore or in the
- (13) Washington area or in both, so that's why he,
- (14) being very involved in matters liturgical,
- (15) became associated with this Monsignor McManus
- (16) and became associated in these liturgical
- (17) publications. There may have been a musical
- (18) aspect, I didn't know that.
- (19) Q. There may have been a musical aspect as
- (20) to what?
- (21) A. The liturgy.
- (22) Q. Yes, but as to what, as to why he was
- (23) not brought back to the Diocese?
- (24) A. He may have been involved in musical
- (25) matters down there, too, I don't know. I

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- (1) thought you said he was down there because he
- (2) was involved in music.
- (3) Q. No, I said, isn't it a fact that the
- (4) reason he was removed from the Diocese was not
- (5) because he was in frail health but specifically
- (6) because of an incident which was reported on
- (7) December 2nd of 1964.
- (8) A. He wasn't removed from the Diocese. He
- (9) was sent, as I understand it, to a place to help
- (10) him straighten himself out, and he chose, or was
- (11) invited, I don't know, to be involved in
- (12) liturgical publications in the Washington or the
- (13) Baltimore area.
- (14) Q. You are not aware of the fact that he
- (15) specifically was not asked to return to the you
- (16) Diocese even though he requested coming back?
- (17) You read the file, Bishop.
- (18) A. He requested coming back?
- (19) Q. Yeah. You didn't read that in his
- (20) file?
- (21) A. I may have read it. I do not recall
- (22) that in the file now.
- (23) Q. Well, let me ask you this: You had
- (24) gone through a rather long federal court case
- (25) involving Father Brett, and are you telling me

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- (1) that you don't recall in presenting for that
- (2) case, preparing for your deposition for that
- (3) case, reading the file which the Diocese has
- (4) produced to us, a so-called personnel file on
- (5) Father Brett? †
- (6) A. Your question again?
- (7) Q. You don't recall reading it?
- (8) A. I don't recall reading the file?
- (9) Q. Yes.
- (10) A. I read the file.
- (11) Q. Okay. And you do not recall in the
- (12) file on many occasions the letters from Father
- (13) Brett to Bishop Curtis requesting that he be
- (14) allowed to come back to the Diocese?
- (15) A. I can't say that right now sitting
- (16) here, I specifically recall that.
- (17) Q. Well, we can go through them.
- (18) MR. TREMONT: Could we mark that
- (19) letter as an exhibit, please?
- (20) (Discussion off the record.)
- (21) (Plaintiff-Egan Exhibit D marked
- (22) for identification.)
- (23) BY MR. TREMONT:
- (24) Q. Okay. Here's a letter of April 21st,
- (25) 1967, from Laurence Brett, Priest, to Bishop

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- (1) Curtis. The second paragraph, "I still hope to
- (2) return to Connecticut. In fact, I long for the
- (3) time when I come back. It has been my
- (4) understanding that I would be free to do so but
- (5) I will wait until I hear from you upon this
- (6) matter."
- (7) Does that refresh your memory?
- (8) A. Yes, sir. This is correct. This is
- (9) correct. I would like to read it so that
- (10) everybody will be sure that I have heard it. "I
- (11) still hope to return to Connecticut. In fact I
- (12) long for a time when I can come back. It has
- (13) been my understanding that I would be free to do
- (14) so."
- (15) So I would like to insist that I
- (16) have read the file. I will not be able to
- (17) specifically recall every letter in any file,
- (18) but I feel I recalled this one accurately.
- (19) Q. You recall this one?
- (20) A. I feel that I have recalled this - I
- (21) recall the situation accurately, if this
- (22) reflects the situation.
- (23) Q. That he wants to come back, correct?
- (24) A. He knows he is free to.
- (25) Q. And what does it say, but I will await

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- (1) -
- (2) A. To hear from you on this matter.
- (3) Q. All right. And that is obviously
- (4) Bishop Curtis, correct? That's who - he was
- (5) referring to?
- (6) A. I know this letter, and I am not - I
- (7) have read this letter and I stand by my
- (8) testimony.
- (9) Q. All right. Are you - do you recall
- (10) the testimony of Monsignor Cusack that Father
- (11) Brett requested of him that he ask Bishop Curtis
- (12) if he could come back, and Bishop Curtis told
- (13) him that he was not invited back to the Diocese?
- (14) A. I do not recall specifically that
- (15) testimony.
- (16) Q. Do you recall obviously the letters
- (17) that were written between the apostolic delegate
- (18) at that time and Bishop Curtis in regard to the
- (19) complaints of the Frechette family against
- (20) Father Brett?
- (21) A. I do.
- (22) Q. And do you recall Bishop Curtis
- (23) indicates to the papal nuncio that he cannot
- (24) bring Brett back to the Diocese because of the
- (25) possibility of scandal?

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- (1) A. Show me that letter, and I'll be -
- (2) Q. Let me find it for you.
- (3) So you don't recall that?
- (4) A. I recall the letter.
- (5) Q. Pardon?
- (6) A. I recall the exchange of letters.
- (7) Q. But not that specific thing?
- (8) A. I do not recall every paragraph of
- (9) every letter for sure.
- (10) Q. And, Bishop, I am not suggesting that
- (11) you should. I'm not saying, but I mean I'm
- (12) not -
- (13) A. Thank you, because I won't and no one
- (14) would expect me to, I am sure.
- (15) Q. No, I'm not expecting. I asked you if
- (16) you recall, and if you don't, if we can try to
- (17) refresh your recollection, we will try to do
- (18) that.
- (19) I will refer you to this letter,
- (20) Bishop. It's a letter April 27th, 1966, from
- (21) Bishop Curtis to the apostolic delegate in
- (22) Washington, D.C., explaining the Brett
- (23) situation.
- (24) "Father Brett therefore returned
- (25) to the east and lived at home with his aunt and

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- (1) did not receive another appointment until the
- (2) Diocese of Bridgeport. While I was still
- (3) considering whether it would be possible to
- (4) assign Father Brett to our Diocese again, in
- (5) view of the fact that the original incident
- (6) caused no publicity, the matter of Frechette was
- (7) brought to my attention. As a result, I knew
- (8) that in spite of the doctor's favorable report,
- (9) it would not be possible for me to continue the
- (10) services of Father Brett on an active basis in
- (11) our Diocese for many years to come."
- (12) A. And your question?
- (13) Q. You wanted to see the letter.
- (14) A. All right.
- (15) Q. You wanted to see that portion that I
- (16) indicated to you that it was Bishop Curtis that
- (17) did not want to bring Brett back despite the
- (18) fact that Brett requested that he come back.
- (19) A. Is this the request here?
- (20) Q. Yes.
- (21) A. I don't see that as a request.
- (22) Q. You don't see that as a request?
- (23) A. In fact, it isn't a request.
- (24) Q. It isn't a request. All right. Well
- (25) then let's mark the letter. So you are saying

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- (1) that --
- (2) A. Here. Just hold a second. I want to
- (3) read this and I will get right back to you,
- (4) okay?
- (5) Q. Well, why don't we do it this way? I
- (6) will obviously give you an opportunity to read
- (7) that. You first indicated that the letter of
- (8) April 21st, 1967, is not a request to come back?
- (9) A. I do not read it as a request.
- (10) MR. TREMONT: All right. May we
- (11) have the letter marked, please. And why don't
- (12) you read that.
- (13) (Plaintiff-Egan Exhibit E marked
- (14) for identification.)
- (15) (Discussion off the record.)
- (16) BY MR. TREMONT:
- (17) Q. You have read that, Bishop?
- (18) A. I have.
- (19) Q. May I have that back? I don't know if
- (20) that was marked.
- (21) MR. SWEENEY: It was marked as an
- (22) exhibit in a different deposition.
- (23) MR. TREMONT: Yeah, but it's not
- (24) marked in this one.
- (25) MR. SWEENEY: Correct. That's

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- (1) correct.
- (2) MR. TREMONT: We may mark this as
- (3) an exhibit.
- (4) (Plaintiff-Egan Exhibit F marked
- (5) for identification.)
- (6) Q. Now, Bishop, you indicated to me that
- (7) you did not consider the April 21, 1967 comment
- (8) of Father Brett, "I still hope to return to
- (9) Connecticut. In fact, I long for the time when
- (10) I can come back. It has been my understanding
- (11) that I would be free to do so, but I will wait
- (12) until I hear from you on this matter," as a
- (13) request to come back, correct?
- (14) A. I would think the text is what the text
- (15) is --
- (16) Q. All right, then.
- (17) A. -- and that he would -- he expresses
- (18) himself clearly, I believe.
- (19) Q. But you didn't think that feigning
- (20) hepatitis was the text as to what the text was,
- (21) in that case, you said that it was really -- it
- (22) didn't mean that they were going to make believe
- (23) or lie and say that he had hepatitis?
- (24) A. If I said that, I would like to have it
- (25) read back to me.

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- (1) Q. You didn't say it, that's what I'm
- (2) saying. You didn't believe the text is what it
- (3) said.
- (4) MR. SWEENEY: Hasn't this been
- (5) asked and answered already?
- (6) A. I believe that the expression at the
- (7) end of that letter was ill-advised. I would not
- (8) do that. I understand how people do do that
- (9) sort of thing. I don't consider it as serious
- (10) as you do. If someone were to ask what happened
- (11) to this man while he was away getting this help,
- (12) say that he is away sick and has hepatitis, I
- (13) don't approve of it. I don't change the text.
- (14) I understand the text and I accept the text.
- (15) Q. A letter, the fourth Sunday in Lent,
- (16) 1965, from Father Brett to Bishop Curtis. "Four
- (17) months have now passed since I have been away
- (18) from the Diocese and almost a month since I have
- (19) been here at Nazareth Hospital. I am naturally
- (20) eager to receive some word from Your Grace as to
- (21) how my situation stands, what my status might
- (22) be. I realize the pressing duties to which you
- (23) must attend, but I would appreciate some word
- (24) either encouragement or discouragement," and the
- (25) letter ends by "There is nothing else to write,

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- (1) Father, except to plead once again for some word
- (2) from you and to pray that you may enter fully
- (3) and joyfully in the passover of the Lord as is
- (4) celebrated within the church."
- (5) Do you think that this is a
- (6) request to come back to the Diocese?
- (7) A. If it is a request, it's certainly not
- (8) a clear request.
- (9) Q. All right. How about a letter of March
- (10) 1st, 1965 signed by Larry to Bishop Curtis.
- (11) "Your Excellency, I do wish that I might return
- (12) to your Diocese. Might I be so bold as to ask
- (13) how things look. I do feel so alone here even
- (14) though at peace with God. Hoping that you will
- (15) forgive my bluntness, I am hoping to hear from
- (16) you. I am" -- and then it's signed with a
- (17) salutation. Would you call that a request to
- (18) come back to the Diocese?
- (19) A. I would call that a request to leave
- (20) the place where he was being cared for and come
- (21) home. I would not say that this is -- First of
- (22) all, this is not when he is in Baltimore or
- (23) anywhere else, as I recall the file. I would
- (24) have to read this again, too. I thought -- this
- (25) sounds like one of the letters that was from the

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- (1) hospital. Maybe it wasn't, I don't know.
- (2) Q. Wherever it was from, isn't he asking
- (3) to come back to the Diocese?
- (4) A. He is asking to leave the care place
- (5) where he was, yes.
- (6) Q. Well, I don't think -- I am sorry, may
- (7) I see that?
- (8) A. I, too, would like to see it. You
- (9) don't have an envelope to this.
- (10) Q. The last paragraph, yes.
- (11) A. "Your Excellency, I do wish I may
- (12) return to the Diocese. Might I be bold to" --
- (13) He is asking for -- to return to the Diocese in
- (14) order to leave this facility, as I recall
- (15) reading this file.
- (16) Q. Well, isn't he asking to return to the
- (17) Diocese, specifically? He's saying, "Can I come
- (18) back to the Diocese?"
- (19) A. If you mean asking to return to the
- (20) Diocese to take up work here in the Diocese --
- (21) Q. Well, Bishop, he is not saying, "Can I
- (22) come back to Connecticut," he's saying, "I'm
- (23) asking you, please, what's your decision?"
- (24) A. Right.
- (25) Q. "I'd like to return to the Diocese."

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- (1) A. Fine. He would like to return to the
- (2) Diocese, do you say that this means that he is
- (3) being denied appointment or assignment in the
- (4) Diocese? I don't think you can conclude that
- (5) from that letter.
- (6) Q. Let's take it piece by piece. Bishop,
- (7) would you agree with me that in the letter
- (8) Father Brett asks to return to the Diocese in
- (9) Bridgeport?
- (10) A. He is asking to leave the facility, if
- (11) I remember correctly, where he was unhappy so
- (12) that he might come back here. Whether it was to
- (13) come back here to enter another facility or
- (14) what, but the implication of your last four or
- (15) five questions were he wanted to come back to
- (16) serve in the Diocese. I don't gather that with
- (17) the clarity that you do from the letters that
- (18) you have given me.
- (19) Q. "Your Excellency, I do wish that I
- (20) might return to your Diocese. Might I be so
- (21) bold as to ask how things look." Are you
- (22) telling me that that is not a request of Father
- (23) Brett to return to the Diocese in Bridgeport?
- (24) You don't interpret it that way?
- (25) A. It's a request to return to the

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- (1) Diocese. I do not believe that you can
- (2) conclude - you are free to conclude that it's a
- (3) request to return to an assignment in the
- (4) Diocese.
- (5) Q. And Bishop Curtis tells the apostolic
- (6) delegate in Plaintiff's Exhibit F, which you
- (7) read, that the reason that he did not ask Father
- (8) Brett to return is because of the fact that he
- (9) was afraid of publicity as a result of the
- (10) Frechette incident?
- (11) A. I think you are interpreting that. I
- (12) think he says I didn't ask him to return. Then
- (13) he has a connection which isn't clear to me,
- (14) because there was no publicity about the first
- (15) incident. That's the way I read the letter.
- (16) Q. Aren't you - You say that's not clear
- (17) to you. Isn't it a fact that -
- (18) A. The connection isn't clear how the
- (19) "because" fits in there.
- (20) Q. Isn't it a fact that as far as you are
- (21) concerned, that if indeed there is public
- (22) scandal that a claim of sexual abuse, for
- (23) example, or sexual involvement becomes public,
- (24) that that is a substantial consideration in
- (25) whether a priest should be suspended or

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- (1) removed. It's a practical matter, isn't that
- (2) part of the canons -
- (3) A. Are we talking about suspension and
- (4) removal now?
- (5) Q. Suspension or removal from the Diocese,
- (6) or suspension from it. I am not talking about
- (7) bringing back to the lay state. In other words,
- (8) the scandal, the scandal of something is a
- (9) consideration that the church uses in order to
- (10) determine what should be done with the priest?
- (11) A. I wasn't here at this time. I have
- (12) told you what I know from reading the file. My
- (13) conclusion has been that there was never any
- (14) question in the time of the hospitalization of
- (15) whether or not he would come back to an
- (16) assignment, but whether or not he would leave
- (17) the hospital. I think it can be read that way.
- (18) That's the way I read it.
- (19) As far as what Bishop Curtis
- (20) means by that, because there has been no
- (21) scandal, I can guess at it, but it's not that
- (22) clear.
- (23) MR. SWEENEY: Counsel, it's about
- (24) 1:15. At some point can we take a break for
- (25) lunch?

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- (1) MR. TREMONT: A customary break
- (2) for lunch, all right, just a few minutes.
- (3) MR. SWEENEY: But if you are in
- (4) the middle something, let's just wrap it up.
- (5) MR. TREMONT: I will finish this
- (6) in about - within five minutes. Let me have
- (7) the other letters.
- (8) MR. SWEENEY: All right.
- (9) Q. Let me read you a letter from Monsignor
- (10) Toomey to Monsignor Higgins, who is chancellor
- (11) of the Diocese of Sacramento, which is dated
- (12) February 16, 1966.
- (13) "In reply to your February 11
- (14) inquiry, his Excellency Bridgeport Curtis
- (15) authorizes me to send you the following
- (16) confidential information on Father Laurence F.X.
- (17) Brett of this Diocese. Some 16 months ago,
- (18) Father Brett was relieved of his assignment as
- (19) chaplain at Sacred Heart University because of
- (20) an incident of improper conduct of a homosexual
- (21) nature. He subsequently spent some time at the
- (22) Via Caeli in New Mexico where he began
- (23) psychiatric treatment. After a while he was
- (24) permitted by Bishop Curtis to leave there
- (25) provided that the treatment continued. He is

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- (1) still under psychiatric care.
- (2) Shortly before the start of these
- (3) troubles, Father Brett did have a bad case of
- (4) hepatitis which required prolonged
- (5) hospitalization and convalescence. It is rather
- (6) widely thought here that hepatitis is the reason
- (7) for his absence. The small area of this Diocese
- (8) is 633 square miles makes it very difficult for
- (9) Bishop Curtis to plan on reassigning Father
- (10) Brett here. Some other Diocese where father can
- (11) resume priestly work is presently being sought."
- (12) All right. Do you recall that
- (13) letter?
- (14) A. I can't say specifically recall that
- (15) letter, but I am sure I have seen this letter.
- (16) Q. Well, what would the size of the
- (17) Diocese have to do with Father Brett's abilities
- (18) to say act as a priest?
- (19) A. Father Brett, as we have mentioned
- (20) before, was accused and agreed to the accusation
- (21) that he had had a sexual encounter with this
- (22) 18-year-old young man at Sacred Heart
- (23) University.
- (24) The point of Bishop Curtis's
- (25) letter - no, Monsignor Toomey's letter in that

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- (1) section that you read would be that that story
- (2) could get around very easily, and as you recall,
- (3) the family of the boy, of the young man, did not
- (4) want that story to get around.
- (5) I know of a Diocese that has
- (6) 68,000 square miles, and in a Diocese such as
- (7) that stories get around with greater difficulty
- (8) than they do when you have 630 square miles, so
- (9) it was perfectly normal that one would say that
- (10) in a Diocese that is as small as this one from
- (11) the standpoint of geography, if there had been,
- (12) and there had been, sexual misconduct, the
- (13) chance that the return of this man at that time
- (14) would ignite discussions that were not going to
- (15) be beneficial to the young man himself or to his
- (16) family or to Father Brett was very clear.
- (17) Q. So the purpose was to avoid scandal,
- (18) correct, or at least to try to reduce the
- (19) scandal?
- (20) A. Scandal for the young man, scandal for
- (21) his family, scandal for the Diocese, scandal for
- (22) everyone, yes.
- (23) Q. But it's basically for the Diocese?
- (24) A. I don't know that it's basically for
- (25) the Diocese.

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- (1) Q. You don't? Well, let me ask you
- (2) something. If you are interested in that,
- (3) Bishop, why is it that the Diocese under your
- (4) jurisdiction at the present time through your
- (5) attorney -- through Mr. Drohan and your public
- (6) relations --
- (7) A. Mister who?
- (8) Q. Drohan. Always sends out the names of
- (9) victims in lawsuits. Why is it that they send
- (10) out news releases, for instance, in the
- (11) Mr. Lyons' case, indicating the name of the
- (12) victim when others shield the name of the victim
- (13) if you are interested in not causing any
- (14) embarrassment to victims or people who claim to
- (15) be victims of sexual abuse?
- (16) MR. SWEENEY: Counsel, isn't that
- (17) rather argumentative?
- (18) MR. TREMONT: No, it isn't. I'm
- (19) asking questions.
- (20) MR. SWEENEY: And how is it
- (21) relevant to the issues in this case?
- (22) MR. TREMONT: Well, I think it
- (23) leads to discovery. I am asking the question.
- (24) It's a proper question.
- (25) A. I don't know what case Mr. Lyons takes

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- (1) care of, but I believe that it probably is
- (2) occasioned by a subpoena, was it?
- (3) MR. SWEENEY: Well, if you don't
- (4) know, Bishop --
- (5) Q. Bishop, is that --
- (6) A. I don't know.
- (7) Q. All right. Let me ask you --
- (8) A. If it was one that was made public by
- (9) the one who was accusing, then it was obviously
- (10) no point in our trying to keep it private. I
- (11) don't know the case. I am not going to ask
- (12) questions. If you want to ask more clearly, I
- (13) don't know.
- (14) Q. All right. Let me ask it --
- (15) A. It probably was a subpoena case, and if
- (16) that's the case, it was made known by the one
- (17) who was making the accusation.
- (18) Q. Are you telling me that it was not your
- (19) specific policy to advise Mr. Drohan to
- (20) specifically release the name of any of the
- (21) sexual abuse individuals?
- (22) A. I do not recall any policy of that
- (23) sort. My understanding is that some of these or
- (24) perhaps all have come to us with subpoenas and
- (25) so there was no point in our pretending that it

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- (1) was going to be kept secret.
- (2) MR. SWEENEY: Are you almost
- (3) wrapped up?
- (4) MR. TREMONT: I think we are.
- (5) We'll stop at this point. How long do you want
- (6) to take?
- (7) MR. SWEENEY: I have 1:25. Well,
- (8) 45 minutes?
- (9) MR. TREMONT: Well, let me ask
- (10) you -- we are not going to finish today. We'll
- (11) have to set another date.
- (12) MR. SWEENEY: Yes, I think we'll
- (13) have to.
- (14) MR. TREMONT: Do you want to go
- (15) seriatim or do you want to stay at night?
- (16) MR. SWEENEY: Frankly, the
- (17) next -- I am going to be spending tomorrow and
- (18) Thursday with your friend, Laviano's, case.
- (19) (Discussion off the record.)
- (20) (Luncheon: 1:20 to 2:21 p.m.)
- (21) THE VIDEOGRAPHER: We are now
- (22) back on the record at 2:21 p.m.
- (23) BY MR. TREMONT:
- (24) Q. Let's continue. We were discussing
- (25) Father Brett, Bishop, and I was going over some

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- (1) memoranda with you, and I think the background
- (2) of our discussion was the meeting, the first
- (3) meeting, which you had with Father Brett on July
- (4) 9th, 1990.
- (5) Now, you have indicated to me
- (6) that you had read the file of Father Brett --
- (7) A. Let me be sure. Whether I read the
- (8) file of Father Brett the day before I saw him or
- (9) whether I read about it subsequently, I can't
- (10) be -- you know, but I think I wanted to say to
- (11) you, I hope I said to you, I probably had read
- (12) the file at that time. I can't believe I
- (13) wouldn't have read it, but did I read it before
- (14) I saw him or after I saw him, I would have to
- (15) say I cannot specifically recall that.
- (16) Q. Well, let me ask you something. We've
- (17) agreed that Plaintiff's Exhibit C, which is the
- (18) memo of December 2nd, 1964, was in the file.
- (19) A. Yes.
- (20) Q. Okay. And the memo states, "Timothy
- (21) exposed himself for examination by Father
- (22) Brett. Monsignor McGough said that Timothy was
- (23) handled by Father Brett. Boy told father to
- (24) stop but father assured him that there was
- (25) nothing wrong. Boy noted he did not become

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- (1) aroused. Father said he could bring this
- (2) about. It was then that the mouth action
- (3) began. Boy was frightened, and when he realized
- (4) he was about to have an emission, Father Brett
- (5) bit him in an attempt to stop the same.
- (6) Monsignor McGough does not remember term but
- (7) explained that the semen reverted causing
- (8) urological difficulty."
- (9) Now, that's, to say the least, a
- (10) rather dramatic and horrendous occurrence,
- (11) Bishop, you'd agree with me?
- (12) A. I would agree with that.
- (13) Q. All right. And that's not something
- (14) that I would assume that even in the course of
- (15) your years and my years, that you would see very
- (16) often. I mean, it's an unusual, unusual thing.
- (17) A. It's a very unusual thing.
- (18) Q. And I would think that you would
- (19) remember before your first conference with
- (20) Father Brett whether you had in your mind,
- (21) whether indeed you had read that memo or not
- (22) because of the -- as I say, when I say the
- (23) dramatic nature of it, I mean it's a -- I mean,
- (24) it's something that obviously is unseemly, and
- (25) it's more than that, and it's something that has

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- (1) to shock the memory. So based upon that, I am
- (2) asking you whether you recall if you saw that
- (3) specific memorandum before or after your
- (4) July 19th visit?
- (5) A. And I told you that I cannot be 100
- (6) percent sure when I read that, within a day or
- (7) two or three before or a day or two or three
- (8) after. I cannot be sure that I -- I know the
- (9) file, I know the memorandum, and I know I had
- (10) the meeting. I would ask -- I don't remember
- (11) even the years. Is this about 1992 or so or...
- (12) Q. The year of the meeting?
- (13) A. Yes.
- (14) Q. According to the memo, it's July 9th,
- (15) 1990?
- (16) A. 1990?
- (17) Q. '90.
- (18) A. I see. All right. Well, that would be
- (19) seven years ago then, right?
- (20) Q. Yes.
- (21) A. And to be sure that I would know when I
- (22) read everything at that time, I don't, sir.
- (23) Q. I am not really -- In other words, you
- (24) are telling me you don't recall --
- (25) A. I would be guessing if I tried to

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- (1) answer that.
- (2) Q. All right. And I don't want you to
- (3) guess, but you are saying you don't remember
- (4) Plaintiff's Exhibit C for identification, the
- (5) portion of the memo which I read to you, you
- (6) don't recall whether you read that before or
- (7) after your July 9th, 1990 visit with Father
- (8) Brett?
- (9) A. That is my statement.
- (10) Q. Okay. Now, you write Father
- (11) Bronkiewicz a note on July 12th, 1990, which
- (12) had shown you, Plaintiff's Exhibit A for
- (13) identification, "I met on Monday July 9, 1990,
- (14) with Father Laurence F.X. Brett. All things
- (15) considered, he made a good impression."
- (16) What does "all things considered"
- (17) mean?
- (18) A. I believe I knew that he was not in the
- (19) Diocese. I would say that when you would meet
- (20) him, he is not an extraordinarily impressive
- (21) individual, all things considered. He made a
- (22) reasonably good impression. Is that what I
- (23) said?
- (24) Q. Bishop, the fact that somebody is not
- (25) in your Diocese, is that - "all things

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- (1) considered" is a negative, isn't that, "all
- (2) things considered"?
- (3) A. Yes, sure it is.
- (4) Q. Yeah, so I'm saying what was the
- (5) negative thing, when you say "all things
- (6) considered"? He made a good impression, all
- (7) things considered?
- (8) A. Everything put together, he made a good
- (9) impression. He was not in our Diocese serving
- (10) in the Diocese, which is a growing Diocese and
- (11) can use its priests. He makes the impression of
- (12) a person who is rather weak physically and so
- (13) forth, and all things considered, he made a
- (14) reasonably good impression.
- (15) Q. So I know the positive things. I know
- (16) why he made a good impression. I want to know
- (17) "all things considered."
- (18) A. The negative things of the "all things
- (19) considered" would be the appearance, the manner,
- (20) the fact that he was not in our Diocese working
- (21) and so forth.
- (22) Incidentally, I can't tell you
- (23) what every word means in a memorandum that is
- (24) seven years old. I think that is a perfectly
- (25) legitimate interpretation and is the one I have

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- (1) at this minute.
- (2) Q. I'm not questioning the legitimacy of
- (3) the interpretation. I'm trying - I understand
- (4) you are saying he makes a good impression,
- (5) that's simple enough to understand. But you are
- (6) saying he makes a good impression "all things
- (7) considered," and I am saying that you are
- (8) certainly not telling us that the fact that he
- (9) was not working in the Diocese of Bridgeport
- (10) would be considered a negative thing at this
- (11) time, are you? Seriously?
- (12) A. Well, you have no idea how much I like
- (13) our men to stay home. I have been very generous
- (14) when the Holy See or any other need has asked
- (15) for our people, but I - for the military and so
- (16) forth, but I don't rejoice in that because I
- (17) have great need. Bridgeport is a growing
- (18) Diocese.
- (19) Q. Bishop Egan, are you telling us that
- (20) you were bad for the Diocese of Chicago, that it
- (21) was a negative thing when you were sent to Rome
- (22) and you were an auditor?
- (23) A. I'd like to hope that somebody in
- (24) Chicago thought that it was a loss.
- (25) Q. No, but - all right, but I mean it

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- (1) wasn't bad, no one would say all things
- (2) considered, he is okay -
- (3) A. Oh, yeah. Oh, yes. Oh sure, I have
- (4) had priests that I have - one that I have in
- (5) mind that I allowed to go and take a job in
- (6) Rome, and I consider it - I work for the day
- (7) and hope for the day that I'll have more just
- (8) like him, yes. And I like to think that people
- (9) maybe thought that some little harm was done to
- (10) Chicago when I got on the ship. I may be -
- (11) Q. But I would hope they wouldn't be
- (12) writing in a memo about you, "all things
- (13) considered, he made a good impression." That's
- (14) what I am getting at. I mean the -
- (15) A. That's the best I can do interpreting
- (16) it for you.
- (17) Q. Let's go on to the next sentence. "In
- (18) the course of our conversation of the
- (19) particulars of his case came out in detail and
- (20) with grace." Now what did you mean by that?
- (21) A. Well, I think that someone could take
- (22) that case to mean some kind of a court case or
- (23) something of the sort.
- (24) Q. No, I am asking what you meant.
- (25) A. All I mean is that his story came out

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- (1) in some detail. He told me whatever it was
- (2) about himself, and I heard it and I wanted
- (3) Monsignor to know that I had been given a report
- (4) by this man about how he is and what he is
- (5) doing.
- (6) Q. Doesn't that relate to the sexual
- (7) misconduct?
- (8) A. I cannot be sure that it does.
- (9) Q. Well, you sent a memo, obviously you
- (10) were curious enough at least. If you didn't
- (11) read the file before you saw him, you were
- (12) curious enough to send a memo to Father
- (13) Bronkiewicz - or I'm sorry, talk to Father
- (14) Bronkiewicz, finding out what's the story, why
- (15) did this guy have to leave the Diocese, and you
- (16) got back from Father Bronkiewicz on July 9,
- (17) which was the day of the meeting, that Bishop
- (18) Curtis informed Father Bronkiewicz of the reason
- (19) that Father Brett had to leave the Diocese, and
- (20) I assume that Father Bronkiewicz conveyed that
- (21) information to you?
- (22) A. Yes. I cannot be sure that I can
- (23) reconstruct everything. My guess from reading,
- (24) the best I can do is this, that after I had seen
- (25) him, I probably said let's find out more about

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- (1) this. I probably asked Monsignor Bronkiewicz to
- (2) call Bishop Curtis and say, "What is this about,
- (3) why is he not here in this Diocese," and I
- (4) probably heard what I heard and got the file and
- (5) began to dig. That's my guess.
- (6) Now, don't hold me to it. I am
- (7) under oath. That's as close as I can get, but I
- (8) think - I'd like you to know that I think that
- (9) that happened, because then, if I am not
- (10) mistaken, we began to look into what kind of
- (11) psychological situation this man had.
- (12) Q. Well, you indicated before that your
- (13) basic *modus operandi* was to get information on
- (14) the priest before you met with him and before
- (15) you saw him?
- (16) A. If I said that, I want to correct it.
- (17) I would say on the occasion I would find out.
- (18) It may be that in some cases I would - no, it
- (19) would be very unusual for me to say, "Someone is
- (20) coming in to see me, please give me his file,"
- (21) but I could do that.
- (22) Ordinarily if I'm going out to a
- (23) place and come back, I say I'd like to see the
- (24) file if something strikes me. My - I cannot
- (25) tell you, and I am not trying to in any way

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- (1) deceive or anything, exactly what happened, but
- (2) my putting together of this thing is, I met with
- (3) him, I did what I suggested to you when we began
- (4) this morning I would do. What's the story
- (5) here? And soon I knew the story.
- (6) Q. Then I misunderstood you. I thought
- (7) that before lunch, you had indicated that the
- (8) procedure that you followed is if you were going
- (9) to a parish, if you are going to do a
- (10) confirmation, if you were going to meet with
- (11) somebody, that you would get information
- (12) regarding that individual before you met them?
- (13) A. Right. Right. No, it would not be
- (14) information to go and ge' me his file.
- (15) Q. No, but you would ask someone. And
- (16) Obviously at least on the morning, or at least
- (17) the day before, because according to the
- (18) Bronkiewicz memo, Plaintiff's Exhibit B, it was
- (19) the morning of July 9th that Monsignor
- (20) Bronkiewicz spoke with Bishop Curtis, who told
- (21) him why Brett was asked to leave the Diocese.
- (22) A. As I said, I have reconstructed it, I
- (23) think, accurately. Seven years is a long time
- (24) to be able to give everything and you've heard
- (25) it as well as I can reconstruct it. I think I

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- (1) have reconstructed properly.
- (2) Q. All right. So you think that all
- (3) things considered, he made a good impression had
- (4) nothing to do with the prior sexual complaints
- (5) against him?
- (6) A. Sir, I -- that is my current feeling on
- (7) this thing.
- (8) Q. All right. Okay.
- (9) A. And I don't have a specific memory of
- (10) each event at that time. My current thinking is,
- (11) that.
- (12) Q. And "In the course of our conversation,
- (13) the particulars of his case came out in detra-
- (14) and grace" had nothing in your mind, the
- (15) particulars of this particular -- of his case
- (16) had nothing to do with the claims of sexual
- (17) misconduct against him, as far as you remember?
- (18) A. That is my interpretation. I do recall
- (19) his reason -- I mentioned the liturgy thing. I
- (20) do remember there was a discussion of liturgy,
- (21) but I can't summon more than that up.
- (22) Q. "After you and I had an occasion to
- (23) discuss this matter, I would be inclined to
- (24) write Father Brett a letter encouraging him to
- (25) go on with his work in Baltimore but assuring

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- (1) him, as I believe Canon Law requires me to do,
- (2) that he will be well received here in the
- (3) Diocese if he needs to return." What did you
- (4) mean by that?
- (5) A. I had probably written that sort of
- (6) thing a number of times. Any time a priest not
- (7) working in our Diocese comes in to see me, I
- (8) make it a point, even if he comes every year --
- (9) we have three down in South America that are
- (10) missionaries, belong to the Diocese, supported
- (11) by us and so forth -- every year I say, "Father,
- (12) if you come back, you will be welcome with open
- (13) door," and I usually put that in the file
- (14) just -- so that would be not an uncommon
- (15) expression for me in a file.
- (16) Q. Except you just told us that you wanted
- (17) these people back. If you wanted them back, why,
- (18) would you say, "I would be inclined to write
- (19) Father Brett a letter encouraging him to go on
- (20) with his work in Baltimore"?
- (21) A. Because that is what he wanted to do.
- (22) He was involved with a very successful
- (23) liturgical publication, which I am told goes to
- (24) hundreds of thousands of copies. Don't hold me
- (25) to that. But a very successful publication, and

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- (1) certainly my understanding that's what he wanted
- (2) to do.
- (3) Q. All right. But you would have -- you
- (4) had no problem bringing him back to the Diocese
- (5) despite the complaints that he admitted of the
- (6) prior sexual misconduct?
- (7) A. My belief at this time, to the best I
- (8) can remember the events of seven years ago, the
- (9) complaints and so forth, I found out within the
- (10) next couple of days or so, and then I began to
- (11) dig. That's my feeling at this point.
- (12) Q. I am sorry, I am not following you.
- (13) A. All right. The --
- (14) Q. This memo that you wrote was written a
- (15) few days ago. It was written on July 12th --
- (16) A. A few days after.
- (17) Q. Yes, a few days after. It was written
- (18) three days after, as a matter of fact, your
- (19) meeting?
- (20) A. Yes.
- (21) Q. All right. Obviously because of the
- (22) July 9th, 1990 memo, Exhibit B for
- (23) identification, you were then aware of why he
- (24) was asked to leave and what was in the file?
- (25) A. I wrote my memorandum on -- probably on

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- (1) a Saturday at home. I don't know, you can check
- (2) it out. I was probably behind and that's -- I
- (3) got to it as fast as I possibly could. But as I
- (4) have told you as much as I can remember of that,
- (5) anything else would be simply a guess.
- (6) Q. That wasn't my question. My question,
- (7) Bishop, was that despite the prior acts which
- (8) were recorded of sexual misconduct, you were
- (9) still willing to accept him back to the Diocese
- (10) of Bridgeport, to work -- back to work in the
- (11) Diocese of Bridgeport?
- (12) A. The "despite" is the problem.
- (13) Q. Yes, the "despite."
- (14) A. I don't know, when I wrote the memo,
- (15) but I am willing to have him come back if I knew
- (16) the particulars about his behavior beforehand.
- (17) Q. Well, indicated that there was a file
- (18) and the file was available, you indicated that
- (19) you saw the file, and the memo was written not
- (20) on the day of the conference but three days
- (21) later?
- (22) A. That's all correct. I don't say that I
- (23) saw the file before I met him. I thought I
- (24) said -- But in any event, I think it's all
- (25) clear. I said it clearly, I believe.

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- (1) Q. Within a few days one way or the other,
- (2) you said?
- (3) A. I can't tell you seven years -- a day
- (4) years ago what that was, but I come as close as
- (5) I can with a reasonable memory.
- (6) Q. On July 19th, 1990, which was 10 days
- (7) after your meeting, you wrote him a letter, and
- (8) you indicated in that letter, "I look forward to
- (9) seeing you often here in the great Diocese of
- (10) Bridgeport." Do you recall that letter?
- (11) A. Fine, yes.
- (12) Q. All right. And --
- (13) A. Again, this would be a very typical
- (14) courtesy that I would write. Someone comes and
- (15) sees me, I write them a letter, and it might
- (16) take me a week or 10 days or two weeks to get to
- (17) all of it. I am a little behind right now.
- (18) Q. All right. Now, Bishop, at that point
- (19) were you considering bringing him back to the
- (20) Diocese of Bridgeport?
- (21) A. I was not.
- (22) Q. All right. May I ask you why, on
- (23) February 21, 1991, you had Father Bronkiewicz
- (24) write Father Brett a letter requesting a summary
- (25) of the evaluation of treatment you have received.

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- (1) concerning "the issues you have discussed with
- (2) Bishop Egan and myself"?
- (3) A. I believe that I was by that time -- I
- (4) forget, that's after this meeting?
- (5) Q. Yes.
- (6) A. I believe by that time I am into what
- (7) is the story of this man, and I believe that
- (8) Monsignor Bronkiewicz, either on his own or at
- (9) my behest, I cannot remember, was going to get
- (10) whatever psychiatric, psychological reports that
- (11) were available about this man.
- (12) Q. Well, let me read further. It says, "A
- (13) summary and evaluation of the treatment you have
- (14) received concerning the issues you have
- (15) discussed with Bishop Egan." So obviously
- (16) Father Brett had discussed with you his
- (17) treatment and the issues regarding his
- (18) treatment?
- (19) A. As I say, he may have. I am not 100
- (20) percent sure. I suppose I didn't meet with him
- (21) again between that. I'm not sure that I may
- (22) have met with him again. This is a span of how
- (23) many months?
- (24) Q. You think you saw him again?
- (25) A. I don't know.

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- (1) Q. Well, July 19, '90, and February 21,
- (2) 1991.
- (3) A. I don't know. There is nothing in the
- (4) file to indicate that. I don't know. I can
- (5) tell you that he will may have told me that he
- (6) was having problems, I don't know.
- (7) Q. Well, Bishop, we have to assume that
- (8) Monsignor Bronkiewicz wouldn't have just woven
- (9) up the fact out of thin air that, "I write to
- (10) ask that you request of Gregory K. Lehne, Ph.D.,
- (11) a summary and evaluation of the treatment you
- (12) have received concerning the issues you have
- (13) discussed with Bishop Egan." I assume that he
- (14) did, right?
- (15) A. I don't get that letter. I don't
- (16) know. I don't know.
- (17) Q. You're not denying that? I mean, are
- (18) you?
- (19) A. I am not denying it, but neither am I
- (20) affirming it. I don't know.
- (21) Q. Let me go back again. Then you still,
- (22) despite the rather more than shocking -- I mean
- (23) very unusual statements and circumstances
- (24) surrounding this 1994 -- 1964 memo, you are
- (25) saying you don't have any specific memory? I

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- (1) mean, this priest in your new Diocese --
- (2) A. A specific memory about what?
- (3) Q. About the fact that the incidents of
- (4) the memo, the 1964 memo, were discussed with
- (5) Father Brett? I mean, that -- I mean enough to
- (6) have you write a further letter requesting an
- (7) evaluation of his treatment?
- (8) A. I have told you that I am not sure of
- (9) the temper of the time in all of this. My
- (10) current memory, to the best that I have one, is
- (11) that I found the what you describe as -- rightly
- (12) as an outrageous situation afterwards. I don't
- (13) know what else I might have heard during that
- (14) meeting. I cannot summon it all up, but I know
- (15) that I went into it when I found out about it.
- (16) Q. All right. Now, Bishop, why did you
- (17) request this summary from -- or did you have the
- (18) summary requested from Dr. Lehne?
- (19) A. Because I wanted to have the ability to
- (20) make an appropriate decision regarding this
- (21) gentleman.
- (22) Q. In what regard?
- (23) A. With regard to his priesthood, in
- (24) regard to his activities as a priest, in regard
- (25) to his spiritual life and in regard to his

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- (1) mental and physical health, too.
- (2) Q. How would you act on the basis of the
- (3) report?
- (4) A. It seems to me --
- (5) Q. What could you have done?
- (6) A. Well, I think I can tell you what I did
- (7) and show how I handled this. When I had
- (8) conducted my report, my investigation, I finally
- (9) asked him to come in and indicated to him that I
- (10) was of the same mind as you have indicated you:
- (11) are when you have read that particular document,
- (12) and I indicated to him that reduction to the lay
- (13) state is what he ought to be involved with.
- (14) Q. Excuse me, Bishop, I am talking about a
- (15) letter that was sent on February 21st of 1991.
- (16) A. Yes.
- (17) Q. Are you telling me -- this I'll
- (18) understand, because I don't have it in this
- (19) file. That was produced -- that you asked
- (20) Father Brett at that time to go into the lay
- (21) state?
- (22) A. Subsequent to that.
- (23) Q. Well, yes, subsequent is time. But I
- (24) am asking, in other words, what did you intend
- (25) to do on February 21st of 1991?

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- (1) A. I intended to find out everything I
- (2) could about this man.
- (3) Q. All right.
- (4) A. I intended to know about his
- (5) psychological tests or reports or whatever there
- (6) was, and then you said to me what did you do as
- (7) a result, and I was telling you what I did as a
- (8) result.
- (9) Q. But did you -- That's what I'm
- (10) talking -- but you didn't do that as a result of
- (11) the April 8th, 1991 report, did you?
- (12) A. I did it as a result of my
- (13) investigation.
- (14) Q. All right. Let me ask you this,
- (15) Bishop: Your investigation then started
- (16) sometime in February of 1991; is that correct?
- (17) A. I don't know how long it took me to get
- (18) all this together.
- (19) Q. All right. But the report -- Well,
- (20) let me say this to you: I have a copy of a
- (21) report and a copy of the letter from Father
- (22) Bronkiewicz to Dr. Lehne thanking him for the
- (23) information which he sent to you on behalf of
- (24) the Most Reverend Edward Egan, Bishop of
- (25) Bridgeport, "Thank you for the letter of April

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- (1) 8th, 1991, concerning Father Brett," and that's
- (2) May 3rd, 1991. So you have that information by
- (3) May 3rd of 1991. Now that completed your
- (4) investigation, did it not?
- (5) A. I don't know if it completed my
- (6) investigation.
- (7) Q. Well, what else did you do in regard to
- (8) your investigation?
- (9) A. I probably had to ask around. I
- (10) probably had to go into it. I can't be sure
- (11) what I did, but the outcome was my decision was
- (12) that this man should be reduced to the lay
- (13) state.
- (14) Q. Bishop, didn't you make a decision in
- (15) April of 1991 or May of 1991 or June or July or
- (16) August of that year or, indeed, January of 1992
- (17) to reduce this man to lay state, did you?
- (18) A. When did I make the decision?
- (19) Q. No, I said you didn't make it during
- (20) those times, did you?
- (21) A. No, I didn't see.
- (22) Q. No. As a matter of fact, he continued
- (23) acting as a priest incardinated in the Diocese
- (24) of Bridgeport, to the Diocese of Bridgeport?
- (25) A. And having, as I recall that, if you

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- (1) would like me to read it, an indication that he
- (2) was functioning appropriately according to this
- (3) psychiatrist or psychologist, whoever it was.
- (4) Q. But, Bishop, that wasn't my question.
- (5) You said that as a result of this specific
- (6) investigation, you decided --
- (7) A. In due course I decided.
- (8) Q. Well, you say in due cause, but that's
- (9) because of other events that intervened, is it
- (10) not?
- (11) A. What other events?
- (12) Q. Well, I'm asking, is it not because of
- (13) other events that intervened?
- (14) A. I believe that I was on the way to
- (15) making a proper decision in his regard. I think
- (16) that letter would indicate that this particular
- (17) person felt that he was operating appropriately,
- (18) not involved in misconduct. I would have to
- (19) read the letter. I can't recall each letter.
- (20) Q. All right. If that is what the letter
- (21) says, okay, at that point then you decided to
- (22) allow him to remain as a priest, did you not?
- (23) A. I didn't make a decision one way or the
- (24) other. I kept working on it until I resolved
- (25) the decision.

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- (1) Q. Well, isn't it a fact that by not
- (2) asking him to remove himself or by not
- (3) suspending him, in effect you concluded that you
- (4) would allow him to remain as a priest?
- (5) A. We had indications from psychiatrists
- (6) that he was comporting himself appropriately,
- (7) and our decision was to continue until we came
- (8) to further conclusions because of other
- (9) indications.
- (10) Q. The fact that you -- at that point you
- (11) allowed him to remain a priest, that was your
- (12) conclusion? Okay.
- (13) A. Yes, on the basis of analysis and by a
- (14) professional.
- (15) Q. Bishop, that's fine. I am not
- (16) saying -- though, you allowed him to remain and
- (17) at that point -- in other words, the status quo
- (18) remained as far as he was concerned?
- (19) A. He continued not to be -- he did not
- (20) have his faculties removed.
- (21) Q. All right. Now -- Well, did you put
- (22) any restriction on him at that time?
- (23) A. None.
- (24) Q. None, okay. And let me ask you, you
- (25) tell me then, after April 8th, 1991, what steps

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- (1) did you take, "you" meaning yourself or persons
- (2) under you within the Diocese, to continue this
- (3) investigation of Father Brett?
- (4) A. I can not remember what we did
- (5) specifically. I am sure that we did enough to
- (6) bring us to the conclusion or to bring me to the
- (7) conclusion that he should step aside.
- (8) Q. All right. Let me ask you this. I
- (9) will be glad to show you the information in the
- (10) file that was produced to me by -- No, it
- (11) wasn't produced to me. It was a file that was
- (12) produced in the federal court regarding Father
- (13) Brett.
- (14) Do you want to look at that and
- (15) see if that refreshes your recollection --
- (16) A. Fine.
- (17) Q. -- as to what you yourself may have
- (18) done, in other words, not what may have come to
- (19) you but what activity you may have taken to
- (20) continue this investigation. Just keep it in
- (21) order for me, please, because I'm very -- I have
- (22) problems with keeping things in order. If you
- (23) want to just glance through that and see what
- (24) the file action that indicates you took
- (25) yourself.

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- (1) A. The new information about him that
- (2) would certainly not be simply set aside on the
- (3) basis of a psychologist's or psychiatrist's
- (4) evaluation came in, as you can see from that
- (5) file, and I took the action that you know I
- (6) took.
- (7) MR. TREMONT: Let's get back to
- (8) the question I asked, the last question, before
- (9) I asked the Bishop to look at the file to
- (10) refresh his recollection.
- (11) (Question read.)
- (12) Q. Okay. Would you answer that, please?
- (13) A. All right. I had received from a
- (14) psychiatrist, psychologist, a report that would
- (15) make one feel, at least I felt and my advisers
- (16) felt, that he could continue where he was in
- (17) what he was doing. The time went on, and as you
- (18) have shown me here, and I recall now again with
- (19) clarity, new accusations came forward about this
- (20) man.
- (21) Q. That's not -- You're not answering my
- (22) question, Bishop. You said you took -- I'm
- (23) asking you what action did you take. You said
- (24) an investigation was continuing, and I am asking
- (25) you what did you or the Diocese do as opposed to

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- (1) getting information that voluntarily or
- (2) accidentally may have come in? What did you do
- (3) to continue this investigation?
- (4) A. I believe what we did was we asked for
- (5) reports from this psychiatrist, and he gave a
- (6) favorable report, and with that he was allowed
- (7) to spend -- to continue in what he was doing in
- (8) Baltimore or Washington.
- (9) Q. Okay. Well --
- (10) A. So months go on and now we find
- (11) ourselves with new information about him. Now
- (12) we are not limited to the information we knew
- (13) before.
- (14) Q. But, Bishop, the new information you
- (15) found because -- that information was sent to
- (16) you without inquiry; isn't that so?
- (17) A. As far as I -- I would imagine that it
- (18) had to do with a court case. I can't remember
- (19) exactly, so we probably had a summons, as I
- (20) think I used subpoena before, but I meant
- (21) summons, but we probably -- this was probably
- (22) brought to our attention by a court or by a
- (23) lawyer or someone representing these people.
- (24) Q. Fine. So is it fair to say, then, that
- (25) after you received the letter from Dr. Lehne,

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- (1) you at that point decided, well, let Father
- (2) Brett continue to do what he was doing and your
- (3) investigation stopped?
- (4) A. You are half right.
- (5) Q. Where am I half wrong?
- (6) A. All right. I had him -- I had the
- (7) investigation, I had sufficient information for
- (8) myself and for others to decide that he would
- (9) continue, but I certainly wouldn't say I stopped
- (10) keeping an eye on the thing. I stopped being
- (11) concerned about it and so forth. I didn't take
- (12) any further steps in a -- writing letters or
- (13) making inquiries or anything of the sort, but my
- (14) concern certainly didn't end. Anybody that had
- (15) been involved in a situation of this sort would
- (16) always be my concern.
- (17) Q. But didn't you do anything, you
- (18) didn't -- for example, you didn't --
- (19) A. No, I made a decision --
- (20) Q. All right, but that's what I'm saying,
- (21) and your decision was to allow him to remain in
- (22) the ministry?
- (23) A. On the basis of the information that
- (24) was given to me professionally, I decided to
- (25) allow him to remain in the ministry.

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- (1) Q. Bishop, that's fine, but I'm not
- (2) arguing with your reasoning, but I'm saying
- (3) that's what you did at that point and you said
- (4) okay?
- (5) MR. SWEENEY: That's been asked
- (6) and answered, with the best of counsel. He is
- (7) saying the same thing.
- (8) A. Well, I don't know how I could say it
- (9) clearer than that.
- (10) Q. All right. Well, Let me ask you: Did
- (11) you say, "Let's contact the places that Father
- (12) Brett had been at and try to find out if there
- (13) were any complaints"? You didn't do that?
- (14) A. No.
- (15) Q. All right. You didn't -- I don't
- (16) know, was Father Stephenson alive at that point,
- (17) do you know?
- (18) A. See I never have heard of Father
- (19) Stephenson except from reading these files.
- (20) Q. All right. So it's your assumption
- (21) that he was either dead or not a priest at the
- (22) time you came to the Diocese?
- (23) A. My assumption is he was dead. I don't
- (24) know.
- (25) Q. The --

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- (1) A. He is not a name that is familiar to
- (2) me -- I think he -- except from these files.
- (3) Q. Okay. And did you yourself personally,
- (4) not through Father Bronkiewicz, speak with
- (5) Bishop Curtis regarding Father Brett?
- (6) A. I do not recall speaking to Bishop
- (7) Curtis about Father Brett at this time.
- (8) Q. Okay. Now, on November 4th of 1992,
- (9) apparently a letter was sent to Monsignor
- (10) Bronkiewicz indicating that sexual abuse charges
- (11) had been made against Father Brett for sexual
- (12) acts which took place in 1966 and 1967 at
- (13) St. Therese's parish in Albuquerque, New Mexico?
- (14) A. When you say "charges," is that the
- (15) word -- What do they mean by "charges"?
- (16) Q. Well, let me read the letter.
- (17) A. No, I just --
- (18) Q. Let me read this letter so that I don't
- (19) misstate it. November 4th, 1992, from the
- (20) Chancellor Reverend Ron Wolf of the Archdiocese
- (21) of Santa Fe. "An allegation of sexual abuse has
- (22) been made concerning father Laurence Brett. The
- (23) sexual act took place during 1966, 1967, at
- (24) St. Therese parish at Albuquerque, New Mexico.
- (25) The victim related that the sexual activity took

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- (1) place when he was 10 or 12 years of age. The
- (2) priest invited the victim to his bedroom in the
- (3) rectory and suggested oral and anal sex. Again,
- (4) these are only allegations at this time. I will
- (5) pursue further the investigation of this matter
- (6) and locate other victims.
- (7) "It is also reported by the
- (8) victim that Father Brett stated no person would
- (9) believe the incident took place. I have no
- (10) further details because the victim's -- the
- (11) victim's does not want further identification at
- (12) this time. I do know the name and telephone
- (13) number of the victim."
- (14) So that's the correspondence that
- (15) Monsignor Bronkiewicz received on November 4th,
- (16) 1992, from the Diocese of Santa Fe, obviously
- (17) unsolicited?
- (18) A. Yes. I am not sure but -- apparently I
- (19) am sure this was not a court case at this time.
- (20) Is that the idea? I don't know.
- (21) Q. I would assume it wasn't because on
- (22) November 5th, Monsignor Bronkiewicz writes a
- (23) letter to Father Wolf out at Albuquerque, "Thank
- (24) you for your faxed letter of November 4th, 1992,
- (25) concerning the allegations made against the

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- (1) Reverend Laurence F.X. Brett. Please convey to
- (2) the Most Reverend Robert F. Sanchez, Archbishop
- (3) of Santa Fe, that it is our intention to
- (4) cooperate fully with you in the investigation
- (5) and resolution of this matter. I trust that you
- (6) will keep me fully informed of any new
- (7) information regarding the allegation and any
- (8) action being considered by the Archdiocese of
- (9) Santa Fe."
- (10) And at that point I assume that
- (11) this was discussed with you?
- (12) A. Oh, I am sure it was discussed with me.
- (13) Q. And Terry Durant? Now who is Terry
- (14) Durant?
- (15) A. Terry Durant is our legal counsel.
- (16) Q. Okay. Why would he get a copy of this
- (17) letter on November 5th of 1992?
- (18) A. Because he is the legal counsel.
- (19) Mr. Terry Durant is -- belongs to a law firm
- (20) here in the city.
- (21) Q. And do you have some arrangement, while
- (22) you have been bishop, with Mr. Durant that
- (23) any -- that he gets copies of claims that are
- (24) made of sexual abuse?
- (25) A. Any time that a case comes forward

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- (1) that -- a substantial case of sexual abuse, we
- (2) would consult with a lawyer. At that time we
- (3) were consulting with Mr. Durant.
- (4) Q. Okay. And may I ask -- well, I will
- (5) withdraw that.
- (6) Okay. And there is a November
- (7) 6th memo to the file, and the memo is from
- (8) Monsignor Bronkiewicz. "This evening I received
- (9) a telephone call from Father Wolf, the
- (10) chancellor of the Archdiocese of Santa Fe, who
- (11) connected me with an investigator from the
- (12) Archdiocese of Santa Fe, who had looked in the
- (13) background of Mr. Ray R. Romero, the person who
- (14) has accused Father Brett of misconduct with him
- (15) in 1996 or 1997," and then he explains or gives
- (16) a description of Mr. Romero and says,
- (17) "Mr. Romero, according to the Archdiocese
- (18) investigator, has no arrest record; however,
- (19) between the years 1988 and '90, he reported four
- (20) burglaries which, according to the investigator,
- (21) is an unusual number of burglaries over a
- (22) two-year period," and then he also indicates
- (23) where the call to Father Wolf came, which was
- (24) from --
- (25) A. I believe you said that memo was from

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- (1) me?
- (2) Q. No, I said it was from Monsignor
- (3) Bronkiewicz.
- (4) A. All right, fine. Correct that then,
- (5) because you think it said it was from me, but
- (6) it's not from me, and I don't --
- (7) Q. I don't believe I did say that --
- (8) A. Okay.
- (9) Q. But the record will show that. I think
- (10) I indicated that it was a memo from Monsignor
- (11) Bronkiewicz. What I indicated was that you
- (12) received a copy of the November 5, 1992 letter
- (13) that was sent to Father Wolf.
- (14) A. Fine. That's clear then, that's no
- (15) problem.
- (16) Q. Incidentally, Robert F. Sanchez is no
- (17) longer the Archbishop of Santa Fe, is he?
- (18) A. He is not.
- (19) Q. All right. And did he resign or was he
- (20) removed?
- (21) A. He resigned.
- (22) Q. All right. At the time in November of
- (23) '92 that you were communicating with, or your
- (24) office was communicating with the Diocese of
- (25) Santa Fe, were you aware of the allegations or

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- (1) the charges or what was happening with Bishop
- (2) Sanchez?
- (3) A. I was.
- (4) Q. You were, okay.
- (5) A. I can't give you the particulars, but I
- (6) remember there was a very unpleasant situation.
- (7) Q. All right. And that Diocese, at least
- (8) publicly, has not had a very good record in
- (9) regard to sexual misconduct?
- (10) A. I can't -- I think -- I would prefer
- (11) not to make a judgment one way or the other.
- (12) Q. Now, there is a letter written on
- (13) November 6th, 1992, by Father Bronkiewicz to the
- (14) Auxiliary Bishop of Baltimore, Francis Murphy,
- (15) with a copy to you, and it discusses the fact
- (16) that the -- there was an allegation made from
- (17) the Archdiocese of Santa Fe, which we just
- (18) discussed about misconduct, which may have
- (19) occurred in that Diocese in 1966, '67 regarding
- (20) Father Brett.
- (21) A. That was in addition to the one act we
- (22) knew about in the Diocese of Bridgeport.
- (23) Q. Well, you knew more than one act in the
- (24) Diocese of Bridgeport. Father Brett had
- (25) admitted, did he not, that he had been involved

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- (1) with other persons in Stamford at St. Cecelia?
- (2) MR. SWEENEY: Pardon me, Counsel,
- (3) did you say "persons" plural or singular? If
- (4) you take a look at the memo.,
- (5) MR. TREMONT: Plural.
- (6) MR. SWEENEY: I think it's one.
- (7) A. I think it was one, and it was a
- (8) question -- but anyway, I wanted to make it
- (9) clear that it wasn't the Bridgeport you're
- (10) talking about. You're talking about the New
- (11) Mexico now?
- (12) Q. Right. The Bridgeport -- there were
- (13) three things you knew about. You knew there was
- (14) a Frechette complaint regarding a boy who was at
- (15) Notre Dame High School, the papal nuncio letters
- (16) or apostolic delegate at that time, I guess.
- (17) And you knew there was something at St.
- (18) Cecilia's and you know the Sacred Heart
- (19) incident?
- (20) A. Something. That was it, but I just
- (21) wanted to be sure we are talking about the same
- (22) state. We're talking about the --
- (23) Q. Now we are talking about the New Mexico
- (24) complaint which was conveyed to you.
- (25) A. All right.

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- (1) Q. Now, on November 8th of 1992, Monsignor
- (2) Bronkiewicz writes a letter to Bishop Murphy of
- (3) Baltimore indicating that, "Please assure His
- (4) Excellency, the Most Reverend William Keeler,
- (5) Archbishop of Baltimore, of our intention to
- (6) investigate the matter thoroughly."
- (7) "At the present time, we have no
- (8) reason to believe that the accuser of Father
- (9) Brett intends to take legal action of any kind,
- (10) and there has been no publicity concerning the
- (11) accusation." All right.
- (12) Now why is it important that
- (13) there was no publicity concerning the
- (14) accusation?
- (15) A. I don't know if that letter indicates
- (16) there was importance to it, but I think it is
- (17) important that there is no publicity, negative,
- (18) for the person that's accusing or for the
- (19) accused. It's always good not to have publicity
- (20) until things are established.
- (21) Q. Well, you say for the person accusing
- (22) or the accused. Aren't you interested in the
- (23) fact that there was no publicity against the
- (24) priest?
- (25) A. Yes, I said for the person accused and

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- (1) for the accusing.
- (2) MR. SWEENEY: He said both,
- (3) Counsel.
- (4) MR. TREMONT: I understand he
- (5) said both?
- (6) A. I thought I said both. I meant to
- (7) say -- maybe I said for the one making -- Well,
- (8) anyway, you understood what I am saying.
- (9) Q. All right. What about, "We have no
- (10) reason to believe that the accuser intends to
- (11) take legal action of any kind." Why is that
- (12) significant?
- (13) A. Well, I think it's a piece of
- (14) information that's going to be shared with the
- (15) Diocese where the man is. There is a question
- (16) of publicity, negative information in Baltimore
- (17) or Washington.
- (18) Q. Why? Why, though? Why is that
- (19) significant?
- (20) A. It's significant because you don't want
- (21) to have that kind of information around.
- (22) Certainly you don't want it until you have it
- (23) established.
- (24) Q. All right. Now on November 16th of
- (25) 1992, Monsignor Bronkiewicz had a conversation

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- (1) with Father Brett at the Diocese of Bridgeport
- (2) and made a memo of that conversation, and do you
- (3) recall looking at that?
- (4) A. I do.
- (5) MR. TREMONT: Let's have this
- (6) marked as an exhibit, please.
- (7) (Plaintiff-Egan Exhibit G marked
- (8) for identification.)
- (9) Q. I will give you the memo, Bishop, but I
- (10) only have one copy that we have to share. Now
- (11) you were the one that had instructed Monsignor
- (12) Bronkiewicz, who immediately contacted Father
- (13) Brett, and bring him up and confront him with
- (14) the accusations; is that correct?
- (15) A. That would be my remembrance. I would
- (16) imagine, I can -- I wanted to see Father Brett
- (17) when I found out that we weren't talking about
- (18) that one sure incident in Bridgeport with the
- (19) psychology man's estimate, the psychiatrist's
- (20) estimate, but now we had very serious
- (21) accusations from other places, and so I asked to
- (22) see him. Now, how I did it, I don't remember.
- (23) Q. All right. That's part of your policy?
- (24) A. Exactly.
- (25) Q. In accordance with your policy. But

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- (1) again, certainly the accusations here are no
- (2) more serious than the fact of what occurred in
- (3) 1964? I mean, they were --
- (4) A. I think there was a big difference
- (5) between a one event followed by an assurance
- (6) that the man was comporting himself properly
- (7) rather than one event and then several events
- (8) coming to the head years later.
- (9) Q. Now, reading from portions of -- And I
- (10) am going to give you the whole affidavit. I am
- (11) reading from portions of it -- not affidavit,
- (12) but memorandum, of November 16, 1992,
- (13) Plaintiff's Exhibit G, "In response to the
- (14) accusation of misconduct by Mr. Ray Romano about
- (15) which we were informed on November 4, 1992," and
- (16) I am skipping parts, "Father Brett indicated
- (17) that he does not remember the name of the
- (18) alleged victim and accuser and that he never had
- (19) been sexually attracted to prepubescent
- (20) children. The incidents," plural, "in the
- (21) Diocese of Bridgeport involved young men,"
- (22) plural, "of college age." That's what Monsignor
- (23) Bronkiewicz says. "Incidents" and "men."
- (24) However, Father --
- (25) A. You want me to --

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- (1) Q. No, listen to the whole thing. I'm
- (2) just --
- (3) A. And then can I read the whole thing?
- (4) Q. I am going to give you the whole
- (5) thing.
- (6) A. Okay.
- (7) Q. There's some questions I will ask you,
- (8) but I am going to give you the whole thing.
- (9) "However, Father Brett admits
- (10) his homosexuality. He did admit to sexual
- (11) misconduct in the St. Therese of the Infant
- (12) Jesus parish rectory...with a 16- or 17-year-old
- (13) young man; he recalls that the young man was a
- (14) friend of the member of the parish Folk Group."
- (15) A. What was that last?
- (16) Q. The parish Folk Group.
- (17) A. Okay.
- (18) Q. "He also remembers sexual involvement
- (19) with an older gay man, a barber, who had come to
- (20) the rectory to cut his hair."
- (21) "He recalls meeting with a
- (22) psychiatrist, Dr. Alan Jacobson, only twice
- (23) during his stay at Nazareth. He does recall
- (24) fooling around with another young male patient
- (25) at the sanitarium, but insists that there was no

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- (1) sexual activity."
- (2) In 1965 and 1966, after being
- (3) discharged from Nazareth Hospital, he was
- (4) assigned to the St. Charles parish in Santa Fe
- (5) Archdiocese where he recalls two sexual
- (6) relationships, both with males over 20 years of
- (7) age."
- (8) "He remembers being called over
- (9) to the school one day" -- this is subsequent --
- (10) by the Sister Principal who asked Father Brett
- (11) to help her deal with a young male student who
- (12) she thought had been masturbating but who, after
- (13) further investigation by Father Brett, was
- (14) suffering from swelling in the genital area.
- (15) The young male student remained dressed
- (16) throughout the time that Father Brett was
- (17) present. Later, however, a member of the parish
- (18) council, probably related to the child, "accused
- (19) Father Brett of wanting to touch children."
- (20) "Father Brett served as chaplain
- (21) to the Brothers Community of Calvert Hall High
- (22) School and eventually as a high school religion
- (23) teacher in 1970 to 1972 or 1973. He admits to
- (24) two sexual relationships at Calvert Hall, both
- (25) with high school age children. That is young

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- (1) men 17, possibly 18 years of age. The second of
- (2) the two of Father Brett's" -- I am sorry, "The
- (3) incident was reported to the principal who
- (4) reported it to Father Murphy, now Auxiliary
- (5) Bishop Murphy, then secretary to Bishop Shehan,
- (6) Archbishop of Baltimore. The Archbishop did not
- (7) ask him to leave the Archdiocese, but his high
- (8) school work was terminated."
- (9) Now I am going to ask you some
- (10) questions about this --
- (11) A. Let me read it first.
- (12) Q. I certainly am. I am going to give it
- (13) to you to read.
- (14) THE VIDEOGRAPHER: That's the
- (15) send of videotape two in this testimony. Going
- (16) off the record at 3:22 p.m.
- (17) (Discussion off the record.)
- (18) THE VIDEOGRAPHER: Back on the
- (19) record. This is the beginning of Videotape
- (20) No. 3 in the testimony, 3:25 p.m.
- (21) BY MR. TREMONT:
- (22) Q. Bishop, you read Plaintiff's Exhibit G
- (23) for identification?
- (24) A. I just read it now. Thank you.
- (25) Q. Okay. Now, would you agree with me

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- (1) that in this memorandum of Monsignor
- (2) Bronkiewicz, we have Father Brett admitting that
- (3) he had a sexual relationship with a 16- or
- (4) 17-year-old young man at the St. Therese Infant
- (5) of Jesus parish rectory?
- (6) A. Everything that's in there I would
- (7) imagine is 100 percent true, so I would admit
- (8) whatever it says.
- (9) Q. All right.
- (10) A. And I assure you that when I saw that,
- (11) I was very concerned.
- (12) Q. That wasn't my question, please. You
- (13) do agree that he admits to Monsignor
- (14) Bronkiewicz, your vicar of clergy, that he had a
- (15) relationship with a 16- or 17-year-old young man
- (16) at the St. Therese Infant of Jesus parish?
- (17) A. This is a parish somewhere, I think, in
- (18) New Mexico --
- (19) Q. Correct.
- (20) A. -- as best I can figure it out.
- (21) Q. And that's where the complaint came
- (22) from.
- (23) A. And it says clearly in there that he
- (24) did, and you ask if I admit that he did?
- (25) Q. No, no. No, No. I am asking that

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- (1) you -- in reading this, you see that -- you
- (2) believe Monsignor Bronkiewicz, I assume, when he
- (3) says that Brett admitted it, that he is
- (4) reporting to you correctly what Brett said?
- (5) A. I have no doubt that Monsignor
- (6) Bronkiewicz is reporting to me correctly.
- (7) Q. All right. So you find that indeed,
- (8) Brett admitted having a sexual relationship with
- (9) a 16- or 17-year-old young man in New Mexico?
- (10) A. You and I have read the document. It
- (11) says that Monsignor Bronkiewicz says that this
- (12) man, Father Brett, admitted to what you just
- (13) described. That's what I know --
- (14) Q. And that's what you accepted, that he
- (15) admitted it?
- (16) A. Yes, sir.
- (17) Q. Okay. A confession, if you will, he
- (18) admitted it?
- (19) A. All right.
- (20) Q. Okay. Now, he also admitted that he
- (21) had two sexual -- additional sexual
- (22) relationships with high school age students at
- (23) Calvert Hall in Maryland?
- (24) A. That's what it says. I certainly think
- (25) that Monsignor Bronkiewicz would report

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- (1) correctly, and I had no reason to doubt that
- (2) what he said was correct.
- (3) Q. All right. So we've got him admitting
- (4) in this document three involvements with persons
- (5) under the age of 18?
- (6) A. That is correct, sir.
- (7) Q. We have the -- at least the one
- (8) occasion specific that occurred in Connecticut
- (9) involving a minor, a person under the age of 21,
- (10) at Sacred Heart, correct?
- (11) A. Correct.
- (12) Q. We have accusations of other sexual
- (13) complaints, the Frechette complaint in
- (14) Connecticut that was made to Bishop Curtis, some
- (15) claim to Father Stephenson --
- (16) A. An accusation of homosexual statement,
- (17) or something of the sort.
- (18) Q. And at least another complaint that
- (19) Father Brett denies but that was made regarding
- (20) touching children at a school in New Mexico. So
- (21) forgetting the --
- (22) A. Wait a minute now. You are asking me
- (23) to say there was the one certain event in
- (24) Bridgeport, the two others that you referred
- (25) to. Now we're talking about New Mexico and some

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- (1) other places?
- (2) Q. Right.
- (3) A. All right. The answer is that is
- (4) what's in there and that's correct.
- (5) Q. Now, based upon that -- Forget his
- (6) consensual homosexual relationships or sexual
- (7) relationships with a barber or somebody else,
- (8) based upon the conduct that he had with these
- (9) minors, did you not believe at that point that
- (10) this person should be suspended from the
- (11) priesthood?
- (12) A. Suspended, I would -- I believed he
- (13) should be reduced to the lay state.
- (14) Q. Well, I am saying first you could
- (15) suspend him, could you not?
- (16) A. Yes, I believe we did.
- (17) Q. All right. You could do that, you have
- (18) that power as the bishop?
- (19) A. Let me be sure that I say what I did.
- (20) There are certain powers and authorities in the
- (21) Catholic faith that a priest would have, preach,
- (22) minister the sacraments, say public mass and so
- (23) forth, even exercising an office and so forth.
- (24) I am in a position to suspend him from doing
- (25) those things.

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- (1) Q. Is that the old celebrate word that
- (2) they used to use?
- (3) A. No, the celebrate is nothing more than
- (4) a little card that you can take in a place where
- (5) you're unknown, and if somebody says, "Who says
- (6) you are a priest," you can show it. It has no
- (7) particular meaning one way or the other. This
- (8) is a suspension. I tell him and that he's not
- (9) to exercise his priesthood.
- (10) Q. Did you do that with Father Pcolka?
- (11) A. Yes, I believe I did.
- (12) Q. Did you do that with Father Federici?
- (13) A. Yes, I did.
- (14) Q. All right. You didn't do it with
- (15) Father Brett, did you?
- (16) A. I believe that I called him in and did
- (17) something more.
- (18) Q. Well, let me ask you --
- (19) A. Can I tell you what I did more or --
- (20) Q. No, we'll get to that in a moment. Let
- (21) me ask you this: On November 16th of 1992,
- (22) Plaintiff's Exhibit G is the memo that Father
- (23) Bronkiewicz gave to put in the file regarding
- (24) this conversation with Father Brett. Did you
- (25) immediately, within a matter of days, within a

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- (1) matter of weeks, do anything to prevent or to
- (2) preclude Father Brett from acting as a priest
- (3) incardinated in the Diocese of Bridgeport?
- (4) A. I asked him to come and see me, and
- (5) before he arrived, I had a document that I
- (6) invited him to sign requesting laicization.
- (7) Laicization is more than suspension. Reduction
- (8) to the lay state includes, of course, everything
- (9) that suspension includes plus the obligations of
- (10) the priesthood being eliminated.
- (11) Q. Bishop Egan, this memo was November 16
- (12) of 1992, and Father Brett was in Bridgeport on
- (13) November 16th of 1992, apparently for this
- (14) meeting. Okay? Do you accept that?
- (15) A. I don't know.
- (16) MR. SWEENEY: Let's double-check
- (17) that, Counsel. I am not sure if he was -- this
- (18) was done by phone or otherwise.
- (19) MR. TREMONT: It was done by
- (20) phone, do you think, Mr. Sweeney?
- (21) A. Notes on my conversation with
- (22) Reverend --
- (23) Q. You think something like that would be
- (24) done on phone?
- (25) MR. SWEENEY: Yes -- Well, the

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- (1) question is for Bishop Egan, if he knows, and we
- (2) can go from there.
- (3) A. I don't know. I have no recall of how
- (4) this was done, in response to the accusation --
- (5) it doesn't say. Well.
- (6) Q. Well, let me read you a November 8th,
- (7) 1992 letter and see if that refreshes your
- (8) recollection. It's a letter from Father
- (9) Bronkiewicz to -- again to Bishop Murphy, and
- (10) says, "Father Brett is currently traveling
- (11) outside of the country, but I have written to
- (12) him directing him to come to Bridgeport to
- (13) discuss the allegations as soon as he returns."
- (14) Would that indicate that
- (15) basically you requested, or through Monsignor
- (16) Bronkiewicz, and in accordance with your policy,
- (17) you specifically told him to come to
- (18) Bridgeport --
- (19) A. That's right, and I was going beyond
- (20) mere suspension that I mentioned in the process.
- (21) Q. You say you were going beyond mere
- (22) suspension, but you didn't do anything, did you,
- (23) during the month of November?
- (24) A. I think we tried to get ahold of him to
- (25) have him come and see me.

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- (1) Q. Well, he was up here in Bridgeport?
- (2) A. I don't know that that's true.
- (3) Q. You don't know that's true. All right,
- (4) so you feel he may not -- if he were in
- (5) Bridgeport then, you would have had an
- (6) opportunity to see him, wouldn't you?
- (7) A. I would hope so.
- (8) Q. All right. And do you have to see him
- (9) in order to suspend him?
- (10) A. I wanted him to sign a document for me
- (11) which I had prepared for him myself before he
- (12) came in.
- (13) Q. And let's assume he refused to sign the
- (14) document.
- (15) A. If he refused to sign the document, I
- (16) would have had nothing to do but simply suspend
- (17) him at that time.
- (18) Q. All right. You could have suspended
- (19) him at this time, could you not?
- (20) A. Not if I couldn't get ahold of him if
- (21) he was outside of the country.
- (22) Q. Well, he wasn't outside of the country
- (23) when he was talking to Monsignor Bronkiewicz,
- (24) was he?
- (25) A. I don't know.

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- (1) Q. You don't know?
- (2) A. No.
- (3) Q. All right. You never discussed that
- (4) with Monsignor Bronkiewicz?
- (5) A. I did not.
- (6) Q. This was a pretty serious situation, I
- (7) assume?
- (8) A. A very serious situation. I was acting
- (9) very seriously.
- (10) Q. All right. And you don't remember that
- (11) when Monsignor Bronkiewicz spoke with Father
- (12) Brett, that Father Brett was not present with
- (13) him in Bridgeport?
- (14) MR. SWEENEY: He answered that
- (15) question.
- (16) MR. TREMONT: Well, I'm asking
- (17) him again.
- (18) A. The answer is I do not remember what --
- (19) Say the question again. I don't --
- (20) Q. All right. Let me ask you, did you
- (21) send a letter to Father Brett after November
- (22) 19th saying, "Please come in, I want to see you
- (23) immediately"?
- (24) A. Someone sent him a letter.
- (25) Q. They did?

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- (1) A. Someone tried to get ahold of him.
- (2) Q. And there is no record? Are you aware
- (3) of any --
- (4) A. He was summoned somehow. I don't know
- (5) from the top of my head.
- (6) Q. Well, Bishop, isn't it a fact that he
- (7) was summoned to this particular conference on
- (8) November 16th, 1992, as a result of the
- (9) accusations which were made against him by
- (10) persons in the Diocese of Santa Fe, New Mexico?
- (11) MR. SWEENEY: That's been asked
- (12) and answered, Counsel. It's been asked and
- (13) answered multiple times. The answer to it
- (14) obviously is yes, and it --
- (15) MR. TREMONT: Well now, don't
- (16) answer -- please don't answer for the witness.
- (17) MR. SWEENEY: Counsel, we are
- (18) getting ready for an afternoon break, but we're
- (19) not --
- (20) MR. TREMONT: We're not ready for
- (21) an afternoon break again.
- (22) MR. SWEENEY: Well, I think we
- (23) have. We've hit that --
- (24) MR. TREMONT: We've just had a
- (25) break. Mr. Sweeney, we'll never get rid of the

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- (1) depositions if you take half-hour breaks. We've
- (2) only been here -- we didn't start until 20 after
- (3) 2:00.
- (4) MR. SWEENEY: It's now 20 of
- (5) 4:00.
- (6) MR. TREMONT: Let's go another 10
- (7) minutes.
- (8) MR. SWEENEY: Well, let's just
- (9) move along on this.
- (10) Q. Now isn't that a fact --
- (11) A. You have to say what it is again. Say
- (12) your question again.
- (13) Q. All right. This says, according to
- (14) this memo, "In response to accusations of
- (15) misconduct by Mr. Ray Romano about which we are
- (16) informed on November 4, 1992, by the Reverend
- (17) Ron Wolf, Chancellor of the Archdiocese of Santa
- (18) Fe, Father Brett indicated that he does not
- (19) remember the name of the alleged victim," et
- (20) cetera.
- (21) Was he not called in by letters,
- (22) which you saw in the file, specifically for this
- (23) conference regarding the allegations in New
- (24) Mexico?
- (25) A. As I say, I do not know the answer to

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- (1) your question.
- (2) Q. All right. Now, after this conference,
- (3) you did nothing, Bishop Egan, in regard to
- (4) suspending or doing anything to Monsignor Brett
- (5) until you got further allegations of misconduct
- (6) that were filed against Father Brett; isn't that
- (7) so?
- (8) MR. SWEENEY: If you recall.
- (9) A. And I don't.
- (10) Q. All right. Then will you produce for
- (11) me at our next session, please, a copy of a
- (12) letter or something indicating that sometime
- (13) after November 16, 1992, and before further
- (14) allegations of sexual misconduct in February of
- (15) 1993, that you contacted or attempted to suspend
- (16) or have Father Brett sign a letter agreeing to
- (17) remove himself from the clerical state? Would
- (18) you please do that?
- (19) A. All right.
- (20) Q. Now, let's go on.
- (21) MR. TREMONT: Do you want to take
- (22) a break now?
- (23) MR. SWEENEY: I think we should.
- (24) MR. TREMONT: All right.
- (25) THE VIDEOGRAPHER: Off the record

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- (1) 3:39 p.m.
- (2) (Recess: 3:39 to 3:53 p.m.)
- (3) THE VIDEOGRAPHER: We are now
- (4) back on the record, 3:53 p.m.
- (5) BY MR. TREMONT:
- (6) Q. Now, Bishop, on apparently by letter of
- (7) February -- Well, I withdraw that.
- (8) Apparently in a memo to the file
- (9) on February 5th of 1993, Monsignor Bronkiewicz
- (10) writes, "Today Father Charles S. McDermott,
- (11) Vicar Episcopal of the Diocese of Sacramento,
- (12) telephoned to alert me to an accusation of
- (13) sexual misconduct concerning one of our priests,
- (14) Father Laurence Brett, which had recently come
- (15) to his attention. The complaint against Father
- (16) Brett goes back to the middle 1960s and came to
- (17) the attention of the sensitive issues committee
- (18) of the Diocese of Sacramento."
- (19) And is it fair to say, Bishop
- (20) Egan, that this particular telephone call, or
- (21) this memo, at least, was your first knowledge of
- (22) the fact that there was a claim now that Brett
- (23) had molested a Hal Berliner out in California?
- (24) A. Yes, this was --
- (25) Q. That was the first you knew about it?

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- (1) A. Up until 1992, my information was the
- (2) information that you and I know about Bridgeport
- (3) and the psychiatrist. After 1992, the end of
- (4) it, we find these other things coming forward.
- (5) Q. Well, Bishop, in November of 1992, you
- (6) found some specific instances that came forward
- (7) as a result of information that was given to
- (8) your Diocese from the Santa Fe Diocese?
- (9) A. Yes.
- (10) Q. All right. In February of 1993, Brett
- (11) still remaining a priest, you got additional
- (12) information which was again not requested by you
- (13) but information which was given to you by a
- (14) Father McDermott from the Diocese of Sacramento?
- (15) A. Let me look at that again.
- (16) Q. Sure.
- (17) All right. You've read that,
- (18) Bishop. It appears that this information was
- (19) not requested or solicited by you but came to
- (20) you from Father Charles McDermott of the
- (21) Sacramento Diocese?
- (22) A. This is correct.
- (23) Q. Okay. And these were additional
- (24) accusations against Father Brett?
- (25) A. This is correct.

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- (1) Q. All right. And on February 17th of
- (2) 1993, you were advised by Monsignor Bronkiewicz
- (3) that the Berliner children were having a meeting
- (4) with the Sacramento Diocese and that they wanted
- (5) an acknowledgment that what Father Brett did was
- (6) wrong and an apology from Father Brett to Hal
- (7) and his family, wanted to know whether there
- (8) were any other complaints against Father Brett.
- (9) They wanted to know if there were any other
- (10) complaints about Father Brett before and after
- (11) the molestation of Hal Berliner. They wanted to
- (12) know what the Diocese of Bridgeport was going to
- (13) do to prevent vulnerable persons from being
- (14) victimized, and they were interested also in
- (15) forms of restitution, including reimbursement
- (16) for past therapy and money to compensate them
- (17) for pain and suffering. Okay? Do you recall
- (18) that?
- (19) A. I recall it.
- (20) Q. That memo, okay.
- (21) A. Oh, just a second because -- I do
- (22) recall it.
- (23) Q. Yeah.
- (24) A. Let me read it.
- (25) I can't recall if you asked me a

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- (1) question about that.
- (2) Q. You have looked at it. Now, as a
- (3) result of this, you instructed Monsignor
- (4) Bronkiewicz to go out to California, did you
- (5) not?
- (6) A. I did.
- (7) Q. All right. And he went out there for
- (8) the purpose of negotiating with the Berliners,
- (9) did he not?
- (10) A. He went out to find out what the story
- (11) was, to bring back the information to me.
- (12) Q. Well, did he not attend meetings with
- (13) the Berliners?
- (14) A. Absolutely.
- (15) Q. And was not part and parcel of what was
- (16) done an attempt to reach a settlement with these
- (17) people?
- (18) A. The way I recall the case was there was
- (19) no discussion about any civil trial or civil
- (20) involvement with the law. Maybe I'm -- I don't
- (21) recall that there was a question of -- By
- (22) settlement, you mean some kind of legal --
- (23) Q. No, Bishop, on February 17, 1993,
- (24) Monsignor Bronkiewicz is advising the file, if
- (25) you will, that the Berliner children are

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- (1) interested in some form of restitution, which
- (2) includes reimbursement for past therapy --
- (3) A. All right. That's --
- (4) Q. -- money to compensate for the pain and
- (5) suffering in their lives as a result of the
- (6) abuse, although the do not know how much to ask
- (7) for. Apparently the Berliners do not want to
- (8) file a civil suit, they would prefer to handle
- (9) this matter through the church. That's what I
- (10) am talking about.
- (11) A. That's why the word "settlement" was
- (12) the word I didn't understand.
- (13) Q. Well, you can have a settlement, just
- (14) so we'll under our further discussion, you
- (15) certainly can have a settlement without a civil
- (16) suit and usually the nature of the settlement
- (17) precludes a civil suit, and as a matter of fact,
- (18) I believe that you were party to a release in
- (19) which, for the payment of monies, the Berliners
- (20) agreed not to bring a civil suit?
- (21) A. If there is -- if settlement doesn't
- (22) mean that you've been involved or in the process
- (23) of a civil suit, then I have no problem with
- (24) your characterization of that as a settlement.
- (25) Q. Now you didn't misunderstand --

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- (1) A. That wouldn't have been my word, but
- (2) that's all right.
- (3) Q. You didn't misunderstand me then, or
- (4) did you, when I initially asked you the number
- (5) of claims regarding sexual abuse which were
- (6) settled while you were Bishop of the Diocese of
- (7) Bridgeport that you were thinking that
- (8) settlement only meant claims involving a civil
- (9) suit?
- (10) A. I would say that that was the bias in
- (11) my head, yes.
- (12) Q. It was. So that maybe we should --
- (13) A. It's like subpoena and summon. I mean,
- (14) I don't have every single one of those
- (15) definitions perfect. Settlement sounds lawyer
- (16) to me.
- (17) Q. All right. So maybe we should revisit
- (18) that question then and let me ask you in
- (19) accordance with my definition that settlement
- (20) means that someone has made a claim or an
- (21) accusation against a priest in the Diocese and
- (22) against the priest incardinated in the Diocese,
- (23) claiming some kind of sexual misconduct, and you
- (24) paid that individual a certain amount of money
- (25) for which that individual agrees to refrain from

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- (1) bringing a cause of action or making a legal
- (2) claim or withdrawing a legal claim which already
- (3) has been made.
- (4) Using that definition, could you
- (5) tell me how many claims had been disposed of by
- (6) the Diocese for the payment of money since you
- (7) were bishop.
- (8) MR. SWEENEY: Counsel, before we
- (9) get into that, it's a technical issue so we
- (10) don't have to revisit this another time. I
- (11) think it came out before. The definition you
- (12) have given is where the Diocese pays the money.
- (13) MR. TREMONT: Diocese or somebody
- (14) on their behalf.
- (15) THE WITNESS: No, you said the
- (16) Diocese.
- (17) MR. SWEENEY: You didn't say it
- (18) that way. So if you redefine it, I think we'll
- (19) get a straight answer.
- (20) MR. TREMONT: Mr. Sweeney, if the
- (21) Diocese pays it, as you know, if an insurance
- (22) company pays it for the Diocese, I mean it's --
- (23) MR. SWEENEY: Well, all right.
- (24) As long as it's understood that way, I think the
- (25) question can be answered.

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- (1) THE WITNESS: Good, I was going
- (2) to say the same thing. So if that's what your
- (3) understanding is --
- (4) MR. TREMONT: Either the Diocese
- (5) pays it or company -- an insurance company pays
- (6) it, I don't care. It's paid on behalf of them
- (7) and there is an agreement by someone to desist
- (8) from bringing an action against the Diocese or a
- (9) priest of the Diocese?
- (10) A. Fine, sir. If that's your definition,
- (11) I am with you.
- (12) Q. All right. Now, could you tell me?
- (13) A. There would be -- If you are talking
- (14) about the people that are asking, the people
- (15) that are abused, there would be five all
- (16) together. Two had to do, that we've talked
- (17) about --
- (18) Q. Excuse me, two had to do with the --
- (19) Brett, the Berliner people?
- (20) A. That's right. That's right.
- (21) Q. All right.
- (22) A. Then two had to do with Gavin O'Connor,
- (23) it was the same thing.
- (24) Q. All right.
- (25) A. And then there was a small -- I

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- (1) wouldn't have called it a settlement, but with
- (2) Father Philip Coleman.
- (3) Q. So there was a settlement with Father
- (4) Coleman?
- (5) A. Yes, sir.
- (6) Q. All right. That I had asked about
- (7) before.
- (8) A. According to your definition of
- (9) settlement, yes.
- (10) Q. All right. And the settlement with
- (11) Father Coleman involved a claim of abuse of a
- (12) minor, did it not?
- (13) A. It involved the claim of abuse of a
- (14) minor, correct.
- (15) Q. And were there any others?
- (16) A. There were no others. The claim of
- (17) abuse of a minor denied, incidentally, by him
- (18) but nonetheless.
- (19) Q. I am not saying that the claims were
- (20) admitted by you --
- (21) A. No, we understand each other. I think
- (22) we've just not had the words correct.
- (23) Q. All right. That's why I want to be so
- (24) careful in these proceedings. We seem to have a
- (25) misunderstanding of terms.

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- (1) Now, in any event, you knew on
- (2) this date, February 17, 1993, that the Berliners
- (3) wanted money, that is what they are asking for?
- (4) A. All right.
- (5) Q. All right. And Monsignor Bronkiewicz
- (6) went out there, okay? Now, it was at this time,
- (7) was it not, after that complaint, most recent
- (8) complaint, by persons in the Diocese of
- (9) Sacramento, that you requested Father Brett to
- (10) sign a petition that he be reduced from the
- (11) clerical state to the lay state?
- (12) A. It was after all of these things came
- (13) forward that I -- When we asked him to come, I
- (14) am not quite sure, as you and I have said
- (15) before, but certainly in November we had very
- (16) serious information coming forward. That was a
- (17) very heavy time, as I recall. There were cases
- (18) in which you and others were involved coming
- (19) forward in those times, around Christmas and New
- (20) Year's. I don't know why he was -- I don't know
- (21) where he was any more than you do. I only know
- (22) what I hear, but within three months of the
- (23) November information, I finally got him in or he
- (24) was there, yes.
- (25) Q. But you are not denying, you say you

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- (1) don't know, but you are not denying that he was
- (2) not in your Diocese in your offices -- I say the
- (3) offices of the Diocese, or someplace within the
- (4) Diocese, meeting with Monsignor Bronkiewicz
- (5) after you received the Albuquerque information?
- (6) A. I will tell you, I really don't know
- (7) the answer to that.
- (8) Q. Well, you are not denying, that's what
- (9) I'm saying, you're not saying that he wasn't
- (10) here, you are saying you don't know?
- (11) A. I can't answer remember the particular
- (12) incident --
- (13) Q. Didn't you ask Monsignor Bronkiewicz at
- (14) this last recess whether he remembered?
- (15) A. I haven't gone into that, but Monsignor
- (16) Bronkiewicz -- There were a lot of things to
- (17) talk about at the recess, but I cannot recall
- (18) specifically the little time line in there.
- (19) Q. All right. But in any event, it was
- (20) after you received the information in
- (21) California, which indicated that persons
- (22) accusing Father Brett wanted compensation, that
- (23) he did come in and sign a petition that he be
- (24) reduced from the clerical state?
- (25) A. This is correct.

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- (1) Q. Okay. And he signed that document and
- (2) you announced it, correct?
- (3) A. Announced it in what sense?
- (4) Q. You publicized it?
- (5) A. That he was suspended and so forth?
- (6) Q. That he --
- (7) A. He was not to exercise the priesthood
- (8) and so forth.
- (9) Q. Right.
- (10) A. Yes, sir.
- (11) Q. You gave a press release, I believe?
- (12) A. I forget how it was done.
- (13) Q. Well, let's look at this. February
- (14) 26th of 1993, I see here press release in the
- (15) file again, "Reverend Laurence F.X. Brett, a
- (16) priest of the Diocese of Bridgeport, has
- (17) requested of the Holy See a decree of
- (18) laicization, and he has therefore been relieved
- (19) of all his faculties and responsibilities of a
- (20) Catholic priest and is not to function either
- (21) publicly or privately as a Catholic priest or
- (22) represent himself as such."
- (23) A. Yes. What was the question?
- (24) Q. You caused that to be issued?
- (25) A. Yes, sir.

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- (1) Q. All right. Now --
- (2) A. It was subsequent to that signing of
- (3) that document you have in your hand.
- (4) Q. Correct. And thereafter, you received
- (5) a disclaimer from Father Brett, did you not?
- (6) A. I received a statement from him that --
- (7) I can't say the words exactly, but it was
- (8) something like he didn't freely and willingly or
- (9) something sign that statement.
- (10) Q. Right. In other words, he retracted,
- (11) if you wish to use that word, on May 26th of
- (12) 1993, indicating that he had consulted attorneys
- (13) and that this was not his free act, something to
- (14) that effect; is that correct, sir?
- (15) A. It is correct.
- (16) Q. Oka. Bishop, what did you do
- (17) thereafter? In other words, where does he
- (18) stand?
- (19) A. All right. Where he stands is this: I
- (20) am not able to have him laicized, which is
- (21) beyond the suspension. I have to make my peace
- (22) with the fact that he is out of the priesthood,
- (23) he is not to act or present himself as a priest
- (24) and so forth. I would have to start a penal
- (25) action, a civil trial, a penal trial, and there

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- (1) would be no purpose to it, so I have achieved
- (2) what I needed to achieve. He is no longer to
- (3) operate as a priest, he has no faculties, no
- (4) powers, no authorities to operate as a priest,
- (5) and this has been made known publicly.
- (6) What we are lacking is that if he
- (7) had been reduced to the lay state, his spiritual
- (8) life would be a lot better. He would have no
- (9) obligations, whether of celibacy or reading the
- (10) office or whatever. He would be completely free
- (11) and could start his own life.
- (12) Now, that has very little
- (13) redundancy on anybody else but himself, but it
- (14) does put a certain closure or finality to it
- (15) that I think would have been very fitting. He
- (16) was not willing to acquiesce.
- (17) Q. How is it, if he refuses or now
- (18) retracts from his petition to reduce himself
- (19) from the clerical state to the lay state --
- (20) A. To seek to have himself reduced.
- (21) Q. To have himself reduced. How is it if
- (22) he retracts that now, how is it that he was
- (23) suspended?
- (24) A. That's -- that's suspension plus.
- (25) Q. No, but I'm saying he is saying, "No,

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- (1) this wasn't my free act," and I understand that
- (2) has to be acted upon, that the petition is an "I
- (3) resign," isn't it?
- (4) A. He doesn't have to acquiesce to
- (5) suspension.
- (6) Q. No, no. I am sorry, let's go back. I
- (7) don't want to misunderstand -- I think we are
- (8) misunderstanding each other.
- (9) You indicated that you were not
- (10) suspending him, that what you were going to do
- (11) was have him reduced from the clerical state to
- (12) the lay state; that's what you told me, that was
- (13) your intention.
- (14) MR. SWEENEY: Pardon me, Counsel,
- (15) I don't think you quite understood him
- (16) correctly.
- (17) A. No.
- (18) Q. In addition to reducing him to the lay
- (19) state while this process was going on, his
- (20) faculties were removed. I want to know how did
- (21) you do that? When did you do that? That's what
- (22) I am asking.
- (23) A. I did it by, when he was -- when he
- (24) signed the document for me, he was informed that
- (25) under no circumstance could he exercise priestly

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- (1) duties or present himself as a priest and so
- (2) forth. He signed the document and I made it
- (3) known to the public that that's what had
- (4) happened.
- (5) What he refused to cooperate with
- (6) was he wouldn't allow the laicization, he
- (7) couldn't stop the suspension because that
- (8) depended only on me.
- (9) Q. And that is -- All right. And that is
- (10) something that you could have done at any
- (11) time --
- (12) A. At any time that I had cause.
- (13) Q. -- based upon cause?
- (14) A. That's right.
- (15) Q. Reasonable cause, we'll say.
- (16) A. Es, cause
- (17) Q. Okay. But you did not do that, did
- (18) you, at any time until after you received the
- (19) information from the Diocese of Sacramento that
- (20) the Berliners wished restitution?
- (21) A. I believe that we had started the
- (22) process, started the work toward laicization.
- (23) Before that, I cannot with 100 percent security
- (24) specifically recall all of the incidents at the
- (25) time. I believe as soon as I had the strong

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- (1) occasions of more than one incident in
- (2) Connecticut, I began to move towards finalizing
- (3) this situation.
- (4) Q. Bishop, your attorney made a
- (5) distinction, and I think it's a good
- (6) distinction, that there is -- laicization is one
- (7) thing and suspension is another?
- (8) A. Right.
- (9) Q. And you can suspend without
- (10) laicization?
- (11) A. Right.
- (12) Q. And indeed you have used that
- (13) subsequently with other priests who may have
- (14) been accused of various acts of sexual
- (15) misconduct, may have been accused, some of whom
- (16) may have even denied the accusations?
- (17) A. Yes.
- (18) Q. All right. I believe Father Carr
- (19) denied some of the accusations, but he was
- (20) suspended?
- (21) A. That's right.
- (22) Q. Okay. And you suspended those priests
- (23) Carr, Pcolka, Federici, swiftly, within a matter
- (24) of a day or two or within a matter certainly of
- (25) a week of lawsuits being filed?

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- (1) A. I am not sure of that. I would have to
- (2) look at each case.
- (3) Q. Would you agree that you did it
- (4) swiftly, quickly, within a matter of three
- (5) weeks?
- (6) A. I would have to look and see. I don't
- (7) know, sir.
- (8) Q. All right.
- (9) A. I mean, I don't -- I cannot recall
- (10) that, but I do know this, that this came in in
- (11) November, around Thanksgiving time or something,
- (12) a number of other cases were coming in. We,
- (13) were -- This was, as you know, a time when there
- (14) was much of this going on, we were attending to
- (15) all of it, not just to this one case, and I was
- (16) committed -- when I found out that there was
- (17) more than the one case in Bridgeport, I was
- (18) committed to addressing this, and I think I did
- (19) address it in less than three months, I can't
- (20) remember.
- (21) Q. But you could have suspended him, you
- (22) saw this on November 16th, 1992, and you could
- (23) have suspended him within a week?
- (24) A. But you certainly see what I was
- (25) doing. I wanted to have more than suspension, I

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- (1) had I him in, I wanted to talk him into bigger
- (2) than suspension.
- (3) Q. All right. But you could have
- (4) suspended him and then tried to talk him into
- (5) it, couldn't you?
- (6) A. I didn't think there was much hope but,
- (7) yes, I could have.
- (8) Q. All right. In any event, when you
- (9) realized that the laicization did not work, you
- (10) suspended him?
- (11) A. No, he was suspended immediately.
- (12) Q. All right. So you suspended him
- (13) immediately when he signed the document?
- (14) A. You have it.
- (15) Q. All right. Is it fair to say at that
- (16) point whether he signed the document or not, you
- (17) would have suspended him?
- (18) A. He was suspended by the very fact that
- (19) I had him in and I told him laicizing him and he
- (20) agreed to laicization.
- (21) Q. But, as you said, you cannot laicize
- (22) him?
- (23) A. No, I take it back, you are right.
- (24) Thank you. That's precise.
- (25) Q. You suggested or recommended that to

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- (1) him for his spiritual well-being as well as for
- (2) the good of the Diocese?
- (3) A. I urged him to sign a document so that
- (4) I could move -- Thank you very much, you are
- (5) correct.
- (6) Q. Okay. Now, could you tell me, he
- (7) writes to you with a copy to Monsignor
- (8) Bronkiewicz this letter, in which he -- I say
- (9) recants, but in which he claims that on May
- (10) 26th, 1993, that this wasn't his free act and
- (11) deed, and he says, "The attempt to use
- (12) laicization to resolve problems and insurance
- (13) liability without a complete evaluation of the
- (14) facts or other evidence is not only a serious
- (15) injustice to me but does irreparable damage to
- (16) the permanent nature of the priesthood which is
- (17) scandalous."
- (18) Now, did you discuss with him the
- (19) problems of insurance liability that he was
- (20) causing?
- (21) A. I do not think insurance liabilities
- (22) ever came up in our discussion. My discussion
- (23) that day, as I recall it to the best of my
- (24) remembrance, was to win him to see the spiritual
- (25) advantage to allow me to go beyond what I was

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- (1) doing, to tell him he is not going to operate as
- (2) a priest anymore.
- (3) I think it was -- I don't know if
- (4) there is anything in the file, but I think you
- (5) would see if there were, that it was a very, if
- (6) I might use the word, pastoral diplomatic effort
- (7) to get him to cooperate with something which in
- (8) my mind would bring final closure which I
- (9) couldn't achieve through a suspension.
- (10) Q. All right. When, Bishop, did you --
- (11) A. I think you have lost these three
- (12) documents.
- (13) (Discussion off the record.)
- (14) BY MR. TREMONT:
- (15) Q. Bishop, let's go to Father Federici and
- (16) let me ask you: Do you recall when or why, when
- (17) in time or an incident that made you look at the
- (18) file of Father Federici?
- (19) A. Do I recall when?
- (20) Q. In other words, time frame or incident
- (21) frame, something, if you don't recall the time.
- (22) Specifically Father Federici.
- (23) A. I can't recall that. I can't pull that
- (24) out of my mind.
- (25) Q. Okay. Do you recall when there was

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- (1) first a complaint of sexual misconduct made in
- (2) regard to Father Federici to the Diocese of
- (3) Bridgeport?
- (4) A. Well, I believe that Father Federici -
- (5) Let me try to remember all this. I believe that
- (6) Father Federici's problems began long before I
- (7) came here. I came here in 1988.
- (8) Q. All right.
- (9) A. And do I recall when they first heard
- (10) about something of that sort?
- (11) Q. Yes, yes. When you heard about it,
- (12) that's what I'm saying, when you heard about
- (13) it. Why was it brought to your attention?
- (14) A. It was brought to my attention because
- (15) as I believe after I came, there was another
- (16) allegation of misconduct.
- (17) Q. All right. And could you tell me about
- (18) that allegation of misconduct?
- (19) A. The allegation had to do with - I'll
- (20) come as close as I can, all right? That there
- (21) was some kind of an undue excitement. He was
- (22) with a boy or a girl, and I think it was a boy,
- (23) it must have been a boy, and it had something to
- (24) do with, he was showing him how to box or
- (25) something, and he became overly excited, and

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- (1) people thought that this showed some kind of
- (2) unbalance or whatever, and this occasioned my
- (3) saying, "Well, tell me about Father Federici,"
- (4) and as I recall, to the best of my recall, I had
- (5) him assent to, I asked him to go - I had
- (6) somebody ask him to go to one of these
- (7) institutions for psychiatric study, and we
- (8) received a report from them, and as I recall,
- (9) the report indicated that he could continue to
- (10) work as a priest. That's to the best of my
- (11) remembrance.
- (12) You say when did I hear about
- (13) it? That's when I heard about it.
- (14) Q. From whom did you get this information?
- (15) MR. SWEENEY: The institution
- (16) counsel?
- (17) MR. TREMONT: No, no, no, no, the
- (18) initially the complaint.
- (19) Q. Was it brought to your attention
- (20) specifically? I mean, how did -
- (21) A. Certainly someone brought it to my
- (22) attention. I can't tell you off the top of my
- (23) head who brought it to my attention. It was
- (24) brought to my attention. I remember some of the
- (25) details of it, and I remember my action in

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- (1) accordance with my policy.
- (2) Q. All right. Do you recall where this
- (3) incident purportedly occurred?
- (4) A. I think it occurred in Stamford.
- (5) Q. All right. And do you recall whether
- (6) it was a boy or a girl, what that boy or girl -
- (7) were they associated with a parish, an
- (8) institution?
- (9) MR. SWEENEY: Pardon me, Counsel,
- (10) I have got to raise an issue here. As you know,
- (11) Judge Levin prescribed with respect to priests
- (12) who are not party to this lawsuit that there are
- (13) three questions that could be asked; that is to
- (14) say, were any such complaints received about
- (15) them, what was the nature of them or what was
- (16) done about it.
- (17) Now, hold on. Let me express
- (18) this.
- (19) I have written to you, when you
- (20) first scheduled this examination, and suggested
- (21) that if you expected to conduct general
- (22) questioning regarding people like Father
- (23) Federici, who is represented by Attorney Minogue
- (24) in another lawsuit, or about Father Carr or
- (25) Father Coleman, who is represented by his own

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- (1) counsel in other lawsuits, you should notice
- (2) this deposition for them as well. You have not
- (3) done so.
- (4) I think that up to this point, I
- (5) have allowed you to ask questions of Bishop Egan
- (6) about Father Federici within the scope of the
- (7) three questions that Judge Levin prescribed back
- (8) in July of 1996.
- (9) Going beyond this, though, I
- (10) think we are encroaching on an area where
- (11) Attorney Minogue or Attorney Donahue should be
- (12) present to participate in the questioning, so I
- (13) really think we've got to, as to Father
- (14) Federici, limit what you can ask in the absence
- (15) of their attorneys, and I think you have gone
- (16) about as far as Judge Levin's questions allow.
- (17) MR. TREMONT: Mr. Sweeney, first,
- (18) that wasn't Judge Levin's order. Judge Levin's
- (19) order said that individuals against which there
- (20) was no lawsuit, okay?
- (21) MR. SWEENEY: Non-parties to a
- (22) lawsuit is the subject of a deposition -
- (23) MR. TREMONT: No, non-parties to
- (24) a lawsuit, people, priests who were not sued, in
- (25) other words, that we had to limit certain number

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- (1) of questions. It was not to persons who were
- (2) sued, okay, because it was your claim that you
- (3) had to go to talk to these priests if a name was
- (4) raised against whom there was no lawsuit.
- (5) Now, the witness at the moment is
- (6) a witness who is the president, if you will, of
- (7) a corporation, and we're asking him about how he
- (8) handles matters of sexual abuse, and I have an
- (9) absolute right to go into questions regarding
- (10) these various priests and what he did and what
- (11) he did not do. It has nothing to do with the
- (12) issues of the Federici lawsuit. It has to do
- (13) with the manner in which the Diocese handled
- (14) claims of sexual abuse and their policies, so I
- (15) have a right to go into this.
- (16) MR. SWEENEY: All right. Well,
- (17) we have allowed you to go this far.
- (18) MR. TREMONT: Well, not this far,
- (19) I have a right to ask him questions.
- (20) MR. SWEENEY: Mr. Tremont, my
- (21) position has been right along, and it's going to
- (22) remain this way, that to the extent you want to
- (23) question any Diocesan official about a priest
- (24) who is a defendant in a now pending lawsuit
- (25) which you have going, you should expand your

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- (1) notice of deposition to include that lawsuit to
- (2) allow that priest's defense counsel to
- (3) participate.
- (4) MR. TREMONT: All right. What
- (5) you are asking me to do, then, Mr. Sweeney, is
- (6) to have - and I'll do it, I don't care -
- (7) MR. SWEENEY: Well, I think if
- (8) we're going to be having to do this, we can come
- (9) back for this.
- (10) MR. TREMONT: We'll have Bishop
- (11) Egan here - No, not coming back. I'll take
- (12) depositions of Bishop Egan. If you want to
- (13) waste this man's time -
- (14) MR. SWEENEY: I'm not wasting his
- (15) time.
- (16) MR. TREMONT: - by having him
- (17) come back for each and every case, we'll do
- (18) that. I think it's ridiculous, but if that's
- (19) what you want, that's what we'll do.
- (20) Now I'm going to ask the
- (21) questions for the record, and if you want to
- (22) instruct him not to answer, I am going to make a
- (23) motion for contempt and try to require an
- (24) answer. I think this is unnecessary. I think
- (25) it's just a waste of time, because eventually

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- (1) this stuff is going to come through, but if
- (2) that's the way you want to do it, we'll do it
- (3) that way.
- (4) MR. SWEENEY: Counsel, I have no
- (5) objection, if you notice the deposition for a
- (6) Father Federici case, his lawyer can
- (7) participate, I think it's basic procedural due
- (8) process that his lawyer be here if you are going
- (9) to get beyond the three basic questions which
- (10) Judge Levin prescribed and which we have allowed
- (11) you to answer to ask him.
- (12) Now it's going to be very simple,
- (13) we are going to be coming back for more than one
- (14) of these sessions, if you want to have a session
- (15) that is going to include questions about Father
- (16) Federici, just expand the deposition notice to
- (17) include the Father Federici lawsuit and you can
- (18) ask all the pertinent questions. The same is
- (19) true of Father Carr and Father Coleman.
- (20) And I think that's a reasonable
- (21) position. It protects the interest of due
- (22) process of these priests to have their counsel
- (23) present if there is going to be extensive
- (24) questioning about them. That was my position
- (25) right along.

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- (1) MR. TREMONT: That's not the rule
- (2) at all, Mr. Sweeney, and I am not going to argue
- (3) with you about it, but it's not the rule of
- (4) law. You cannot be precluded in a civil case in
- (5) asking questions about individuals or conduct
- (6) because another person isn't present. That's
- (7) ridiculous, and that doesn't apply in a medical
- (8) malpractice case. If I am taking the deposition
- (9) of the president of a hospital, chief executive
- (10) of the hospital and I ask about various doctors,
- (11) you can't say, "Well, because you have an
- (12) additional suit against that doctor, that some
- (13) other lawyer has to be brought in on the First
- (14) Amendment.
- (15) So the point is this: The point
- (16) is I'm asking the questions. If you want to
- (17) object, we'll object, I will make a motion for
- (18) contempt and you want it done that way, that's
- (19) what we'll do.
- (20) MR. SWEENEY: Well, go ahead and
- (21) do -- I am telling you now, it's very simple.
- (22) You don't have to go off and make a big record.
- (23) MR. TREMONT: Well, you're making
- (24) the record, Mr. Sweeney, because you're making
- (25) it difficult. We'll continue.

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- (1) BY MR. TREMONT:
- (2) Q. Now Let me ask you about, you indicated
- (3) to us --
- (4) A. Have I overstepped my bounds?
- (5) MR. SWEENEY: No, no, no, Bishop,
- (6) you just wait. The question is going to be
- (7) asked and I will tell you whether or not to
- (8) answer it, so Mr. Tremont can go ahead.
- (9) Q. Okay. Now you indicated that as far as
- (10) this complaint of Father Federici, that you
- (11) believe that it was brought or it happened
- (12) someplace in Stamford?
- (13) A. I told you I can't recall where it
- (14) was. I am not 100 percent sure where it took
- (15) place.
- (16) Q. Now before that took place, in other
- (17) words, prior to that incident, had you had
- (18) reason to look at Father Federici's file?
- (19) A. I may well have had reason to look at
- (20) Father Federici's file. I cannot be 100 percent
- (21) sure, but I might well have looked at his file.
- (22) Q. Okay. And in reviewing his file, you
- (23) indicated that you noted that there were prior
- (24) complaints of sexual misconduct?
- (25) A. I don't think I indicated that, but

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- (1) I'll be happy to indicate it now.
- (2) Q. Well, I thought you said, "There was
- (3) trouble with Father Federici before I came to
- (4) the Diocese," that's why I --
- (5) A. Did I say that? All right. Well, in
- (6) any case, I do.
- (7) Q. All right. Okay. Now, do you recall
- (8) whether you received this complaint through
- (9) Monsignor Bronkiewicz?
- (10) A. I would say that undoubtedly I received
- (11) it at least with him. Did I receive it through
- (12) him? I am not 100 percent sure.
- (13) Q. Okay. And you mentioned fighting or
- (14) something of that nature. Were you aware of the
- (15) fact that the complainant's family had stated
- (16) that Father Federici was masturbating in front
- (17) of their son who was a student at the All Saints
- (18) parochial school in Norwalk?
- (19) A. I said Stamford, and I -- Norwalk, but
- (20) I said wasn't 100 percent sure.
- (21) Q. Right. That's why -- I realize that.
- (22) A. I certainly have seen that, but when
- (23) you asked me, it seemed to me the issue had to
- (24) do with overexcitement in carrying on with too
- (25) much emotion. But now that you say that there

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- (1) was also a question of -- someone alleges that
- (2) he had masturbated, yes.
- (3) Q. In other words, what I -- again,
- (4) Bishop, one of the difficulties that I have had
- (5) in the past, what we're trying to identify -- I
- (6) am not -- is not necessarily what the priest may
- (7) have told you or Monsignor Bronkiewicz, but if
- (8) the nature of the complaint at least was of a
- (9) sexual nature, I am treating that as a sexual
- (10) complaint, at least an initial claim of a sexual
- (11) complaint.
- (12) Incidentally, is there such a --
- (13) there is such a school as the All Saints school
- (14) in Norwalk?
- (15) A. There is.
- (16) Q. Which is part of St. -- Was that
- (17) formerly called St. Thomas?
- (18) A. No.
- (19) Q. It was always called All Saints --
- (20) A. No, it was -- Give me just a minute to
- (21) put that together because you don't remember
- (22) everything.
- (23) It was once - the building was
- (24) Central Catholic High School, which was in --
- (25) which is in Norwalk. It was not St. Thomas.

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- (1) Q. Okay. And --
- (2) A. It's now an elementary school. It used
- (3) to be a high school.
- (4) Q. A high school previously. And at that
- (5) time, do you recall discussing this incident --
- (6) I will withdraw that.
- (7) Is it fair to say that you
- (8) yourself never saw the parents or the
- (9) complainant in that case?
- (10) A. It's true that I never saw the parents
- (11) or the complainant.
- (12) Q. But you discussed the matter with
- (13) Monsignor Bronkiewicz?
- (14) A. I did.
- (15) Q. All right. And may I ask you whether
- (16) there is a written record of that complaint?
- (17) A. Is there a written record of the
- (18) complaint?
- (19) MR. SWEENEY: If you know.
- (20) A. I don't know if there is or not, but I
- (21) don't recall there was a written record.
- (22) Q. But you would assume that there would
- (23) be, would you not?
- (24) A. I don't know. Someone could have
- (25) spoken to Monsignor Bronkiewicz and Monsignor

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- (1) Bronkiewicz could have spoken to me. I am not
- (2) sure of that, sir.
- (3) Q. But generally I thought you indicated
- (4) that your policy would be that if there was a
- (5) complaint and an investigation, that there would
- (6) be a notation, a memorandum or a record made of
- (7) the complaint or investigation?
- (8) A. Ordinarily there would be a notation.
- (9) I am not sure that there wasn't one in this
- (10) case. I don't recall.
- (11) Q. And as a result of that particular
- (12) complaint -- Let me ask you this: Were you
- (13) aware of the fact that Father Federici had been
- (14) apprehended by the police, who found him with a
- (15) young boy? Apparently the claim was that he was
- (16) attempting to commit some sort of sexual act
- (17) with a young boy in his car. Were you aware of
- (18) that?
- (19) A. When I found out about this complaint
- (20) that came after I arrived, I found out about
- (21) what had happened before I arrived, and I hope I
- (22) get the place right this time. I think it was
- (23) in Shelton that there was some sexual misconduct
- (24) alleged.
- (25) Q. Well, that is correct, and I say that's

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- (1) correct, and that is a case which we have
- (2) brought for a young man who claimed that he was
- (3) abused by Father Federici at St. Joseph's church
- (4) in Shelton, right?
- (5) A. I am not sure of the parish.
- (6) Q. Okay. But I am asking whether you are
- (7) aware of the fact that prior to that time --
- (8) A. Prior to the St. Joseph's event?
- (9) Q. Right. In other words, you weren't
- (10) here and I understand that, and I --
- (11) A. I wasn't here for the St. Joseph's.
- (12) Q. No, I understand you weren't here for
- (13) any of these, but for the '90 and this later
- (14) complaint that you told us about, okay, that
- (15) occurred apparently in Norwalk.
- (16) But what I am asking is in
- (17) determining now what may have happened or
- (18) determining how you are going to handle this
- (19) particular priest of yours, did you become aware
- (20) of the fact that Federici was apprehended, was
- (21) picked up, if you will, by a local police
- (22) department with a young boy in his motor vehicle
- (23) with a claim that he had committed a sexual
- (24) assault upon the young boy? Were you aware of
- (25) that?

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- (1) A. If that was part of the file, if that
- (2) was part of the report, made known to me, of
- (3) course I was aware of it.
- (4) Q. All right. Well, Bishop, I will be
- (5) candid with you, okay, because I am not trying
- (6) to trap you. The reason I am asking is that I
- (7) don't know if it's part of a report or not.
- (8) A. Well then, I think my answer was
- (9) appropriate.
- (10) Q. All right. And the reason I don't
- (11) know, and that is what I am trying to find out,
- (12) is that Monsignor Cusack indicated that he would
- (13) not make any records of complaints of sexual
- (14) abuse that might -- or sexual misconduct that
- (15) might have been brought against priests. So let
- (16) me go back.
- (17) Cusack has testified of such an
- (18) incident, that it occurred, and that the police
- (19) brought the priest to his rectory, I believe
- (20) Assumption church in Westport, and turned him in
- (21) to the pastor, and then Cusack got involved?
- (22) A. And my answer to you, of course, was I
- (23) don't recall that, but if it were in the file, I
- (24) would have seen it.
- (25) Q. All right. Now that's what I want to

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- (1) explore. Were you aware of the fact that
- (2) Monsignor Bronkiewicz is, not only his
- (3) predecessor but an individual who apparently
- (4) spent a number of years on the job as vicar of
- (5) clergy, I think 10 years or so, that he did not
- (6) make records of complaints of sexual abuse
- (7) brought against priests, or sexual misconduct
- (8) against priests. Were you aware of that?
- (9) A. I believe there was some sort of a
- (10) testimony of his in that regard. I know nothing
- (11) more than that. Some of this testimony was
- (12) rather garbled, but --
- (13) Q. I am not talking about the testimony.
- (14) I am going before that. I am saying that when
- (15) you became -- in other words, when you became
- (16) bishop and you talked with Monsignor
- (17) Bronkiewicz, whom you have a great deal of faith
- (18) and respect for, and he's running a program,
- (19) somehow did he communicate to you or did he say
- (20) to you, you know, "That for a period of time" --
- (21) it may be like the Dark Ages, "For a period of
- (22) time here, there may be no records of complaints
- (23) or misconduct on the part of priests because my
- (24) predecessor did not keep any records, he kept it
- (25) all in his head"?

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- (1) A. The question is did Monsignor
- (2) Bronkiewicz ever say a thing like --
- (3) Q. Or did you find out, yeah, from
- (4) somebody at that time --
- (5) MR. SWEENEY: Please can we take
- (6) one step at a time?
- (7) MR. TREMONT: All right.
- (8) A. Let's see. Okay. Why don't you start
- (9) again? Can you --
- (10) Q. Well, let me repeat it again.
- (11) A. Okay. You see, when you ask two at the
- (12) same time, it's tough.
- (13) Q. All right. You become bishop and you
- (14) have a vicar of clergy and you discuss with him
- (15) generally the policy of sexual misconduct, which
- (16) we talked about, discussed that with him, okay?
- (17) At that time were you advised that there might
- (18) be a lapse, a substantial lapse, in the Diocesan
- (19) records in regard to complaints of sexual
- (20) misconduct against priests because the prior
- (21) vicar of clergy did not keep records?
- (22) A. All right. I was not so advised, and I
- (23) don't even know if that's true.
- (24) Q. It may not be true.
- (25) A. So I cannot recall anybody advising me

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- (1) of that.
- (2) MR. SWEENEY: All right. You
- (3) have answered his question. You have answered
- (4) his question.
- (5) Q. And obviously, Bishop Egan, if you had
- (6) no record, if records were not available to you,
- (7) it would be a little more difficult for you to
- (8) make an evaluation?
- (9) A. If I had no records, it would be
- (10) difficult to make an evaluation.
- (11) Q. Prior records, yeah.
- (12) A. There would be other ways, of course, I
- (13) could inquire, but it would be more easy, it
- (14) would be easier, fine.
- (15) Q. Well, let me ask you: Did you ever --
- (16) in discussing, for instance, Father Federici,
- (17) did you ever inquire of Monsignor Cusack?
- (18) A. I did not.
- (19) Q. Okay. Did you recall ever inquiring
- (20) of -- from Bishop Curtis regarding Federici?
- (21) A. I don't recall specifically speaking to
- (22) Bishop Curtis about him.
- (23) Q. Okay. Have you ever instructed --
- (24) Well, I will withdraw that.
- (25) Is it a policy of this Diocese at

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- (1) the present time to deny that there were prior
- (2) claims, or complaints at least, of sexual
- (3) misconduct on the part of a priest when one who
- (4) claimed to be abused by that very priest
- (5) inquired?
- (6) A. Would we deny something? If the court
- (7) or whoever it was had a right to knowledge and
- (8) we were asked about it, we would certainly
- (9) respond appropriately.
- (10) Q. All right. It wasn't the court. If,
- (11) for instance -- I read you a letter a short time
- (12) ago, or a memo I should say, from Monsignor
- (13) Bronkiewicz, that the Berliners had requested
- (14) information of the Bridgeport Diocese, and they
- (15) wanted to know whether there were any prior
- (16) claims of sexual abuse against Father Brett
- (17) before he purportedly abused the Berliner
- (18) individual.
- (19) Now that's the kind of request I
- (20) am talking about. Would you have answered that
- (21) request by telling those people that there were,
- (22) there was a prior incident which occurred in
- (23) Connecticut?
- (24) A. I do not believe I would, no.
- (25) Q. All right. Why not?

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- (1) A. We're dealing with them as a specific
- (2) case and I would have no reason to go into other
- (3) people's concerns with them. I would deal with
- (4) them, I would deal with the accusation. I would
- (5) deal with any damage that was done and so
- (6) forth. I would not be inclined to draw anybody
- (7) else into the issue.
- (8) Q. All right. Is that -- Bishop, do you
- (9) think that's being candid with these people if
- (10) they say to you, "Gee, tell me, am I the first
- (11) or was somebody else abused by him before?" Is
- (12) that something that -- Why is it that you
- (13) wouldn't indicate that?
- (14) A. Because I would not feel necessary to
- (15) draw anyone else into this particular
- (16) discussion.
- (17) Q. All right. Now, let me go a little
- (18) further than that. Is it, then, the policy of
- (19) the Diocese to deny that there was any claim
- (20) of -- prior claim of sexual misconduct against a
- (21) priest when an individual or an attorney comes
- (22) forward to claim that a priest abused him or his
- (23) client?
- (24) MR. SWEENEY: Well, I just want
- (25) to as a matter of form, Counsel, clarify this.

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- (1) Are you asking him whether it is the Diocese's
- (2) policy to affirmatively falsify or to refuse to
- (3) answer?
- (4) MR. TREMONT: I didn't use either
- (5) word.
- (6) MR. SWEENEY: Well, could you
- (7) clarify what you have in mind so he can answer
- (8) the question appropriately?
- (9) MR. TREMONT: It's very simple.
- (10) I think the question is simple. Do you want me
- (11) to repeat the question?
- (12) MR. SWEENEY: Yeah. Well, let's
- (13) hear it again. I think it's --
- (14) Q. I want to ask you whether it's the
- (15) policy of this Diocese to claim that there were
- (16) no prior complaints of sexual abuse against a
- (17) priest when charges are made of a sexual nature
- (18) against that priest even though there had been
- (19) prior complaints registered?
- (20) MR. SWEENEY: Again, as to form,
- (21) Counsel --
- (22) MR. TREMONT: It's not form.
- (23) MR. SWEENEY: Yes, it is as to
- (24) form.
- (25) MR. TREMONT: I would like an

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- (1) answer to the question, okay?
- (2) MR. SWEENEY: If he understands
- (3) the question.
- (4) MR. TREMONT: Well, all right.
- (5) Now the bishop doesn't understand. He is a very
- (6) well-educated man, Mr. Sweeney.
- (7) MR. SWEENEY: Mr. Tremont --
- (8) MR. TREMONT: He knows exactly
- (9) what he's doing. He doesn't need to you coach
- (10) him, okay?
- (11) MR. SWEENEY: Mr. Tremont, if you
- (12) are asking him is it the policy of the Diocese
- (13) to affirmatively state that there had been no
- (14) claims against them when the Diocese knows there
- (15) has been a claim, that's one thing, and it's
- (16) something else to ask him is it the policy of
- (17) the Diocese to refuse to disclose whether or not
- (18) there have been any such. There is a
- (19) difference.
- (20) MR. TREMONT: Would you please
- (21) repeat the question?
- (22) MR. SWEENEY: Yes, let's have it
- (23) read back.
- (24) MR. TREMONT: You've said your
- (25) objection, fine. You've stated it.

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- (1) MR. SWEENEY: I've stated it.
- (2) MR. TREMONT: That's it. Thank
- (3) you.
- (4) MR. SWEENEY: My objection is as
- (5) a matter of form. All right?
- (6) MR. TREMONT: All right. You
- (7) have stated it.
- (8) MR. SWEENEY: May we have that
- (9) question read unless he understands it.
- (10) MR. TREMONT: He has to answer
- (11) the question, all right?
- (12) MR. SWEENEY: If he understands
- (13) it, yes, but if he doesn't --
- (14) MR. TREMONT: If he doesn't
- (15) understand the question, Mr. Sweeney, why don't
- (16) you answer it for him and we can save time?
- (17) MR. SWEENEY: Well, would you
- (18) please have read the question?
- (19) MR. TREMONT: Of course.
- (20) (Question read.)
- (21) MR. SWEENEY: If you understand
- (22) that question, you are welcome to answer it.
- (23) THE WITNESS: Well, it's not a
- (24) question that anybody can answer. I would not
- (25) claim to somebody that there had not been -- I

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- (1) would not claim that there had not been prior
- (2) accusations. That's the answer to your
- (3) question.
- (4) BY MR. TREMONT:
- (5) Q. I'm asking whether --
- (6) A. Well, is there a policy?
- (7) Q. I'm not asking what you would do. I am
- (8) asking the policy of the Diocese.
- (9) A. That's right, that's what I said. Want
- (10) me to start -- I would not claim, I do not think
- (11) that the Diocese is at a point of a policy on
- (12) this issue. But certainly in my regard, I would
- (13) not claim, which I would translate to be assert,
- (14) affirm, allege, that there were no prior
- (15) accusations.
- (16) Q. Would you -- I'm sorry.
- (17) A. I would say that this is something
- (18) about which I don't intend to discuss, something
- (19) I do not intend to discuss with this second
- (20) accuser, and I think there is a world of
- (21) difference between claiming something that you
- (22) know isn't so and saying this is an issue that
- (23) is not appropriate for you to be discussing with
- (24) me.
- (25) Q. All right. Now let me ask you: Are

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- (1) you aware of the fact that Monsignor
- (2) Bronkiewicz, as your vicar of clergy, has
- (3) specifically advised people that there has been
- (4) no claim against a specific priest in regard to
- (5) sexual misconduct when the files of the Diocese
- (6) indicate that there were specific claims against
- (7) the priest for sexual misconduct?
- (8) A. I am not aware of that and I would say
- (9) that I would find it very unlikely that
- (10) Monsignor Bronkiewicz would knowingly mislead on
- (11) his initiative.
- (12) If someone says, "Monsignor
- (13) Bronkiewicz, was there anything else?" His
- (14) answer ought to be, not because it's a policy
- (15) but simply because it's the appropriate thing to
- (16) do, this is not where we are going to discuss
- (17) other people, we are going to discuss yourself.
- (18) Q. Okay. So your answer is that you --
- (19) A. Is that a clear answer to you?
- (20) Q. That's a very clear answer to me. You
- (21) are -- basically your answer is that you are
- (22) saying, you said it before, I believe this
- (23) morning, that "it's none of your business," or
- (24) "I am not going to talk about it." In other
- (25) words --

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- (1) A. I said that? I don't remember saying
- (2) that.
- (3) Q. Yes, I think you did. You said
- (4) basically, in other words, "I'm not going to
- (5) talk about that" or "It's none your business,
- (6) we'll talk about your problem."
- (7) A. I wouldn't have put it that way. I
- (8) would have said to the person it's not
- (9) appropriate for you to be asking me about any
- (10) other individuals. If I said it's none of your
- (11) business, I am surprised. That's not my usual
- (12) way of talking to people.
- (13) Q. I think you might have said that, but
- (14) in any event, it doesn't matter:
- (15) MR. SWEENEY: Counsel, I think we
- (16) have reached the witching hour of five o'clock.
- (17) MR. TREMONT: Geez, give me a
- (18) break, Mr. Sweeney. We've got --
- (19) MR. SWEENEY: We have been here
- (20) since ten o'clock this morning.
- (21) MR. TREMONT: Yes, but we've
- (22) worked for about an hour. I mean all we have
- (23) done is taken luncheon breaks, and I have got
- (24) three minutes.
- (25) MR. SWEENEY: If you have a

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- (1) couple more questions, we will be happy to work
- (2) on it with you, but --
- (3) MR. TREMONT: All right. Well,
- (4) let me just start -- I've just got a couple more
- (5) minutes. I have three minutes to 5:00.
- (6) MR. SWEENEY: I have five.
- (7) Q. Now, Bishop, I understand specifically
- (8) the answer to the question as you gave it to
- (9) me. I understand that, and I'm asking you
- (10) something else.
- (11) In other words, I am saying to
- (12) you that if Monsignor Bronkiewicz advised people
- (13) that there was never a complaint against a
- (14) specific priest, and he indeed knew there was a
- (15) complaint of a sexual nature against that
- (16) priest, that would be against your policy and
- (17) against your instructions, that would be
- (18) something that you disapprove of.
- (19) MR. SWEENEY: Well, objection.
- (20) Asked and answered already. He's answered that
- (21) question already.
- (22) MR. TREMONT: No, I'm asking.
- (23) Would you -- No, he didn't. I'm asking as far
- (24) as --
- (25) MR. SWEENEY: I think he's

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- (1) answered it.
- (2) A. All right. I'll say it again. I don't
- (3) consider this something at the level of policy.
- (4) The way I would operate is, if someone were to
- (5) come in and say, "I have been abused. Has
- (6) anyone else ever been abused that you can tell
- (7) me about and so forth," I would say, "This is
- (8) not appropriate discussion for you and me." If
- (9) you want to raise it to the level of a policy,
- (10) all right, it would be the way I would operate.
- (11) Q. Monsignor Bronkiewicz operates for you
- (12) and only through you. In other words --
- (13) A. He operates for me but not through me.
- (14) Q. You operate -- you are actually the
- (15) authority, in other words, the authority that he
- (16) has is basically your authority as the Ordinary
- (17) in the Diocese in his operations?
- (18) A. All right, fine.
- (19) Q. Correct? Okay. And if he were to do
- (20) such things, make such representations acting on
- (21) your behalf --
- (22) A. Yes, sir.
- (23) Q. -- are you telling me that that would
- (24) be -- that you would disapprove of that?
- (25) A. You are correct.

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- (1) MR. TREMONT: Okay. We can stop
- (2) at this point.
- (3) MR. SWEENEY: Very good.
- (4) THE VIDEOGRAPHER: We are
- (5) finished with the deposition.
- (6) (Time noted: 5:00 p.m.)
- (7) BISHOP EDWARD W. EGAN
- (8) SUBSCRIBED AND SWORN TO BEFORE
- (9) ME, the undersigned authority, on this
- (10) the day of , 1997.

