

1 STATE OF WISCONSIN                      CIRCUIT COURT                      MILWAUKEE COUNTY  
2    Branch 30  
3 \_\_\_\_\_  
4 IN THE MATTER OF THE JOHN DOE  
5 PROCEEDING,  
6    Case No. 06JD00004  
7  
8  
9 \_\_\_\_\_  
10    HEARING  
11 \_\_\_\_\_  
12 September 26, 2006    Jeffrey A. Conen  
13    Circuit Judge Presiding  
14  
15  
16 APPEARANCES:  
17                      Paul Tiffin, Assistant District Attorney, appeared on  
18                      behalf of the State.  
19  
20  
21  
22  
23  
24  
25 Leposava Munns, Official Court Reporter

**COPY**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

WITNESS CALLED BY THE STATE:

Elizabeth Piasecki                      Direct      5

P R O C E E D I N G S:

THE CLERK: In the matter of a John Doe proceeding, Case Number 06JD4.

MR. TIFFIN: Paul Tiffin appearing for the State.

THE COURT: All right. We've had some discussions in chambers. It's my understanding that both Greg Rothstein and Nick Kostich also appear in different capacities. We've had some discussions in chambers about how this is going to proceed.

Mr. Tiffin, do you want to make a record?

MR. TIFFIN: Sure. The --on the 8th of September Detective Gaglione testified, and at the conclusion of her testimony the Court signed an order commencing a John Doe proceeding. At the same time Court signed a subpoena ordering that Dr. Elizabeth Piasecki appear in front of this court to provide testimony at the John Doe proceeding.

I did send a copy of that subpoena to Mr.

1 Rothstein who represents Dr. Piasecki. They are here today  
2 and she is the witness who has been subpoenaed for this John  
3 Doe.

4 Mr. Rothstein and I understand she is, and just by  
5 way of background as was testified by Detective Gaglione, as  
6 part of her investigation she went to the Archdiocese. They  
7 turned over to her a stack of material. Inside of that  
8 stack of material were 18 pages of handwritten notes.  
9 Detective Gaglione's work led to those notes probably being  
10 written by Dr. Piasecki.

11 In March of 2006 Detective Gaglione traveled to  
12 where Dr. Piasecki is currently living to discuss those  
13 notes with her; are they in her handwriting, who's the  
14 source of information in those notes and some of the words,  
15 what is being written there, and Dr. Piasecki at that point  
16 in time pursuant to her right did not wish to speak to  
17 Detective Gaglione.

18 In the past there had been --and Mr. Rothstein can  
19 flesh this out --there had been some problems, somebody  
20 challenging her professional licensure, and so --nobody has  
21 to talk to the State, nobody has to talk to the police if  
22 they don't want, but that was the reason the State commenced  
23 the John Doe.

24 There is now a court order ordering her to appear  
25 and answer questions pursuant to this proceeding, so that is

1 --that is where we are and why Dr. Piasecki has been  
2 subpoenaed.

3 I think Mr. Rothstein would like to make a  
4 statement on his client's behalf.

5 MR. ROTHSTEIN: Judge, if it please the Court, I  
6 do represent Dr. Elizabeth Piasecki, and Judge, I've been  
7 involved in this case for a number of months.

8 Mr. Tiffin did call me as well as Dr. Piasecki.  
9 It is true she was originally contacted by the Police  
10 Department and she did not want to voluntarily cooperate,  
11 not because she wanted to be evasive but simply because in  
12 the past she has had some professional difficulties with  
13 confidential information --disclosure of confidential  
14 information --so she at that time politely declined to  
15 continue any discussion with the Police Department.

16 I did convey that sentiment to Mr. Tiffin, and he  
17 indicated to me that he would commence the John Doe and that  
18 there would be a subpoena for her testimony and I do have  
19 that subpoena and --and Dr. Piasecki has gotten that  
20 subpoena.

21 She is here today. Had it not been for the  
22 subpoena, though, Judge, she would not be divulging any of  
23 this information. Whether or not that's confidential is a  
24 different issue, but it was her choice and her decision not  
25 to make any testimony --not to give any testimony --not to

1 give any statements apart from a Court order and a subpoena  
2 requiring her testimony, so based upon the subpoena and the  
3 Court order she is here prepared to testify.

4 THE COURT: All right, thank you.

5 Why don't you come up. Raise your right hand.

6 ELIZABETH PIASECKI, having been duly sworn,  
7 under oath testified as follows:

8 THE WITNESS: I do.

9 THE COURT: Be seated, please. Adjust the  
10 microphone so you can speak right into it. Tell us your  
11 name. Spell your first and last name.

12 THE WITNESS: Elizabeth Piasecki. E-L-I-Z-A-B-E-  
13 T-H P-I-A-S-E-C-K-I.

14 DIRECT EXAMINATION

15 BY MR. TIFFIN:

16 Q Dr. Piasecki, just in terms of being a doctor, are you a  
17 doctor of psychiatry or psychology?

18 A Psychology.

19 Q Dr. Piasecki, in the early nineties ending I think on  
20 December 31st, year 2000, you were employed by the  
21 Archdiocese of Milwaukee as the director of Project  
22 Benjamin; is that correct?

23 A Yes.

24 Q And what was Project Benjamin?

25 A Actually, I had two titles, Director of Project Benjamin and

1 coordinator of the Archdiocesan Response to Sexual Abuse.  
2 That was to take in, listen to any allegations that people  
3 brought to the Archdiocese of prior sexual abuse by church  
4 personnel and also to respond to them with whatever it was  
5 that they needed for healing.

6 Q As part of that job it would be correct to say that if a  
7 person came forward, alleged that they had been sexually  
8 abused by a clergy member within the Archdiocese there would  
9 be an investigation of that allegation; is that correct?

10 A Definitely, yes.

11 Q And there was a board that you worked on that --a panel, if  
12 you will --that consisted of you, Kathie Walter and now  
13 deceased man by the name of Jim Wake, W-A-K-E; is that  
14 correct?

15 A Yeah. It wasn't a board. It was a group I would call it,  
16 not an official board.

17 Q It was a panel. You would interview people; is that  
18 correct?

19 A Some people, yes.

20 Q The interviews would include the interview of the person who  
21 was complaining and might include an interview of the clergy  
22 member who allegedly committed the assault; is that correct?

23 A With that group the three of us only interviewed the person  
24 who was accused. The --I don't believe that Jim or Kathie  
25 ever met with victims per se.

1 Q So if you were interviewing the accused clergy member it  
2 would be at least three people and then the clergy member as  
3 opposed to just, for example, you interviewing that person  
4 in a one-on-one setting?

5 A Definitely, yes.

6 Q Doctor, I handed you what has been marked as Exhibit 3. It  
7 consists --with a paper clip --consisting of 18 pages of  
8 handwritten notes. You have seen what Exhibit 3 is in the  
9 past, haven't you?

10 A Yes.

11 Q And can you --do you recognize whose handwriting is on those  
12 notes?

13 A These are mine. My notes.

14 Q On all 18 pages?

15 A Yes.

16 Q The first page of Exhibit 18 in the upper right-hand corner,  
17 the date is 8/28/96, and then in the left side Norma  
18 Giannini, G-I-A-N-N-I-N-I, correct?

19 A Correct.

20 Q Do you as you sit here today over ten years later remember  
21 meeting with Sister Giannini?

22 A Yes, I do.

23 Q Was that a meeting that was conducted with you and the other  
24 members of the panel in regard to allegations of sexual  
25 assault committed by her?

1 A Yes.

2 Q And as I explained to you in the hall briefly, what I would  
3 like to do is just go through these notes.

4 First of all, right under Sister Giannini's name  
5 you have the abbreviation RSM. What does RSM stand for?

6 A That's the Sisters of Mercy.

7 Q And then an agreement with first --

8 A --First man.

9 Q And Sisters of Mercy pay that man --gave him a check for  
10 \$50,000?

11 A Apparently, yes.

12 Q What do you then write, or what did you write below?

13 A Been in counseling three or four years since JK.

14 Q What does JK mean?

15 A Think that's the victim,

16 Q Okay.

17 A Now, these would be her, Sister Norma's quotes: Once I left  
18 Milwaukee nothing ever happened. Do you want me to  
19 continue?

20 Q Yes, please.

21 A She said she was emotionally immature when she entered the  
22 convent. She was a principal at age 30. Quote: I never  
23 intended to hurt a child, unquote.

24 Then she reported she is now 68 years old in 1996.  
25 "I still don't understand it" is her response.



1 Q Let me interrupt. What you've just gone through, the source  
2 of that information, who is giving you this information,  
3 was that Sister Giannini herself?

4 A Yes.

5 Q Okay. Can you then go on and read what your notes say?

6 A [redacted] Once he got married nothing ever happened. I think  
7 that's a reference to victim of hers. Not an easy person to  
8 talk to. I believe that was a reference to [redacted] Then she  
9 said she took vows at the age of 18. She must have lived a  
10 sheltered life. She didn't know anything about sex. She  
11 was alone a lot in that convent.

12 She calls it infatuation. I was lonely. There  
13 were three or four other sisters. They were boring and one  
14 was sick, and then she gives her date of birth, August 26,  
15 1928. She had just turned 68 at the time of this interview.

16 Q Do you recall --let me interrupt. Was anybody present with  
17 Sister Giannini when this interview took place?

18 A She --no. She --her Superior Sister Lucille McKillup had  
19 brought her up for this interview, but I don't believe she  
20 was present in the room.

21 Q And in the room would have been you, Ms. Walter and Mr.  
22 Wake?

23 A Yes, and sister Norma.

24 Q And Sister Norma, and then if you can go on --she had told  
25 you she had just turned 68?

1 A Right.

2 Q Can you go on?

3 A She had gone to grade school in Chicago, Catholic school,  
4 St. Francis DeSales. Attended Mercy High School in Chicago.  
5 At 18 she entered the convent. She was at St. Xavier for  
6 half a year before the convent.

7 She entered she said because I was afraid of sin  
8 and my emotions. I was raised by my father. After one --  
9 after one year --one year's old family divorced and she  
10 entered the novitiate in DesPlaines, Illinois. She was  
11 there two-and-a-half years and then temporarily professed  
12 for three years.

13 She started teaching in September, 1949 at St.  
14 Paul of the Cross in Park Ridge, Illinois, and then she was  
15 there for one year.

16 Q You then --this is the second page of your notes, going on  
17 to the top of the third page, this is then a chronology of  
18 where she was located starting in 1950 and ending in 1994;  
19 is that correct?

20 A Yes.

21 Q And the source of that chronology where Sister Giannini was  
22 living and working, was that Sister Giannini herself?

23 A Yes.

24 Q And from a period of 1964 to 1969 she told you that she was  
25 a principal at St. Patrick's?

1 A In Milwaukee, yes.

2 Q And then in '70 she was at Christ King in Chicago?

3 A Right.

4 Q And in fact after 1970 through where your chronology ends

5 was she always in the State of Illinois?

6 A That's what she reported her assignments were.

7 Q In fact, the last entry, 1990 to '94 --

8 A --Was Holy Redeemer, Evergreen Park, where she was the

9 principal.

10 Q And then left?

11 A Left when complaints came in. I couldn't tell you right now

12 what that's a reference to.

13 Q Okay.

14 A She had two knee replacements. She was recuperating, doing

15 volunteer work at St. Xavier's. Started working at St.

16 Xavier's in July for money. She taught every grade except

17 first grade.

18 She was teaching seventh and eighth grade at St.

19 Patrick's in Milwaukee. She was a teaching principal. She

20 was sent to ---she alleges she was sent to St. Patrick's at

21 the age of 30 because she thought she could handle the

22 alcoholic pastor, Claude O'Brien.

23 She was in counseling with John Scanlon, PO. John

24 Scanlon would be Dominican Sister in Chicago.

25 And one of the questions we would ask her, we

1 would ask her essentially two questions. The panel would  
2 ask what about this allegation that this person has made  
3 about you and then what's the extent of the problem the  
4 Archbishop could face because of your behavior; is there  
5 anyone else who could come forward.

6 And so now she refers to well, there's one more  
7 boy, [redacted] Both are Hispanic. He was 16 years old  
8 she said, going on 20. I knew nothing. Kissing and  
9 petting, I think. I don't remember having penis-vagina  
10 intercourse with him.

11 '64 in the first class. I'm not quite sure what  
12 that means.

13 Don't remember how that started. He was in eighth  
14 grade. Don't remember if sex happened after or during  
15 eighth grade. He would touch her sexually. Taught her  
16 about sex. He came on to me. She was wearing her full  
17 habit then. Spanned a couple of years. In the parlor of  
18 the convent. Other sisters might have been upstairs. One  
19 time. [redacted] and [redacted] were there together. She took her top  
20 off wearing the blue habit. Upstairs at the convent.  
21 Something happened.

22 Do you want me to keep reading all of --

23 Q Please. Then there's a person --

24 A [redacted]. He was around --around that time, too. I  
25 may have kissed him. He may have touched me in high school

1 --in high school. He came to Chicago. I told him I didn't  
2 want to be seen with him but he --he knew about? That  
3 was approximately --I have a note on the side --early  
4 seventies when she was teaching at McCauley.

5 [redacted] went on to jail for raping someone. [redacted]  
6 attributed the blame to her in his complaint to Betty Smith.

7 I'm not sure what it says on the side here, but

8 [redacted] year older than [redacted] a year younger than [redacted]

9 One thing happened at St. Ann's before Milwaukee,

10 a young man, a student. First time it happened. He was 14  
11 to 15. He was in eighth grade. Started kissing and  
12 petting. I was talking to him and all of a sudden he was  
13 kissing me. Then it went on. And then unfortunate. Then  
14 infatuation, et cetera.

15 She kissed him back. He touched her breast. I  
16 don't think I touched him. One time he tried to have  
17 intercourse with me when I was alone at the convent. "I was  
18 too dry" is her quotes. Happy to leave St. Ann's. Get  
19 counseling from --got counseling from a priest about this  
20 for more than two years.

21 Her sexual emotions were high. She talked to two  
22 friends in Milwaukee. At St. Ann's maybe once a week. With  
23 --think it's [redacted] --a black boy in the parlor at the  
24 convent maybe 30 minutes or maybe an hour at a time. He  
25 would come in the evening. It was like her first boyfriend.

1 He was a big boy, very developed, very husky. Never thought  
2 about him telling others. Both of them tried to stop it.

3 "He was reciprocal," what she said.

4 She had intercourse with [redacted] and [redacted] not that  
5 often. "Actual sex" I guess I have written down there. She  
6 must have said something about that.

7 When [redacted] got married --I believe this is a  
8 reference to the [redacted] on the first page --at 18 he took me  
9 to his house and said I want to have sex. This was right  
10 before his marriage, and they did.

11 [redacted] s in the --was in the eighth grade. She  
12 was working with him after school off and on his music.  
13 Then she has, this would be a quote: I initiated a kiss,  
14 probably in the classroom. Just kind of went on. Would  
15 break off and stop.

16 First time was a real shock to her. Real shock to  
17 me. She says not intentional, just happened.

18 For Christmas. I'm not sure if this is supposed  
19 to be "he" or "she" there. She sent me a bottle of Galiano.  
20 He was good looking. What was good looking about him? His  
21 face. She said he was tall, had brown/blond hair. I don't  
22 remember his eyes. Very quiet, shy, retiring. Before [redacted]  
23 [redacted] Maybe they overlapped. I wouldn't swear to that. My  
24 gut level says no.

25 First night I was emotionally overcome. Somebody

1 asked her was your vagina becoming moist. She said I think  
2 so.

3 Sexual --sexual wasn't as strong as the emotional  
4 need for intimacy. I know it developed. I know I had sex  
5 with [redacted] then. It did happen in his home once. Had sex  
6 one of those nights. May have happened several times. Baby  
7 sit for family once. Stayed there a couple of times.

8 Happened in the convent parlor as well as in the  
9 bedroom in the convent. Happened in my school office more  
10 than one time. She fellated him --pardon me --she fellated  
11 him more than one time. He had oral sex once at his desire.  
12 No anal intercourse. Masturbated him. I think that was a  
13 question [redacted] asked. She said I think so.

14 And then you see that arrow that goes down. Well,  
15 that happened later after I left Milwaukee. She says I used  
16 to visit him. Stayed with his mother or another lady came  
17 to visit her at another place. Probably petting and kissing  
18 in the living room. Stopped the night before he got  
19 married. Never with him again after that.

20 I didn't force him. It was mutual as far as I am  
21 concerned. About --he was about 14 to 18 years old when  
22 this was going on. Times I didn't see him at all because  
23 [redacted] followed the next year. "I thought I was in love with  
24 both of them" is her quote.

25 [redacted] came to see me in Chicago with other kids

1 and then she named some other first names;  
2 came to visit me with another guy,  
3 His name was No sexual encounter. Must have  
4 --must not have been married then.  
5 That it would become known, that was the worst  
6 that she thought could happen.  
7 He was --I have to tell you I'm not sure these are  
8 in the right order, but I'll just read them the way they're  
9 here.  
10 He was infatuated. He called me to his --to be  
11 his baby's godmother. I was there when mother died.  
12 I never thought I was hurting anybody. I was caught up in  
13 the emotion of the times in the church. I was afraid of a  
14 man.  
15 I tried to see a counselor. I wanted to leave  
16 religious life.  
17 Counselor. I wished I had someone --a counselor  
18 said to her I wish I had someone like you to teach my kids  
19 and that stopped her from talking to him. She was too  
20 proud.  
21 She was religious superior of the convent at St.  
22 Patrick's. She knew of a sister having a sexual  
23 relationship with another sister.  
24 Second year in Milwaukee, '65 to '66 school year  
25 was her first sexual experience with, April '71



1 approximately last sexual contact.

2 Christ the King she was living in the convent.  
3 Lived with a whole big group of sisters. Went to confession  
4 in 1977. First time she told everything. Went to Gesu  
5 after each sexual contact for confession.

6 I believe Augustinian priest. They were wholesome  
7 men maybe --and I don't know what that word --I can't read  
8 that word. Maybe something.

9 When I was three she said I was taken from my  
10 mother. Her husband died. Couldn't take care of her.  
11 Mother couldn't take care of her so she went to several  
12 other homes to live.

13 Her father had a business. He is a deputy sheriff  
14 and he also, I guess, ran a restaurant. He --he --he was  
15 not at home, so at age seven she asked her father for a  
16 home. He rented a home and a housekeeper.

17 She had a half brother who stayed with her mother  
18 who had remarried at age nine or ten. She never said come  
19 live with me.

20 He, her father, was very strict and sheltered her.  
21 Then it says one more thing. Adult with [redacted] After  
22 he came home from service kissing and petting, touching her  
23 breasts. I couldn't do it with him. He started it, and  
24 then there's Milwaukee on the side bar there.

25 He had been to Vietnam. [redacted] was married, [redacted]

1 was married. He was living across the street from  
2 mother. I was living in Chicago. This happened no  
3 more than three times.

4 What do you think that these kids thought?

5 Essentially this is her quote: They were sowing their oats.

6 How many teenagers would resist that opportunity?

7 When I went back to one time,  
8 and I kissed at house, maybe touching of breast but  
9 no more. That would be 1972.

10 Would touch their penises on occasion. With  
11 for sure. ever came to Chicago. Had intercourse with  
12 Stopped long before I left, at least a year, so '68 to  
13 '69.

14 They all knew each other. These boys all  
15 knew each other.

16 First incident with. Upset talking about that.  
17 He sat on her lap. He said I touched his penis. I don't  
18 remember that. Then carried on like a romance.

19 Phone calls. You used to call him a lot. He was  
20 a paper boy. I told him meet --I would meet him in the  
21 kitchen. Kissing, touching in the school office, penis-  
22 vagina intercourse. I don't think it was that many times or  
23 I would have gotten pregnant.

24 She had perform oral sex, not him to her. I don't  
25 remember. It could have happened.

1 One other [redacted] asked about masturbating  
2 [redacted] to ejaculation. I can't remember.

3 [redacted] said she used to go to dirty movies and come  
4 home and practice.

5 1992 [redacted] who was Mercy --she was the  
6 provincial for the Sisters of Mercy came to see her and told  
7 her the --of the complaint. Sister Betty came with another  
8 nun, I guess.

9 Betty told her --Betty took her out of school  
10 immediately, put her in counseling, took her forever to get  
11 a job.

12 She had her knee surgeries. She was not allowed  
13 to be with kids. I know I did never go back to a grade  
14 school.

15 And then it says pay \$50,000. I think that's a  
16 reference to that first line where the sisters had paid  
17 [redacted] \$50,000 --pay the first person \$50,000.

18 August 9th. I don't know what that V-I-C is.

19 Monday. Lucille, she called Norma, told her had  
20 to come as soon as possible, meaning to Milwaukee. She had  
21 been working.

22 Is there anyone else I have to worry about? Betty  
23 Smith apparently had asked her that. She had told her no.

24 [redacted] --I'm not sure that's a reference to

25 [redacted] --and then I have [redacted] and [redacted]

1 and --but not [redacted] which I think is  
2 what Lucille told --I mean Sister Norma told Lucille.

3 John Scanlon who's that counselor told Norma she  
4 was not a pedophile. Her friend Marie, someone she grew up  
5 with, I told her what had happened. I also --I think she  
6 saw an ex priest, John Walsh who was a psychologist, but the  
7 last line there is cut off.

8 And then I think that's the end of my notes with  
9 Sister Norma.

10 Q Okay. There are some other notes but they have nothing to  
11 do with Sister Norma; is that correct?

12 A That interview, no.

13 Q Okay, and one last question. Again, the source of all that  
14 information that you've just recited was Sister Giannini  
15 herself; is that correct?

16 A Yes.

17 MR. TIFFIN: I have no other questions of Dr.  
18 Piasecki.

19 THE COURT: All right. I assume this concludes --

20 MR. TIFFIN: --That concludes today. At this  
21 point in time I'm not asking the Court to sign any  
22 additional subpoenas. I will get back to the Court with a  
23 decision whether or not Court can close this John Doe or  
24 whether or not I'm going to ask for any further witnesses.

25 THE COURT: All right. Thank you, Doctor. Thank

1 you for appearing today.

2 THE WITNESS: Do I leave this here?

3 MR. TIFFIN: That was actually moved in the last  
4 time.

5 THE COURT: So it becomes part of our file.

6 MR. TIFFIN: So it becomes part of your file,  
7 correct.

8 THE COURT: Thank you, and you will then let us  
9 know the time frame.

10 MR. TIFFIN: Yes, sir. I will let you know fairly  
11 quickly.

12 THE COURT: Generally within the next month?

13 MR. TIFFIN: Within the next month.

14 THE COURT: That's fine. Thanks.

15 (Proceedings concluded.)

16

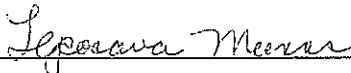
1 STATE OF WISCONSIN )

2 )SS:

3 MILWAUKEE COUNTY )

4 I, Lepasava Munns, an official court reporter in  
5 and for the Circuit Court of Milwaukee County, do hereby  
6 certify that the foregoing is a true and correct transcript  
7 of all the proceedings had and testimony taken in the above-  
8 entitled matter as the same are contained in my original  
9 machine shorthand notes on the said trial or proceeding.

10 Dated at Milwaukee, Wisconsin, this 28th  
11 day of September, 2006.

12  
13  \_\_\_\_\_

14 Lepasava Munns, RPR  
15 Official Reporter

16

17