

ORIGINAL

Doe
vs.
Chicago Archdiocese

Deponent: Francis Cardinal
George

Date: January 30, 2008

Exhibits Only

Archdiocesan Priests with Substantiated Allegations of Sexual Misconduct with Minors
(includes living, current and former priests and deceased priests who were able to respond to the allegations before they died)

The following Archdiocesan priests are no longer in public ministry because an allegation of sexual misconduct with a minor has been substantiated. The list includes priests against whom there have been substantiated allegations since 1950.

The allegations were substantiated by the Archdiocese's Review Process for Continuation of Ministry administered by the Professional Responsibility Review Board. Prior to the creation of the Review Board in 1992, allegations were substantiated by administrative review. None of the priests are in ministry.

An allegation is deemed to be substantiated if there is reasonable cause to believe that abuse occurred. This determination follows a process of consultation and is not a legal judgment.

Deceased priests who did not have an opportunity to respond to an allegation before they died are not included on the list.

Every effort has been made to make sure that the list is accurate. Questions about the list should be in writing and directed to the Office of the Chancellor, Archdiocese of Chicago, P.O. Box 1979, Chicago, IL 60690.

NAME	DATE OF ORDINATION	ACTION/STATUS
Baranowski, Alexander Sylvester	5/3/1955	Resigned 6/1975
X Bartz, Richard Barry	5/8/1974	Resigned 6/2002
X Becker, Robert Charles	4/29/1965	Deceased 10/1989
Bennett, Joseph R.	4/26/1966	Removed from Public Ministry 2/3/2006
X Bogdan, Leonard Adolph	5/3/1960	Retired from Diocese of Kalamazoo 6/30/2000
Bowman, Robert Peter	5/3/1955	Removed from Public Ministry 5/2002
X Braun, David Francis	5/5/1954	Deceased 12/1997
X Buck, Daniel Peter	5/12/1971	Removed from Public Ministry 6/2002
Burns, Eugene Patrick	5/3/1955	Deceased 1/2005
Calicott, John Walter	5/8/1974	Removed from Public Ministry 6/2002
X Cloutier, William J.	5/14/1975	Deceased 8/2003



ex 100A

	NAME	DATE OF ORINATION	ACTION/STATUS
X	Craig, Robert	5/8/1974	Resigned 10/1993
X	Curran, John William	5/3/1957	Deceased 3/2000
	Czalka, Norman J.	5/1/1961	Removed from Public Ministry 4/2006
X	DeRoeck, Walter George	5/12/1971	Resigned 8/2001
	Dilla, Francis Emil	5/1/1953	Deceased 2/2005
	Fassbinder, Richard Wayne	5/1/1953	Deceased 5/2004
X	Fitzharris, Joseph L.	4/28/1962	Resigned 1/1995
X	Flosi, James Vincent	5/12/1971	Resigned 7/1992
	Friese, Robert	5/10/1978	Resigned 8/1985
	Garza, Jesus P.	5/9/1979	Resigned 7/2000
X	Hagan, James Craig	5/8/1974	Resigned 4/1997
	Hefferan, John Edward	5/1/1956	Removed from Public Ministry 10/2003
X	Hogan, Michael J.	5/19/1984	Resigned 7/1993
X	Holihan, Daniel Mark	5/3/1957	Removed from Public Ministry 6/2002
	Huppenbauer, Walter Edward	5/3/1957	Removed from Public Ministry 10/2002
	Job, Thomas	5/13/1970	Resigned 12/1992
	Kealy, Robert Louis	5/10/1972	Resigned 4/2006
	Keehan, John James	4/27/1967	Removed from Public Ministry 6/2002
	Keough, John Joseph	5/1/1952	Resigned 3/1982
X	Kissane, Joseph Patrick	5/14/1969	Resigned 1/1993
	Kmak, Leonard Paul	5/7/1959	Deceased 7/2002
	Lupo, William L.	4/29/1965	Resigned 12/2002
X	Maday, Norbert J.	4/30/1964	Removed from Public Ministry 3/1992
X	Mayer, Robert E.	4/30/1964	Resigned 1/1994
X	McCaffrey, Vincent	5/10/1978	Resigned 12/1993
	McCormack, Daniel J.	5/21/1994	Removed from Public Ministry 2/17/06

NAME	DATE OF ORDINATION	ACTION/STATUS
X McDonald, Robert Joseph	5/9/1973	Resigned 6/1990
McNamara, Peter John	5/6/1970	Resigned 8/1971
Mulsoff, Donald John	5/14/1969	Deceased 11/2005
O'Brien, William John	5/9/1973	Resigned 4/2006
Owens, Joseph	4/29/1965	Resigned 4/1970
X Ray, James M.	5/14/1975	Removed from Public Ministry 6/2002
Robinson, John Allen	5/12/1971	Removed from Public Ministry 1/2003
Rohrich, John F.	4/29/1965	Resigned 6/1975
X Romano, Russell Lawrence	5/9/1973	Resigned 10/1991
X Ruge, Kenneth Charles	5/1/1963	Deceased 5/2002
Savage, Joseph E.	3/16/1918	Deceased 6/1974
Skriba, Raymond Francis	5/3/1957	Removed from Public Ministry 7/2002
X Snieg, Marion Joseph	5/3/1955	Deceased 6/2005
Steel, James R.	5/2/1968	Resigned 5/13/1992
Stepak, Robert A.	5/13/1981	Removed from Public Ministry 11/4/2006
X Stewart, Victor E.	5/10/1978	Deceased 6/1994
Strand, Ralph S.	4/30/1964	Removed from Public Ministry 3/1993
X Swade, Thomas J.	5/1/1961	Removed from Public Ministry 6/2002
Swider, Henry Peter	5/3/1950	Resigned 2/1974
Tanghal, Albert	5/18/1991	Deceased 12/2003
Thomas, Joseph S.	5/1/1952	Retired/Removed from Public Ministry 10/2002
Turlo, Walter Joseph	5/13/1970	Removed from Public Ministry 6/2005
Ulatowski, Donald Francis	5/1/1956	Deceased 6/1999
Vader, Anthony Joseph	5/1/1952	Removed from Public Ministry 2/2003
Weston, Michael Howard	5/9/1973	Resigned 9/1993

ARCHDIOCESE OF CHICAGO

Office of the Archbishop



Post Office Box 1979
Chicago, Illinois 60690

September 8, 1997

The Honorable Tommy Thompson,
Governor, State of Wisconsin
Room 115 East, State Capitol
Post Office Box 7863
Madison, Wisconsin 537007

Dear Governor Thompson,

Thank you for your personal thoughtfulness in granting an extraordinary permission for the body of Catherine Maday to be brought to the Fox Lake Correctional Facility for the viewing by her son, Norbert. It was an exceptional act of charity.

Many of your staff and employees deserve special recognition. Mr. Stewart Simonson, your legal counsel, demonstrated a readiness in his acumen and understanding of the situation by facilitating the movements of the day. Deputy warden, Daniel Benik of the Fox Lake Correctional Facility, his staff, the chaplain services and the correctional officers all were both effective and compassionate in providing access to the facility for the family members and Norbert. They were personally supportive and caring of the mourners. I know of the extraordinary planning and subsequent effective mobilization that had to take place that day. It required exceptional effort of your staff. I do appreciate all of that effort which was rendered with dignity and courtesy.

Please accept my appreciation for all you have done, your personal thoughtfulness and the goodness of your staff.

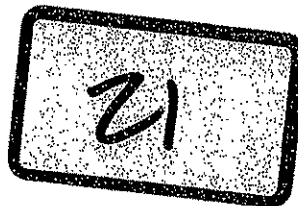
Sincerely yours in Christ,

A handwritten signature in dark ink, appearing to read "Francis E. George".

Most Reverend Francis E. George, O.M.I.
Archbishop of Chicago

CC: Mr. Stewart Simonson, Legal Counsel
Mr. Daniel Benik and Staff, Fox Lake Correctional Facility
Mr. Michael Sullivan, Sec. Corrections/Bishop Wycislo

CB3/MAD 00922





ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

October 31, 1997

Norbert Maday
Fox Lake Prison
PO Box 147
Fox Lake, WI 53933

Dear Norb,

We continue to keep you in our prayers as you grieve the loss of your mother.

The Archbishop has received your letter of October 22. By now, you have probably received his letter to you dated October 21. As he indicated in the letter of the 21st, I have been asked to respond.

Sometime ago the Archbishop asked that I explore possibilities relative to your situation. To that end, I met with Warden Berge and Associate Warden Benik who, as you know, oversees treatment programs. They were both adamant that no special program would be designed for you -- or for any other inmate. They told me Oshkosh is the appropriate program for you and that this is the only way you can be considered for a parole. In other words, to not participate is to, in effect, agree to serve the entire sentence.

The Archbishop would like you to go to the Oshkosh program because he feels this is your best opportunity. While you may not like the "institutional" and "programmed" nature of the State's program, the Church has no ability to request special treatment for you. We have been told clearly by the State of Wisconsin that the denier's program is the only program available.

The Archbishop hopes you will accept the parameters of your confinement and avail yourself of this program which offers the only possibility for early release.

CB3/MAD 00886



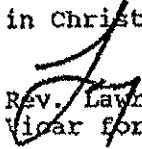


Off: (312) 642-1837
Fax: (312) 642-4933

ARCHDIOCESE OF CHICAGO
VICAR FOR PRIESTS
645 NORTH MICHIGAN AVENUE, SUITE 543
CHICAGO, ILLINOIS 60611

You are remembered in the Archbishop's prayers as well
as my own as you struggle with this situation.

in Christ,


Rev. Lawrence P. McBrady
Vicar for Priests

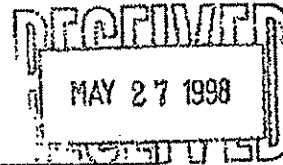
CB3/MAD 00887

ARCHDIOCESE OF CHICAGO

Office of the Archbishop



Post Office Box 1979
Chicago, Illinois 60690-1979



May 23, 1998

Norbert Maday
Fox Lake Correctional Institute
P. O. Box 147
Fox Lake, WI 53933

Dear Norb:

As the Easter season draws to a close, I am about to leave for Rome. I want you to be assured of my prayers in the basilicas of Rome while I am on my *ad limina* visit.

As one of my priests, you know our relationship is a very special one. I am sympathetic over the loss of your mother and your continued incarceration.

There are some situations that we cannot do anything about. There are other situations that have in-built opportunities to change matters. One matter you can assume yourself is to enter the Denier's Group which has been recommended to you both by counsel and by the State of Wisconsin. Entrance into this group is one sure way you can possibly change your entire future.

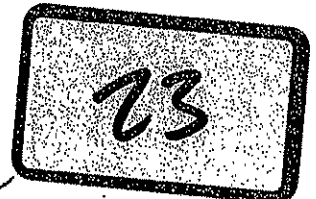
As your Archbishop I insist you enter the Denier's Group. Know that I urge this for your own good.

When Father Dan Coughlin visits you I hope you can report to him that you have already complied with my request.

Please remember me in your prayers. Pray for a safe journey for our entire group.

Sincerely yours in Christ,

Francis Cardinal George, O.M.I.
Archbishop of Chicago



I still look forward to our meeting — and I've asked Fr. Coughlin to look into the question of your lawyer's action — a letter, book of action. FH.

CB3/MAD 00851

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
1-800-Superior 676 N. St. Clair
Suite 504 Suite 1918
Chicago, IL 60611 Chicago, IL 60611

(312) 751-5205
1-800-994-6200
Fax (312) 751-5279



December 1, 1998

Reverend Daniel P. Coughlin
Co-vicar for Priests
645 N. Michigan Ave., #543
Chicago, IL 60611

Dear Father Coughlin:

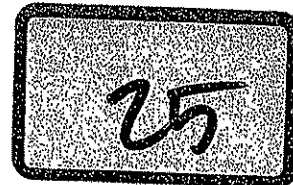
I am writing in response to your telephone call of November 30, 1998, regarding payroll status of Reverend Norbert Maday and his recent transfer to the for-profit correctional facility in Tennessee.

In reviewing the files, his stipend was decreased to \$200.00 in November of 1997. As Fr. Maday requested, we will increase this to \$300.00 per month, effective December 1, 1998 to help cover additional personal expenses charged to him by this new facility.

If I can be of further assistance, please call.

Sincerely,

Kathleen Leggdas
Professional Fitness
Review Administrator



cc: Rev. Thomas J. Paprocki

CB3/MAD 00791



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

CHICAGO, ILLINOIS 60611

Off: (312) 642-1837

Fax: (312) 642-4933

Mr. Jerry Smith
Parole Commission
149 E. Wilson St.
PO Box 7925
Madison, Wisconsin 53707-7925

May 20, 1999

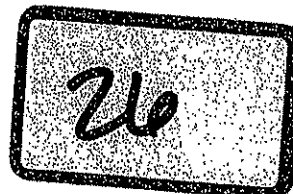
Dear Commissioner Smith:

I am the Vicar for Priests for the Roman Catholic Archdiocese of Chicago. The Archdiocese of Chicago is a division of the Roman Catholic Church that encompasses Cook and Lake Counties in Illinois. The Archdiocese established the Vicar for Priests office in 1984; one of the principle roles of the office is to care for priests who have been accused of serious misconduct.

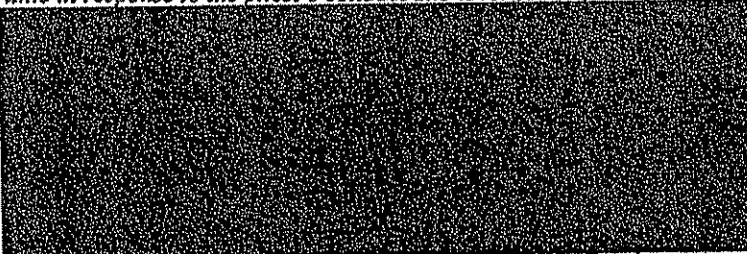
Norbert Maday (278632) is presently serving time at the Hardeman County Correctional Facility in Whiteville, Tennessee (HE108). He is also a priest of the Archdiocese of Chicago.

The Archdiocese has a system for caring for priests who have been determined to present a risk of engaging in sexual misconduct with minors. These determinations are made by the Archdiocese of Chicago Professional Fitness Review Board. This is a Board of nine people, which is separate and independent of the Archdiocese's administration. The Board reviews allegations that a priest of the Archdiocese has engaged in sexual misconduct with a minor. If the Board concludes that an accused priest presents a risk to minors, it makes a recommendation to the Archbishop of Chicago that the priest be withdrawn from ministry. According to Archdiocesan policy, a priest who has been withdrawn from ministry in this fashion may not return to ministry without the positive recommendation of the Review Board. The Review Board oversees the entire life situation of such a priest for the duration of his priesthood even if he is released by the court or other public body.

The Review Board is staffed by a Professional Fitness Review Administrator. Together the Administrator and I oversee the individual protocols established for priests who are withdrawn from ministry. The individual protocols are adapted to the particular situation of each priest, but all protocols include the following elements:



CB3/MAD 00730

- The priest may not engage in parish ministry or in ministry that involves minors
- The priest lives in a residence where his activities are monitored and he may never be in the presence of a minor without another adult present. A priest may not leave town except for treatment, a family visit, or other good purpose. Before doing so, he must have the permission of the Professional Fitness Administrator who establishes a monitoring protocol for when the priest is out of town. Frequently, the priest is accompanied by a monitor.
- The monitoring program includes a monitor on site at the priest's residence as well as oversight by the Professional Fitness Review Administrator. Someone like Maday would be required to keep a daily log of all movements and commitments. This log is periodically reviewed by the Administrator. In addition Maday would need to report by telephone to an official monitor all his movements and activities at least twice a day.
- A priest who is withdrawn from ministry because of an accusation of sexual misconduct with a minor, will remain in the monitoring program for the rest of his life as a priest. Monitoring protocols are varied over time in response to the priest's conduct and level of cooperation.
- 
- The priest is also required to identify and regularly meet with a spiritual director. The spiritual director guides the priest in strengthening his religious and spiritual commitments and personal, religious practices.
- While the priest may not engage in parish ministry or any ministry involving contact with minors, the priest is required to engage in other productive work in a monitored setting.

In summary, the Archdiocese of Chicago system is designed to ensure the safety of children and promote treatment for the accused priest. (I have enclosed some the Archdiocese of Chicago policies referred to in this letter.) There would be an additional dimension for a situation like Maday's. He would be required to participate in this system for the duration of his life as a priest, even if he were released from any and all restrictions required by the State of Wisconsin. In the meantime, the Professional Fitness Review Administrator and I would work with his parole officer and other relevant authorities to

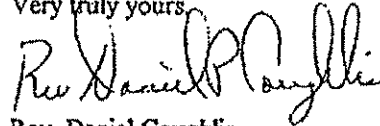
CB3/MAD 00731

ensure that Maday fully cooperated with the State of Wisconsin's requirements for as long as is necessary.

We would be pleased to receive Norbert Maday into the Archdiocese of Chicago system, outlined above. We would also accept financial responsibility for his maintenance, monitoring [REDACTED] This would relieve the State of Wisconsin from the financial burden of caring for Maday.

Thank you for your consideration. I would be please to provide additional information about the Archdiocese of Chicago system or answer any questions.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Rev. Daniel Coughlin". The signature is fluid and cursive, with a large initial "D" and "C".

Rev. Daniel Coughlin
Vicar for Priests

CB3/MAD 00732



ARCHDIOCESE OF CHICAGO
VICAR FOR PRIESTS
645 NORTH MICHIGAN AVENUE, SUITE 543
CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

October 4, 1999



Dear Mrs. [REDACTED]

Cardinal George asked that I respond to your letter of September 21. Thank you for your concern for Father Norb Maday. Your concern for him is very much appreciated. I know Norb is grateful for the many people who continue to remember him and support him with their prayers. You are certainly included in that number.

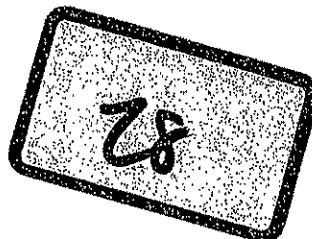
The Vicar for Priests' office continues to be in contact with Father Norb and we are looking for ways to bring about his freedom.

Currently, we are taking some specific initiatives in the hope of bringing about his early release. I am not able to divulge the exact nature of these endeavors, but I do want you to know that this matter is being taken very seriously.

Again, I thank you for your concern and hope we will have some positive results in the near future.

Sincerely yours,

Rev. Lawrence P. McBrady
Vicar for Priests



CB3/MAD 00686

ARCHDIOCESE OF CHICAGO

Office of the Archbishop



Post Office Box 1979
Chicago, Illinois 60690-1979

January 12, 2000

Norbert Maday 278632
HE-108-WCF
P.O. Box 679
Whiteville, TN 38075

Dear Father Norb,

May this Jubilee Year bring you peace and the grace of Our Lord Jesus Christ.

The very calling to mind of Isaiah's words on the Year of Jubilee echo my prayer for "the release of prisoners." As you know, Father Dan Coughlin and the lawyers have something under way. I pray these efforts will bear fruit.

Recently I heard from Father Charlie Kelly expressing his concern for you. I am grateful that he and others sustain your spirit by their prayers and correspondence.

The loss of your friend and advocate, [REDACTED], must cause you sadness. She is in my prayers that the Lord will bring her quickly home.

May you remain strong in Christ and open to the Spirit who works in and through all circumstances. You are in my prayers; please keep me and the Archdiocese in yours. .

Fraternally in Christ,

Francis Cardinal George

Francis Cardinal George, O.M.I.
Archbishop of Chicago



CB3/MAD 00647



Off: (312) 642-1837
Fax: (312) 642-4933

ARCHDIOCESE OF CHICAGO
VICAR FOR PRIESTS
845 NORTH MICHIGAN AVENUE, SUITE 543
CHICAGO, ILLINOIS 60611

MEMORANDUM

TO: Cardinal George

FROM: Fr. McBrady *LMB*

RE: Fr. Norbert Maday

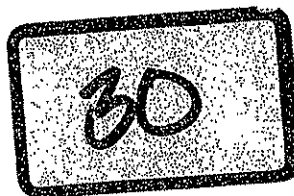
DATE: February 16, 2000

This is the appropriate time for you to speak with Bishop Wycislo regarding Norb since the paper work has now been filed with the governor's office.

These are the key points:

- Norb received a twenty year sentence for a first offense of touching a male minor's genitals over the clothing. [REDACTED]
- Norb has served five years of his sentence.
- His attorney is requesting a commutation of sentence with the understanding that he would be returned to the Archdiocese of Chicago where he will live in a monitored setting with a strict protocol. He will not be permitted to function publicly as a priest. (In other words, we are not trying to get him off the hook).
- It is important for Bishop Wycislo to intercede with the governor in his own name and not merely convey our message. We feel this is important because, at the time of the media coverage regarding the prayer service for Mrs. Maday at the prison, the media's take on the story was that Chicago was attempting to influence the way things are done in Wisconsin.

I hope this is helpful. Please call me if you need any further clarification (642-1837).



CB3/MAD 00627

ARCHDIOCESE OF CHICAGO

Office of the Archbishop



Post Office Box 1979
Chicago, Illinois 60690

March 6, 2000

Norbert Maday 278632
Hardeman County Correctional Facility
1440 Union Spring Road
P.O. Box 549
Whiteville, TN 38075

Dear Norb,

Thank you for your letter of February 16. In it I noted with a great deal of interest your meeting with the Program Review Board. I realize that you were personally disposed to enter the first class of the Deniers Group and now there seems to be a delay again. If true, this is very disappointing. Personally, I want to see that you receive the support you need to survive your present difficult circumstances. The changing rules and the changing circumstances you describe are very disheartening.

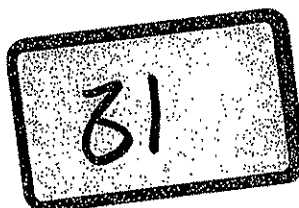
As you know, we are trying in Wisconsin to make some definite efforts to have a sentence reduction in your case. Hopefully, some good souls will see that the six years of incarceration you have already endured are enough to satisfy the state and any sense of justice.

As we enter the desert of Lent and begin a time of increased prayers and penance, I want you to know how you and your intentions are in my heart during this millennium Easter time. It would be a great fulfillment of the millennium spirit to see your captive heart set free. It is impossible for me to honestly talk about specific dates, but the liturgical seasons of Lent and Easter do inspire all of us with a sense of hope. Keep me and the Archdiocese in your prayers. Know that I continue to hold you in my prayers.

Sincerely yours in Christ,

A handwritten signature in dark ink, appearing to read "Francis Cardinal George".

Francis Cardinal George, O.M.I.
Archbishop of Chicago



CB3/MAD 00604

July 26, 2000

Mr. Norbert Maday - 278632
PO Box 679 -- ID 107
Whiteville, TN 38075

Dear Norb,

Thanks for your letter of July 18th. Congratulations on your completion of the Deniers Program!! That is certainly a most significant accomplishment. I am glad to know you found it to be so worthwhile.

Jim Kaczorowski is in the process of getting on to your visitor's list. Do you have any idea when you may be returned to Oshkosh?

Our attorney, John O'Malley, continues to monitor developments to gain your early release. As you well know, these things never move quickly. But, I can assure you, it is in progress and the Cardinal remains committed to doing whatever needs to be done.

Norb, you are in my prayers. Your letter reveals a strong faith and great patience. I know the Lord is blessing you.

Fraternally,

CB3/MAD 00543



ARCHDIOCESE OF CHICAGO

Office of the Archbishop



Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-8230

September 7, 2000

Norbert Maday 278632
Oshkosh Correctional Institution
P.O. Box 3310
Oshkosh, WI 54903

Dear Norb,

I was happy to hear you have been transferred to Oshkosh. I knew you wanted to be closer to home. I also have been informed that your application for executive clemency is now complete and your clemency hearing will be coming up in either November or December. Let us pray for an early release.

I also wish to congratulate you on your completion of the Deniers Program. I am very happy you found it so worthwhile and how it will help you significantly in the future.

As always, be assured of my prayers and support. I am looking forward to having you home. In the meantime, please keep me in your prayers.

Fraternally yours in Christ,

Francis Cardinal George

Francis Cardinal George, O.M.I.
Archbishop of Chicago



CB3/MAD 00527

ARCHDIOCESE OF CHICAGO

Office of the Cardinal



Post Office Box 1979
Chicago, Illinois 60690-1979

February 4, 2002

Norbert Maday
278632 Oshkosh Correctional Institution
P.O. Box 3310
Oshkosh, WI 54903

Dear Norbert,

I thank you for your kind greetings on my birthday. Your thoughtfulness took me by surprise, but I am glad to get a personal note from you. I try to keep up with you through the Vicars for Priests.

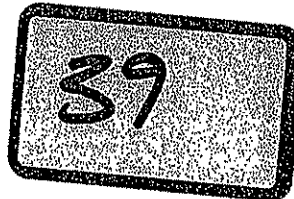
We have tried, as you know, a number of avenues to see if your sentenced might be reduced or parole be given early. So far, we have not had any success, but we'll keep trying and I personally hope that you will not lose hope.

We're approaching Lent, and you'll have a very special place in my prayers during that season of penance. Again, I'm very grateful that you wrote.

Fraternally yours in Christ,

A handwritten signature in cursive script that reads "Francis Cardinal George".

Francis Cardinal George, O.M.I.
Archbishop of Chicago



CB3/MAD 00477

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review



Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

MEMORANDUM

To: File -PFR-29
From: Professional Fitness Review Board Meeting
Re: Norbert Maday (Withdrawn)
Date: June 25, 2003

A summary of the discussion from the Professional Fitness Review Board Meeting on June 21, 2003:

The Review Board conducted a Second Stage Review regarding the allegation of [REDACTED]. The claim is as follows: Fr. Maday fondled [REDACTED] genitals, gave the minor alcohol, and pot. [REDACTED] sat on Fr. Maday's lap while driving and Fr. Maday had an erection. Fr. Maday had in his possession books and child porn.

Fr. Maday was in bed with [REDACTED] at a hotel, where Fr. Maday rubbed [REDACTED] stomach for a couple of hours.

In a unanimous 6-0 vote, the Review Board recommended to uphold their First Stage Review recommendation that there is reasonable cause to suspect that the alleged misconduct occurred. Further, the Board reiterated their earlier recommendation that Fr. Maday be laicized.



CB5/MAD 00206

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility

Leah R. McCluskey, MSW, LSW
Administrator
312-751-5205
lmccluskey@archchicago.org

Patricia J. Zacharias, LCPC, CADC, CEAP
Assistant Administrator
312-867-8793
pzacharias@archchicago.org

Post Office Box 1979
Chicago, Illinois 60690-1979
1-800-994-6200
312-751-5279 (fax)



Memorandum

To: File – PFR-29

From: Review Board Meeting

Re: Maday, Rev. Norbert (Incarcerated/Withdrawn) [REDACTED]

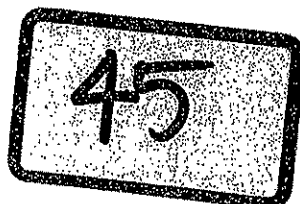
Date: January 20, 2007

A summary of the discussion at the Review Board Meeting on January 20, 2007:

The Review Board conducted an Initial Review of [REDACTED] allegation of sexual misconduct against Rev. Norbert Maday. A summary of the allegation is as follows: more than six incidents of fondling over [REDACTED] clothing while sitting on Fr. Maday's lap and "driving" his car; Fr. Maday performed oral sex on [REDACTED] while on weekend trip to home of cleric's cousin. In a 9-0 vote in light of the information presented, the Review Board determined that the matter warrants additional investigation.

The Board also made the following general recommendations regarding Fr. Maday based upon the information provided that the cleric is scheduled to be released from prison in October 2007:

- Recommendation for a very strict supervision program and mandatory treatment for Fr. Maday to be established and put into place prior to his release from prison
- 9-0 vote that Cardinal George writes a letter and follows up with a phone call to the [Wisconsin] prosecutors' office to state that the Archdiocese of Chicago recommends and supports that Fr. Maday's sentence is extended
- 9-0 vote that Mr. Gass and PRA work on a letter to Cardinal George regarding the Boards' recommendation that a residential and therapeutic program be established for clerics removed from ministry [as a result of a substantiated allegation of the sexual abuse of a minor]



CB5/MAD 00256

TERRY D. CHILDERS, LCSW
Community Corrections Consultant

March 7, 2006

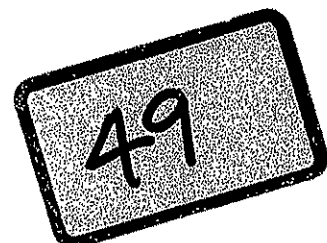
REPORT ON THE ARCHDIOCESE OF CHICAGO
ACCUSED PRIEST ABUSER MONITORING SYSTEM

INTRODUCTION

This report details the review and assessment of the monitoring system currently in place and used by the Archdiocese of Chicago to monitor priests who have been removed from public ministry because there was reason to suspect that they engaged in sexually abusive behavior with minors, or priests against whom such activity has been alleged. For the purposes of this report, all of the priests being monitored are referred to as "accused priest abusers." That moniker is for descriptive purposes only, and does not imply that any judgments or conclusions about the alleged behavior have been made.

Part One of this report details the findings based upon on-site visits to residences where the accused priest abusers live, as well as interviews with monitors, treatment providers, and Archdiocesan officials.

Part Two of this report lists recommendations detailing ways in which the monitoring program can be improved, making it more effective in reducing the likelihood of further sexual victimization by the accused priest abusers.



PART I: FINDINGS

MONITORING SYSTEM

The Archdiocese of Chicago has assumed moral responsibility for monitoring priests who have been removed from public ministry because there was reason to suspect that they engaged in sexually abusive behavior with minors, or priests against whom such activity has been alleged. An effective monitoring system geared toward reducing the further sexual victimization perpetrated by accused priest abusers does not exist. Instead, there exists an "honor system" wherein the accused priest abusers are presumed to be truthful, live in relative anonymity in unrestricted environments, enjoy unlimited and unrestricted movement, and suffer little if any consequences for failing to comply with Archdiocesan monitoring protocols.

The monitoring that is currently being done is based exclusively upon the self-reported activities of the accused priest abusers. There are few attempts to corroborate or verify any information provided by the abusers.

MONITORS

The persons assigned to be monitors of the accused priest abusers are provided little if any background information relative to the sexual abuse behavior of the priest(s) they are responsible to monitor. The monitors are not officially advised of the type of sexual abuse committed by the accused priest abuser, the sex or age of victims, the length of abuse, where the abuse took place, or details about evaluations/treatment. As a result, the monitors are unaware of the "red flags" that might suggest relapse or high risk

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situations. They are restricted from making informed decisions about the accused priest abusers because they lack any information about the illicit sexual behavior.

One monitor did report requesting information about the sexual activity of the priest he was assigned to monitor, and was advised by the Archdiocese that such information could not be revealed because of confidentiality. Several of the monitors related that they did not wish to know anything about the sexual behavior of the accused priest abusers, because they considered those behaviors to be "private issues" and "none of their business."

More often than not, the monitors are instructed to "watch" the accused priest abuser, or "keep an eye" on him. Monitors are not provided any kind of directives, written or verbal, as to what exactly their responsibilities as monitors should be. Moreover, it was unclear to most of the monitors what procedures exist for informing the Archdiocese if they do have any concerns about the accused priest abuser.

The monitors are all clergy or religious - three priests, two nuns and one deacon. None of the monitors have received any type of training relative to sex offender management procedures, sex offender identification, or sex offender treatment or supervision.

DAILY LOGS

Pursuant to directives of The Office of Professional Responsibility, all of the accused priest abusers are expected to maintain daily written logs. (Attachment 1) The accused abusers are expected to log, in writing, their daily activities. The logs are

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supposed to be completed daily, collected by the monitor at the end of each month, and submitted to the Professional Responsibility Administrator for review.

The submission of these logs by the accused priest abusers is inconsistent. Some of the accused priest abusers are more compliant than others. According to the various monitors, some of the priests do submit the form within a week. Other accused priest abusers wait until they fall far behind, and then turn in a week, weeks or months backlogs of forms. It is not known if the logs are completed on a daily basis. Submitting the logs pursuant to a standardized protocol and in a timely fashion is an issue that should be addressed.

At least one accused priest abuser has not completed any daily logs for months. There have been no consequences for this noncompliant behavior.

When the accused priest abuser eventually completes his log, he is directed to submit it to the monitor, who in turn signs the form and forwards it to the Professional Responsibility Administrator in Chicago for her review and signature. When both the monitors and the Professional Responsibility Administrator sign or stamp their signatures to these logs, they are attesting to nothing more than the receipt of the logs. They are not attesting to the veracity or accuracy of any of the information reported in the logs.

The use of logs can be a very effective tool in sex offender management and risk control. However, the logs are only useful so long as the activities revealed in them can be corroborated, directly, through third parties, or by means of electronic surveillance. Without corroboration, there is no reason to be certain that the activities reported in the logs correspond to reality. Essentially, these logs are only a reflection of the accused priest abusers self-reported activities. As a monitoring tool, they serve no significant

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purpose. Moreover, it is apparent that the accused priest abusers are only expected to log activities outside their residences. It would be beneficial for them, from both a clinical and supervision perspective, to also log the activities in which they participate while at home. It is important to know how they occupy their leisure time.

TRAVEL/VACATION

The accused priest abusers are expected to generate a document prior to traveling or going on vacation. A "Travel/Vacation Notification" form is used for this purpose. (Attachment 2) In practice this form appears to be used only for the purposes of notification. Although the accused priest abuser is supposed to "obtain concurrence with the Agreement, prior to a scheduled departure," such concurrence does not appear to be practiced with regularity. The completed form reflects the accused priest abuser's destination, the departure and return date, and the person by whom the accused priest abuser would be monitored while traveling or on vacation. It is unclear if this designated monitor is provided any training, direction or support by the archdiocese. Moreover, it is unclear if the archdiocese may approve or disapprove this person acting as a monitor. The form itself is signed by the accused priest abuser, and the Professional Responsibility Administrator. It is not signed by the monitor. The practice of allowing a sex offender to travel with a responsible person is common in sex offender management. However, the person accepting this responsibility, better referred to as a "chaperone" than a "monitor," is usually evaluated for appropriateness, afforded training relative to sex offender behavior and relapse prevention, and designated as a signatory on a chaperone form.

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There are no deadlines established for submission of Travel/Vacation Notification forms. That is, the accused priest abuser could submit the form, and begin travel immediately.

The form also reflects that, "Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided." However, there could certainly be situations and locations totally compatible with a priestly lifestyle that are totally incompatible for accused priest abusers.

RESIDENCES

Residence #1

Twelve accused priest abusers currently live at the Cardinal Stritch Retreat House, located on the grounds of St. Mary of the Lake University in Mundelein, Illinois. The priest abusers are referred to as "permanent residents" at this facility. The Retreat House Director, a Permanent Deacon, acts as monitor for all twelve accused priest abusers.

The accused priest abusers have unrestricted movement, and are not mandated to be present at the retreat house for any particular time. Although the monitor believes that most of them are in the facility at night, there is no effort to verify their presence. In addition, no procedures exist requiring the accused priest abusers to sign in or out of the facility. They may or may not be present in the residence at any given time. At least one accused priest abuser spends most of his nights at a private residence other than the Retreat House.

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The retreat house provides a variety of retreat experiences to priests, deacons, religious and deacons' wives. Thus, individuals participating in the retreat activities, and who commonly stay overnight in the facility's guest rooms, are both male and female.

The retreat house is neither a secure nor restricted living setting for the accused priest abusers. The rooms in which the accused priest abusers live are distributed throughout the three story structure. The accused priest abusers have complete freedom of movement within the structure, and around the grounds. They live on the same floors as those occupied by the retreat participants.

All of the accused priest abusers possess a master key that allows them access to the retreat building 24 hours a day, as well as access to all of the guest rooms. Apparently, the locks on all the rooms are identical. Accordingly, it would be possible for the accused priest abusers to gain entry to the rooms of retreat attendees. Such affordable access could pose significant risk issues.

The Archdiocese has made no apparent effort to advise retreat participants of the presence of accused priest abusers in the retreat house, possibly even in the room next to theirs. Doing so might impact the number of persons willing to participate in retreat activities at the facility. However, not doing so could jeopardize participants' safety.

The monitor has no access to, nor is he familiar with, the sexual offending patterns of any of the accused priest abusers. In addition, he does not discuss issues related to sexual offending with any of these accused priest abusers.

It is a generally accepted practice in sex offender management to proscribe sex offenders from having access to or being in possession of certain material. This material typically includes: adult and child pornography, child erotica, sexual paraphernalia, items

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taken from victims, diaries describing sexual deviant fantasies and behaviors, and many more. There are important clinical reasons why sex offenders should not be in possession of this kind of material. The material may be used to reinforce deviant sexual desires, to disinhibit sexual acting out, and to affirm cognitive distortions related to offending behavior. It appears that the accused priest abusers are not proscribed from having any of this material in their rooms, or in their possession. There is no protocol prohibiting possession of this material, nor is there a protocol requiring or allowing occasional inspections of the accused priest abuser rooms to determine the presence of these materials.

Several accused priests in the retreat house have computers. One of them has a computer through which he can connect to the internet by a dial-up modem. The risks of a sex offender having unlimited access to the internet are obvious.

Currently, the accused priest abusers who reside at the Cardinal Stritch Retreat House are not being effectively monitored, either in residence or in the community. They are free to come and go as they please with little accountability and few apparent consequences for noncompliance with rules and protocols. They have access to unsuspecting potential victims staying at the retreat house, even those behind locked doors. They have access to potential victims in the community, because there is no way to determine if they are engaging in high risk behavior, or exhibiting relapse potential. Lacking strategies or efforts to corroborate any of their self-reported activity, these accused priest abusers are afforded a high degree of anonymity.

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Residence #2

Two accused priest abusers reside at a nursing/retirement home in a northern suburb of Chicago. Each live in single rooms located in an "independent living" wing of the facility. The accused priest abusers have full and total access to all other living areas of the facility. One of the priests has a computer in his room, and may access the internet via a telephone modem. There are several public areas in the facility, including a chapel, where family and friends of the other residents, including children, may congregate.

The monitor for both of the accused priest abusers at this facility is a nun. She has no knowledge of the sexual abuse behavior of either priest, and has never had a discussion with either of them detailing their abusive behavior. She has not been provided any information relative to the abuse behavior by the Archdiocese. She has not been made privy to the results of any evaluations that indicate the level of risk for reoffending that either accused priest abuser might pose. She is unaware if either priest is in treatment, and has never had any type of contact with a treatment provider.

The monitor, other religious at the facility, and some lay administrative staff are aware of the status of the accused priest abusers. All other employees who might have contact with the priests, including security staff, are unaware of their status as accused sexual abusers.

None of the families of the residents are informed that the accused priest abusers live at the facility. The facility also accommodates volunteers, including adolescent confirmation candidates earning confirmation hours. The candidates, their parents, and their school and parish authorities are not officially advised of the presence of the two accused priest abusers in the facility.

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The monitor collects the logs of the accused priest abusers at the end of the month and submits them to the Professional Responsibility Administrator. She is uncertain if the accused priest abusers complete the logs on a daily basis; she only sees them at the end of the month. Neither she nor anyone else attempts to corroborate any of the self-reported activities described in the logs. She presumes what the accused priest abusers report is true.

The accused priest abusers who reside at this facility are not being effectively monitored, either in residence or in the community. They enjoy unrestricted movement, both within the facility and in the community. They have access to unsuspecting potential victims at the facility, including infirm residents, residents' family members (including children), and teenage volunteers. They have access to potential victims in the community, since there is no way to determine if they are engaging in high risk behavior, or exhibiting relapse potential. Lacking strategies or efforts to corroborate any of their self-reported activity, these accused priest abusers, like the others described in this report, are afforded a high degree of anonymity.

Residence #3

Two accused priest abusers live in this retirement home for priests in a southern suburb of Chicago. Each accused priest abuser is assigned a retired priest as a monitor. Neither monitor has been afforded any information relative to the sexual activity of the accused priest abusers. They understand, only through what they read in the newspaper and hear through the grapevine, that one of the accused priests victimized adults, and the other accused priest victimized children. The Archdiocese is in the process of selling

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some land adjacent to the retirement home to a local municipality, which plans to build children's playground on the site.

The monitors have never been made privy to any information gleaned from psychological evaluations, including the risk to reoffend posed by either accused priest abuser. Neither monitor has ever received any official directions detailing their responsibility as monitors. They are not certain who they would contact if they wish to report concerns about the accused priest abusers to the Archdiocese.

One of the accused priest abusers never submits logs. According to the monitor, he is "excused" from this obligation. The other accused priest abuser does submit logs, but the monitor never corroborates any of the information therein. Indeed, this monitor indicated that he "trusted" the accused priest abuser, and assumes any self-reported activity to be true.

One of the accused priest abusers has traveled out of town, but has not submitted a Travel/Vacation Notification Form.

Each accused priest abuser has his own room. One of them has a computer that has a dial-up modem. There are plans for the facility to wire throughout for high speed internet access.

Neither of the monitors has had in-depth discussions with the accused priest abusers regarding the nature of the sexual abuse, and both voiced their discomfort in doing so.

The two priests living at the residence are not being effectively monitored. They have unrestricted movement, and there is no effort to corroborate their self-reported activity. Their monitors are uninformed about the accused priest abusers' sexual history,

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and are reluctant to learn about it. Although they do not appear to have access to potential victims at the residence, both of the accused priest abusers own cars, and are allowed unrestricted movement in the community.

Adjacent to the retirement home, and connected to it by tunnels, is a nursing home operated by Catholic Charities. One of the accused priest abusers who resides at the Cardinal Stritch Retreat House in Mundelein works at this nursing home twice a week. He works in the dining area busing tables, usually from 10:30 am-7:30 pm. His status as an accused priest abuser is known to the nursing home administrator and some of her staff, but not to the patients or their families. There is a chapel in the nursing home that is open to the public, including children, and which currently provides Perpetual Eucharistic Adoration. The accused priest abuser often spends time in this chapel.

Residence #4

One priest abuser lives in a nursing home facility in Chicago. The accused priest abuser lives in a single room on the first floor of this two story facility. His access to other areas of the nursing home is unlimited. He owns a laptop, but his monitor does not know if he has access to the internet.

His monitor, a nun, has been provided no written documentation relative to the accused priest abuser's sexual molestation history. She believes that there were three allegations against him, long ago. She has initiated conversations about the sexual behavior with the accused priest abuser on two occasions, and he has responded that he could not remember any details.

The monitor believes that the accused priest abuser is in treatment, but does not know where or with whom. She has never had any contact with a treatment provider, and

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has never seen any kind of treatment summary. Likewise, she has neither seen, nor been privy to, any information from psychological evaluations.

The other residents of the nursing home, and their families, are not officially advised of the priest's sexual abuse history. There is a chapel in the facility, and the public, including children, may attend services there.

The monitor collects the completed logs from the accused priest abuser at the end of the month and forwards them to the Professional Responsibility Administrator. None of the self-reported activity in the logs is corroborated.

Due to the general policy of the nursing home, none of the residents, including the accused priest abuser, may leave the facility unaccompanied. The accused priest abuser may only leave accompanied by a chaperone. It is unclear if these chaperones are made aware of details of the priest's sexual history or patterns of abuse.

Residence #5

One priest has been removed from his parish in South Holland, Illinois pending an investigation into allegations of sexual abuse. This accused priest abuser is currently living in a private home in LaPorte, Indiana. He is monitored by a local priest in LaPorte. This monitor indicates that he has only met personally with the accused priest abuser on one occasion. However, he also related that the accused priest abuser calls him on a daily basis and provides information about his activities for that day. There is no attempt to corroborate any of this activity. The monitor has driven by the home in which the accused priest abuser resides, but has never entered the residence. The monitor has received little information from the Archdiocese relative to the alleged sexual abuse behavior, but relates that the accused priest abuser has shared some of that information

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with him. According to the monitor, the accused priest abuser reports that the allegations were predicated by "recovered memories" that the alleged victim became aware of in therapy. The monitor believes that "this is all baloney," and doubts the allegations are credible. The monitor has not maintained any regular contact with the Archdiocese.

TREATMENT

The accused priest abusers are encouraged to participate in treatment, but the decision to initiate or remain in treatment is at their discretion. Treatment is not mandated. Currently, eleven accused priest abusers are involved in some kind of treatment; six others are not involved in treatment.

The psychologist who provides treatment to most of the accused priest abusers is a general practitioner, and does specialize in sex offender specific treatment. He does not utilize current sex offender actuarial instruments that measure risk to re-offend, partly because the alleged abuse occurred twenty or more years ago, and partly because he questions the validity and reliability of these instruments. He questions focusing on sex offender specific treatment for the accused priest abusers since none of them were adjudicated through the court system and are technically not "sex offenders."

A therapist who provides treatment to just one accused priest abuser is also a general practitioner, and does not provide sex offender specific treatment to the priest. The focus of treatment for this accused priest is "supportive" therapy. The therapist has weekly individual sessions with the accused priest abuser, and all of the sessions are conducted by telephone. This therapist currently treats no sex offenders. She is not

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familiar with the sex offender specific actuarial instruments used to predict risk of re-offense.

The third therapist who provides treatment is currently treating two of the accused priest abusers. This therapist, who provides treatment conjointly with a psychologist and psychiatrist, suggests that the therapy is sex offender specific, and involves group treatment weekly and individual treatment as needed. She believes that one of the accused priest abusers that she treats is also in treatment with another therapist outside of her practice. She has not communicated with this other therapist.

None of the current therapists use clinical polygraphy as a treatment tool, nor do they require the accused priest abusers to develop written relapse prevention plans, or generate individual offense cycles.

The therapists all indicate that they have a good relationship with the Archdiocese. However, their contact with the Archdiocese is minimal. There are no regularly scheduled meetings with diocesan personnel, and there are no requirements for routine submission of treatment reports to any diocesan officials.

The Illinois Sex Offender Management Board has developed standards for the evaluation, treatment and management of sex offenders. This board has also developed an "Approved Providers List" of therapists who meet established criteria to provide sex offender specific treatment. A list of these approved providers for Cook and Lake Counties is attached to this report. (Attachment 3) None of the therapists currently providing treatment to accused priest abusers are included on this list.

The Association for the Treatment of Sexual Abusers (ATSA) is an international organization focused on the prevention of sexual abuse through effective management of

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sex offenders. ATSA provides ethical guidelines for sex offender treatment, publishes a quarterly journal of treatment research, and offers regional and national training conferences specific to sex offender management and treatment. None of the therapists providing treatment to the accused priest abusers are members of ATSA.

EVALUATIONS

Confidentiality prohibited the review of any evaluations completed on the accused priest abusers. However, attorneys for the archdiocese did discuss the nature of the testing and the evaluation procedures. The identification of those evaluated was not revealed. From these discussions, it did not appear that the evaluations focused on the sexual abuse that prompted the referral for evaluation. The psychological testing sounded general in nature. There was no indication of use of sex offender specific actuarial risk assessment instruments, or clinical polygraphy to validate sexual history or sexual misconduct.

Evaluations completed some years ago did seem to focus on the sexual abuse issues, and included use of physiological instruments to measure sexual arousal patterns. It is noted that the accused priest abusers themselves determine whether or not to undergo an evaluation, and may choose their own evaluator.

CONCLUSIONS

Although the Archdiocese has made a good faith effort to provide some sort of monitoring for accused priest abusers, the monitoring is insubstantial due to almost total dependence of the accused priest abusers' self-reported activities, and lack of

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corroboration of those activities. In this current "honor" system, the accused priest abusers are essentially self-monitored. They may choose whether or not to be in treatment, choose the type of treatment, choose the treatment provider, choose when, where and with whom they travel, choose where they work and choose what to report on their daily logs. They may be required to reside at particular sites, but even there they have unrestricted movement with no curfew restrictions. This current "honor" system of monitoring allows the accused priest abusers to remain relatively anonymous. Sex offenders strive for and thrive on anonymity. It is anonymity that allows them to offend against many victims, and offend over very long periods of time. Effective monitoring crushes anonymity.

A major and profound weakness in this monitoring system is the lack of communication among the parties who have some direct responsibility for the accused priest abuser. The treatment provider does not communicate regularly with the Professional Responsibility Administrator, the Professional Responsibility Administrator does not communicate regularly with the Vicar for Priests, and nobody communicates regularly with the monitors.

The potential consequence of this failure to communicate effectively is well illustrated in the case of Father Dan McCormack. Shortly after Father McCormack was questioned by Chicago Police Officers about child molestation allegations in late August, 2005, a Vicar of Priests assigned another priest to act as monitor. The monitor lived in the St. Agatha Parish rectory with Father McCormack, but was not assigned to that parish. His ministerial duties were elsewhere, and he spent very little time in the rectory. The Vicar asked the monitor to ensure that Father McCormack would not be alone with

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minors in the rectory. In response, the monitor advised that he was rarely in the rectory, and that he had plans to be out of town several times in the near future, including the imminent Labor Day weekend. The Vicar told the monitor to advise him if he were going to be out of town for any longer than a week.

There was no communication between the monitor, the Vicar, or any other Archdiocesan officials until Father McCormack was arrested in January, 2006. The monitor had received no direction regarding his monitoring responsibilities, other than to ensure that McCormack was not alone in the rectory with minors. The monitor was not provided any details about the sexual abuse allegations, including where the sexual abuse took place, or the age and sex of the victims. He was not advised that Father McCormack should not be in schools or should not coach. The monitor asked for some details about the offense behavior, but was told that the information could not be revealed to him.

The monitor was not advised that Father McCormack should complete daily logs or submit travel notification forms. Father McCormack told the monitor that he submitted to an evaluation, and that the evaluation determined that he was not a risk to children. The monitor was never advised by diocesan officials that any evaluations had been completed, or what the evaluations concluded or recommended. The monitor has never been officially advised that his monitoring duties are terminated.

So long as the monitoring of accused priest abusers is based on an "honor system," and does not ensure effective communication among all parties, it is likely that situations similar to those of Father McCormack will reoccur. The next section of this report recommends a model for accused priest abuser monitoring and supervision which, if implemented correctly, could result in curtailing further incidents such as this.

PART II: RECOMMENDATIONS

The following recommendations are based on the most effective and current strategies for sex offender management used in the public sector. These management strategies are typically used to monitor and supervise sex offenders on probation, parole, and other kinds of court ordered supervision. The strategies and model of management described are applicable to monitoring priests who have been determined to be culpable of sexual abuse behavior, as well as priests against whom unsubstantiated but credible allegations have been made. It is acknowledged that the Archdiocese must deal with certain ecclesiastical and canonical issues that might limit the operationalization of these recommendations.

1. *Collaborative system of monitoring.*

It is recommended that the current passive "honor" system of monitoring be replaced with a more aggressive and proactive system of monitoring and supervision. The model of sex abuser monitoring that might best fit the needs of the Archdiocese is the collaborative case management team model. Absolutely essential for this model to be effective is regular communication among all the parties involved with the accused priest abusers and requires the establishment of a Case Management Team. Minimally, the Case Management Team should consist of an Archdiocesan Casemanager, treatment providers, monitors, and others whom the Archdiocese determines to be stakeholders in these matters.

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2. *Archdiocese of Chicago (AOC) Casemanager.*

It is recommended that the Archdiocese create a staff position of Archdiocesan Accused Priest Abuser Casemanager. This person would assume managerial and operational responsibilities for all aspects of the accused priest abuser monitoring system. As the leader of the Case Management Team, this person would ensure that other team members remain in close contact with one another through regularly scheduled case management team meetings. Ideally, the individual chosen for this position would be a professional with experience in sex offender supervision and treatment.

In addition to ensuring communication between other members of the case management team, this AOC Casemanager should also have regular contact with the accused priest abusers. As the "field operator" of the team, the AOC Casemanager would make unannounced home visits to the accused priest abusers, establish the validity of information contained in daily logs, approve of travel companions, and ensure in general that the accused priest abusers are adhering to all the protocols that have been established.

3. *Case management team meetings*

The Case Management Team Meeting would be the primary mechanism for coordination of services to the accused priest abuser and sharing of information among the team members. The Case Management

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Team meetings should be used as a pro-active, not reactive form of monitoring. That is, the meetings of this team should not be predicated by crises, but should be used to prevent situations from evolving into crises. It is a preventative form of sex abuser monitoring, the purpose of which is to manage risk in a very aggressive and active fashion.

The AOC Casemanager should be expected to monitor the monitors. This would involve informing the monitors of the sexual abuse behavior of the accused priest abusers, patterns of the abuse, victimology, "triggers" for re-offense, and other pertinent information. This is a critical function, as the current monitors operate with little if any knowledge or direction.

4. Written guidelines for monitors

There should be written guidelines establishing the duties and responsibilities of the monitors. These guidelines should be reviewed with a prospective monitor before that person is designated as a monitor. Should the designated persons be uncomfortable with the monitoring responsibilities, then that person should not be appointed as a monitor. In addition to detailing the responsibilities of the monitors, these written guidelines should also describe in detail the actions the monitor should take in reporting suspected activity of the accused priest abusers.

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5. *Initial meeting between Case Management Team and accused priest abuser*

As soon as an accused priest abuser is placed on monitoring, the case management team should meet collectively with him. Minimally, this meeting would include the AOC Casemanager, treatment provider, and monitor. It should be made very clear in this meeting what the responsibilities of all the parties are relative to the monitoring of the accused priest abuser. The protocols for monitoring should be reviewed, and any questions about those protocols answered. The frequency and modality of treatment should be determined at this time, and any restricted activities or movement clarified.

6. *Corroboration of activities*

The current monitoring system is based almost exclusively on self-reporting by the accused priest abuser. Therefore the current system it is best described as an "honor" system. For a monitoring system to be effective there must be some attempts to corroborate this self-reported activity. The AOC Casemanager, as the "field operative" of the Case Management Team, should have the primary responsibility for corroborating this self-reported activity. The corroboration of activities could also be enhanced by employing services of private security firms, or utilizing electronic surveillance techniques, particularly Global Position Satellite (GPS) techniques.

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7. *Daily logs*

The Clergy Daily Log is used as a self-reporting mechanism by the accused priest abuser. Without corroboration of the activities, the logs serve little if any monitoring function. However, the logs could become very helpful once the AOC Casemanager, or others, begin to aggressively use them to corroborate the activities reported therein.

There are additional ways to improve the use of daily logs. First, there should be some standardization regarding requirements for completion and submission of the logs. For instance, the logs should be submitted to the monitor within 24 hours of their completion. Second, the logs should reflect activity in residence, as well as in the community. This should include descriptions of residential leisure time activities. The books and movies that an abuser reads or watches could have clinical significance, and be used therapeutically. Contact with other accused priest abusers, and the nature of those contacts, could also prove useful for both clinical and monitoring purposes.

The accused priest abuser should list any incidental contact he has with minors that occurs either in residence or in the community. This incidental contact is inevitable. By logging this material, the accused priest abuser can exhibit his progress in therapy by how he handled the situation of contact. (For example, this may include sexual fantasies the contact might have triggered, and descriptions of how the priest responded to the fantasies.)

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The logs could also be used to reflect the accused priest abuser's management of money. He could be advised to record in a separate section of the log, moneys received and money spent. If he was also told to maintain receipts for items and services, these receipts could later be cross-checked with the information described in the logs. This allows further corroboration of self-reported activity.

8. *Travel/Vacation Notification*

It is recommended that the AOC Casemanager discuss travel plans with the accused priest abuser prior to his departure. Thus, the Travel/Notification Form should be submitted in a timely fashion. The accused priest abuser is expected to travel with a "monitor." It is recommended that this traveling companion be designated as a "chaperone." In addition, it is strongly recommended that the Case Management Team meet with the chaperone prior to the scheduled departure. It cannot be assumed that the chaperone chosen by the accused priest abuser is fully informed about his sexual offending history. If information is lacking, the chaperone would be unable to assist the accused priest abuser in avoiding in high risk situations. In other words, "inappropriate situations" should be defined, clarified and operationalized.

There are some countries that the accused priest abusers who have a history of child molestation should be encouraged to avoid because of the flourishing child sex trade, such as Thailand, the Philippines, and India.

Accused Priest Abuser Monitoring Report

While the accused priest abuser is traveling, he should still be expected to complete daily logs. These daily logs should be initialed by the chaperone. When the accused priest abuser and chaperone return from traveling, they should be debriefed by the Case Management Team.

9. *Residences*

All of the residences where accused priest abusers currently live present issues of third party risk. The accused priest abusers at the Cardinal Stritch Retreat House should not have keys that unlock the doors to all the rooms in that facility. It is recommended that the locks be changed on their room doors, and that they surrender their master keys to the Retreat House Director.

Only monitors of the accused priest abusers, and some staff, are aware that priest abusers reside in these various facilities. Other persons who reside at those facilities, or who use those facilities, including children, are not made aware of their presence. Accordingly, the accused priest abusers reside at all of these facilities in relative anonymity.

The Archdiocese should consider making some sort of notification to others (residents, employees, families of residents, volunteers, etc.), allowing them to make their own informed decisions.

10. *Individual specific protocols*

The Individual Specific Protocols that detail the conditions of treatment and monitoring that each accused priest abuser is expected to conform to may be refined based upon the sexual abuse history of each accused abuser. For instance, there might be a prohibition from being within a certain distance of a victim's home or school, a prohibition from being in public parks, a prohibition from being in movie theaters, all contingent upon past patterns of sexual abuse.

Pornography is frequently used by sex offenders to reinforce deviant fantasies and disinhibit sexual behavior. Accordingly, proscription against pornography should be considered on a case-by-case basis. Additionally, accused priest abusers with access to the internet should be proscribed from accessing pornographic sites, or entering chat rooms used by children or adolescents. If there is reason to suspect that an accused priest abuser is using a personal computer for these inappropriate purposes, then the Case Management Team should demand that software be loaded on the computer that would allow the Case Management Team to track the web sites visited by the accused priest abuser.

11. *Sex offender specific evaluations*

Since sexual abuse was the behavior resulting in the accused priest abusers being removed from public ministry and being placed on monitoring, it follows that all of them should receive sex offender specific evaluations. The Illinois Sex Offender Management Board has established

Accused Priest Abuser Monitoring Report

standards for the evaluation and treatment of sex offenders. (Attachment 4, *20 Illinois Administrative Code 1905*) It is recommended that the Archdiocese adopt the general standards for conducting evaluations as described in this document, Sections 1905.230 through 1905.250. The Illinois Sex Offender Management Board has also generated a list of approved sex offender specific evaluators and treatment providers. It is recommended that the Archdiocese utilize these providers to conduct evaluations for the accused priest abusers. (Attachment 3)

In addition, it is recommended that the Archdiocesan officials provide all information relative to the sexual abuse, including victim statements and investigative reports, to the evaluator.

As a general practice, it is also recommended that the evaluators of the accused priest abusers submit to peer review to determine if there might be ways to improve their evaluations.

12. *Sex offender specific treatment*

The Illinois Sex Offender Management Board has also established standards for sex offender specific treatment. (Attachment 4, *20 Illinois Administrative Code 1905*) It is recommended that the Archdiocese adopt the standards for sex offender specific treatment as described in this document, Section 1905.300 through Section 1905.320. Additionally, it is recommended that the Archdiocese utilize treatment professionals who are

identified on the Sex Offender Management Board approved providers list.
(Attachment 3)

The treatment provider should be an active and willing participant of the Case Management Team. Otherwise, the collaborative effort to monitor the accused priest abuser is undercut. The input of the treatment provider is critical to help the other Case Management Team members to understand the dynamics of the accused priest abuser, and to identify potential triggers for relapse behavior.

It is recommended that the treatment provider submit a monthly written progress report on each accused priest abuser. The report should be submitted to the AOC Casemanager. The report should detail time, date and modality of each therapy session, issues addressed, cooperativeness of the accused priest abuser, level of denial, attainment of treatment goals, identification of sexual fantasies, triggers for reoffending, and current level of risk for reoffending.

Sex offender treatment providers should submit to some form of peer review, and should be expected to stay current with the latest research and methods in the field.

13. *Mandatory treatment*

Treatment for accused priest abusers should be mandated. It is acknowledged that the Archdiocese is limited in what it can mandate an accused priest abuser to do. However, it should be recognized that the

behavior that resulted in the priest being removed from ministry is sexual victimization, and the likelihood for further sexual victimization may best be reduced through a combination of sex offender specific treatment and monitoring. If an accused priest abuser refuses to participate in evaluation or treatment services, then the Archdiocese should consider imposition of swift and significant sanctions. These could include confinement to residence, restricted movement, no movement without approved chaperones, employment restrictions, etc.

14. *Clinical polygraphy*

Clinical polygraphy has become a standard tool for sex offender evaluation, treatment and monitoring. Clinical polygraphs may be used to detect deception regarding compliance to monitoring protocols, adherence to a relapse prevention plan, abstention from deviant sexual activities, and disclosure of deviant or inappropriate behavior. The Illinois Sex Offender Management Board has identified licensed polygraph examiners who have undergone sex offender specific polygraph training. (Attachment 5)

It is recommended that the Archdiocese consider use of clinical polygraphy to enhance monitoring, evaluations and treatment of accused priest abusers.

Accused Priest Abuser Monitoring Report

15. *Periodic drug testing*

Sex offenders frequently use drugs and alcohol to purposefully disinhibit themselves, which allows them to more readily act out sexually. Accused priest abusers should submit to periodic drug tests. If it is determined by these tests or other means that the accused priest abuser is abusing drugs or alcohol, then he should be referred for substance abuse counseling. The substance abuse counselor would then become a member of the Case Management Team.

16. *Levels of monitoring*

Different levels of monitoring should be adopted predicated by the accused priest abusers' compliance with established protocols, progress in treatment, acceptance of responsibility, financial stability, presence of narcissistic behavior, active substance abuse, and other dynamic factors. The Case Management Team should be responsible for adjusting the level of monitoring. A high level of monitoring may result in increased therapy sessions, increased Case Management Team Meetings, increased personal contacts by the AOC Casemanager, increased collateral contacts by the AOC Casemanager, frequent drug testing, use of third party surveillance, use electronic surveillance, and use of clinical polygraphy.

Accused Priest Abuser Monitoring Report

17. *Record keeping*

It is recommended that a central file for each accused priest abuser be maintained by the AOC Casemanager. This file should include all documents relating to the sexual abuse, including victim statements, investigative reports, evaluations, and treatment summaries. In addition, the AOC Casemanager should maintain notes that chronicle any and all contact between the accused priest abuser and other entities involved in monitoring the accused priest abuser. Every chronological note should include date, type of contact, duration of contact, place of contact, name of persons spoken to, and a narrative of the issues discussed.

In addition, it is also recommended that the monitors maintain and generate chronological notes similar to those described above, and that these notes be submitted to the AOC Casemanager along with the Daily Logs.

18. *Training*

All Archdiocesan staff who deal with accused priest abusers, especially the AOC Casemanager and monitors, should receive extensive training in sex offender management. That training should include sex offender typologies, grooming behaviors, paraphilias, defenses of sex offenders, relapse prevention, "triggers," and monitoring strategies.

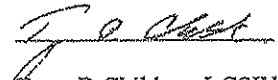
Accused Priest Abuser Monitoring Report

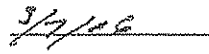
The Archdiocese of Chicago has made a good faith effort to provide some kind of monitoring for accused priest abusers. Unfortunately, the current monitoring system lacks essential elements required to reduce the likelihood of future sexual victimization.

Removing an accused priest abuser from an assigned parish or other ministerial office, and stripping him of public ecclesiastical functions, does not necessarily reduce his risk to sexually reoffend. Certainly, both of those actions are steps in the right direction. However, until and unless the accused abuser's sexual proclivities are identified through sex offender specific evaluations, treated with sex offender specific treatment, and monitored closely by a team of professionals dedicated to public safety, his likelihood to reoffend remains undaunted.

Implicit to the effectiveness of these recommended strategies and procedures is the ability and willingness of the Archdiocese to demand the accused priest abusers comply with monitoring and treatment protocols. Absent the means to enforce such compliance, an effective monitoring system geared toward reducing further sexual victimization by accused priest abusers is, in this writer's opinion, unattainable.

The Archdiocese has proclaimed that the protection of children is paramount. To that end, it is respectfully recommended that the monitoring strategies and procedures described in this report, or ones similar to them, be adapted, developed and implemented by the Archdiocese as soon as possible.


Terry D. Childers, LCSW


Date

LAW OFFICES
THOMAS J. FLEISCHMANN
& ASSOCIATES

COPY

THOMAS J. FLEISCHMANN

473 DUNHAM ROAD
SUITE 200
ST. CHARLES, ILLINOIS 60174

(630) 584-5555
FAX (630) 584-9868
EMAIL TJFLEISCH@AOL.COM

November 12, 2002

Ms. Leah McCluskey
Acting Fitness Review Administrator
Office of Professional Fitness Review
The Archdiocese of Chicago
676 North St. Clair
Suite 1910
Chicago, Illinois 60611

Mr. James A. Seritella
Burke, Warren, MacKay & Seritella, P.C.
22nd Floor IBM Plaza
330 North Wabash Avenue
Chicago, Illinois 60611-3607

received
11-13-02 LJP

Re: [REDACTED] and Rev. Joseph Bennett

Dear Ms. McCluskey and Mr. Seritella:

As I mentioned to Ms. McCluskey, my client, [REDACTED], is willing to discuss this matter with whomever the Archdiocese deems appropriate. However, you will only interview my client once. Therefore, Jim if you or one of your colleagues wishes to attend and interview [REDACTED] we have no objection.

By way of background, [REDACTED] was born on [REDACTED]. He is one of eight sons and one daughter of [REDACTED] and [REDACTED]. He currently resides at [REDACTED]. His social security number is [REDACTED]. His Illinois driver's license number is [REDACTED]. He is currently employed by [REDACTED].

Enclosed is the report of the polygraph examination conducted by Steven Kirby. It is my understanding that Mr. Kirby conducts polygraph examinations for

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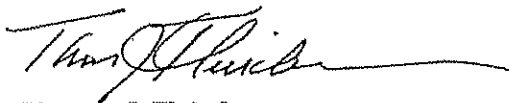
BEN-CB3-00161

Ms. Leah McCluskey
Mr. James A. Seritella
November 12, 2002
Page 2

the Joliet Diocese. The report states many of the facts of the case. Additionally, during the time Father Bennett was "seeing" my client, Father Bennett was also the chaplain for the Cook County Jail. According to Father Bennett, one of the individuals he "counseled" was John Wayne Gacy.

After you review the facts, please contact me to arrange for the interview.

Very truly yours,



Thomas J. Fleischmann

em

Enclosure

cc: [REDACTED] w/enclosure

BEN-CB3-00162

EDWARD R. KIRBY & ASSOCIATES, INC.

PROFESSIONAL INVESTIGATORS

783 N. YORK ROAD

ELMHURST, ILLINOIS 60126-1313

PHONE (630) 941-1700

FAX (630) 941-1750

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JAMES R. KIRBY

VICE PRESIDENT

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October 14, 2002

Kevin M. Read

John J. Murray

Jill M. Longmire

Kay M. Hall

Dorothy V. McGuire

To: Thomas J. Fleischmann, Esq.
437 Dunham Road Suite 200
St. Charles IL 60174

On Monday, October 14, 2002 [REDACTED] voluntarily submitted himself for a polygraph examination to investigate the truthfulness of his allegations that in the mid 1970s he was sexually abused by a priest of the Archdiocese of Chicago, whom the subject identified as Father Joseph Bennett.

Prior to the examination, the subject signed a form agreeing to submit to the examination and allowing the results of the examination to be released to Thomas J. Fleischmann and anyone else Mr. Fleischmann might designate. He also released all parties to the examination from any resulting liability. A copy of that document is retained in the investigative file in this case.

During the subject's pretest interview, he stated that he first met Father Bennett in 1976 when he was about 15 years of age. The subject said that he met Father Bennett when the subject's mother was converting to the Catholic faith. According to the subject, Father Bennett became friends of the family and invited the subject to the parish rectory to do yard work. At that time, Father Bennett was assigned to Our Lady of the Ridge in Chicago Ridge IL.

The subject stated that the first time he was subjected to any type of sexual activity with Father Bennett was on a summer day when he was sunbathed. The subject stated that Father Bennett started to rub lotion on his back and then began to rub the subject's genital area. The subject said that a couple of weeks later Father Bennett took the subject to his living quarters in the rectory and performed oral sex on the subject. According to the subject, this type of activity continued to take place over a three-year period on at least twenty-five occasions. The subject stated that the sexual encounters continued at two other parishes, St. Joseph and St. Anne's near 39th & California, in Chicago and at a church located around 111th & Central Park. According to the subject, sexual encounters occurred about 90% of the time he visited Father Bennett.

The subject denied that he ever performed oral sex on Father Bennett and denied that the two ever engaged in intercourse. In fact, the subject stated that he never saw Father Bennett unclothed. According to the subject, the extent of the sexual activity was Father Bennett fondling and performing oral sex on the subject.

The subject denied ever engaging in any other homosexual activity at any other time in his life, or with any other person.

The subject alleged that Father Bennett gave him money on several occasions, including paying in part for a senior trip on a cruise ship to St. Thomas. The subject also alleged that Father Bennett offered him alcohol (beer) and showed him pornography, both print and video/movies prior to the sexual encounters.

The subject stated that his brother [REDACTED] has alleged that Father Bennett fondled him [REDACTED] but denied any other sexual activity with Father Bennett. The subject stated that Father Bennett also intimated that he (Bennett) was engaging in sexual activity with another teenager, a Filipino boy named [REDACTED] during this time (mid 1970s).

The subject said that sometime in 1978 Father Bennett began coming around their house intoxicated and "acting real strange." The subject said that his older brothers told Father Bennett that they did not want him around their house and he stopped coming over. The subject said that a few years later, when he became married, his mother insisted that Father Bennett say the wedding mass. The subject stated that that was the last time he has seen or spoken to Father Bennett.

Beside from his legal counsel, the subject said that he has only told this information to his brother [REDACTED], (who also said that Father Bennett fondled him) and his current girlfriend, [REDACTED]. According to the subject, he never discussed the molestation with anyone as a child and only recently came forth with his allegations, after it became widespread knowledge about priests molesting children. The subject stated that the reason he never reported the abuse was because he was embarrassed and confused. The subject stated that he feels victimized by the abuse and also feels that some of the relationship problems (two divorces) he has had in his life are a direct result of the abuse.

There were no significant emotional disturbances, indicative of deception on the subject's polygraph records when he was asked the following questions:

- 1) Did Father Joseph Bennett perform oral sex on you several times when you were fifteen to eighteen years of age? ANSWER: YES
- 2) Between 1976 and 1978, did Father Joseph Bennett perform oral sex on you over twenty times? ANSWER: YES
- 3) Did Father Joseph Bennett fondle your genitals on several occasions when you were a teenager? ANSWER: YES
- 4) Between 1976 to 1978, did Father Joseph Bennett show you pornography at his rectory? ANSWER: YES
- 5) Are you lying about Father Joseph Bennett performing oral sex on you when you were a teenager? ANSWER: NO

It is the opinion of the examiner, based upon the subject's polygraph records, that he is telling the truth when answering the five aforementioned questions.

Respectfully submitted,

Steven L. Kirby
Steven L. Kirby
IL License 094-000279

BEN-CB3-00164

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611



Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

January 14, 2003

Francis Cardinal George, O.M.I.
Archbishop of Chicago
155 E. Superior Street
Chicago, Illinois 60611

Dear Cardinal George,

Please be advised that the Professional Fitness Review Board met on January 11, 2003. The Board fully considered all oral and written reports in the matter of Fr. Joseph Bennett [Active] in the allegation made by [REDACTED]. A First Stage Review was conducted pursuant to Article §1104.08 of the Review Process for Continuation of Ministry.

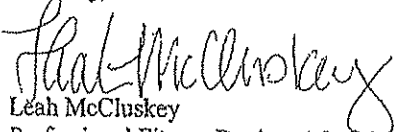
The Board recommends that at this time, there is insufficient information to make a finding of reasonable cause to suspect that Fr. Joseph Bennett engaged in sexual misconduct with a minor.

In a vote of 5-1 [with one abstaining], the Board recommends the following:

1. PFRA contact Tom Fleischmann [attorney for [REDACTED]] to request a copy of [REDACTED] marriage certificate.
2. PFRA ask Tom Fleischmann to speak with [REDACTED] regarding having the alleged victim's brother [REDACTED] write his accounts of alleged abuse by Joseph Bennett.
3. PFRA contact Fr. Kaczorowski, Vicar for Priests to determine who is monitoring Joseph Bennett and to ensure that it is not Fr. Leonard Dubi.

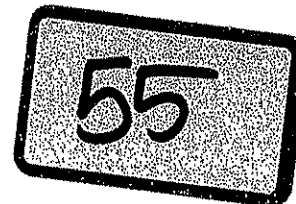
If you have any questions, please contact me at your convenience.

Sincerely,


Leah McCluskey

Professional Fitness Review Administrator

Cc: Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests
Ralph Bonaccorsi, Victim Assistance Ministry
Rev. Patrick Lagges, Judicial Vicar
John O'Malley, Legal Services



BEN-CB15-00064

Holy Ghost Church

700 EAST 170TH STREET
SOUTH HOLLAND, ILLINOIS 60473
TELEPHONE (708) 333-7011

February 9, 2003

Rev. James T. Kaczorowski
Vicar for Priests' Office
645 North Michigan Avenue
Chicago, Illinois 60611

Dear Jim,

As per our telephone conversation of several weeks ago, I am giving you the information of vacation reservations which Len Dubi and I have made for the two weeks of February 15 through March 1.

We are traveling on Aeromexico Airlines and staying at Royal Sunset Club in Cancun, Mexico. The telephone number is (1998) 881-4500. Rather than put down other details in this note, I enclose copies of the Confirmation Vacacional.

I hope these plans are OK with you. Thank you very much for all your support and prayers.

In Christ,

Joe Bannet



BEN-CB3-00138

ARCHDIOCESE OF CHICAGO

COPY

Office of Professional Fitness Review



Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

April 28, 2003

Francis Cardinal George, O.M.I.
Archbishop of Chicago
155 E. Superior Street
Chicago, Illinois 60611

Dear Cardinal George,

Please be advised that the Review Board met on April 26, 2003. The Board fully considered all oral and written reports in the matter of Joseph Bennett [Active] in the allegation made by [REDACTED]. A Second Stage Review was conducted pursuant to Article §1104.10 of the Review Process for Continuation of Ministry.

In a unanimous 7-0 vote, the Board recommends that there is no reasonable cause to suspect that the misconduct occurred.

If you have any questions, please contact me at your convenience.

Sincerely,

Leah McCluskey
Leah McCluskey
Review Board Administrator

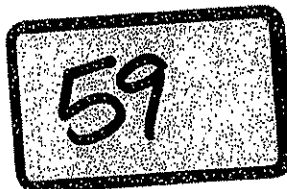
Cc: Rev. Daniel Smilanic, Archbishop's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests
Ralph Bonaccorsi, Victim Assistance Ministry
Rev. Patrick Lagges, Judicial Vicar
John O'Malley, Legal Services

*I sent this
first and please
the close the
inquiry
B. J. [unclear]
May 5/2003*

RECEIVED

127 07 2003

ARCHDIOCESE OF CHICAGO
PROFESSIONAL FITNESS REVIEW



BEN-CB15-00058

JOHNNIE L. COCHRAN, JR.
SENIOR PARTNER

THE COCHRAN FIRM



700 13TH STREET, NW • SUITE 1150 • WASHINGTON, DC 20005
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COHEN, MILSTEIN,
HAUSFELD & TOLL, P.L.L.C.
OF COUNSEL

March 11, 2004

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MAR 15 2004

ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

Via Facsimile and U.S. Mail

Leah R. McCluskey, MSW, LSW
Administrator
Archdiocese of Chicago
Office of Professional Responsibility
676 N. St. Clair, Suite 1910
Chicago, IL 60611

RECEIVED

MAR 15 2004

ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

Re: [REDACTED]

Dear Ms. McCluskey:

In follow-up to our meeting of March 2nd regarding the above matter, I have not heard back from you regarding our immediate concern about the suspension of Father Bennett and [REDACTED] as a result of the horrific abuse which Ms. [REDACTED] suffered at their hands. It is imperative that they are removed from any environment where they have access to children.

You advised us that you would bring this report of abuse to the attention of your supervisors including the Cardinal that same day. Please advise our office as soon as possible what steps have been taken regarding the suspension of these two abusers pending the administrative process which has now begun as a result of Ms. [REDACTED] recitation of the abuse she suffered as a child given to you here in our offices on March 2, 2004.

As I discussed with you, our firm is working in association with Jeff Anderson, Esq. of Jeff Anderson & Associates, P.A., in the representation of [REDACTED]. Please copy Mr. Anderson on any and all correspondence as well. Although I know that you have Mr. Anderson's information, I have provided it at the bottom of this letter for your convenience.



BEN-CB5-00199

ATLANTA, GEORGIA

CHICAGO, ILLINOIS

LOS ANGELES, CALIFORNIA

NEW YORK, NEW YORK

Leah R. McCluskey, MSW, LSW
March 11, 2004
Page 2

I look forward to your prompt response regarding this most urgent of matters.

Very truly yours,


David E. Haynes

DEH:grg

cc: Jeff Anderson, Esq.
Jeff Anderson & Associates, P.A.
E-1000 First National Bank
332 Minnesota Street
St. Paul, MN 55101



BEN-CB5-00200

JEFF ANDERSON & ASSOCIATES, P.A.

ILLINOIS OFFICE:
2201 Waukegan Road, Suite E200
Bannockburn, IL 60015

CALIFORNIA OFFICE:
215 North San Joaquin Street
Stockton, CA 95202

MISSOURI OFFICE:
6390 Delmar Boulevard, Suite 218
St. Louis, MO 63124

NATIONAL TOLL FREE
888-567-5557

Attorneys & Counselors at Law

10th Floor - East
First National Bank Building
332 Minnesota St. • St. Paul, Minnesota 55101
tel. (651) 227-9990 • fax (651) 297-6543
www.andersonadvocates.com

Jeffrey R. Anderson *1W
Patrick W. Noaker M
Kathleen O'Connor-Stafford
Cynthia J. Waldt
Robin R. LeDonne C

May 14, 2004

SENT VIA FAX

URGENT & CONFIDENTIAL

James Serritella
Patricia Carlson
Burke, Warren, MacKay & Serritella
22nd Floor, IBM Plaza
330 North Wabash Avenue
Chicago, IL 60611-3607

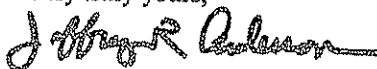
John C. O'Malley
Archdiocese of Chicago
155 East Superior Street
P.O. Box 1979
Chicago, IL 60690

RE: and Fr. Joseph Bennett

Dear Counsel:

Ms. [REDACTED] has provided extensive reports to the Archdiocese and I am now co-counsel with David Haynes. Enclosed is a copy of the report that was made to Leah McCluskey. On review of this matter, I discovered that Father Joseph Bennett is still at Holy Ghost Parish as of this moment. The records reflect that this matter has been brought forward and the finalized report with Leah McCluskey has already been made to the Review Board. I am extremely alarmed that this priest remains in the parish given this information. On its face, this appears to be in direct contravention and violation of the policy, the practice and the charter of the Archdiocese. Please advise immediately.

Very truly yours,



Jeffrey R. Anderson
jeff@andersonadvocates.com

JRA:tat

cc: David Haynes
Marc Pearlman



*Certified Civil Trial Specialist by National Board of Trial Advocacy and Minnesota State Bar Association
1 Also Admitted In Illinois 2 Also Admitted In Wisconsin 3 Also Admitted In Missouri
C Also Admitted In California

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility



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Chicago, Illinois 60690-1979

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NOV 16 2004

ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

MEMORANDUM

To: File - PFR-170

From: Leah McCluskey, Professional Responsibility Administrator

Re: Bennett, Rev. Joseph [Active] [REDACTED] [REDACTED]

Date: November 3, 2004

PRA and Mrs. Mayra Flores of Assistance Ministry met with Ms. [REDACTED] on September 7, 2004 regarding her sisters' [REDACTED] and [REDACTED] allegations of sexual misconduct against Rev. Joseph Bennett. As requested by Ms. [REDACTED] the meeting took place at her hair salon [REDACTED] located at [REDACTED] in Chicago.

After introductions were made, PRA provided Ms. [REDACTED] with information regarding the Office of Professional Responsibility, as well as a copy of *§1100 Sexual Abuse of Minors: Policies for Education, Prevention, Assistance to Victims and Procedures for Determination of Fitness for Ministry*. Ms. [REDACTED] was then asked to begin wherever she felt most comfortable sharing her memories of her sisters and Fr. Bennett.

Ms. [REDACTED] began by stating that at this point in time, her recollections are that she was a "bystander" during the time period that Fr. Bennett allegedly abused her older sisters [REDACTED] and [REDACTED]. She does not have any memories at this time of herself being abused by the cleric. As per Ms. [REDACTED] when [REDACTED] began to disclose the abuse by Fr. Bennett, she began to relate her own recollections [from her childhood].

Ms. [REDACTED] showed Mrs. Flores and PRA a picture of her and [REDACTED] on their First Communion, which took place at St. John de LaSalle. She was between seven and eight years old at the time. Ms. [REDACTED] shared that her mother held her sister [REDACTED] back in school one year so that [REDACTED] could be with her in class. As per Ms. [REDACTED] she was painfully shy as a child and her mother felt that [REDACTED] being in the same First Communion class with her would be a help. Ms. [REDACTED] and [REDACTED] were in the same CCD class at St. John de LaSalle so that they could make their First Communion together.

64

BEN-CB3-00078

Ms. [REDACTED] father worked evenings, so between 3:00pm and 4:00pm her mother would be making dinner for him and such so that he could get ready and leave for work. As a result, Ms. [REDACTED] and [REDACTED] had to wait in the classroom after CCD for approximately 20-30 minutes until their mother could pick them up. Ms. [REDACTED] recalls waiting by herself and that she did not like doing so. She recalls that [REDACTED] was not with her waiting because she [REDACTED] had to do something after CCD class downstairs. At the time [REDACTED] was "the favorite," so it was not unusual for her to be asked to do something extra after class. When asked later in the meeting by PRA, Ms. [REDACTED] stated that she recalls there being a door at the bottom of the stairs [in the school where CCD was held] and that she waited a lot at the top of the stairs as she was told. Again when asked, Ms. [REDACTED] stated that she does remember knowing that she had to wait at the top of the stairs, but not who told her to wait there.

Ms. [REDACTED] remembers one occasion when she was scared while waiting at the top of the stairs and feeling that she really wanted her sister [REDACTED] with her. As a result, Ms. [REDACTED] went downstairs, where she was told not to go. She recalls that [REDACTED] ran out from somewhere and opened and closed the door [located at the bottom of the stairs]. Ms. [REDACTED] stated that [REDACTED] did not have her veil on and as a result, saw the nun's short, coarse hair. She also recalls watching [REDACTED] adjusting her skirt and the buttons on her blouse. At the time, Ms. [REDACTED] was "...really upset and crying..." and [REDACTED] told her that all was well and that there was nothing to worry about.

Ms. [REDACTED] then shared another memory of being in the basement hall outside of the CCD classroom. She recalls crying, being scared and upset, and backing away from vestments. Ms. [REDACTED] backed herself into a coat rack and fell. After falling, she remembers being comforted by [REDACTED].

Ms. [REDACTED] spoke of [REDACTED] [please refer to [REDACTED] and [REDACTED] allegations against Fr. Bennett]. She recalls visiting [REDACTED] often with her sisters and their mother and that the woman gave them Irish sweaters as gifts. Ms. [REDACTED] described [REDACTED] as one of her mother's dearest friends. As per Ms. [REDACTED] [REDACTED] took care of the priests at St. John de LaSalle. She stated that [REDACTED] was an elf-like woman with an Irish brogue, which made her difficult to understand. As Ms. [REDACTED] mother attended church at St. John de La Salle every morning, she and [REDACTED] became good friends, and in turn became friendly with Fr. Bennett.

Ms. [REDACTED] spoke of a time when she, [REDACTED] and their mother went to visit [REDACTED]. They sat in the kitchen of St. John de LaSalle rectory and had orange juice and coffecake. Ms. [REDACTED] recalls Fr. Bennett being present and taking [REDACTED] with him into the back area of the rectory to see the scapulas/medals in his bedroom area.

Ms. [REDACTED] spoke of another time when she, [REDACTED] their mother, and [REDACTED] were out to dinner. She and her family had moved out of Pullman and to Worth by then and Fr. Bennett had been assigned to Our Lady of the Ridge [According to Archdiocesan Archives, Fr. Bennett was assigned to Our Lady of the Ridge from 1973 through 1976].

BEN-CB3-00079

Ms. [REDACTED] then shared that [REDACTED] attended morning mass with their mother often. At this point in the meeting, Ms. [REDACTED] apologized to Mrs. Flores and PRA for being "scattered" in terms of time frames and the memories that she was sharing.

Ms. [REDACTED] stated that her mother passed away seven years ago. She spoke of a Fr. Pat who was a good friend of her mother's who is now assigned to St. Christina's [According to the current Archdiocesan Directory, there is no priest listed as assigned to St. Christina's with the first name Pat or Patrick]. As per Ms. [REDACTED] her mother "mothered" Pat and "...pushed him in the direction to become a priest." Upon the passing of her mother, she called Fr. Pat and Fr. Bennett, to request that they con-celebrate the funeral mass at St. Albert the Great. She shared that Fr. Pat was more than happy to say the mass. When she called Fr. Bennett about her mother's death and the funeral mass, she was shocked that the cleric did not remember her mother. As per Ms. [REDACTED] she spoke to Fr. Bennett at that time about [REDACTED] and St. John de LaSalle. She shared with Mrs. Flores and PRA that Fr. Bennett had been to her family's homes [in Pullman and in Worth] for dinner in the past. Referring back to the time when her mother passed away, Ms. [REDACTED] stated that she was upset and grieving when speaking with Fr. Bennett. She stated that Fr. Bennett agreed to say the funeral mass [with Fr. Pat]. Shortly prior to the funeral mass, Ms. [REDACTED] brought Fr. Bennett family pictures, which included her mother and father to share with him. She stated that Fr. Bennett looked at the pictures quickly and then told her that he was sorry for her loss.

PRA thanked Ms. [REDACTED] for all that she had shared of her memories of Fr. Bennett's involvement with her and her family. She then agreed to answer clarification questions for PRA.

When asked, Ms. [REDACTED] stated that she is unsure of who taught the CCD class at St. John de LaSalle that she and [REDACTED] attended. She does recall that [REDACTED] was the "singing nun," and also has memories of the nun playing the guitar. In regards to Fr. Bennett, she remembers him to be "stoic" and not one to say much. She referred to her memories of her mother taking a picture of her and [REDACTED] with Fr. Bennett. Ms. [REDACTED] stated that [REDACTED] has the picture and that it looks as if Fr. Bennett is attempting to move out of the shot as it was being taken.

Ms. [REDACTED] described her mother as very religious and her father as a Lutheran who "went with the flow." Her father would attend Catholic mass on Sundays with the family, but he never converted to Catholicism.

While living in Worth, Ms. [REDACTED] remembers talking with her mother about the media coverage of the sexual abuse of minors by priests. She stated that her mother remarked that the allegations [against all priests] were not true and felt that "...it would all come out that people [who alleged abuse] were lying." Ms. [REDACTED] recalls that her mother was upset and offended with the media coverage of people alleging that they were abused by priests.

BEN-CB3-00080

When Ms. [REDACTED] and her siblings were growing up, their mother taught them that priests walked on water. As a result of these teachings, Ms. [REDACTED] feels that if [REDACTED] or [REDACTED] told their mother something regarding the abuse by Fr. Bennett, they would not be believed. Ms. [REDACTED] added her feeling that her mother would not have believed any of them if anyone had anything negative to say about a priest or a nun. She described her mother as sweet, innocent, and naïve. Ms. [REDACTED] then shared that if her parents were not dead, this [the abuse of her sisters by Fr. Bennett] would kill them.

Referring back to her childhood, Ms. [REDACTED] shared that [REDACTED] was the most book smart of the five children in the family. Ms. [REDACTED] also shared that it was easy to play a practical joke or "pull one over on" [REDACTED]. As a result of her sister's intelligence, Ms. [REDACTED] has always thought that [REDACTED] would become a lawyer or a doctor. Ms. [REDACTED] shared that [REDACTED] was always outgoing as well. As per Ms. [REDACTED] when [REDACTED] did not become a doctor or a lawyer, she was surprised and disappointed. Ms. [REDACTED] shared that [REDACTED] struggled with concentration when she was in college. [REDACTED] was earning good grades, but dropped out of school, even when she was attending classes at Moraine Valley [Junior College].

Ms. [REDACTED] described [REDACTED] as a devout Catholic as an adult. As per Ms. [REDACTED] [REDACTED] is active in church, prayer meetings, and is "...a big church go-er." [REDACTED] has always been a prayerful person and does quote from the bible.

Ms. [REDACTED] then spoke of the current state of her family and their feelings of discomfort that Fr. Bennett is still in a parish [Holy Ghost]. She stated that she has been extremely close to going to Holy Ghost to speak with Fr. Bennett. Ms. [REDACTED] shared that her sisters' abuse by Fr. Bennett has been devastating to their family. She remarked that if her father and brother were still alive today, Fr. Bennett would not be currently active in a parish. She described her family as close-knit and shared that Fr. Bennett's abuse has ruined the lives of [REDACTED] and [REDACTED]. Ms. [REDACTED] stated that both [REDACTED] and [REDACTED] have suffered from depression and have been suicidal. She described herself as a backbone for her sisters.

Ms. [REDACTED] spoke of phone calls that she has had with [REDACTED] where she [REDACTED] has been suicidal. She has often wondered if the next phone call she receives is to inform her that [REDACTED] is dead. As a result of her sisters' abuse, work and friends have not been "first" for Ms. [REDACTED]. The abuse by Fr. Bennett has been "...a very big thorn" in her family's side.

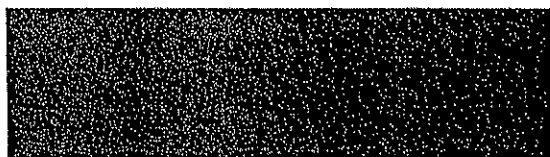
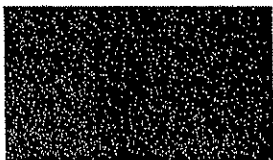
Ms. [REDACTED] shared that she has done well for herself, but feels guilty that her sisters have not. She owns her own business, property, and a summer home. Ms. [REDACTED] recently bought [REDACTED] a new car as well. She wants her sisters to have happy, normal lives and to function as normal people, which devastates her. At this point in the meeting, Ms. [REDACTED] became visibly emotional. Up until this point, she had been able to speak clearly and directly regarding the memories of her childhood involving Fr. Bennett and her sisters' difficulties as a result of the alleged abuse.

BEN-CB3-00081

Ms. [REDACTED] stated that the past year has been very difficult and that "pieces of the puzzle" have been coming together. She shared that she is fearful that she may have a "weird" memory [involving Fr. Bennett], but does not think that she will.

PRA thanked Ms. [REDACTED] for sharing all that she had regarding Fr. Bennett and her sisters, [REDACTED] and [REDACTED]

Ms. [REDACTED] may be reached at the following:



11/10/04
Date

Leah McCluskey
Leah McCluskey, Administrator

11/16/04
Date

Mayra Flores
Mayra Flores, Assistance Ministry

11/16/04
Date

Cc: Review Board Members
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests
Ralph Bonaccorsi, Assistance Ministry

BEN-CB3-00082

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MEMORANDUM

To: File -- PFR-170
From: Review Board Meeting
Re: Bennett, Joseph (Active) [REDACTED]
Date: March 29, 2005

A summary of the discussion from the Review Board Meeting on Saturday, March 19, 2005:

The Review Board conducted an Initial Review regarding the allegation made by [REDACTED]. The claim is as follows: Fr. Bennett exposed himself to Ms. [REDACTED]; Fr. Bennett instructed Ms. [REDACTED] to perform oral sex on him.

In a 8-0 vote, in light of the information presented, the Board determined that this matter warrants additional investigation. The Board also requested that PRA complete the following tasks:

- That PRA contact [REDACTED]s order and ask for her assignment history as well as the reason as to why she left the order.
- That PRA attempt to determine if [REDACTED] was known as "the singing nun."
- That PRA request to meet with [REDACTED] in person.
- That PRA review Fr. Bennett's file in the Vicar for Priests and the Chancellor's offices.
- That Fr. Bennett is asked to undergo a physical examination by a doctor of the choice of the Vicar for Priests office.
- That Fr. Bennett is monitored until the end of the Review Board process.
- That Fr. Bennett's monitor is either Rev. Thomas Simma or Rev. Thomas Cabala and not Rev. Leonard Dubi.



BEN-CB3-00057

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MEMORANDUM

To: File -- PFR-170
From: Laura A. Neri-Palomino
Re: Bennett, Rev. Joseph (Active) [REDACTED]
Date: July 16, 2005

A summary of the discussion from the Professional Responsibility Review Board Meeting on July 16, 2005:

The Review Board was to conduct a Review for Cause regarding the allegation made by [REDACTED]. The allegation is as follows: Fr. Bennett exposed himself and then instructed Ms. [REDACTED] to perform oral sex on him.

In a 7-0 vote, the Board unanimously agreed to postpone the Review for Cause of this matter until the scheduled August 20, 2005 meeting until the following information could be obtained/determined by PRA:

- That PRA speak with Rev. Edward Grace, Vicar for Priests, regarding the need for clarification on Dr. Koeller's report of his physical examination of Fr. Bennett. Specifically, to determine if Dr. Koeller noted a birthmark on the back of Fr. Bennett during his exam or not. PRA will ask Fr. Grace if he would prefer to speak with Dr. Koeller regarding the report or if he feels that it is appropriate for Dr. Domeena Renshaw to discuss the matter with Dr. Koeller on behalf of the Review Board. Dr. Renshaw works with Dr. Koeller at Loyola.
- That PRA check with Fr. Grace to determine if Rev. Leonard Dubi is currently on sabbatical or not. Fr. Dubi is Fr. Bennett's identified monitor.



BEN-CB3-00050

RECEIVED

FEB 03 2006



Cardinal Francis George

Cardinal removes another priest

Pastor not monitored
for year after allegation

By Manya A. Brachear
Tribune staff reporter

2/2/06

Losing confidence in a monitoring program they have relied on to safeguard children, Chicago Catholic Archdiocese officials have removed from ministry a priest they were keeping under supervision while they try to determine if he abused two young girls decades ago.

Officials also acknowledged that the south suburban priest was not assigned a monitor until a year after the archdiocese first received an abuse allegation against him in March 2004. A spokesman said he could not explain the lengthy delay.

Cardinal Francis George ordered the removal of the pastor of Holy Ghost Catholic Church in South Holland after an emotional meeting this week with St. Agatha parishioners, who voiced outrage that for months they had not known about allegations against their own pastor, Rev. Daniel McCormack.

McCormack also had been placed under monitoring because of an abuse allegation, though his flock did not know that until he was arrested last month. On Wednesday, prosecutors added a third count of ag-

PRIESTS: Allegations over incidents 35 years ago

CONTINUED FROM PAGE 1

gravated criminal sexual abuse to the charges against McCormack, and law enforcement sources would not say whether the abuse occurred while he was being monitored.

George said archdiocesan officials must look for ways to discreetly take accused priests out of the pulpit even before abuse allegations are found to be credible, said spokesman Jim Dwyer.

"We need to examine and adapt our policies... [to] withdraw the priest temporarily in a nonjudgmental fashion until the information is absorbed better and the case is resolved," Dwyer said Wednesday. "It will be a better situation for the priest and the parish if we change our policy."

The archdiocese said it has received two allegations that the pastor of Holy Ghost, 700 E. 170th St. in South Holland, abused two girls while serving at St. John De La Salle Catholic Church, 10205 S. King Drive in Chicago, more than 35 years ago.

The Tribune is not naming the priest, who is 65, because no criminal charges or lawsuits have been filed and the archdiocese has not yet determined if the allegations against him are credible.

Dwyer said the first allegation against the priest was reported to the archdiocese in March 2004, and a monitor was assigned in March 2005. Dwyer said he could not explain the delay.

According to national guidelines drafted by American bishops in 2002, if a priest has a credible allegation of abuse against him, he must be removed from ministry. But the guidelines leave it up to the dioceses to determine how to treat priests who are under investigation.

In Chicago, when the archdi-

cese receives an abuse allegation, the claims are investigated by an independent review board that determines whether the accusations are credible and then makes a recommendation to the cardinal about what action should be taken. It is unclear how many priests have been assigned a monitor since 2002, Dwyer said.

Church officials had appointed a fellow priest to monitor McCormack in August, when the first abuse allegation surfaced. He was arrested Jan. 20 after a second accuser came forward and subsequently was charged with two counts of aggravated criminal sexual abuse.

The charge filed Wednesday involved several alleged incidents with a third boy in the rectory of St. Agatha, law enforcement sources said.

Church officials said McCormack was not removed from ministry because the archdiocese had not yet received a first-hand allegation. In the meantime, McCormack was told not to be alone with minors and the archdiocese's vicar for priests asked a peer to "monitor" him.

George asked his staff this week if any circumstances similar to McCormack's monitoring arrangement existed, Dwyer said. When told of the Holy Ghost pastor, the cardinal ordered him to be removed.

"The cardinal has really been reflecting about this ever since he's gotten back—[how] to effect some kind of nonjudgmental way so we don't put ourselves, the parish, and the priest in this kind of situation again," Dwyer said. "He knew there was one more priest still in ministry. He felt [removing him] was the prudent thing to do."

George had approved the monitoring arrangement at Holy Ghost a year ago, Dwyer said.

Jeff Anderson, a St. Paul attorney who represents a number of clergy sexual abuse survivors, said he has been urging the archdiocese to remove the south suburban priest for almost two years. He represents the two alleged victims of the priest, both women in their 40s.

"They assured me that the decision was just around the corner," Anderson said. "That they were processing this and it would be forthcoming. I let them

It will have no effect on the professional responsibility of the priest and the parish if we change our policy.

—Archdiocese spokesman Jim Dwyer

lead—and now I believe misled us to this point in time. It was with the McCormack situation coming to light that I realized this is the last straw. We couldn't trust the process and I'm sorry that I did."

One of the women spoke publicly Wednesday, saying the priest had intercourse with her in the lower level of the church for three years beginning when she was 8.

"I heard on the news that a priest had been removed and I was hopeful and thrilled," said the woman, who asked that her name not be used. "I feel like a million-ton weight has been lifted off my shoulders. I'm incredibly relieved."

Ordained in 1966, the priest served at St. John De La Salle from 1967 to 1973; Our Lady of the Ridge, in Chicago Ridge, from 1974 to 1976; St. Joseph and St. Anne from 1977 to 1978; and St. Christina from 1979 to 1980. He returned to St. John De La Salle in 1981 and stayed until 1989. He moved to St. Agnes in 1990 and 1991; Our Lady of Fatima in 1992 through 1997. He has been at Holy Ghost in South Holland ever since.

As news of the priest's sudden removal trickled out through the media, parishioners reacted with surprise but said they still trusted the archdiocese to handle the situation correctly.

"People don't think that it's going to happen to their own friends and loved ones," said Tom Shesek, 49, a parishioner at Holy Ghost for about 20 years. "There are other people in power in the church that are handling this thing the way they've been doing it. My only opinion is if there's any truth to be unveiled or revealed that it happens as soon as can be."

Tribune staff reporters Jeff Coen and Tom Rybarczyk contributed to this report.

mbrachear@tribune.com

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October 15, 2005

Cardinal Francis George, O.M.I.
Archbishop of Chicago
155 E. Superior Street
Chicago, Illinois 60611

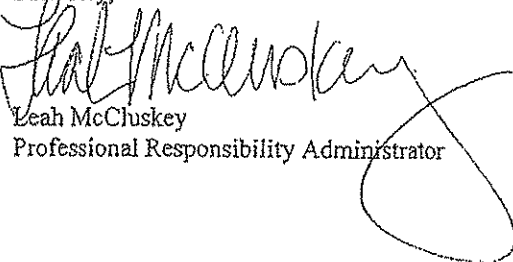
Dear Cardinal George,

Please be advised that the Professional Responsibility Review Board met on October 15, 2005 and conducted a Review for Cause of [REDACTED] allegation of sexual misconduct against Rev. Joseph Bennett pursuant to Article §1104.9 of the Review Process for Continuation of Ministry. Fr. Bennett is an active priest of the Archdiocese of Chicago.

The Board made the recommendation that in light of the information presented, there is reasonable cause to suspect that the alleged misconduct occurred. The Board recommended that Fr. Bennett be immediately withdrawn from ministry and that restrictions and monitoring be imposed in accord with Archdiocesan policies and procedures.

If you have any questions, please feel free to contact me at [312] 751-5205.

Sincerely,


Leah McCluskey
Professional Responsibility Administrator

*I accept the
recommendation.
Fr. Joseph
Oct 18, 2005*

Cc: Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Rev. Edward Grace, Vicar for Priests

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BEN-CB3-00004

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October 15, 2005

Cardinal Francis George, O.M.I.
Archbishop of Chicago
155 E. Superior Street
Chicago, Illinois 60611

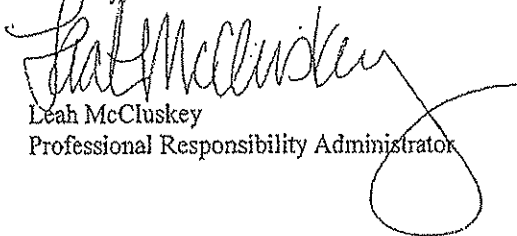
Dear Cardinal George,

Please be advised that the Professional Responsibility Review Board met on October 15, 2005 and conducted a Review for Cause of [REDACTED] allegation of sexual misconduct against Rev. Joseph Bennett pursuant to Article §1104.9 of the Review Process for Continuation of Ministry. Fr. Bennett is an active priest of the Archdiocese of Chicago.

The Board made the recommendation that in light of the information presented, there is reasonable cause to suspect that the sexual abuse of a minor did occur. However, the Board did not reach a determination on all aspects of the allegation. Further, the Board recommended that Fr. Bennett be immediately withdrawn from ministry and that restrictions and monitoring be imposed in accord with Archdiocesan policies and procedures.

If you have any questions, please feel free to contact me at [312] 751-5205.

Sincerely,


Leah McCluskey
Professional Responsibility Administrator

I accept this recommendation.
F. J. [unclear]
Oct. 18, 2005

Cc: Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Rev. Edward Grace, Vicar for Priests

73

BEN-CB3-00041

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MEMORANDUM

To: Francis Cardinal George, O.M.I.

From: Laura A. Neri-Palomino *LNP*

Re: Bennett, Rev. Joseph [REDACTED] and [REDACTED]

Date: November 2, 2005

Leah McCluskey asked that I forward you the following documentation in regards to [REDACTED] and [REDACTED] allegations of sexual misconduct of a minor against Rev. Joseph Bennett.

Cc: Rev. Patrick Lagges, Judicial Vicar

Enclosures

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BEN-CB5-00135

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Office of the Archbishop



155 E. Superior St.
Chicago, Illinois 60611

November 7, 2005

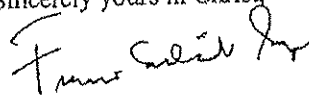
Ms. Leah McCluskey
Office of Professional Responsibility
676 N. St. Clair St.
Chicago, IL 60611

Dear Ms. McCluskey,

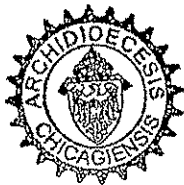
I am writing to you with regard to the matter of Reverend Joseph Bennett, a priest of the Archdiocese of Chicago, who has been accused of sexual misconduct by [REDACTED]. I had initially indicated that I accepted the Review Board's recommendation that there was a reasonable cause to suspect that the misconduct did occur. However, I have since reconsidered this matter and would like to postpone a final decision for the time being. I need more time to review the material gathered in the preliminary investigation and to consider it in light of the Review Board's recommendation.

I realize this creates a rather awkward situation, but I believe I need to reflect on this matter further. Thank you for your understanding. Please communicate this decision to the members of the Review Board and assure them that this does not represent any lack of confidence in them for the fine work they do.

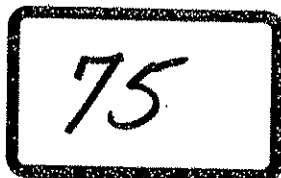
Sincerely yours in Christ,



Francis Cardinal George, O.M.I.
Archbishop of Chicago



Rev. Richard Sandis
Ecclesiastical Notary



BEN-CB5-00321

To: File
From: Ed Grace
Re: Joe Bennett
Date: Nov. 14, 2005

Today I received a copy of Joe's dermatologist's report.

I called Joe to suggest that he ask the dermatologist for a clarification:

- Specifically – since Joe had stated to me that the scrotum marks were/might be aging marks –

Did the doctor have an opinion on whether the spots would have been present years ago at the time of the allegation?

- Secondly, some mark, bigger than a golf ball/smaller than a soft ball was alleged on his back.

Marks on Joe Bennett's back according to the dermatologist report:

1. 9cm scar from laminectomy is post alleged abuse
2. Otherwise the largest mark on Joe's back is a 2.1-centimeter keratosis – only half the size of a golf ball – a golf ball is 4.2 cm in diameter according to Google.

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BEN-CB3-00040

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MEMORANDUM

Revised

To: File - PFR-170
From: Review Board Meeting
Re: Bennett, Rev. Joseph [Active] [REDACTED]
Date: December 3, 2005

A summary of the discussion from the Review Board Meeting on Saturday, December 3, 2005:

- Meeting began with a review of Rev. Joseph Bennett's file in regards to the allegations of sexual misconduct made against him by Ms. [REDACTED] and Ms. [REDACTED]
- Fr. Smilanic informed the Board that Rev. Paul Golden, C.M., J.C.D. is Fr. Bennett's newly appointed canonical advocate; Fr. Smilanic also informed the Board of Fr. Golden's request to have the entire file copied and sent to him
- Cardinal George arrived at the Board meeting at 9:30am to discuss the Board's recommendations made on the Bennett [REDACTED] and Bennett [REDACTED] allegations
- The Cardinal explained that in the interest of procedure, he would like for Fr. Bennett to address the Board in regards to the allegations made against him by Ms. [REDACTED] and [REDACTED] [clarification that Fr. Bennett did address the Review Board at the November 19, 2005 Review Board meeting]
- The Cardinal stated that he wanted to ensure that Fr. Bennett is aware of his [Fr. Bennett's] right to appear before the Review Board
- The Cardinal informed the Board that he has read the entire file and that he was prepared to converse with them regarding these matters, as he had questions he wished to ask the Board members so that he could understand the Board's conclusions and recommendations of these matters
- Mr. Gass then provided the Cardinal with a verbal history of the aforementioned matters as they have appeared before the Board
- Mr. Gass informed the Cardinal of the Board members' feelings of the evidence of the existence of freckles on Fr. Bennett's scrotum

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BEN-CB3-00001

- Mr. Gass explained to the Cardinal the fact that "reasonable cause to suspect" is not a high standard of proof in these matters, however the freckles on Fr. Bennett's scrotum lead the Board to believe that something [sexually abusive] did happen in the matters involving Ms. [REDACTED] and Ms. [REDACTED]
- Dr. Renshaw then referred the Cardinal to the medical documentation concerning marks/freckles on Fr. Bennett's scrotum
- Dr. Jenuwine noted that Fr. Bennett initially denied the existence of freckles on his scrotum and had his [personal] physician write a letter noting such; referring to the more recent medical information obtained that states that Fr. Bennett does have marks on his scrotum, Dr. Jenuwine made the point that when Ms. [REDACTED] allegation was first read to him [Fr. Bennett], he did not remark something to the effect of, "...how would she [Ms. [REDACTED]] know that [that there are marks/freckles on his scrotum]?"
- Dr. Jenuwine also made the point that Ms. [REDACTED] recall of Fr. Bennett having a birth mark on his back "...does not stand up..." and that the back surgery that Fr. Bennett underwent took place significantly after the alleged abuse
- Fr. Rubey made the point that Dr. Renshaw had talked to the Board about such marks on a male's scrotum, that they are not age spots and they are also not common
- Dr. Jenuwine stated that when he first reviewed the allegation [made by Ms. [REDACTED] against Fr. Bennett, that he found it to be incredible until he read the information concerning the existence of freckles on the accused's scrotum; Dr. Jenuwine then provided the opinion that freckles on the scrotum as alleged in the matter of Ms. [REDACTED] allegation against Fr. Bennett would be a "flashbulb memory" that a child sexual abuse victim would remember
- Fr. Dowling stated that he had doubts that Fr. Bennett is an abuser
- The Cardinal stated that in regards to Ms. [REDACTED] allegation, other parts of her allegation seem to be inaccurate, except for the presence of freckles on Fr. Bennett's scrotum
- The Cardinal expressed his great support and appreciation for the Board's review of and recommendations on the matters of Ms. [REDACTED] and Ms. [REDACTED] allegations against Fr. Bennett
- Fr. Smilanic suggested that Fr. Golden [Fr. Bennett's canonical advocate] be allowed to review the matters and provide a response on the behalf of the accused prior to the Cardinal making his final decision [based upon the Board's Review for Cause determinations of Ms. [REDACTED] and Ms. [REDACTED] allegations against Fr. Bennett]
- The Cardinal questioned as to why Fr. Bennett did not have a canonical advocate until recently; Fr. Smilanic stated that he cannot recall and does not know why
- Responding to Fr. Dowling's question of "turn around time" in the review of the matters by Fr. Golden, Fr. Smilanic reiterated his [Fr. Golden's] request to have the file copied and sent to him

BEN-CB3-00002

- In regards to Fr. Golden's request for having a copy of Fr. Bennett's files sent to him, the Cardinal expressed his concern for the integrity of the files if they are copied, but that he is "open to discussion"
- Dr. Jenuwine suggested that based upon confidentiality, the Office of Legal Services could draw up an agreement that information from Fr. Bennett's file copied and sent to Fr. Golden could not be copied and/or reproduced
- The Cardinal requested that Fr. Golden submit his information/response on behalf of Fr. Bennett to the Board and then communicated to him
- The Cardinal stated that he would like to follow through the matters of the two aforementioned allegations against Fr. Bennett procedurally [with the defense of a canon lawyer], as Rome would first ask and ensure that a matter [regarding such misconduct] abided by procedure and "The Code;" the Cardinal expressed his concern that he does not want Rome to send any cases back [to him] due to a lack of following procedure
- Fr. Dowling expressed the need to have the monitoring of Fr. Bennett continue, with which the Cardinal agreed
- It was agreed that all Board members would keep their files on Bennett [REDACTED] and Bennett [REDACTED] until hearing [a response] from Fr. Bennett's canon lawyer
- Fr. Rubey will abstain from the matters, as he and Fr. Bennett are classmates and friends

BEN-CB3-00003

JEFF ANDERSON & ASSOCIATES, P.A.

ILLINOIS OFFICE
2201 Waukegan Road, Suite E200
Barrington, IL 60015

CALIFORNIA OFFICE
215 North San Joaquin Street
Stockton, CA 95202

MISSOURI OFFICE
8390 Delmar Boulevard, Suite 210
St. Louis, MO 63124

NATIONAL TOLL FREE
888-567-5557

Attorneys & Counselors at Law

10th Floor - East
First National Bank Building
332 Minnesota St. • St. Paul, Minnesota 55101
tel. (651) 227-9990 • fax (651) 297-6543
www.andersonadvocates.com

Jeffrey R. Anderson * LW
Patrick W. Noaker **
Kathleen Stafford
Michael G. Finnegan

December 7, 2005

SENT VIA FAX

Leah McCluskey
Professional Responsibility Administrator
Archdiocese of Chicago
P.O. Box 1979
Chicago, IL 60690


RE: [REDACTED] and Fr. Joseph Bennett

Dear Ms. McCluskey:

When I met with you in our offices in connection with another matter on October 24, 2005, I asked you about the status of this matter and you reported to me that it was being given immediate consideration by the Cardinal at that time and would let us know immediately. I have not received anything from you, the Cardinal's office or the Archdiocese in connection with this. We remain in the dark in other words and very anxious to get this matter moving and find out what determination, if any, has been made. You will recall that the original review board met on June 19, 2004 and conducted an initial review of the allegation and the Cardinal accepted the Board's determination that an initial review of sexual misconduct against Rev. Joseph Bennett.

Please advise us of the status of this immediately. Your prompt attention to this is greatly appreciated.

Very truly yours,


Jeffrey R. Anderson
jeff@andersonadvocates.com

JRA:tat

cc: James Serritella
Ralph Bonaccorsi
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
David Haynes (via fax)
Marc Pearlman (via fax)

RECEIVED

DEC 7 2005

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OFFICE OF PROFESSIONAL RESPONSIBILITY

BEN-CB5-00168

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ARCHDIOCESE OF CHICAGO

Office of the Cardinal



Post Office Box 1979
Chicago, Illinois 60690-1979

July 14, 2006

COPY

[REDACTED]

Dear Mr. [REDACTED]

Yours is one of many letters I have received regarding the future of Father Joseph Bennett, Pastor of Holy Ghost Parish. Each letter contained very personal testimony to the effective ministry of Father Bennett and concern about his being returned to pastor your parish. I am grateful for these letters and for the witness to the effectiveness of Father Bennett's ministry.

As you may know, the Archdiocese of Chicago follows the national protocols for investigating an allegation of sexual abuse against a priest. The allegation against Father Bennett was made about two and one-half years ago, and the investigation has taken an extraordinarily long period of time because of its complexity. Normally, the investigation is finished and a decision has been made before the future of a priest is decided. In the case of Father Bennett, because the investigation had taken so long and there were external pressures, he was asked to step down from active ministry until the investigation could be completed. The examination of all the material by the Archdiocesan Review Board has taken place, and they still believe that some form of sexual abuse took place.

With you, I hope that Father Bennett is innocent of these allegations. The Review Board does careful work, but, should the Holy See find that he is innocent of these charges, he will be returned to active ministry, unless there are other charges to be investigated.

Again, thank you for your concern for Father Bennett and for the life of faith which continues to unite you to him in prayer. You and Holy Ghost Parish are in my prayers, and I ask for yours in return. God bless you.

Sincerely yours in Christ,

Francis Cardinal George, O.M.I.
Archbishop of Chicago

P.S. We have no choice but to send the case to the Holy See for review - that is the regulation for every case. Of course, I hope Fr. Bennett is innocent - who would not? Rather than with me, I suggest you talk to his accusers.

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BEN-CB3-00360

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Office of Professional Responsibility



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MEMORANDUM

TO: Ralph Bonaccorsi, Assistance Ministry
✓ Rev. Vince Costello, Vicar for Priests
✓ Rev. Edward D. Grace, Vicar for Priests
Jimmy Lago, Chancellor
Leah McCluskey, Office of Professional Responsibility
John O'Malley, Legal Services
Rev. Daniel Smilanic, Archbishop's Delegate to the Review Board
Patricia Zacharias, Office of Professional Responsibility

FROM: Laura Neri-Palomino, Administrative Assistant
Office of Professional Responsibility

DATE: February 9, 2006

RE: [PFR-170] Bennett, Rev. Joseph (Temporarily Withdrawn) [REDACTED]

Attached is a copy of a new allegation received by this office on 2/2/06. We are opening a file and Leah McCluskey, Professional Responsibility Administrator will begin the Review Process by attempting to arrange an interview with [REDACTED]. Please advise this office of any information you may have in your files regarding Bennett, Rev. Joseph/ [REDACTED].

It is extremely important that you forward copies of any and all documentation pertinent to this case to this office within 5 business days of receipt of this memo to ensure that the investigation of this matter be properly handled.

Thank you.

Attachment

cc: Bishop George Rassas, Vicar General
Very Rev. John Canary, Vicar, Mundelein Seminary
Very Rev. James Presta, Vicar, St. Joseph Seminary

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BEN-CB3-00260



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

February 3, 2006

His Excellency Bishop Dale J. Melczek
Bishop of Gary, Indiana
9292 Broadway
Merrillville, Indiana 46410

Dear Bishop Melczek,

Thank you for the very helpful conversation we had earlier this afternoon. I am writing this letter at your request in order to help clarify the situation regarding Father Joseph Bennett.

Because Father Bennett is involved in an ongoing investigation of allegations of sexual abuse of minors, Cardinal George has determined that it would be the best for all parties involved that Father Bennett absent himself from Holy Ghost Parish in South Holland, Illinois.

Father Bennett owns a home in your diocese. The address is [REDACTED]. His telephone number at that residence is [REDACTED]. Because of the current circumstances we believe that this would be an appropriate place for him to live until his case is resolved. I know the Archdiocese of Chicago would be extremely grateful if you could designate a priest in the area to serve as his monitor. I would ask that the monitor make contact with Father Bennett and meet with him periodically. If Father Bennett has any plans to leave the [REDACTED] area he should share that information with his monitor including where he plans to go, when he intends to leave and return, and in whose company he will be during his time away. Even more specifically, may I request that the monitor help to insure that Father Bennett comply with the following restrictions placed upon him by Cardinal George:

1. That Father Bennett absent himself from Holy Ghost Parish in South Holland and not enter any edifice on the property of Holy Ghost Parish.
2. That he not be alone with anyone under 18 years of age unless a responsible adult is present.

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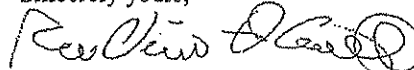
BEN-CB3-00268

3. That he neither preside at, nor concelebrate at, the public celebration of the Eucharist, nor provide pastoral care in any form to the faithful.
4. That he not publicly celebrate any sacrament of the Catholic Church or engage in any behavior anywhere which might seem to be sacred ministry.
5. That he abide by the monitoring protocols and the residence arrangement that the Vicars for Priests will provide for him.

Cardinal George has also dispensed Father Bennett from wearing ecclesiastical garb during this time, and we desire that refrain from doing so lest someone be confused and consider him a priest with faculties.

Bishop Melczek, please accept my personal gratitude and that of the Archdiocese of Chicago for your gracious assistance in this matter. If you or the monitor have any questions please do not hesitate to contact me.

Sincerely yours,



Rev. Vincent F. Costello,
Co-Vicar for Priests

Cc: Cardinal George, Bishop Rassas, Father Ed Grace, Father Smilanic, Mr. Jimmy Lago, Mrs. Colleen Dolan, Mr. John O'Malley, Ms. Leah McChuskey, Mr. Ralph Bonaccorsi

BEN-CB3-00269

ARCHDIOCESE OF CHICAGO

Vicar General



Post Office Box 1979
Chicago, Illinois 60690-1979

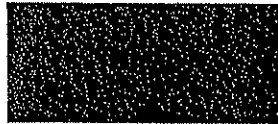
(312) 751-8271
Fax: (312) 337-6379

February 1, 2006

Most Reverend. Dale J. Melczek
Diocese of Gary
9292 Broadway
Merrillville, IN 46410

Dear Bishop Melczek:

A priest of our Archdiocese, Rev. Joseph Bennett, pastor of Holy Ghost Parish in South Holland, Illinois, has been placed on leave. As of this moment, he has been asked to reside at his home that is within the Diocese of Gary. His address is:



The incident in question occurred about thirty years ago and surfaced about two years ago here in the Archdiocese. The circumstances have been under review for some time, but the information is not completely clear. For this reason, he has not been canonically removed from his parish. To the best of our knowledge, there have been no other reported allegations related to him.

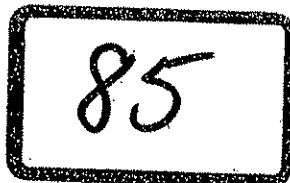
I would ask that, if possible, someone of your choice would act as a monitor for him during the time he will be on leave. Rev. Edward Grace, one of our Vicars for Clergy, will be happy to be in contact with the person who will act as monitor.

Thank you for your kind cooperation and assistance in this matter.

Faternally yours in Christ,

Most Reverend George J. Rassas
Vicar General

cc: Francis Cardinal George, O.M.I.
Rev. Edward Grace
Jimmy Lago



BEN-CB3-00273

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Date of Birth: [REDACTED]

Current age: 51

Name of civil attorney: N/A

Date allegation received: 2/6/06 [third party reported by AOC priest on behalf of Mr. [REDACTED] sister]

Date allegation formalized: N/A; as per DCFS investigator of this matter, Mr. [REDACTED] does not want to speak with AOC

Date of initial incident of alleged abuse: 1963

Date of last incident of alleged abuse: 1964

Approximate number of incidents of alleged abuse:

Brief summary of alleged abuser: oral sex

Brief summary and date of response from accused: N/A

Stage of disposition by Review Board: N/A

Additional allegations made by accuser: None

Signature of Director: *Pat McClellan*

Date: 4/25/07

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BEN-CB3-00183

SUMMARY TIME LINE OF ALLEGATION

	ACCUSED	ACCUSER
Name:	Rev. Joseph Bennett	[REDACTED]
Address:	[REDACTED]	[REDACTED]
Date of Birth:	[REDACTED]	[REDACTED]
Current age:	66	54
Name of civil attorney:	Patrick Reardon	N/A

Date of Ordination [of accused]: 4/26/66

Location: Mundelein

Age at ordination: 25

Assignment location of accused: N/A

Status of accused: Temporarily withdrawn from ministry

Name of canonical advocate: Rev. Paul L. Golden, C.M., J.C.D.

Date allegation received: 2/9/06

Date allegation formalized: 2/14/06

Date of initial incident of alleged abuse:

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse: more than one, less than five

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BEN-CB3-00178

Brief summary of alleged abuse: less than five incidents; after serving mass, Fr. Bennett would take [REDACTED] into the rectory and down into the basement where collection money was counted; Fr. Bennett would ask [REDACTED] to change into a sports uniform [which [REDACTED] would not do in the same room as Fr. Bennett] and return to the room; Fr. Bennett would then have [REDACTED] lay on his lap, either face up or face down; Fr. Bennett would then rub [REDACTED] chest or back and genital area over and under his clothing

Brief summary and date of response from accused: 6/12/06; Fr. Bennett denied the allegation; Mr. Reardon stated that a more detailed written response would be provided

Stage of disposition by Review Board: Review for Cause

Additional allegations made by accuser: None

BEN-CB3-00179

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility



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Fax: (312) 751-5279
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MEMORANDUM

To: File – PFR-170

From: Leah McCluskey, Professional Responsibility Administrator

Re: Bennett, Rev. Joseph [Temporarily Withdrawn]

Date: February 10, 2006

PRA received two voice mail messages from one on February 7th and the other February 8, 2006 regarding his alleged sexual abuse by Rev. Joseph Bennett.

PRA reached via phone on February 8th. He then identified himself as and stated that the abuse by Fr. Bennett took place "at the church on 103rd and King Drive [St. John de LaSalle]" in Chicago. Mr. stated that he was 11 or 12 years old at the time of the abuse.

Mr. informed PRA that this "all came back" to him when he "...saw on the news that Fr. Bennett molested two girls." His call to PRA was to inform the Archdiocese of Chicago that, "...it [the alleged abuse of two girls by Fr. Bennett] was more than that."

When asked, Mr. agreed to have PRA verbally provide him with information on the Office of Professional Responsibility. PRA also provided him with information regarding the Office of Assistance Ministry. Mr. indicated that he would be interested in scheduling a time to meet to formalize his allegation against Fr. Bennett.

Mr. then provided some information of the time period of the alleged abuse. He stated that he was adopted and that for a point in time, his adoptive parents placed him in "the Audi Home" where he says he was raped. Mr. then continued by stating "Fr. Bennett was a Brother at the time..." He stated that Fr. Bennett was "...at the church at 103rd and King Drive." PRA identified the church as St. John de LaSalle. Mr. stated "...other young males [besides himself] were involved..." and lived in the area of St. John de LaSalle.

Mr. stated that he first met Fr. Bennett while a resident at the Audi Home. He informed PRA that once he left the Audi Home and was back with his adoptive parents, he would travel on Sundays from the North Side of Chicago to the South Side to serve as

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BEN-CB3-00338

an altar boy at St. John de LaSalle. As per Mr. [REDACTED] Fr. Bennett invited him and another boy to stay overnight at the rectory. Mr. [REDACTED] stated that he declined Fr. Bennett's invitation. Mr. [REDACTED] mentioned that the abuse by Fr. Bennett included the cleric "playing" with him. When asked for clarification by PRA, Mr. [REDACTED] stated that Fr. Bennett "grabbed my privates [genitals]."

Mr. [REDACTED] also mentioned that he knows of a boy who did stay overnight at the rectory with Fr. Bennett. When asked, Mr. [REDACTED] stated that he does not remember the boy's name. Mr. [REDACTED] stated that he met Fr. Bennett's parents and that the cleric invited him to his ordination.

Mr. [REDACTED] had become audibly emotional as the February 9th phone call continued. PRA spent some time on the phone with Mr. [REDACTED] attempting to settle him.

It was agreed that PRA and Mrs. Mayra Flores from the Office of Assistance Ministry would travel to [REDACTED] to meet with Mr. [REDACTED] at [REDACTED] a Catholic Church in the Joliet Diocese near to his home. The meeting is scheduled to take place on Tuesday, February 14th at 11:00am. It was agreed that PRA would contact Mr. [REDACTED] with confirmation of where to meet at [REDACTED]

Mr. [REDACTED] provided the following personal information:

[REDACTED]

Mr. [REDACTED] also informed PRA that his is disabled and living on Social Security.

Cc: Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Rev. Edward D. Grace, Vicar for Priests
Ralph Bonaccorsi, Assistance Ministry

BEN-CB3-00339

Saint John de la Salle Catholic Church
10205 S. Martin Luther King Drive
Chicago, IL 60628
Phone: 773-785-2022 Fax: 773-785-0112

February 14, 2006

Rev. Vincent Costello
Vicar for Priests
Archdiocese of Chicago
645 N. Michigan Avenue
Suite # 543
Chicago, IL 60611

Dear Vince,

At the advice of Fr. Dan Smilanic I am sending along some information that parishioners of St. John de la Salle conveyed to me regarding Father Joe Bennett days after the allegations against him went public. This information was given to me out of concern for Joe by very upstanding parishioners who claim to have known him well when he was stationed here. I encouraged all four of them to call the 800 number but all four people vigorously declined stating that did not want to be directly involved.

Three of the people mentioned that they had knowledge of Fr. Joe Bennett being sexual active with women in the parish when he was here back in the late 1960s and later when he was Pastor. One of the people mentioned that when he was a teenager here in the late 1960s his teenaged friends "often" spoke of going to the rectory and being given alcoholic drinks by Fr. Joe Bennett. Please note that none of the four stated that they had been directly involved personally with the alleged behavior mentioned above.

I pass this information along without passing any judgment on Joe Bennett. I have just been uneasy receiving this information and keeping it to myself and taking the risk that it could be an issue in the future. The four people who came forward told me these things with the understanding that I would be pass it on.

I continue to hope and pray that soon there will soon be a just and equitable resolution to all this for all parties involved.

If you have any questions please feel free to call me.

Sincerely,

[Redacted Signature]

Copy: Leah McCluskey

BEN-CB3-00257

Ex 91

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Office of Professional Responsibility



P.O. Box 1979
Chicago, Illinois 60690-1979

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MEMORANDUM

TO: Ralph Bonaccorsi, Assistance Ministry
Rev. Vince Costello, Vicar for Priests
Rev. Edward D. Grace, Vicar for Priests
Jimmy Lago, Chancellor
Leah McCluskey, Office of Professional Responsibility
John O'Malley, Legal Services
Rev. Daniel Smilanic, Archbishop's Delegate to the Review Board
Patricia Zacharias, Office of Professional Responsibility

FROM: Laura Neri-Palomino, Administrative Assistant ^{Wf}
Office of Professional Responsibility

DATE: February 27, 2006

RE: [PFR-170] Bennett, Rev. Joseph (Temporarily Withdrawn)/Unknown

Attached is a copy of a new allegation received by this office on 2/24/06. We are opening a file and Leah McCluskey, Professional Responsibility Administrator will begin the Review Process by attempting to arrange an interview with Unknown. Please advise this office of any information you may have in your files regarding Bennett, Rev. Joseph/Unknown.

It is extremely important that you forward copies of any and all documentation pertinent to this case to this office within 5 business days of receipt of this memo to ensure that the investigation of this matter be properly handled.

Thank you.

Attachment

Cc: Very Rev. John Canary, Vicar General
Rev. Tom Baima, Acting Rector, Mundelein Seminary
Very Rev. James Presta, Vicar, St. Joseph Seminary

92

BEN-CB3-00294

ARCHDIOCESE OF CHICAGO

Office of Legal Services

John C. O'Malley
Director



Post Office Box 1979
Chicago, Illinois 60690-1979

Tel: (312) 751-5379
Fax: (312) 751-5252
e-mail: jomalley@archchicago.org

March 23, 2006

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MAR 23 2006

ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

PERSONAL AND CONFIDENTIAL

Ms. Shauna Boliker
Assistant State's Attorney
State's Attorney of Cook County
2650 South California, Rm. 11 D 10
Chicago, Illinois 60608

RE: Unknown 06 SC 047 # 2
Date of Birth: Unknown
Date of alleged abuse: Unknown
SCR #: 1686596-A

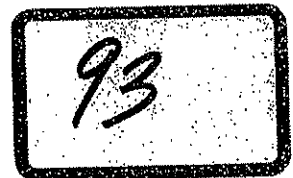
Dear Ms. Boliker:

Please be advised the Archdiocese of Chicago received a Notice of Investigation from the Department of Children and Family Services (DCFS), dated February 2, 2006, on behalf of "unknown 2 minor". The unknown minor alleged that an Archdiocesan priest, Fr. Joseph Bennett, had sexually abused him/her at Holy Ghost Church in South Holland. No other information is available at this time. The priest was recently removed from active ministry.

The Archdiocese is not conducting an inquiry as DCFS is investigating. We will advise you of any developments.

Very truly yours,


John C. O'Malley
Director of Legal Services



JCOM:sm

cc: Mr. James A. Serritella
Ms. Leah Mc Cluskey
Ms. Elizabeth Yore

BEN-CB5-00687

SC06SC047JCOMltr re DCFS Investigation to State's Attorney Office

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Office of Professional Responsibility





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MEMORANDUM


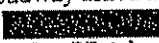



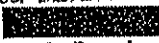
To: File - PFR-170

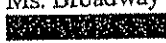
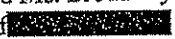
From: Leah McCluskey, Professional Responsibility Administrator 

Re: Bennett, Rev. Joseph [Temporarily Withdrawn] 

Date: May 3, 2006

PRA received a phone call today from Ms. Brigitte Broadway of the Department of Children and Family Services [DCFS] regarding Mr.  allegation of sexual misconduct with a minor against Rev. Joseph Bennett.

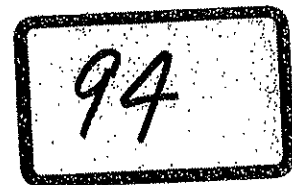
Ms. Broadway asked if PRA had any knowledge of Mr.  statement that his brother  children were molested by Fr. Bennett. Ms. Broadway was informed that PRA has never spoken with  directly. PRA again informed Ms. Broadway of the past information shared that she [PRA] has only spoken with   sister regarding the alleged abuse. Ms. Broadway was reminded of the verbal information shared with PRA that  had informed a DCFS investigator that he did not wish to speak with PRA. Ms. Broadway acknowledged the information shared.

Ms. Broadway stated that she was calling to clarify if PRA had or had not spoken with  and/or knew of his claim that Fr. Bennett had molested his children. PRA informed Ms. Broadway that this was the first information received regarding the alleged abuse of  children by Fr. Bennett.

Ms. Broadway thanked PRA for the clarifications. She also remarked of her intent to close the DCFS investigation concerning Fr. Bennett in the near future.

Ms. Broadway may be reached at [312] 492-3770.

Cc: Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Rev. Edward D. Grace, Vicar for Priests
Jimmy Lago, Chancellor
Rev. John Canary, Vicar General
Ralph Bonaccorsi, Assistance Ministry
John O'Malley, Office of Legal Services



BEN-CB3-00238

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Office of Professional Responsibility




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MEMORANDUM

To: File - PFR-170

From: Leah McCluskey, Professional Responsibility Administrator 

Re: Bennett, Rev. Joseph [Temporarily Withdrawn]

Date: June 29, 2006

PRA contacted Department of Children and Family Services [DCFS] investigator Brigitte Broadway via phone on June 28, 2006 regarding the status of the DCFS investigation concerning Rev. Joseph Bennett.

Ms. Broadway initially expressed her frustration that her DCFS supervisor[s] would not let her "close" this matter. She noted that each time she has attempted to close this DCFS investigation, her supervisor gives her additional questions to ask/requests additional information regarding Fr. Bennett. When asked, Ms. Broadway stated that her supervisor is Carla Jackson.

Ms. Broadway then asked PRA the following questions [PRA's responses are noted in bold print]:

- What is the status of the allegations made by [REDACTED] and [REDACTED] The Review Board process is concluded in the matters of Ms. [REDACTED] and Ms. [REDACTED] allegations. Cardinal George will send these cases to Rome [the Congregation for the Doctrine of the Faith] for their final decision on the matters. PRA just presented Mr. [REDACTED] allegation to Fr. Bennett yesterday [June 27th]. This matter will be before the Review Board at the next scheduled meeting for an Initial Review.
- Asked if PRA feels that the "adult survivors [those who have come forward with allegations against Fr. Bennett]" were truthful or not. Ms. Broadway was informed that PRA does not make any oral or written opinion if an individual who comes forward to report abuse is telling the truth or not.
- Asked if PRA has been in the any of the "rectories" identified in any of the allegations against Fr. Bennett. Ms. Broadway was informed that PRA and Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board viewed the

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BEN-CB3-00361

rectory at St. John de LaSalle in December 2005. When asked, Ms. Broadway was informed that some details of the description of the rectory provided separately by Mr. [REDACTED] and Ms. [REDACTED] seemed to be accurate, but not all. When asked, PRA directed Ms. Broadway to contact the current pastor of St. John de LaSalle to request to walk through the building. Ms. Broadway did not ask for the pastor's name or any contact information for him.

- Asked PRA for contact information for Rev. James T. Kaczorowski [former Vicar for Priests], as he was present when PRA "talked to the adult victims." PRA clarified for Ms. Broadway that Fr. Kaczorowski was not present for any meetings with any of the aforementioned "adult victims" of Fr. Bennett. Ms. Broadway was informed that Fr. Kaczorowski was present for meetings where PRA read/presented the allegations to Fr. Bennett. Ms. Broadway then indicated that she would not need to speak with Fr. Kaczorowski.
- Asked PRA if she had ever heard of an alleged victim of Fr. Bennett named [REDACTED] from [REDACTED]. PRA responded that the name [REDACTED] was not known to the Archdiocese of Chicago as a reported victim of Fr. Bennett. Ms. Broadway informed PRA that Mr. [REDACTED] has an attorney who has "filed suit." When asked, Ms. Broadway stated that she would locate the name of Mr. [REDACTED] attorney and contact information and forward it to PRA.
- Asked PRA if anyone at the Archdiocese of Chicago has spoken with either Ms. [REDACTED] or Ms. [REDACTED]. PRA provided Ms. Broadway with Dr. Michael Bland's name and contact information. Ms. Broadway was informed that Dr. Bland is the Clinical and Pastoral Coordinator for the Archdiocese of Chicago and that he may have spoken [REDACTED]. Ms. Broadway was also informed that PRA has not spoken with either Ms. [REDACTED] or Ms. [REDACTED].

Ms. Broadway thanked PRA for the information provided. She had informed PRA earlier in the phone conversation that she has admittedly "pushed" this case aside [the DCFS investigation of Fr. Bennett], as she has 27 other cases on her desk to address. Ms. Broadway again expressed her frustration that "...they [supervisors at DCFS] won't let me close this case [DCFS investigation of Fr. Bennett]."

Cc: Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Rev. Edward D. Grace, Vicar for Priests
Dr. Michael Bland, Clinical & Pastoral Coordinator, Office of Assistance Ministry
Ralph Bonaccorsi, Office of Assistance Ministry

BEN-CB3-00362

This is a formal deposition in the matter of Joseph R. Bennett of the Archdiocese of Chicago, and it is the interrogation of the Reverend Francis Kub, currently pastor of St. Simon the Apostle parish in Chicago, Illinois. Present is myself, Father Dan Smilanic and Ms. Leah McCluskey, the Administrator of the Office of Professional Responsibility.

Q. Could I ask you if you would state your name.

A. Father Francis Kub

Q. And what is your date of birth?

A. [REDACTED]

Q. And what is your date of ordination?

A. August 29, 1965

Q. And are you a priest of the Archdiocese of Chicago?

A. Yes I am.

Q. And are you the pastor of St. Simon the Apostle parish?

A. Yes I am.

Q. Father Kub, do you know Father Bennett?

A. Yes I do know him.

Q. How old are you in relationship to him?

A. I am one or two years older than he.

Q. Did you know him from the seminary?

A. I knew him in the seminary slightly.

Q. After you were ordained, what parish were you assigned to?

A. I was assigned to St. John De La Salle of the south side of Chicago.

Q. And what years were you there?

A. I was there from June of 1965 to December of 1968.

Q. And was Father Bennett there also?

A. Father Bennett came to the parish in June of 1966.

Q. How long were you there together?

A. Approximately two and a quarter years.

Q. Who was the pastor of St. John the Baptist De La Salle when you were first assigned there?

A. Monsignor John Joseph Murphy.

Q. And how long was he pastor?

[Handwritten signature]

BEN-CB5-00756

EX. 100

A. He was pastor; he founded the parish and was pastor until October of 1967.

Q. And his pastorate ended with?

A. His transfer to St. Edmund's in Oak Park.

Q. Who was the administrator of the parish then?

A. I was. I was the administrator from November until February.

Q. February of 1968?

A. Yes.

Q. Who came in as the pastor?

A. The next pastor was Ralph Mollan.

Q. Were you the canonical administrator while Father Bennett was there?

A. I was canonical administrator for that period of time, yes.

Q. And Father Bennett was the associate pastor?

A. Yes he was.

Q. How would you describe Father Bennett?

A. A quiet, quiet man who seemed to enjoy working mostly with the youth. I think he didn't get along too well, he was very young so he didn't really have too many relations with a lot of the older people, but he did seem to get along fairly well with some of the men's club and some of the people in the men's organization. He tended to shy away from the women's groups. He was very cooperative. He would work with you, and he would take care of the tasks that you asked him to do and dependable.

Q. When you say he was interested in the youth, did he have a special interest in particular age groups?

A. Yes, he seemed to focus himself mainly on people from maybe mid-high school into their twenties or so.

Q. Was he more interested in the fellows or the girls or both?

A. He seemed to give more attention to the young men, to the boys.

Q. What was the rectory like at St. John the Baptist De La Salle? How would you describe the rectory?

A. You mean the life at the rectory?

Q. The physical layout first.

A. The physical layout, there was a one floor and then a basement. There was a modified 1950s ranch house with an addition, a small addition put on it. The basement had two meeting rooms, and then it also had a small room that under the first pastor, Monsignor Murphy, had been used as a barbershop. He used to bring the barber in every week for haircuts so then after he left, that was terminated. That was expensive; that was

terminated. But that room was down in the basement so you had, you had one long meeting room, and then you had another small meeting room that was used mainly for the credit union, and then to the side of that was this perhaps ten-by-fifteen room that could be another salon or some kind.

Q. Would you say the quarters were tight or spacious?
A. The quarters for the assistants were not very spacious.

Q. They were tight?
A. They were a bit tight.

Q. Would you say the quarters in most of the house were pretty tight?
A. The assistants' were. Everything else was not too bad. It was rather commodious.

Q. With regard to life in the rectory, was there a lot of activity? Was there a lot of laity in the rectory? Was there a lot of movement of people around the rectory?
A. With Monsignor Murphy there was a lot of life in the rectory, visiting clergy continually. It was a very happy, a very united house. Monsignor Murphy also allowed you do whatever you want to do, but there was so much going on and so much to do you never really had much time to invite any laity into the house. The only laity I ever saw in the house in Monsignor Murphy's time were a couple friends of his. Under Father Mollan the attitude in the house was drastically changed, and during that time he did not welcome anybody in the house so there wasn't that much activity in the house whenever he was around.

Q. Did Murphy permit the laity into the priests' living areas?
A. The house was so open, he would permit it but it was one of those things that it rarely happened, and if it did, you know it was maybe for a short period of time. The question never came up of anybody being around a long time or being there for like with the door closed or anything. It just never happened as far as I'm aware.

Q. Let me ask this question. Did Monsignor Murphy drink?
A. No.

Q. He did not?
A. He did not drink.

Q. Was there an open bar in the rectory?
A. Yes there was.

Q. Where was it located?
A. It was a small little service bar just outside the pastor's quarters.

Q. When Father Bennett lived there, how did he interact with the people in the rectory?

A. He interacted with us well. He wasn't maybe there as much as his predecessor had been. He was maybe out of the house more often or in different parts of the building perhaps.

Q. Was there a housekeeper there whose name was [REDACTED]?

A. Yes there was, [REDACTED].

Q. How would you describe her?

A. I would describe [REDACTED] as the female version of Barry Fitzgerald in The Quiet Man.

Q. Could you be a little more, for those who don't get the illusion, a little more precise?

A. A short little very, very Irish immigrant leprechaun who kept her nose in anything and everything that happened.

Q. How did she and Father Bennett get along?

A. Oh, tremendous. When he first got there she used to complain to me about him all the time that he was too immature, that in her mind--but after all she was in her seventies or eighties--that she didn't like the fact that he maybe hung around with kids, and then once Father Murphy left, she was very upset that he took a little more liberty to bring maybe young people into the house.

Q. Did she ever talk to you about that?

A. Yes.

Q. And what exactly was he doing that provoked her reaction?

A. Bringing some young people into the house, to his room.

Q. Can you tell me young people--how old?

A. Middle-age high school into maybe, I would say perhaps sixteen to twenty, twenty-one.

Q. More men than women, more women than men?

A. Men.

Q. More men than?

A. Men, period. Men, period.

Q. Would he close the door when they were in there?

A. Until I told him he couldn't do it anymore.

Q. Did Monsignor Murphy ever say anything to him about this?

A. I don't think he did it in Murphy's time. I think he tested me, and when I blew up and I told him you can't do this anymore, he was upset and he had a friend of his have a long talk with me and tell me to keep my nose out of his business.

Q. May I ask who the friend was?

A. Father Lenny Dubi.

Q. And how did Father Len Dubi approach this topic with you?

A. Pushed me in a corner and said keep your nose out of Bennett's business.

Q. Did you share with Len the substance with, did you share with Father Dubi the substance of your concerns, why you were concerned?

A. Yes I did.

Q. And how did he respond to your?

A. It's none of your business he said.

Q. So he did not respond to your line of argumentation.

A. No, he did not respond to my line of argumentation at all.

Q. Did Father Bennett ever say anything to you about this?

A. He just said to me, he said I don't think you're in a position to be telling me what to do. He said you're just an administrator; you have nothing to say about my life.

Q. When Father Murphy, when Monsignor Murphy was transferred and you were appointed administrator, how quickly did this disagreement develop?

A. Maybe a month.

Q. Had you seen anything in Father Bennett's behavior prior to this that would have led you to believe that this was going to be a problem?

A. No because I never saw this happen before. I presume maybe he met people in other parts of the house because right after I complained for a while he began to meet down in the basement in the rooms downstairs.

Q. So would he bring this particular age group of young men to the basement of the rectory?

A. From what I gathered. I never saw it personally, but I remember from [REDACTED] complaining to me.

Q. Did [REDACTED] continue to report this to you while you remained there?

A. Oh yeah. She complained constantly about it.

Q. When Father Mollan arrived, how did this disagreement develop?

A. Once Father Mollan arrived I was kind of moved aside from not much happening in the parish. Mollan was there two weeks and he came to me and said you know, he said, you are just an administrator so I've torn out anything you've written in in your handwriting in the record books since you were an administrator, and I've rewritten them in the pastor's handwriting, and from that there was no more contacts. Whatever his relationship with Bennett and Dubi was, I was on the outskirts, removed shortly after that to another parish.

BEN-CB5-00760

Q. What was Bennett's behavior with young men in his room with the door closed after Mollan was pastor?

A. Pretty constant for the time I was there.

Q. So Mollan tolerated this? His policy was to allow this?

A. I think what actually happened is when Mollan came it went from a wide-open rectory to a closed-door rectory. I mean with Monsignor Murphy, if your door was closed during the day or early evening he'd call your room and say are you sick, do you need a doctor, something in that..... With Father Mollan, Mollan would go to his room and close his door early in the evening and you wouldn't see him anymore so that was it, and he presumed I think everything was going to be very restricted because he even put a door. The rectory had a suite for the pastor at the end of a long hall and the two assistant suites were along this corridor, and then there was a corridor that went to the rest of the rectory with a door. In Murphy's time I don't think the door was ever closed once. Mollan put a door closer on to insist it was closed all the time. He did not want anybody down in that section of the rectory. So I think what happened is that because he went to his room early and just was oblivious to the world, they felt a little more freedom.

Q. So do you think that while Father Mollan was pastor Father Bennett would have the young men in his room?

A. Yes. I know he did, yeah.

Q. And the door would be closed?

A. Yeah.

Q. What times of the day are we talking about?

A. I know there was late afternoons. I remember some Saturday mornings, a couple nights when I came home, and one instance that really bothered me was I came in one night and I'd been away, and I came into my room and this is with the door closed, Mollan and his, and there in my room laying on the floor were three teenage girls watching television, eleven-thirty at night. I said, "What are you doing here?" Well Joe's over there he's..... with guys in there; they didn't want us around. So I called, I knew the girls, I called one of their fathers who came over right away and took them home. I got them out of the house. I didn't want to start a confrontation at that time of night.

Q. Let me reflect this back to you and see if I understand this. So you came home, perhaps eleven-thirty at night into a part of the rectory that at this point the practice was to keep it separated from the rest of the house by a doorway and found on the floor of your room three girls under the age of eighteen

A. Oh yeah, sixteen, seventeen years old.

Q. Watching TV and they said they were there because boys of a similar age across the hall in Father Bennett's room with the door closed.

BEN-CB5-00761

(As Father Smilanic was making the above two statements, Father Kub continually sounded his verbal agreement)

Q. Did Father Bennett drink?

A. In my time occasionally. I never saw him take a large amount of alcohol. I would see him, the times we were together, I'd see him take a cocktail, but I never saw him take much.

Q. To the best of your knowledge, did he ever use any other controlled substance such as marijuana?

A. Not to my knowledge, no. I think he smoked cigarettes, but I, no, I never would have given an inkling that he did.

Q. Did anybody in the parish ever raise questions about this fraternization with underage kids?

A. Not to me.

Q. To anyone else that you know of?

A. Not that I know of. The only one that ever really complained to me was [REDACTED]

Q. Did [REDACTED] live in the house?

A. Yeah.

Q. Would [REDACTED] have seen everything that was going on?

A. [REDACTED] saw everything that went on.

Q. Do you recall any of [REDACTED]'s speculations about this behavior?

A. No, she never speculated. All she did, she complained mightily about the fact that it didn't look good, and that was her, just didn't look good.

Q. Were these young people from the neighborhood or from outside the neighborhood?

A. Most of them were part of the, I think the ones that were there together were part of the parish teen club, but then there were some others that he had met in his work working with the juvenile hall.

Q. And what was that juvenile hall called?

A. Audy Home

Q. The Audy Home. So he would have met them at the Audy home?

A. There and then I think he had something to do with St. Charles, with the home in St. Charles in Kane County. It was St. Charles home for young men. There was like a camp or somewhere where they sent kids in trouble. It was one step after the Audy Home before prison or something.

Q. How would these young men, were they principally men or principally women?

A. Men.

BEN-CB5-00762

Q. Exclusively?

A. Exclusively.

Q. And the ages, do you recall?

A. I only saw one or two that came in for consultation with him, and I would say older teenagers, maybe eighteen, nineteen years old, something like that.

Q. Where would the consultations be?

A. As far as I know, they were in the front office, and then a couple were in his room.

Q. How would they get to St. John the Baptist De La Salle?

A. I have no idea.

Q. So these individuals could have been, do you understand them to have been from any place in the metropolitan area?

A. Somewhere in the metropolitan area I presume.

Q. Did Father Bennett ever explain this ministry to you or this work to you?

A. No. We never talked about it much.

Q. Did you ever hear any talk in the neighborhood that questioned this behavior on Father Bennett's part other than [REDACTED], other than the housekeeper?

A. The only other thing there ever was was the teenage girls saying why does he spend so much time with the guys? What's the matter with us? Is something wrong with us? But that was it.

Q. Do you know if Father Mollan ever confronted him about this behavior?

A. No I don't. I really don't know.

Q. Leah McCluskey: Father Kub, in terms of the different boys that, and I know you said that you didn't see anything per se, just more so complaining through [REDACTED], do you recall if there would be a specific boy or two that were familiar or was it just a different group or random if you will?

A. There were one or two that I remember came in more than once or so, but other than that it was different people.

Q. Leah McCluskey: And the night that you came home and you found the girls in your room, you said you knew one of the girl's fathers and had them come, do you recall their names?

A. Well the girl's name was [REDACTED]. Her name is [REDACTED] now, and her father is deceased. His name was, I can't remember her father's first name. He was much older than I was of course.

Q. Leah McCluskey: Do you remember the time that you were there by chance what type of car that Father Bennett owned? I know it's a long time, color or anything like that?

A. No I couldn't remember at all. We didn't share garages. He was in one place, I was in another.

Q. Father Smilanic: Did Father Bennett work with the CCD program?

A. Not in my time. We didn't have much to do with the CCD at all. The sisters took care of it. In my time the only thing we had to do with CCD was hear their first confessions and have first communion mass.

Q. Would the kids that Father Bennett brought into the rectory, would they have had access to the liquor?

A. They could have if they were in the area where the priests lived. Yeah, they could have had access to it, sure.

Q. Do you ever have any reason to believe that Father Bennett would have given them liquor?

A. I would not because I never saw him actually use that bar very often except maybe if he and Father Dubi were there for dinner or something. I don't, I really never saw him go to it very often.

Q. Do you remember any of the names of the boys who might have been regulars there?

A. No. I really don't. I honestly don't.

Q. Do you remember any of the names of the girls that you might have seen there besides the one you mentioned?

A. I think there were three girls that were in this teen club. One was [REDACTED], and the other I can picture her face but I can't remember her name.

Q. Were they kids from different families or would some families have more than one kid involved in all of this?

A. The kids were always just people that were in high school. There was like from first year high school to senior high school, and once they graduated they were off into different things so no, there would never be multiples that I was aware of.

Q. How would the kids come in and out of the rectory?

A. In my time when I was working with them, they never came in the rectory. How they did, came in with him I have no idea. There was one entrance. It was a front door, and then there was another door off the kitchen and one off of [REDACTED]'s quarters.

Q. Do you ever remember seeing them come or go to visit Father Bennett in any of those particular entrances predominantly?

A. Most of the kids came in the back door, the kitchen door. Everybody came in the kitchen door.

Q. Was there a teen club there?

A. Yup.

Q. Where did the teen club usually meet?

A. Normally the teen club would have their meeting in one of the rooms underneath the school or church. There was a small hall under the school and a larger hall under the church.

Q. Did they ever meet in the basement of the rectory?

A. Occasionally they would meet in that long meeting room in the basement of the rectory, yeah, but not very often.

Q. How would they get in and out of there?

A. There was an entrance into that room underneath the front stairs on 102nd Street, and there was another entrance underneath the back door into the basement, a typical basement entrance.

Q. Whose rooms faced 102nd Street, and whose rooms faced the other way?

A. Bennett's rooms faced 102nd Street. Mine faced an internal interior airway.

Q. Was Bennett a night or morning person?

A. Oh very night. He was truly a night person, yes, much to my lack of sleep.

Q. Why do you say that?

A. When Monsignor Murphy was there, Father Monsignor Murphy said the first mass every day because he liked to get up early, and then when Monsignor Murphy left, as the administrator, I said we shall share. After one week we stopped sharing because Father Bennett could not get up. So for the rest of my time there I said the first mass every day, and they cancelled it when I left there.

Q. And what hour?

A. Six-thirty.

Q. Are you saying that Bennett would be up, Father Bennett would be up so late that he was unable to get up for six-thirty mass?

A. Yeah. [REDACTED] would try to get him up. She always said he can't wake up on his own. She'll try to wake him up and get him up, and then finally she'd get me up or I'd be almost up hearing all the racket, and then I'd look like a fool every day walking out late for mass so I just figured I'll just say it myself all the time.

Q. Now you said when he first arrived that [REDACTED] observed that he was immature.

A. Yes.

Q. How would you describe him when he first arrived?

BEN-CB5-00765

A. Young priest just ordained with all thethat you have for a person one year younger than you. I didn't think he, I had questions about whether he was able to handle the job.

Q. Why?

A. Just seemed like he wasn't too sure what he was doing right away, that he was kind of floundering his way through something.

Q. Who else were his friends in the priesthood besides Fr. Leonard Dubi?

A. The only other one that I knew he spent some time with because they came from the same area as seminarians was Jack Tilford. Other than that I don't know of anyone of any others that came. Charlie Rubey showed up, Fr. Charlie Rubey andand Jack Tilford. They were mainly his group.

Q. Did he have any lay friends that you saw?

A. Yeah, his family, his siblings came around and some of his cousins. He seemed to have a normal panoply of friends and acquaintances. It didn't seem to be restricted or anything.

Q. The young men that he would have into the rectory, did he ever go on vacation with them?

A. I wouldn't know.

Q. Did he ever socialize with them?

A. I think so. I think they did go out wherever to do things andI suppose. And he did take the teen group out to events too.

Q. How would you describe the success, character style, quality of the teen club while he was there?

A. I think it actually became a little more flourishing because he was I think more on their level. I had the teen club for two years because I replaced the man who'd been the youngest one there, and I think they were very happy to get someone who was more on their level when he came in rather than

Q. Leah McCluskey: Do you recall, Father Kub, at the time that you and Father Bennett were both at St. John's, were there any sports teams for the students that you can recall?

A. Not that I really recollect. I'm trying to think if there was some grammar school football, but I might be confusing that with another parish because I went to Holy Ghost in South Holland five years after I left St. John De La Salle, and when I went to Holy Ghost in South Holland, most of the people from St. John De La Salle had moved to that area so I may be confusing the two places on that sports program.

Q. Leah McCluskey: Do you recall when [REDACTED] passed away? I understand she passed away.

A. Only about two years ago.

BEN-CB5-00766

Q. Leah McCluskey: And when she was elderly, do you remember, did she stay in St. John De La Salle parish? Did someone care for her?

A. [REDACTED] stayed on at St. John De La Salle until about maybe only two years before her death. She stayed on throughout all of Father Mollen's time and I think three of his successors, and she only left there, I understand they had a fire in the rectory, and shortly after that she went into a nursing home, not a nursing, a retirement home. So she was there many, many, many years.

Q. Leah McCluskey: And do you recall if Father Bennett kept up their friendship or their interactions?

A. Yeah, well Bennett was almost virtually her caretaker at the end and like I said she was there under Mollen when he was an assistant and then she was there with him when he was pastor, and after he was pastor she continued to stay there, but he was the one who took care of her. In fact, when he was pastor for a while at Lady of Fatima church, he was telling me, he says [REDACTED] wants to move here, and he says I can't take care of her. That's when kind of moved to get her into a retirement home. So he took care of her affairs, and I think he was responsible for the burial and everything else.

Q. Father Smilanic: After all those years did she have any close friends at the parish?

A. Some, yeah. Sheshe maintained a relationship with. She used to have a dinner once a year for these people that she had a close connection with.

Q. Do you recall any of their names?

A. Well, one of the families was an an undertaker friends of mine too. [REDACTED] They live in Michigan now. They live in Michigan about the last twelve years. Also, the [REDACTED] family, the [REDACTED] family, and she was very close to everyone in that family. The youngest one I think she was very close to the end was [REDACTED]

Q. Anybody else?

A. There's a few other families here and there, but I don't know of. The [REDACTED] is a name I remember that she had some contact with, but you would see them once in a while. I would be invited to some of these events on occasion. You'd see the different people there, but most of their names have just, you know it's over forty years, the names have kind of disappeared.

Q. As time went on, how did she understand or begin to remember Bennett's policy with kids in his room?

A. Once I left there she never mentioned it to me. Once I was gone, I was gone. She met and would talk to me socially, and she would tell me that she didn't like my replacement who was pastor/administrator, but otherwise it was just social and how are you and things like that. She never said anything much. She never said anything about Bennett after that. She used to just complain about the successor pastor.

Q. Obviously this involves an allegation of inappropriate conduct with kids under the age of eighteen. Is there anything else that we haven't asked you about?

A. No. There really wasn't, isn't anything more that I noticed or felt or thought about at all.

Q. Father Kub, do you swear that you have told the truth, the whole truth and nothing but the truth so help you God?

A. Yes I do.

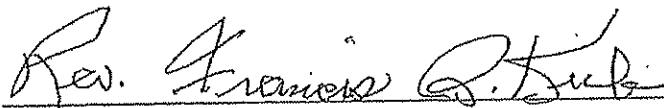
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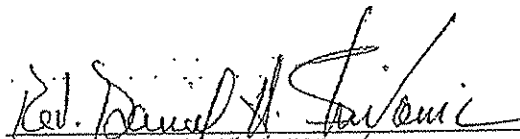
In re: Rev. Joseph R. Bennett

CONCLUSION OF THE FORMAL TESTIMONY

I swear that the testimony I have submitted is the truth, the whole truth and nothing but the truth,
so help me God.

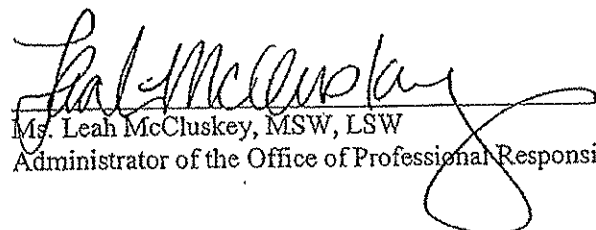


Rev. Francis Q. Kub



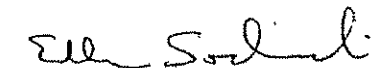
Rev. Daniel A. Smilanic JCD

Promoter of Justice/Delegate of the Ordinary to the Professional Review Board



Ms. Leah McCluskey, MSW, LSW

Administrator of the Office of Professional Responsibility



Ecclesiastical Notary

August 7, 2006

BEN-CB5-00769