

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.

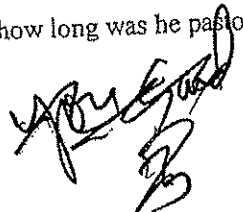
Q. And what years were you there?
A. I was there from June of 1965 to December of 1968.

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?



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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.

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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.

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(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.

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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?

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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.

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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.

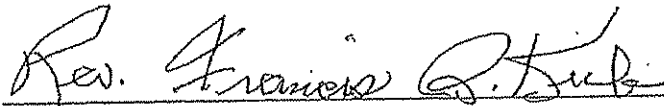
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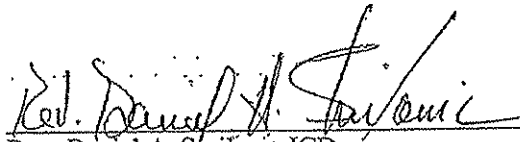
In re: Rev. Joseph R. Bennett

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.

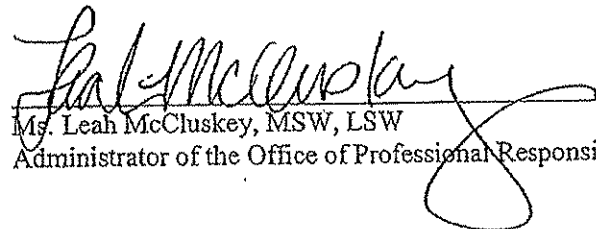


Rev. Francis Q. Kub



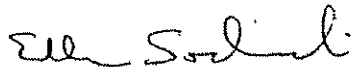
Rev. Daniel A. Smilanic JCD

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

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