

1 APPEARANCES:

Page 2

2 For the Plaintiffs:

3 TREMONT & SHELTON
 4 64 Lyon Terrace
 5 Bridgeport, Connecticut 06604
 6 By: T. PAUL TREMONT, ESQ.
 7 CINDY ROBINSON, ESQ.
 8 DOUGLAS MAHONEY, ESQ.

9 For Plaintiffs James Krug and Jamie

10 Bellaville:

11 HENRY LYONS, III, ESQ.
 12 34 Sherman Court
 13 Fairfield, Connecticut 06430

14 For the Defendant Father Pcolka:

15 TIERNEY, ZULLO,
 16 FLAHERTY and MURPHY, P.C.
 17 134 East Avenue
 18 Norwalk, Connecticut 06851
 19 By: FRANK MURPHY, ESQ.

20 For the Defendant The Diocese of

21 Bridgeport:

22 HALLORAN & SAGE
 23 One Goodwin Square
 24 Hartford, Connecticut 06103
 25 By: JOSEPH SWEENEY, ESQ.

-and-

19 DANABER, TEDFORD, LAGNESE & NEAL
 20 21 Oak Street
 21 Hartford, Connecticut 06106
 22 By: MATTHEW G. CONWAY, ESQ.

23 ALSO PRESENT:

24 Jack Gambardella, Videographer
 25 Monsignor Laurence Bronkiewicz

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1 the plaintiff in the companion cases of George
 2 Rosado versus the Bridgeport Roman Catholic
 3 Diocesan Corporation, and Brian Freibott versus
 4 the Bridgeport Roman Catholic Diocesan
 5 corporation.

6 The case numbers are CV
 7 93-0302072S and CV 94-0316574S, filed in the
 8 State of Connecticut, Superior Court, Judicial
 9 District of Fairfield at Bridgeport.

10 Today's date is November 11,
 11 1996, and the time of the videotape record is
 12 10:10 a.m.

13 This deposition is being held at
 14 1000 Lafayette Boulevard, Bridgeport,
 15 Connecticut, and my name is Jack Gambardella,
 16 and I am with Hamilton Communications at 60 Pine
 17 Lake Road, Westbrook, Connecticut.

18 Would everyone please introduce
 19 themselves for the record.

20 MR. TREMONT: T. Paul Tremont,
 21 representing the plaintiffs.

22 MS. ROBINSON: Cindy L. Robinson,
 23 also representing the plaintiffs.

24 MR. MAHONEY: Douglas Mahoney,
 25 representing the plaintiffs.

1 WITNESS INDEX

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3 Direct Examination by Mr. Tremont 7

5 EXHIBIT INDEX

6 PLAINTIFF'S DESCRIPTION PAGE
 7 A Letter dated 7/7/83 168

8 NOTE: Exhibit retained.

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1 MR. LYONS: I am Henry Lyons, and
 2 I represent James Krug and Jamie Bellaville in
 3 companion cases.

4 MR. MURPHY: I am Frank Murphy,
 5 representing Raymond Pcolka.

6 MONSIGNOR BRONKIEWICZ: Monsignor
 7 Bronkiewicz, here for the Bridgeport Roman
 8 Catholic Diocesan Corporation.

9 MR. CONWAY: Matthew Conway,
 10 representing the defendants Bishop Walter
 11 Curtis, Bishop Edward Egan and the Bridgeport
 12 Roman Catholic Diocesan Corporation.
 13 (Discussion off the record.)

14 Monsignor ANDREW T. CUSACK,
 15 Seton Hall University, South Orange, New Jersey,
 16 07079,

17 called as a witness, having been first duly
 18 sworn by Gerald Gale, a Notary Public
 19 in and for the State of Connecticut, was
 20 examined and testified as follows:

21 MR. SWEENEY: Just before we move
 22 ahead, with respect to stipulations, I would be
 23 prepared to stipulate as to the adequacy of the
 24 notice of this deposition, as to Mr. Gale's
 25 qualifications, and that he is a notary public.

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1 MR. TREMONT: The same protective
 2 order applies as in the last case and issued by
 3 Judge Levin, and basically everyone in the room
 4 outside of Monsignor Cusack is aware of the
 5 order and has agreed to follow the order, as you
 6 have done yourself, in the prior deposition, so
 7 when the deposition is concluded you will be
 8 sending it to us under seal and that will cover
 9 that.

10 Reading and signing?

11 MR. SWEENEY: I would like to
 12 have the benefit and the chance for the witness
 13 to read it.

14 MR. TREMONT: I would like to
 15 have the deposition sent to me without regard to
 16 the reading and signing.

17 The official record is the
 18 stenographic record.

19 THE VIDEOGRAPHER: At the
 20 conclusion of the reading of the opening
 21 statement, I will ask each one to introduce
 22 themselves, and the reporter will then swear in
 23 the witness.

24 This is the deposition of
 25 Monsignor Andrew T. Cusack taken on behalf of

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1 MR. TREMONT: Why don't we have
 2 the usual stipulations, except for the reading
 3 and signing, which you don't waive.

4 MR. SWEENEY: Correct. I think
 5 the record should reflect that the transcript
 6 will be submitted to the witness for his
 7 signature.

8 MR. TREMONT: No problem.

9 MR. SWEENEY: I assume other
 10 counsel are agreeable as well.

11 DIRECT EXAMINATION

12 BY MR. TREMONT:

13 Q. Monsignor Cusack, you are presently at
 14 Seton Hall University?

15 A. That's right.

16 Q. What is your position there?

17 A. I am the director of the National
 18 Institute for Clergy Formation and also director
 19 of formation at the Immaculate Conception
 20 Seminary at Seton Hall University.

21 Q. Tell me a bit about that, if you would,
 22 please. Are there -- are these two particular
 23 establishments or institutions part of the
 24 university, or do they merely share a campus
 25 with the university?

<p>Page 8</p> <p>1 A. The National Institute for Clergy 2 Formation is part of the university, and then 3 the director of admissions is part of the 4 Immaculate Conception Seminary, which is of the 5 School of Theology of the university. 6 Q. Seton Hall University has a school of 7 theology? 8 A. That's right. 9 Q. And there is a seminary which is 0 located there as well? 1 A. Yes. It's distinct from the 2 university, the School of Theology. 3 Q. What kind of seminary is it? 4 A. A theologic seminary. 5 Q. Is that open to all persons or limited 6 to Diocesan personnel? Is it limited to a 7 Catholic theology -- 8 A. A diocesan as well as religious 9 community theological formation center. 0 Q. What diocese controls that seminary? 1 A. The Archdiocese of Newark. 2 Q. Are you associated with the Archdiocese 3 of Newark? 4 A. No. 5 Q. With what diocese are you associated?</p>	<p>Page 11</p> <p>1 A. Cardinal Hays High School. Iona 2 College and -- 3 Q. Cardinal Hays High School, and that's 4 in New York? 5 A. In New York, right. 6 Q. When did you graduate from Hays? 7 A. Well, I didn't graduate from there. I 8 graduated from St. Charles Prep in Baltimore, 9 Maryland. 10 Q. Did you -- you went from Iona to 11 St. Charles? 12 A. That's right -- No, I went from 13 Cardinal Hays to -- 14 Q. I am sorry, from Cardinal Hays to 15 St. Charles? 16 A. Right. 17 Q. Do you recall, if I may ask, when you 18 graduated from St. Charles? 19 A. Yes, in 1949. 20 Q. All right. At that particular time, 21 would that have been equivalent to a high 22 school -- 23 A. Oh, yes. It was a prep school. 24 Q. It was a prep school. And thereafter 25 where did you go?</p>
<p>Page 9</p> <p>1 A. Diocese of Bridgeport, Connecticut. 2 Q. Do you receive remuneration for your 3 services? Are you paid? 4 A. Surely. 5 Q. May I ask you, not how much, but are 6 you paid by the Diocese of Bridgeport? 7 A. No, by the Archdiocese of Newark. 8 Q. How long -- for how long a period of 9 time have you not received any salary, if you 0 will, or stipend from the Diocese of Bridgeport? 1 A. It will be 10 years this October. 2 Q. All right. Could you tell me what 3 duties you have within the Diocese of 4 Bridgeport? 5 A. I do not have any duties in the Diocese 6 of Bridgeport. 7 Q. All right. When you file income tax 8 returns, do you indicate that your employer, if 9 you will, is the Archdiocese of Newark or Seton 0 Hall University? 1 A. I think the technical is I am an 2 employer of Seton Hall University of the 3 Archdiocese of Newark. 4 Q. Do you teach any course at this time in 5 theology?</p>	<p>Page 12</p> <p>1 A. Iona College. 2 Q. When did you graduate from Iona? 3 A. In 1953. 4 Q. And what was your degree in? 5 A. In philosophy. 6 Q. In philosophy. You had an AB in 7 philosophy? 8 A. Right. 9 Q. All right. And thereafter, Monsignor, 10 what did you do? 11 A. I worked for the Royal McBee 12 Corporation until 1956. 13 Q. And at that time, 1956, what did you 14 do? 15 A. I went to Christ The King Seminary of 16 St. Bonaventure University. 17 Q. Is that -- That's in upper New York 18 state, isn't it? 19 A. Olean, New York. 20 Q. Okay. At that time that we're talking, 21 the context of that time, would that have been 22 considered a delayed vocation, or would that 23 just have been a regular -- you went in the same 24 program? 25 A. It wasn't too delayed.</p>
<p>Page 10</p> <p>1 A. By election, generally I teach in the 2 spring semester. This would not be true this 3 year. 4 Q. What courses would you teach? 5 A. Psychotheology of human development. 6 Q. And what generally does that course 7 curriculum consist of, very generally? 8 A. Psychology, theology, theories of 9 development within both sciences in terms of 0 twinning as well as separateness. 1 Q. What do you mean by twinning? 2 A. Where the scientists join one another. 3 Q. All right. In regard to the sciences. 4 Now, at some point, Monsignor, 5 you were active in the Diocese of Bridgeport as 6 a priest; is that correct? 7 A. That's right. 8 Q. And if we could go back first, could 9 you tell me, what is your birth date? 0 A. 5/31/32. 1 Q. And where were you born? 2 A. New York City. 3 Q. All right. Could you tell me what high 4 school or minor seminary that you may have 5 graduated from?</p>	<p>Page 13</p> <p>1 Q. Right. 2 A. But semi-delayed, yes. 3 Q. You went in at the same time and had 4 the same program as other seminarians, for 5 instance, who might have gone directly from a 6 minor seminary or college? 7 A. That's right, and I also would like to 8 point out, I think it's germane, that had I gone 9 to the seminary right after college, I would 10 have lost two years of college experience. 11 By that I mean, a seminary such 12 as St. Joseph Johnwoody, would have asked me to 13 repeat two years of college. Despite the fact 14 that my major was in philosophy, they required 15 that. Not all seminaries did. Christ The King 16 at St. Bonaventure did not. 17 Q. Okay. That's one reason that you close 18 that seminary? 19 A. That was the central reason, right. 20 Q. At the point that you went into that 21 seminary -- incidentally, you had permission to 22 enter that seminary from a -- an ordinary of a 23 diocese? 24 A. I did not. 25 Q. You didn't?</p>

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1 A. That was published, yes.
 2 Q. Do you know where it was published?
 3 A. Microfilm, Incorporated, in Ann Arbor,
 4 Michigan.
 5 Q. Now, have you written any other
 6 scholarly articles since that time? I mean by
 7 scholarly, something that would be in a
 8 technical publication or in a journal as opposed
 9 to something that might be in a local diocesan
 10 newspaper or magazine?
 11 A. If I understand your distinction, have
 12 I written research oriented --
 13 Q. Correct, research oriented.
 14 A. You have to ask the publishers. I have
 15 published with, for example the "Christian
 16 Psychotherapists," I have published with them.
 17 How scientific the paper was asked to be, you
 18 would have to ask them. My main publications
 19 have been in videotape and in television.
 20 Q. Let's go back to the written
 21 publication. You say you have published for the
 22 "Christian Psychotherapists"?
 23 A. That's right.
 24 Q. Is that a journal?
 25 A. It's an interdenominational journal,

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1 development, also with the same publisher, and
 2 then I think that exhausts it.
 3 Q. All right. Now, after 10 years at the
 4 high school, did you take on some other duty?
 5 A. Yes. In -- I was assigned by Bishop
 6 Curtis as the director of ministry for clergy
 7 and religious of the Diocese.
 8 Q. Now, being -- when was that? When did
 9 you --
 10 A. Let's see.
 11 Q. Approximately.
 12 A. Can I ask you --
 13 MR. SWEENEY: He wants your best
 14 recollection.
 15 A. I was 12 years a priest at the time, so
 16 then we're into 1972.
 17 Q. All right. And were you assigned as
 18 the assistant spiritual director before that?
 19 A. Yes, with Monsignor Jack Murphy of
 20 St. James, Stratford, right.
 21 Q. What were your duties as the assistant
 22 spiritual director for the diocese?
 23 A. Practically exhaustively planning the
 24 retreats once a year that at that time were
 25 demanded of every priest of the diocese.

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1 right.
 2 Q. How many articles have you published
 3 for them?
 4 A. One.
 5 Q. What was the nature of that article?
 6 A. I am going to say human development,
 7 but I am sure it was more sophisticatedly
 8 announced.
 9 Q. All right. Approximately how long ago
 10 did you do that?
 11 A. It would have been in approximately
 12 1978.
 13 Q. Now, you indicated that you have also
 14 done things with video and television?
 15 A. Right.
 16 Q. What kinds of things do you do with
 17 video and television?
 18 A. Well, I suppose in answer to your
 19 question, you would like to know the
 20 publications, would you? Is that the burden of
 21 your question?
 22 Q. If that's -- Well, what is the nature
 23 of it? I mean, are you on a TV show, or are you
 24 doing things for learning types of video
 25 presentations or seminar types? In other words,

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1 Q. All right. And when you became
 2 spiritual director, what were your duties?
 3 A. As I recall, it would have been
 4 arranging a speaker for those retreats.
 5 Q. Now at some point you became the
 6 director of vocations for the ministry of the
 7 clergy and religious; is that correct?
 8 A. That's correct.
 9 Q. Now, who had been director of vocations
 10 before you undertook that position?
 11 A. I believe Monsignor McLaughlin. I
 12 believe.
 13 Q. Did you continue in that position for a
 14 period of time?
 15 A. No. That position was concomitant with
 16 director for clergy and religious. It was one
 17 of the variables of responsibility.
 18 Q. Let me ask you about that because I
 19 noted that you have been listed under a couple
 20 of titles in the Catholic directory. One was as
 21 the director of vocations for ministry and
 22 religious clergy, and you have also been --
 23 A. No.
 24 MR. SWEENEY: Let him finish his
 25 question.

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1 what's the nature of it?
 2 A. Well, I have done both. I'll begin
 3 with the first. I published with the Ave Maria
 4 Press of Notre Dame University, and that was on
 5 marriage and family, and that's three tapes
 6 entitled "God Doesn't Make Junk."
 7 I published with the National
 8 Catholic Reporter a retreat for priests. They
 9 came to Canada where I was giving a priest
 10 retreat and they recorded it. Subsequently it
 11 was published.
 12 I published 13 -- 26 -- 26
 13 one-half hour television broadcasts with EWTN,
 14 more publicly known as Mother Angelica, and the
 15 title was "Living Life Fully."
 16 I published for Dr. Bill Larkin
 17 on various topics of human development and
 18 Bill's publishing house was the Spiritual Life
 19 Center in Hamden, Connecticut.
 20 Then I published with the Alba
 21 House...
 22 Q. That's A-l-b-a?
 23 A. A-l-b-a. In Canton, Ohio. I published
 24 a retreat for priests, and then there are two or
 25 three topics on again essentially human

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1 Q. And you have also been listed as the
 2 vicar of the office of clergy and religious, and
 3 I would like to ask you about that first.
 4 A. First, I was appointed director of the
 5 ministry for clergy and religious, okay? The
 6 duties under that would be director of
 7 vocations, director of continuing education,
 8 director of personnel initially and vicar for
 9 religious initially.
 10 Q. And vicar for religious?
 11 A. That's right.
 12 Q. Now, at that time was there a vicar of
 13 the office of clergy and religious when you were
 14 appointed to --
 15 A. There was not.
 16 Q. There was not. All right.
 17 A. Excuse me. My first title was director
 18 for clergy and religious. Subsequently it
 19 became the episcopal vicar for clergy and
 20 religious.
 21 Q. Well, was there -- I understand that,
 22 and that's what I am trying to find out about.
 23 In other words, at the time that you were
 24 appointed director, was there an episcopal vicar
 25 in the Diocese of Bridgeport for the office of

1 A. No.
2 Q. All right. You were able to go to that
3 seminary at that time without any sponsorship,
4 if you will?
5 A. That's right. They called it -- the
6 canonical term is unadopted.
7 Q. All right. And you were unadopted?
8 A. I was unadopted for one month.
9 Q. Okay.
10 A. Not a child but...
11 Q. Ultimately you became adopted?
12 A. A month, right.
13 Q. All right. To what diocese was that?
14 A. Bridgeport.
15 Q. All right. How did it come about, just
16 incidentally, that you became --
17 A. Bishop Sheehan, then the Bishop of
18 Bridgeport, asked me to come down at
19 Thanksgiving of that year, and I was interviewed
20 directly by the bishop, and I was formerly
21 accepted at that time for the Diocese at
22 Bridgeport.
23 Q. That was when obviously Laurence
24 Sheehan was the bishop?
25 A. Yes, the ordinary, and I remained with

1 the Diocese of Bridgeport.
2 Q. Now you graduated from the seminary
3 when?
4 A. In 1960.
5 Q. After your graduation, what did you do,
6 Monsignor?
7 A. I was associated at St. James in
8 Stratford, Connecticut.
9 Q. So that you -- in 1961 you came to the
10 Bridgeport diocese?
11 A. No, in 1960.
12 MR. SWEENEY: He said 1960.
13 Q. 1960, you came to the Bridgeport
14 diocese and you started at St. James?
15 A. Right.
16 Q. And how long were you there as best you
17 recall?
18 A. About two years.
19 Q. About two years?
20 A. Yes.
21 Q. And then what was your next assignment?
22 A. I was assigned to Stamford Catholic
23 High School in Stamford, Connecticut.
24 Q. What was your assignment at Stamford
25 Catholic?

1 A. I was director of guidance, director of
2 athletics, and full-time teacher of American
3 history and the marriage course to the seniors.
4 Q. How long were you there?
5 A. I was there a little more than 10
6 years.
7 Q. While you were there, did you have any
8 other episcopal duties?
9 A. I did not.
10 Q. You didn't. So you spent all your time
11 basically doing what you told us you were doing
12 at the high school?
13 A. That's right, and studying -- and while
14 at the high school, I studied for my sixth year
15 certificate at Fairfield University and my
16 doctorate at St. John's.
17 Q. So you got a six-year certificate at
18 Fairfield?
19 A. Right.
20 Q. That would be the only program they had
21 at that point, was education; is that correct?
22 It was in education, was it not?
23 A. You would have to ask. I am unfamiliar
24 with what the academic options were.
25 Q. All right. What did you get it in?

1 A. Guidance counseling.
2 Q. That was part of the Department of
3 Education?
4 A. I stand corrected. I think it was a
5 department under itself, unto itself.
6 Q. The sixth year certificate?
7 A. That's right, in guidance and
8 counseling.
9 Q. Which was basically for teachers and
10 administrators, was it not?
11 A. No. In fact to the contrary, it was
12 basically for those of us in any counseling
13 capacity, not just in school capacity, but in --
14 there were a lot of variables as students.
15 Q. That was not a degree-granting program,
16 was it?
17 A. I could have -- Yes. When I came to
18 Fairfield, I had a Master's in theology. While
19 at Fairfield, I applied for my second Master's
20 from the seminary, and because I had the
21 possibility of a second Master's, I was advised
22 to go on for the sixth year certificate.
23 Q. So the sixth year certificate is --
24 A. Thirty credits.
25 Q. Program is not a degree program?

1 A. It's not, it's an academic
2 certificate. It's 30 credits beyond a Master's.
3 Q. Correct. So the effect of that
4 program, I am merely stating, is that you don't
5 walk away after you completed with a quote,
6 unquote, degree, you get a certificate?
7 A. Fair enough. I think it's a little
8 more verbalized in academic circles, but fair
9 enough.
10 Q. Well, one of the advantages to teachers
11 in that program is I think they get a salary and
12 --
13 A. Okay.
14 Q. -- and --
15 A. Okay, okay. See --
16 Q. -- if they --
17 A. That's how I knew there were
18 variables. That's right. Right.
19 Q. And that's something that people like.
20 That obviously didn't apply to you?
21 A. No, my salary rate remained as is.
22 Q. Monsignor, when you finished getting
23 that, when you concluded that program at
24 Fairfield, you continued to study?
25 A. Right.

1 Q. And where did you do this?
2 A. At St. John's University in Queens.
3 Q. All right. And what field was that in?
4 A. When I began, it was counseling
5 education. When I finished the degree, the
6 department became known as the counseling
7 psychology department.
8 Q. It started as the -- it was the
9 counseling education department and then
10 ultimately became the counseling psychology
11 department?
12 A. That's right.
13 Q. And the degree that you received was in
14 counseling psychology?
15 A. Counseling psychology.
16 Q. When did you get that?
17 A. In 1975, May.
18 Q. Were you required to write a thesis for
19 that?
20 A. No, a doctoral dissertation.
21 Q. And what was your dissertation on?
22 A. "Personal Characteristics and Job
23 Satisfaction in the Archdiocese in Priests of
24 the State of Connecticut."
25 Q. That was published?

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1 clergy and religious?
 2 A. There was not.
 3 Q. There was not. So that when you
 4 undertook that position, subsequently you took
 5 on a, quote, unquote, new position at least
 6 under -- Well, you took on a new position?
 7 A. Right.
 8 Q. Do you know whether there ever was a
 9 vicar, episcopal vicar of religious and clergy
 10 under Bishop Sheehan?
 11 A. Yes. There was a vicar for -- oh,
 12 excuse me, vicar for clergy and religious? No,
 13 there was not.
 14 Q. To your knowledge, the first time in
 15 the history of the diocese that that position
 16 appeared and was filled was at the time that you
 17 were appointed to it by Bishop Curtis?
 18 A. That's correct.
 19 Q. And Prior To that appointment, you had
 20 undertook many of those duties as the spiritual
 21 director and director of clergy and religious?
 22 A. No.
 23 Q. Oh, you hadn't?
 24 A. No.
 25 Q. All right. Would you tell me what's

1 A. We had a very extensive program. I
 2 think the best descriptive of that program was
 3 written by -- what most people consider a very,
 4 even though it's a Catholic newspaper, but in
 5 nineteen -- approximately 1977, our program was
 6 announced to be the best in the country by the
 7 National Catholic Reporter, which was very
 8 credible because if there was anything anti,
 9 they were in the forefront, and they described
 10 our program as -- and I think in a very adequate
 11 way, it was on the graduate level accredited by
 12 Fairfield University. That was one aspect of
 13 our program. It had as its content mainly
 14 spirituality, theology and psychology, but
 15 limited to the idea of human spirituality
 16 development. That was for clergy, religious and
 17 laity. Then it had a whole component of just
 18 clergy, and here by clergy I would mean
 19 priests.
 20 Then when Bishop Curtis
 21 established a diaconate office, I was the
 22 director of diaconate, so it included a program
 23 of formation -- a three-year at that time, a
 24 program of formation for the -- those studying
 25 for the diaconate of the diocese. It included

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1 the difference between the duties that you had
 2 then -- Well, I'll withdraw that.
 3 First tell us what was -- were
 4 your duties as episcopal vicar of the office of
 5 clergy and religious in the Diocese of
 6 Bridgeport.
 7 A. Again, I began as director for clergy
 8 and religious. I am only making a correction
 9 because that is significant in terms of canon
 10 law.
 11 Q. I understand that, that's why I am
 12 asking the question, Monsignor. I realize it's
 13 significant, and I'm asking you whether, in
 14 fact, the duties as director were different than
 15 your duties as -- not your powers but your
 16 duties as episcopal vicar?
 17 A. No, they were concom -- they were
 18 identical.
 19 Q. They were identical, all right. So you
 20 did the same thing, but in effect, when you
 21 became episcopal vicar, you received certain
 22 power or authority that may be granted to an
 23 episcopal vicar under the canons of the church?
 24 A. That's right. I don't know if this is
 25 germane to your question. There were also

1 an extensive sabbatical program for each priest
 2 of the diocese, and finally spiritual programs
 3 throughout the course of the year.
 4 Q. All right. Now, let's at the
 5 beginning. When you became director of
 6 vocations, was there a program in existence
 7 to -- educational program to which priests were
 8 required to attend, priests of the diocese, not
 9 seminarians or someone studying but just any
 10 priest of the diocese?
 11 MR. SWEENEY: Pardon me. I just
 12 have a question about your question. You speak
 13 of director of vocations, which we think,
 14 realize these are people who have not yet become
 15 priests, and now you speak in your question
 16 about something being mandatory for priests.
 17 MR. TREMONT: Mr. Sweeney, I am
 18 using the term director of vocations instead of
 19 saying director of vocations for ministry, for
 20 the clergy and religious. In other words, I am
 21 distinguishing director of vocations from
 22 episcopal vicar. What I am talking about is his
 23 entire duties instead of just spelling out the
 24 entire title each time I ask the question, so I
 25 am starting at the beginning.

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1 associates as the office grew. There was an
 2 associate vicar for religious, assistant, Marie
 3 Vianney.
 4 Q. All right. But he was not an episcopal
 5 vicar?
 6 A. She was not.
 7 Q. All right. Now, going through your
 8 duties as director of vocations, but let's take
 9 them piece by piece. You had mentioned that
 10 they included vocations, and I assume by
 11 vocations, Monsignor, that would be either
 12 encouraging or supervising individuals that were
 13 interested or studying for the priesthood?
 14 A. Yes. At that time really, Attorney, it
 15 would include every aspect of young men, or not
 16 so young men interested in applying to the
 17 priesthood of the diocese.
 18 Q. All right. So they would eventually
 19 come to you or --
 20 A. They would see me.
 21 Q. They would see you. Now, you also
 22 mentioned education, I believe, as part of your
 23 duties at that time?
 24 A. Continuing formation of clergy.
 25 Q. All right. What was that about?

1 Q. In other words, by the beginning, when
 2 you first became the director vocations for the
 3 ministry and for the clergy and religious, okay,
 4 and I am asking at that time were there any
 5 educational programs that all priests of the
 6 diocese would be required to attend?
 7 A. Yes. That was always so under the
 8 tenure of Bishop Curtis. He was very invested
 9 in the education and formation of his clergy, if
 10 for no other reason, he was appointed bishop as
 11 a very respect professor and doctor at Seton
 12 Hall University and --
 13 MR. SWEENEY: He just wants an
 14 answer to his question.
 15 A. Well, I think it's germane for me -- I
 16 feel more comfortable giving the motivation of
 17 Bishop Curtis. He was very invested in the
 18 education and formation of clergy from the day
 19 of his appointment.
 20 Q. So there was a requirement?
 21 A. Oh yes.
 22 Q. What was the requirement?
 23 A. One of the requirements I know of,
 24 Attorney, was the idea that yearly a priest has
 25 to make a retreat here in the diocese, and that

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1 was of obligation, and at that time the retreat
 2 was held twice a year, half at the diocese and
 3 the second half at Fairfield University.
 4 Q. Now, there were --
 5 A. There were also educational
 6 opportunities prior to, you are asking, prior to
 7 my appointment.
 8 Q. Now, the retreat, the requirement of a
 9 retreat, was that a requirement that each priest
 10 attend a retreat through all the time that you
 11 were either director of vocations or episcopal
 12 vicar?
 13 A. No, that subsequently changed.
 14 Q. When did that change?
 15 A. I would have to approximate the year.
 16 I would have to -- I underscore approximate.
 17 It would have to be '68 to '70, but that's an
 18 approximation.
 19 Q. And when it changed, did that mean that
 20 a priest was no longer required to attend a
 21 retreat once a year?
 22 A. No, it still is the canonical law of
 23 the church --
 24 THE VIDEOGRAPHER: Off the record
 25 at 10:44 a.m.

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1 (Discussion off the record.)
 2 THE VIDEOGRAPHER: On record at
 3 10:45 a.m.
 4 BY MR. TREMONT:
 5 Q. Now, the -- I was asking you whether
 6 there was no longer a requirement that a priest
 7 attend a retreat once a year in the Diocese of
 8 Bridgeport?
 9 A. No, there was no longer a requirement
 10 that they attend a retreat in the diocese. By
 11 church law, there was, and continues to be, a
 12 requirement that we make a yearly retreat once a
 13 year.
 14 Q. And where were these yearly retreats
 15 made by the priests of the Diocese of
 16 Bridgeport?
 17 A. There were several options. The
 18 diocese would always supply two locations,
 19 normally at the Villa Maria. But then many,
 20 many priests made their retreats at Spencer,
 21 St. Joseph Abby, Ariesville with the Jesuit,
 22 Morristown, New Jersey. In other words, there
 23 were several options, but there was not an
 24 option about not making a retreat.
 25 Q. All right. Is it fair to say that when

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1 the retreats were made within the diocese, the
 2 diocese arranged the educational program or the
 3 topics of the nature of the retreat?
 4 A. When we speak of a retreat, Attorney,
 5 we can't speak of topic, the retreat focuses on
 6 the spiritual life of the priest, unlike an
 7 educational program.
 8 Q. I understand that. But I am asking
 9 that you can certainly direct the retreat into
 10 certain aspects of spirituality, can you not?
 11 A. Well, I can only answer for myself. I
 12 would not be that offensive since the caliber of
 13 man, for example, Archbishop Fulton Sheehan was
 14 one of our options, and I would not be offensive
 15 by telling him the topics of his retreat nor
 16 would I be offensive, nor would Bishop Curtis
 17 for that matter, if he was in agreement, with
 18 the quality with which we invited in a man gave
 19 him totally the option of with which he would go
 20 to a retreat.
 21 Q. All right. So you did not control the
 22 topics, if you will, of the retreats that were
 23 run in the diocese?
 24 A. Okay, but --
 25 Q. That's correct?

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1 A. That's right, we would not control it.
 2 Q. You do not, okay?
 3 A. Though naturally priests obviously who
 4 are on the retreat circuit, of which I was, we
 5 would meet and certain topics would evolve and
 6 would always be part of a retreat, yes.
 7 Q. You would control the topics?
 8 A. No. We would control in the sense of
 9 professional people are allowed to have
 10 conversations about what's the best topic at
 11 this time do you find in terms of giving a
 12 retreat, but we would not name the topic to a
 13 respective retreat master, no. I think there is
 14 a difference.
 15 Q. Now, Monsignor, what other educational
 16 requirement did you have in the Diocese of
 17 Bridgeport in regard to priests who were -- all
 18 the priests that were active in the diocese, in
 19 addition to the retreat?
 20 A. The two that were -- I will give you
 21 the exact words. The Bishop would expect each
 22 priest to be present at the pre-Christmas
 23 educational program and the holy week program.
 24 Q. Now, was there a requirement that each
 25 priest be present?

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1 A. When the Bishop -- and he preferred to
 2 use the word because he was dealing with adult
 3 men, he did not believe in a parent/child model
 4 of leadership, he was dealing with adult,
 5 professional people, so his language was "are
 6 expected to," and that's how one would receive a
 7 letter from the bishop.
 8 Q. Was there a requirement that the priest
 9 attend those two educational programs?
 10 A. I would say his language was that of
 11 requirement, yes, but in an adult, to an adult
 12 leadership model.
 13 Q. Was attendance taken at these meetings?
 14 A. They were not.
 15 Q. Did all priests attend?
 16 A. Certainly the vast majority, if not --
 17 yes, approximately the vast majority.
 18 Q. All priests did not attend?
 19 A. That's right. And that might be
 20 because of duties. For example, hospital men
 21 would have a tougher time receiving
 22 replacements, they would have a valid reason for
 23 excusing, and at first the bishop would ask them
 24 to notify him, you know, of their reason for not
 25 being present.

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1 Q. Well, how would the bishop be aware
 2 they weren't present if he didn't take
 3 attendance?
 4 A. The priest would write to the bishop
 5 and inform him why he wasn't going to be there.
 6 Q. So it was in such a fashion, then, that
 7 if a person did not -- a priest did not attend,
 8 he would have to be excused; is that correct?
 9 A. That's right. That's right.
 10 Q. It was mandatory?
 11 A. That's right. I must say, maybe we are
 12 quibbling with language but before -- let's say
 13 Vatican II, there would be, okay, you had to be
 14 there. Now there was a new language, but it
 15 also was a required language, you were expected
 16 to be there.
 17 Q. Was it not a fact that when the
 18 language changed that the attendance at these
 19 things was reduced?
 20 A. Certainly a modicum but not majorilly
 21 in this diocese.
 22 Q. What was that?
 23 A. A modicum, a small amount.
 24 Q. So it was reduced?
 25 A. Yes, not -- I would approximate not 5

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1 percent.

2 Q. Now, your duties as the episcopal vicar
3 of the diocese, did they relate to any -- I
4 will withdraw that.

5 What was the relationship of your
6 duties and complaints that were made against
7 priests generally?

8 A. Would you spell out what -- my duties,
9 please?

10 Q. I am asking you. What were your
11 duties? Did you accept complaints, for
12 instance, general complaints made about a
13 priest?

14 A. Normally the initial complaint, yes,
15 might be given to me or to the bishop or, for
16 that matter, a man in administration of the
17 diocese.

18 Q. Let me try to explore that with you
19 when I say general complaints.

20 A. Sure.

21 Q. Someone says that the priest at
22 St. James appears to be ignoring funerals and
23 they are having a great difficulty with him in
24 saying a funeral mass. Just as an example, if
25 somebody had that complaint, would that come to

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1 you in your office as episcopal vicar?

2 A. After I was in office, yes, more
3 commonly. Initially there would be another
4 variable. The younger priests would have an
5 easier time coming to me because it was a new
6 practice. The not-so-young priests would more
7 commonly come to the bishop.

8 Q. All right, but whether they came to you
9 or to the bishop --

10 A. But eventually it became commonplace
11 that it would come to me, right.

12 Q. Were you the person who would
13 investigate that complaint?

14 A. Primarily.

15 Q. All right. Would the bishop
16 investigate it?

17 A. At times.

18 Q. So he would investigate these
19 complaints himself?

20 A. Right.

21 Q. If he didn't investigate the
22 complaints, then you would?

23 A. Right. Or if it was a -- according to
24 the specific nature, for example, a finance
25 complaint, his vicar general and/or the man in

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1 charge of finances would investigate the
2 complaint.

3 Q. What would be a finance complaint?
4 Give me an example.

5 A. If there was some report of a financial
6 misgiving going on in a respective parish.

7 Q. Would that be, again specifically, a
8 priest doing it or a person other than a priest?

9 A. Sometimes as parish councils began,
10 they would complain that they would want an
11 actuarial accounting of their parish. That
12 would come again as parish councils began to be
13 a reality of the diocese.

14 Q. See, what I am trying to find,
15 Monsignor, is what your -- what were your
16 responsibilities in regard to the priest in the
17 diocese. In other words, that's what I am
18 asking. If a priest, for example, was accused
19 of stealing money, would that be something that
20 you would review or the individual in charge of
21 finances for the diocese?

22 A. I would say the norm there that Bishop
23 Curtis would follow the man in charge of
24 finances would investigate that. That would not
25 be seen as my competency nor as my duty.

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1 Q. All right. Now, as far as abuse of
2 alcohol by members of the clergy, would that be
3 within your jurisdiction?

4 A. It would be within my jurisdiction, but
5 again, as again, my office, they still had an
6 election to whom they wanted to go with the
7 complaint, either to the bishop or myself.
8 Eventually that became a -- primarily they would
9 come to me.

10 Q. All right. But that would be something
11 within the purview of your duties?

12 A. No question.

13 Q. All right. Now, what about a --

14 members of the clergy that started expressing
15 unusual beliefs or acted in an unusual fashion,
16 for instance, failing to say a vulgate mass and
17 insisting on the Latin mass, would that be
18 something that would come again under your
19 attention?

20 A. Normally Bishop Curtis would choose to
21 bring that to the attention of a canon lawyer of
22 the diocese, at that time primarily Monsignor
23 Toomey.

24 Q. As opposed to yourself?

25 A. Yes.

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1 Q. All right.

2 A. Again, I would like to state that, with
3 some gray, but the norm would be Monsignor
4 Toomey.

5 Q. Generally you would not cover that.

6 You might on certain occasions, but basically
7 that if you were involved with a -- when I say a
8 question of aberrant theology on the part of a
9 priest or something unusual in the way he was
10 conducting mass or something, it might be
11 Monsignor Toomey.

12 Now what about the vow of
13 celibacy, complaints about the vow of celibacy,
14 would that come within your jurisdiction?

15 A. That's right, yes.

16 Q. And what about lapses -- what appeared
17 to be lapses in the vocation of a priest, would
18 that come within your jurisdiction?

19 MR. SWEENEY: Can you define what
20 you mean when you say lapses in vocation?

21 MR. TREMONT: Well, it's a lapse
22 in vocation. Let's assume the priest is --
23 let's assume he is not necessarily having sex
24 with a woman but living with a woman, for
25 example. I would think that would be a lapse --

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1 MR. SWEENEY: Well, that being an
2 example?

3 A. If there were ever such a case, that
4 would certainly come to my attention.

5 Q. There wasn't such a case?

6 A. During my time, never.

7 Q. Did you know Father Walter Coleman?

8 A. To my recall.

9 Q. Father Walter Coleman, you knew him?

10 A. Yes.

11 Q. Did you ever have any complaints made
12 to you in regard to Father Walter Coleman?

13 A. I have no recollection of a complaint.

14 Q. You have no recollection of a
15 complaint?

16 A. Of a complaint, with regard to living
17 with a woman, no.

18 Q. Did you know an Attorney Keenan from
19 Westport?

20 A. Certainly not by name.

21 Q. All right. Did you know a woman named
22 Judy Knecht, K-n-e-c-t?

23 A. Not by name.

24 Q. Do you recall whether you met with
25 Ms. Knecht and Attorney Keenan in Wilton in

<p>Page 44</p> <p>1 regard to her claim that she and Father Coleman 2 were engaged? 3 A. I have no recollection of that. 4 Q. You have no recollection of that. Do 5 you have the recollection of meeting with a 6 woman named Judy Alexander who claimed that she 7 and Father Coleman were engaged? 8 A. I have no recollection of that. 9 Q. You have no recollection of that at 10 all? 11 A. I do not. 12 Q. Do you recall claims of sexual abuse 13 that were made against Father Coleman? 14 A. I have no recollection of sexual abuse 15 with regard to Father Coleman, no. 16 Q. No recollection at all? 17 A. None. 18 Q. Do you recall meeting with a 19 Mrs. Harding in regard to her sons whom she 20 claimed were sexually abused by Father Coleman? 21 A. I have no recollection of meeting with 22 her, no. 23 Q. You have no recollection? 24 A. No. 25 Q. Does that mean that you don't remember?</p>	<p>Page 47</p> <p>1 and treatment? 2 A. Yes, because we received reports and 3 rumors that he was drinking. 4 Q. And -- You received reports and rumors 5 that he was drinking? 6 A. That's right. 7 Q. Could you tell me at what parish was he 8 when you received those reports? 9 A. I would have to -- I am almost certain 10 they were Assumption in Westport. 11 Q. All right. 12 A. But I would stand corrected there, but 13 I am almost certain. 14 Q. You are telling me that there were no 15 complaints that you received at that time that 16 Father Moore was involved, or at least it was 17 claimed that he was abusing young boys? 18 A. I have no recollection of sexual 19 misconduct on the part of Father Joe Moore. 20 Q. I am asking you whether there was a 21 claim made, Monsignor. 22 A. I have no recollection of a claim being 23 made. 24 Q. No claim, all right. 25 A. No.</p>
<p>Page 45</p> <p>1 A. No, I -- Yes, I don't remember. 2 Q. Do you recall getting a complaint from 3 Father Victor Martin regarding Father Coleman 4 and his conduct with young men? 5 A. Father Victor Martin of the diocese? 6 Q. Yes. 7 A. I have no recollection of that at all. 8 Q. You have no recollection of that. Did 9 you know a Father Joseph Moore? 10 A. I did, yes. 11 Q. Did you have any complaints of sexual 12 abuse against Father Moore? 13 A. I have no recollection of any sexual 14 complaints against Father Moore. 15 Q. You don't have a very good memory, do 16 you, Monsignor? 17 A. No, I have an excellent memory, 18 Attorney. 19 Q. Do you ever recall meeting in Wilton at 20 11:30 in the evening with a Mr. Rossi and 21 Mr. Amerine, in regard to the fact that Father 22 Moore abused their sons? 23 A. No, I do not recall that at all. I 24 have no recollection. 25 Q. You have no memory of that?</p>	<p>Page 48</p> <p>1 Q. And when you sent Father Moore down to 2 St. Luke's, it was strictly -- 3 A. Up to St. Luke's. 4 Q. Up to St. Luke's, it was strictly for 5 alcohol? 6 A. That's right. 7 Q. And there was no other evaluations 8 made? 9 A. At that time any priest sent to 10 St. Luke Institute, either in Massachusetts or 11 in Maryland, they were only sent there for 12 alcohol, no other reason. 13 Q. And you do not recall telling a parent, 14 "I want you to know that Joe has been tested 15 and that he is not a homosexual"? 16 A. I do not recall that statement. 17 Q. You don't remember that? 18 A. I don't. 19 Q. Now let me ask you, would it be 20 something that would stick in your mind, the 21 fact that you met with two boys and their 22 fathers regarding a claim of sexual abuse of 23 priests of the Diocese of Bridgeport? 24 A. Your question -- Focus your question 25 more, please.</p>
<p>Page 46</p> <p>1 A. No. 2 Q. You don't remember the fact that you 3 sat with these people for over a half hour and 4 discussed with them the fact that Father Moore 5 attempted to sexually assault these two boys 6 that were members of the Assumption Parish in 7 Westport, you don't remember that? 8 A. I do not have any recall of that. 9 Q. Do you recall sending Father Joseph 10 Moore for psychological testing? 11 A. No. I recall sending Father Joseph 12 Moore to St. Luke's Institute, who at that time 13 had two places, one in Massachusetts and the 14 second in Maryland, and Joe, because of space, 15 was sent to Massachusetts. He completed the 16 therapeutic process and the 12-step focus of 17 that program, and he was home shortly -- I would 18 not be able to know the exact time, but 19 approximating, it was a short time after, 20 because I felt that he needed a place that was 21 more therapeutic. I asked the bishop's 22 permission for Joe to be sent to Southdown in 23 Canada, and he was sent there. 24 Q. Now, could you tell me, why was it that 25 you initially sent Father Moore for evaluation</p>	<p>Page 49</p> <p>1 MR. TREMONT: May we have that 2 question read? 3 (Question read.) 4 A. Yes, that would stand out in my mind. 5 Q. Okay. So that if -- And you say you 6 don't remember it? 7 A. I have no recall. 8 Q. So is it fair to say that you don't 9 believe it happened? 10 A. No, I'll stay with my words. I don't 11 recall this visitation. 12 Q. That would be fairly significant, 13 wouldn't it, such a visitation? 14 A. Surely. 15 Q. So that you recall, for example, that 16 you did send Father Moore to St. Luke's and you 17 recall that he required additional treatment? 18 A. That was my evaluation, because I 19 wasn't satisfied with his participation in 20 St. Luke Institute, and also behavior after his 21 return continued to give evidence for drinking. 22 Q. But you remember all that? 23 A. Oh, sure. 24 Q. And you remember that about Father 25 Moore, but you don't remember anything about</p>

<p>Page 50</p> <p>1 these people coming in and making a complaint? 2 A. No, I do not. 3 Q. Now, as far as Father Coleman is 4 concerned, you have no recollection of speaking 5 with an attorney regarding the fact that Father 6 Coleman was living with a woman and owned 7 property in common with the woman with whom he 8 was living? 9 A. I have no recollection of that 10 information being given to me by an attorney 11 with Father Coleman, no. 12 Q. You don't remember being shown deeds 13 which indicated that Father Coleman was -- owned 14 property with a woman in two places, Bridgeport 15 next to St. Patrick's Church, and in Milford? 16 A. I do not remember being shown deeds. 17 Q. Do you remember a lawsuit that was 18 brought by a woman against the Diocese of 19 Bridgeport alleging a relationship between 20 herself and Father Coleman? 21 A. Well, yeah -- No one came to me about 22 that lawsuit, no. 23 Q. I don't follow you. You said, "Yeah, 24 no one came to me." Do you remember the 25 lawsuit?</p>	<p>Page 53</p> <p>1 that came to my attention, I believe, was when 2 the man appeared at the chancery office with the 3 gun. I would like time to reflect on that. 4 Prior to that, the incident was 5 of a sexual nature when I had him 6 psychologically assessed by a Monsignor James 7 Cassidy, a priest psychologist and mentor for my 8 doctorate, and subsequently, I had him see 9 Father Jim O'Toole -- 10 MR. SWEENEY: Father or doctor? 11 A. Excuse me, doctor. James O'Toole of 12 Ridgefield, Connecticut, director of 13 psychological services at St. Mary, Waterbury, 14 and he continued in therapy with Dr. O'Toole and 15 Benedict Rochelle, Benedict Rochelle, as the 16 spiritual adviser to the therapeutic process. 17 All three -- Well, Dr. Cassidy, Dr. O'Toole and 18 Benedict Rochelle, also a doctor, were -- knew 19 one another well, and that was the first 20 complaint that I am recalling now. 21 And the second was when the 22 father first came, he wanted directly to see the 23 bishop, and I am not sure whether the bishop was 24 available, and Monsignor Tetreault saw him, and 25 he was carrying a gun. And either that</p>
<p>Page 51</p> <p>1 A. The lawsuit was discussed by Bernie 2 Reedy, that he was taking care of that. 3 Q. Who is Bernie Reedy? 4 A. In charge of the finances of the 5 diocese. 6 Q. You remember the lawsuit, though? 7 A. Through Bernie Reedy. I had nothing to 8 do with the receiving of the information, the 9 process of the information, or if so, what's 10 happened, closure to the information, no. 11 Q. You don't remember -- as far as that 12 lawsuit is concerned, that you heard about, you 13 have no recollection about meeting with anyone 14 before that lawsuit was instituted? 15 A. I do not. 16 Q. Or after that lawsuit was instituted? 17 A. I do not. 18 Q. Now, did you ever have any complaints 19 in regard to Father Coleman of any nature? 20 A. Certainly not of a sexual nature. Did 21 I know of complaints about Father Coleman? 22 Through rumor of priests of the diocese, I knew 23 he wasn't well received as a leader, as a pastor 24 of St. Patrick's, that I knew. 25 Q. And anything before he was at</p>	<p>Page 54</p> <p>1 afternoon or the next day, the father was asked 2 to see me by Monsignor Tetreault. The father 3 did not come to my office with a gun. 4 Q. You had two complaints that you recall? 5 A. That's right. 6 Q. Now, let's go to the first complaint. 7 What was the nature of the first complaint? 8 A. The nature of the first complaint, Jim 9 Cassidy, I believe that came from the police 10 department, and it was about a boy in Father 11 Federici's car, okay, I think it's getting 12 clearer, and he touched his leg. I don't think 13 there was -- in fact, my memory, there was no 14 sexual advance on the part of the Father 15 Federici toward this boy, but he went to the 16 police. 17 Q. The boy went -- as far as you recall, 18 the boy went to the police? 19 A. Right. 20 Q. And what police department was that? 21 A. I would only be guessing here. 22 MR. SWEENEY: You have no 23 obligation to guess, but if you have any idea, 24 if you can give us an estimate. 25 A. I don't recall.</p>
<p>Page 52</p> <p>1 St. Patrick's? 2 A. No, in fact, Father Coleman was at 3 Stamford Catholic High School as let's say an 4 adjunct in the ice hockey program of the high 5 school, and I knew him then. In fact, I admired 6 him very much in terms of his skills at ice 7 hockey, and on his own, he ran a very respected 8 ice hockey program with a number of the men in 9 the athletic program of the high school. 10 Q. So your answer is no? 11 A. To what, please? 12 Q. You never knew of any complaints or 13 misconduct before that incident at 14 St. Patrick's? 15 A. No. No, I did not. 16 Q. Now, what about Father Martin 17 Federici? Do you know Father Federici? 18 A. Yes, I know Father Federici. 19 Q. Did you have any complaints in regard 20 to Father Federici? 21 A. Yes, we did. 22 Q. All right. Could you tell me what the 23 nature of the complaints were? 24 A. I really would have to approximate the 25 sequence of the nature, but the first complaint</p>	<p>Page 55</p> <p>1 Q. Well, where was Father Federici 2 stationed at that time when this incident 3 occurred? 4 A. Father Federici was stationed in -- I 5 believe, in Westport. 6 Q. Would that be at Assumption? 7 A. At Assumption in Westport. 8 Q. And the -- Do you recall who the 9 complaint was addressed to? In other words, you 10 say the police called or -- the police called? 11 A. That's right. 12 Q. Who did they -- In other words, did 13 you speak with them? 14 A. I believe -- 15 Q. Or the bishop did? 16 A. No. I think the police, yes, came to 17 the bishop and/or Monsignor Donnelly, the pastor 18 of Westport. If the police did not go to 19 monsignor, Marty shared that information with 20 the monsignor. 21 Q. All right. Let's take that particular 22 occasion. I am going to ask you later a number 23 of questions, and I don't want to be redundant 24 but we may just in the nature of this 25 deposition, it just may be necessary to have</p>

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1 redundancy in regard to the handling of cases
2 and the record keeping in regard to complaints
3 of -- et cetera.
4 But right now, I am interested
5 generally in the complaint, and so my questions
6 are more going to be directed to the complaint,
7 what you did about it, as opposed to how it may
8 have been recorded.
9 Now, when that complaint was
0 received then, you were brought into the
1 picture?
2 A. That's right.
3 Q. All right. And at that point what
4 would be -- what do you recall that you did
5 first?
6 A. I contacted Monsignor Cassidy and asked
7 him to do a psychological battery on Father
8 Federici.
9 Q. Well, did you speak to Father Federici?
0 A. Yes, he was called in.
1 Q. Well, that's what I'm saying. Well,
2 that's what I'm interested in. In other words,
3 the complaint comes in, you received it from
4 either the police department directly or from
5 the pastor at Assumption, and you were called

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1 in. At that point what did you do, the first
2 thing you did after listening to them?
3 A. I told Marty that we would require of
4 him a psychological assessment.
5 Q. Well, you had him come in?
6 A. Sorry, please?
7 Q. You had him come in?
8 A. That's right.
9 Q. Did you discuss the incident with him?
0 A. I asked him to discuss it with me.
1 Q. What did he tell you?
2 A. That there was no sexual contact with
3 the boy in the car, that he did put his hand on
4 the boy's knees, and I don't believe there was
5 exposure in that case, there was in Shelton, but
6 that I'd have to --
7 Q. What do you mean by exposure?
8 A. Where Marty would expose himself.
9 Q. Now, did you interview the victim, the
0 person who complained?
1 A. No. To my knowledge, we were not given
2 the name of the victim, nor was the bishop.
3 Q. Did you request it?
4 A. Yes. We have to get the police report
5 to inform our attorney.

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1 Q. You did request the name of the victim?
2 A. Oh, yes.
3 Q. Did you eventually find the name of the
4 victim?
5 A. You'd have to get the records of --
6 Q. I am not asking the name of the victim,
7 but I am asking whether you people determined
8 who the victim was?
9 A. I did not, no.
0 Q. Did someone?
1 A. Attorney Jim O'Connell did.
2 Q. All right. Someone did determine --
3 A. That's right.
4 Q. -- who the victim was?
5 A. That's right.
6 Q. Now -- I am not asking that
7 individual's name, the victim's name, I am not
8 asking that. Now did you contact the victim at
9 any time and interview the victim?
0 A. I did not, no.
1 Q. Did you request to interview the
2 victim?
3 A. Yes, I did.
4 Q. All right. Was that request rejected?
5 A. Rejected, right.

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1 Q. All right. Do you know if the victim
2 had claimed in that case that Father Federici
3 did more than Father Federici claimed he did?
4 A. Yes. This is not a vagueness at this
5 juncture on my part. My procedure, when sexual
6 misgiving or even rumor was given to me, my
7 procedure was to immediately ask the man, first
8 of all, the alleged victim, and secondly, that
9 my requirement that he undergo psychological
10 assessment, because it was my professional
11 judgment that this would all be taken care of by
12 the professional person.
13 We would always give such a
14 situation three options that he was able to
15 choose from, three doctors that he was able to
16 choose from, and a priest had the right to
17 refuse -- canonically, he had the right to
18 refuse psychologically assessment. Such a
19 procedure never occurred during my time.
20 Q. In other words, the refusal?
21 A. The refusal, right.
22 Q. All right. Now, the claim was made in
23 regard to that incident, was it not?
24 A. That's right.
25 Q. Okay. And that particular claim, was

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1 that claim you settled under seal, in other
2 words, settled under a confidentiality
3 agreement?
4 A. With whom, confidentiality?
5 Q. With the victim's attorney.
6 A. The victim's attorney never came to me,
7 to my recollection.
8 Q. I didn't ask if he came to you.
9 A. Oh.
10 Q. I am asking whether the claim of the
11 victim was settled by the diocese?
12 A. Yes, it would have to be settled --
13 MR. SWEENEY: Well, pardon me.
14 This is the meaning of your question, I think
15 it's a little bit it's confusing. It's one
16 thing to say one claims to have been
17 inappropriately touched, we know that. But I
18 think you are referring to a claim in a sense of
19 a claim for monetary recovery and there has been
20 no testimony to the effect whoever this person
21 was ever sought any compensation or payment --
22 MR. TREMONT: Well, that's what I
23 am trying to find out.
24 A. Was that the burden of your question?
25 Q. Yes.

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1 A. There was never any, no.
2 Q. Well, you indicated that the
3 information -- that you turned this matter over
4 to Attorney Jim O'Connell?
5 A. Well, see, it was our procedure,
6 whenever there was a behavioral report to us, it
7 was immediately given to James O'Connell to
8 handle the legalities or to see if, for example,
9 it was in the handle of law, he would see that,
10 the lawyers involved.
11 Q. Why would it be the procedure, why was
12 it your procedure that if there was a complaint
13 made, that you immediately would contact a
14 layman, albeit a lawyer, what was the purpose of
15 that?
16 A. That was a directive of Bishop Curtis.
17 Q. Why?
18 A. Because legal people were involved,
19 police are legal, and he felt that he and I,
20 that we both would communicate this to Attorney
21 O'Connell.
22 Q. What would you communicate to Attorney
23 O'Connell? For instance, in that instance what
24 would you communicate?
25 A. The alleged behavior given to us.

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1 Q. All right. And then what would you ask
2 Attorney O'Connell to do?
3 A. I would ask him nothing. I respected
4 him enough to know he was going to do what his
5 expertise does.
6 Q. What is that?
7 A. To inform the state or to carry through
8 with, in this case with the police charge, to
9 visit with the lawyer that's involved, if, in
10 fact, a lawyer was involved.
11 Q. What do you mean when you say to inform
12 the state?
13 A. Whatever that might mean. I --
14 Q. You just said it. What does that mean?
15 A. Okay, I just said it because that was
16 the language I heard Attorney O'Connell use, and
17 so I am using it.
18 Q. Did you have you a policy of informing
19 the State of Connecticut when there was a claim
20 made that one of your priests sexually abused
21 someone?
22 A. Through Attorney O'Connell in each
23 instance, yes.
24 Q. So that you informed the State of
25 Connecticut when there was a claim made by an

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1 individual that Father Pcolka had abused her,
2 you informed the State of Connecticut?
3 MR. SWEENEY: Well, Counsel, he
4 is not saying that he informed the state. He is
5 saying that he informed Attorney O'Connell who
6 took care of those claims.
7 A. I would like to add also, as did Bishop
8 Curtis inform the attorney.
9 Q. Bishop Curtis informed the state as
10 well?
11 A. No, the attorney, Attorney Jim
12 O'Connell.
13 Q. But that's not -- The question isn't
14 in regard to Jim O'Connell. The question is
15 whether you -- I will withdraw.
16 You are telling us that you would
17 see to it that the State of Connecticut was
18 informed every time there was a complaint made
19 in regard to sexual abuse against one of your
20 priests.
21 MR. SWEENEY: That's not what he
22 is saying, Counsel.
23 Q. All right. So -- Excuse me, all
24 right. You are not saying that, okay. So you
25 don't know if anybody informed the State of

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1 Connecticut, do you?
2 A. My respect for Attorney Jim O'Connell
3 gave me moral certitude that that was done in
4 each instance.
5 You asked me what the -- informed
6 the state, that was the language I heard Jim
7 O'Connell use. I didn't question it because
8 again my respect for -- he is going to use terms
9 that his expertise used. They were not my
10 expertise, but in every instance, when there was
11 misbehavior given to us, it was given to
12 Attorney James O'Connell.
13 Q. Yeah, you'd give it to Attorney
14 O'Connell, but you gave it to Attorney O'Connell
15 for purposes of a civil claim which might be
16 brought; wasn't that the case?
17 A. I am not saying that at all. I gave it
18 to Attorney Jim O'Connell, as did Bishop Curtis,
19 to do with it what he was required to do with
20 it, whatever that was.
21 Q. Well, he was required to do only what
22 you told him to do, Monsignor.
23 A. No, I'd have to take exception to that,
24 Attorney. That was not the procedure that Jim
25 O'Connell gave to me.

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1 Q. All right. He took -- What procedure
2 did he give you? Tell me about the procedure
3 that Mr. O'Connell, who happens to be dead at
4 this time, but tell us what procedure he gave
5 you.
6 A. That he would take care of all the
7 legalities involved in such an accusation.
8 Q. I assume you have that in writing?
9 A. You could ask Attorney O'Connell.
10 Q. No, I am asking whether you, when you
11 were the vicar of clergy or during your tenure,
12 that there is a writing in the diocese, in the
13 records of the diocese, that indicates the
14 procedure that you gave to Attorney O'Connell or
15 that he gave to you?
16 A. I can only answer for myself and Bishop
17 Curtis would answer for himself. I saw no
18 reason to put this in writing.
19 Q. You have never seen anything in
20 writing, have you, in regard to this procedure?
21 A. Have I ever seen anything in writing to
22 this procedure? I am not sure that this answers
23 directly to your question. I would say no, but
24 he dictated a letter that I subsequently wrote
25 to an alleged victim.

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1 Q. I don't understand what you mean by
2 that.
3 A. Well, there was a case that came in to
4 my attention and Attorney O'Connell was brought
5 in, and Attorney O'Connell directed me what to
6 write in a letter.
7 Q. To a victim?
8 A. That's right.
9 Q. Not to the police?
10 A. No.
11 Q. Or to the State of Connecticut, but to
12 the victim?
13 A. Right.
14 Q. All right.
15 A. Now, if I --
16 MR. SWEENEY: No question
17 pending. I wonder if this is a good time,
18 Mr. Tremont, for our customary 11:30 break,
19 unless you are about to finish up something.
20 MR. TREMONT: Well, I'm going to
21 be a while. I don't know what you want to do.
22 MR. SWEENEY: I think we have the
23 11:30 time.
24 MR. TREMONT: Oh, you mean just a
25 five-minute break?

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1 MR. SWEENEY: Yes.
2 MR. TREMONT: All right. Fine.
3 THE VIDEOGRAPHER: Off the record
4 at 11:29 a.m.
5 (Discussion off the record.)
6 MR. TREMONT: I am certain,
7 Mr. Sweeney, there will be no conversation with
8 the deponent in regard to the matter of this
9 deposition at the recess, because that's a
10 violation of the law.
11 MR. SWEENEY: It is not.
12 Positively not.
13 MR. TREMONT: Let me put this on
14 the record.
15 MR. SWEENEY: Let's put this on
16 the record.
17 MR. TREMONT: I want to state for
18 the purposes of this record that as I understand
19 Connecticut law, that a person, an individual
20 being deposed at a deposition, is in the same
21 position as an individual who is on the witness
22 stand during the course of a trial, and that it
23 is improper for that individual at a recess at
24 court or at a deposition to confer with
25 attorneys or anyone else in regard to the

1 testimony and the nature of the issues for which
2 he is being deposed, and I feel that's a
3 violation of the law, and there are Connecticut
4 cases on it, and there is a decision of Judge
5 Bassick on it in that regard.

6 MR. SWEENEY: I think -- I will
7 put my response in the record. There is a case
8 by the Connecticut Supreme Court, Rienzo versus
9 Santiello, which stands for the proposition that
10 during a recess of a court trial, a witness may
11 consult with his or her attorney, and I disagree
12 vigorously with my brother counsel, what he has
13 had to say on this subject, and I want to make
14 quite clear: Mr. Tremont, and I have been in
15 business for more than 30 years, I think
16 everyone has a right to consult with his or her
17 client, and I reserve that right.

18 MR. TREMONT: I object to it.
19 MR. SWEENEY: You are entitled to
20 your opinion, Mr. Tremont.

21 (Recess: 11:35 to 11:46 a.m.)
22 THE VIDEOGRAPHER: On record at
23 11:46 a.m.

24 BY MR. TREMONT:
25 Q. Now, we're back from the recess. I'm

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1 was also speaking to me as a priest who happens
2 to be a psychologist, if he refused to do this,
3 then I would have to persuade him. He had no
4 hesitation in giving this, and so he discussed
5 it, by his own freedom, what took place, and I
6 asked to be present.

7 Q. Now, did you, for instance, interview
8 any of the young people that he was associated
9 with in that church, the altar boys, for
10 instance?

11 A. Did I interview the altar boys?

12 Q. Yes.

13 A. No.

14 Q. Did you speak to anybody at the CYO, or
15 I mean just generally in regard to the activity
16 or conduct of Father Federici?

17 A. I discussed with the pastor of the
18 parish who was quite incredulous with what
19 happened and quite supportive of Marty's
20 nonsexual intent, but, no, my desire was that
21 this be investigated by an expert.

22 Q. I am asking whether you made any
23 attempt to determine whether Father Federici
24 might have been engaged in the same kind of
25 conduct with the children that he came into

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1 going to ask you about something here, just
2 answer "yes" or "no." Monsignor, did you
3 discuss at all with Mr. Sweeney anything in
4 regard to the testimony that you are giving
5 today in this case?

6 MR. SWEENEY: Objection. I think
7 the record should reflect the fact that any
8 communications Monsignor Cusack has with me as
9 his attorney is totally privileged, and I
10 instruct him not to answer the question.

11 MR. TREMONT: Right. The reason
12 I am asking the question is based upon my claim
13 that there should be no discussion during the
14 recess, and that's why I am not asking what it
15 is, merely whether there was or was not a
16 discussion.

17 MR. SWEENEY: That question is
18 out of bounds, and I am instructing him not to
19 answer.

20 MR. TREMONT: All right. And I
21 intend to bring that up to court.

22 Q. Now, in addition to speaking with
23 Father Federici as a result of this first
24 incident that you describe, do you recall
25 whether you spoke with anyone else?

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1 daily or at least weekly contact?
2 A. And I told you that I discussed it with
3 the pastor of his parish.

4 Q. But not with any of the --

5 A. No, but I do recall that the pastor of
6 the parish saw no reason to give credence to
7 what occurred, and there was no reason to go
8 further.

9 Also, the pastor was encouraged
10 by me to agree with us, because we wanted
11 him to -- because Marty undoubtedly would be
12 coming back, and he would see the
13 psychologist that he would be seeing, he -- The
14 next step was he went to Monsignor Cassidy.

15 Q. If, in fact, the pastor had no credence
16 in this, why would you send him for evaluation?

17 A. Yes. Even in the case of rumor or an
18 alleged accusation, that was my procedure, and
19 my procedure was psychology and psychiatry, and
20 this was communicated to the diocese, was not
21 just for behavioral disorder, it was also for
22 human development and, in our language, the
23 process of growing toward God.

24 Q. Now, do you recall for how long a
25 period of time Father Federici, and you may or

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1 A. I arranged the appointment with
2 attorney -- not attorney, but Monsignor Cassidy.
3 Q. Dr. Cassidy, who is a priest and a
4 psychologist?

5 A. Yes.
6 Q. Where was he, incidentally?

7 A. At that time he was based, Attorney, in
8 the New York Archdiocese building.

9 Q. Okay. But he was in New York?
10 A. That's right.

11 Q. And did you discuss the matter with
12 Father Federici's pastor?

13 A. Did I discuss the matter with --
14 Father Federici discussed in my presence the
15 matter with his pastor.

16 Q. Did his pastor come with him?

17 A. No, we went to the rectory, and Marty
18 discussed the matter with his pastor.

19 Q. In other words, the three of you were
20 together?

21 A. That's right.

22 Q. Was anyone else present, if you recall?

23 A. And also, because this is very
24 important to my professionalism, I had Marty's
25 approval of that. Marty had a right, because he

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1 may not recall, was getting the counseling from
2 Father Cassidy, Father O'Toole and Dr. Rochelle?

3 A. After we received the testing from
4 Dr. Cassidy, I asked Dr. O'Toole to be his
5 therapist. He was more acclaimed this way, and
6 also because Marty, prior to this, had been
7 receiving spiritual direction from Benedict
8 Rochelle, I asked him to work concomitant with
9 Dr. O'Toole as spiritual director of Marty.

10 Q. What is Dr. O'Toole more competent in
11 when you said he was more competent?

12 A. In the therapeutic process.

13 Q. What kind of therapeutic process?

14 A. I don't know what you are asking.

15 Q. Well, you said he is more competent in
16 the therapeutic process?

17 A. That's right.

18 Q. Therapy for what?

19 A. Therapy for the healing of any kind of
20 human maladjustment.

21 Q. What maladjustment are we talking
22 about?

23 A. That would be up to whatever was the
24 findings in the psychology assessment.

25 Q. Well, what was the finding?

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1 A. Jim Cassidy's findings were that Marty
2 was quite a disturbed young man. The specific
3 in the report, as I recall it, was that he was
4 paranoid schizophrenic, to which Dr. O'Toole
5 took exception, but there also in the last
6 chapter of the testing of Marty, there was
7 Marty's need for a supportive environment which
8 really in psychological nomenclature, that would
9 be up to O'Toole to find out either from Jim
10 and/or conversation with Marty what that might
11 mean, but I do remember very vividly that I
12 found Dr. Cassidy's psychological assessment
13 quite, let me use the word austere, and thus, I
14 was very, very exacting, again respectfully,
15 with a fellow professional, of Jim O'Toole to
16 keep me informed about his assessment of the
17 testing. The psychological principle here is a
18 test is as good as the tester.
19 Q. What do you mean by the word "austere"?
20 A. To speak about paranoid schizophrenia,
21 though the prognosis is fine, is to speak about
22 weighty disturbance.
23 Q. Now, I assume that in order to review
24 these reports, that someone had to have an
25 authorization; there was an authorization

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1 required?
2 A. Marty would give the authorization,
3 yes.
4 Q. To whom would he give it?
5 A. He gave it to me, and he was present
6 through Monsignor Cassidy and I when he gave to
7 me.
8 Q. What about the bishop?
9 A. He was not given. He did not ask for
10 it.
11 Q. Well, did the bishop ever see these
12 reports?
13 A. He did not, to my knowledge.
14 Q. Did you ever share the information with
15 the bishop?
16 A. Oh, yes. In each instance the bishop
17 and I would discuss the -- particularly the
18 summary report of any kind of psychological
19 assessment.
20 Q. Did you feel that it was all right for
21 you to discuss a report of someone's medical
22 records with the bishop?
23 A. I had Marty's permission or the
24 respective priest's permission.
25 Q. You did?

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1 A. Oh, yes. That's a requirement as a
2 psychologist.
3 Q. You got his permission, in other words,
4 at the time that you had an authorization from
5 Marty; is that right?
6 A. That's right.
7 Q. And the purpose -- you explained at
8 that time that the purpose of the test, testing
9 and all, was really when I say in the interest
10 of the diocese, in other words, you people were
11 interested, you requested it, you paid for it, I
12 assume? You paid for the testing?
13 A. The diocese did.
14 Q. Paid for it, and that the information
15 which would be garnished from that would be
16 shared with the bishop?
17 A. That's right.
18 Q. Whose duty it was --
19 A. This was a canonical duty.
20 Q. A canonical duty to ascertain there was
21 no continence as far as the celibacy was
22 concerned?
23 A. I am not a canonist, but I am abreast
24 of the canon that would involve my duties. I
25 think it was broader than that. When there was

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1 behavioral misgiving of any kind, the bishop was
2 to be informed. If that's not canon law, that's
3 what Bishop Curtis and I agreed to be our
4 procedure.
5 Q. You recall the canon that you're
6 referring to that is your duty --
7 A. No, I would not have time to --
8 Q. Basically the reason that you have the
9 authority under canon law is because you are
10 basically in the areas that we are speaking, you
11 were given the same duties as the vicar general
12 of the diocese would have?
13 A. Yes. That's when I became episcopal
14 vicar, but from day one that was the asking of
15 our bishop. Our bishop was a very fine
16 delegator, but his management style was
17 hands-on, and he was very clear in his
18 delegation, what he expected of each of us
19 delegates.
20 Q. So that you would have the same duties,
21 if you will, before you were episcopal vicar but
22 were director of vocations for the ministry for
23 the clergy and religious?
24 A. You are mixing jobs here.
25 MR. SWEENEY: Pardon me,

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1 Counsel. I think the technical term -- I think
2 you have one too many words -- I think it's
3 director of the office of ministry for clergy
4 and religious. The word "vocations," I don't
5 think, fits into it.
6 Q. All right. But were you -- and I won't
7 belabor the point, but you were also director of
8 vocations, were you not?
9 A. No question. But your question was
10 speaking of an ordained priest. That's not
11 under the aegis of director of vocations.
12 Q. I understand that.
13 A. But you did use the term vocations.
14 Q. I did, because as I said before, I am
15 trying to contrast the same duty that you were
16 doing under -- at two different times, one when
17 you were a director and, secondly, when you
18 became episcopal vicar. That's all I am trying
19 to say.
20 A. You have to say that again.
21 Q. All right. I am trying to contrast the
22 fact -- You indicated to me now, I believe,
23 that even before you were episcopal vicar and
24 therefore derived certain duties, if you will,
25 or certain rights under canon law, that you were

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1 given some similar duties or rights by Bishop
2 Curtis in regard to complaints of celibacy
3 brought against priests in the diocese?
4 MR. SWEENEY: Counsel, you mean
5 complaints of violations of the celibacy rule?
6 MR. TREMONT: Yes.
7 A. Attorney, you used the word
8 "vocation." I think you even used the words
9 "director of vocations." That was a separate
10 department. That was preordination duties.
11 Q. I understand that. I realize, but you
12 were director of vocations, and also you were in
13 charge of a ministry for the clergy and
14 religious at one time?
15 A. As director of the ministry for clergy,
16 part of my duties was director of vocations
17 which was a separate duty to director of
18 personnel.
19 Q. I understand that.
20 A. Okay.
21 Q. But you did that at one time, you
22 had --
23 A. As two separate responsibilities.
24 Q. You had the two responsibilities?
25 A. Right.

1 Q. And getting back now to the reports of
2 the psychologist or psychiatrist that treated
3 Father Federici, I had asked you approximately
4 how long do you recall he was under treatment,
5 if you remember?

6 A. I would only be able to approximate
7 Dr. O'Toole's, and I would say it was about a
8 year, standard deviation about two months, and
9 his tenure with Benedict Rochelle was much
0 longer.

1 Q. Is it Benedict?

2 A. Benedict Rochelle.

3 Q. Who is Benedict Rochelle?

4 A. Benedict Rochelle is a priest
5 psychologist who is many things. He is the --
6 he is a Capuchin priest, director of the
7 spiritual development program of the Archdiocese
8 of New York, and also a cohort with our national
9 institute for clergy formation.

0 Q. Where was he at the time?

1 A. In Larchmont, New York.

2 Q. That's when Father Federici --

3 A. And it's called the Trinity Home --

4 excuse me, Trinity Retreat House.

5 Q. Trinity Retreat House.

1 A. Right.

2 Q. Now, at the time that you had this
3 first complaint against Father Federici, was
4 there a board that -- such as a priest personnel
5 board or a personnel advisory board, did that
6 come into effect later on?

7 A. When I received the complaint about
8 Father Federici, was there a personnel board at
9 that time. I would only have to -- Hold on, I
0 can answer that. Yes, there was.

1 Q. There was, all right. Would you share
2 this information with the personnel board?

3 A. I would not.

4 Q. You would not?

5 A. I would not.

6 Q. And then --

7 A. The priests of the diocese were aware
8 of this through Bishop Curtis.

9 Q. Excuse me, the priests of the diocese
0 were aware of what through Bishop Curtis?

1 A. That at no time would their sharing
2 with me be violated by a sharing to anyone
3 except what -- well, in this instance, Marty
4 Federici would give me permission to share with.

5 Q. So that --

6 A. We followed the normal professional
7 procedures of the psychological practice.

8 Q. I am not asking about the psychological
9 practice.

0 A. But I am telling you.

1 Q. Yes, but I am not asking about them.
2 You were episcopal vicar of the office of clergy
3 and religious?

4 A. That's right.

5 Q. All right. And that doesn't require a
6 psychiatrist, does it?

7 A. Certainly in an advisory capacity, he
8 would be well informed to do so.

9 Q. Are you telling me now that canon law
0 requires of the episcopal vicar of the office of
1 clergy and religious be a psychiatrist?

2 A. Oh, no.

3 Q. Does it require him to be a
4 psychologist?

5 A. Attorney, I would like a little more
6 respectfully in tone answer your question by
7 stating that in the present Holy Father's
8 pastores dabō vobis in the formation of clergy,
9 both prior to ordination and after ordination,
0 the Holy Father does address the use, and not

1 only address, encourages the use of
2 psychological sciences in any question of
3 formation, both health, becoming healthier in
4 the priesthood, as well as the not so healthy.
5 So that's why I am answering it.

6 MR. SWEENEY: That doesn't answer
7 the question. To get on with today's event, if
8 you could confine your answer to responding to
9 what Mr. Tremont asks, we will move along much
10 more efficiently. Perhaps it would be best if
11 the question were read back and we could get a
12 concise answer.

13 MR. TREMONT: No problem reading
14 the question.

15 (Question read.)

16 MR. SWEENEY: This calls for a
17 "yes" or "no" answer. It's just a very simple
18 "yes" or "no" answer. Would you give your
19 answer?

20 A. Would you repeat the question,

21 Attorney?

22 Q. Let me repeat it. Under canon law, the
23 episcopal vicar of the office of the clergy and
24 religious is not required to be a psychologist
25 or a psychiatrist, is he?

1 A. No, he is not.

2 Q. And the individual -- I will withdraw
3 that.

4 Who succeeded you as vicar in
5 that office?

6 A. Monsignor Laurence Bronkiewicz.

7 Q. Do you know whether Monsignor
8 Bronkiewicz is a psychiatrist?

9 A. He is not.

10 Q. Do you know if he has a degree in -- a
11 Ph.D. in psychology?

12 A. No, but he has done privately and his
13 own industry extensive studies in the area.

14 Q. That's not the question, is it?

15 A. Well, that is my answer.

16 Q. It's not responsive, but okay. Now,
17 the work that you did with Father Federici, in
18 other words, the investigation that you
19 conducted, you did as episcopal vicar of the
20 diocese, did you not?

21 A. Was I episcopal vicar by that time or
22 director of clergy and religious? I believe I
23 was episcopal vicar by that time.

24 Q. But you did it under either of those
25 hats?

1 A. Yes, either.

2 Q. One or the other, depending on the time
3 frame that we are involved with.

4 Now, you indicated that there was
5 a second complaint in regard to Father Federici.

6 A. That's right.

7 Q. All right. And that occurred at the
8 St. Joseph Church in Shelton?

9 A. That's right.

10 Q. Could you tell me -- you started to
11 tell us a bit about it. Tell us the nature of
12 that complaint.

13 A. I would have to be somewhat -- maybe
14 not as exact about what occurred, when the
15 father, carrying a gun, asked to see the bishop,
16 who was present or wasn't present, saw, I
17 believe his title at the time was Chancellor or
18 Vice Chancellor Monsignor Tetreault.

19 Q. May I ask how you knew the man was
20 carrying a gun?

21 A. Through Monsignor Tetreault.

22 Q. Could you tell me, in other words, what
23 he told you? Did he see him with the gun, or
24 why did he believe he had a gun?

25 A. Yes, he was quite, almost frenetic

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1 about it. The man came in, practically in a
2 rage, and he was carrying a gun, and most
3 priests are not used to that kind of entrance,
4 and so he asked him -- tried to alleviate some
5 of the anger and rage.
6 Q. Did he call the police?
7 A. He did not.
8 Q. He didn't. This fellow came in with a
9 gun and he didn't call the police. Do you know
10 why he didn't call the police?
11 A. Monsignor Tetreault could correct me on
12 this, but I believe he had been to the police
13 already.
14 Q. The individual had been to the police?
15 A. I believe. That would have to be
16 verified by Monsignor Tetreault.
17 Q. Did you think that the police were
18 aware of the fact that he was coming over to the
19 bishop's residence or the rectory carrying a
20 gun?
21 A. Not at all.
22 Q. In any event, do you recall when you
23 were first contacted in regard to this incident?
24 A. Yes. Either that afternoon, if it was
25 in the morning, I am almost certain it was the

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1 same day, because I am almost certain I remember
2 vividly, his first name is John, Monsignor
3 Tetreault's deportment at that time.
4 Q. And during this period of time, were
5 you living in Wilton?
6 A. Yes. I was a resident of Wilton. He
7 came down to my office, John did, Monsignor
8 Tetreault did.
9 Q. Came to your office?
10 A. Yeah, which was just down the corridor.
11 Q. So you were living in Wilton?
12 A. Right.
13 Q. Was that at the mother house?
14 A. That's right.
15 Q. And -- but your office was at the
16 chancellor's?
17 A. At the Catholic Center.
18 Q. At the Catholic Center. And the
19 Catholic Center is on Jewitt?
20 A. Jewitt Avenue.
21 Q. Jewitt Avenue. At that time, the
22 bishop would have been living next to the
23 cathedral on Washington Avenue?
24 A. That's right, but his office was
25 adjacent to Monsignor Tetreault's.

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1 Q. But his office was again along with
2 yours in the Catholic Center?
3 A. That's right.
4 Q. All right. Now, did you meet this man?
5 A. I did, yes.
6 Q. What did this man tell you?
7 A. He refused to tell me the name of his
8 son. He wasn't ill-tempered but certainly was
9 hyper, or frenetic may be better, and I asked
10 him to continue to talk, to describe -- he
11 wasn't even able to do that. It was obviously a
12 misgiving on the part of the father toward his
13 own son. I tried to get the son's name so that
14 I could talk to the son. He would not give it
15 to me, and his only demand, and it was a demand
16 but at this point it was a kind of demand, a
17 respective demand, that I follow through, that
18 Marty would not be at St. Joseph parish either
19 that evening or that afternoon.
20 Q. I don't quite understand, that he would
21 not be there.
22 A. See, I'm uncertain whether Monsignor
23 Tetreault, whether this man came in in the
24 morning, if he did, then Mr. Monsignor Tetreault
25 came to my office in the afternoon, and if that

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1 is the sequence, then Marty was outside of
2 St. Joseph Parish that evening.
3 Q. In other words, the individual
4 requested that you take the priest and remove
5 him from the parish; is that what you are
6 saying?
7 A. No, more accurately, I assured him that
8 he would be out of the parish, and that gave
9 him, to the extent that you could in a situation
10 like that, peace of mind.
11 Q. What did he tell you happened?
12 A. I am sorry?
13 Q. What did he tell you that happened?
14 A. He didn't tell me what happened.
15 Q. If he came -- he came in, had this
16 discussion with Monsignor Tetreault, they asked
17 you to appear. At some point you did, you spoke
18 to this individual, and you just assured him
19 that the priest would be out of there without
20 knowing what happened?
21 A. No, Attorney, obviously through my own
22 intelligence, and this man's, I suspect,
23 intelligence, he knew that I knew from Monsignor
24 Tetreault what took place.
25 Q. But what took place? You never told

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1 us. What did Monsignor Tetreault tell you,
2 outside of the fact that the man came in with a
3 weapon? I mean, what did he tell you happened?
4 A. He told me that the son first came to
5 confession, and then he was invited over to the
6 rectory, and in the rectory parlor, he was
7 invited by Father Federici to have genital
8 contact with Father Federici. There was no
9 genital contact on the boy.
10 Q. Was there -- did the boy, or did the
11 father indicate -- I will withdraw that.
12 Did Monsignor Tetreault indicate
13 to you that indeed there was contact? In other
14 words, the allegation was that there was
15 contact?
16 A. It was given to me as an alleged by
17 Monsignor Tetreault.
18 Q. But that there was contact, there was
19 an invitation and the invitation resulted in an
20 alleged contact?
21 A. An alleged contact, right.
22 Q. Now, when you received that information
23 and before you saw this man, did you contact
24 Father Federici?
25 A. Yes. He came into my office -- again,

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1 depending on the time of the sequence, he came
2 into my office, and then I asked him to go down
3 to Trinity Retreat Center. By that time, I had
4 asked the bishop's permission that we could do
5 that.
6 Q. Did you see -- Let's forget about
7 whether it was morning or afternoon, but did you
8 talk to Father Federici to speak with him before
9 you spoke to the father of the alleged victim?
10 A. I did not. That was subsequent.
11 Q. So you first saw the father of the
12 victim and thereafter you saw Father Federici?
13 A. Correct.
14 Q. And you removed him?
15 A. Right.
16 Q. With the permission of the bishop?
17 A. Right.
18 Q. Now, did you ever see the victim?
19 A. No, not only -- we did not see the
20 victim.
21 Q. You didn't.
22 A. I was just going to see, the father
23 refused to give us even his name.
24 Q. You don't recall having a meeting
25 with -- I will withdraw that.

<p>Page 92</p> <p>1 Do you know the victim's name to 2 be Frank Guasp? 3 A. I do not know that. 4 Q. You don't know? 5 A. I do not. 6 Q. All right. You don't remember 7 interviewing the victim? 8 A. I do not. 9 Q. With his father present? 10 A. I do not recall any such meeting, no. 11 Q. Would that be -- That would be a 12 pretty significant thing to forget, would it 13 not? 14 A. Oh, yes. 15 Q. The victim remembers you and describes 16 you physically. Father, just for the record, 17 you are quite tall. If I may ask, what is your 18 height? 19 A. Six, six. 20 Q. And you don't recall discussing this 21 matter with the victim and asking him questions? 22 A. I do not recall this. 23 Q. And you do not recall telling the 24 parents not to go to the police? 25 A. I do not recall that.</p>	<p>Page 95</p> <p>1 Father Federici? You said you sent him down to 2 Trinity? 3 A. Right. 4 Q. All right. And that's the place he had 5 been before with Dr. Father Rochelle? 6 A. That's right. 7 Q. Was Father Rochelle still at that 8 facility? 9 A. That's right. 10 Q. That second time. And could you tell 11 me what else happened to Father Federici? By 12 happened, what else -- 13 A. He spent an extended time down there. 14 I would only be able to approximate the timing. 15 Again, my recall is it was lengthy, but I do not 16 know what the timing would be. 17 Q. And did he go to any other facility? 18 A. He did not to my knowledge. 19 Q. That was the only facility that you 20 directed? 21 A. That Benedict thought he was in need 22 of. 23 Q. Did you get an authorization signed at 24 that time when you sent him down to St. 25 Benedict's -- I mean, when you sent him down to</p>
<p>Page 93</p> <p>1 Q. Specifically do not go to the police, 2 we promise you we will take care of this 3 ourselves and Father Federici will not be in a 4 position like this again, you don't recall that? 5 A. I don't recall asking such. 6 Q. Did you send Attorney O'Connell a 7 letter at that point of this incident? 8 A. He was informed. 9 Q. And you did that by letter? 10 A. No, I did that orally, by a telephone 11 call. 12 Q. Orally, all right. Why did you advise 13 Mr. O'Connell? 14 A. Because it involved -- Well, the whole 15 nature of the case. 16 Q. There were cases where claims of sexual 17 abuse were brought against priests in the 18 diocese that were settled for a monetary amount 19 of money, were there not? 20 A. Not to my knowledge. 21 Q. You don't know that? 22 A. I do not know that. 23 Q. You never talked about that? 24 A. No. 25 Q. No one ever talked to you about the</p>	<p>Page 96</p> <p>1 Trinity? 2 A. Authorization? 3 Q. Yes, for medical treatment, to get the 4 medical reports. 5 A. Why medical reports, Attorney? 6 Q. Wasn't this medical treatment? 7 A. He was sent to -- for a psychological 8 assessment. 9 Q. Well, wouldn't you get a copy of the -- 10 you would discuss the psychological assessment 11 with someone, would you not? 12 A. That's right. 13 Q. Wouldn't you need an authorization for 14 that? 15 A. We don't reference psychological 16 assessment as a medical report, but, yes, we got 17 a psychological report from Benedict, yes. 18 Q. At that time, as I say, from an 19 authorization standpoint, did you get the 20 authorization of Father Federici? 21 A. I did, yes. 22 Q. And that authorization included 23 yourself and the bishop, the ability to discuss 24 this with the bishop? 25 A. Yes. It would have, yes.</p>
<p>Page 94</p> <p>1 civil effect, if you will, the monetary effect 2 upon the diocese by someone who might make a 3 claim against the diocese? 4 A. I was never informed, to my knowledge, 5 of any successful claim. 6 Q. You weren't informed of any. Do you 7 know that there were successful claims? 8 A. I do not. 9 Q. You don't know that the diocese paid 10 out money on these cases? 11 A. To my recollection, no. 12 Q. Do you know that the diocese has 13 insurance for these claims? 14 A. Yes. Any diocese does. 15 Q. I asked did you know whether the 16 Bridgeport diocese did. 17 A. I would have to answer there honestly 18 also, it would be an assumption, which is a poor 19 communicator, but it would be an assumption on 20 my part because I never was involved in that 21 aspect of resolution. 22 Q. In other words, your own curiosity 23 wouldn't be affected as to whether -- 24 A. No, I had no desire, no, none whatever. 25 Q. Now, what thereafter happened with</p>	<p>Page 97</p> <p>1 Q. All right. And you received those 2 reports? 3 A. The procedure -- these were oral 4 reports, which was a procedural practice of the 5 diocese. 6 Q. Excuse me, what do you mean when you 7 say oral reports were a procedural practice of 8 the diocese? 9 A. Because I am a psychologist and I would 10 receive them from a psychologist, they were 11 oral. 12 Q. The fact that you are a psychologist, 13 what does that have to do with whether a report 14 is oral or written? 15 A. Well, first of all, there is a 16 difference between an oral and written, but the 17 other is the idea that one of the elections of 18 two psychologists is to give a report in writing 19 or orally. 20 Q. I understand that, but doctors do 21 communicate with written reports, do they not? 22 A. Some do, some don't. There's an option 23 here, and our option was oral. 24 Q. So your option was oral reports? 25 A. That's right.</p>

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1 it.
 2 Q. Well now, you say that was the only
 3 complaint that you had?
 4 A. That was the only one in my recall that
 5 was brought to me about Charles Carr.
 6 Q. And that involved -- in other words,
 7 two parents came to you regarding two individual
 8 boys?
 9 A. Yes. On the same occasion, right.
 10 Q. And were they parishioners at
 11 St. Mary's?
 12 A. That's right, yes.
 13 Q. Both of the boys?
 14 A. Yes.
 15 Q. Did you speak with Father Carr?
 16 A. Father Carr was in my office on Monday
 17 morning -- I shouldn't say my office. He came
 18 to Wilton, and that afternoon, literally that
 19 afternoon, Bill Larkin saw Father Carr.
 20 Q. Now, who is Bill Larkin?
 21 A. Dr. Bill Larkin is a psychotherapist
 22 who resides in Hamden, Connecticut.
 23 Q. Is he -- I think you had mentioned
 24 doing some tapes earlier on?
 25 A. That's right.

1 regard to a claim that Father Carr attempted to
 2 sexually abuse her son?
 3 A. I have no recall of that at all.
 4 Q. You have no recollection at all?
 5 A. I do not.
 6 Q. Do you have a recollection of
 7 Mrs. Saran, or if you don't know the name, of a
 8 woman complaining to you after Father Carr was
 9 sent to the central -- I will withdraw that. I
 10 will withdraw that question.
 11 Now, for how long was Father Carr
 12 in therapy?
 13 A. Attorney, a little less than or a
 14 little more than four years.
 15 Q. During this period of time, was he ever
 16 released of his duties?
 17 A. He was not. That was the advisement of
 18 the expert.
 19 Q. And you indicated that you were going
 20 to put him in a parish where he was going to be
 21 supervised?
 22 A. That's right.
 23 Q. What parish was that?
 24 A. St. Thomas in Norwalk, East Norwalk.
 25 Q. Who was going to supervise him?

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1 Q. Was that the same person?
 2 A. The same person.
 3 Q. For whom you had done some tapes?
 4 A. Videotape, yes. Television tapes,
 5 right.
 6 Q. This is an individual whom you knew,
 7 Dr. Larkin?
 8 A. Professionally, yes.
 9 Q. You sent Father Carr there?
 10 A. That's right.
 11 Q. What did Father Carr tell you had
 12 happened at that time?
 13 A. He gave me the identical story and
 14 disclaimed that it was a sexual movement, and he
 15 gave me that information on his own because,
 16 again, it was my practice that this be shared
 17 with the professional person.
 18 Q. And you also got an authorization from
 19 Father Carr on behalf of yourself and the bishop
 20 to talk with the psychologist or psychiatrist?
 21 A. There was an ongoing -- that was
 22 ongoing, yes.
 23 Q. All right. And did you get written
 24 reports in that case?
 25 A. Oral reports.

1 A. Monsignor John Toomey. And the reason
 2 for that, prior to my time, he was the central
 3 point person in personnel of the diocese.
 4 Secondly, John was very thorough
 5 in -- as pastor and supervisory capacity, both
 6 in personnel work as well as pastor.
 7 Q. And --
 8 A. Charlie was surplused to that
 9 assignment. The assignment was specifically
 10 that concurrent with therapy. He would be
 11 supervised with John, Monsignor Toomey.
 12 Q. So you discussed this with Monsignor
 13 Toomey?
 14 A. I discussed that he was in a
 15 therapeutic setting.
 16 Q. Did you explain the nature of the
 17 setting?
 18 A. I asked Charlie to discuss as much as
 19 he would choose to and Dr. Larkin gave him
 20 permission to with Monsignor Toomey.
 21 Q. Do you know what he told him?
 22 A. I do not know what he told him except
 23 that he said that he did so.
 24 Q. So that you never discussed it with
 25 Monsignor Toomey?

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1 Q. You don't remember speaking with a
 2 Chris Saran and a Mrs. Saran who has a Ph.D. in
 3 theology from St. John's University in regard to
 4 Father Carr sexually, attempting to sexually
 5 assault her son?
 6 A. I have no recollection of that visit.
 7 Q. You have no recollection of that visit?
 8 A. None whatever.
 9 Q. You have no recollection of speaking
 10 with Father Palmer, Joseph Palmer -- I will
 11 withdraw that.
 12 Do you know who Father Palmer is?
 13 A. Yes.
 14 Q. And where was Father Palmer?
 15 A. He was the pastor of the parish that
 16 Charlie was once associated with.
 17 Q. That would have been in Norwalk; is
 18 that correct?
 19 A. No.
 20 Q. Was that St. Thomas?
 21 A. No, Our Lady of Fatima.
 22 Q. Our Lady of Fatima.
 23 A. That was prior to his going to Bethel.
 24 Q. Okay, before he was going to Bethel.
 25 You don't recall that you met with the Sarans in

1 A. No, I did not, except the fact that he
 2 was in therapy.
 3 Q. Did you know, for instance, that when
 4 he was at that church in Norwalk, that he had
 5 boys up in his room, in his bedroom?
 6 A. I had no knowledge of that.
 7 Q. Is that something that you think would
 8 have been fit under those circumstances?
 9 A. Attorney, again I have to go back to
 10 that period. Certainly do I think it fit now,
 11 that is another discussion.
 12 Fit then, we do not have a mind
 13 as priests towards one another that when people
 14 came to our rooms, it was for sexual reasons.
 15 That was not the mind of the United States
 16 priesthood.
 17 And here I broaden the vision
 18 because I happen to speak throughout the United
 19 States. Priests did not -- We were asked to
 20 leave the first floor -- excuse me, to have
 21 visitors on the first floor, but the reason was
 22 to recognize the privacy of one another. It had
 23 nothing to do with any suspicion about sexual
 24 misbehavior or even sexual implication. That
 25 was not the mind of the priesthood at that time.

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1 Q. Well, you know that priests did have
2 sex with children over the course of time, did
3 you not? I mean, the history of the Catholic
4 church, priests did have sex with children, did
5 they not?
6 A. Well, I hope you are asking me this --
7 No, I did not know when I was ordained.
8 Q. You didn't know?
9 A. When I was ordained to the Roman
0 Catholic priesthood, I did not know that priests
1 violated children.
2 MR. SWEENEY: Mr. Tremont, it's
3 1:15. We have gone 15 minutes past the normal
4 lunch hour break. If you are getting into a new
5 topic, maybe this would be the time to take a
6 break. I think, you know, it's the normal time
7 for any of us to refuel with a midday meal.
8 MR. TREMONT: I don't know how
9 long we'll be, but we'll be a while.
0 MR. SWEENEY: My sense is you've
1 probably got a whole day so why don't we take a
2 luncheon break now.
3 THE VIDEOGRAPHER: Off the record
4 at 1:16 p.m.
5 (Luncheon: 1:16 to 2:39 p.m.)

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1 THE VIDEOGRAPHER: On the record
2 at 2:39 p.m.
3 BY MR. TREMONT:
4 Q. Now, Monsignor, when were you ordained?
5 A. May 21, 1960.
6 Q. 1960. And you are indicating to me
7 that in 1960, when you were ordained, you were
8 not aware of the fact that historically that
9 Roman Catholic priests, not obviously a majority
0 or substantial number of them, but Roman
1 Catholic priests did have sex with children?
2 MR. SWEENEY: Objection as to
3 form, Counsel. You are asserting that it's a
4 fact, and that's in dispute.
5 MR. TREMONT: Well, I am asking.
6 I am asking.
7 A. I was unaware that such --
8 Q. Were you aware of the fact that there
9 was a canon, canon law, which prohibited the
0 sexual activity between a priest and children?
1 A. Oh, yes. Yes.
2 Q. Isn't it fair to assume, through your
3 educational process, that the reason that there
4 was a canon forbidding it is because that
5 particular type of conduct occurred?

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1 A. Well, assumptions are always poor, as
2 you know, Attorney, and in canon law, there are
3 things that are put as preventative measures not
4 necessarily reality messages and, again, my
5 knowledge, and I would leave open to -- because
6 of the lack of knowledge, and if we cover thank
7 that in law, I did not know it was going on in
8 the Catholic priesthood in 1960, even to any
9 degree.
0 Q. All right. And you were aware of the
1 fact that historically in the church, there was
2 a problem with priests having illicit
3 relationships with children?
4 A. If that were so, I was not aware of it.
5 Q. You are not aware it. So you learned
6 from history reading, doing your studying and
7 your history and your theology, you were not
8 aware of the fact that that occurred?
9 A. Exactly.
0 Q. All right. And even occurred among the
1 hierarchy, you weren't aware of that?
2 A. I was not.
3 Q. And you did go through a rather
4 extensive -- I assume, rather extensive study of
5 theology and the history of the church?

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1 A. As every priest did, yes, and in fact,
2 in moral theology we covered pedophilia, but
3 that's not your question. Your question was did
4 I have knowledge, and I did not.
5 Q. You say you covered pedophilia in moral
6 theology?
7 A. Yes.
8 Q. On the basis that this was an unnatural
9 act?
0 A. Unnatural act and a sinful act.
1 Q. And a sinful act, okay. And let me ask
2 you, you also told me that the reason that
3 persons tried to keep visitors on the first
4 floor of rectories was because of the fact that
5 the priests desire privacy upstairs as opposed
6 to the feeling that there would be any type of
7 sexual activity going up in the upper floors of
8 the rectory? Is that what you said?
9 A. Yes, and also in our diocese, we would
0 have meetings and there is a pastoral book, that
1 indicated and asked that for the privacy of
2 other priests, we would not -- it was asked that
3 we not use above the first floor. There was no
4 indication that the rationale was other than the
5 privacy and the -- privacy of the rest of the

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1 clergy.
2 Q. Getting back to the canon law and the
3 canon law which was affecting you at that time,
4 which would be the canons of 1917, would that be
5 your impression of what the effective canons
6 were of the Roman Catholic Church at the time
7 that you were ordained in 1960?
8 A. That's right.
9 Q. And subsequently, was it '83, that the
0 new canons came out after the Vatican Council?
1 A. Yes.
2 Q. All right. And under the 1917 canons,
3 was it not a fact that a priest should not even
4 have overnight in the rectory, living in a
5 rectory, the rectory itself not in your bedroom
6 or the priests' bedroom, any young woman
7 specifically?
8 A. Not to my knowledge, and if that is in
9 the canon, as we were pastorally instructed in
0 the seminary, if there was young women or young
1 men, for that matter, it would be again
2 safeguarding the privacy of. To my knowledge,
3 there was no prohibition of such in a rectory.
4 Q. It would be safeguarding the privacy so
5 that you would have less privacy with a young

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1 girl as opposed to an elderly woman?
2 A. We did not confine it to a woman. It
3 was people in general.
4 Q. That's your understanding of what the
5 canons say?
6 A. That's right.
7 Q. And that the canons did not restrict
8 women in the rectory to a person who was related
9 to you or of such an age that they might present
0 no temptation as far as the general public was
1 concerned, that you didn't learn or understand?
2 A. Right. For example, my parents stayed
3 at our rectory.
4 Q. I understand. They were related to
5 you?
6 A. Yes.
7 Q. But you didn't understand what I just
8 said; in other words, it wasn't your
9 understanding that the canons of the Roman
0 Catholic Church attempted to avoid the
1 appearance of impropriety by a priest by
2 prohibiting having the priests from having young
3 women who were not related living or working in
4 a rectory?
5 A. That's right.

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1 Q. Now, when you became the episcopal
2 vicar of the clergy -- I will withdraw that.
3 When you became the -- you had
4 your first job, which was the director, who was
5 your predecessor in that position?
6 A. John Toomey, Monsignor Toomey.
7 Q. All right. Did you talk with Monsignor
8 Toomey in regard to your duties or his
9 experience?
10 A. I did not.
11 Q. You never did?
12 A. No, because the design of my assignment
13 was a little different than John's. John was in
14 service of the bishop, and by direction of the
15 Vatican Council, I was in service of the priests
16 of the diocese. There was a redirection of
17 focus as a result of the council.
18 Q. All right, but weren't you interested
19 in whether there were any problems, specific
20 problems regarding the clergy in the diocese?
21 A. Did I -- Are you still with John
22 Toomey? Did I go to John Toomey about -- to
23 create such an awareness?
24 Q. Yes. In other words, you are taking on
25 a position that somebody else had generally?

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1 A. Right.
2 Q. At that point you talked to your
3 predecessor, and your predecessor, if you will,
4 fills you in or says, "Well, you know, we're
5 having a problem here or this may be a problem,"
6 you didn't do that?
7 A. I did not.
8 Q. You did not.
9 A. I did not by design, by education and
10 by the -- where the ministry was asked to go.
11 Q. Did you discuss with the bishop any
12 problems that may have existed regarding, let's
13 say, the celibacy of clergy in the diocese?
14 A. I did not.
15 Q. Not at all?
16 A. I did not.
17 Q. Do you know Father Laurence Brett?
18 A. I do.
19 Q. How do you know Father Brett?
20 A. He was a priest of the diocese, I
21 believe ordained a year after me, and when I
22 was -- perhaps more than a year, but
23 approximately, and when I was stationed at
24 Stamford Catholic High School, he was an
25 associate at St. Cecilia School.

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1 Q. And did you have any complaints of
2 sexual abuse regarding Father Brett?
3 A. I did not. You mean at Stamford
4 Catholic? No I did not.
5 Q. Anyplace.
6 A. I did not.
7 Q. Did you ever know of any claims of
8 sexual abuse regarding Father Brett?
9 A. I did not know it was sexual abuse. I
10 did know that he was asked to leave the diocese.
11 Q. How was it that you knew he was asked
12 to leave?
13 A. Well, the way professional men or men
14 in general discuss -- because Larry was at
15 Sacred Heart University when this occurred. It
16 was a new university. He was somewhat abruptly
17 leaving, so it would have been, you know,
18 normative talk. Did I know why he was asked?
19 No.
20 Q. So that you are saying that he was --
21 you knew him at Sacred Heart University?
22 A. I did not. I didn't even know him at
23 St. Cecilia's.
24 Q. I am sorry, I thought you said he was
25 at Stamford Catholic High School?

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1 A. No, I was at Stamford Catholic High
2 School. He was two miles up on the road on the
3 same Newfield Avenue, but we did not know one
4 another. Obviously we said hello to one
5 another, we were priests of the same diocese,
6 but I did not know him.
7 Q. Well, you mentioned him as Larry?
8 A. That's right.
9 Q. So you didn't know him but for the fact
10 that he was a priest in the same diocese?
11 A. That's right. And let me tell you, I
12 knew him as Larry, the first time I saw him
13 since he left the diocese was two years ago when
14 he was giving a retreat and I was giving a
15 retreat at the same location, and that was the
16 first I saw him since he left the diocese.
17 Q. All right. You are saying he was
18 giving a retreat?
19 A. Right.
20 Q. Where was that?
21 A. Malvern, Pennsylvania.
22 Q. And you were also giving a retreat at
23 that point?
24 A. Two separate populations.
25 Q. Do you know what diocese he is

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1 presently associated with?
2 A. I have no idea.
3 Q. What was the -- Withdraw that.
4 Did you discuss with him at that
5 time anything about his leaving the diocese?
6 A. Oh, no. Oh no.
7 Q. You said that when he left the
8 diocese -- You knew he left the diocese when he
9 was at Sacred Heart University?
10 A. That's right.
11 Q. Were you on the personnel board at that
12 time?
13 A. I was not.
14 Q. You were not. And you never inquired
15 to determine why he left?
16 A. No, I had no reason to, and I had no
17 desire to.
18 Q. All right. Now you become episcopal
19 vicar of the diocese, okay?
20 A. Right.
21 Q. At this point. Your appointment is
22 from Bishop Curtis?
23 A. Right.
24 Q. Who has got a hands-on approach to his
25 management of the diocese?

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1 A. Right.
2 Q. Okay. At that point I asked you --
3 THE VIDEOGRAPHER: Excuse me, in
4 reference to the audio --
5 MR. TREMONT: Well, we can talk
6 over it because they're going to keep going
7 forever.
8 MR. SWEENEY: This is a temporary
9 aberration. I hope it is.
10 THE VIDEOGRAPHER: I am asking
11 for a pause.
12 (Discussion off the record.)
13 MR. TREMONT: We have a record.
14 MR. SWEENEY: My sense is that
15 someone is putting something down a slot, and I
16 hope it stops.
17 MR. TREMONT: They are doing a
18 total reconstruction up there, and we just
19 happened to be up there. I mean, literally. It
20 may go on, but the room is bigger than our
21 room. We have a quiet place at least. This may
22 go on and on and on. There are masons up there
23 working, so I suspect it will be quite noisy,
24 but we do have the record so there shouldn't be
25 a problem.

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1 Q. Now, when you were vicar general, did
2 you discuss --
3 MR. SWEENEY: He was not vicar
4 general.
5 MR. TREMONT: I am sorry.
6 Q. When you were episcopal vicar, did you
7 discuss with Bishop Curtis anything about
8 sexual -- I will withdraw that -- the violation
9 of the vow of celibacy by members of the
10 diocese?
11 A. I discussed with the bishop the notion
12 of how to -- as part of our program an ongoing
13 formation with regard to celibacy, yes, because
14 of problems in the diocese, not because of my
15 passion for the Lord and the Church.
16 Q. Did you discuss with Bishop Curtis the
17 previous experience of the Diocese of Bridgeport
18 during his tenure in regard to sexual abuse by
19 priests and children?
20 A. I did not.
21 Q. Why wouldn't you do that?
22 A. Because I was educated enough and I had
23 a different approach to this kind of possible
24 revelation and, also important to me as priest
25 in the service of priests, to establish as much

1 of Larry Brett's in the diocese asked me to ask
2 the bishop was there any possibility that the
3 bishop would allow Larry to return to the
4 diocese.
5 The bishop said absolutely not,
6 and I didn't ask him why.
7 MR. TREMONT: Well now, may I
8 have my question read, please?
9 (Record read.)
10 Q. Now you said you learned of it when the
11 bishop's conference addressed the issue of
12 pedophilia in 1986. How did you learn of it
13 specifically?
14 A. No, I learned that the topic of that
15 conference was pedophilia in the American
16 priesthood. It had nothing to do with Larry
17 Brett. The topic of the conference was
18 pedophilia.
19 Q. Let me ask you, you are pretty up on
20 it; at that point you were a psychologist?
21 A. Right.
22 Q. And you were up on what was going on
23 generally in the community of psychology and the
24 priesthood?
25 A. Yes, but I wanted to state that what

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1 trust as I possibly could, so that in the trust,
2 they would be as confidential as they possibly
3 could with me, and when that caught on, I saw
4 that this worked, and that was my mode of
5 leadership.
6 Q. That doesn't answer my question at
7 all. Let's go back --
8 A. Well, it certainly does.
9 Q. The bishop is the bishop.
0 A. In my view.
1 Q. All right. The bishop is the bishop.
2 The bishop appoints you as episcopal vicar?
3 A. Right.
4 Q. And part of your area of concern is the
5 violation of the vow of chastity?
6 A. Right.
7 Q. And you have indicated to me that you
8 had absolutely no knowledge of the fact that
9 Catholic priests might sexually abuse children?
0 A. That's right.
1 Q. All right. When you were appointed to
2 this position, did you not discuss with the
3 bishop what the experience of the diocese was in
4 regard to the breaking or the incontinence in
5 the vow of chastity by its priests?

1 was going on became much more known in 1986 and
2 beyond.
3 Q. And it did. But it was, before that it
4 was in the early 1980s, was it not, that the
5 papal nuncio had raised through his office in
6 Washington the question of pedophilia and the
7 North American church?
8 A. That would have been an instruction
9 given me, yes.
10 Q. That would be before the 1986 bishop's
11 conference?
12 A. Yes, but as I recall, the letter was
13 not in any way admitting to -- that's not the
14 word -- communicating that there was a genuine
15 problem with pedophilia in the American
16 priesthood, at least to my knowledge. It did
17 not occur until Bishop Curtis came back from the
18 bishop's conference.
19 Q. The letter was in regard, was it not,
20 in to a suggestion or warning that this conduct
21 was going on?
22 A. And if I remember rightly, marginally
23 was the word used by --
24 Q. Fine. Fine. Let's assume that it was
25 a word similar to marginally. The point is that

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1 A. I did not.
2 Q. Now, were you aware of the fact that
3 the bishop was aware of the fact that Father
4 Brett had sodomized individuals while he was a
5 priest at Sacred Heart University?
6 A. I was not.
7 Q. You were not?
8 A. No, I was not.
9 Q. He never told you that?
0 A. He never told me this.
1 Q. And you never asked him?
2 A. I never asked him.
3 Q. And you didn't know until this date?
4 A. No, I learned of this when the bishop's
5 conference of 1986, approximation, addressed the
6 pedophilia aspect of the priests of the United
7 States.
8 When the bishop returned, the
9 speaker at that particular conference was Jim
0 Gill, a Jesuit, MD, psychiatrist, he gave the
1 address, and I asked the bishop's permission,
2 could I ask Jim, who was then a professional
3 friend of mine, also a speaker, to come to the
4 diocese, and which he did, and I wouldn't be
5 able to tell you the year, but a priest friend

1 there was an indication that it was occurring,
2 so certainly at that point, Monsignor, you were
3 aware of the fact that these particular things
4 could occur?
5 A. Yes, I was more aware of it, in my
6 training as a psychologist.
7 Q. What do you mean by that?
8 A. It was part of the matter given to me
9 in my doctoral study.
10 Q. When did you receive your doctorate?
11 A. 1975.
12 Q. All right. So that you were aware of
13 it then prior to 1975 during the course of your
14 doctoral studies?
15 A. That's right.
16 Q. Okay. Now, did you, before 1986 and
17 prior to 1975, discuss that issue with Bishop
18 Curtis?
19 A. I did not.
20 Q. Did Bishop Curtis discuss that issue
21 with you during that time period between 1975
22 and 1986?
23 A. Not to my knowledge.
24 Q. Did you ever -- Well, I will withdraw
25 that.

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1 Did you know the Reverend Stanley
2 Koziol?
3 A. I do.
4 Q. How did you know him?
5 A. I knew him as a priest of the diocese.
6 Q. Was he a priest during the entire
7 period that you were a priest, if you recall?
8 A. I think he was ordained just a year or
9 two before me, yes, he would have been during my
10 entire priesthood.
11 Q. Did you ever receive any complaints of
12 sexual abuse against Father Koziol?
13 A. No, I did not.
14 Q. Were you aware of the fact that there
15 were claims made against Father Koziol of sexual
16 abuse with children when he was a priest and
17 associated with St. Rose's church in Newtown?
18 A. I have no remembrance of such an
19 awareness.
20 Q. I am not -- I will withdraw that.
21 I am not suggesting at this point
22 that those instances occurred while you were the
23 episcopal vicar?
24 A. I know that, because if they did and
25 they were known by the diocese, they would have

1 them and you were aware of them, how could you
2 refuse to consider it? How could you say,
3 "Well, these things have happened, they have
4 come to us, but I am going to refuse to accept
5 the fact that priests sexually abuse children?"
6 A. I do not generalize from a marginal
7 population to the general population. I did not
8 feel that the general population needed such a
9 parent/child model.
10 Q. Because of the fact that it was only a
11 marginal group --
12 A. Right.
13 Q. -- that were involved?
14 A. Right.
15 Q. Did you know Father Andrew Gilbride?
16 A. I did, yes.
17 Q. All right. Again, how did you know
18 him; in what capacity?
19 A. As a priest of the diocese and as the
20 rector of our new seminary in Southport and as
21 an invitee to give lectures at the seminary and
22 also his parish of St. Ambrose.
23 Q. All right. You said the new seminary
24 in Southport, what was that seminary?
25 A. Christ The King.

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1 been known by me.
2 Q. Why do you say you know that?
3 A. I'm sorry?
4 Q. Why do you say you know that?
5 A. Because it was never my knowledge
6 during my tenure and it was never my previous
7 knowledge.
8 Q. I am asking you --
9 A. Directly. I never -- I have no recall
10 of Stanley Koziol's sexual activity as a priest.
11 Q. At some point I assume you did have a
12 discussion with Bishop Curtis about sexual abuse
13 of children because of the instances that you
14 investigated?
15 A. Oh, sure, when -- During my tenure?
16 Q. Yes.
17 A. Yes.
18 Q. All right. And did you then issue a
19 rule that children could not be in the bedrooms
20 of priests in a rectory?
21 A. No, I did not.
22 Q. Did you ever discuss that with the
23 bishop?
24 A. I did not discuss with the bishop, but
25 the bishop did discuss with the -- the bishop

1 Q. And that seminary no longer exists?
2 A. That's right.
3 Q. How long did that seminary operate,
4 approximately, just a very rough --
5 A. I am going to say -- Okay, a very
6 approximation would be 10 to 15 years.
7 Q. All right. Do you recall when it
8 closed, about when?
9 A. I would not even about.
10 Q. Okay. If you don't --
11 A. I would not.
12 Q. Now, was there any other seminary in
13 existence in the diocese, within the diocese,
14 while you were in the diocese?
15 A. Yes, there was a seminary for the Holy
16 Ghost Fathers in -- at West Norwalk.
17 Q. What was the name of that seminary?
18 A. I am going to say the Holy Ghost
19 Fathers.
20 Q. Did you, and when I say "you," I am
21 putting your other hat on now that we seem to
22 have a misunderstanding on, and that is the --
23 as far as director of vocations, did you have
24 any of your -- when I say your people,
25 seminarians or individuals who were going to be

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1 did discuss with the presbyterate.
2 MR. SWEENEY: It certainly means
3 the priests of the diocese.
4 A. The presbyterate of the diocese, that
5 out of -- to protect the privacy of one another,
6 we were not to invite people beyond the first
7 floor.
8 Q. Again, you are saying -- I think you
9 said it two or three times, Monsignor, to
10 protect the privacy of others?
11 A. That's right.
12 Q. It didn't have any relationship to
13 protecting the chastity of the children?
14 A. Attorney, this was not the mind. We
15 looked at one another as priests.
16 Q. And yet you are telling me, Monsignor,
17 that you were investigating claims that were
18 brought to you by persons, by parents, by the
19 police, by others, by Monsignor Tetreault,
20 claims that priests were indeed having sexual --
21 committing sexual acts, whether it was oral sex
22 or anal sex, touching or feeling with children,
23 and you acted on those, you actually acted on
24 them, that's correct.
25 Well, if you did indeed act on

1 sponsored by the Diocese of Bridgeport at the
2 Holy Ghost Fathers seminary?
3 A. We did, yes.
4 Q. All right. And what kind of
5 arrangement did you ever in that regard?
6 A. Obviously that society agreed and we
7 had a Father Stokley, I am going to call him,
8 big tall blonde fellow, who was my presence
9 there by supervisor of the few men we had there,
10 and the men were there because of the
11 individuality of their background. Specifically
12 they were older and came in with more training
13 than the average applicant to the diocese.
14 Q. So these would be people that may have
15 had a delayed vocation, or could they have been
16 persons that were brothers or some other kind of
17 a religious in a different diocese or --
18 A. They had previous training in religious
19 formation as well as vowed formation.
20 Q. And that's -- You use that particular
21 seminary for those people as opposed to a young
22 man who might be coming in directly from high
23 school or college?
24 A. Right, and then we would also use John
25 the 23rd. It was an individual election.

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1 Q. Where was John the 23rd?
 2 A. In western Massachusetts.
 3 Q. And that again was for so-called
 4 delayed vocations?
 5 A. Delayed vocation, until they -- as you
 6 indicated, until they were of an appreciable
 7 age.
 8 Q. Appreciable age, right.
 9 Now, outside of that seminary,
 10 was there any other seminary that was in
 11 existence in the diocese during your tenure,
 12 those two, Christ The King and the Holy Ghost
 13 seminary, within the diocese?
 14 A. There was, Attorney. The -- They
 15 weren't affiliated with the Catholic Church, in
 16 Ridgefield, and I am going to call it Pius the
 17 10th. I stand corrected on the name. That was
 18 in Ridgefield.
 19 Q. Those were some of the people that were
 20 involved in the Latin rites?
 21 A. That's right, but they had a rather
 22 large complement in their seminary.
 23 Q. Was that Father Fenton?
 24 A. No, no, he was another -- By this
 25 time, Father Fenton was out west.

1 that at all?
 2 A. I was not, no.
 3 Q. In other words, as vicar of the clergy,
 4 this was not an area of your responsibility?
 5 A. That's right. It was a canonical
 6 process.
 7 Q. All right. Tell me what you mean by
 8 that.
 9 A. That the expertise, I would not know of
 10 how to go from union with the church -- I am
 11 going to use my own language -- to non-union
 12 with the church, and I'm not certain, but I can
 13 only approximate he went to the Polish national
 14 church, but I stand corrected on that.
 15 Q. All right. So in any event, the
 16 problems were, I say ecclesiastical, or they
 17 involved doctrine as opposed to the other areas
 18 which we have been discussing, alcohol --
 19 A. Yes.
 20 Q. And therefore, you weren't involved?
 21 A. Right. They were originally
 22 theological.
 23 Q. Okay. Now let's talk for a moment
 24 about Father Raymond Pcolka. Do you know Father
 25 Pcolka?

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1 Q. He was out west at that point. But in
 2 any event, in that particular seminary there
 3 were people that were not part and parcel as far
 4 as the church was -- as far as Bishop Curtis was
 5 concerned, were not part and parcel of the
 6 Catholic diocese --
 7 A. Right, right.
 8 Q. -- of Bridgeport. Okay. You obviously
 9 had no control over that seminar.
 10 A. None whatever. Also, Attorney, I
 11 believe it was during my tenure that the
 12 Vincentian Fathers had a novitiate in
 13 Ridgefield, but I stand corrected on that, but
 14 my recollection is that there was such, but we
 15 had nothing to do with it. Well, nothing to do
 16 with it in the sense it was not our
 17 responsibility.
 18 Q. You weren't involved in that they
 19 reported directly to whomever their superior
 20 was?
 21 A. That's right.
 22 Q. Speaking of those kinds of people, did
 23 you ever have any complaints about Father Joseph
 24 Gorecki?
 25 A. I never did, no, not to my recall.

1 A. I do.
 2 Q. All right. And how did you know
 3 Father Pcolka?
 4 A. I knew him as a priest of the diocese,
 5 and then in, I believe, 1983, I received a
 6 telephone call from a very fearful young girl
 7 that if she were to come to see me, that no one
 8 would know about it, that there was a priest of
 9 the diocese that she wanted to complain about,
 10 and I assured her that it would be a
 11 confidential meeting. I assured her also that
 12 she could trust my confidence, that it would be
 13 a private meeting. That was the initial call.
 14 Q. Prior to that, you had never heard of
 15 any complaints in regard to Father Pcolka?
 16 A. I had never any complaints about Father
 17 Pcolka prior to that.
 18 Q. Did you ever discuss with Father
 19 Gilbride at St. Ambrose Church complaints of
 20 sexual misconduct by Father Federici?
 21 A. I have no recall that Father Gilbride
 22 ever came with such a report.
 23 Q. Did you ever discuss with the bishop,
 24 Bishop -- I guess again, to make the record
 25 simple, the only bishop that you were involved

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1 Q. Do you recall who Father Gorecki was?
 2 A. Yes.
 3 Q. And do you recall him to be a priest of
 4 the Roman Catholic Diocese of Bridgeport?
 5 A. He had been, yes.
 6 Q. You say he had been?
 7 A. That's right.
 8 Q. Was he not a priest during your tenure?
 9 A. Yes. He was, yes.
 10 Q. And again, I am looking at the Catholic
 11 directory, which may be inaccurate on some -- it
 12 is on some of the appointments that it lists,
 13 but it indicates that Joseph Gorecki in 1960
 14 came to this diocese at St. Cyril's Methodius
 15 Church in Bridgeport, and that he remained in
 16 the diocese through 1978, when he was at
 17 St. Mary's Parish in Norwalk.
 18 Now, did you have any involvement
 19 with Father Gorecki and his activities which
 20 caused the bishop to remove him from the
 21 diocese?
 22 A. The bishop, to my knowledge, never
 23 removed him to the diocese until he left the
 24 church.
 25 Q. Well, I mean, but were you involved in

1 with in the Diocese of Bridgeport in your
 2 capacity as director or episcopal vicar, was
 3 Bishop Curtis?
 4 A. Bishop Curtis, yes.
 5 Q. Did you ever discuss with the bishop a
 6 complaint of Father Gilbride in regard to Father
 7 Federici sexually abusing a child at St. Ambrose
 8 Parish?
 9 A. I did not.
 10 Q. Now, do you know where Father Gilbride
 11 is now?
 12 A. Well, he has been inactive for some
 13 years. I would not -- I don't know where he
 14 is, no, no.
 15 Q. When you say he is inactive, is he no
 16 longer an active priest?
 17 A. He is no longer an active priest.
 18 Q. Did he receive a release of his vows?
 19 A. Did he receive a release of his vows?
 20 I do not know.
 21 Q. You don't know?
 22 A. No.
 23 Q. Now, do you know who Father Petonak
 24 was?
 25 A. Yes, I do.

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1 Q. All right. Who was he, or how do you
2 remember him?
3 A. He was the pastor of St. John
4 DePalmacine in Bridgeport.
5 Q. Okay. That's a Slovak parish, a
6 national parish?
7 A. That's right.
8 Q. Incidentally, were you ever involved,
9 Father, in a national parish?
10 A. Was I?
11 Q. Yes.
12 A. No, except insofar as they thought I
13 was Slovak and in St. James Parish, Stratford.
14 A clear large population in St. James was
15 Slovak, and so my first assignment was given to
16 me to serve the Slovak parish of St. James, but
17 I was never in a Slovak parish.
18 Q. St. James is not a national parish?
19 A. It is not a national parish.
20 Q. Do you recall that Father Petonak was
21 also pastor at Holy Name in Stratford?
22 A. Yes, I do.
23 Q. Okay. Now did you ever discuss with
24 Father Petonak claims of sexual abuse of
25 children made against Father Pcolka?

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1 A. I have no recall of such a discussion.
2 Q. Now, you indicated that you had a call
3 from this young girl regarding a problem with
4 one of the priests in the diocese and you agreed
5 to see her. Did you see her?
6 A. Yes, I did.
7 Q. All right. Do you recall if anybody
8 was with her?
9 A. Yes. She came in with a young woman
10 who was studying for her social science --
11 social work degree. She was in training, and
12 she was the counselor of this girl.
13 Q. How often did you meet with that girl?
14 A. Once.
15 Q. Do you ever recall meeting with the
16 girl and a clinical psychologist, a male?
17 A. I do not recall meeting with a clinical
18 psychologist and a male.
19 Q. Do you ever recall the girl being
20 brought to you by a male clinical psychologist
21 who was licensed in the state of Connecticut?
22 A. I do not recall that being done.
23 Q. All right. Tell me, as far as the
24 recollection that you have, tell me about this
25 conference between yourself and the young lady

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1 and the social student, social worker that was
2 studying as a student?
3 A. The conversation indicated to me
4 clearly that, as she said, and certainly the
5 competency of the conversation indicated to me,
6 that indeed she was in training. She had more
7 to say than the alleged victim. She was
8 excessive in her coaching, and because this was
9 my perception and my professional judgment, I
10 asked both would they return with their
11 supervisor. That was my initial answer.
12 Q. With whose supervisor?
13 A. The counselor's supervisor.
14 Q. Well, what did the young lady tell you?
15 A. They did not answer me.
16 Q. They told you nothing?
17 A. They told me nothing.
18 Q. They didn't tell you that they had a
19 claim of sexual abuse against a priest?
20 A. Sorry. Surely, they gave me the -- I
21 was talking about the ending. Yes, they told me
22 that Father Pcolka in the summer home, or
23 whatever they described it, fondled her as a
24 young girl, and where the alleged victim came
25 alive was again expressing the fear that her

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1 father would ever know this. The father was a
2 very close friend of Ray, that the family would
3 never know this, and that kind of --
4 Q. "Fondled" was the word that was used?
5 A. That's right.
6 Q. Not that he had sexual intercourse
7 with --
8 A. No, as I recall, it was fondled.
9 Q. That he had oral sex with her?
10 A. As I recall, it was fondled.
11 Q. All right. That he beat her while
12 naked, that wasn't part of the -- you don't
13 remember that?
14 A. As I recall, it was fondled.
15 Q. It was fondled, all right. Now, you
16 asked them to come back. All right. And what
17 happened thereafter?
18 A. I called the girl, the alleged victim,
19 and the first time she wasn't available. She
20 called me back, I wasn't available, and I called
21 her back; and in my conversation I asked her to
22 be in the care of someone with greater
23 credentials, someone who had a Ph.D. and/or MD.
24 Q. What do you mean by that, Monsignor, be
25 in the care of a person with greater

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1 credentials?
2 A. I heavily questioned the competency of
3 the counselor that was with her during the
4 interview.
5 Q. You questioned the competency for what
6 purpose, incompetent for what purpose. If you
7 will?
8 A. Many areas, but there was too much
9 coaching. She had more to say than the alleged
10 victim.
11 Q. Couldn't you see the victim alone
12 without anybody there?
13 A. That could have been an option.
14 Q. Did you suggest that?
15 A. I did not choose that as an option.
16 Q. What did you do thereafter? What
17 happened thereafter?
18 A. She said -- Thereafter we received a
19 letter and a letter that spoke to two questions
20 that she wanted answered, and I went back to
21 Attorney O'Connell, and that was in the
22 beginning of July, I am going to say July 7.
23 Attorney O'Connell with Bishop Curtis in Bishop
24 Curtis's office recommended the letter that I
25 was to write, quote, Attorney O'Connell, so that

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1 this letter, if there is any validity to the
2 charge, would bring the matter forth.
3 Q. Would bring them --
4 A. The matter forth.
5 Q. Let me ask you this, you say she sent
6 you a letter.
7 A. That's right.
8 Q. Do you have that letter?
9 A. Do I have it with me? No.
10 MR. SWEENEY: I think it's been
11 disclosed to you already, Counselor.
12 Q. Have you seen that letter?
13 A. Have I seen that letter? Yes.
14 Q. All right. And the letter is
15 written -- is addressed to you?
16 A. As I recall, it would be.
17 Q. All right. And you returned the
18 letter; is that correct?
19 A. That's right.
20 Q. Now, have you seen the letter that you
21 wrote in return?
22 A. Oh, yes, surely.
23 Q. Do you know where that letter was?
24 A. Do I know where that letter was? It
25 was in the file of the diocese, and there was a

<p>Page 164</p> <p>carbon copy to Attorney O'Connell, as well as Bishop Curtis.</p> <p>Q. So the letter that you wrote to the victim, or alleged victim, if you will, in regard to that incident was in the file of the Diocese of Bridgeport?</p> <p>A. Yes.</p> <p>Q. Where would you keep such a letter?</p> <p>Where would it be?</p> <p>A. Attorney, I would be almost positive it was in the bishop's file.</p> <p>Q. Now what is the bishop's file?</p> <p>A. Well, to my knowledge, there were three files in the diocese. By canonical procedure, the bishop had a quote, unquote, secret file.</p> <p>Q. Are those the so-called secret archives under the canon definition?</p> <p>A. That's right. The second, he would have a file on each of the personnel, and then my file in my office was in matters of changes, in matters of requests from a particular priests that they would want a change, background information, for example, their education, this kind of thing, and also a document on their preference of ministry. That would be my file</p>	<p>Page 167</p> <p>1 for identification.)</p> <p>2 MR. SWEENEY: May I see it first?</p> <p>3 MR. TREMONT: You can both look</p> <p>4 at it. I think you have seen it, Mr. Sweeney.</p> <p>5 BY MR. TREMONT:</p> <p>6 Q. Monsignor, is that your signature on</p> <p>7 that letter?</p> <p>8 A. This is my signature, yes, Attorney.</p> <p>9 Q. All right. Is that the letter that you</p> <p>10 are referring to, the letter which Attorney</p> <p>11 O'Connell dictated you to write?</p> <p>12 A. That's right, and he remained in the</p> <p>13 bishop's office, and my secretary -- Yes, this</p> <p>14 is the letter.</p> <p>15 Q. You caused that letter to be written?</p> <p>16 A. Sorry, please?</p> <p>17 Q. You caused that letter to be written?</p> <p>18 A. No, the attorney asked me to write this</p> <p>19 letter.</p> <p>20 Q. Yes, but you wrote it?</p> <p>21 A. I wrote it.</p> <p>22 Q. So you caused that letter to be</p> <p>23 written. It was written and signed by you, it</p> <p>24 was your correspondence?</p> <p>25 A. Okay, if that's what you mean by</p>
<p>Page 165</p> <p>kept in my office.</p> <p>Q. There would be the secret archives file which you call the bishop's file, if you will?</p> <p>MR. SWEENEY: I don't think he said that.</p> <p>MR. TREMONT: I think he did.</p> <p>MR. SWEENEY: Did you speak of the secret archive as the bishop's file or the secret archive plus the separate bishop's file for each priest?</p> <p>A. No. I spoke of it -- there's -- by direction of the church, there is a secret file, there is a personnel file -- this is in the bishop's, and then whatever file I would have.</p> <p>Q. And the secret archives, that is, who has access to that?</p> <p>A. Attorney, I would not know. I never saw them, I could not tell you where they are or where they were. I could not describe what they are.</p> <p>Q. Let me ask you something. It's fair to say then from your answer you didn't have access to them?</p> <p>A. No, I would have access to them --</p> <p>Q. The secret file?</p>	<p>Page 168</p> <p>1 "caused."</p> <p>2 Q. It is your lawyer?</p> <p>3 A. I am just reacting to your unusual</p> <p>4 language.</p> <p>5 Q. It's only unusual because you are</p> <p>6 indicating that the attorney dictated it, but</p> <p>7 indeed, if one were the recipient of the letter,</p> <p>8 one would assume that it was a letter that was</p> <p>9 expressing your thought and communicated from</p> <p>10 you to the complainant?</p> <p>11 A. I have a one-two answer, that the</p> <p>12 dictation by the attorney was to bring forth, if</p> <p>13 there was truth in this allegation, to bring</p> <p>14 forth this letter, in his judgment would bring</p> <p>15 forth the truth of what was alleged.</p> <p>16 Q. What do you mean when you say if there</p> <p>17 was truth to this allegation?</p> <p>18 A. Well, it was heavily denied and --</p> <p>19 Q. Excuse me, who was it denied by?</p> <p>20 A. Ray Pcolka.</p> <p>21 Q. I don't think we got to that. After</p> <p>22 you met with the complainant and her social</p> <p>23 worker, did you contact Father Pcolka?</p> <p>24 A. Yes, I did.</p> <p>25 Q. All right. And did you tell him what</p>
<p>Page 166</p> <p>A. Because of my relationship with the bishop, the secret -- with Bishop Curtis, but I never asked, and I was never asked to look at that file.</p> <p>Q. But you said you would have access?</p> <p>A. Oh, sure, as vicar.</p> <p>Q. All right. So you had access to --</p> <p>A. Let me qualify that. I believe that I would have access to it.</p> <p>Q. Right. You believe that you would have access to the secret files. That's number one. That is what you believe?</p> <p>A. Yes.</p> <p>Q. All right. Did you ever see any of the articles that were contained within the secret archives after they were placed there?</p> <p>A. Not after they were placed there, no.</p> <p>Q. That's why I am saying after, all right. Did you ever have a key to the secret archives?</p> <p>A. I did not.</p> <p>Q. Now, showing you Plaintiff's Exhibit 1 --</p> <p>(Discussion off the record.)</p> <p>(Plaintiff's Exhibit A marked</p>	<p>Page 169</p> <p>1 the claim was?</p> <p>2 A. That's right.</p> <p>3 Q. And you are saying he denied it?</p> <p>4 A. He fully denied it.</p> <p>5 Q. And what did you do at that point?</p> <p>6 A. I asked him to go to the Trinity</p> <p>7 Retreat House in Larchmont, New York.</p> <p>8 Q. This is about 1983, is it. I see the</p> <p>9 letter. I'm just asking --</p> <p>10 A. This should be 1983, right.</p> <p>11 Q. All right. Do you recall when she</p> <p>12 claimed that this incident occurred?</p> <p>13 A. You mean the age of this incident?</p> <p>14 Q. Yes. When she came to see you, whether</p> <p>15 it just occurred or occurred sometime before?</p> <p>16 A. No, I don't recall the age she talked</p> <p>17 about.</p> <p>18 Q. And did he agree to go to the retreat</p> <p>19 house?</p> <p>20 A. He did.</p> <p>21 Q. And what -- I will withdraw that.</p> <p>22 Why did you send him to that</p> <p>23 particular retreat house?</p> <p>24 A. Benedict Rochelle was regarded at</p> <p>25 Columbia University where I respect the school</p>

1 of psychology as the best diagnostician -- well,
2 to quote Dr. Donald Super, in charge of the
3 psychology department, the best diagnostician in
4 the United States. I felt that this required a
5 best, and I chose Benedict.
6 Q. So he, Benedict, was the one that
7 treated Father Carr? Did he treat Father Carr
8 or am I mistaken?
9 A. No, Benedict did not treat Father Carr
10 except when treated spiritually when he went to
11 retreat -- No, he was not the doctor. Bill
12 Larkin did.
13 Q. He never saw Father Carr?
14 A. Not to my knowledge.
15 Q. And he did treat Father Federici?
16 A. He did.
17 Q. And he said he was okay?
18 A. That's right.
19 Q. And now he treated Pcolka --
20 A. He said he was fit for ministry.
21 Q. Right. He treated Father Pcolka at
22 this point?
23 A. At this point for an overnight
24 assessment.
25 Q. Oh, it was an overnight assessment, all

1 right. And did he make a report to you?
2 A. He made a report to me verbally prior
3 to his leaving for Australia. When he returned
4 from Australia, Bishop Curtis, he and I had a
5 supper meeting in which he described to the
6 bishop his conviction that there was every
7 reason to believe his negation.
8 Q. All right. Let me ask you something,
9 firstly, you had a -- you had an oral report
10 from him, you told me?
11 A. Prior to leaving, yes. From Benedict?
12 Q. I will withdraw that.
13 You never had a written report
14 from him, did you?
15 A. We did not.
16 Q. All right. So that whatever report you
17 had from this individual were oral reports?
18 A. That's right.
19 Q. And you did not require Father Pcolka
20 to undergo treatment?
21 A. I did not, because the next afternoon,
22 I had lunch at the Three Door Restaurant with a
23 psychiatrist, Dr. Meishkin by name, Bridgeport,
24 Connecticut, who saw Ray in his, I believe,
25 second or third year of theology, Dr. Meishkin

1 was a professional friend of mine, also was the
2 director of psychiatry at St. Vincent's, and we
3 had an extensive dinner, and he had every reason
4 to -- gave me every reason to believe Ray in
5 terms of the denial. He affirmed what the
6 attorney said, that the letter would bring forth
7 any further evidence.
8 Q. All right. Well, let's go back --
9 A. Could I just explain what I did
10 further, please?
11 Q. Sure. Go on.
12 A. I was very satisfied with
13 Dr. Meishkin --
14 Q. Dr. Meishkin or is it --
15 A. He was a Jewish, very fine --
16 Q. Meishkin?
17 A. He was a director of psychiatry at
18 St. Vincent Hospital and a friend to the diocese
19 and also advisory to me with a Dr. John
20 Rogowski, whenever I would go to him. I also
21 went to the --
22 Q. Both Rogowski and Meishkin were both
23 psychiatrists?
24 A. That's right, on the same staff. I
25 then went to Sister Marian Reilly where Ray was

1 on the school staff for one year at Notre Dame.
2 Marian had a sixth year in guidance and
3 counseling as well as a Master's, we were
4 professional friends and maybe more. There was
5 nothing there that indicated -- in fact, she was
6 quite incredulous that such a report would be
7 given to us.
8 My final act was, I called Father
9 Tom -- My second final act, I called Father Tom
10 McGrath to study Ray's record while at Fairfield
11 Prep, and Tom McGrath did that, came back also
12 knew Ray, and gave no -- there was no indication
13 of differences between other boys, this kind of
14 investigation, and finally, I asked a
15 schoolmate, Father Bill Scheyd, now monsignor,
16 about their experience in high school, their
17 experience in friendship, and he had no reason
18 to believe there was any reason that Ray would
19 not be in behavior that made him unfit for the
20 priesthood, active priesthood.
21 Q. So you did all those things?
22 A. That's right, and all of these things
23 were revealed at the dinner with Father Rochelle
24 and the bishop.
25 Q. You did quite a bit more with regard to

1 Father Pcolka than you did with the other
2 people, did you not?
3 A. Yes, Attorney, I would like to tell you
4 why.
5 Q. Tell me why.
6 A. Because this was a very fine young
7 woman, and it was the first encounter I have had
8 with such an alleged report. I was personally
9 aghast at it, and I thought that both the girl
10 and Ray deserved our best investigation.
11 I also consulted with Dr. Peter
12 Holland in New York about the whole process that
13 I did and Dr. Peter Holland, MD, again a
14 professional friend of mine, but also
15 subsequently an adviser to us, and he said I had
16 done all that I could do. I ended with that
17 because I had moral certitude. We did not have
18 enough to give credibility to the report.
19 Q. You had -- Before this Pcolka claim
20 that came before you, you had complaints of
21 abuse by other priests, you have indicated to us
22 today?
23 A. You would have to give me the dates
24 that in fact that they were before.
25 Q. You have indicated to us already during

1 the course of our deposition that you had
2 complaints of abuse by other priests?
3 A. Yes, but, Attorney, you did not
4 indicate to me the dates of these complaints.
5 Q. I think you have indicated the dates in
6 the course of your testimony, and let's take
7 Father Federici, those complaints, the initial
8 complaints against Father Federici were before
9 the Pcolka complaint?
10 A. Okay. Datewise they were, yes, then I
11 did share with you realities before this,
12 alleged realities.
13 Q. You had told me that it was your
14 procedure that it didn't matter whether in the
15 Federici case that the -- or in the Carr case,
16 that the -- that there was a question even as to
17 whether it was a sexual contact. I think you
18 mentioned in the Father Carr case or even where
19 the parents said, "Look, we really don't know if
20 it was a sexual contact," that you insisted that
21 a person go through counseling, go through a
22 treatment program if they were accused because
23 you felt that that was important to the diocese?
24 A. That's right.
25 MR. SWEENEY: Counselor -- I

think --

Q. But now you come along with Father Pcolka, and despite the fact that a woman comes up to you with a counselor and says to you that she had been sexually abused, you make a determination that you are not going to require treatment?

A. Right, because I had the expertise of Benedict Rochelle. I had also the corresponding expertise of people that I had met, mentioned.

Q. You met with Dr. Meishkin?

A. That's right.

Q. Correct. And you and Dr. Meishkin discussed Father Pcolka?

A. That's right.

Q. Now, how did Dr. Meishkin, how was he able to discuss with you his psychiatric or psychological evaluation of Father Pcolka?

A. Because he was his doctor during Ray's time, I think, at St. John's Seminary.

Q. So isn't he violating his confidentiality by discussing this with you?

A. No, the discussion was -- all he was responding is to my information to him.

Q. He is responding to your information,

1 complaining, what time frame that was?

2 A. How do you mean?

3 Q. You said you didn't know whether it was

4 a recent complaint, an old complaint or what.

5 Wouldn't you want to determine when she claimed

6 that he abused her?

7 A. This woman was talking about years

8 before her coming into the office.

9 Q. Well, I had asked you that, and you

10 said you didn't recall whether it was a recent

11 event or --

12 A. I am sorry, I misunderstood your

13 question. This young woman was quite clear that

14 it was -- I'll approximate, at least 10 years

15 prior.

16 Q. Did you talk to the pastor at whose

17 church Father Pcolka was at that time?

18 A. Yes, that pastor and all pastors.

19 Q. I beg your pardon?

20 A. Yes, that pastor and all pastors.

21 Q. Oh, you did?

22 A. Yes.

23 Q. Oh, you didn't tell us about that.

24 What pastors did you speak with?

25 A. The pastor of St. Thomas, St. John

which means that indeed the two of you had a discussion which was in violation of the patient's rights, was it not?

A. That would not have been in our mind.

It was a conversation with regard to the patient's care as well as the alleged patient's care.

Q. Isn't it not a fact that you should not discuss anything in regard to a patient without an authorization?

A. Yes, there was no specifics given in terms of the information given to us. In other words --

Q. If there were no specifics given, how can you be satisfied without giving any specifics that Meishkin now is going to give him a clean bill of health for what may have happened 10, 15 or 20 years after he had seen him?

A. That was the judgment that I made, that he knew, and also my respect for Dr. Meishkin if, in fact, there was a recall about Ray, that would be more information that I could use.

Q. But didn't you ask him to reevaluate him?

1 Nepomocene, the pastor of St. Mary Greenwich.

2 Particularly the pastor of Holy Name in

3 Stratford because Ray's vocation was inspired by

4 that pastor, Father John Petonak.

5 Q. You spoke with him?

6 A. I did.

7 Q. So you did discuss with Father Petonak

8 claims of sexual abuse against Father Pcolka?

9 A. I did not. I did not.

10 Q. Well, now I am a little confused. I

11 thought you said you talked to him about it.

12 A. That's right.

13 Q. All right. And how did you talk to

14 him about it --

15 A. Why don't you ask me what I talked

16 about?

17 Q. Well, I asked you.

18 A. I didn't understand that.

19 Q. You spoke to the pastors of the church?

20 A. But I don't recall you asking me what

21 the conversation was.

22 Q. What was the conversation?

23 A. The conversation was, was there any

24 reason for us to believe that Ray was living an

25 unpriestly life.

A. Sorry, please?

Q. You didn't ask him to reevaluate him?

A. No, because I had enough reevaluation.

Q. You had only one reevaluation. That was -- only one reevaluation, and that was Dr. Rochelle?

A. Which I considered enough, that's why I used the word enough evaluation.

Q. And as far as Father McGrath, is he a psychologist?

A. That's right.

Q. He was a psychologist -- he was teaching actually psychology at Fairfield University?

A. That's right, and also had a private practice.

Q. And had a private practice. And you gave Father McGrath records of Raymond Pcolka when he was at Fairfield Prep?

A. No, no. I asked Father Tom McGrath could he review the high school experience of Ray Pcolka, period.

Q. Wouldn't it have been prudent for you to decide the -- determine first when the young lady, of which time the young lady was

1 Q. And you discussed that with Father

2 Petonak, and he never told you about the

3 incident in which Father Pcolka had been accused

4 of sodomizing two young boys?

5 A. He did not.

6 Q. And let me ask you this: You didn't go

7 through this discussion with me before, in other

8 words, as I understand it, with the other

9 priests that we had discussed, you had not gone

10 back and talked to all the pastors, did you?

11 A. I spoke with the pastors that up to

12 that date were Ray's pastors.

13 Q. I know, but you didn't do that, for

14 instance, with Father Carr?

15 A. I did not do that with Father Carr.

16 Q. Didn't you do that with Father

17 Federici, talked to all the pastors?

18 A. Father Federici? I might well have. I

19 don't recall.

20 Q. Now --

21 A. As a professional person, I didn't

22 follow patterns. I followed the person, and the

23 dignity and the rights of the person and the

24 mystery of the human person.

25 Q. What do you mean by that?

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1 A. He has a right to my total respect and
2 reverence in the process in which I investigate
3 his life.
4 Q. Doesn't the victim have a right as
5 well?
6 A. I also did the same thing with the
7 victims.
8 Q. You embraced the victims?
9 A. That's right, in every case.
10 Q. Is it not a fact that you requested
11 that the victims not make any of the claims of
12 sexual abuse public, that the church would take
13 care of it, and you asked them as good Catholics
14 not to create a scandal?
15 A. That was not my language, and that was
16 not my interest. The church has 2,000 years
17 behind her, and my interest was not the
18 protection of scandal. My interest was because
19 the -- for example, in the Bruhin case, these
20 were teenage boys, out of respect for them as
21 young men, I suggested that they keep it to
22 themselves so that this would not be carried
23 through their personal lives, in other words,
24 that it wouldn't be publicly known that they
25 were the persons involved. At no time was my

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1 motivation for the protection of the scandal of
2 the church.
3 Q. Do you want to stand by that answer?
4 A. I certainly do.
5 Q. Okay. So that basically the idea of
6 the secrecy was to protect the victim as opposed
7 to the priest or the reputation of the church?
8 A. That's right, and I would invariably
9 state to people that this was not the tenor of
10 the priesthood, and in that sense, I was really
11 telling them the truth, that they had met an
12 exception to the priesthood. The priesthood was
13 mentioned, yes, but to avoid scandal or public
14 communication was more in behalf of the alleged
15 victim.
16 Q. And did you agree to pay for counseling
17 for the victims?
18 A. The diocese would, yes.
19 Q. And you advised the victims of that
20 fact?
21 A. Yes, in each case.
22 Q. You did?
23 A. Yes, yes.
24 Q. So if anyone indicated that you told
25 them that you would not pay for counseling, that

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1 the diocese would not pay, they would be telling
2 an untruth?
3 A. That's right, because -- yes, out of
4 the respect for the alleged victim.
5 Q. Would you tell me, can you give me --
6 tell me how many times has the diocese paid for
7 counseling for victims voluntarily without a
8 lawsuit?
9 A. I wouldn't be able to know that. I
10 have no way of knowing that.
11 Q. Why wouldn't you, if you agreed to pay
12 for counseling? You would follow up, wouldn't
13 you?
14 A. You are asking me how many there were,
15 I have no idea.
16 Q. Was it more than one? Were you paid
17 for counseling?
18 A. I'm sorry, please?
19 Q. Where you have paid, where the diocese
20 has paid for counseling for the victims.
21 A. Oh, yes, they have paid, I'm sure, but
22 I couldn't give for you whom, no.
23 Q. I am not asking the names of the
24 individuals.
25 A. Okay. What are you asking?

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1 Q. I am not asking the names of the
2 individuals. I am asking you how many times has
3 the diocese paid voluntarily, without a release
4 or a lawsuit or claim, paid for the counseling
5 of persons who have come to you and said that
6 they had been sexually abused by priests?
7 A. In every alleged case that came to me,
8 they were offered counseling and to be paid by
9 the diocese. How many there were, I could not
10 even approximate.
11 MR. TREMONT: I think we better
12 stop at this moment just because we have to
13 change a tape.
14 THE VIDEOGRAPHER: That concludes
15 tape two of this record. Off the record at 3:56
16 p.m.
17 (Discussion off the record.)
18 THE VIDEOGRAPHER: This begins
19 tape three of this deposition, on record 4:03
20 p.m.
21 BY MR. TREMONT:
22 Q. Now, since 1983, are you aware of the
23 fact that there have been a substantial number
24 of complaints of sexual abuse brought against
25 Father Pcolka?

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1 A. This has been communicated to me, yes.
2 Q. Do you know how many there are?
3 A. I have no idea.
4 Q. Not -- Never inquired as to the
5 number?
6 A. I did not.
7 Q. Do you know there are over 19 of them?
8 A. Is that so?
9 Q. So that's news to you?
10 A. That's right. That many, yes.
11 Q. Were you advised of the fact that
12 Father Pcolka took a privilege of Fifth
13 Amendment over a hundred times during the course
14 of his deposition?
15 A. Is that so?
16 Q. Does that mean you were not aware of
17 that?
18 A. I was not aware of that, Attorney.
19 Q. No one discussed that with you either?
20 A. I have discussed with Attorney
21 Sweeney --
22 MR. SWEENEY: Our discussions,
23 Monsignor, are privileged communications.
24 THE WITNESS: Okay. Thank you.
25 MR. TREMONT: I am asking what he

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1 knows, not what he discussed with you. He
2 certainly can tell me what he knows,
3 Mr. Sweeney, that's not privileged. I don't ask
4 him at all what he may have said to you or what
5 you may have said to him, but if he has
6 knowledge of something and you happen to talk to
7 him about it doesn't preclude him from telling
8 me.
9 MR. SWEENEY: This is true.
10 BY MR. TREMONT:
11 Q. Are you aware of the fact that the
12 first complaint of sexual abuse against Father
13 Pcolka started when he first became a priest at
14 St. Benedict's Parish in Stamford?
15 A. I am not aware of that, no.
16 Q. That there were a number of complaints
17 against him while he was at St. John's
18 Nepomocene Parish in Bridgeport?
19 A. I am not aware of that.
20 Q. And that there were at least three
21 complaints against him including sodomizing
22 young boys anally and orally at St. James Church
23 in Stratford?
24 A. I was not aware of that, no.
25 Q. Now, incidentally, when were you

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1 associated with St. James Church?
 2 A. 1960 to 1962.
 3 Q. And that there are a number of
 4 complaints against him when he was at Holy Name
 5 Church in Stratford?
 6 A. I was not aware of that, no.
 7 Q. Did you ever have any complaints about
 8 Father Pcolka having an alcohol problem?
 9 A. I was never given information that he
 0 had an alcoholic problem, no.
 1 Q. There was never any discussion that,
 2 nothing in regard to that?
 3 A. No, not at all.
 4 Q. That you knew about?
 5 A. No.
 6 Q. All right. Now, you allowed Father
 7 Pcolka to continue on in his ministry then
 8 without any treatment after that complaint of
 9 1983?
 0 A. The judgment was made that there was no
 1 validity for the allegation. We had no data.
 2 We felt that this letter would give us further
 3 information were such to be so, and thus, he
 4 remained in active ministry.
 5 Q. All right. You say there was no data.

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1 What kind of data would you want?
 2 A. People coming in saying something to
 3 me.
 4 Q. Well, the victim came in, did she not?
 5 A. Yes, but, again, it lacked in my
 6 judgment and in the judgments of those I have
 7 already cited -- every reason to doubt. We
 8 didn't have enough information to give
 9 credibility to that interview.
 0 Q. All right. What kind of information
 1 did you need to give credibility to the
 2 interview?
 3 A. That would vary. That would vary. For
 4 example, if other persons came forward, that
 5 would be one.
 6 Q. Other victims? What do you mean by
 7 other persons?
 8 A. Other persons of the family.
 9 Q. In other words -- but here you told us
 0 that she indicated to you that her father was a
 1 friendly with Father Pcolka and she was in fear
 2 of her father finding out that she was making a
 3 complaint?
 4 A. Yes.
 5 Q. Isn't that so?

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A. I would find it unreasonable that a
 father wouldn't come forward despite his
 relationship with Ray.
 Q. You would find that unreasonable?
 A. I would.
 Q. You indicated to us just a short time
 ago that you were asked at St. James to minister
 to a Slovak constituency within the parish.
 A. That's right.
 Q. May I ask, are you Slovak?
 A. I am not Slovak.
 Q. And you don't speak Slovakian?
 A. I do not, but my name is often --
 Q. All right. But the point is you are
 not Slovak?
 A. I am not.
 Q. All right. Do you consider the Slovak
 people generally as good Catholics?
 A. Oh, no question, and good family people
 and close family people.
 Q. All right. And also people that are
 very close to the church?
 A. Whatever that might mean to you.
 Q. Well, I don't know. Maybe it's unfair
 for me to make general representations, but in

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1 the literature that I have read, and for
 2 instance, just the latest book about the present
 3 pope, the Slovak people and the polish people
 4 seem to have a great love for the church?
 5 A. Right, for the -- more accurately for
 6 the sacramental power of the church.
 7 Q. And they have a great deal -- an
 8 incredible respect for its priests?
 9 A. I don't know how you would measure
 10 that.
 11 Q. Measure it against the Italians and the
 12 French and say that, for example, I mean just
 13 generally the relationship of the polish people
 14 or the Slovak people, to their priests?
 15 A. I feel uncomfortable with your
 16 stereotypic remarks.
 17 Q. Okay. That's not unreasonable. I am
 18 just making a generalization, that the Polish or
 19 Slovak people in the Diocese of Bridgeport were
 20 very devoted to their church and very devoted to
 21 their priest. That was my -- that's my
 22 observation but --
 23 A. I will receive your observation.
 24 Q. And that it would not be unusual for a
 25 parent, especially a foreign-born Slovak parent,

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1 to not -- not to want to hear any attack or
 2 criticism on his priest?
 3 A. Attorney, what you just mentioned as
 4 the behavior of Ray Pcolka, I would find it
 5 incredible that no matter how much respect a
 6 parent would have for the church and her
 7 priesthood, not to reveal some of the behavioral
 8 patterns you have indicated to me this
 9 afternoon.
 10 Q. Do you think that, as a psychologist,
 11 that it is not unusual for children not to
 12 reveal sexual abuse which is committed upon them
 13 by people that are held in trust and high
 14 esteem?
 15 A. Well, we know so far, the little we do
 16 know about pedophilia in science, we know that
 17 one of the pronounced defense mechanisms is
 18 denial, that no media in the best of psychiatry
 19 and psychology can penetrate. I speak 1996. I
 20 don't know what the prophetic -- hopefully in
 21 the future, there will be a way that we can get
 22 to this heinous reality.
 23 Q. What I am asking is, it doesn't
 24 surprise you, does it, that a child who would be
 25 sexually abused by a priest or by his father, an

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1 uncle, a close relative that's held in highest
 2 esteem would not immediately make a complaint?
 3 A. I wouldn't want to state an opinion on
 4 that. Research is indicating that is true.
 5 Q. All right. And do you also agree as a
 6 psychologist being abreast of the field, that
 7 there is much -- as much sexual abuse that is
 8 directed towards young male children as female
 9 children?
 10 A. Research indicates that.
 11 Q. All right. And obviously --
 12 A. But the disparity is not that wide.
 13 Q. Correct.
 14 A. That's research.
 15 Q. All right. And the fact of the matter
 16 is -- I will withdraw that.
 17 Now let's go back. When is the
 18 second time you had a complaint about Father
 19 Pcolka?
 20 A. That was the one and only complaint we
 21 ever had of Father Pcolka given to me.
 22 Q. You had no other complaints?
 23 A. No persons came to me to my knowledge
 24 and my recall about Ray Pcolka.
 25 Q. All right. Now, since you have been at

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1 Seton Hall, have you consulted with the Diocese
2 of Bridgeport in regard to complaints of sexual
3 abuse against priests of the diocese?
4 A. What do you mean by consulted,
5 Attorney?
6 Q. Has bishop -- has the bishop called you
7 or discussed with you -- Let me go back a
8 moment and let's get this clear.
9 You left, you said, in October of
10 1987?
11 A. Yeah. I think the leaving exactly was
12 toward the end of September, but my duties began
13 October 7th. That's definitive. At Seton Hall,
14 October 7th is right.
15 Q. And Bishop Curtis, do you recall when
16 Bishop Curtis retired?
17 A. I am going to say two years later, but
18 I stand corrected on that. Approximately.
19 Q. During the period of time that you were
20 no longer at the Diocese of Bridgeport and
21 Bishop Curtis was still bishop?
22 A. That's right.
23 Q. All right. Did you have reason to work
24 with Bishop Curtis in regard to priests against
25 whom there were complaints of sexual abuse?

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1 A. I did not. I would like -- again, I
2 think it's germane -- in my letter of
3 appointment to Seton Hall University, the bishop
4 asked me should he need me to return on
5 personnel matters, that I would be willing to do
6 so. I think he asked willing or that I would do
7 so. He had never called me back on personnel
8 matters.
9 Q. So the option was there, if you will,
10 but the fact of the matter is you were never
11 called or consulted?
12 A. That's right.
13 Q. All right. Now --
14 A. I am not too sure how much of an option
15 it would have been had I been consulted.
16 Q. But you would have obviously cooperated
17 if he had asked you to do so?
18 A. Yes.
19 Q. Now back in October -- I am sorry,
20 after Bishop Curtis retired and during the
21 tenure of Bishop Egan, have you ever been called
22 to help the diocese or work with the diocese
23 with regard to claims of sexual abuse?
24 MR. SWEENEY: Pardon me, Counsel,
25 you mean other than being consulted by counsel

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1 for the diocese?
2 MR. TREMONT: I am not interested
3 in that.
4 MR. SWEENEY: Exclusive of any
5 dialogue he's had with me as counsel for the
6 diocese, is that the thrust of the question?
7 MR. TREMONT: Yes.
8 A. You are asking Bishop Egan, did he ever
9 consult with me.
10 Q. Yes, or one of his -- Bishop Egan or
11 Monsignor Bronkiewicz, not Mr. Sweeney.
12 A. They do not consult with me with regard
13 to personnel procedure, no.
14 Q. All right. Did Monsignor Bronkiewicz
15 contact you regarding Father Pcolka when these
16 first lawsuits were brought?
17 A. There was a call. I believe it was
18 from Father Bronkiewicz -- Monsignor
19 Bronkiewicz, did I know anything about
20 misbehavior, and I thought the name was Ray
21 Petruka at first and, I said to Larry, there was
22 no such charges, and then Larry called me back,
23 I think you could ask him and correct the time
24 span, shortly thereafter, Larry called me back
25 again and said Ray Pcolka, and I said yes, there

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1 was a complaint about Ray Pcolka.
2 MR. TREMONT: This is my last
3 question for tonight. That letter that we
4 marked as an exhibit.
5 Q. Do you have any idea -- This letter,
6 after you signed this letter, okay, that we
7 showed you, Plaintiff's Exhibit A, where did you
8 put the copy?
9 A. A copy was in my file, a copy was in
10 the bishop's file, and a copy was in the
11 attorneys's file.
12 Q. Now, you started -- a copy was in your
13 file.
14 A. I should say a file.
15 Q. That was the file that you mentioned
16 that you kept?
17 A. In my office.
18 Q. And you kept that in regard to
19 complaints of sexual abuse?
20 A. Sorry. This letter, no, was given to
21 Bishop Curtis. It was not in my file. It was
22 in the public file as opposed to the secret
23 file.
24 I am grimacing because I don't
25 know the differential. I don't know enough

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1 canon law, what makes a secret file a secret
2 file, I don't know, but this was given to the
3 bishop as well as his own copy that day, and the
4 attorney, his copy that day, July 7.
5 Q. When you say it was in the public file,
6 what do you mean by that?
7 A. What the bishop did -- the bishop's
8 file, that he doesn't consider his secret file.
9 Q. How is it filed? Is it filed under --
10 A. Well, I don't know. That would be up
11 to the bishop. I have never seen his file, and
12 I don't know how he filed. But I will allow for
13 intelligence, I suspect under the letter P.
14 Q. In other words, it's just a general
15 file?
16 A. Sorry, please?
17 Q. Just the general file. Would it be
18 under the priest? That's what I am getting at,
19 would it be under the priest's name, would it be
20 under abuse, would it be -- it would be under
21 the priest's name you are saying, P?
22 A. Yes, I would think.
23 MR. TREMONT: All right. We can
24 continue next Monday.
25 MR. SWEENEY: We are agreed to

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1 ten o'clock next Monday morning here at the
2 Durant office.
3 MR. TREMONT: Let's plan to be
4 here.
5 (Time noted: 4:20 p.m.)
6
7
8 MONSIGNOR ANDREW T. CUSACK
9
10
11 SUBSCRIBED AND SWORN TO BEFORE
12 ME, the undersigned authority, on this
13 the day of , 1996.
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1 advisement of the -- well, the language we use,
2 the expert.

3 Q. So you kept him -- in other words, he
4 remained on duty during the time that he was
5 getting this treatment?

6 A. As we would have with any expert's
7 advice, yes.

8 Q. So he remained --

9 A. Remained at Marion, Illinois.

10 Q. All right. And as a priest?

11 A. As a priest.

12 Q. And what happened thereafter to him?

13 A. Well -- What happened to Gavin
14 thereafter?

15 Q. Yes.

16 A. He remained in Marion. I was also in
17 close contact with Marion because I found it
18 incredulous that one of the boys was allowed by
19 his parents to go to the University of Marion,
20 which was within a five-mile radius of where
21 Gavin was living.

22 Gavin was also invited back to
23 the diocese by families that he was in touch
24 with, and that I was given information by
25 parents that the same procedures were going on

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1 in at least two families' case. I investigated
2 both families, who massively disclaimed, and in
3 fact, while they didn't know, at least from me
4 or to my knowledge from the diocese, what was
5 going on in Gavin's life, they were very
6 extolling of him as a priest, as were the Bruhin
7 parents in their first interview with me, and
8 were very, very careful and insistent that I not
9 share what had taken place with the bishop. I
10 informed them that I already had. They insisted
11 on care being given, he not be punished, he was
12 a good priest.

13 I remember this vividly because I
14 thought it was incredulous. I couldn't make
15 sense of it.

16 MR. SWEENEY: Monsignor, I think
17 the question was what did the diocese do about
18 it. I think that's the question. You indicated
19 that you investigated?

20 A. Thoroughly, yeah. I am too wordy,
21 okay.

22 Q. Then what happened with him?

23 A. Gavin continued in therapy.

24 Q. Now, he continued in therapy, and was
25 he ever assigned from Marion?

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1 A. From the Marion penitentiary?

2 Q. Right.

3 A. Yes. He was assigned, Attorney, I
4 would only be guessing, I believe to a
5 penitentiary in San Diego. I believe that was
6 his next assignment.

7 Q. Could you tell me what the claims were,
8 the incidents in regard to Father O'Connor?

9 You mentioned that --

10 A. The behavior incidents?

11 Q. Yes.

12 A. Oral sexuality.

13 Q. Where, in other words, where did it
14 occur?

15 A. In varied places, including the Bruhin
16 home.

17 Q. Did the diocese reach a settlement in
18 any claim that was made by against Father
19 O'Connor?

20 A. Not to my knowledge.

21 Q. You are not aware of that?

22 A. Not to my knowledge.

23 Q. Now, did you have any complaints
24 against Father Charles Carr?

25 A. Yes, I did.

1 Q. Could you tell me the first complaints

2 you had against Father Carr?

3 A. The first and only complaint I had

4 about Father Carr was in Bethel, Connecticut,

5 where he had just been assigned as an -- a

6 resident with teaching duties at the Immaculate

7 High School in Danbury, and he went there in

8 approximately May or June, and just months -- I

9 am going to say late July or early August, two

10 parents came to me at Wilton, Connecticut, on a

11 Sunday evening, and they told me that Father

12 Carr had taken their two sons to the theater,

13 and during the course of the theater, he put his

14 hands at the same time on both knees of the two

15 boys. That was their complaint.

16 Q. What did you do at that time?

17 A. I questioned the parents. One was more

18 vocal than the other because they knew of me,

19 and the reason they came to me is because of my

20 educational background. The parents worked at

21 St. Joseph Medical Center in Stamford, and they

22 were very, very clear that they did not know

23 whether this was a sexual -- in fact, if we were

24 going to balance it, they did not give this as a

25 sexual complaint. They didn't know what kind of

1 a complaint to give it as, except from my

2 knowing -- they wanted me to know that the one

3 son came to the father, the father who knew me,

4 and then he called the second father, and

5 they -- the second father had not yet been

6 told. The son came in of the second father to

7 the father, verified that Charlie put his hand

8 on both knees of the two boys and they spoke

9 about the uneasiness of their two sons.

10 I obviously heard out the parents

11 at length. I told the parents that Sunday night

12 that Charlie would be seeing a psychologist to

13 undergo assessment, to see exactly what we were

14 dealing with.

15 They did not insist on this, but

16 I told them our diocesan policy. They repeated

17 the idea that they weren't making a sexual

18 incrimination, or whatever language they used,

19 and I said that the reason for the psychological

20 assessment was simply to find out what exactly

21 are we dealing with here that. That brought the

22 first evening to closure.

23 I asked them to return the

24 following Sunday so that I could inform them

25 what we were doing, and as parents, I gave them

1 the option, because to my knowledge both sons

2 were in the eighth grade, I asked them -- I gave

3 them the option, if you choose as parents to

4 bring your sons with me, I would want that, and

5 I gave them my reasons, that I felt this was a

6 professional way that I did in each kind of

7 allegation.

8 They weren't sure whether they

9 did or not, so I asked them during the week

10 would they be careful of any behavioral change,

11 and I gave them some of the language of the then

12 psychology in terms of if something in any way

13 became even the slightest of trauma, such as

14 eating habits, sleeping habits, and they were --

15 they came back the second time and decided not

16 to bring their sons, and the closure of that

17 evening was their gratification that Charlie was

18 in therapy, and they also stated that they would

19 not want to have been responsible for Charlie's

20 removal from St. Mary at Bethel.

21 I assured them that was not their

22 responsibility, that it was our decision, and

23 the reason for the decision, we had a pastor who

24 would supervise carefully Charlie during the

25 therapeutic process. That was the closure of

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1 that it was two brothers and subsequently became
2 three brothers.
3 Q. From whom did you receive the
4 information?
5 A. Gavin.
6 Q. In other words, again, you met with
7 him?
8 A. Yes, to finalize the numbers, to know
9 the truth.
10 Q. Firstly, Father Scheyd told you the
11 name of the individual?
12 A. Right.
13 Q. All right. At that point did you
14 contact the individual?
15 A. That's right.
16 Q. All right. And you contacted Father
17 O'Connor. Now, you discussed it with Father
18 O'Connor?
19 A. That's right.
20 Q. And did he indicate to you what had
21 happened?
22 A. Not in detail, and the reason for not
23 in detail, he was then in therapy at least three
24 months, perhaps more, with a therapist, and it
25 was my practice then to -- well, in this case,

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1 obviously, I got the name of the therapist and
2 to speak to the therapist.
3 Q. Approximately when did this occur, this
4 incident?
5 MR. SWEENEY: You mean the
6 report, Counsel?
7 MR. TREMONT: Yes.
8 Q. When you had this report from Father
9 Scheyd.
10 A. You mean the year, Attorney?
11 Q. Yes, approximately.
12 A. I would have to guess. Let's see.
13 They came to me, the parents, in St. Catherine's
14 1983. Well, I would have to guess.
15 MR. SWEENEY: You have no
16 obligation to guess, but would you give us your
17 best estimate.
18 A. Approximate it was early '80s.
19 Q. And do you recall at that time what
20 parish Father O'Connor was at?
21 A. He was the chaplain at the Marion
22 penitentiary in Marion, Illinois.
23 Q. All right. Now, you indicated to us
24 that you spoke with the parents; is that
25 correct?

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1 A. Yes. They came to me after my
2 insistence.
3 Q. You indicated that Father O'Connor at
4 that time, at the time of this complaint, was in
5 therapy?
6 A. That's right.
7 Q. Who put him in therapy?
8 A. That was his own election.
9 Q. Were you aware of the fact that he was
10 in therapy?
11 A. I was not, because I was unaware that
12 there was this allegation or that there was this
13 behavior in his life.
14 Q. I am not -- I'm not even asking you at
15 the moment about his behavior. What I am
16 basically asking you is, in other words, to get
17 it clear, that it wasn't the Diocese of
18 Bridgeport that had put him in touch with the
19 therapist before this incident for any reason?
20 A. It was not, no.
21 Q. And this is something that the diocese
22 was also unaware of until you had the interview
23 with Father O'Connor?
24 A. That's right.
25 Q. Now, prior to that incident, did you

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1 not have another complaint in regard to Father
2 O'Connor?
3 A. I do not have any recall of any
4 complaint with regard to Father O'Connor.
5 Q. Except this one complaint involving two
6 or three brothers of one family?
7 A. That's right.
8 Q. At that particular time, what did you
9 do about the complaint. After you spoke to
10 Father O'Connor, you spoke with the parents.
11 What did you do?
12 A. I spoke with the psychologist,
13 Dr. Kabir, K-a-b-i-r.
14 Q. Was he the private psychologist of
15 Father O'Connor?
16 A. That's right. He shared with me what
17 was taking place. Gavin was then approximately
18 three or four months under his care. He shared
19 with me developmental processes, and he was
20 going to continue to go there, and at the end of
21 what he shared, I wasn't satisfied in the sense
22 of I didn't know this man, so I demanded that he
23 do psychological assessment for him, a full
24 battery of tests, and he was open to this and
25 did it.

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1 After that, I checked the
2 credentials of Dr. Kabir through the APA and
3 also the Affirmation House, which was a
4 respected therapeutic center at that time. I
5 knew the director at that time, and I asked her
6 to inquire about this man, the therapist, and
7 his credentials.
8 Q. Then what happened?
9 A. He continued his therapy with --
10 Q. In other words, you were satisfied with
11 the credentials?
12 A. That's right.
13 Q. All right. And did the -- at that
14 point, did you again get authorization from
15 Father O'Connor on your behalf and on behalf of
16 the bishop to get the records of this
17 psychiatrist or speak with the psychiatrist?
18 A. Yes, because I didn't know him, I had
19 at first a bimonthly telephone call with him,
20 Dr. Kabir, and there was some delay, at least in
21 my perception of the testing being done.
22 He explained that in writing, why
23 the delay, and I insisted that it be done as
24 immediate as possible because we wanted to know
25 was he fit and able to remain in active

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1 ministry, and Dr. Kabir, approximately within a
2 week, called me, gave me the results of the
3 testing, and he said where they were at that
4 period of therapy and that he was no danger to
5 anyone. He asked that there would be
6 supervision in terms of child care at that
7 time.
8 There was a subsequent letter and
9 I am going to approximately say within a month,
10 certainly again that's an approximation, where
11 the developmental process of Gavin, at least in
12 Dr. Kabir's mind, warranted a letter that he was
13 fit for any population, that he was not a danger
14 to anyone in society.
15 Q. And what did you do thereafter? I will
16 withdraw that -- Yes, what did you people do,
17 the diocese, what happened?
18 A. What did I do? I can answer for that.
19 I continued my contact with Dr. Kabir until they
20 had come to closure of Gavin's therapeutic
21 process, and he saw Dr. Kabir approximately
22 two-plus years.
23 Q. And did you do anything in regard to
24 his assignment?
25 A. We did not because that was not the

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1 would meet weekly, because normally, except
2 obviously for pastorates, appointments were made
3 in May.

4 Q. What was the procedure that the
5 personnel board would use in order to determine
6 appointments and make its appointments?

7 A. We would discuss fitting candidates for
8 a given opening.

9 Q. Would you entertain the request of a
10 candidate?

11 A. For a pastorate, yes.

12 Q. So that if -- if a person wanted to be
13 a pastor, for instance, he could write a letter
14 or petition the board and ask that he be
15 assigned?

16 A. Well, we had a procedure where, when a
17 pastorate opened, it would go out to all the
18 priests of the diocese. Priests ordained 10
19 years and beyond were able to apply to the
20 pastorate, and then the individual applicant
21 would be interviewed by the entire personnel
22 board.

23 Q. All right. And the board would make a
24 decision in filling the pastorate?

25 A. No. The board would give the three

1 A. Yes.

2 Q. What would they know in regard to the
3 therapeutic process?

4 A. That a therapeutic process was
5 completed and the respective therapist said he
6 was willing and able for another assignment.

7 Q. Now when you say a therapeutic process
8 was completed, does that mean, Monsignor, that
9 they would be advised only that it was a quote,
10 unquote, therapeutic process or that they would
11 be advised it was a therapeutic process that was
12 in regard to sex, alcohol or some other
13 specific?

14 A. They would be advised just as to the
15 therapeutic process.

16 Q. And generically, as you said it, that
17 is what that would be, they would be told that,
18 and he was ready for duty?

19 A. That's right.

20 Q. And then he was assigned. Let me ask
21 you, when did you leave the Bridgeport diocese
22 as episcopal vicar?

23 A. October 7TH, 1987.

24 THE WITNESS: Correct me, Larry?

25 A. I think that's exactly it.

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1 choices to the bishop, and the bishop would
2 choose from the three.

3 Q. So that the board came up with three
4 people usually?

5 A. That's right.

6 Q. And I assume there were some exceptions
7 or not?

8 A. There could have been. There could
9 have been.

10 Q. And would -- in the course of doing
11 this, would you review the personnel file of the
12 priest?

13 A. We might. We might.

14 Q. That was available to you, the
15 personnel board, was it not?

16 A. Oh, yes.

17 Q. Now, in this instance, for example,
18 when Father Federici was terminated at
19 St. Joseph's, is the board advised of the reason
20 for his termination?

21 A. The board is not.

22 Q. Merely that he has been terminated?

23 A. That's right.

24 Q. And now you are going to look for an
25 appointment to fill -- You said the reason that

1 Q. All right, 1987.

2 A. Hold on a second. Yes, this is our
3 tenth anniversary. Yes.

4 Q. Now, the -- you don't -- I will
5 withdraw that.

6 Now, do you recall receiving
7 complaints in regard to Father Gavin O'Connor?

8 A. I do, yes.

9 Q. Could you tell me the first complaint
10 that you recall receiving of Father O'Connor?

11 A. Yes, either or both parents went to a
12 priest of the diocese, who in turn went to a
13 priest on the personnel board, who in turn told
14 the personnel board -- at that time there were
15 three of us -- that there was a priest in
16 trouble in the diocese, and I gave him 24 hours,
17 said priest on the personnel board, that I know
18 the name of the priest that was in trouble.

19 Q. So that you received this information
20 through the chain that you just discussed in an
21 anonymous fashion; in other words, the priest
22 was not identified?

23 A. The priest was instructed by the
24 parents not to tell anyone. Parent or parents.

25 Q. You say the first priest was

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1 you had advised the board is that there would be
2 an opening?

3 A. That's right. To fill the appointment
4 of the vacant pastorate, yes.

5 Q. All right. In that case Father
6 Federici wasn't a pastor?

7 A. Yes, he was.

8 Q. He was, all right. And when Father
9 Federici was appointed to St. Edward's, how
10 would he have been chosen for St. Edward's?

11 What is the procedure that would have been
12 followed?

13 A. It would be discussed by the personnel
14 board, and the bishop would be part of that
15 discussion. We are talking about now, Marty is
16 going back as an associate and not as a pastor.

17 The bishop would be part of the discussion with
18 the personnel board when it involved associates.

19 Q. And obviously the board would not
20 discuss the incident, the sexual incident
21 involved with Marty?

22 A. They would not know of the specifics,
23 but they would know of the therapeutic process.

24 There was a therapeutic process involved.

25 Q. They would know that?

1 instructed?

2 A. Right.

3 Q. In other words, the priest that they
4 had come to?

5 A. That's right.

6 Q. Did you eventually determine that it
7 was Father O'Connor?

8 A. I was informed within the 24-hour
9 period, yes, by Father Scheyd.

10 Q. Who was Father Scheyd at that time?

11 A. He was a member of the personnel board
12 and I believe rector of the cathedral.

13 Q. That's St. Augustine's?

14 A. That's right.

15 Q. It's always been the cathedral?

16 A. Right.

17 Q. What was the nature of the claim that
18 was given to you at that time?

19 A. By whom, please, Attorney?

20 Q. When you ultimately found it was Father
21 O'Connor?

22 A. That he abused -- the initial
23 information, I'm not sure as to the numbers
24 because again it vacillated, whether it was two
25 brothers or three brothers. My recollection was

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1 Q. Is that an option that you used during
2 the times that you held the office of episcopal
3 vicar?
4 A. Right, unless circumstances asked me to
5 do otherwise.
6 Q. What, for example, would be a
7 circumstance which would ask you to do
8 otherwise?
9 A. I wouldn't be able to -- perhaps as we
10 go along, I will be able to answer that more
11 accurately.
12 Q. Give me -- You mentioned it. I am
13 just asking you, what circumstances would cause
14 you to do otherwise?
15 A. If I had a need for -- for example, if
16 I were going to refer the priest for further
17 assistance, I would ask him to give a written
18 report to the new referee.
19 MR. TREMONT: Apparently we
20 are -- Are we through with the tape practically
21 so...
22 THE VIDEOGRAPHER: We have less
23 than a few minutes.
24 MR. TREMONT: Do you want to stop
25 and put on a new tape now?

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1 MR. SWEENEY: It would be good.
2 THE VIDEOGRAPHER: That concludes
3 tape one of this deposition. Off the record at
4 12:26 p.m.
5 (Discussion off the record.)
6 THE VIDEOGRAPHER: This is tape
7 two of the deposition. On record at 12:36 p.m.
8 BY MR. TREMONT:
9 Q. I think I was asking about reports. I
10 think your last answer, if I recall, was in that
11 regard. Now --
12 THE VIDEOGRAPHER: We are not on
13 the record yet. Replace your microphone,
14 please.
15 This begins tape two of this
16 deposition on record at 12:36 p.m.
17 Q. Now, did you indicate to me that Father
18 Federici was at Trinity the second time for
19 approximately a year?
20 A. Or more.
21 Q. Or more.
22 A. Yes. I am fairly certain that I am
23 right, but that would certainly be an
24 approximation, right.
25 Q. All right.

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1 A. And that could also have been -- was he
2 living at Trinity, I don't believe so. He was
3 living at Trinity full time for a period of
4 about four or five months, and then Benedict saw
5 him in private therapy.
6 Q. So at the point that he was seen in
7 private therapy, would he be -- I will withdraw
8 that.
9 Did he engage in any duties with
10 the Diocese of Bridgeport while he was in
11 treatment at Trinity?
12 A. Not to my knowledge.
13 Q. When he was receiving private therapy,
14 did he engage in any duties of the Diocese of
15 Bridgeport?
16 A. Not to my knowledge.
17 Q. Well, I note that -- Again, this is
18 the Catholic directory, and I merely ask this
19 question, Monsignor, that it appears that it
20 lists Martin Federici being at St. Joseph's
21 Church in Shelton from 1982 through 1983, and
22 then indicates that in 1984, he went to
23 St. Edward The Confessor in New Fairfield, all
24 right?
25 And you have to answer audibly

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1 for the purpose of the record.
2 A. He would only have gone there when
3 Benedict determined that he was able and fit.
4 Q. Do you know, and this is what I am
5 asking you, when he would then be assigned to a
6 church, is it possible at that point he also
7 could have been receiving private therapy?
8 A. Oh, sure. Surely.
9 Q. And when he was -- I will withdraw
10 that.
11 Who would have determined to
12 assign him, for example, to St. Edward The
13 Confessor?
14 A. The personnel board -- with, in this
15 case, the explicit permission of the bishop, as
16 a result of the report that he would receive
17 from Benedict.
18 Q. All right.
19 A. In other words, normally the procedure
20 would be personnel board to the bishop. The
21 bishop in this instance had to know Benedict's
22 report before it went to the personnel board.
23 Q. So the bishop would have to know --
24 Let me go back on this so I can understand
25 this.

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1 You indicated that you assured
2 the individual, the victim's father, that Father
3 Federici would not remain at St. Joseph's, okay?
4 A. Right.
5 Q. And you said that you contacted him,
6 spoke with the bishop, contacted Federici, and
7 the short of it is he went to Trinity?
8 A. Right.
9 Q. Now, how was Father Federici's
10 appointment at St. Joseph's technically
11 terminated?
12 A. I would only have to approximate here.
13 He was terminated immediately.
14 Q. But who had authority to terminate that
15 appointment?
16 A. The bishop.
17 Q. Would he contact, in other words, would
18 he advise the personnel board, how would -- that
19 Father Federici was no longer there?
20 A. Oh, he would advise the personnel board
21 because a new person would have to be
22 considered.
23 Q. So he would -- Now, do you know
24 whether the bishop would do that, or you would
25 do that?

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1 A. In this instance, the bishop did it,
2 but there might be other instances where I would
3 do it.
4 Q. How would that be done, in writing?
5 A. No, we would -- being part of the
6 personnel board, we would inform the personnel
7 board.
8 Q. Excuse me, when you say being part of
9 the personnel board, what do you mean by that?
10 A. I was a member of the personnel board.
11 Q. Were you a member of the personnel
12 board. How many priests would have been on the
13 personnel board generally?
14 A. Approximately three, possibly four.
15 Q. Would the membership change regularly,
16 or would it remain about the same?
17 A. Approximately -- There was a term of
18 office, and at that time again, an approximation
19 would be three to five years.
20 Q. All right. And would the personnel
21 board meet on a specific occasions or did they
22 have regular meetings or was it informal, as far
23 as meetings are concerned?
24 A. Through the course of the year, we
25 would meet bimonthly. Beginning in March, we