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2 STATE OF MINNESOTA DISTRICT COURT
3 COUNTY OF BROWN FIFTH JUDICIAL DISTRICT
4 -----
5 Doe 6 and Doe 7,
6 Plaintiffs,
7 vs. Court File No: 08-CV-13-810
8 Diocese of New Ulm,
9 Defendant.
10 -----
11 Doe 18,
12 Plaintiff,
13 vs. Court File No: 08-CV-13-811
14 Diocese of New Ulm,
15 Defendant.
16 -----
17
18 **VIDEOTAPED DEPOSITION OF FATHER FRANCIS J.**
19 **GARVEY**, taken pursuant to Notice and Agreement under the
20 Rules of Civil Procedure for the District Courts of
21 Minnesota, and taken at the Church of Our Lady, 57482
22 CSAH 3, in the City of Manannah, State of Minnesota, on
23 the 24th day of January, 2014, at 9:27 a.m., before Ruth
24 E. Holdvogt, RPR, a Notary Public in and for the County
25 of Stearns, State of Minnesota.

3
1 **APPEARANCES:**
2 MICHAEL G. FINNEGAN and ANNIE KOPPLIN, ATTORNEYS AT
3 LAW, JEFF ANDERSON & ASSOCIATES, P.A., Suite 100, 366
4 Jackson Street, St. Paul, Minnesota 55101, appearing on
5 behalf of the Plaintiffs.
6 JOHN C. GUNDERSON, ATTORNEY AT LAW, MEIER, KENNEDY
7 & QUINN, CHTD., Suite 2200, 445 Minnesota Street, St.
8 Paul, Minnesota 55101-2100, appearing on behalf of the
9 Defendant Diocese of New Ulm.
10 PAUL C. ENGH, ATTORNEY AT LAW, Suite 1225, 220
11 South Sixth Street, Minneapolis, Minnesota 55402,
12 appearing on behalf of Father Francis J. Garvey.
13 **ALSO PRESENT:** Steve Knutson, Mill City Video Services,
14 (952) 884-0048.
15 ***
16 (WHEREUPON, the following proceedings were duly
17 had:--)
18 VIDEOGRAPHER: We are on the record.
19 This is the videotaped deposition of Father Francis
20 Garvey taken on January 24, 2014. The time now is
21 approximately 9:27 a.m. The deposition is taking
22 place in Manannah, Minnesota. My name is Steve
23 Knutson. I'm the videographer representing Mill
24 City Video Services.
25 Will Counsel please identify themselves

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8 **DEPOSITION EXHIBITS:**
9 (NONE)
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13 **OBJECTIONS:**
14 By Mr. Engh: Pages 14, 29, 31, 32, 51
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19 **INFORMATION/DOCUMENT REQUESTS:**
20 (NONE)
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24 **INSTRUCTIONS NOT TO ANSWER:**
25 By Mr. Engh: Page 52

4
1 for the record.
2 MR. FINNEGAN: Mike Finnegan and Annie
3 Kopplin for the plaintiffs.
4 MR. GUNDERSON: John Gunderson -- Meier,
5 Kennedy, Quinn -- for the Diocese of New Ulm.
6 MR. ENGH: Paul Engh for Father Garvey.
7 VIDEOGRAPHER: Will the court reporter
8 please swear in the witness.
9 (The court reporter administers the
10 oath.)
11 THE WITNESS: Yes, I do.
12 **FATHER FRANCIS J. GARVEY,**
13 after having been first duly sworn,
14 states on his oath as follows:
15 **EXAMINATION**
16 **BY MR. FINNEGAN:**
17 **Q** Father Garvey, a couple ground rules upfront. I
18 know you've been through this process a couple
19 times before, but just a couple things. I'll ask
20 you to give an audible response, so "yes," "no," or
21 explain something audibly. No -- if -- if you give
22 a head nod like that or you say "mm-hmm," "hmm-mm,"
23 if you do that, I'll ask you, "Was that a 'yes'?"
24 "Was that a 'no'?" That's just so that the court
25 reporter can get the -- all the testimony down, not

5

1 to badger you at all. It's just part of the
 2 process of taking a deposition.
 3 Does that make sense?
 4 **A Yes.**
 5 **Q** Another one, a ground rule, that -- that in normal
 6 conversation people have a tendency -- all of us do
 7 it -- to talk over each other all the time. And so
 8 there will be questions that I ask or that somebody
 9 else asks and you know exactly where that person is
 10 going with the question. Just wait until it's all
 11 the way done, give your answer; and I'll do my best
 12 to wait until you're all the way done with your
 13 answer. Does that make sense?
 14 **A Correct.**
 15 **Q** The other thing that I want -- I want you to know,
 16 too, is if you don't understand a question, if I
 17 ask a poor question, which I do sometimes,
 18 definitely just tell me that you don't understand
 19 it. I'll do my best to rephrase it. Does that
 20 make sense?
 21 **A All right.**
 22 **Q** The last one is for your benefit. Any breaks that
 23 you want, no matter whether it's five minutes from
 24 now, ten minutes from now, and however many you
 25 need, all you do is let me know that you want to

6

1 take a break and we'll take it.
 2 **A Okay.**
 3 **Q** All right?
 4 And, lastly, you understand that you're under
 5 oath today and that this could get used in a court
 6 of law?
 7 **A Yes.**
 8 **Q** Can you state your full name for the record, Father
 9 Garvey.
 10 **A Francis John Garvey.**
 11 **Q** What's your date of birth?
 12 **A 3-2-33.**
 13 **Q** You were ordained in 1959?
 14 **A Correct.**
 15 **Q** And at that time you were ordained by Bishop
 16 Schladweiler?
 17 **A Correct.**
 18 **Q** Your first assignment after ordination, Father,
 19 what was that?
 20 **A That was in Hutchinson.**
 21 **Q** St. Anastasia?
 22 **A Right.**
 23 **Q** How long were you there?
 24 **A A year-and-a-half.**
 25 **Q** And then after that you were assigned to the

7

1 Cathedral of the Holy Trinity in New Ulm?
 2 **A Correct.**
 3 **Q** Similarly, there for a year, year-and-a-half?
 4 **A A year-and-a-half.**
 5 **Q** After that you were assigned to the Willmar State
 6 Hospital?
 7 **A Right.**
 8 **Q** There from approximately 1962 to 2001?
 9 **A Correct.**
 10 **Q** And then at some point in approximately 1963 you
 11 were also appointed as Pastor of St. Patrick's in
 12 Kandiyohi?
 13 **A When I went to the State Hospital, that was -- my**
 14 **appointment also was to St. Patrick's Parish,**
 15 **Pastor of St. Patrick's Parish in Kandiyohi. So it**
 16 **was a dual assignment.**
 17 **Q** And then at some point in approximately 1974 were
 18 you also given the parish in Lake Lillian,
 19 St. Thomas More?
 20 **A Yeah, I had that parish off and on for about four**
 21 **different times. On there for a year or whatever**
 22 **it might be. It was back and forth.**
 23 **Q** Do you know which years you had it and which years
 24 you didn't?
 25 **A I can't give them to you right offhand.**

8

1 **Q** There would be records of that, obviously?
 2 **A Yes, there would be.**
 3 **Q** Okay. And then 1997 approximately to the present
 4 you've been Pastor at this church, at Church of Our
 5 Lady in Manannah?
 6 **A Correct.**
 7 **Q** Each one of those assignments that I've described
 8 so far, each one of those was made by the Bishop of
 9 the Diocese of New Ulm?
 10 **A Correct.**
 11 **Q** At your ordination, Father, you took a vow of
 12 obedience to the then-Bishop of the Diocese of New
 13 Ulm and his succ -- successors?
 14 **A Correct.**
 15 **Q** What does that mean?
 16 **A Well, that I'm obedient to whatever he requests of**
 17 **me as far as where he wants me to do my ministry**
 18 **and any other special functions that he might ask**
 19 **of me to do.**
 20 **Q** And throughout your years as a Priest, have you
 21 ever disobeyed an order from the Bishop?
 22 **A No, I haven't.**
 23 **Q** Is it correct, Father, that the Bishop of the
 24 Diocese of New Ulm has the power to move a Priest
 25 of the Diocese to any assignment that he wants?

1 A **Correct.**
 2 Q Also correct that the Bishop of the Diocese of New
 3 Ulm can restrict the ministry of any Priest of the
 4 Diocese of New Ulm?
 5 A **Correct.**
 6 Q Also correct that the Bishop of the Diocese of New
 7 Ulm can remove a Priest of the Diocese of New Ulm?
 8 A **If he has reason to. We have laws that -- Canon**
 9 **Laws that protect us Priests also.**
 10 Q Let me rephrase that better, then. So with cause
 11 the Bishop of the Diocese of New Ulm has the power
 12 to remove a Priest?
 13 A **Yes.**
 14 Q And as far as the -- the parishes are concerned,
 15 Father, what's the Bishop's role in the individual
 16 parish in the Diocese of New Ulm?
 17 A **Well, he's really the Pastor. We're assigned as**
 18 **Pastors, but he's really the Pastor. And we work**
 19 **under him and doing his work that he's not --**
 20 **naturally can't be in all these different places.**
 21 **So we do the work that he would be doing if he was**
 22 **there. And so his role is basically being the**
 23 **Pastor, deciding what the parish needs are and how**
 24 **to fulfill them.**
 25 Q As -- as part of being that role, is the Bishop

1 the parishes?
 2 A **Oh, that's certain, yes.**
 3 Q Would you also agree that the Bishop should inform
 4 the parents of the children of the parishes about
 5 any dangers that are at that parish for the
 6 children?
 7 A **If it's appropriate, I suppose, yes.**
 8 Q When you were ordained, Father, you also took a vow
 9 of celibacy; is that correct?
 10 A **Right.**
 11 Q And what does that mean?
 12 A **Well, we don't marry and we have to observe all the**
 13 **rules and regulations like any other human being**
 14 **regarding the virtue of chastity. And we don't**
 15 **misuse that role for our -- our role as -- of**
 16 **celibacy, that we need to fulfill what -- what's**
 17 **required of that.**
 18 Q Did you have any training either in seminary or
 19 after seminary about maintaining celibacy?
 20 A **Oh, we've had lots of workshops on that over the**
 21 **years, so... And now, of course, we work under**
 22 **what's called Virtues which we have to do every**
 23 **month.**
 24 Q Has it been your experience, Father, in the years
 25 that you've worked as a Priest here in the Diocese

1 responsible for the safety and well-being of
 2 children in the parishes?
 3 A **Definitely.**
 4 Q And is the Bishop also responsible to make sure
 5 that the Priest who's working in the parish is fit
 6 to work with children?
 7 A **Correct.**
 8 Q Would you say ultimately that it's the Bishop of
 9 the Diocese of New Ulm that's in control of the
 10 parish?
 11 A **Oh, definitely.**
 12 Q Is it correct, Father, that -- that only a Bishop
 13 -- only the Bishop of the Diocese of New Ulm can
 14 create a parish within the Diocese of New Ulm?
 15 A **Well, he doesn't really create it. It's done by**
 16 **Rome. But he can request to have a parish**
 17 **established.**
 18 Q And what about for a parish to be closed, when they
 19 close a parish, is that ultimately the Bishop's
 20 call?
 21 A **Eventually that's his de -- his decision. Normally**
 22 **he would consult with a number of people before**
 23 **doing that.**
 24 Q Would you agree, Father, that the Bishop should
 25 never needlessly endanger the safety of children in

1 of New Ulm, that when there was a problem at the
 2 parish level with one of the Priests, that that
 3 would get reported up the line to the chancery and
 4 the Bishop?
 5 A **Yes, that's the aim, is to inform the Bishop**
 6 **because it's his responsibility as to what needs to**
 7 **be done.**
 8 Q And I saw in some of the records, also, Father,
 9 that at some points you've been on the Priest
 10 Personnel Board?
 11 A **For a number of years; 15 years or so.**
 12 Q I had from 1969 to 1984 as a member?
 13 A **Yes.**
 14 Q And then later appointed by the Bishop to have some
 15 other role within the Personnel Board?
 16 A **Well, I was Director of Priest Personnel, yeah, for**
 17 **only a short time. For two years.**
 18 Q And throughout your whole time on the Priest
 19 Personnel Board, the Priest Personnel Board would
 20 make recommendations to the Bishop for clergy
 21 assignments?
 22 A **Right.**
 23 Q Ultimately, though, it was the Bishop that decided
 24 where to appoint the Priests?
 25 A **Oh, yes, his final decision.**

1 Q When you were on the Priest Personnel Board,
 2 Father, was there any type of document-keeping that
 3 you did or that anybody did on the Personnel Board?
 4 A **Oh, we have a file on each one of our Priests down
 5 at the pastoral center, where that file contains
 6 reports of any misconduct and/or good work that a
 7 Priest might be doing. There's -- yes, there's a
 8 file in the pastoral center.**
 9 Q Is there one file or multiple files for each
 10 Priest?
 11 A **Basically, one file as far as I know.**
 12 Q Did the -- at the time when you were on the
 13 Personnel Board, did you have access to those files
 14 on the individual Priests?
 15 A **Yes.**
 16 Q Were there any other files that the Personnel Board
 17 did not have access to?
 18 A **No.**
 19 Q There's a -- a provision called Canon 489 that --
 20 that provides that a Bishop's supposed to keep any
 21 scandalous material separate and only have access
 22 to it for himself and for one of his designees.
 23 Did you ever have any experience with that type of
 24 a file?
 25 A **Well, it -- most of what -- information on a Priest**

1 A **Well, it could be sexual misconduct. It could be
 2 -- well, I guess that's basically what it was.**
 3 Q And what were the -- were there separate videos on
 4 each -- on those -- on specific Priests, or how did
 5 -- how did it work for these videos that were on
 6 the second or third floor of the pastoral center?
 7 A **Well, the Director of Priest Personnel would have
 8 had to set up this file and would have used it to
 9 -- created it and used it with the Bishop in
 10 specific cases that were -- there wasn't that many
 11 of them but they involved misconduct, I suppose.**
 12 Q Who had access to those files on the second or
 13 third floor?
 14 A **The Bishop and the Director of Priest Personnel.**
 15 Q Did you ever watch and view any of the videos that
 16 you talked about?
 17 A **I can't remember. I can't recall any specific one,
 18 I know that. I was more told about them by the
 19 Director of Priest Personnel than seeing them.**
 20 Q What -- what were you told about the videos by the
 21 Director of Priest Personnel?
 22 A **Well, if there was a video on a Priest's misconduct
 23 sexually, what the video was -- the general content
 24 of the video, or other misconduct. And that's
 25 basically what they were -- would have been about.**

1 **would be in his regular file. I guess there was a
 2 separate file -- and I have to guess -- that the
 3 Bishop had --**
 4 MR. ENGH: I'll just object if there's
 5 any guessing going on just to make clear that we
 6 shouldn't guess.
 7 THE WITNESS: Pardon?
 8 MR. FINNEGAN: He -- he made a legal
 9 objection, but you -- you can keep going.
 10 MR. ENGH: Go ahead.
 11 A **There was some -- I think some files which I had
 12 access to that were up on a different -- that were
 13 in a different file on the second or third floor of
 14 the pastoral center. Some of that contained video.
 15 Probably most of it contained video.**
 16 Q (By Mr. Finnegan, continuing) What type of video?
 17 A **Oh, what do you call the... Tape. The picture
 18 with it, what do you call it?**
 19 Q Like photographs or -- or still images or like this
 20 (indicating), like a -- like a movie-type --
 21 A **It'd be like this (indicating).**
 22 Q And what -- what were those -- what were the -- do
 23 you know what the videos -- what they contained?
 24 What were they -- what was the subject matter of
 25 the videos?

1 **They -- I had very little access or used them very
 2 little or... What should I say? The time I was on
 3 the Personnel Board I had very little contact with
 4 those files.**
 5 Q When you did have contact with them, were they --
 6 were those files...
 7 A **Excuse me.**
 8 Q No problem.
 9 A **At the what?**
 10 Q When you had contact with those files, were they in
 11 a locked area?
 12 A **Yes.**
 13 Q How did you access that area?
 14 A **Through the Personnel Director.**
 15 Q Did the Personnel Director have a key?
 16 A **Uh-huh. Yes. As far as I know, yeah. At least he
 17 could get in to them.**
 18 Q Was there a file in that set of files -- was there
 19 a name for that set of files?
 20 A **Not that I'm aware of.**
 21 Q What was the location on the second or third floor
 22 where those files were located?
 23 A **In a small room.**
 24 Q Anything else in that room besides the files?
 25 A **Not that I know of.**

1 Q How many separate files were there in that room,
 2 Father?
 3 A **I don't know.**
 4 Q Was there a file on David Roney?
 5 A **Not that I'm aware of.**
 6 Q Did the Personnel Board, did they keep any other
 7 type of documents or files besides the regular file
 8 on each Priest in the pastoral center or possibly
 9 the files in the small room on the second or third
 10 floor?
 11 A **No.**
 12 Q During your time on the Personnel Board, were there
 13 minutes kept?
 14 A **Oh, yes. From meetings, yes.**
 15 Q Where -- where do those minutes go after you're
 16 done?
 17 A **You'd have to check with the Director of Priest
 18 Personnel on where they are.**
 19 Q The whole time that you were on the Priest
 20 Personnel Board, were minutes kept?
 21 A **Yes. From my very first meeting on.**
 22 Q Who kept the minutes?
 23 A **Well, we appointed a secretary who wrote them up,
 24 and then one of the staff ladies would probably
 25 type them up in the pastoral center.**

1 MR. GUNDERSON: -- can we clarify what
 2 time we're talking about --
 3 MR. FINNEGAN: Sure.
 4 MR. GUNDERSON: -- what time period?
 5 MR. FINNEGAN: Sure.
 6 MR. GUNDERSON: Thank you.
 7 MR. FINNEGAN: Yeah.
 8 A **It would have been the file that we had.**
 9 Q (By Mr. Finnegan, continuing) Let me -- let me
 10 back up just a second. John asked a -- a good
 11 foundational question.
 12 Do you know approximately what years they were
 13 that you were the Director of Priest Personnel?
 14 A **2000... I want to say 2001 to 2003.**
 15 Q So during those years that you're Director of
 16 Priest Personnel, what happened to the -- the board
 17 minutes after you had them?
 18 A **They would have been passed on to the next Director
 19 of Priest Personnel.**
 20 Q When you were there, where did you keep them? So
 21 let -- let's just take an individual meeting. You
 22 get the minutes, and then where do you put them
 23 after you get them?
 24 A **We had a file in -- in -- in the pastoral center.
 25 I think it was with the files for our -- for all of**

1 Q Do you know what happened to them after the person
 2 typed them up in the pastoral center?
 3 A **No. I presume -- I have to presume they were kept
 4 on file.**
 5 Q Have you ever seen a file in the Diocese anywhere
 6 that has all the Personnel Board minutes?
 7 A **No, I haven't.**
 8 Q Have you ever heard about that?
 9 A **Have I ever heard about?**
 10 Q Has anyone ever told you that -- that there were
 11 files that had the complete history of the minutes
 12 for the Personnel Board?
 13 A **All I know is that we did -- did minutes with our
 14 meetings and they were kept by the Director of
 15 Priest Personnel. I presume they're in a file in
 16 his office.**
 17 Q Okay. You were the Director of Priest Personnel
 18 for a few years; correct?
 19 A **Yeah, about 15.**
 20 **Oh, Director of Priest Personnel. About two
 21 years.**
 22 Q During those two years, what did you do with the
 23 minutes after you got them?
 24 MR. GUNDERSON: Excuse me --
 25 A **We put them in the file --**

1 **our Priests.**
 2 Q A separate file in the pastoral center for the
 3 Personnel Board minutes?
 4 A **I don't know if you'd say it's separate. It would
 5 have been tied in with the regular files that we
 6 kept on our Priests.**
 7 Q I guess what I'm -- what I'm trying to get at, so
 8 you take the -- you have the minutes, and then do
 9 you put those into each Priest's individual file,
 10 or do you have a separate area where the -- all the
 11 minutes were going for the --
 12 A **A separate area.**
 13 Q Are you aware of any other areas within the
 14 pastoral center where there could be files or
 15 documents on individual Priests besides the regular
 16 files that you discussed, the Priest Personnel
 17 Board minutes, and the files that are on the small
 18 room of the second or third floor --
 19 A **No, un -- unless the Bishop kept a file of -- of
 20 his own.**
 21 Q Are you aware of any of the Bishops that you served
 22 under keeping separate files?
 23 A **No, not that I'm aware of.**
 24 Q Were you ever told that any of the Bishops kept
 25 separate files?

1 A **No, I wasn't. I'm assuming the Bishop probably**
 2 **kept some note of his own.**
 3 Q What makes you assume that?
 4 A **Well, he was responsible, and I think any**
 5 **responsible person would want some notes of their**
 6 **own so that in decision-making he could refer back**
 7 **to them.**
 8 Q Would that statement be true for all the Bishops
 9 under which you served?
 10 A **I would say so.**
 11 Q What about...
 12 A **Excuse me.**
 13 Q No problem.
 14 What about in the parishes, Father, were there
 15 documents kept at each parish that you were at, as
 16 well?
 17 A **On?**
 18 Q On anything. Was there a -- I guess I'll ask a
 19 better question.
 20 Was there -- in the Diocese is there a uniform
 21 system that each parish is supposed to follow for
 22 keeping documents?
 23 A **Oh, yes. Yes. Documents regarding the Deed we got**
 24 **on the property; the insurance that they have; and**
 25 **any building projects, that type of thing, would be**

1 **were reported as sexual misconduct. To pursue that**
 2 **case, gather together whatever information we**
 3 **could. And there was also a committee with that --**
 4 **with that misconduct that then I or whoever was**
 5 **made -- in that position had access to meeting with**
 6 **this committee to discuss what should be done.**
 7 Q How many different Priests did you deal with during
 8 that time period when you were the Bishop's
 9 Appointee For Sexual Misconduct?
 10 A **Well, fortunately -- and I can say this smiling**
 11 **because I didn't have many to deal with in my time.**
 12 **Right after I got done, then Monsignor Grams seemed**
 13 **to end up with a -- a number of them. But in my**
 14 **time, it was a transition time because Archbishop**
 15 **Nienstedt was leaving and so things kind of got,**
 16 **shall we say, postponed or...**
 17 **And I was not happy with that position, but I**
 18 **tried to do the best I could with it. But my work**
 19 **with it was minimal.**
 20 Q Why weren't you happy with that position?
 21 A **I don't like dealing with that type of behavior.**
 22 **It's very depressing for a Priest to have to**
 23 **confront your own counterpart and learn of behavior**
 24 **that certainly was out of line.**
 25 Q Did you have any training at all before being on --

1 **on file. And then the minutes of the parish**
 2 **council.**
 3 Q And each parish that you were at had those type of
 4 documents?
 5 A **Yes.**
 6 Q And that's, to your knowledge, Diocese-wide?
 7 A **Correct.**
 8 Q Any other official positions within the Diocese
 9 besides the ones that we've discussed on the Priest
 10 Personnel Board?
 11 A **Well, it was customary in my time there that the**
 12 **Director of Priest Personnel was also the Director**
 13 **-- the Bishop's Appointee for Sexual Misconduct**
 14 **cases, which is what I had for the time I was**
 15 **Director of Priest Personnel.**
 16 Q Was that a different title that you had to
 17 deal with --
 18 A **Yes.**
 19 Q -- the sexual misconduct cases?
 20 A **A different -- a different title.**
 21 Q What was that title?
 22 A **Bishop's Appointee for Missexual (sic) Conduct.**
 23 Q What were your responsibilities as the Bishop's
 24 Appointee for Sexual Misconduct?
 25 A **To deal with the cases as they came up, if they**

1 being the Bishop's Appointee For Sexual Misconduct,
 2 any training at all to deal with sexual misconduct?
 3 A **Well, some of my work at the state hospital and --**
 4 **and some of my training, but individually for the**
 5 **Diocese, no.**
 6 Q Were you asked -- when you said to pursue the case,
 7 were you asked to investigate the case?
 8 A **Yes. That means to find out what the report is.**
 9 **And, fortunately, in my time I didn't have enough**
 10 **time to pursue reports that were given me because**
 11 **Monsignor Grams was appointed and everything was**
 12 **turned over to him then.**
 13 Q At any point when you were the Bishop's Appointee
 14 For Sexual Misconduct, did you report any of the
 15 information that you got to law enforcement?
 16 A **No.**
 17 Q Was that done in any of the cases that you worked
 18 on?
 19 A **Excuse me.**
 20 **I can't answer that because I'm not sure with**
 21 **the Priests before my time and after my time.**
 22 Q I'm -- I'm only asking your time. Are you aware of
 23 any cases that -- that you were working on during
 24 your time that were reported to law enforcement?
 25 A **I can't remember.**

1 Q When you pursued the case or investigated them,
 2 what -- what did you do? What was your process?
 3 A **Well, I had so -- I really didn't have almost any**
 4 **case to pursue. So, therefore, I can't answer that**
 5 **outside of the fact that if I did get some**
 6 **information, I tried to gather more data about the**
 7 **case. And then my time was up and Monsignor Grams**
 8 **had to take it over. So my stay on it was so short**
 9 **I didn't have time to really investigate, pursue,**
 10 **shall we say, cases.**
 11 Q I've asked you about documents for the Priest
 12 Personnel Board and the Diocese and the parishes.
 13 What about yourself personally, Father, do you keep
 14 any set of documents throughout your time of being
 15 a Priest that you've taken with you from place to
 16 place?
 17 A **No.**
 18 Q What about when you were at the Willmar State
 19 Hospital, did you have any type of document system
 20 there that you used for the Priests that were in
 21 your program?
 22 A **Oh, definitely.**
 23 Q And what was that? Was that a system that you set
 24 up or that the --
 25 A **Yes, I set up along with the program that was**

1 **become a supervisor, a Director of pre -- of a**
 2 **program. And so I had another three units, I guess**
 3 **it was. Five units altogether. A unit would**
 4 **consist of 12 weeks. Very intense. Extremely**
 5 **intense. And that was my training.**
 6 **And then I had to meet a board. And it's not**
 7 **easy to get that permission. It took me three**
 8 **times to get by the board. I met them in Kansas**
 9 **City and they turned me down. I met them in**
 10 **Chicago and they turned me down. I met them in**
 11 **Colorado and I finally got the okay.**
 12 Q Persistence paid off?
 13 A **Yes.**
 14 Q And that program, how long did that program go on,
 15 or is it still going on at Willmar?
 16 A **Excuse me, I got this cold.**
 17 **It went on for -- I did it for 32 years.**
 18 Q Is it still in existence today?
 19 A **No.**
 20 Q As part of that program or your work at Willmar,
 21 did you also go through with people, both clerics
 22 and non-clerics, work in the 12-step program?
 23 A **In the what?**
 24 Q 12-step program.
 25 A **Oh, yeah, they were introduced to the 12 steps of**

1 **there. That was an extensive mid-quarter**
 2 **evaluation and a very extensive final evaluation.**
 3 **And those were kept in the CPE file. And they were**
 4 **long documents. It could be 15 or more pages**
 5 **probably that I would dictate out.**
 6 Q Was it the general practice at that time if you had
 7 a cleric who was in the counseling pastoral program
 8 at Willmar, that you would send those evaluations
 9 to whoever his superior was?
 10 A **Yes. Yes, we did.**
 11 Q So for a -- a Seminararian or a Diocesan Priest in --
 12 In the Willmar CPE program, that -- those
 13 evaluations would go to his Bishop?
 14 A **Right.**
 15 Q For a -- a Religious Order Priest involved in the
 16 program, those would go to his Religious Order
 17 Superior?
 18 A **Right.**
 19 Q Tell me a little bit, Father, about the -- the
 20 counseling education program, how that -- how you
 21 started that or how that got started and what that
 22 entailed just in brief form.
 23 A **The CPE program?**
 24 Q Yeah, the CPE program.
 25 A **Well, I went and had -- did more training myself to**

1 **AA. But there's a lot more than that.**
 2 Q And part of your experience and history was doing
 3 some of the fifth step work with some of the people
 4 at -- that were at Willmar?
 5 A **Oh, in my -- my work as chaplain?**
 6 Q Yeah.
 7 A **Oh, yes. Hundreds of them.**
 8 Q Could you explain for me what the fifth step is?
 9 A **That's where they do a thorough review of their**
 10 **life following guidelines and then meet with --**
 11 **normally it's the chaplain to verbalize what they**
 12 **came up with and -- and that way to hopefully work**
 13 **through the guilt, the fears, the anger, and so on.**
 14 Q Some people call it taking a -- their own moral
 15 inventory?
 16 A **Yes.**
 17 Q And communicating that to a -- another person?
 18 A **Correct.**
 19 Q Were there Priests of the Diocese of New Ulm that
 20 went to -- that you saw in the CPE program at
 21 Willmar? That --
 22 A **Yes --**
 23 Q That went to --
 24 A **-- from the Diocese, yeah.**
 25 Q How many, approximately?

1 **A Ooh. What should I say?**
 2 **Q** If you don't know, it's not --
 3 **A I don't know, but I'm going to say maybe 30.**
 4 **Q** And were there also clerics that were sent to
 5 Willmar State Hospital for some sort of -- of
 6 problem, treatment?
 7 **A Yes. Basically, for chemical dependency.**
 8 **Q** Any treatment that you're aware of at Willmar State
 9 Hospital of clerics who were accused of sexual
 10 misconduct?
 11 **A Can you restate that?**
 12 **Q** Sure. Are you aware of any treatment of clerics
 13 for sexual misconduct at the Willmar State
 14 Hospital?
 15 MR. ENGH: May I -- may I interject here
 16 for a second?
 17 MR. FINNEGAN: Sure.
 18 MR. ENGH: I -- I wish to pose an
 19 objection. The objection is that you're asking for
 20 what may be privileged information because he was
 21 in a counseling role at the hospital. And what
 22 you're asking is for him to disclose information he
 23 gained in a private patient setting, and so I do
 24 object. It's a delicate topic, and I -- I'm
 25 wondering if you could rephrase the question --

1 MR. ENGH: I also renew my objection to
 2 his last question because I think he -- he's quite
 3 close to the privilege issue even --
 4 THE WITNESS: Yes, that was a big issue
 5 the last time I was interviewed by -- way back
 6 years ago. They wanted to subpoena me and
 7 everything because I said I can't say anything,
 8 this is all confidential.
 9 **Q** (By Mr. Finnegan, continuing) Let -- I'll -- I'll
 10 try and ask -- where I was going with that was
 11 trying to get at -- at people that you knew of that
 12 the -- the Bishop sent them. So I wasn't asking
 13 about the actual -- your treatment of them, so
 14 somebody that the Bishop had knowledge of that's
 15 outside of any counseling -- arguably counseling
 16 relationship.
 17 Follow-up-wise, the -- the Priests that were
 18 sent from the Servants of the Paraclete, were they
 19 Priests that were sent into the CPE program to take
 20 that program, or sent for further treatment?
 21 **A No, they contacted me, wanted to know if I would**
 22 **take them in my program to further their**
 23 **rehabilitation.**
 24 **Q** And so were they -- were they -- were they getting
 25 education in the CPE program?

1 MR. FINNEGAN: I might be able to
 2 rephrase that better.
 3 MR. ENGH: -- so we don't get into names
 4 or any kind of confidences that he learned because
 5 he would be violating the law, too, and I don't
 6 want him -- I don't want him -- have him violate
 7 the privilege statute, so --
 8 MR. FINNEGAN: Let me --
 9 MR. ENGH: -- I request that you
 10 rephrase it.
 11 MR. FINNEGAN: I -- I will request --
 12 that was a -- probably a little bit too broad of a
 13 question.
 14 **Q** (By Mr. Finnegan, continuing) I -- I'll ask it
 15 this way, Father: Are you aware of any clerics
 16 that were accused of sexual misconduct which the
 17 Bishop sent to Willmar State Hospital for
 18 treatment?
 19 **A Some of them were with the religious community**
 20 **known as the Paracletes. And being with that**
 21 **community, they often went there to get treatment**
 22 **for alcoholism, depression, sexual misconduct. And**
 23 **then they would send them to me in our program with**
 24 **the hope that they have advanced enough to maybe be**
 25 **able to function again as a Priest someplace.**

1 **A Correct. Not only on dealing with their own**
 2 **problems but on how to work with chemically**
 3 **dependent people, people with mental problems, the**
 4 **things that we did at Willmar.**
 5 **Q** Did -- did any of the Priests that were involved in
 6 the CPE program at Willmar with you, did they ever
 7 serve or help out at any of the parishes that you
 8 were working at?
 9 MR. ENGH: Well --
 10 **A Yes.**
 11 MR. ENGH: -- I renew my objection
 12 because you're asking him for information he gained
 13 during the therapeutic process.
 14 MR. FINNEGAN: I'm ask -- so the -- I
 15 think the -- so the CPE -- I -- I can get some
 16 foundation for this.
 17 MR. ENGH: Sure.
 18 **Q** (By Mr. Finnegan, continuing) So the CPE, is that
 19 a -- that's an educational program; correct?
 20 **A Correct.**
 21 **Q** It's not a counseling program? I mean they're --
 22 you're training them to -- to be counselors; right?
 23 **A Right, right.**
 24 **Q** You're not actually in a counseling relationship
 25 with those students --

1 **A Right.**
 2 **Q -- right?**
 3 **A Teaching them, training them how to be a counselor**
 4 **with the chemically dependent people, et cetera.**
 5 **Q** So when I'm -- when I'm talking CPE, what I -- what
 6 I meant to convey, Father, was that that was the
 7 educational program.
 8 **A It was very much --**
 9 MR. ENGH: So let's stay with --
 10 THE WITNESS: -- but it --
 11 MR. ENGH: Let's stay with the
 12 educational program and --
 13 MR. FINNEGAN: All right.
 14 MR. ENGH: -- avoid any counseling that
 15 you did. If you would, Mr. Finnegan.
 16 MR. FINNEGAN: Yep.
 17 **Q** (By Mr. Finnegan, continuing) So I don't know if I
 18 got the -- the answer to that. The question was,
 19 did any of the clerics who were studying in the
 20 educational program with you at Willmar State
 21 Hospital, did they do help-out work at any of the
 22 parishes that you were working at?
 23 **A Yes, they did. Weekends or -- basically.**
 24 **Q** How often?
 25 **A Well, we were often short of Priests in the**

1 minutes, somewhere in that ballpark. Do you want
 2 to take a break? Do you want to keep going?
 3 THE WITNESS: No --
 4 MR. FINNEGAN: What's your preference?
 5 THE WITNESS: -- let's keep going for a
 6 while.
 7 MR. FINNEGAN: All right. You just let
 8 me know whenever --
 9 THE WITNESS: Unless somebody else needs
 10 a break.
 11 MR. FINNEGAN: If you do need one, just
 12 let me know.
 13 THE WITNESS: (Witness nods head.)
 14 **Q** (By Mr. Finnegan, continuing) The vow of obedience
 15 that you took to your Bishop and his successors,
 16 did that operate on you 24 hours a day?
 17 **A Yes.**
 18 **Q** Anywhere you were in the world?
 19 **A Yes.**
 20 **Q** You went to the St. Paul Seminary, Father?
 21 **A Correct.**
 22 **Q** When you were in the St. Paul Seminary, did you
 23 have any dealings with Priests accused of sexual
 24 misconduct?
 25 **A No.**

1 **Diocese, and so my program was -- it was offered to**
 2 **the Bishop to find someone to cover this parish on**
 3 **a particular weekend, or that parish.**
 4 **Q** Did you ultimately -- those Priests that were in
 5 the -- working in the educational program with you
 6 at Willmar, did they ultimately need the Bishop of
 7 the Diocese of New Ulm's permission to work at one
 8 of those parishes?
 9 **A Oh, definitely. Definitely.**
 10 **When I -- whenever I took one of those**
 11 **Priests, I had to get what we call the faculties of**
 12 **the Diocese for that Priest to function. And so**
 13 **that's the first one I had to contact, was the**
 14 **Bishop, to see if he was going to -- our -- our own**
 15 **Bishop to see if he was going to allow that Priest**
 16 **to function within his Diocese.**
 17 **Q** Your position at Willmar State Hospital, the Bishop
 18 could have at any point ordered you to switch
 19 assignments from there; is that correct?
 20 **A Switch assign --**
 21 **Q** He could have moved you at any -- any time?
 22 **A Moved me?**
 23 **Q** Yes.
 24 **A Oh, yes. Yes.**
 25 MR. FINNEGAN: We've been going about 45

1 **Q** When you were at the St. Paul Seminary, did you
 2 have any training on sexual misconduct by Priests?
 3 **A No.**
 4 **Well, I should -- we had lectures on keeping**
 5 **your hands off and behaving yourself.**
 6 **Q** Was that the extent of it, of the training?
 7 **A At that time, 40-50 years ago, yes.**
 8 **Q** Are you aware, Father, has the Diocese of New Ulm
 9 formulated a policy at any time that's aimed at
 10 preventing child sex abuse?
 11 **A Yes, we have, along with the whole country in**
 12 **what's called a charter.**
 13 **Q** And the charter for the protection of children was
 14 something that the -- the Bishops did and came out
 15 of the Dallas meeting; right?
 16 **A Right.**
 17 **Q** And that would have been in the 2001-2002 --
 18 **A Right.**
 19 **Q** -- time frame?
 20 **A Right, right.**
 21 **Q** Are you aware of the Diocese of New Ulm having any
 22 policies dealing with sexual misconduct by Priests
 23 before 2001?
 24 **A Let's see. Follow the policy from the Director of**
 25 **Priest Personnel prior to that. I know we did. He**

1 **was pretty emphatic on writing policies, et cetera.**
 2 **And, therefore, I think we -- we had some**
 3 **guidelines. But then it was the charter that set**
 4 **the whole thing going.**
 5 **Q** Any of those guidelines that you think were in
 6 place in the Diocese of New Ulm, did you ever see
 7 those written down before the -- the Dallas
 8 charter?
 9 **A** **I to my -- best of my knowledge, yes. I can't**
 10 **remember them, though, right now.**
 11 **Q** Were you involved at all around that time of the --
 12 the Dallas charter, there was also an effort to go
 13 through the -- the Priest files within each Diocese
 14 to find out the number of Priests that had been
 15 accused of sexual misconduct with minors. Did you
 16 have any involvement in that?
 17 **A** **I was asked to help with the files, to go through**
 18 **the files to see if there was any reports of**
 19 **misconduct, sexual misconduct. So I helped**
 20 **Monsignor Grams at the time to go through the files**
 21 **and see what we had.**
 22 **Q** Anybody else involved in that effort besides
 23 yourself and Monsignor Grams?
 24 **A** **Yes. Let's see. I can't remember if it was**
 25 **Monsignor Lozinski or who it was. There was one**

1 **go through all of them.**
 2 **Q** Did the review also include Priests that were from
 3 Religious Orders or different Dioceses that had
 4 worked in the Diocese of New Ulm?
 5 **A** **Yes.**
 6 **Q** How were those files kept? Were they kept the same
 7 way, or different?
 8 **A** **They were kept the same way their -- Priest files**
 9 **on us Priests of the Diocese was kept.**
 10 **Q** And then after you reviewed the files that you were
 11 supposed to, what did you do after that?
 12 **A** **Well, if there was something that I thought needed**
 13 **to be explored further, then I would hand the**
 14 **report to Father Grams and we would discuss what**
 15 **we'd do.**
 16 **Q** What -- what were the options as far as -- as far
 17 as what to do?
 18 **A** **Well, the options, one would be to -- if we thought**
 19 **-- or just -- we needed to do some action, then we**
 20 **had to discuss with the Bishop what to do.**
 21 **Q** At that time the Bishop was Bishop John Nienstedt?
 22 **A** **No. Bishop Lucker prior to that. Then came**
 23 **Nienstedt, yeah.**
 24 **Oh, that's right, he came around 2000.**
 25 **Q** Yeah, I -- I have Bishop John Nienstedt from

1 **other person.**
 2 **Q** Explain the process for me if you can, Father.
 3 **A** **Pardon?**
 4 **Q** Explain the process for me if you can. Were the
 5 files divided up so you were each given certain
 6 names? Did you go through --
 7 **A** **Yeah, each one of us was given some -- a certain**
 8 **number of files to go through, page through, see if**
 9 **there was any...**
 10 MR. ENGH: Counsel, could we clarify
 11 again what time period?
 12 MR. FINNEGAN: Sure. The...
 13 **A** **To see if there was anything.**
 14 **Q** (By Mr. Finnegan, continuing) So this would be --
 15 when this file review was done was after the Dallas
 16 charter, so this is post-2001 --
 17 **A** **Right.**
 18 **Q** -- 2002? Is that correct?
 19 Was that a "yes"? I think you said it, but...
 20 **A** **I think so.**
 21 **Q** Yeah.
 22 Was every single Priest's file of the Diocese
 23 of New Ulm reviewed as part of the work for John
 24 Jay?
 25 **A** **Yes, every single file was. It took us a while to**

1 approximately 2002 to 2006. Does that sound right?
 2 **A** **Yeah.**
 3 **Q** And then after -- after you went through the files,
 4 was there some -- some list that was kept to
 5 tabulate the numbers of Priests that had been
 6 accused of sexually molesting minors?
 7 **A** **I'm sure Monsignor Grams did.**
 8 **Q** Did you keep one?
 9 **A** **No.**
 10 **Q** Were any of the Priests that had been accused of
 11 sexual misconduct during your file review, were any
 12 of those guys still in ministry at that time?
 13 **A** **To my knowledge there was some, so I guess I would**
 14 **have to say yes, I -- yes. Yes.**
 15 **Q** What was done with those Priests, the ones that
 16 were still in ministry?
 17 **A** **Well, if the file was reviewed and if there was a**
 18 **-- a case against the Priest, then he -- the**
 19 **faculties were removed and he was not allowed to**
 20 **function.**
 21 **Q** What was the process that you went through to -- or
 22 that the Diocese went through to determine whether
 23 the faculties should be removed or not?
 24 **A** **Well, once the charter came, it was easy to follow**
 25 **the charter. Prior to that we had to explore what**

1 knowledge we had, what might be done and do we have
 2 sufficient reason to remove the faculties, what --
 3 et cetera. Once the charter came, boom, then it
 4 was taken care of.
 5 Q Was there any discussion amongst yourself, the
 6 Monsignor Gram -- Grams and Archbishop Nienstedt
 7 about whether or not to make those names public?
 8 A No.
 9 Q Did you ever tell Monsignor Gram or Bishop
 10 Nienstedt that you thought the names should be
 11 public?
 12 A No.
 13 Q Let's -- let's talk about David Roney. Do you
 14 remember him?
 15 A Yes.
 16 Q What's your first memory of David Roney?
 17 A Well, when I was ordained he had been ordained
 18 already about ten or 15 years. Simply meeting an
 19 older Priest, respecting him. And then he got
 20 assigned to Willmar as Pastor, and getting to know
 21 him some as far as working as Priests in -- in the
 22 same area.
 23 Q Before -- the records that we have show him, David
 24 Roney, being assigned to Willmar to St. Mary's in
 25 1967. Does that sound accurate?

1 him, and it was always a casual acquaintance doing
 2 some priestly work. But as far as any -- what do
 3 you want to call it? Any personal relationship
 4 with Dave Roney, no.
 5 Q What type of interactions did you have with him in
 6 Willmar? Was it social settings at the parishes?
 7 How -- tell me how that generally worked.
 8 A Yes, I would be down there now and then for a
 9 dinner, and the other time was to help with
 10 confessions. And that was about the extent.
 11 Q During those times when you were there at the
 12 parish with Father Roney, did you ever witness him
 13 interacting with children?
 14 A No. Absolutely not.
 15 Q Did you ever witness him or did you get a sense
 16 from those social settings that he had a -- a
 17 preference for boys versus girls, being around
 18 either one of those groups?
 19 A No. No, and I wasn't thinking in those terms,
 20 wasn't looking for anything.
 21 Q During those early years when he first got to
 22 Willmar, 1967 into the next few years after that,
 23 did you hear anything negative about David Roney
 24 during that time?
 25 A No, outside of the report that was given to me by

1 A Yes.
 2 Q Before 1967 had you heard from any source about any
 3 problems with David Roney?
 4 A No.
 5 Q Do you know why the Bishop transferred David Roney
 6 from Benson to Willmar in 1967?
 7 A No, outside of that it was simply a -- a Pastor
 8 reassignment because he had been at Benson a few
 9 years.
 10 Q Was there any discussion amongst the Priest
 11 Personnel Board at that time regarding Father
 12 Roney's transfer from Benson to Willmar?
 13 A Yeah, it would have been what to -- a general
 14 discussion about it's time for him to move.
 15 Willmar is -- he's a good Priest. Let's move him
 16 to Willmar.
 17 Q Any -- anything in the discussions amongst the
 18 Priest Personnel Board that indicated anything
 19 negative about David Roney that precipitated that
 20 move?
 21 A No.
 22 Q What was your relationship like with David Roney
 23 once he was there?
 24 A Well, it was simply another Priest to work with in
 25 the area. Because he was older, I just respected

1 one of the parishioners.
 2 Q And that was -- that was ?
 3 A Yes.
 4 And also the nun that was the principal at the
 5 school also gave me... expressed a concern about
 6 his behavior on the playground.
 7 Q Was that Sister Virginia McCall?
 8 A Yes.
 9 Q And did Sister Virginia McCall, did she come to you
 10 separate from ; from the parent?
 11 A Yes.
 12 Q Who did you hear from first, or Sister McCall?
 13 A Sister.
 14 Q Do you know what year it was?
 15 A No, I can't recall; but it must have been in the
 16 early '60s, I suppose.
 17 Q Do you mean to say late '60s? Or when he -- early
 18 on he got there, so he got there in 1967.
 19 A Yeah. Early '70s.
 20 Q Where did that meeting with Sister Virginia McCall
 21 take place?
 22 A I can't recall specifically. It might have been at
 23 the school. Some other gathering. I'm not sure.
 24 I can't remember.
 25 Q What did Sister McCall tell you?

1 **A Well, she was concerned about his behavior on the**
 2 **playground, that he kept bringing the little girls**
 3 **over to -- holding them close to himself**
 4 **particularly during the time of recess. She**
 5 **thought it was just strange behavior.**
 6 **Q** What was your reaction to it when -- when she told
 7 you that?
 8 **A Well, I was surprised, I suppose, first of all. In**
 9 **my eyes Father Roney was one of our great Priests;**
 10 **and that he was misbehaving sexually, I had a hard**
 11 **time accepting that.**
 12 **Q** What else did Sister McCall tell you from that --
 13 in that meeting?
 14 **A I can't remember.**
 15 **Q** Did she tell you the names of any of the little
 16 girls that she was concerned about?
 17 **A No.**
 18 **Q** Did you ask her?
 19 **A No.**
 20 **Q** Was there anyone else at the meeting that you had
 21 with Sister McCall where she raised this
 22 information to you?
 23 **A I can't remember.**
 24 **Q** What did you do, if anything, Father, in response
 25 to getting that information from Sister McCall?

1 at the rectory?
 2 **A Basically came about because of that parishlone**
 3 **r that came to see me, came to my office out at the**
 4 **treatment center. And after he came I made it a**
 5 **point -- amidst my hesitancy and fear of**
 6 **confronting an older Priest, yet I went -- I called**
 7 **him and I set up an appointment, went down to his**
 8 **office and visited with him, told him what was**
 9 **reported to me, and that's the gist of what**
 10 **happened.**
 11 **Q** What was Father Roney's response when you told him
 12 what you had been told by the parishlone and
 13 Sister McCall?
 14 **A None. Silence.**
 15 **Q** What was your reaction to that?
 16 **A Relief. I didn't have to deal with it.**
 17 **Q** Did Roney say anything else at that meeting? Or
 18 did he say anything?
 19 **A To my recollection, no. He was very silent. I**
 20 **made -- made my appeal and he was silent and he**
 21 **thanked me and I left. And that was it. There was**
 22 **no follow-up.**
 23 **Q** Did you ever talk to Father Roney about that again
 24 afterwards?
 25 **A No.**

1 **A Nothing.**
 2 **Q** Why?
 3 **A Why?**
 4 **Q** Yeah.
 5 **A I didn't see that it was my responsibility of**
 6 **correcting this older Priest. Let the Bishop or**
 7 **somebody else do it.**
 8 **Q** Did the Bishop know about it?
 9 **A I don't know. I don't think so.**
 10 **Q** Did you ever talk to the Bishop about it?
 11 **A No.**
 12 **Q** Did you talk to anybody else about it?
 13 **A No, I simply went down and seen Father Roney. In**
 14 **those days if you confronted another Priest about**
 15 **his behavior, you'd think he would have enough**
 16 **insight to change it and do the right thing. And**
 17 **so in my visit with him I confronted him about what**
 18 **was being reported, and he didn't say much of**
 19 **anything. He thanked me for coming, I went home,**
 20 **and that's as much as I can report.**
 21 **Q** Where was that meeting at?
 22 **A Excuse me. In his -- his office at the rectory.**
 23 **Q** So the meeting that you had with Father Roney where
 24 you confronted him about the information that
 25 Sister McCall gave you was in Father Roney's office

1 **Q** After you confronted Roney, did you talk to Sister
 2 McCall?
 3 **A I can't remember if I talked to her about the fact**
 4 **that I had seen him and visited with him or... I**
 5 **can't recall. It's possible.**
 6 **Q** Did you make any recommendation to Father Roney?
 7 **A No, out -- no, because I felt as Priests if we're**
 8 **confronted about our behavior, that we take it from**
 9 **there and try and do something about it.**
 10 **Q** Do you know if he did anything about it?
 11 **A Do I know if he did anything about it?**
 12 **Q** Yeah.
 13 **A To my knowledge, no.**
 14 **Q** Did you tell him that he should go get help?
 15 **A No. No, we weren't doing things that -- like that**
 16 **at that time.**
 17 **Q** Did you report the information that Sister McCall
 18 gave you to the law enforcement?
 19 **A No, because I wasn't aware back 50 years ago that**
 20 **we had to do that type of thing.**
 21 **Q** Did you report the information that you got from
 22 the parishlone to law enforcement?
 23 **A No.**
 24 **Q** Have you ever been contacted or approached -- by any
 25 of the people that Roney sexually abused as kids?

1 **A No.**
 2 **Q** Did you ever discuss the information that -- that
 3 you got from Sister McCall or with the Priest
 4 Personnel Board for the Diocese?
 5 **A Not that I remember.**
 6 **Q** When Father Roney was transferred out of Willmar to
 7 his next assignment in Lafayette, Minnesota?
 8 **A Yes.**
 9 **Q** Do you know the reason why he was transferred out
 10 of Willmar?
 11 **A No, outside the fact that we felt his time was up**
 12 **as far as being Pastor of that parish. And he was**
 13 **getting involved with the mission in Guatemala, so**
 14 **he could take a smaller parish and have time to do**
 15 **that. So it seemed practical that we would give**
 16 **him that opportunity.**
 17 **Q** Did you tell anyone at the parish at Lafayette,
 18 Minnesota, about the information that you had from
 19 Sister McCall or ?
 20 **A No.**
 21 **Q** Why not?
 22 **A Because in those days you didn't do that type of**
 23 **thing.**
 24 **Q** Was Roney's file or the files maintained on Roney
 25 by the Diocese, was that one of the files that you

1 know, in those first years that David Roney was at
 2 the parish in Willmar. What about after that, did
 3 you ever witness Father Roney's interactions with
 4 children after --
 5 **A No.**
 6 **Q** -- that, from about 1970 to 1980?
 7 **A No, I did not.**
 8 **Q** At any point from the time that you got the
 9 information from Sister McCall and from did
 10 you ever warn any of the parents at the parish in
 11 Willmar about what you knew about Roney?
 12 **A No. I felt it was confidential material so I**
 13 **didn't talk to other people about it.**
 14 **Q** Was David Roney ever your spiritual advisor?
 15 **A No.**
 16 **Q** Did you ever hear David Roney's confession?
 17 MR. ENGH: I -- I object to that. I
 18 don't think he can say that. And I think if he did
 19 say it, it would violate -- it would violate the
 20 Minnesota statute. So I'm going to -- I would ask
 21 you to stay away from --
 22 THE WITNESS: No, I'm -- I'll object,
 23 too.
 24 MR. ENGH: You can't do it. There's a --
 25 MR. FINNEGAN: I'm not asking about the

1 had to review as part of the John Jay study?
 2 **A I can't remember. I reviewed a number of them, but**
 3 **I can't remember. I assume Monsignor Grams**
 4 **probably handled that one because he had gotten**
 5 **some more information.**
 6 **Q** Would you agree, Father, that the Bishop should
 7 never take risks with the safety of children in the
 8 Diocese?
 9 **A Oh, certainly.**
 10 **Q** After David Roney left the parish of Willmar, what
 11 was your interactions -- what were your
 12 interactions, if any, with him after that?
 13 **A With Roney?**
 14 **Q** Yeah.
 15 **A Outside of fellow Priests in the Diocese, no.**
 16 **Q** At any point when you were a Priest, Father, did
 17 you discuss the information that you got from
 18 Sister McCall or from with any of your fellow
 19 Priests?
 20 **A No. To my knowledge, I didn't.**
 21 **Q** You didn't go to any other Priests to ask them for
 22 advice about what to do?
 23 **A No. I felt the confidentiality was such that I**
 24 **couldn't do it.**
 25 **Q** We talked about the early time, so from 1967, you

1 -- the contents of it.
 2 MR. ENGH: No, but you can't even say --
 3 I don't believe the statute even permits him to say
 4 that he heard a confession by some person. So I'm
 5 going to instruct him not to answer. In all due
 6 respect to you, but I -- I -- this is one area you
 7 just can't go to.
 8 So I'm going to instruct you not to
 9 answer. Okay?
 10 THE WITNESS: All right.
 11 **Q** (By Mr. Finnegan, continuing) Did you ever have
 12 any counseling relationship with David Roney?
 13 **A When he came into my CPE program.**
 14 **Q** When did he come into your CPE program?
 15 **A I can't give you the time -- year. I presume it**
 16 **would have been in the -- while he was still at**
 17 **Willmar.**
 18 **Q** So was he one of the students within the CPE
 19 program?
 20 **A Right.**
 21 **Q** Did you have to do evaluations of David Roney as
 22 part of the CPE program?
 23 **A I did.**
 24 **Q** Did you send those to the Bishop?
 25 **A Yes.**

1 Q Did you also keep a copy at -- at the Willmar
 2 Hospital?
 3 A **Yes.**
 4 Q Did David Roney complete the CPE program?
 5 A **Yes.**
 6 Q As part of the CPE program, was there anything
 7 negative that came up about David Roney?
 8 A **I can't answer that because of confidentiality.**
 9 Q Were you his psychologist there?
 10 A **Huh?**
 11 Q Were you his psychologist?
 12 A **Well, in a sense, yeah.**
 13 Q Are you a psychologist?
 14 A **No. I had a lot of training in it but don't have**
 15 **my degree in it.**
 16 **No, just -- just like the other students,**
 17 **learning how to hear -- hear fifth steps, how to**
 18 **work with chemically dependent people, the mentally**
 19 **ill, et cetera.**
 20 Q So is he -- at that point when he's there, did you
 21 hear his fifth step?
 22 A **No.**
 23 Q You're teaching him how to --
 24 A **How, because we didn't -- we didn't hear fifth**
 25 **steps normally of the students.**

1 Q So he's one of the students that you're teaching;
 2 correct?
 3 A **Right.**
 4 Q And in that program -- in that program did you hear
 5 anything negative about David Roney?
 6 A **Not that I recall. He was recognized as a very --**
 7 **fairly popular, hard-working, talented Priest in**
 8 **the Diocese of New Ulm.**
 9 Q Did anyone raise concerns about David Roney within
 10 the CPE program?
 11 A **Again, that's confidential material, I suppose.**
 12 **I can simply say that not that I recall.**
 13 Q How is that confidential material, Father?
 14 A **Whatever we did in CPE -- even in my first class,**
 15 **the students, I would tell them, whatever we do**
 16 **here is confidential material and it's not to go**
 17 **outside of this room. And I had to respect that in**
 18 **my working with the students.**
 19 Q During that time did he admit to you that he had
 20 sexually abused children?
 21 A **No. I couldn't -- again, I can't answer questions**
 22 **about him because that's confidential.**
 23 **This is the same thing I ran into with that**
 24 **other case, is when -- when does confidentiality**
 25 **not come into force when that's what you're dealing**

1 **with?**
 2 Q I don't think your attorney is instructing you not
 3 to answer those questions.
 4 MR. ENGH: Well, yeah, I -- I should
 5 probably join in his concerns.
 6 Perhaps -- perhaps we could take just a
 7 short break and solve the problem.
 8 MR. FINNEGAN: Sure.
 9 MR. ENGH: I think there's a way to solve
 10 this for -- for both Father's concerns and your
 11 need to conduct the deposition. So maybe we can
 12 take a five-minute break and work through this.
 13 MR. FINNEGAN: Sure.
 14 MR. ENGH: Is that okay?
 15 VIDEOGRAPHER: We're going off the record
 16 about 10:55 a.m.
 17 (Whereupon, a recess was taken.)
 18 VIDEOGRAPHER: We are back on the record.
 19 This is the continuing videotaped deposition of
 20 Father Francis Garvey taken on January 24, 2014.
 21 The time is about 11:06 a.m.
 22 Q (By Mr. Finnegan, continuing) Do you remember
 23 anything in particular about the evaluations, the
 24 written evaluations, on David Roney that were sent
 25 to the Bishop as part of the CPE program?

1 A **Do I remember any particular thing?**
 2 Q Yeah. I'm going to -- basically, do you -- I'm
 3 going to ask you if you remember anything -- I
 4 guess I'll just ask the ultimate question. In
 5 those written evaluations that were done as part of
 6 the CPE program that were sent to the Bishop?
 7 A **Yeah.**
 8 Q Do you remember anything negative in those about
 9 Father Roney?
 10 A **Not that I recall.**
 11 Q When was the last time that you reviewed those?
 12 A **Oh, Lord. I don't know if I ever have.**
 13 **Well, it would have been if -- it was when we**
 14 **were going through the files and -- and then these**
 15 **cases came up regarding Roney. Then we had to try**
 16 **to educate ourselves as to what was said before,**
 17 **what did we miss, et cetera.**
 18 Q During that file review did you find that there
 19 were things that you missed?
 20 A **I would say yes.**
 21 Q What was that? What were -- what were the things
 22 that you missed when you said that you...
 23 A **Well, I guess finding documents that would tell us**
 24 **about some of the behavior of that particular**
 25 **Priest that we weren't fully aware of when we were**

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1 **reassigning him to other parishes, whether it was**
 2 **administration or functioning as a spiritual**
 3 **director, et cetera.**

4 Q The parishioner that came to see you whose name is
 5 was his last name

6 A **Yes.**

7 Q At any point, Father, have you talked to any other
 8 Priests in the Diocese about Father Roney who told
 9 you that they had concerns about his behavior with
 10 children at any point?

11 A **Not until after his death here. And now with --**
 12 **with all these cases coming up against him,**
 13 **naturally I've talked to some of the Priests about**
 14 **it in general terms.**

15 Q Have there been other Priests that have told you,
 16 "Yeah, back" -- you know, "Back when I knew Roney
 17 years ago, I did have some concerns about him"?

18 A **No.**

19 Q Have you heard from any non-clerics since that time
 20 that reported to you that -- that they had some
 21 concerns about Roney?

22 A **No.**

23 Q With the nuns working at the school, at St. Mary's
 24 in Willmar, did they need the Bishop of the Diocese
 25 of New Ulm's permission to work there?

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1 A **Yes. The Pastor would hire them, but with the**
 2 **approval of the Bishop.**

3 Q Ultimately the Bishop was responsible for them, as
 4 well?

5 A **Well, yes, he would be ultimately.**

6 Q During the time that Father Roney was at Willmar,
 7 do you recall any other Priests working at that
 8 parish with him?

9 A **Well, there was Father Berger, Jerry Berger, most**
 10 **of the years I think that Roney was there. I think**
 11 **about five years or so that Berger would have been**
 12 **with him. And then there was another Priest after**
 13 **Berger, and I don't know who that was.**

14 Q Is Father Jerry Berger, when is -- is he still a
 15 Priest?

16 A **Yes. He's retired, living down in Green Isle.**

17 Q Forgive my -- my lack of knowledge about the -- the
 18 cities. Is Green Isle, is that here in Minnesota?

19 A **Yes. That's down by Arlington.**

20 Q Okay.

21 A **Very close to Arlington. It's a little town.**

22 Q Have you talked to Father Jerry Berger about Father
 23 Roney?

24 A **Yes.**

25 Q When did you talk to him?

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1 A **Ooh. He comes -- he stops up and sees me every now**
 2 **and then. He stopped up when I was at the nursing**
 3 **home, but we didn't talk about it because there was**
 4 **people there. But he had come up -- prior to my**
 5 **having had a hip replacement, he had come up to see**
 6 **me. We went out for dinner. I guess we might have**
 7 **talked about almost in a passing way concerned**
 8 **about all the cases that are now coming forward**
 9 **about him.**

10 Q What was his reaction to that? Was --

11 A **Berger?**

12 Q Yeah.

13 A **I would say the same as mine. We're embarrassed,**
 14 **we're disgusted, angry -- and angry that this could**
 15 **have taken place and the kids that were hurt.**

16 Q Did Father Jerry Berger live with Father Roney?

17 A **Yes. And he -- well, he can speak for himself, I**
 18 **guess. Like I said, he was not aware of anything**
 19 **unusual going on.**

20 Q Is that what Father Berger told you?

21 A **Yes.**

22 Q Did you look over any documents in preparation for
 23 today's deposition?

24 A **No. No.**

25 Q Did you talk --

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1 A **I met with Paul, but I...**

2 Q So I don't want to ask you -- I'm not going to ask
 3 you any questions about anything you talked about
 4 with Mr. Engh, with Paul.

5 Did you have any discussions before the
 6 deposition with your current Bishop or anybody else
 7 in the chancery?

8 A **Grams. Grams was telling me what I was supposed to**
 9 **do, to shorten your answers and...**

10 Q Did he tell you anything else?

11 A **Not to say anything more than what I have to.**

12 Q When did Monsignor Grams tell you that?

13 A **Oh, he called me a number of times before the**
 14 **deposition. You'd think I was some little kid that**
 15 **didn't know what was going on. He called me**
 16 **several times: "Now when you're in deposition, you**
 17 **just answer 'yes' or 'no.'" I've done these**
 18 **before, Jerry" -- or "Monsignor."**

19 **Anyway, enough of that.**

20 Q Did he call you last night?

21 A **No.**

22 Q Today?

23 A **No. He hasn't called me for I'd say three or four**
 24 **days.**

25 Q Did he tell you anything else other than shortening

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- 1 your answers and not giving more than what you're
2 asked?
- 3 **A No, not really.**
- 4 **Q** Before today's deposition did you talk to Attorney
5 Gunderson or Attorney Tom Wieser from their office?
- 6 **A No.**
- 7 **Q** Did you talk to anybody in Mr. Gunderson or
8 Mr. Wieser's office before today?
- 9 **A No.**
- 10 **Q** Timeframe-wise, do you remember when Father Roney
11 was in the CPE program?
- 12 **A Time-wise?**
- 13 **Q** Yeah.
- 14 **A Well, it was when he was at Willmar, so I'm going
15 to say probably '70, '71.**
- 16 **Q** Was that a 12-week program then?
- 17 **A Yes.**
- 18 **Q** Do you remember a gentleman by the name of Allen
19 Iverson?
- 20 **A Yes.**
- 21 **Q** How did you know him?
- 22 **A He was a CD counselor at the state hospital. His
23 office was right across the hall from mine, so I
24 got to know him fairly well.**
- 25 **Q** You said "CD." Chemical dependency counselor?

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- 1 **A Yes.**
- 2 **Q** How long did you work with him?
- 3 **A How long? Oh. He was there when I got there, so
4 -- and I don't know how long he worked. Maybe 15,
5 20 years.**
- 6 **Q** What was your opinion of him?
- 7 **A A very fine, knowledgeable, caring individual.**
- 8 **Q** Trustworthy?
- 9 **A Huh?**
- 10 **Q** Trustworthy?
- 11 **A Definitely trustworthy.**
- 12 **Q** Did you come to learn that he was also a
13 parishioner at St. Mary's in Willmar?
- 14 **A He was a parishioner there.**
- 15 **Q** You knew that; right? Is that a "yes"?
- 16 **A Yes.**
- 17 **Q** Did he work with the Priests, as well, at Willmar
18 in the -- in your program?
- 19 **A I would assign my students to work with various
20 people, basically the CD counselors, so that they
21 would get knowledge about how to work with
22 chemically dependent people. So people from my
23 program, yes, I would assign them people like
24 Allen.**
- 25 **Q** Did Allen Iverson ever report to you any misconduct

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- 1 by Father Roney?
- 2 **A No.**
- 3 **Q** Do you know that he's testified under oath that he
4 made a report to you in 1970 about Father Roney
5 sexually molesting a girl?
- 6 **A No, I have no recollection of that.**
- 7 **Q** Do you have any reason to not believe him?
- 8 **A No, I wouldn't have any reason not to believe him,
9 no. But I don't remember that -- that taking place
10 at all.**
- 11 **Q** The report involved a -- a parishioner who had a
12 daughter. And the parishioner -- I'll use his name
13 just because the -- the daughter has gone public.
14 But the parishioner's name was
- 15 **A what?**
- 16 **Q** I might be mispronouncing it.
- 17 **A I don't know.**
- 18 **Q** Do you remember anything about that?
- 19 **A No.**
- 20 **Q** Do you remember anything -- do you remember telling
21 Allen Iverson that Roney was going to get
22 counseling?
- 23 **A Did I -- repeat that?**
- 24 **Q** Okay. Do you have any memory of telling Allen
25 Iverson that Roney was going to get counseling?

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- 1 **A That he was going to get counseling?**
- 2 **Q** Yeah.
- 3 **A Well, I might have in passing. I don't know. I
4 don't remember it directly.**
- 5 **Q** During the time that you worked with Allen Iverson,
6 did you ever witness him lie about anything?
- 7 **A No.**
- 8 **Q** Did you ever hear about him lying about anything?
- 9 **A No.**
- 10 **Q** So if he says that -- that he made this report to
11 you, would you believe that?
- 12 **A If he did, I guess.**
- 13 **Q** How did you become involved or how did you get
14 knowledge about the Servants of the Paraclete?
- 15 **A They had heard about my program. And they had a
16 place up in Nevis, Minnesota, I guess maybe is
17 where certain things might have started. And they
18 started sending them from Jemez Springs to Willmar
19 to get into the CPE program for the training and
20 hopefully -- most of those people that came had a
21 chemical dependency problem, so the aim was to --
22 that they would be getting treatment as well as
23 getting educated.**
- 24 **Q** Do you find generally in your work, Father, that
25 individuals with chemical dependency problems often

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- 1 act out sexually?
- 2 **A Now what?**
- 3 **Q** Did you find in your work that people that are
- 4 chemically dependent often have problems with their
- 5 sexuality, as well?
- 6 **A Oh, I can't answer that insofar as, you know...**
- 7 **Maybe no more than the rest of society. Maybe...**
- 8 **maybe 40 percent, 50 percent. I don't know.**
- 9 **Q** What do you mean, 40 or 50 percent?
- 10 **A Well, that they might have some problems with**
- 11 **sexuality.**
- 12 **But basically we were treating the -- the**
- 13 **drinking problem. We weren't getting into the**
- 14 **other areas.**
- 15 **Q** Oftentimes when you're treating the drinking
- 16 problem or the chemical problem, some of the
- 17 underlying issues come out?
- 18 **A Oh, yeah.**
- 19 **Q** With the Servants of the Paraclete, were there two
- 20 -- two types of clerics that came to you, so one...
- 21 **A Two types of clerics?**
- 22 **Q** So one being the members of the Servants, and then
- 23 the other being clerics that they had treated that
- 24 were sent to you?
- 25 **A Yeah. Yes.**

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- 1 **Q** Were the clerics that they treated and sent to you,
- 2 were they involved in the CPE program?
- 3 **A Yeah, if they came to Willmar they were.**
- 4 **Q** Before the Servants of the Paraclete sent the
- 5 individuals that they treated to your CPE program,
- 6 would they provide you any type of history on those
- 7 Priests?
- 8 **A Oh, yes, they would send whatever data they had**
- 9 **from their psychological evaluations and past**
- 10 **history, et cetera.**
- 11 **Q** And then what would you do with the psyche evals
- 12 and the data that you got from the Servants of the
- 13 Paraclete?
- 14 **A Well, I'd put it in their file. And if I had**
- 15 **questions, I would probably talk to one of the**
- 16 **psychologists at the -- at the treatment center.**
- 17 **Or if they... If they had a problem of molesting**
- 18 **anyone, I immediately removed them from the**
- 19 **program.**
- 20 **Q** There were Priests like that that got sent to you?
- 21 **A Yes.**
- 22 **Q** How many?
- 23 **A Ooh. Over the years, maybe ten.**
- 24 **Q** Did any of those approximately ten Priests that you
- 25 removed from the program for sexual abuse issues,

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- 1 did they work in the Diocese of New Ulm?
- 2 **A The -- most of them did, like, on a weekend, et**
- 3 **cetera.**
- 4 **THE WITNESS: (To Mr. Gunderson) Thank**
- 5 **you.**
- 6 **Q (By Mr. Finnegan, continuing) Who was your primary**
- 7 **contact with the Servants of the Paraclete?**
- 8 **A Who was?**
- 9 **Q Yeah. If you had one.**
- 10 **A Father Joe McNamara was their Provincial. And then**
- 11 **after he left, then there was some others that I**
- 12 **dealt with.**
- 13 **Q** Did you deal with -- was there a Father -- I think
- 14 it was Gerald Fitzgerald who started the
- 15 Paracletes. Did you deal with him at all?
- 16 **A Yes.**
- 17 **Q** Did either of those men report to you their belief
- 18 that Priests that sexually molest kids can't be
- 19 treated?
- 20 **A Not that I recall.**
- 21 **Q** Do you remember any discussions with Father
- 22 Fitzgerald or Father McNamara about Priests
- 23 sexually molesting kids?
- 24 **A Well, I don't know how to answer that. Yeah, I**
- 25 **suppose I talked with Father McNamara on this is a**

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- 1 **-- what about this case that we have, what's the**
- 2 **plan.**
- 3 **And Father Fitzgerald, after he misbehaved,**
- 4 **then I put him out of the program.**
- 5 **Q** Which Father Fitzgerald are you talking about?
- 6 **A Pardon?**
- 7 **Q** Which Father Fitzgerald are you talking about?
- 8 **A The one that was a student of mine.**
- 9 **Q** I think that's -- I may have confused you a little
- 10 bit. I'm going to ask you about him. But the guy
- 11 that I was asking about was the -- was the founder
- 12 of the Servants of the Paraclete.
- 13 **A Oh, oh.**
- 14 **Q** Was he -- he was never in your program; right?
- 15 **A No.**
- 16 **Q** Okay.
- 17 **A I never really got to know him.**
- 18 **Q** Did Father McNamara ever express to you what he
- 19 thought should be done with Priests that sexually
- 20 molest kids?
- 21 **MR. GUNDERSON: At any time, Counsel?**
- 22 **MR. FINNEGAN: At any time period, yeah.**
- 23 **A I didn't get what he said.**
- 24 **Q (By Mr. Finnegan, continuing) He asked that at any**
- 25 **time. So he clarified it.**

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- 1 At -- at any time did Father McNamara express
2 to you what he thought should be done with Priests
3 that sexually molested kids?
4 **A That nothing could be done with them?**
5 **Q** Is that what he told you?
6 **A No, I don't remember him telling me anything like**
7 **that. He was a great -- that -- a hopeful man that**
8 **we could help anybody and everybody with whatever**
9 **their problems are.**
10 **Q** Were you involved at all -- are you aware that
11 Father Roney was sent to the Servants of the
12 Paraclete?
13 **A Yes.**
14 **Q** Were you involved in that at all?
15 **A No.**
16 **Q** Did you make any recommendation either to Roney or
17 to the Diocese that he should be sent to the
18 Servants of the Paraclete?
19 **A I think I might have been involved that -- that he**
20 **should go for treatment.**
21 **Q** Who contacted you about that?
22 **A Well, it might have been my more contacting the**
23 **Diocese about it rather than them contacting me.**
24 **Q** When did you contact the Diocese and suggest that?
25 **A On, I can't give you a date on that. I presume**

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- 1 **when they -- after problems started to develop,**
2 **then the seriousness of these problems demanded**
3 **some serious treatment. And, therefore, he needed**
4 **to go for treatment.**
5 **Q** Did you make that recommendation to Bishop Lucker?
6 **A I don't recall making it. I probably did.**
7 **Q** Did you ever go and visit the Servants of the
8 Paraclete facility in New Mexico?
9 **A Yes.**
10 **Q** How many times?
11 **A At least once. It might have been twice. At least**
12 **once.**
13 **Q** You're aware that one of the groups of clerics that
14 they treated at Servants of the Paraclete were
15 those that had acted out sexually with minors?
16 **A Yeah.**
17 **Q** Why did you go and visit the Paracletes?
18 **A Well, I was taking a number of their people that**
19 **they had. I wanted to see what their facility was**
20 **like and what kind of a program they were running**
21 **down there to help these people.**
22 **Q** When was it that you went there?
23 **A I'm 81 years ago old, Michael. I can't remember**
24 **all those dates. I have no idea. I suppose maybe**
25 **somewhere in the '80s or maybe the '70s. I don't**

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- 1 **know.**
2 **Q** Did you visit their facility in Nevis, Minnesota?
3 **A No. They closed that one down. I never got there.**
4 **I visited the one in St. Louis.**
5 **Q** How many times did you visit the St. Louis
6 facility?
7 **A Oh, I would say a couple times.**
8 **One of the times I was there we had a fire in**
9 **the apartment where I was staying.**
10 **Q** Ob -- obviously, you made it out all right?
11 **A I did.**
12 **Q** What was the reason that you went to visit the
13 Servants of the Paraclete in St. Louis the two
14 times -- at -- at least two times --
15 **A Well, again, to see what kind of a program they**
16 **were operating, meet some of the staff, and to get**
17 **to know some of the people that I would be getting**
18 **reports from.**
19 **Q** Who were the Priests that the Servants of the
20 Paraclete sent to you to be involved in your
21 program that had been accused of sexually molesting
22 kids?
23 **A Who?**
24 **Q** Who.
25 **A Well, I don't know if I can reveal that infor-**

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- 1 **mation. Again, that's confidential information.**
2 **Q** Did they tell you that -- that that Priest had been
3 -- did the Servants tell you that that Priest had
4 been accused of sexually molesting minors?
5 **A Yes. One of them they didn't, and I confronted**
6 **them because he got into trouble at the treatment**
7 **center. I immediately confronted them, "How come I**
8 **didn't know? You can't come over from England."**
9 **Their response was that they had just found out**
10 **themselves. I was very upset with them. That was**
11 **a student I removed within two hours from my**
12 **program once I found out about his behavior.**
13 **Q** Was that Father Markey?
14 **A Yeah.**
15 **Q** Was Father Markey working at some of the parishes
16 in the Diocese when you found out about that?
17 **A Yeah. It was shortly after he had come to Willmar.**
18 **And then he misbehaved in Willmar working among the**
19 **CD clients, and I confronted him about it and**
20 **removed him from the program, so...**
21 **But I didn't know that and so that's when I**
22 **called the Paracletes to find out what was going on**
23 **here, sending me a candidate like this.**
24 **Q** What was their response to you?
25 **A Well, they said they had just found out; yeah,**

1 **remove him.**
 2 **Q** What did they tell you that they had found out?
 3 **A** **That he -- he was from Ireland, he had a problem**
 4 **like this, molesting children, boys particularly,**
 5 **when he was functioning as a Priest in Ireland and**
 6 **also I think in England.**
 7 **Q** Who was it with the Paracletes that you talked to?
 8 **A** **I can't give you his name. I can picture him, but**
 9 **I can't give you his name.**
 10 **Q** Was this a phone conversation or in person?
 11 **A** **Phone.**
 12 **I was very upset with them that they didn't**
 13 **tell me.**
 14 **Q** Did Father Markey continue to work in any parishes
 15 in the Diocese of New Ulm after he was removed from
 16 your program?
 17 **A** **Unbeknown to me.**
 18 **I kicked him out. I was so angry at him I**
 19 **didn't care where he went. He could walk down the**
 20 **road, the railroad track, or whatever. Just get**
 21 **the heck out of Willmar.**
 22 **And unbeknown to me he conned Bishop Lucker**
 23 **into keeping him in the Diocese here, and I didn't**
 24 **know that. And I find out that they had been**
 25 **sending him to Granite Falls to help out in the**

1 **parish there, which I was very unhappy about.**
 2 **And so I called Father McRalth, the Director**
 3 **of Priest Personnel, because I got a call from**
 4 **Granite Falls from a lady that -- she was concerned**
 5 **because she was going to take some boys on a**
 6 **camping trip and she had some reservations or**
 7 **questions about that. So I immediately called**
 8 **Father McRalth, and he immediately went up himself**
 9 **and removed Father Markey from Granite Falls. And**
 10 **they sent him I think down to Jemez Springs or**
 11 **wherever he went.**
 12 **Q** Is Father -- is it McGrace or McGreg?
 13 **A** **Bishop McRalth, yeah. Father McRalth.**
 14 **Q** What -- how do you spell his last name?
 15 **A** **M-C-G-R -- G-R-A-F-T (sic), I guess.**
 16 **Q** Is he still alive?
 17 **A** **Hmm?**
 18 **Q** Is he alive?
 19 **A** **He's alive. He's not functioning because of**
 20 **problems, health problems. He was Bishop of**
 21 **Owensboro, Kentucky; and that's where he's living.**
 22 **Q** Before becoming a Bishop, he was a Priest of the
 23 Diocese of New Ulm?
 24 **A** **Yes.**
 25 **Q** When you kicked Father Markey out of your CPE

1 program, did Bishop Lucker ask you why?
 2 **A** **No. He didn't talk to me.**
 3 **Q** And the woman that called, was she concerned about
 4 -- about Markey going camping with her and the
 5 kids?
 6 **A** **Going with some of the boys from the parish,**
 7 **St. Andrew's Parish in Granite Falls, yes. She had**
 8 **con -- con -- some concern. Well, naturally I had**
 9 **a lot more concern. So I called and we removed him**
 10 **that very day.**
 11 **Q** Are you aware of him after that ever working in the
 12 Diocese of New Ulm again?
 13 **A** **Pardon?**
 14 **Q** After he was removed from Granite Falls, that
 15 parish and the time that you just talked about, are
 16 you aware of Father Markey ever working in the
 17 Diocese of New Ulm again?
 18 **A** **No. They sent him down to Jemez Springs for**
 19 **treatment.**
 20 **Q** Did you ever report any of the information that you
 21 had about Father Markey to law enforcement?
 22 **A** **No.**
 23 **Q** How long was he in the CPE program?
 24 **A** **I think he came about December or January and I**
 25 **removed him February or March. He wasn't in the**

1 **program very long. So I'm going to say probably**
 2 **six to eight weeks.**
 3 **Q** On any of the stuff that you've learned about
 4 Father Markey either through the CPE program or
 5 that you learned from the Servants of the
 6 Paraclete, did you document any of that?
 7 **A** **Did I document any of that?**
 8 **Q** Yeah.
 9 **A** **Yeah, it's in his file on -- in -- in New Ulm.**
 10 **Q** Do you also have a file on him at the Willmar State
 11 Hospital?
 12 **A** **I had a CPE file on him. We were -- had to destroy**
 13 **all the CPE files. You could only keep them --**
 14 **that was a rule of this -- the national office,**
 15 **that you could only keep the files so long and you**
 16 **had to destroy them.**
 17 **Q** Did you destroy them?
 18 **A** **Yes.**
 19 **Q** How did you destroy them?
 20 **A** **Basically by burning.**
 21 **Q** Any other Priests that the Paracletes sent you
 22 besides Father Markey that have been accused of
 23 sexually molesting kids?
 24 **A** **Father Fitzgerald, Vince Fitzgerald.**
 25 **Q** Anybody else?

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- 1 **A Not that I can think of, offhand.**
- 2 **Q** Any other Priests that you worked with at any point
- 3 that you were involved in getting a report about
- 4 the Priest sexually molesting a minor?
- 5 **A Is there any others?**
- 6 **Q** Yeah, that you've been involved with.
- 7 **A Oh, I'd have to do some thinking about that. Over**
- 8 **a span of 32 years, I guess there might have**
- 9 **been... Not that it come -- nothing that comes to**
- 10 **mind right now.**
- 11 **Q** Some of the names that -- that you provided last
- 12 time of -- of you having knowledge of or possibly
- 13 being involved with, I'll start with Father Marks?
- 14 **A Marks?**
- 15 **Q** Father Marks. Did you have any involvement --
- 16 **A No.**
- 17 **Q** -- with him?
- 18 **A None.**
- 19 **Q** What about Father Skobllk?
- 20 **A Only through the Personnel Board we were informed**
- 21 **of what action was taken on paying the fine, et**
- 22 **cetera.**
- 23 **Q** What do you mean, "paying the fine"?
- 24 **A Well, what the Diocese got sued.**
- 25 **Q** Was Father Marks, was he somebody that you

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- 1 investigated?
- 2 **A No.**
- 3 **Q** Father Skobllk, were you involved in that?
- 4 **A No.**
- 5 **Q** What about , were you involved in that?
- 6 **A**
- 7 **Q**
- 8 **A Yes. I was at the rectory in Kandiyohi where we**
- 9 **had the confrontation with Father , the**
- 10 **Bishop, the Director of Priest Personnel, et**
- 11 **cetera, there. That he needed to go for treatment.**
- 12 **And he was quite upset over that.**
- 13 **Q** Who was the Bishop?
- 14 **A I think it would have to have been Lucker.**
- 15 **Q** Do you remember what year that was when you
- 16 confronted -- approximate year it was when you
- 17 confronted
- 18 **A No, I can't.**
- 19 **Q** Were you working at this church in Manannah, then,
- 20 or?
- 21 **A Pardon?**
- 22 **Q** Were you already at this church here in Manannah,
- 23 or was this when you were at St. Patrick's?
- 24 **A Where was I at at the time?**
- 25 **Q** You said -- you said the rectory at Kandiyohi so --

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- 1 **A Yeah.**
- 2 **Q** -- it -- it was at your rectory that you confronted
- 3 him?
- 4 **A Yeah.**
- 5 **Q** So it has to predate 1997?
- 6 **A Yeah.**
- 7 **Q** Were you confronting about allegations
- 8 involving him being accused of sexually molesting a
- 9 minor?
- 10 **A Not with minors, but -- what do you call it when**
- 11 **it's adults of the same age?**
- 12 **Q** Any allegations come out at that point about
- 13 molesting kids under the age 18?
- 14 **A No.**
- 15 **Q** What about John Gleason, were you involved in that?
- 16 **A Yes, confronting him at the -- right here in this**
- 17 **house here (indicating).**
- 18 **And I don't know what year that would -- well,**
- 19 **that would have been about '90. And he resigned**
- 20 **and left. He went to California.**
- 21 **Q** Were the allegations against Father John Gleason
- 22 that he had sexually abused minors?
- 23 **A Well, yeah, that was basically regarding**
- 24 **so I suppose that would have been a minor.**
- 25 **Q** Did he resign before -- before you could make any

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- 1 determination about whether the allegations were
- 2 true or not?
- 3 **A Right. When we confronted him, he immediately**
- 4 **resigned and left the Diocese.**
- 5 **Q** Did he admit the allegations?
- 6 **A No. Denied -- denied -- denied them.**
- 7 **Q** He denied the allegations?
- 8 **A Uh-huh.**
- 9 **Q** Is that a "yes"?
- 10 **A Hmm?**
- 11 **Q** Is that a "yes" just so that she can... So I'll --
- 12 I'll just ask it again. Did -- did Father Gleason
- 13 deny the allegations?
- 14 **A Yes.**
- 15 **Q** And then what about Doug Scheisman (ph)?
- 16 **A Scheisman? Again, that took place at the rectory**
- 17 **in Kandiyohi with the Bishop, et cetera. And he**
- 18 **came and admitted that he was -- misconduct with**
- 19 **one of the students in the high school, and then he**
- 20 **immediately resigned and left the priesthood. Got**
- 21 **dispensed of his priestly faculties, et cetera; and**
- 22 **has been working in the Twin City area ever since**
- 23 **as far as I know. Great man.**
- 24 **Q** Who was there at the time that Father Scheisman
- 25 admitted misconduct with a student?

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- 1 A **Who was what?**
- 2 Q Who was present? Who else was there besides you?
- 3 A **Oh, the Bishop was there. I was there. Let's see.**
- 4 **The Director of Priest Personnel at that time**
- 5 **probably would have been...Father Paulson, maybe.**
- 6 **And I'm going to say maybe one other member of the**
- 7 **Personnel Board.**
- 8 Q Was the misconduct that he admitted to sexual?
- 9 A **Yes.**
- 10 Q Did you report that to law enforcement?
- 11 A **No.**
- 12 Q Did the Bishop report that to law enforcement?
- 13 A **I don't know.**
- 14 Q Did anyone in the Diocese report that to law
- 15 enforcement?
- 16 A **Not that I'm aware of.**
- 17 Q What type of work did Father Scheisman do after he
- 18 left the Diocese, if you know?
- 19 A **I don't know if he was teaching in school or not.**
- 20 **Probably doing office work. He was a very**
- 21 **intelligent, talented young man. I'm not sure what**
- 22 **type of work he went into.**
- 23 Q So you -- you really don't know one way or the
- 24 other what he did after he left the Diocese?
- 25 A **No. I know it was some employment, some job down**

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- 1 **In the Twin Cities. Whether it was teaching or**
- 2 **whether it was business, I don't know.**
- 3 Q Any other Priests that you were involved with that
- 4 were accused of sexual misconduct besides the
- 5 Priests that -- that you've talked about so far?
- 6 A **Oh, boy. I think that's -- pretty well covers them**
- 7 **as far as I can remember.**
- 8 Q Any Priests that you remember whose files that you
- 9 looked through besides the -- the names that you
- 10 just gave me who had been accused of sexual
- 11 misconduct with kids?
- 12 A **No.**
- 13 Q And I know you've said that the confrontation of
- 14 Father Schelsman was at the parish in Kandiyohi.
- 15 Do you know when that was, the approximate year?
- 16 A **Let's see. He was ordained in '75, so I'm going to**
- 17 **say somewhere around '80. Maybe '82 or so.**
- 18 Q Do you know who Ken Pierre is, a Priest of the
- 19 Archdiocese?
- 20 A **I knew of him.**
- 21 Q Did you have anything to do with Father David Roney
- 22 going to see Father Ken Pierre?
- 23 A **I think from the Personnel Board we probably**
- 24 **recommended that he go see him on the direction of**
- 25 **Bishop Lucker.**

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- 1 Q Why? Do you remember why?
- 2 A **I can't give you the specifics. I -- I can't**
- 3 **answer that.**
- 4 Q Were there other Priests of the Diocese of New Ulm
- 5 that the Personnel Board recommended to see Father
- 6 Ken Pierre?
- 7 A **Oh, there probably was over the years maybe two or**
- 8 **three more, but I -- I don't know, right offhand.**
- 9 Q Any dealing with sexual abuse of minors that you
- 10 recall?
- 11 A **Pardon?**
- 12 Q Any of those Priests that were sent to Ken Pierre,
- 13 were they involved with sexual abuse of minors?
- 14 A **I can't answer that.**
- 15 Q Do you not remember?
- 16 A **No, I know that -- I didn't have that much**
- 17 **involvement with Ken Pierre. That was more the**
- 18 **Bishop dealing with the Director of Priest**
- 19 **Personnel at that time. Dealing with Ken Pierre, I**
- 20 **had very little contact with him.**
- 21 Q Are you aware of the Diocese sending any other
- 22 Priests besides Father Roney to the Servants of the
- 23 Paraclete for issues regarding sexual misconduct?
- 24 A **Well, there was other Priests that we sent because**
- 25 **of -- of various behaviors. There was John Murphy.**

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- 1 **There was -- oh, went. A number of**
- 2 **Priests went down to the Servants of the Paraclete.**
- 3 **Father -- nothing to do with sexuality.**
- 4 Q Were there more, or are you thinking?
- 5 A **I can't think of any right offhand.**
- 6 Q When any of the Priests were sent to the Servants
- 7 of the Paraclete from the Diocese of New Ulm, did
- 8 the Bishop of the Diocese of New Ulm pay for that
- 9 treatment?
- 10 A **Yes.**
- 11 Q John Murphy, was he accused of some sort of sexual
- 12 misconduct?
- 13 A **He wasn't accused officially with the Bishop, et**
- 14 **cetera. Basically his behavior, getting along with**
- 15 **the parishioners.**
- 16 Q Did you hear something about John Murphy and
- 17 problems that he had with sexual misconduct?
- 18 A **His housekeeper came to me and reported that he was**
- 19 **having boys up in his room. I reported it to the**
- 20 **Bishop, and he did nothing about it. He told me to**
- 21 **mind my own business.**
- 22 Q What Bishop was that?
- 23 A **Schladweiler.**
- 24 Q What year was that?
- 25 A **I can't say. Probably -- probably in the '80s.**

1 **A Maybe the '70s.**
 2 **Q** The records that I have have him, Schladweiler, as
 3 a Bishop until 1975.
 4 **A Schladweiler until '75?**
 5 **Q** Yeah.
 6 **A Well, it had to have been before that, then.**
 7 **Shortly before he retired.**
 8 **Q** At the time that -- at the time that you made the
 9 report to Bishop Schladweiler, were you already at
 10 -- assigned to the Willmar State Hospital and
 11 St. -- and St. Patrick's?
 12 **A Was I?**
 13 **Q** Yes.
 14 **A Yes. I was assigned there in 1962.**
 15 **Q** Was Father Murphy allowed to work in other parishes
 16 after you made that report?
 17 **A Yes.**
 18 **Q** How did -- how did that housekeeper that worked for
 19 Father Murphy, how did she know you or how did she
 20 come in contact with you?
 21 **A If I recall right, she had once been a client at --**
 22 **at the Willmar Regional Treatment Center.**
 23 **Q** Did she report to you that she had concerns about
 24 Father Murphy doing something sexual with the boys?
 25 **A Yes.**

1 **Q** And did you report to the Bishop --
 2 **A To Bishop Schladweiler. Shortly after that he**
 3 **resigned. Retired, I should say. And Father**
 4 **Lucker took -- Bishop Lucker took over.**
 5 **Q** Do you remember what parish John Murphy was at
 6 where this housekeeper worked?
 7 **A Oh. It might have been St. Joseph's Parish in**
 8 **Montevideo or St. Andrew's Parish in Redwood Fall**
 9 **-- or Granite Falls.**
 10 **Q** Has anybody else there -- did you relay all of the
 11 concerns that the housekeeper had told you to the
 12 Bishop?
 13 **A Yes, I did.**
 14 **Q** What was the Bishop's response to you?
 15 **A Negative.**
 16 **Q** How so?
 17 **A He didn't believe it and told me to mind my own**
 18 **business. So I went home.**
 19 **Q** Did you report that information to law enforcement?
 20 **A No.**
 21 **Q** Are you aware of anyone in the Diocese reporting
 22 that information to law enforcement?
 23 **A No.**
 24 **Q** Are you comfortable telling me the name of the
 25 housekeeper, Father?

1 **A Huh?**
 2 **Q** Are you comfortable telling me the name of the
 3 housekeeper?
 4 **A I don't remember.**
 5 **Q** All right. Did you tell anyone else about the
 6 information that you got from the housekeeper?
 7 **A Did I tell anyone else? No. I guess after the**
 8 **Bishop told me to mind my own business, I -- that's**
 9 **what I did.**
 10 **Q** Besides the housekeeper, did you hear from any
 11 other sources anything about John Murphy that --
 12 that caused you concern about him sexually
 13 molesting kids?
 14 **A Sometime after that a doctor, M.D., out in -- in**
 15 **Dawson contacted me with concerns about Father**
 16 **Murphy. I reported it to the Bishop, Bishop**
 17 **Lucker, and he talked to the doctor and... It was**
 18 **basically that they found magazines that they found**
 19 **very sexually exploiting.**
 20 **Q** Did the magazines, did those involve sexual images
 21 of kids?
 22 **A I don't know if it was just so much kids. It might**
 23 **have been about anything sexually as far as I know.**
 24 **Q** At that point was Father Murphy at the parish in
 25 Dawson?

1 **A Yes. And we confronted him again and he left the**
 2 **Diocese.**
 3 **Q** Who confronted him?
 4 **A Father Denny Labat who was then Vicar General and**
 5 **the Director of Priest Personnel and myself went to**
 6 **see Father Murphy, and his reaction was he**
 7 **resigned. He went to the St. Paul/ Minneapolis**
 8 **Archdiocese to work.**
 9 **Q** How long did he work after that in the Archdiocese
 10 of St. Paul/Minneapolis?
 11 **A Gee, I can't say. Let's see, he died. His funeral**
 12 **was at where? White Bear? He lived a few years**
 13 **after he went to the Archdiocese.**
 14 **Q** Did anyone from the Archdiocese contact you?
 15 **A No.**
 16 **Q** Did anyone from the Archdiocese that you're aware
 17 of contact anyone from the Diocese of New Ulm about
 18 Father Murphy?
 19 **A Not that I'm aware of.**
 20 **Q** Besides the housekeeper and the doctor in Dawson,
 21 Minnesota, did you hear from any other sources
 22 information about John Murphy that caused you
 23 concern about him, any sexual misconduct?
 24 **A No.**
 25 **Q** You said Father _____ when he was sent to the

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- 1 Paraclete, that didn't have anything to do with --
- 2 **A No.**
- 3 **Q** -- any sexual issues?
- 4 **A No.**
- 5 **Administrative things.**
- 6 **Q** Any other Priests besides John Murphy that any --
- 7 anyone came to you about to tell you that -- if
- 8 they were concerned about their interactions with
- 9 kids?
- 10 **A Not that I recall. I had enough Priests mad at me**
- 11 **by this time that I wasn't looking for more.**
- 12 **Wouldn't talk to me. It wasn't a very pleasant**
- 13 **job.**
- 14 **Q** Being the -- on the Priest Personnel Board and
- 15 being in charge of that?
- 16 **A Right.**
- 17 **Q** Kind of a -- a thankless task?
- 18 **A Pardon?**
- 19 **Q** A thankless job, kind of, there?
- 20 **A Yes, it certainly was a thankless job. They just**
- 21 **got mad at me and blamed me for whatever, I guess.**
- 22 **And Father Gleason left and Father Murphy**
- 23 **left. Go up and down the list, I guess.**
- 24 **Q** Have you seen the list of Priests that have been
- 25 accused of sexually molesting kids maintained by

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- 1 the Diocese?
- 2 **A What?**
- 3 **Q** Have you seen a list of Priests that's maintained
- 4 by the Diocese with the names of the Priests that
- 5 have been accused of molesting?
- 6 **A Not particularly, no, I haven't.**
- 7 **Q** You've never actually seen a -- a formal list?
- 8 **A Not that I recall. More or less been by verbal**
- 9 **communication with the Director of Priest Personnel**
- 10 **or the Bishop.**
- 11 **Q** Are you aware of any of the files and documents at
- 12 the pastoral center being destroyed?
- 13 **A No.**
- 14 **Q** Are you aware of any documents maintained by the
- 15 Priest Personnel Board that have been destroyed?
- 16 **A No.**
- 17 **Q** Are you aware of any of the files that were
- 18 maintained on the second or third floor in that
- 19 small room that was locked, any of those files
- 20 being destroyed?
- 21 **A I don't know.**
- 22 **Q** Have you heard of those files being destroyed?
- 23 **A I haven't heard recently of them.**
- 24 **Q** Did you hear --
- 25 **A I don't know what happened.**

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- 1 **Q** Did you hear at some point that some of those were
- 2 destroyed?
- 3 **A No.**
- 4 **Q** Did you hear about other documents involving
- 5 Priests of the Diocese of New Ulm that were
- 6 destroyed?
- 7 **A No.**
- 8 **MR. FINNEGAN:** Why don't we take a -- a
- 9 real short break. I think I'm almost done. I just
- 10 want to look through this stuff and so -- let's go
- 11 off the record if we can.
- 12 **MR. ENGH:** Okay.
- 13 **VIDEOGRAPHER:** We're going off the record
- 14 about 12:19 p.m.
- 15 **(Whereupon, a recess was taken.)**
- 16 **VIDEOGRAPHER:** We're going back on the
- 17 record about 12:31 p.m.
- 18 **Q** **(By Mr. Finnegan, continuing)** Father, I just have
- 19 a couple follow-up questions for you.
- 20 On the list of Priests that have been accused
- 21 --
- 22 **(Attorney Michael A. Bryant enters the**
- 23 **deposition proceedings.)**
- 24 **MR. FINNEGAN:** Just for the -- for the
- 25 record and, Father, for your introduction, Mike

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- 1 Bryant is another attorney that works with us on
- 2 the cases. He's going to sit in on this and the
- 3 next deposition.
- 4 **THE WITNESS:** On this one or the last
- 5 one?
- 6 **MR. FINNEGAN:** Both of them. He -- he
- 7 works with us. He's not -- probably not going to
- 8 be asking any questions.
- 9 **MR. BRYANT:** I won't. I'll stay quiet.
- 10 **MR. FINNEGAN:** He's an observer.
- 11 **THE WITNESS:** Okay.
- 12 **Q** **(By Mr. Finnegan, continuing)** So on the -- the
- 13 creation of the list of Priests accused of sexually
- 14 molesting minors, after the file review is done
- 15 would you give -- give that name to Monsignor
- 16 Grams?
- 17 **A What name?**
- 18 **Q** Any name. If -- if you found -- if you reviewed a
- 19 file and you found that there were allegations that
- 20 that Priest had sexually molested minors, did you
- 21 give that name --
- 22 **A Oh, oh. Okay.**
- 23 **Q** -- to Monsignor Grams?
- 24 Is that a "yes"?
- 25 **A Well, I don't know. You keep digging up all this**

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- 1 **stuff from 40, 50 years ago. How come we're**
 2 **getting picked on so much and no other profession**
 3 **is?**
 4 Q I'm -- I'm asking about the -- the 2002-2003 time
 5 frame when -- when you did the file review which
 6 you talked about.
 7 A **Yeah, I will follow through if I have to. Or were**
 8 **able to.**
 9 Q Did -- after you reviewed the -- an individual
 10 file, process-wise I'm asking, and you determined
 11 that there were allegations of abuse of a kid made
 12 against that Priest, did you then pass that name on
 13 to Monsignor Grams?
 14 A **Yes.**
 15 Q How many names did you pass on to him?
 16 A **Well, I don't know what we got.**
 17 Q Did you keep track of the names that you passed on
 18 to him?
 19 A **Not particularly. We talked about them so many**
 20 **times that it's common -- common -- common**
 21 **conversation and we both know what we're talking**
 22 **about.**
 23 Q That by -- by the time that you did the file
 24 review, you had a pretty good sense, you and
 25 Monsignor Grams, about who those Priests were?

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- 1 A **Definitely.**
 2 Q Are there any Priests that you remember that you
 3 and Monsignor Gram discussed that have been accused
 4 of molesting kids that we haven't discussed yet
 5 today?
 6 A **Not that I recall.**
 7 Q At any point did you get any written materials from
 8 the Servants of the Paraclete about their treatment
 9 program?
 10 A **Did I what?**
 11 Q Did they give you any documents, any written -- did
 12 they write you anything about their program, give
 13 you brochures, anything, did the Servants of the
 14 Paraclete?
 15 A **Oh, in the past, yes.**
 16 Q And what did you do with those materials?
 17 A **Filed them with my CPE file, and it's probably**
 18 **destroyed now.**
 19 Q Did you ever have any discussions with the Bishop,
 20 any of the Bishops, about what you had learned
 21 about the Servants of the Paraclete and their work
 22 down there?
 23 A **Not outside of the spiritual part of what they were**
 24 **doing.**
 25 Q Did you discuss with anyone with the Servants of

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- 1 the Paraclete what they thought should be done with
 2 Priests that abuse kids?
 3 A **No, I haven't.**
 4 Q When Father Markey was in the CPE program with you
 5 at Willmar, did he work at any of the parishes?
 6 A **Yes.**
 7 Q What parishes?
 8 A **He worked at St. Andrew's Parish in Granite Falls.**
 9 Q Were you aware of him working at any other parishes
 10 besides St. Andrew's in Granite Falls?
 11 A **On the first weekends he was here the Priest had**
 12 **broken his arm or leg or something down at**
 13 **Henderson-Arlington -- Arlington-Henderson. And so**
 14 **they sent him down there to help out that first**
 15 **weekend.**
 16 Q Any other parishes besides St. Andrew's in Granite
 17 Falls or the Henderson-Arlington parish that you're
 18 aware of Father Markey working at?
 19 A **Nope.**
 20 Q When you found out about Father Markey's sexual
 21 misconduct, did you confront him about that?
 22 A **I sure did.**
 23 Q Where did that confrontation take place?
 24 A **At the CPE house in Willmar.**
 25 Q Was anyone else present?

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- 1 A **No.**
 2 Q What was his response when you confronted him?
 3 A **Anger.**
 4 Q Anything else?
 5 A **Well, denial, I suppose.**
 6 Q Do you remember him specifically denying the
 7 allegations?
 8 A **Specifically, I was so angry at him and -- I only**
 9 **kept him a short time and got him off the grounds,**
 10 **and so there wasn't much time to...build from**
 11 **there.**
 12 Q In that confrontation with Father Markey, did he
 13 mention anything to you about having a history of
 14 that type of misconduct in his past?
 15 A **No.**
 16 Q How did you first become aware that he had a
 17 history?
 18 A **When I talked to the Paracletes.**
 19 Q Did you talk to the Paracletes after Father Markey
 20 was out of the CPE program?
 21 A **No.**
 22 Q Before?
 23 A **Well, wait a minute. Did I talk to the Paracletes?**
 24 **I thought you were asking did I talk to Markey. I**
 25 **talked to the Paracletes -- well, I confronted the**

1 **Paracletes of how come I didn't know.**
 2 **Q** And what I'm asking is, that -- that confrontation
 3 with the Paracletes, was that before or after you
 4 confronted Markey?
 5 **A** **That was before.**
 6 **Q** Did you confront Markey about those allegations as
 7 well?
 8 **A** **Yes.**
 9 **Q** What was his reaction to those allegations?
 10 **A** **His?**
 11 **Q** His. Markey's.
 12 **A** **Anger, denial.**
 13 **Q** Did you believe him?
 14 **A** **No. I had no otherwise that he -- he had -- wasn't**
 15 **telling me the truth.**
 16 **Q** When he came to the CPE program, had he come
 17 directly from the Paracletes facility in England?
 18 **A** **He was with -- he was with the Paracletes a short**
 19 **time in Milwaukee on his way to Willmar.**
 20 **Q** Do you know how long he was with the Paracletes in
 21 Milwaukee?
 22 **A** **No. Just a short time be -- before he came to --**
 23 **to Willmar.**
 24 **Q** What type of facility did the Paracletes have in
 25 Milwaukee?

1 **A** **I never seen it. There was just one individual I**
 2 **think working there, being more of a transit-type**
 3 **thing.**
 4 **Q** Did Father Markey work in any parishes in
 5 Milwaukee?
 6 **A** **Not that I'm aware of.**
 7 **Q** After Father Markey... After he was confronted at
 8 the parish at -- or after he's removed from the
 9 parish at St. Andrew's, did you have any more
 10 dealings with Father Markey after that?
 11 **A** **No, outside of getting ahold of Father McRaith and**
 12 **getting him removed from the Diocese.**
 13 **Q** After he was removed from the Diocese, did you have
 14 any dealings with -- with Markey?
 15 **A** **Nope.**
 16 **Q** Besides the information that you got through the
 17 CPE program and the information the Paracletes gave
 18 you, did you get any other information about Markey
 19 sexually molesting kids?
 20 **A** **No.**
 21 **Q** At any point has anyone come to you and reported
 22 suspicions about Markey abusing kids?
 23 **A** **No.**
 24 **Q** Have you ever been approached by any victims of
 25 Father Markey?

1 **A** **No.**
 2 **Q** The same question for Father Roney. Have you ever
 3 had any dealings or interactions with any victims
 4 of Father Roney?
 5 **A** **No.**
 6 **Q** With Father Roney, other than the reports that
 7 we've talked about, did you ever hear anything of a
 8 negative nature about his interactions with kids?
 9 **A** **No.**
 10 **Q** Do you remember any specific families in Willmar
 11 that were close to Father Roney when he was working
 12 there?
 13 **A** **No, I don't -- I don't know. I didn't get that**
 14 **well-acquainted with the parish and -- and**
 15 **St. Mary's.**
 16 **Q** Did you have any involvement with Priests accused
 17 of sexual misconduct besides what we've discussed
 18 today?
 19 **A** **Nope.**
 20 **Well, outside of the St. Cloud case.**
 21 **Q** Did you say "St. Cloud case"?
 22 **A** **Yes, where I was interrogated for six hours.**
 23 **Q** Is that the Father Garding case?
 24 **A** **Yeah.**
 25 **Q** And I guess my question wasn't meant to focus on

1 the litigation, the legal cases, but just in
 2 general were there any other -- did you have any
 3 other involvement with Priests accused of sexually
 4 molesting kids other than what we've discussed
 5 today?
 6 **A** **No.**
 7 **MR. FINNEGAN:** We're good.
 8 **THE WITNESS:** I'm done?
 9 **MR. FINNEGAN:** I'm done. I don't know if
 10 they have any questions.
 11 **MR. ENGH:** I don't have any questions.
 12 I think in light of the -- the -- the
 13 time that has passed in what you're recollecting,
 14 that we'd like to read and sign it rather than
 15 waive reading and signing it. So I'm going to
 16 suggest that you review the transcript, Father, to
 17 make sure it's accurate once we get a copy of it.
 18 You're good to go with that?
 19 **THE WITNESS:** Okay.
 20 **MR. ENGH:** Okay. Thank you.
 21 **VIDEOGRAPHER:** We're going off the record
 22 about 12:44 p.m.
 23 (The deposition concluded at 12:44 p.m.)
 24 (The original transcript has been
 25 delivered to Michael G. Finnegan.)

C E R T I F I C A T E

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I, Ruth E. Holdvogt, RPR, hereby certify that I am qualified as a verbatim shorthand reporter, that I took in stenographic shorthand the deposition under oath of **FATHER FRANCIS J. GARVEY**, at the time and place aforesaid;

That the foregoing transcript, consisting of 101 pages, is a true and correct, full and complete transcription of the testimony of this witness, to the best of my ability;

That the review of the transcript was requested;

That the cost of the original transcript has been charged to the party who noticed the deposition and that all parties who ordered copies have been charged at the same rate for such copies;

That I am not a relative or employee of any of the parties or a relative or employee of any of the attorneys;

That I have no interest, financial or otherwise, in this action and have no contract with the parties or attorneys or persons with an interest in this action;

Witness my hand and seal this 31st day of January, 2014, in Eden Valley, Minnesota.

Ruth E. Holdvogt
Registered Professional Reporter

My Commission Expires: 01/31/2015

D E P O S I T I O N C O R R E C T I O N S H E E T

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WITNESS: FATHER FRANCIS J. GARVEY
DEPOSITION DATE: January 24, 2014
CASE TITLE: Doe 6 and Doe 7 vs. Diocese of New Ulm;
Doe 18 vs. Diocese of New Ulm

I, **FATHER FRANCIS J. GARVEY**, having read my deposition, do hereby certify that I have read the preceding pages of my deposition and find the same to be true and correct (except as follows:)

PAGE NO.	LINE NO.	CORRECTION/CHANGE	REASON
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DATED: _____
FATHER FRANCIS J. GARVEY

RETURN PROCEDURE:
Return this correction sheet directly to **MICHAEL G. FINNEGAN, ATTORNEY AT LAW**, JEFF ANDERSON & ASSOCIATES, P.A., Suite 100, 366 Jackson Street, St. Paul, Minnesota 55101, by March 14, 2014. Also, please retain a copy for your records.

* FAX copy to (320) 656-0347 OR mail copy to Ruth E. Holdvogt, RPR, 10664 County Road 5, St. Joseph, Minnesota 56374. Thank you.