

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF RIVERSIDE

JASON R.,

PLAINTIFF,

VS.

CASE NO. 219804

DIOCESE OF SAN BERNARDINO;  
ETC., ET AL.,

DEFENDANTS.

DEPOSITION

OF

FATHER [REDACTED]

LOCATION:

FISHER, WEATHERS & GEETING  
4371 LATHAM STREET  
SUITE 106  
RIVERSIDE, CA 92501

DATE AND TIME:

FRIDAY, JANUARY 15, 1993  
11:15 A.M. TO 12:30 P.M.

PURSUANT TO:

NOTICE

REPORTED BY:  
[REDACTED]  
[REDACTED]

JOB NO. 21593BMM

A P P E A R A N C E S

FOR THE PLAINTIFF:

FISHER, WEATHERS & GEETING  
BY DOUGLAS E. WEATHERS  
4371 LATHAM STREET, STE. 106  
RIVERSIDE, CA 92501  
(909) 788-6270

FOR THE DEFENDANT DIOCESE OF SAN BERNARDINO:

FULLERTON, LEMANN & SCHAEFER  
BY MICHAEL R. SCHAEFER  
215 N. "D" STREET, FIRST FL.  
SAN BERNARDINO, CA 92401-1701  
(909) 889-3691

AND

FURNESS, MIDDLEBROOK, KAISER & HIGGINS  
BY MOSES W. JOHNSON, IV  
1411 N. "D" STREET  
SAN BERNARDINO, CA 92402  
(909) 888-5751

FOR DEFENDANT DENNIS RAYMOND JOST:

DENNIS RAYMOND JOST  
IN-PROPRIA PERSONA

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4 [REDACTED] PAGE

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6  
7  
8  
9 EXHIBITS

10 (NONE)

1 SAN BERNARDINO, CA

FRIDAY, JANUARY 15, 1993

2  
3  
4 [REDACTED]  
5 CALLED AS A WITNESS, HAVING BEEN SWORN,  
6 TESTIFIED AS FOLLOWS:

7  
8 EXAMINATION

9 (BY MR. WEATHERS)

10  
11 Q. WOULD YOU PLEASE STATE YOUR FULL NAME FOR THE  
12 RECORD.

13 A. [REDACTED]

14 Q. AND WHAT IS YOUR OCCUPATION?

15 A. I'M A CATHOLIC PRIEST.

16 Q. FATHER [REDACTED], ARE YOU PRESENTLY EMPLOYED?

17 A. YES.

18 Q. BY WHOM?

19 A. THE BISHOP OF SAN BERNARDINO.

20 Q. AND WHAT IS YOUR TITLE OR POSITION?

21 A. [REDACTED]

22 Q. HOW LONG HAVE YOU HELD THAT POSITION?

23 A. SINCE SEPTEMBER OF '91.

24 Q. AND WHAT WAS YOUR TITLE OR POSITION IN  
25 EMPLOYMENT BEFORE SEPTEMBER OF '91?

1 A. I WAS ASSOCIATE PASTOR, [REDACTED]  
2 [REDACTED], IN RIVERSIDE.  
3 Q. AND HOW LONG DID YOU HOLD THAT POSITION?  
4 A. THREE YEARS.  
5 Q. WHAT ABOUT BEFORE THAT?  
6 A. I WAS ASSOCIATE PASTOR AT [REDACTED].  
7 Q. FOR HOW LONG?  
8 A. ABOUT FIVE YEARS -- FOUR YEARS. SINCE JUNE --  
9 TECHNICALLY, SINCE JULY OF '84.  
10 Q. SO YOU WERE THERE FROM JULY OF '84 THROUGH  
11 APPROXIMATELY 1988?  
12 A. YEAH. AUGUST OF '88 WAS WHEN I LEFT [REDACTED].  
13 Q. THEN FROM AUGUST OF '88 UNTIL SEPTEMBER OF  
14 1991, YOU WERE AT [REDACTED]?  
15 A. YES.  
16 Q. ALL RIGHT. IS IT ALL RIGHT IF I CALL YOU  
17 "FATHER [REDACTED]"? IS THAT APPROPRIATE?  
18 A. THAT'S PROPER. THANK YOU.  
19 Q. FATHER [REDACTED], THE PROCEEDING THAT WE'VE JUST  
20 BEGUN HERE IS CALLED A DEPOSITION.  
21 HAVE YOU EVER HAD THE OPPORTUNITY TO HAVE  
22 YOUR DEPOSITION TAKEN BEFORE?  
23 A. -NO, I HAVEN'T.  
24 Q. DID YOU HAVE AN OPPORTUNITY TO SPEAK WITH  
25 SOMEONE ABOUT THE NATURE OF THE PROCEEDING BEFORE WE

1 BEGAN?

2 A. YES; MR. SCHAEFER.

3 Q. I AM GOING TO GO OVER SOME THINGS THAT I'M  
4 SURE YOUR MOST-ABLE COUNSEL HAS DISCUSSED WITH YOU,  
5 BUT THEY'RE TO MAKE CERTAIN THAT THE RECORD IS CLEAR  
6 AND THE TRANSCRIPT IS CLEAR AS TO WHAT WE'RE DOING.

7 THE YOUNG LADY TO YOUR LEFT IS A COURT  
8 REPORTER AND SHE'S TAKING DOWN EACH AND EVERY WORD  
9 THAT IS SPOKEN HERE IN THIS ROOM TODAY, WHETHER IT'S  
10 BY YOU OR ANYBODY ELSE. SOMETIME IN THE FUTURE  
11 SHE'LL TYPE ALL THOSE WORDS UP INTO A BOOKLET FORM.  
12 SHE'LL SEND IT TO YOU, GIVE YOU A CHANCE TO READ  
13 THROUGH IT AND MAKE ANY CHANGES OR CORRECTIONS YOU  
14 MIGHT WANT TO MAKE IN YOUR TESTIMONY. THAT'S THE  
15 GOOD PART.

16 THE BAD PART IS IF YOU TESTIFY TO SOMETHING  
17 HERE TODAY AND WHEN YOU READ IT OVER YOU DECIDE TO  
18 MAKE SOME CHANGES OR CORRECTIONS, IF THIS CASE GOES  
19 TO TRIAL, I GET TO STAND UP AND SAY, "HE SAID ONE  
20 THING HERE AND NOW HE'S CHANGED HIS TESTIMONY."  
21 AND SOMETIMES IT LOOKS UNFAVORABLE UPON A WITNESS.

22 WE TELL YOU THAT NOT TO FRIGHTEN OR  
23 INTIMIDATE YOU BUT SIMPLY TO LET YOU KNOW THAT EVEN  
24 THOUGH WE'RE IN AN INFORMAL SETTING HERE AND AT LEAST  
25 ONE OF US IS VERY CASUALLY ATTIRE, THE TESTIMONY YOU

1 GIVE TODAY HAS THE SAME FORCE AND EFFECT AS IF YOU  
2 WERE IN A COURT OF LAW.

3 DO YOU UNDERSTAND THAT?

4 A. UH-HUH, YES.

5 Q. IF AT ANY POINT IN TIME YOU DON'T HEAR ME OR  
6 DON'T UNDERSTAND MY QUESTIONS, IT IS PROBABLY BECAUSE  
7 IT IS MY FAULT AND NOT YOURS. SO PLEASE ASK ME TO  
8 REPEAT THEM OR REPHRASE THEM.

9 WILL YOU DO THAT?

10 A. YES.

11 Q. CAN WE REACH AN AGREEMENT BEFORE WE EVEN START  
12 THAT YOU WON'T TRY TO ANSWER ANY QUESTIONS UNLESS YOU  
13 UNDERSTAND THEM?

14 A. I'LL TRY TO DO THAT.

15 Q. TWO SIMPLE GROUND RULES FOR THE COURT  
16 REPORTER'S BENEFIT, PRIMARILY, AND THEN WE'LL GET  
17 MOVING.

18 NUMBER ONE, SHE IS ONLY PERMITTED TO  
19 TAKE DOWN A VERBAL, AUDIBLE RESPONSE. IN EVERYDAY  
20 CONVERSATION WE USE A LOT OF NODS AND GESTURES AND  
21 UH-HUH'S AND HUH-UH'S, WHICH WORK FINE WHEN WE HAVE  
22 EYE CONTACT. BUT SOMETIMES THEY GET CONFUSED WHEN  
23 YOU TRY TO WRITE THEM DOWN. SO WE WOULD ASK THAT YOU  
24 SPEAK AUDIBLY AND AVOID THE SLANG PHRASES OF "UH-HUH"  
25 AND "HUH-UH." IT WILL MAKE HER JOB EASIER.

1 CAN YOU DO THAT FOR HER?

2 A. YES.

3 Q. AND SECONDLY, BECAUSE WE ONLY HAVE ONE  
4 REPORTER, IT IS IMPORTANT THAT WE SPEAK ONE AT A  
5 TIME. SO IF YOU WILL CONTINUE, AS YOU HAVE BEEN  
6 DOING, TO ALLOW ME TO COMPLETE MY QUESTION BEFORE  
7 YOU BEGIN YOUR ANSWER, I WILL TRY AND EXTEND THE SAME  
8 COURTESY TO YOU SO WE DON'T STEP ON EACH OTHER'S  
9 LINES. IT WILL MAKE THINGS GO QUICKER AND EASIER FOR  
10 THE REPORTER.

11 WILL YOU DO THAT FOR US, AS WELL?

12 A. YES.

13 Q. DO YOU HAVE ANY QUESTIONS OF ME BEFORE WE  
14 BEGIN THIS PROCEEDING?

15 A. NO.

16 Q. DO YOU BELONG TO ANY PARTICULAR ORDER?

17 A. YES. THE CONVENTUAL FRANCISCANS.

18 Q. HOW LONG HAVE YOU BELONGED TO THAT ORDER?

19 A. FOURTEEN YEARS.

20 Q. WHO DO YOU RECEIVE YOUR PAY FROM?

21 A. MY PAY? WELL, AS A RELIGIOUS COMMUNITY, A  
22 FRANCISCAN COMMUNITY, WE'RE -- WE PERSONALLY DON'T  
23 RECEIVE PAY. WE ARE -- THE BISHOP, THROUGH THE  
24 PARISH, PAYS FOR THE PRIEST SERVICES, AND THOSE GO  
25 INTO A GENERAL FUND, WHICH THEN ARE USED FOR OUR



1 COMMUNITY IN TOTAL. WE TAKE OUT OF THE COMMUNITY  
2 FUNDS PERSONAL EXPENSES OF A MODEST NATURE.

3 Q. AND THOSE WOULD BE OUT OF THE COMMUNITY FUNDS,  
4 SUCH AS THE OFFERINGS FROM THE PARISHIONERS?

5 A. THAT TOO.

6 Q. CAN YOU TELL ME BRIEFLY WHAT YOUR  
7 UNDERSTANDING IS OF THE RELATIONSHIP BETWEEN THE  
8 FRANCISCAN ORDER AND THE DIOCESE OF SAN BERNARDINO?

9 A. THE PROVINCIAL OR PROVINCIALS OF THE PAST  
10 HAVE MADE AGREEMENT WITH THE BISHOP OR BISHOPS OF THE  
11 PAST TO TAKE RESPONSIBILITY TO STAFF A PARISH IN  
12 SAN BERNARDINO. WE HAVE TWO PARISHES, SAINT THOMAS  
13 AND QUEEN OF ANGELS.

14 AND THEN OUR PROVINCIAL, WITH HIS

*Refinatory*  
15 DIVINATORY AND THE PROVINCIAL CHAPTER, WHICH IS  
16 THE GOVERNING BODY OF OUR ORDER IN THIS JURISDICTION  
17 OF CALIFORNIA, WILL CHOOSE INDIVIDUALS TO SERVE IN  
18 THESE PARTICULAR LOCATIONS. AND WITH THE BISHOP'S  
19 APPROVAL, THOSE NAMES AND THOSE PEOPLE BECOME  
20 APPOINTED TO THE VARIOUS POSITIONS IN THE PARISH.

21 Q. TO YOUR KNOWLEDGE, DOES THE BISHOP HAVE THE  
22 ULTIMATE SAY-SO AS TO WHETHER OR NOT A PRIEST IS  
23 ASSIGNED TO A CHURCH WITHIN A PARISH CONTROLLED BY  
24 THE DIOCESE?

25 A. YES.

1 Q. AND DO YOU CONSIDER THE BISHOP OF  
2 SAN BERNARDINO TO BE YOUR IMMEDIATE SUPERVISOR?

3 A. IN MATTERS OF THE PARISH, YES.

4 Q. HE IS THE SUPERVISOR WITH RESPECT TO MATTERS  
5 OF THE PARISH?

6 A. YES.

7 Q. AND I WOULD GATHER YOUR SUPERVISOR FOR MATTERS  
8 NOT NECESSARILY PERTAINING TO THE PARISH WOULD COME  
9 FROM THE FRANCISCAN ORDER.

10 A. CORRECT.

11 Q. AND WHO WOULD THAT INDIVIDUAL BE AT THE  
12 PRESENT TIME?

13 A. CURRENTLY IT'S FATHER [REDACTED], OUR  
14 ADMINISTRATOR PROVINCIAL.

15 Q. AND WHERE DOES FATHER [REDACTED] CURRENTLY  
16 LIVE?

17 A. *at the Provinciate*  
A PROVINCIAL NOW LOCATED IN ARROYO GRANDE,  
18 CALIFORNIA.

19 Q. HOW LONG HAS HE HELD THAT POSITION?

20 A. SINCE JUNE OF '91, I BELIEVE IT WAS.

21 Q. AND WHAT IS HIS OFFICIAL TITLE?

22 A. MINISTER PROVINCIAL.

23 Q. WHO WAS THE MINISTER PROVINCIAL FOR THIS  
24 REGION, SAY, IN 1987 THROUGH 1991?

25 A. THAT WOULD HAVE BEEN FATHER [REDACTED].

1 Q. WHERE IS FATHER [REDACTED] PRESENTLY  
2 LOCATED?

3 A. CURRENTLY IN RENO, NEVADA.

4 Q. CAN YOU TELL ME YOUR EDUCATIONAL BACKGROUND,  
5 VERY BRIEFLY, BEGINNING WITH COLLEGE?

6 A. I GRADUATED FROM LONG BEACH STATE WITH A  
7 DEGREE IN ACCOUNTING IN 1970, WORKED AS AN ACCOUNTANT  
8 FOR A FEW YEARS, ENTERED THE FRANCISCAN COMMUNITY IN  
9 THE LATE SEVENTIES, WENT TO LOYOLA MARYMOUNT FOR A  
10 YEAR, THEN CONTINUED THE NOVITIATE, FIRST YEAR  
11 SEMINARY, IN UPSTATE NEW YORK, FINISHED SEMINARY IN  
12 BERKELEY AT THE FRANCISCAN SCHOOL OF THEOLOGY.

13 Q. HAVE YOU ATTAINED ANY ADDITIONAL POSTGRADUATE  
14 DEGREES SINCE YOUR DEGREE IN ACCOUNTING?

15 A. WELL, THE MASTER OF DIVINITY FROM THE  
16 FRANCISCAN SCHOOL OF THEOLOGY.

17 Q. AND IN CONJUNCTION WITH YOUR MASTER'S OF  
18 DIVINITY, DID YOU WRITE A THESIS?

19 A. NO.

20 Q. HAVE YOU EVER PUBLISHED?

21 A. NO. OTHER THAN THE LETTER IN THE PARISH  
22 BULLETIN, NO.

23 Q. FAIR ENOUGH. DO YOU UNDERSTAND THAT WE'RE  
24 HERE BECAUSE OF A LAWSUIT THAT WAS FILED ON BEHALF OF  
25 JASON [REDACTED]?

1 A. YES.

2 Q. DO YOU KNOW JASON?

3 A. YES, I DO.

4 Q. HOW LONG HAVE YOU KNOWN HIM?

5 A. WHEN I WAS AT QUEEN OF ANGELS, I KNEW HIM AS A

6 STUDENT IN THE PARISH SCHOOL. I JUST KNEW HIM AS A

7 STUDENT.

8 Q. AND WHEN WAS THAT, APPROXIMATELY?

9 A. GOSH. ABOUT THE TIME I GOT TO QUEEN OF

10 ANGELS. I DON'T KNOW WHAT GRADE HE WAS IN, BUT HE

11 WAS JUST ONE OF THE KIDS THAT I WOULD COME ACROSS.

12 AND IT WAS UNUSUAL THAT HE WAS ONE OF THREE JASONS IN

13 A CLASSROOM WITH FIVE BOYS.

14 MR. SCHAEFER: OFF THE RECORD. I WANT TO

15 SEE YOU OUTSIDE. DON'T ANYBODY GET UP. THIS WON'T

16 TAKE LONG.

17 (DISCUSSION HELD OUTSIDE THE ROOM

18 BETWEEN MR. SCHAEFER AND THE WITNESS.)

19 Q. I GATHER AT THAT TIME THAT JASON [REDACTED] WAS A

20 GRAMMAR STUDENT. IS THAT CORRECT?

21 A. YEAH.

22 Q. AND YOU KNOW MR. JOST AS WELL, DON'T YOU?

23 A. YES.

24 Q. HOW LONG HAVE YOU KNOWN MR. JOST?

25 A. IT WAS DURING THAT TIME. I CAN'T SAY EXACTLY

1 WHEN.. I DON'T KNOW.

2 Q. THIS WOULD BE SOMETIME BETWEEN 1984 AND 1988?

3 A. YES.

4 Q. AND YOU ALSO KNEW FATHER BERNIE WALTOS?

5 A. YES.

6 Q. DO YOU KNOW ANY OF THE OTHER MEMBERS OF THE

7 [REDACTED] FAMILY BESIDES JASON?

8 A. MRS. [REDACTED] MR. [REDACTED] I'VE MET. AND THERE'S A

9 YOUNGER BROTHER I REMEMBER.

10 Q. WERE YOU PREVIOUSLY INTERVIEWED BY THE

11 RIVERSIDE POLICE DEPARTMENT IN THE SUMMER OF 1991

12 REGARDING THE INCIDENT --

13 A. YES.

14 Q. -- THAT FORMS THE BASIS OF THIS LAWSUIT? IS

15 THAT CORRECT?

16 A. YES.

17 Q. ALL RIGHT. WHERE DID THAT INTERVIEW TAKE

18 PLACE?

19 A. AT SAINT THOMAS, THE CHURCH OFFICE.

20 Q. WHO INTERVIEWED YOU? WAS IT A MAN OR A

21 WOMAN?

22 A. IT WAS A MAN. I DON'T REMEMBER HIS NAME.

23 Q. WAS HE IN UNIFORM OR PLAIN CLOTHES?

24 A. PLAIN CLOTHES.

25 Q. DOES THE NAME [REDACTED] SOUND FAMILIAR?

1 DETECTIVE [REDACTED], PERHAPS?

2 A. YES.

3 Q. WAS ANYONE ELSE PRESENT BESIDES YOURSELF AND  
4 DETECTIVE STEVENS AT THE TIME OF THAT INTERVIEW?

5 A. FOR MOST OF IT, JUST HE AND I.

6 Q. AND AT SOME POINT IN TIME, I GATHER, SOMEONE  
7 EITHER JOINED OR LEFT YOU DURING THAT INTERVIEW.

8 A. YES. FATHER [REDACTED] WAS ASKED TO OFFER  
9 INFORMATION.

10 Q. HOW LONG A PERIOD OF TIME DID YOU SPEND IN  
11 THAT INTERVIEW WITH DETECTIVE [REDACTED]?

12 A. SEEMED LIKE MAYBE HALF AN HOUR.

13 Q. WERE YOU ADVISED AT THAT TIME THAT THEY  
14 WERE CONDUCTING AN INVESTIGATION INTO ALLEGATIONS  
15 INVOLVING DENNIS JOST?

16 A. YES.

17 Q. NOW, APPROXIMATELY WHAT YEAR DID YOU FIRST  
18 BECOME ACQUAINTED WITH MR. JOST?

19 A. I GUESS IT WOULD HAVE TO BE EARLY IN THE  
20 TIME THAT I WAS AT QUEEN OF ANGELS. SO '84, '85,  
21 PROBABLY. I GOT ACQUAINTED BY HAVING MET HIM IS  
22 ALL.

23 Q. IS THAT YOUR BEST ESTIMATE, '84, '85?

24 A. YEAH.

25 Q. AND AT THE TIME THAT YOU FIRST BECAME

1 ACQUAINTED WITH MR. JOST, DO YOU RECALL SOMEONE  
2 INTRODUCING YOU TO HIM?

3 A. YES.

4 Q. WHO WAS THAT?

5 A. FATHER BERNIE.

6 Q. AND HOW DID FATHER BERNIE INTRODUCE MR. JOST  
7 TO YOU?

8 A. I THINK THAT MR. JOST CAME OVER TO VISIT  
9 FATHER BERNIE; AND IN A CASUAL SENSE, FATHER BERNIE  
10 JUST SAID, "OH, BY THE WAY, THIS IS MY FRIEND  
11 DENNIS."

12 Q. WERE YOU AWARE AT THAT TIME OF ANY POSITIONS  
13 HELD BY MR. JOST WITH RESPECT TO THE CATHOLIC CHURCH?

14 A. NOT AT THAT TIME.

15 Q. AT SOME POINT IN TIME, DID YOU BECOME AWARE OF  
16 POSITIONS THAT HE HELD WITH THE CATHOLIC CHURCH?

17 A. YEAH. I LATER FOUND OUT THAT HE WAS IN SOME  
18 CAPACITY AT SAINT THOMAS, YEAH.

19 Q. WHAT WAS THE CAPACITY THAT YOU UNDERSTOOD HE  
20 HELD AT SAINT THOMAS?

21 A. HE WORKED WITH THE ALTAR BOYS.

22 Q. NOW, WAS THIS INFORMATION YOU GATHERED WHILE  
23 YOU WERE STILL AT QUEEN OF ANGELS?

24 A. YES.

25 Q. AND DID YOU UNDERSTAND, WHILE YOU WERE AT

1 QUEEN OF ANGELS IN '84, '85, THAT HE WAS SERVING AS  
2 DIRECTOR OF ALTAR BOYS AT SAINT THOMAS AND IN FACT  
3 TRAINING THEM?

4 A. YES.

5 Q. DID YOU EVER AT ANY TIME SERVE IN THE SAME  
6 PARISH WHERE MR. JOST WAS INVOLVED IN THE DIRECTION  
7 OF ALTAR BOYS?

8 A. NO.

9 Q. SO HE NEVER SERVED AT QUEEN OF ANGELS DURING  
10 THE TIME YOU WERE THERE; IS THAT CORRECT?

11 A. CORRECT.

12 Q. AND LIKEWISE, YOU WERE NOT AT SAINT THOMAS AT  
13 ANY POINT IN TIME WHEN HE WAS DIRECTOR OF ALTAR  
14 BOYS?

15 A. CORRECT.

16 Q. DO YOU KNOW WHO WAS RESPONSIBLE FOR THE  
17 SELECTION OF MR. JOST AS THE DIRECTOR OF ALTAR  
18 SERVERS?

19 MR. SCHAEFER: WHERE?

20 THE WITNESS: WHERE?

21 MR. WEATHERS: LET ME REPHRASE THE  
22 QUESTION.

23 Q. DO YOU KNOW WHO WAS RESPONSIBLE FOR THE  
24 SELECTION OF MR. JOST AT SAINT THOMAS?

25 A. NO, I DON'T.



1 Q. DO YOU KNOW WHO WAS RESPONSIBLE FOR THE  
2 SELECTION OF MR. JOST AS DIRECTOR OF ALTAR SERVERS  
3 AT QUEEN OF ANGELS?

4 A. I WOULD PRESUME IT WOULD BE FATHER BERNIE.

5 Q. WHY WOULD YOU PRESUME THAT?

6 A. WELL, HE WAS THE PASTOR.

7 Q. AND WAS IT ONE OF THE DUTIES, AS THE PASTOR,  
8 TO SELECT THAT INDIVIDUAL?

9 A. ULTIMATELY HE'S RESPONSIBLE FOR THAT.

10 Q. DID ANYONE OTHER THAN THE PASTOR OF A CHURCH,  
11 LET'S SAY DURING THE PERIOD OF TIME FROM '84 THROUGH  
12 '89, HAVE THE AUTHORITY TO APPOINT A DIRECTOR OF  
13 ALTAR SERVERS?

14 A. IS THAT A GENERAL QUESTION?

15 Q. YES.

16 A. IT WOULD -- AS I UNDERSTAND THE ORGANIZATIONAL  
17 STRUCTURE, IT DEPENDS ON THE PASTOR. IF HE DELEGATES  
18 SOMEONE TO SELECT A DIRECTOR, THEN HE -- DEPENDING ON  
19 HOW MUCH HE DELEGATES. HE COULD TAKE IT ALL OR HE  
20 COULD DELEGATE IT ALL TO A COMMITTEE OR TO AN  
21 INDIVIDUAL ADMINISTRATOR.

22 Q. DID FATHER BERNIE EVER TELL YOU HOW HE FIRST  
23 BECAME ACQUAINTED WITH MR. JOST?

24 A. I THINK HE MAY HAVE SAID SOMETHING.

25 Q. DO YOU RECALL WHAT THAT WAS?

1 A. I SEEM TO RECALL THAT HE MENTIONED HAVING MET  
2 DENNIS AT SAINT THOMAS.

3 Q. AT SOME POINT IN TIME, MR. JOST LEFT SAINT  
4 THOMAS. DO YOU RECALL THAT?

5 A. YES.

6 Q. WHEN DID YOU FIRST BECOME AWARE THAT HE HAD  
7 LEFT SAINT THOMAS? AND AN APPROXIMATE DATE IS FINE.  
8 I DON'T EXPECT YOU TO HAVE EXACT DATES.

9 A. IT WAS SOME TIME BEFORE I WENT OVER THERE.  
10 IT WAS, I THINK, WITHIN SIX MONTHS.

11 Q. SO IT WOULD HAVE BEEN WITHIN THE SIX MONTHS  
12 BEFORE AUGUST OF 1988?

13 A. YES.

14 Q. AND HOW WAS IT THAT YOU LEARNED THAT DENNIS  
15 WAS NO LONGER SERVING AS DIRECTOR OF THE ALTAR BOYS  
16 AT SAINT THOMAS IN THE FIRST PART OF 1988?

17 A. I'M NOT REALLY SURE HOW I FOUND OUT. I THINK  
18 I MAY HAVE JUST HEARD SOMEONE SAY THAT DENNIS WASN'T  
19 THERE ANYMORE.

20 Q. WERE YOU ADVISED AT SOME POINT IN TIME BY  
21 FATHER [REDACTED] THAT DENNIS HAD BEEN DISMISSED FROM  
22 HIS DUTIES BECAUSE OF PROPOSITIONING A YOUNG BOY FOR  
23 SEXUAL FAVORS? *I understood the reason to be inappropriate*  
*comments made to a young boy that might be*  
*understood as propositioning for sexual favors*

24 A. I DID NOT HEAR THAT UNTIL -- OH, GOSH. IT WAS  
25 JUST BEFORE DETECTIVE [REDACTED] CAME BY.

1 Q. AND WHO TOLD YOU THAT?

2 A. FATHER [REDACTED]. WE HAD A DISCUSSION, AND HE  
3 WAS VERY RELUCTANT TO SHARE ANYTHING ABOUT IT.

4 Q. SO BEFORE YOU SPOKE WITH DETECTIVE [REDACTED] IN  
5 1991, SHORTLY BEFORE THAT, YOU LEARNED OF THE REASONS  
6 FOR DENNIS' DISMISSAL?

7 A. YES.

8 Q. SO AT LEAST DURING THE FIRST THREE YEARS AFTER  
9 DENNIS' DISMISSAL, YOU HAD NO KNOWLEDGE WHATSOEVER AS  
10 TO THE REASONS; IS THAT CORRECT?

11 A. CORRECT. I WOULD SAY NO DIRECT KNOWLEDGE.  
12 THERE'S ALWAYS RUMORS, BUT I DON'T TAKE THEM VERY  
13 SERIOUSLY.

14 Q. WHAT TYPE OF RUMORS HAD YOU HEARD BETWEEN  
15 THE FIRST PART OF 1988 AND 1991 ABOUT MR. JOST'S  
16 DISMISSAL FROM SAINT THOMAS?

17 A. FRANKLY, NOT MUCH OF ANYTHING. JUST PEOPLE  
18 WOULDN'T SAY MUCH.

19 Q. WELL, WHEN YOU TOLD ME THAT YOU HEARD NOTHING  
20 SPECIFICALLY BUT JUST RUMORS, IT IMPLIED TO ME THERE  
21 WERE CERTAIN RUMORS YOU MAY HAVE HEARD.

22 IS THAT CORRECT, THAT YOU DID HEAR SOME  
23 RUMORS?

24 A. THEY WERE THE INAUDIBLE KIND OF RUMORS THAT  
25 PEOPLE WOULD SAY, "WHAT HAPPENED WITH DENNIS?"

1 AND THEY WOULD JUST RAISE THEIR HANDS AND SHRUG.

2 AND I'D SAY, "ANY MORE?" "NO. THAT'S

3 ALL." IT WAS INNUENDO.

4 Q. WHAT WAS THE INN- --

5 A. BUT NOTHING SPECIFIC.

6 Q. WHAT WAS THE NATURE OF THE INNUENDOS THAT YOU

7 HEARD?

8 A. IT WAS IN REFERENCE TO SOME -- THE OTHER  
9 ONE WAS WITH REGARD TO LITURGY, THE FACT THAT  
10 DENNIS' STYLE OF LITURGY WAS NOT IN LINE WITH  
11 WHAT THE OTHERS WERE IN FAVOR OF.

12 Q. WOULD IT BE ACCURATE TO STATE, FATHER, THAT  
13 BEFORE YOUR CONVERSATION WITH DETECTIVE [REDACTED] IN  
14 THE SUMMER OF 1991, THAT YOU HAD NO INFORMATION  
15 WHATSOEVER REGARDING ALLEGED SEXUAL IMPROPRIETIES  
16 INVOLVING DENNIS JOST?

17 A. CORRECT.

18 Q. DID YOU EVER GIVE AN INTERVIEW TO THE F.B.I.?

19 A. YES.

20 Q. AND WHAT TIME FRAME ARE WE TALKING ABOUT WHEN  
21 YOU GAVE THAT INTERVIEW?

22 A. IT WAS SEVERAL MONTHS AFTER I TALKED TO  
23 DETECTIVE [REDACTED].

24 Q. WHAT WAS THE NATURE -- LET ME BACK UP IF I  
25 MAY.

1 GOING BACK TO THE INTERVIEW YOU HAD WITH  
2 DETECTIVE [REDACTED] AT THE CHURCH OF SAINT THOMAS, WHAT  
3 DID HE ASK YOU?

4 A. AS I RECALL, HE WAS LOOKING FOR THE  
5 POSSIBILITY OF MORE VICTIMS AND MORE PEOPLE THAT  
6 WOULD BE ABLE TO SUBSTANTIATE THE CHARGES THAT THEY  
7 WERE INVESTIGATING.

8 Q. DID HE TELL YOU WHAT THOSE CHARGES WERE?

9 A. YES.

10 Q. WHAT WERE THOSE CHARGES?

11 A. SEXUAL ACTIVITY WITH A MINOR.

12 Q. DID HE ADVISE YOU THAT JASON [REDACTED] HAD BEEN  
13 RAPED AND SODOMIZED IN THE RECTORY AT QUEEN OF ANGELS  
14 CHURCH?

15 A. HE SAID NOTHING OF THAT.

16 Q. WHEN YOU SPOKE WITH HIM, WHAT INFORMATION DID  
17 YOU PROVIDE HIM?

18 A. I DISCUSSED THE NATURE OF -- GEE. THAT WAS SO  
19 LONG AGO, I'M HAVING TROUBLE REMEMBERING WHAT WE DID  
20 TALK ABOUT. I BELIEVE I GAVE HIM SOME NAMES OF  
21 INDIVIDUALS. I GAVE HIM THE LIST OF ALTAR SERVERS  
22 THAT WERE -- THE LIST THAT I HAD AT THAT TIME AND ANY  
23 OTHER PEOPLE WHO WOULD HAVE HAD CONTACT WITH THE BOYS  
24 AND WITH DENNIS.

25 Q. THIS CONVERSATION YOU HAD WITH FATHER [REDACTED],

1 WAS THAT WITHIN DAYS BEFORE YOUR INTERVIEW WITH  
2 DETECTIVE [REDACTED]?

3 A. WHICH CONVERSATION NOW?

4 Q. WELL, HOW MANY TIMES DID YOU SPEAK WITH  
5 DETECTIVE [REDACTED]?

6 A. JUST ONCE. BUT WHICH CONVERSATION WITH  
7 FATHER [REDACTED]?

8 Q. THAT'S EXACTLY WHAT YOU SHOULD DO. MAKE ME  
9 CLARIFY MY QUESTION.

10 BEFORE THE CONVERSATION YOU HAD WITH  
11 FATHER [REDACTED], WHEREIN HE ADVISED YOU OF THE REASONS  
12 FOR DISCHARGING DENNIS, DID THAT CONVERSATION TAKE  
13 PLACE WITHIN A WEEK OR SO OF YOUR INTERVIEW WITH  
14 DETECTIVE [REDACTED]?

15 A. NO. MUCH EARLIER, I WOULD SAY. MUCH  
16 EARLIER.

17 Q. ARE WE TALKING MONTHS? YEARS?

18 A. I REALLY COULDN'T SAY.

19 Q. DO YOU KNOW WHICH CALENDAR YEAR THAT  
20 CONVERSATION TOOK PLACE IN?

21 A. NO. I COULDN'T EVEN GUESS AT THAT. ONE OF  
22 THOSE THREE YEARS I WAS AT SAINT THOMAS, I KNOW.

23 Q. IT WOULD BE SOMETIME BETWEEN 1988 AND 1991,  
24 THEN?

25 A. YES.

1 Q. AT SOME POINT IN TIME YOU HAD THAT DISCUSSION  
2 WITH FATHER [REDACTED] INVOLVING MR. JOST, AND IT WAS  
3 SOMETIME BETWEEN 1988 AND 1991.

4 WHAT SPECIFICALLY DID FATHER [REDACTED] TELL  
5 YOU AT THAT TIME WAS HIS REASON FOR DISCHARGING  
6 DENNIS JOST?

7 A. IT HAD COME -- HE TOLD ME THAT HE HAD BEEN  
8 MADE AWARE OF A CONVERSATION THAT DENNIS HAD HAD  
9 WITH A BOY, A YOUNG TEENAGER. AND SOME THINGS WERE  
10 SAID THAT UPSET THE BOY. AND AFTER VERIFYING THAT  
11 CONVERSATION WITH DENNIS, THAT FATHER [REDACTED] DECIDED  
12 IT WAS APPROPRIATE TO DISMISS HIM.

13 Q. AND WHAT FATHER [REDACTED] TOLD YOU WAS THAT  
14 DENNIS JOST HAD, IN ESSENCE, PROPOSITIONED THE MINOR  
15 ALTAR BOY; IS THAT CORRECT?

16 A. SOMETHING OF A SEXUAL NATURE, YES.

17 Q. AND THIS WAS SOMETIME BETWEEN 1988 AND 1991?

18 A. THAT HE TOLD ME OF THAT?

19 Q. CORRECT. IS THAT CORRECT?

20 A. YES.

21 Q. AT THE TIME THAT YOU WERE TOLD OF THIS  
22 INCIDENT BY FATHER [REDACTED], WERE YOU AWARE THAT  
23 MR. JOST WAS AT THAT TIME WORKING AS DIRECTOR OF  
24 ALTAR SERVERS AT QUEEN OF ANGELS?

25 A. YES.

1 Q. BECOMING AWARE OF THE ALLEGATIONS AND REASONS  
2 FOR MR. JOST'S DISMISSAL FROM SAINT THOMAS AT THE  
3 TIME THAT YOU WERE AWARE HE WAS DIRECTOR OF ALTAR  
4 SERVERS AGAIN AT QUEEN OF ANGELS, DID YOU UNDERTAKE  
5 ANY EFFORTS TO NOTIFY THE PRIESTS AT QUEEN OF  
6 ANGELS?

7 A. NO.

8 Q. DID YOU TELL ANYONE AT THAT TIME OF THE  
9 FACT THAT MR. JOST HAD ACKNOWLEDGED, IN ESSENCE,  
10 PROPOSITIONING A MINOR?

11 A. NO.

12 Q. WAS THERE SOME REASON YOU DID NOT COMMUNICATE  
13 THAT INFORMATION TO THE PRIESTS AT QUEEN OF ANGELS?

14 A. I WAS FULLY CONVINCED THAT HE KNEW MORE THAN I  
15 DID ABOUT IT.

16 Q. AND WHEN YOU SAY "HE KNEW," ARE YOU REFERRING  
17 TO FATHER BERNIE?

18 A. YES.

19 Q. WHAT WAS IT THAT LED YOU TO CONCLUDE, WHEN YOU  
20 BECAME AWARE OF THAT INFORMATION, THAT FATHER BERNIE  
21 ALREADY KNEW?

22 A. I KNEW OF THEIR FRIENDSHIP AND I KNEW THAT  
23 DENNIS HAD -- WOULD OFTEN TALK WITH BERNIE ON  
24 PERSONAL MATTERS. AND IF THERE WAS ANYTHING IN  
25 DENNIS' LIFE THAT WAS OF AN IMPORTANT NATURE, THEN



1 I FULLY BELIEVED THAT FATHER BERNIE WAS FULLY AWARE  
2 OF THAT.

3 Q. AT THE TIME THAT YOU HAD THAT CONVERSATION  
4 WITH FATHER [REDACTED], WERE YOU AWARE THAT DENNIS JOST  
5 WAS GAY?

6 A. NO.

7 Q. AT THE TIME YOU HAD THE CONVERSATION WITH  
8 FATHER [REDACTED] THAT WE'VE BEEN TALKING ABOUT, WERE  
9 YOU AWARE THAT FATHER BERNIE WAS GAY?

10 A. NO.

11 Q. WHAT WAS YOUR UNDERSTANDING OF THE CLOSE  
12 RELATIONSHIP BETWEEN FATHER BERNIE AND MR. JOST?

13 A. THAT THEY WERE GOOD FRIENDS, THAT THEY WERE  
14 ABLE TO TALK TO EACH OTHER AND CONFIDE AND BE  
15 FRIENDS.

16 Q. SO BECAUSE OF THE CLOSENESS, YOU DIDN'T FEEL  
17 IT WAS NECESSARY TO ADVISE ANYONE ASSOCIATED WITH  
18 QUEEN OF ANGELS ABOUT THE INFORMATION YOU HAD  
19 REGARDING DENNIS; CORRECT?

20 A. CORRECT.

21 Q. DID YOU EVER NOTIFY ANYONE AT ALL ASSOCIATED  
22 WITH THE DIOCESE OF SAN BERNARDINO?

23 A. NO.

24 Q. OTHER THAN THE ATTORNEYS REPRESENTING YOUR  
25 CHURCH IN THIS MATTER AND DETECTIVE [REDACTED], DID YOU

1 EVER DISCUSS THESE MATTERS WITH ANYONE ELSE?

2 A. NOT THAT I RECALL.

3 Q. WERE YOU INTERVIEWED BY THE F.B.I.?

4 A. YES.

5 Q. DID YOU DISCUSS THESE MATTERS WITH THEM?

6 MR. SCHAEFER: DISCUSS WHAT MATTERS?

7 OBJECTION; VAGUE.

8 A. YEAH.

9 Q. DID YOU DISCUSS THE FACT THAT FATHER [REDACTED]  
10 TOLD YOU THAT DENNIS PROPOSITIONED BOYS FOR SEX --

11 A. YES, I PROBABLY DID.

12 Q. -- WITH ANYONE BESIDES YOUR LAWYERS AND THE  
13 F.B.I.?

14 WHO ELSE?

15 A. WELL, JUST THE F.B.I. IS ALL. NO ONE THAT I  
16 CAN RECALL THAT I SPOKE TO ABOUT IT.

17 Q. AT ANY POINT IN TIME, DID YOU EVER COMMUNICATE  
18 TO FATHER BERNIE THAT YOU FELT DENNIS JOST SHOULD NOT  
19 BE PERMITTED TO HAVE ONE-ON-ONE CONTACT WITH ANY OF  
20 THE ALTAR BOYS?

21 A. I DID MENTION THAT.

22 Q. WHEN WAS THAT?

23 A. WELL, NOT SPECIFICALLY ALTAR BOYS. I WAS  
24 CONCERNED ABOUT ANY UNSUPERVISED CONTACT WITH ANY OF  
25 US, HAVING BEEN GIVEN DIRECTIONS FROM BASICALLY THE

1 BISHOP'S OFFICE AND OTHER CHURCH TEACHING FUNCTIONS  
2 THAT WE NEED TO BE VERY CAREFUL IN HOW WE DEAL WITH  
3 PEOPLE ON A ONE-TO-ONE BASIS, THAT WE DON'T LEAVE  
4 OURSELVES OPEN FOR ACCUSATIONS, NOR LEAVE OURSELVES  
5 OPEN FOR IMPROPRIETY WITH AN INDIVIDUAL.

6 Q. WAS YOUR REASON FOR TELLING BERNIE TO WATCH  
7 FOR UNSUPERVISED CONTACT ON BEHALF OF MR. JOST THE  
8 FACT THAT YOU KNEW ABOUT THE ALLEGED IMPROPRIETY BACK  
9 AT SAINT THOMAS?

10 A. IT HAD NOTHING TO DO WITH THAT. IT WAS  
11 GENERAL.

12 Q. IT HAD TO DO WITH PEOPLE IN GENERAL?

13 A. YES.

14 Q. DID YOU EVER TELL FATHER BERNIE SPECIFICALLY  
15 THAT HE SHOULD TRY TO PROHIBIT OR PREVENT DENNIS JOST  
16 FROM HAVING UNSUPERVISED CONTACT WITH ANY CHILDREN?

17 A. NOT DENNIS PARTICULARLY OR SPECIFICALLY, NO.  
18 IT WAS ACROSS THE BOARD.

19 Q. WHEN, IF AT ALL, DID YOU EVER BECOME AWARE  
20 THAT MR. JOST HAD BEEN CONVICTED OF CHILD MOLESTATION  
21 IN 1977?

22 A. WHEN DETECTIVE [REDACTED] TOLD ME IN THAT  
23 INTERVIEW.

24 Q. DID YOU EVER DISCUSS THAT WITH FATHER BERNIE?

25 A. NO.

1 Q. HAVE YOU EVER DISCUSSED THAT WITH ANYONE  
2 BESIDES DETECTIVE [REDACTED]?

3 A. FATHER [REDACTED], WITH THE LAWYERS, FATHER  
4 [REDACTED], JUST TO MENTION IT.

5 Q. DID YOU EVER TELL DETECTIVE [REDACTED] THAT YOU  
6 SPECIFICALLY APPROACHED FATHER BERNIE TO MAKE HIM  
7 AWARE THAT DENNIS JOST HAD PREVIOUSLY PROPOSITIONED A  
8 MINOR?

9 A. NO.

10 Q. HAVE YOU DISCUSSED THE INCIDENTS INVOLVING  
11 DENNIS JOST AND JASON [REDACTED] WITH JASON AT ANY TIME?

12 A. NO.

13 Q. HAVE YOU DISCUSSED THEM WITH [REDACTED]?

14 A. WE HAD A CONVERSATION.

15 Q. JUST ONE?

16 A. WELL, OVER A PERIOD OF TIME, A COUPLE. I'VE  
17 SPOKEN TO HER A FEW TIMES.

18 Q. IN PERSON OR ON THE PHONE?

19 A. IN PERSON.

20 Q. WHERE DID THOSE CONVERSATIONS TAKE PLACE?

21 A. THE FIRST WAS IN THE JURY ROOM. WE WERE BOTH  
22 ON JURY DUTY.

23 Q. THAT WAS HERE AT RIVERSIDE SUPERIOR COURT?

24 A. YES.

25 Q. WHEN WAS THAT?

1 A. GOSH. '89 OR '90. '90. PROBABLY '90 OR  
2 '91. IT WAS RIGHT BEFORE ALL THIS CAME OUT.

3 Q. WHEN WAS THE SECOND CONVERSATION YOU HAD WITH  
4 HER?

5 A. IT WOULD HAVE BEEN AFTER I CAME TO QUEEN OF  
6 ANGELS IN '91, PROBABLY OCTOBER.

7 Q. WHERE DID THAT TAKE PLACE?

8 A. AT THE RECTORY.

9 Q. WAS -- I'M SORRY. I DIDN'T MEAN TO CUT YOU  
10 OFF THERE.

11 WAS THERE A THIRD CONVERSATION WITH HER?

12 A. A FEW WEEKS LATER AT THE RECTORY, THAT I CAN  
13 RECALL.

14 Q. WAS THERE A FOURTH?

15 A. WELL, WE HAD CONVERSATIONS BUT WE DIDN'T TALK  
16 ABOUT THIS.

17 Q. AT THE TIME OF YOUR FIRST CONVERSATION WITH  
18 [REDACTED] IN THE JURY ROOM, WHAT DID SHE TELL YOU?

19 A. SHE TOLD ME HOW HER FAMILY WAS DOING AND HOW  
20 JASON WAS AN ALTAR SERVER AND A TEENAGER GROWING UP.  
21 AND I HAD NOT BEEN IN CONTACT WITH HIM OR HER FOR --  
22 SINCE I'D LEFT QUEEN OF ANGELS, AND IT WAS NICE TO  
23 GET UPDATED.

24 Q. AT THE TIME OF THE FIRST CONVERSATION, DID  
25 SHE RELATE TO YOU ANY CIRCUMSTANCES INVOLVING ALLEGED

1 SEXUAL IMPROPRIETY?

2 A. NOT SEXUAL.

3 Q. WHAT TYPE OF IMPROPRIETIES DID SHE RELATE?

4 A. WELL, NOT IMPROPRIETIES. SHE SPOKE OF JASON'S  
5 RELATIONSHIP WITH DENNIS AND HOW DENNIS WAS TAKING  
6 JASON TO TEXAS FOR -- TO SERVE AT HIS FATHER'S

7 FUNERAL, I BELIEVE IT WAS. AND THEN AGAIN THERE  
8 SEEMED TO BE SOME TROUBLE -- TROUBLE, IN THAT JASON  
9 WAS MOVING TO TEXAS WITH DENNIS OR WITH DENNIS'  
10 FAMILY. SOMETHING LIKE THAT.

11 Q. ANYTHING ELSE YOU RECALL HER TELLING YOU?

12 A. OF ALL THE ACTIVITIES. THEY WERE JUST DOING A  
13 LOT OF THINGS TOGETHER.

14 Q. AT THE TIME YOU HAD THIS CONVERSATION WITH  
15 [REDACTED] IN THE JURY ROOM, WERE YOU AWARE OF THE  
16 CIRCUMSTANCES OF DENNIS' DISMISSAL FROM THE SAINT  
17 THOMAS CHURCH BY FATHER NORBERT?

18 A. NOT OF THE CIRCUMSTANCES.

19 Q. SO THIS CONVERSATION TOOK PLACE SOMETIME  
20 AFTER YOUR CONVERSATION WITH FATHER [REDACTED]; IS THAT  
21 CORRECT?

22 A. NO. I DID NOT KNOW OF THE SPECIFICS OF  
23 DENNIS' DISMISSAL AT THE TIME I TALKED TO MRS. [REDACTED]  
24 IN THE JURY ROOM.

25 Q. AT THE TIME THAT YOU SPOKE WITH MRS. [REDACTED] IN

1 THE JURY ROOM, WERE YOU AWARE THAT THE GENERALITIES  
2 OF DENNIS JOST'S DISMISSAL FROM SAINT THOMAS INVOLVED  
3 IMPROPRIETIES WITH A MINOR?

4 A. NO.

5 Q. WHEN MRS. [REDACTED] TOLD YOU THAT HER SON WAS  
6 ALREADY EITHER GOING TO TEXAS OR IN TEXAS WITH DENNIS  
7 JOST, DID YOU OFFER ANY ADVICE OR WARNING TO HER AT  
8 THAT TIME?

9 A. YES. I WOULDN'T SAY -- ADVICE, I OFFERED.  
10 WARNING? I KNEW I HAD TO BE CAREFUL WITH WHAT I SAID  
11 BECAUSE I KNEW THAT IF I MADE ACCUSATIONS AGAINST  
12 DENNIS THAT WERE FALSE, THAT HE'S BEING A GOOD GUY AS  
13 FATHER BERNIE HAD LED ME TO BELIEVE, THEN THAT WOULD  
14 BE INFRINGING ON DENNIS' RIGHTS.

15 I CAUTIONED HER TO JUST LOOK INTO THE  
16 SITUATION MORE CAREFULLY; THIS IS HER MINOR SON; SHE  
17 STILL HAS RESPONSIBILITY FOR HIM. SOMETHING OF THAT  
18 NATURE. I DON'T RECALL EXACTLY WHAT I DID SAY. BUT  
19 I KNEW I HAD TO BE CAUTIOUS ON BOTH SIDES.

20 Q. WHAT PARTICULAR RIGHTS OF MR. JOST WERE YOU  
21 CONCERNED ABOUT INFRINGING UPON?

22 A. WELL, IF I ACCUSED HIM OF BEING A CHILD  
23 MOLESTER AND HE WAS NOT, THEN THAT'S DEFAMATION OF  
24 CHARACTER OR WHATEVER.

25 Q. AND FOR WHAT REASON DID YOU SUSPECT THAT HE'S

1 A CHILD MOLESTER AT THAT TIME?

2 A. WELL, I DIDN'T. I THOUGHT THIS IS SOMETHING  
3 THAT HE SHOULDN'T BE DOING. HE'S LEAVING HIMSELF  
4 OPEN FOR THIS CHARGE. IF THIS KID GETS UPSET WITH  
5 HIM, HE COULD MAKE THE CHARGE. THIS HAS HAPPENED.  
6 AND I'M AWARE OF THAT, THAT WE PROTECT OURSELVES FROM  
7 THE CHARGE, WHETHER IT'S TRUE OR FALSE.

8 BEING CHARGED IS VERY DEVASTATING TO A  
9 PERSON'S REPUTATION AND ABILITY TO FUNCTION IN THE  
10 CHURCH OR ANYWHERE ELSE, FOR THAT MATTER.

11 Q. SPECIFICALLY, DO YOU RECALL WHAT WORDS YOU  
12 USED TO DISCUSS DENNIS WITH [REDACTED] AT THAT TIME?

13 A. I DON'T REMEMBER THE SPECIFIC WORDS.

14 Q. AND CAN YOU RECALL ANY MORE OF THE SUBSTANCE  
15 OF EITHER WHAT SHE TOLD YOU OR YOU TOLD HER BEYOND  
16 WHAT YOU DESCRIBED?

17 A. I DON'T THINK SO.

18 Q. TELL ME THE NATURE OF YOUR SECOND CONVERSATION  
19 WITH [REDACTED] AT QUEEN OF ANGELS IN 1991.

20 A. THIS WAS AFTER THE INVESTIGATION STARTED. AND  
21 I SPOKE WITH HER AND [REDACTED] TOGETHER ABOUT  
22 THE CHARGES AND ABOUT WHAT CAN THE CHURCH DO TO  
23 PROTECT OUR YOUNG PEOPLE FROM THIS KIND OF ACTIVITY.

24 Q. HOW LONG WAS THAT CONVERSATION?

25 A. OH, WE SPOKE FOR SEVERAL HOURS.



1 Q. WAS ANYBODY ELSE PRESENT BESIDES [REDACTED] AND  
2 [REDACTED]?

3 A. NO.

4 MR. WEATHERS: [REDACTED], IF YOU  
5 DON'T HAVE IT.

6 MR. SCHAEFER: WHAT IS IT?

7 MR. WEATHERS: [REDACTED]

8 Q. DID YOU EVER TELL [REDACTED] THAT YOU HAD  
9 TOLD FATHER BERNIE NOT TO LET DENNIS JOST HAVE  
10 UNSUPERVISED CONTACT WITH THE BOYS?

11 A. NO.

12 Q. DID YOU EVER TELL [REDACTED] THAT YOU HAD  
13 TOLD FATHER BERNIE NOT TO ALLOW DENNIS JOST TO HAVE  
14 UNSUPERVISED CONTACT WITH THE BOYS?

15 A. NO.

16 Q. AND YOU HAVE NEVER TOLD ANYONE THAT, HAVE  
17 YOU?

18 A. SPECIFICALLY, I SAID TO HAVE THE UNSUPERVISED  
19 CONTACT IS UNWISE. BUT TO SAY "DON'T HAVE IT," I  
20 NEVER SAID THAT.

21 Q. AND YOU NEVER DIRECTED THE WARNING  
22 SPECIFICALLY TO DENNIS JOST EITHER; CORRECT?

23 A. SPECIFICALLY? NO, NOT THAT I RECALL.

24 Q. WHAT WAS THE NATURE OF YOUR THIRD CONVERSATION  
25 WITH [REDACTED]?

1 A. IT WAS MUCH THE SAME AS THE SECOND.  
2 Q. DO YOU REMEMBER ANYTHING SPECIFICALLY THAT WAS  
3 SAID AT THAT TIME?

4 A. IT WAS -- IN BOTH CASES, WE WERE JUST TRYING  
5 TO UNLOAD AND GET FEELINGS OUT IN A COUNSELING  
6 CONTEXT.

7 Q. WHAT WERE HER FEELINGS AT THAT TIME THAT SHE  
8 WAS TRYING TO GET OUT?

9 A. A LOT OF ANGER, ANGER AT THE CHURCH AS TO HOW  
10 THIS COULD HAPPEN, A LOT OF FINGER POINTING AT THE  
11 CHURCH.

12 Q. DID SHE TELL YOU WHY SHE WAS ANGRY AT THE  
13 CHURCH?

14 A. WELL, BECAUSE THE CHURCH HAD LET THIS HAPPEN.

15 Q. WHAT WAS IT YOU UNDERSTOOD SHE FELT THE CHURCH  
16 HAD LET HAPPEN?

17 A. THIS MOLESTATION OF HER SON.

18 Q. AND DID SHE TELL YOU THAT ONE OF THE REASONS  
19 SHE WAS ANGRY WAS BECAUSE THIS WASN'T THE FIRST TIME  
20 THE CATHOLIC CHURCH HAD LET MR. JOST COME INTO ONE OF  
21 THEIR CHURCHES AND MOLEST AN ALTAR BOY?

22 A. YES. SHE WAS AWARE OF SOME PRIOR, WHICH I'M  
23 STILL NOT AWARE OF. I DON'T KNOW THE DETAILS OF THIS  
24 PRIOR THING.

25 Q. DO YOU KNOW WHERE IT OCCURRED?

1 A. IN ALTA LOMA, I WAS TOLD. BUT AS TO EXACTLY  
2 WHAT IT WAS, IT WAS NOT EVEN MENTIONED THAT IT WAS OF  
3 A SEXUAL NATURE. IT WAS AN IMPROPRIETY OF SOME KIND,  
4 THAT THERE WERE CHARGES FILED. AND I DON'T KNOW  
5 EXACTLY WHAT IT WAS.

6 Q. THEN YOU WERE NEVER MADE AWARE OF THE FACT  
7 THAT MR. JOST ENTERED A PLEA OF GUILTY TO A CHARGE OF  
8 ORALLY COPULATING A 12-YEAR-OLD BOY?

9 A. I HEARD HE MADE AN AGREEMENT TO -- WELL, NO.  
10 OKAY. NO.

11 Q. WHAT DID YOU HEAR?

12 A. HE HAD DONE SOMETHING TO A YOUNG BOY, AND THAT  
13 WAS IT.

14 Q. WHEN DID YOU HEAR THAT?

15 A. DETECTIVE [REDACTED].

16 Q. BEFORE THAT, YOU HAD NO KNOWLEDGE?

17 A. CORRECT.

18 Q. WERE YOU EVER AWARE THAT MR. JOST WAS  
19 PREVIOUSLY ARRESTED FOR LOITERING AROUND PUBLIC  
20 TOILETS?

21 A. NO.

22 Q. OR ARRESTED IN PALM SPRINGS FOR MATTERS OF  
23 THIS NATURE?

24 A. NO.

25 Q. NOW, WHEN DID YOU FIRST BECOME AWARE THAT

1 FATHER BERNIE WAS GAY?

2 A. I GUESS LAST YEAR.

3 Q. HOW DID YOU LEARN THAT?

4 A. IN A LETTER HE WROTE ME.

5 Q. WAS THAT THE LETTER HE SENT ADVISING EVERYONE  
6 THAT HE HAD AIDS?

7 A. YES.

8 Q. BEFORE THAT TIME, DID YOU HAVE ANY KNOWLEDGE  
9 THAT FATHER BERNIE WAS GAY?

10 A. NO KNOWLEDGE. I HAD HEARD RUMORS, AGAIN.

11 Q. YOU WERE AT QUEEN OF ANGELS WITH FATHER BERNIE  
12 FOR SOME TIME; ISN'T THAT CORRECT?

13 A. YES.

14 Q. DURING THAT PERIOD OF TIME, DID YOU HAVE  
15 SUSPICIONS THAT FATHER BERNIE WAS GAY?

16 A. NOT REALLY, NO.

17 Q. FATHER BERNIE WASN'T ENTIRELY DISCRETE ABOUT  
18 HIS SEXUAL PREFERENCE, WAS HE?

19 MR. SCHAEFER: OBJECTION; VAGUE.

20 A. YEAH. I CAN'T ANSWER THAT. DISCRETE? WITH  
21 REGARD TO SEXUAL PREFERENCE, HE GAVE NO INDICATION  
22 ONE WAY OR THE OTHER. IT WAS NOT AN ISSUE, SEXUAL  
23 PREFERENCE.

24 Q. WAS THERE EVER A TIME, BEFORE YOU RECEIVED  
25 FATHER BERNIE'S LETTER, THAT YOU SUSPECTED HE WAS

1 GAY?

2 A. WHAT DO YOU MEAN BY "GAY"? ACTIVELY?

3 Q. YES. THAT'S EXACTLY WHAT I MEAN.

4 A. OKAY. I NEVER SUSPECTED HE WAS ACTIVE.

5 Q. WAS THERE EVER A POINT IN TIME BEFORE YOU

6 RECEIVED FATHER BERNIE'S LETTER WHERE YOU SUSPECTED  
7 THAT HIS SEXUAL PREFERENCE WAS FOR MALES RATHER THAN  
8 FEMALES, WHETHER IT WAS ACTIVE OR NOT?

9 A. I NEVER REALLY FELT HE HAD A PREFERENCE.

10 Q. SPECIFICALLY, DO YOU RECALL FATHER BERNIE  
11 MAKING STATEMENTS TO YOU ALONG THE LINE OF IT'S OKAY  
12 FOR THE OTHER PRIESTS TO CHASE WOMEN BECAUSE THERE  
13 ARE ENOUGH MEN AND BOYS AVAILABLE FOR HIM?

14 A. NO.

15 Q. YOU DON'T RECALL ANY SUCH STATEMENTS?

16 A. NEVER.

17 Q. WHAT IS YOUR UNDERSTANDING OF THE REASONS WHY  
18 FATHER BERNIE LEFT QUEEN OF ANGELS?

19 A. IN THE WAY THAT OUR FRANCISCAN COMMUNITY  
20 APPOINTS SUPERIORS TO A PARTICULAR HOUSE, TO A  
21 PARTICULAR PARISH, THE TERM IS LIMITED. FATHER  
22 BERNIE HAD ALREADY EXCEEDED THAT TERM, GIVEN SOME  
23 UNUSUAL CIRCUMSTANCES; HE STAYED A YEAR LONGER THAN  
24 WHAT NORMALLY HAPPENS. AND HE WAS DUE TO LEAVE. WE  
25 KNEW HE WOULD BE LEAVING YEARS BEFORE, BY THAT DATE.

1 Q. WAS IT PURELY COINCIDENTAL THAT HE LEFT WITHIN  
2 WEEKS OF THE INVESTIGATION BY THE RIVERSIDE POLICE  
3 DEPARTMENT?

4 A. VERY COINCIDENTAL.

5 Q. DID ANY PORTION OF THE TIMING OF HIS LEAVING  
6 HAVE TO DO WITH THE CIRCUMSTANCES OF THE  
7 INVESTIGATION?

8 A. I DON'T THINK SO AT ALL. HE WOULD HAVE BEEN  
9 LEAVING ANYWAY, NO MATTER WHAT WOULD HAVE HAPPENED.  
10 AT THAT TIME HE WOULD HAVE LEFT.

11 Q. WHEN DID YOU LEARN THAT FATHER [REDACTED] WAS  
12 GAY?

13 A. I DON'T KNOW THAT HE IS.

14 Q. YOU DIDN'T RECEIVE A LETTER INDICATING HE'S  
15 H.I.V. POSITIVE?

16 A. THAT DOESN'T MEAN HE'S GAY.

17 Q. YOU RECEIVED THE LETTER, HOWEVER?

18 A. I DIDN'T RECEIVE A LETTER. HE MADE AN  
19 ANNOUNCEMENT AT A PROVINCE MEETING.

20 Q. DID HE OFFER ANY EXPLANATION AS TO HOW HE  
21 CONTRACTED THE VIRUS?

22 A. NO.

23 Q. HOW MANY PRIESTS AND ASSOCIATE PRIESTS ARE  
24 THERE PRESENTLY AT QUEEN OF ANGELS?

25 A. THERE'S THREE OF US.

1 Q. HAVE THERE ALWAYS BEEN THREE FOR THE LAST FIVE  
2 YEARS?

3 A. FOR A WHILE THERE WAS A FOURTH BROTHER, A  
4 FRIAR WHO IS NOT A PRIEST.

5 Q. LET'S GO BACK IF WE CAN. AT THE PRESENT TIME,  
6 YOU ARE THE PASTOR.

7 WHO ARE YOUR ASSOCIATES?

8 A. FATHER [REDACTED], [REDACTED] AND FATHER  
9 [REDACTED] IS IN RESIDENCE. HE'S NOT IN THE  
10 PARISH; HE'S IN RESIDENCE IN THE HOUSE. HE'S THE  
11 CHAPLAIN AT RIVERSIDE GENERAL HOSPITAL.

12 Q. AND HOW MANY OTHER ASSOCIATE PASTORS HAVE YOU  
13 HAD AT QUEEN OF ANGELS SINCE YOU'VE BEEN PASTOR?

14 A. JUST THIS GROUP.

15 Q. AND HOW LONG HAS FATHER [REDACTED] BEEN  
16 AT THE QUEEN OF ANGELS?

17 A. HE'S BEEN THERE NOW FOR FOUR AND A HALF  
18 YEARS.

19 Q. AND HOW LONG HAS -- I'M SORRY. THAT WAS --

20 A. FATHER [REDACTED].

21 Q. FOUR YEARS FOR FATHER [REDACTED].

22 HOW LONG FOR FATHER [REDACTED]?

23 A. A YEAR AND A HALF.

24 Q. DID YOU HAVE ANY OTHER ASSOCIATES BESIDES  
25 THOSE TWO IN THE LAST FOUR YEARS?

1 A. NO.

2 Q. HAVE ANY OF THE OTHER PASTORS OR ASSOCIATE  
3 PASTORS AT QUEEN OF ANGELS CONTRACTED THE H.I.V.  
4 VIRUS, TO YOUR KNOWLEDGE, BESIDES FATHER [REDACTED] AND  
5 FATHER BERNIE?

6 A. THOSE ARE THE ONLY ONES I KNOW OF.

7 Q. DID YOU HAVE KNOWLEDGE THAT WHILE FATHER  
8 BERNIE WAS PASTOR AT QUEEN OF ANGELS, THAT HE WAS  
9 ACTIVE IN THE GAY AND LESBIAN CHURCHES?

10 A. NO, I WASN'T. I SHOULD SAY NOT UNTIL AFTER  
11 HE LEFT WAS I MADE AWARE OF THAT.

12 Q. HOW DID YOU BECOME AWARE OF THAT AFTER HE  
13 LEFT?

14 A. FATHER [REDACTED].

15 Q. WHAT WAS IT SPECIFICALLY THAT FATHER [REDACTED]  
16 TOLD YOU?

17 A. THAT FATHER BERNIE HAD GONE INTO LOS ANGELES  
18 TO CELEBRATE MASS WITH -- I FORGET THE NAME OF THAT  
19 GROUP OF GAY CATHOLICS.

20 Q. HAS ANYONE EVER ADVISED YOU AS TO ONE --  
21 ONE WAY OR ANOTHER AS TO WHETHER THERE WERE SEXUAL  
22 RELATIONS BETWEEN DENNIS JOST AND FATHER BERNIE?

23 A. NO.

24 Q. YOU HAVE NO KNOWLEDGE ONE WAY OR THE OTHER?

25 A. NO.



1 Q. DID YOU EVER ADVISE ANYONE THAT YOU DID NOT  
2 WISH TO LIVE AT THE SAME PARISH WITH FATHER BERNIE?

3 A. I MAY HAVE, IN AN IRRATIONAL FIT OF ANGER,  
4 HAVING LIVED WITH SOMEONE. JUST LIKE A MARRIED  
5 COUPLE MIGHT HAVE DIFFICULTIES AND THROW UP YOUR  
6 HANDS, TEMPORARILY.

7 Q. DID YOU EVER ADVISE ANYONE THAT YOU DIDN'T  
8 WANT TO LIVE AT THE PARISH WITH GAY PRIESTS?

9 A. NO.

10 Q. HAVE YOU EVER ADVISED ANYONE THAT THE QUEEN  
11 OF ANGELS CHURCH WAS KNOWN THROUGHOUT SOUTHERN  
12 CALIFORNIA AS "QUEENS" OR "QUEENIES" BECAUSE OF THE  
13 NUMBER, OR INORDINATE NUMBER, OF GAY PRIESTS THERE?

14 A. NO.

15 Q. DID YOU EVER NOTICE ANYTHING UNUSUAL ABOUT  
16 MR. JOST'S BEHAVIOR TOWARDS ALTAR BOYS?

17 A. HE SEEMED TO BE WITH THE BOYS A LOT.

18 Q. DID THAT STRIKE YOU AS UNUSUAL?

19 A. YES.

20 Q. DID THAT CAUSE YOU SOME CONCERN?

21 A. YES.

22 Q. AND WAS THIS DURING HIS TENURE AT SAINT THOMAS  
23 OR AT QUEEN OF ANGELS?

24 A. MORE FOR QUEEN OF ANGELS.

25 Q. AND THIS WOULD BE 1988 TO 1989, I GATHER.

1 A. YES.

2 Q. DID YOU EVER DISCUSS WITH MR. JOST THAT HE  
3 SEEMED TO SPEND A GREAT DEAL OF TIME WITH THE YOUNG  
4 BOYS?

5 A. NO.

6 Q. DID YOU EVER WARN HIM THAT THAT COULD LEAD TO  
7 PROBLEMS OR ALLEGATIONS?

8 A. NO.

9 Q. DID YOU TELL ANYONE ELSE OF YOUR OBSERVATIONS  
10 THAT HE WAS SPENDING AN UNUSUAL AMOUNT OF TIME WITH  
11 YOUNG BOYS?

12 A. I MAY HAVE SAID IT SEEMS THAT DENNIS IS AROUND  
13 THESE BOYS A LOT.

14 Q. AND WHO WOULD YOU HAVE SAID THAT TO?

15 A. FATHER [REDACTED].

16 Q. ANYONE ELSE?

17 A. NOT THAT I RECALL.

18 Q. HOW MANY ALTAR BOYS DO YOU HAVE AT QUEEN OF  
19 ANGELS NOW?

20 A. ABOUT 40, I BELIEVE.

21 Q. HAS THAT NUMBER ALWAYS BEEN ABOUT THE SAME?

22 A. NO.

23 Q. HAS IT BEEN GREATER IN THE PAST?

24 A. WHEN DENNIS WAS IN CHARGE, THERE WERE, I  
25 UNDERSTAND, A GREAT DEAL MORE.

1 Q. IS 40 AN ORDINARY NUMBER OR USUAL NUMBER?  
2 A. OH, I DON'T KNOW WHAT "USUAL" IS.  
3 Q. IS THERE AN AVERAGE OR MEDIAN NUMBER?  
4 A. ENOUGH TO COVER ALL THE MASSES WITH A COUPLE  
5 TEAMS, SEVERAL TEAMS TO STAFF, SO NOT EVERYBODY HAS  
6 TO SERVE EVERY WEEK.  
7 Q. HOW DID YOU LEARN THAT THERE WERE A LOT MORE  
8 ALTAR SERVERS WHEN DENNIS WAS A DIRECTOR?  
9 A. WORD GOT AROUND. PEOPLE WOULD TELL ME HOW THE  
10 PROGRAM HAD CHANGED SINCE I HAD LEFT.  
11 Q. DID THEY ALSO TELL YOU THAT THE AGE OF THE  
12 BOYS HAD CHANGED?  
13 A. THAT CAME ABOUT, YEAH.  
14 Q. WHAT WERE YOU TOLD?  
15 A. THEY WERE OLDER.  
16 Q. WHEN DENNIS WAS THERE?  
17 A. YES.  
18 Q. DID HE PREFER TO HAVE BOYS THAT WERE TEENAGE  
19 AS OPPOSED TO PREADOLESCENT?  
20 A. I DON'T KNOW THAT IT WAS A PREFERENCE. IT  
21 WAS THAT HE WAS ABLE TO GET THE OLDER BOYS MORE  
22 INTERESTED OR KEEP THEM INTERESTED.  
23 Q. WHETHER IT WAS A PREFERENCE, IT APPEARED TO AT  
24 LEAST BE A PRACTICE; IS THAT CORRECT?  
25 A. SOME OF THE BOYS THAT I HAD RECRUITED WHEN I

1 WAS THERE WERE STILL SERVING WHEN THEY ENTERED INTO  
2 HIGH SCHOOL, AND SOME STILL ARE. AND HE WAS ABLE TO  
3 RECRUIT OTHERS FROM THE HIGH SCHOOL AGE.

4 Q. FATHER, HAVE YOU HAD ANY PARTICULAR EXPERIENCE  
5 IN WORKING WITH PEDOPHILES?

6 A. I SPENT THREE MONTHS AS A CHAPLAIN INTERN IN A  
7 CLINICAL PASTOR EDUCATION PROGRAM AT PATTON HOSPITAL,  
8 AND MY MAIN -- THE WARD THAT I SPENT MOST OF MY TIME  
9 IN WAS PEDOPHILES.

10 Q. WHEN WAS THAT?

11 A. 1983, FALL OF '83.

12 Q. SO YOU SPENT A CONSIDERABLE TIME WITH ADULTS  
13 THAT ADORED CHILDREN; IS THAT CORRECT?

14 A. YES.

15 Q. AND DID YOU, IN ADDITION TO WORKING IN THAT  
16 WARD, UNDERTAKE ANY STUDIES?

17 A. NOT FORMAL STUDIES, NO. JUST TALKING TO THE  
18 PEOPLE.

19 Q. DID YOU TALK WITH THEM ABOUT WHAT MADE THEM  
20 FEEL THE WAY THEY FELT, WHAT MADE THEM DO THE THINGS  
21 THEY DID?

22 A. YES.

23 Q. YOU GAINED SOME INSIGHT, AT LEAST, INTO THE  
24 MIND OF THE PEDOPHILE?

25 A. YES.

1 Q. DID YOU DETERMINE, IN YOUR WORKING WITH THESE  
2 PEOPLE FOR THREE MONTHS, THAT THERE WERE CERTAIN  
3 COMMON THEMES THAT RAN THROUGH?

4 A. YES.

5 Q. AND WHAT TYPES OF COMMON THEMES DID YOU  
6 OBSERVE IN PEDOPHILES, BASED UPON YOUR EXPERIENCE?

7 A. THEY ALL SEEMED TO HAVE BEEN VICTIMS  
8 THEMSELVES.

9 Q. ANY OTHERS?

10 A. THEY SEEMED TO TAKE CHILDREN WHO WERE THE  
11 SAME AGE THAT THEY WERE WHEN THEY WERE VICTIMS. THEY  
12 SEEMED TO PERCEIVE THEMSELVES AS BEING A SAVIOR-TYPE  
13 TO THE CHILDREN, TAKING THEM OUT OF A MORE DIFFICULT  
14 SITUATION. THESE -- THEY HAD THE IDEA THAT THEY WERE  
15 DOING THESE CHILDREN A FAVOR; THEY WERE RIGHT,  
16 MORALLY RIGHT AND LEGALLY RIGHT, IN WHAT THEY DID.

17 Q. DID YOU OBSERVE ANY OF THOSE CHARACTERISTICS  
18 IN DENNIS JOST?

19 A. HONESTLY, NONE OF THOSE. THE -- I GUESS THE  
20 OTHER CHARACTER WAS THE ABILITY TO BE A MANIPULATOR,  
21 A VERY ADEPT MANIPULATOR. THAT, I DID OBSERVE.

22 Q. DID YOU FIND THAT A NUMBER OF THE YOUNGSTERS  
23 THAT MR. JOST BROUGHT TO BE ALTAR SERVERS WERE BOYS  
24 THAT WERE HAVING PROBLEMS AT HOME?

25 A. I DIDN'T KNOW THAT.

1 Q. DID YOU BECOME AWARE THAT A NUMBER OF THEM  
2 WERE BOYS WHO DIDN'T HAVE A STRONG FATHER FIGURE THAT  
3 THEY LOOKED UP TO? MAYBE THEY WERE FROM A DIVORCED  
4 HOME OR DAD WAS GONE.

5 A. NO.

6 Q. DID YOU EVER FIND OUT FROM ANY SOURCE WHETHER  
7 DENNIS JOST HAD IN FACT BEEN A VICTIM OF ABUSE WHEN  
8 HE WAS A CHILD?

9 A. NO.

10 Q. DID YOU EVER WORK IN ANY PRISON SETTINGS AS  
11 CHAPLAIN?

12 A. JUST PATTON.

13 Q. CLOSE ENOUGH, I GUESS.

14 A. CALIFORNIA CORRECTIONS RUNS IT.

15 Q. BACK IN 1988 AND '89, WERE THERE ANY REPORTING  
16 REQUIREMENTS THAT YOU WERE AWARE OF IMPOSED UPON A  
17 PRIEST IF THEY HAD KNOWLEDGE OR SUSPICION OF AN ACT  
18 OF MOLESTATION?

19 A. AS -- I WAS AWARE OF THAT STATE LAW THAT IF WE  
20 FOUND OUT ABOUT SOMETHING, WE WERE TO REPORT IT. I  
21 WAS CONFUSED AS TO WHAT NATURE A PRIEST IS SUBJECT TO  
22 THAT LAW, GIVEN THE WAY WE WOULD HEAR IT. IF I HEARD  
23 SOMETHING IN THE CONFESSIONAL, FOR INSTANCE, EXACTLY  
24 HOW -- UNDER CHURCH LAW, I COULD NOT REVEAL THAT. IF  
25 I HEAR IT OUTSIDE OF CONFESSIONAL, THEN I WOULD BE

1 OBLIGATED TO ACT ON THE LAW.

2 Q. DID YOU EVER HAVE ANYONE CONFESS TO YOU  
3 MATTERS OF THAT NATURE?

4 MR. SCHAEFER: OBJECTION.

5 A. I COULDN'T ANSWER THAT QUESTION.

6 Q. WITHOUT IDENTIFYING THAT PERSON.

7 A. I STILL CAN'T ANSWER THAT QUESTION. THAT  
8 IS THE NATURE OF THE SACRAMENT OF CONFESSION. THE  
9 INTERNAL FORUM, WE ARE NOT ALLOWED TO DISCUSS THOSE.

10 MR. SCHAEFER: THERE IS AN EVIDENTIARY  
11 PRIVILEGE FOR IT, AS WELL.

12 MR. WEATHERS: I KNOW THERE IS A  
13 PRIVILEGE AS TO SPECIFICS. I'M NOT SURE THERE IS ONE  
14 AS TO GENERALITIES. BUT IT'S PROBABLY NOT THAT  
15 PROBATIVE, ANYWAY.

16 IF YOU GIVE ME A MINUTE TO GO THROUGH MY  
17 NOTES, I THINK WE'RE ABOUT DONE. AND I GUESS THESE  
18 GENTLEMEN PROBABLY DON'T HAVE ANY QUESTIONS FOR YOU.

19 IF YOU DO, YOU CAN HAVE AT IT.

20 Q. JUST SO I'M CLEAR, YOU HAVE NOT SPOKEN WITH  
21 JASON [REDACTED] ABOUT HIS ALLEGATIONS INVOLVING DENNIS  
22 JOST, HAVE YOU?

23 A. NO.

24 Q. HAVE YOU SPOKEN WITH ANYONE WHO CLAIMS TO HAVE  
25 SPOKEN WITH JASON [REDACTED]?

1 A. NO.  
2 Q. WHEN WAS THE LAST TIME BEFORE TODAY --  
3 A. WELL, EXCEPT HIS MOTHER.  
4 Q. THANK YOU. OTHER THAN HIS MOTHER, YOU HAVEN'T  
5 SPOKEN TO ANYONE?  
6 A. NO.  
7 Q. WHAT DID HIS MOTHER TELL YOU JASON HAD SAID?  
8 A. EXCUSE ME. ALSO [REDACTED], THAT I  
9 RECALL. THEY BOTH BASICALLY SAID THAT JASON WAS  
10 STRUGGLING WITH THIS. HE WAS HAVING A LOT OF  
11 EMOTIONAL DIFFICULTY.  
12 Q. DID EITHER [REDACTED] OR [REDACTED] DISCUSS  
13 WITH YOU ANY SPECIFIC ACTS OR OCCURRENCES?  
14 A. NO.  
15 Q. BEFORE TODAY, WHEN WAS THE LAST TIME YOU SAW  
16 DENNIS JOST, APPROXIMATELY?  
17 A. GOSH. IT WOULD HAVE BEEN EARLY IN '91.  
18 Q. WAS THIS BEFORE OR AFTER YOUR INTERVIEW WITH  
19 THE POLICE?  
20 A. WELL BEFORE.  
21 Q. HAVE YOU SPOKEN WITH MR. JOST AT ANY TIME?  
22 A. NO.  
23 Q. SINCE THEN?  
24 A. NO, NOT AT ALL.  
25 MR. WEATHERS: SAME STIP?



1 MR. SCHAEFER: YES.

2 MR. JOHNSON: YES.

3 MR. JOST: YES.

4 MR. WEATHERS: THAT'S IT. WE'RE DONE.

5 (IT WAS STIPULATED BY AND AMONG

6 COUNSEL THAT THE PROVISIONS OF

7 2025 (P) AND (Q) BE WAIVED AS THEY APPLY

8 TO THE REPORTER'S RESPONSIBILITY FOR

9 FILING THE ORIGINAL DEPOSITION; THAT THE

10 ORIGINAL DEPOSITION BE FORWARDED TO

11 DEPOSITION CUSTODIAN, MICHAEL R. SCHAEFER,

12 AT FULLERTON, LEMANN & SCHAEFER, WHO WILL

13 OBTAIN SIGNATURE BY THE DEPONENT UNDER

14 PENALTY OF PERJURY AND WILL NOTIFY OTHER

15 COUNSEL OF ANY AND ALL CHANGES AND/OR

16 CORRECTIONS IN THE ORIGINAL WITHIN 30

17 DAYS OF HIS RECEIPT; FAILING ANY OF THE

18 ABOVE, A COPY MAY BE USED IN LIEU THEREOF

19 AT TIME OF TRIAL OR OTHER PROCEEDING.)

20  
21 (THE DEPOSITION CONCLUDED AT 12:30 P.M.)

22 -000-