

In The Matter Of:
Doe 19 vs.
Diocese of Crookston, et al.

Msgr. Roger Grundhaus
December 18, 2014



Min-U-Script® with Word Index

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1 STATE OF MINNESOTA DISTRICT COURT
 2 COUNTY OF MAHONOMEN NINTH JUDICIAL DISTRICT
 3
 4 -----
 4 Doe 19,)
 5 Plaintiff(s),)
 6 vs.) File No. 44-CV-14-140
 7 Diocese of Crookston;)
 8 and Oblates of Mary)
 8 Immaculate a/k/a and d/b/a)
 9 Oblates of Mary)
 9 Immaculate, United States)
 10 Province, a/k/a and d/b/a)
 10 Missionary Oblates of)
 11 Mary Immaculate, a/k/a)
 11 and d/b/a Missionary)
 12 Oblates of Mary Immaculate,)
 12 United States Province,)
 13 a/k/a and d/b/a Oblate)
 13 Fathers of Mary)
 14 Immaculate (Central Prov.),)
 14 Defendant(s).)
 15 -----
 16
 17
 18 DEPOSITION
 19 The following is the videotaped deposition of
 20 ROGER GRUNDHAUS, taken before Julie A. Brooks, Notary
 21 Public, Registered Professional Reporter, pursuant to
 22 Notice of Taking Deposition, at Rust, Stock, Knutson &
 23 Rust, 407 North Broadway, Crookston, Minnesota,
 24 commencing at 9:10 a.m., Thursday, December 18, 2014.
 25

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 2
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 Also present:
 Scott Breckheimer, Videographer
 Reathel Giannunatti

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1 PROCEEDINGS
 2 Whereupon, the deposition of ROGER GRUNDHAUS
 3 was commenced at 9:10 a.m. as follows:
 4 ***
 5
 6 THE VIDEOGRAPHER: This is the video
 7 operator speaking, Scott Breckheimer, here on behalf of
 8 Depo International, Incorporated.
 9 Today is Thursday, December 18th, the
 10 year 2014. The time is 9:10 a.m. We are at 407 North
 11 Broadway, Crookston, Minnesota 56716, to take the video
 12 deposition of Monsignor Roger Grundhaus in the matter
 13 of Doe 19 versus Diocese of Crookston and Oblates of
 14 Mary Immaculate, et. al.
 15 Will counsel please introduce themselves
 16 for the video record.
 17 MR. FINNEGAN: Mike Finnegan for the
 18 Plaintiff.
 19 MS. LINDSTROM: Elin Lindstrom for the
 20 Plaintiff.
 21 MS. GAERTNER: Susan Gaertner for the
 22 Diocese of Crookston.
 23 MR. SHERN: Andy Shern on behalf of
 24 Oblates of Mary Immaculate.
 25 THE VIDEOGRAPHER: Will the court

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1 reporter please administer the oath.
2 **MR. FINNEGAN:** She'll swear you in over
3 there.
4 **ROGER GRUNDHAUS,**
5 after having first been sworn to tell the truth,
6 testifies as follows:
7
8 **THE VIDEOGRAPHER:** You may begin.
9
10 **EXAMINATION**
11 **BY MR. FINNEGAN:**
12 Q. Monsignor, let me ask you a couple
13 questions here, and then I'll go over a couple ground
14 rules again.
15 Your ordination was June 4th, 1966?
16 **A. Correct.**
17 Q. I don't think I got it. I was up here.
18 We were talking about it before. I was up here for
19 your deposition a while ago. One of the questions I
20 forgot to ask you is what's your date of birth?
21 **A. 3/21/40.**
22 Q. Just ground rulewise, I know we went
23 through this a number of years ago, but the process of
24 a deposition is somewhat different than our normal
25 conversations. And so what I would ask is that you

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1 answer audibly. So if I ask you a question, you say
2 yes, no, or give the response, not a nod head.
3 **A. Okay.**
4 Q. Not an uh-huh, huh-uh. If you do that,
5 I'll just say, Monsignor, was that yes? was that a no?
6 That's not meant to badger you at all, just so the
7 court reporter and the videographer can get all that
8 down. Does that make sense?
9 **A. Yes, it does.**
10 Q. The other one that we do all the time in
11 normal conversation. It doesn't work in a deposition.
12 We have a tendency to talk over each other all the
13 time. So I'm going to ask questions that you are going
14 to know exactly where I am going. But for this
15 process, what I ask you to do is wait until I'm all the
16 way done with a question, and then you answer. And
17 I'll wait for you to be all the way done. Does that
18 make sense?
19 **A. It does.**
20 Q. That's so they can get a good record
21 down when they are typing it up.
22 **A. Yes.**
23 Q. The last -- well, two more ground rules
24 for you. The last two are for your benefit. First,
25 any breaks that you want, we can take them. So any

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1 time you need a break, all I'd ask is that you answer
2 the question if there is one pending, and then we'll
3 take a break. Just let us know, as many as you need.
4 All right?
5 **A. Right.**
6 Q. Then the second one is, if you can't
7 hear me, if I don't speak loud enough or you don't
8 understand what I say, just let me know, and I'll
9 rephrase it, or I'll speak louder.
10 **A. Okay.**
11 Q. Are you having an all right time hearing
12 me right now?
13 **A. I do.**
14 Q. Good. After your -- after your
15 ordination, Monsignor, in 1966, tell me what are your
16 assignments after that. What is your first
17 assignment?
18 **A. I was assigned to live in residence with**
19 **Monsignor Joe Sheehan, who was pastor at Euclid, so I**
20 **accompanied him to the office every day. That was kind**
21 **of an introduction to what came a little later.**
22 **Then in -- on around Labor Day, I went**
23 **to Washington D.C. to study at Canon Law at the**
24 **Catholic University of America. And I spent two years**
25 **there, and I received a JCL. That's a JCL degree,**

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1 **essentially, in Canon Law.**
2 **In May of 1968 -- the summer**
3 **intervening, I did a practical at the chancery in Saint**
4 **Paul, Minnesota.**
5 **Then, I guess, I took a short vacation**
6 **after I got out of school. And then on June 27th,**
7 **1968, I was chancellor of the diocese.**
8 **Shall I go on?**
9 Q. I'll just ask you a couple follow-ups on
10 that. So you took over as chancellor for Joe
11 Sheehan?
12 **A. Right.**
13 Q. What was the position that you had with
14 the Saint Paul archdiocese? What were you doing
15 there?
16 **A. I was just mentored by -- actually, by**
17 **John Kinney, the retired bishop of Saint Paul. He was**
18 **vice chancellor at the time. And, mostly, I don't**
19 **know. I just helped with some routine chancery things,**
20 **processing premarriage papers. That was always a big**
21 **job. And then, I don't know. Generally being**
22 **available at meetings and things just to hear what was**
23 **happening.**
24 Q. Kind of a preparation for you to go into
25 chancery work?

1 A. Yeah. Bishop Glenn wanted me to, I
2 think, become familiar with the processes that went on
3 there, because we are a subrogate diocese and we relate
4 to them frequently.

5 Q. All right. From June of 1968, you
6 become chancellor. How long are you in that
7 position?

8 A. Until June 30th of 1979. During that
9 time, I also had parish work, so I was part-time
10 chancellor, part-time pastor.

11 Q. What were your parish assignments during
12 that time?

13 A. Okay. From -- well, first of all, from
14 the 1st of June, approximately, 1968 until September, I
15 was at Saint Joseph's in Fertile, just for the summer.

16 Then from September to mid-January of
17 '69, I was at the chancery, filling in on weekends for
18 people occasionally.

19 Then in January of '69, about
20 mid-January, I became pastor at Holy Trinity Parish in
21 Tabor, and I had that pastorate until August,
22 mid-August, of 1975.

23 And then in 19- -- then I was back at
24 the chancery again until early spring. I can't
25 remember the date any longer in -- of 1976.

1 assigned me as moderator of the curia -- that's the
2 director of the bishop staff at the chancery --
3 until -- until December 31st, 2007.

4 And I kept my parish assignments and
5 other jobs until July 1st, 2010, at which time, I
6 retired. And since -- from parish administration.
7 Since that time, I've been chaplain to the Sisters of
8 Mount Saint Benedict here in Crookston until the
9 present.

10 Q. Are you currently still doing any
11 help-out work right now?

12 A. Yes. On the weekends, I go.
13 Frequently, I go out because somebody is on vacation or
14 sick or fill in.

15 The sisters have their weekend mass on
16 Saturday afternoon, so that leaves me free Sunday
17 morning from late Saturday evening.

18 Q. Probably a popular guy with the fellow
19 priests, then, if you are one they can get you to help
20 out.

21 A. Of course, I make them pay.
22 That can be off the record, if you
23 want.

24 Q. Did you also spend some time on the
25 priest personnel board?

1 I was appointed to Saint Joseph's in
2 Fertile again.

3 And then a year later, they added
4 Saint Williams in Twin Valley, in 1977. And I was
5 there. I had that combination until 1979 when I was
6 relieved both of the chancery and of those parishes and
7 assigned as pastor at Saint Phillips in Bemidji, July
8 1st, approximately, 1979.

9 And I was in Bemidji, had the Newman
10 Center at the Bemidji State University, as well as
11 Wilton, Sacred Heart parish in Wilton.

12 And then in 19- -- July 1st of -- our
13 assignments, you understand, take place around July
14 1st, the fiscal year.

15 Q. Yeah.

16 A. July 1st, 1987, I was assigned to
17 Saint Stephen's parish, in Stephen, until July -- or
18 June 30th, I suppose, 1991.

19 Then on -- from July 1st, 1991,
20 until '99, I was pastor at the cathedral here in
21 Crookston. And during that time, I was also vicar
22 general, but I wasn't in residences with the bishop. I
23 was just there for meetings and things.

24 But in -- July 1st of 1999, Bishop -- it
25 continued. I was still the vicar general, but he

1 A. Yes. I was either elected to it or, ex
2 officio, as vicar general, so I suppose I was on it 16
3 years or more. I can't remember precisely. I was on
4 it until I -- well, until the new bishop came, until
5 January 1st, 2008. But I suppose I was on it ex
6 officio until 1991. I know I had been elected to it a
7 couple times before that.

8 Q. During the time that you were on the
9 priest personnel board, what were the duties and
10 responsibilities of the priest personnel board?

11 A. We -- well, we discussed parish
12 openings, what parishes were coming up and priests were
13 retiring and who wanted to go on sabbatical and all
14 that type of thing. And we came up with a plan to be
15 implemented every July 1st who was going to be where.
16 We advised the bishop on that. The bishop was
17 responsible for all the moves, but -- but we were in an
18 advisory capacity.

19 Q. Ultimately, the assignments of the
20 priests within the diocese, that's up to the bishop?

21 A. Uh-huh.

22 Q. That's a yes?

23 A. Yes, sorry.

24 Q. No problem. On the priest personnel
25 board, when you were on there, were there documents

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1 kept, minutes kept of the meetings that you had? How
2 did that work?
3 **A. There were sometimes, and sometimes**
4 **there weren't. I mean, the -- I think most of us just**
5 **kept a log of scribbled notes, you know, from -- we**
6 **didn't really even start to meet until January, around**
7 **the 1st of January, and we usually had the assignments**
8 **in place by mid-April or something like that. And most**
9 **of the time, it was -- I mean, things were changing and**
10 **scribble notes. I don't remember having -- having a --**
11 **we didn't have a secretary who gave us minutes, that I**
12 **can recall anyway. I mean, it was nobody in that**
13 **office, that I recall.**
14 Q. Where did you generally meet?
15 **A. In the bishop's office.**
16 Q. Would the bishop generally attend
17 those?
18 **A. Always. We never met outside with the**
19 **bishop not there.**
20 Q. The notes that you kept in that process,
21 were those things that got gathered and contained, or
22 were those destroyed? What happened to those?
23 **A. I haven't kept any notes.**
24 Q. What did you do with the ones that you
25 took?

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1 **A. I just trashed them after. When I left**
2 **the office, if I had anything in a personnel file, it**
3 **just went in the garbage.**
4 Q. What about today, Monsignor, did you --
5 in your work with the diocese, did you keep any records
6 yourself that you had, outside of the stuff that's at
7 the chancery?
8 **A. No, I have no -- I have no diocesan**
9 **records in my possession at all. I have some minutes**
10 **from the priest personnel -- I mean, from the priest**
11 **council. I am still on the priest council,**
12 **representing the retired guys. So a few files on that.**
13 **And there usually are minutes for the priest council,**
14 **but the priest council doesn't really deal with**
15 **personnel.**
16 Q. What do they deal with?
17 **A. Well, with salaries and pastoral**
18 **programs, evangelization, and sometimes school issues**
19 **come up with pastors with schools and that kind of**
20 **thing. They don't -- it is not on their agenda to**
21 **discuss personnel moves.**
22 Q. Ultimately, the priest council, when
23 they're formulating their thoughts about salaries and
24 any other things that you mentioned, ultimately, all
25 those things are decided by the bishop?

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1 **A. Yeah, the bishop has the last word on**
2 **all of them. That's an advisory council as well.**
3 Q. I don't think I got this one
4 backgroundwise last time, either, Monsignor. Where did
5 you go to seminary?
6 **A. Saint Paul Seminary, in Saint Paul.**
7 Q. What years were you there?
8 **A. 1960 to '66.**
9 Q. At that time when you went to Saint Paul
10 Seminary, was that for the Diocese of Crookston? Did
11 you know you were coming back here?
12 **A. Yes.**
13 Q. It looked like, from some of the
14 records, at some point, you've also been on the finance
15 council; is that right?
16 **A. Yes, I have.**
17 Q. What does the finance council do?
18 **A. Well, basically, we come up with a**
19 **budget for the diocese, and we review the financial**
20 **statements. And that's about it.**
21 Q. Is that an advisory board as well?
22 **A. Yes, it is. But contrary -- well, yes,**
23 **it is an advisory board, right, yep.**
24 Q. It looked like, from the records, that
25 the bishops that you served under, first, was Bishop

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1 Glenn?
2 **A. Lawrence Glenn.**
3 Q. And then Bishop Povish?
4 **A. Yes, Kenneth Povish.**
5 Q. Povish. Then it looked like there was a
6 short time period where a Father John Stearns may have
7 been the administrator?
8 **A. Yep. Between Bishop Povish and Bishop**
9 **Balke, there were about 11 months, I think, where we**
10 **were without a bishop.**
11 Q. And then Bishop Balke, from,
12 approximately, '76 to 2007?
13 **A. Yes.**
14 Q. Then Bishop Hoepfner from 2007 until
15 today?
16 **A. Yes.**
17 Q. Father John Stearns, is he alive?
18 **A. No.**
19 Q. When you were ordained in 1966, you made
20 a promise of obedience to then Bishop Glenn and his
21 successors?
22 **A. Yes.**
23 Q. That means you would be faithful to
24 them, follow their orders?
25 **A. Yes.**

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1 Q. And excuse me. Any -- is it correct
2 that any priest who has faculties within the Diocese of
3 Crookston owes obedience to the bishop?
4 A. **Correct.**
5 Q. And also, if the priest is within the
6 diocese and he's also a religious order priest, he also
7 owes obedience to his provincial or his religious
8 order?
9 A. **Yes.**
10 Q. Essentially, if you have a priest, a
11 religious order priest who is working with the Diocese
12 of Crookston, he, essentially, has two bosses? He has
13 the bishop and his provincial for the order?
14 A. **Yes.**
15 Q. When that religious order priest is
16 working in the diocese, the bishop has the power to
17 remove him from the diocese?
18 A. **Yes, he would have the power to do**
19 **that.**
20 Q. And when that religious order priest is
21 working in the diocese, his own religious order
22 provincial has the ability to remove him?
23 A. **He does.**
24 Q. In that situation where he is working,
25 where a religious order priest is working in the

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1 diocese, both the bishop and the provincial to the
2 religious order have the power to restrict that
3 priest's ministry?
4 A. **Well, I know the bishop does. I'm not**
5 **sure exactly what the superior of the religious**
6 **community would have. I would suspect he would, yes.**
7 Q. It is correct that the bishop of the
8 diocese, that he sets certain rules that all the
9 priests within his diocese have to abide by?
10 A. **Yes.**
11 Q. Correct that the bishop of the diocese
12 requires priests to -- let me start over.
13 It is correct that the bishop of the
14 diocese has the power to require priests to take
15 certain training?
16 A. **Yes.**
17 Q. Correct that the bishop and the chancery
18 maintain files on each priest that has faculties within
19 the diocese?
20 A. **Yes.**
21 Q. The parishes here within the Diocese of
22 Crookston, is it correct that the bishop is head of
23 each parish?
24 A. **Yes. Yes, he's the head of each parish,**
25 **yes.**

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1 Q. Correct that the bishop, that he has a
2 responsibility to all the faithful within the Diocese
3 of Crookston?
4 A. **That's correct.**
5 Q. He has the responsibility for the safety
6 of the kids and all the programs within the diocese?
7 A. **Yes, he does.**
8 Q. He also -- if a parish is going to be
9 erected within the diocese, the bishop has to give
10 permission, correct?
11 A. **Yes, he does.**
12 Q. If a parish within a diocese is going to
13 be suppressed or closed, the bishop has to give his
14 permission?
15 A. **Yes.**
16 Q. Likewise, if two parishes are going to
17 merge within the diocese, the bishop has to be on board
18 with that?
19 A. **Yes.**
20 Q. Ultimately, it is the bishop that
21 determines the percentage or the taxa that each parish
22 will pay each year to the diocese?
23 A. **Yes.**
24 Q. Has it been your experience, throughout
25 your years you've been in the diocese, there has always

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1 been some taxa on the parishes where money would go
2 from the parishes to the diocese?
3 A. **Yes.**
4 Q. Over the years that you've been in the
5 Diocese of Crookston, how many -- ballpark, how many
6 priests are in this diocese?
7 A. **Well, I think, when I was ordained, we**
8 **had -- how many priests totally?**
9 Q. Totally, yeah.
10 A. **I think we had about 90 when I was**
11 **ordained. That included religious, of course. And I**
12 **think our diocesan priests, including retired and so**
13 **on, are between 45 and 50 now. I mean, yeah, about**
14 **half that number.**
15 Q. How many religious now?
16 A. **Only two religious priests now.**
17 Q. During the time that you've been in the
18 Diocese of Crookston, generally, has there been a
19 shortage of priests to cover this area?
20 A. **Yes, I would say.**
21 Q. It's somewhat difficult to get priests
22 to come up here, as well?
23 A. **Yes.**
24 Q. What are the main religious orders
25 throughout the years since you've been a priest here

1 that have been in this diocese?

2 **A. The Benedictines from Saint John's have**
3 **been the primary group. There were 18 of them working**
4 **in the diocese when I was ordained, I think.**

5 **And then there were -- the Oblates of**
6 **Mary Immaculate were the second most numerous group.**
7 **There were, probably, five or six of them in the**
8 **diocese when I was ordained. At the present time,**
9 **there are two oblates and no Benedictines.**

10 Q. Then throughout the time you've been in
11 the diocese, has the diocese also used extern priests,
12 priests from different diocese, here as well?

13 **A. Yes, we have.**

14 Q. How many, generally, have there been of
15 that nature?

16 **A. I don't think it ever was more than half**
17 **a dozen, maybe more like two or three. Now, there have**
18 **been more recently because we've taken some foreign**
19 **priests in, but most of the time with the intention**
20 **that they will incarnate into our diocese.**

21 Q. Do most priests that incarnate here, if
22 they are not extern priests, if they are going through
23 formation and seminary, do most of them go to Saint
24 Paul Seminary still?

25 **A. No.**

1 Q. Where do they go?

2 **A. We have -- I think we have three at**
3 **Saint Paul Seminary, and we have seven in total. We**
4 **have one young fellow still in college. He's not,**
5 **technically, a seminarian, I suppose. And we have two**
6 **at Saint Mira's in Indiana. And we regularly have some**
7 **at -- older men at Sacred Heart in South Milwaukee, or**
8 **Hales Corners, because they specialize in second career**
9 **vocations. But we don't have anybody there at the**
10 **present time. We had one ordained in January -- in**
11 **December, last December.**

12 Q. When you were either chancellor or Vicar
13 general, are there occasions where the other
14 chancellors and vicar generals from other diocese,
15 where they all get together? Are there any conferences
16 or anything like that that they go to?

17 **A. Yes. The chancery and tribunal**
18 **personnel from this province, Saint Paul-Minneapolis**
19 **province. You know what that entails?**

20 Q. All six diocese?

21 **A. Ten diocese.**

22 Q. Okay.

23 **A. The states of North and South Dakota and**
24 **Minnesota get together every year, usually around the**
25 **first week of May.**

1 **And then some of us were regular at**
2 **attending the Canon Law Society of America convention**
3 **every year in -- well, it moves around, but the first**
4 **weekend -- first or second week in October.**

5 **There is a Midwest Convention, too, from**
6 **the Canon Law Society. I rarely attended it, so I**
7 **don't know. That's another venue for people to get**
8 **together.**

9 Q. During the years that you were in the
10 chancery, did you generally attend the May conference
11 of the Saint Paul --

12 **A. Yes. I kind of initiated that program**
13 **back in 19- -- early '70s, I think, with Bishop Kinney,**
14 **or John Kinney, at that time.**

15 Q. Did you find that to be helpful, to get
16 together?

17 **A. Yes. I think all the diocese did.**

18 Q. And the national conference of the Canon
19 Law Society of America, that's a much larger
20 conference?

21 **A. Yes. It would be about, I would say,**
22 **300-350 people attending it.**

23 Q. The conference or meeting, get-together
24 that you helped initiate, where was that usually
25 held?

1 **A. We took turns. All ten diocese took a**
2 **turn, so every ten years, your turn would come up,**
3 **hosting it, that is, and developing the program.**

4 Q. In that conference, who generally from
5 the diocese -- what positions would usually go to
6 that?

7 **A. Well, vicars general and chancellors and**
8 **tribunal -- judicial vicars and tribunal personnel.**

9 Q. I think we -- I think I asked you
10 briefly about this back when I took your deposition
11 before. And I'm sure I'll butcher the name of the
12 document, but the 1962 document from -- the Crimen
13 Sollicitationis document, you are familiar with that,
14 right?

15 **A. Well, I'm familiar that the document**
16 **exists, but I'd be hard put to say what's in it right**
17 **now. Sollicitationis, yeah, agreement sollicitationis,**
18 **yeah.**

19 Q. And were you familiar with that? When
20 you were in the chancery here, did you see a copy of
21 that, or is that before even --

22 **A. I'm not sure. I'm not sure I ever even**
23 **read the document. I mean, when I was taking Canon**
24 **Law, of course, we went through penalties and, I mean,**
25 **the code on penalties. And the crime of solicitation,**

1 **of course, was one of the code -- one of the code --**
2 **one of the canons in the code. But I can't recall that**
3 **I really ever read that particular document.**

4 Q. In the diocese, the chancellor is the
5 one that's generally charged with maintaining the
6 files?

7 A. **Yes, that's basically your job.**

8 Q. Generally, there's a file on each parish
9 within the diocese?

10 A. **Yes.**

11 Q. And, generally, that file on the parish
12 has the articles of incorporations and financial
13 information on the parish?

14 A. **Yes, yes, yes.**

15 Q. And then there's usually individual
16 files on each priest that had faculties within the
17 diocese?

18 A. **Yes.**

19 Q. What happens -- what's been the practice
20 here in Crookston when a priest was here and then they
21 leave this diocese, what happens to their file after
22 that?

23 A. **Well, I think the file was just an**
24 **alphabetical file, and your file just kind of stayed**
25 **there forever, as far as I'm aware.**

1 **And if there was -- we had, you know, at**
2 **one time, we had a secret file, you know, that was in**
3 **the same file cabinet but a locked drawer for special**
4 **cases where there was treatment or documents that were**
5 **to be kept in strict confidence.**

6 Q. Those were matters that were, under the
7 code, deemed to be, potentially, scandalous?

8 A. **I suppose that was the reason.**

9 Q. And the secret archives, the secret
10 files, your experience has been that the chancellor,
11 vicar general, and bishop had access to those?

12 A. **Yep, yes.**

13 Q. Was there some change in the practice
14 for the Diocese of Crookston with regard to the secret
15 files?

16 A. **Yes. I think it is meaningless at the**
17 **present time.**

18 Q. Is there still that locked drawer
19 there?

20 A. **I have no idea.**

21 Q. When you left in 2009?

22 A. **Well, I'm pretty sure the drawer was**
23 **still there, but I don't know if it was always locked**
24 **anymore.**

25 Q. In that drawer, in the secret archives,

1 when you left or when you saw the files in there, how
2 were they maintained in that locked drawer?

3 A. **They are just manila files with**
4 **documents in that were considered super secret, I**
5 **guess, confidential.**

6 Q. Were they labeled for each individual
7 priest or a specific document? How were they labeled
8 in there in the files?

9 A. **No. They were labeled. Each priest**
10 **that would find his name in that file would have his**
11 **name on a manila envelope.**

12 Q. What was your experience with documents
13 that came from the Holy See, from the Vatican; was
14 there a certain place where those went in the
15 diocese?

16 A. **Yes. There's the general file. I**
17 **think, most of the time, documents from the Bishop's**
18 **Conference or the Holy See go in there.**

19 **The Holy See also publishes the official**
20 **record in what they call the Acta Apostolicae Sedis,**
21 **and I think Bishop Balke didn't subscribe to it**
22 **anymore, because it was mostly in Latin and nobody was**
23 **reading it.**

24 **But, anyway, for many, many years, we**
25 **had -- we got that monthly -- I think it was a monthly**

1 **journal, and it was on the shelves in the archives**
2 **room.**

3 **Most of the time, when the Vatican puts**
4 **out an -- the official document would be the Acta**
5 **Apostolicae Sedis. The Bishop's conference would**
6 **generally send out a translation and other materials**
7 **related to it. Generally, that's what I read. I**
8 **didn't very often try to translate an article from the**
9 **Acta.**

10 Q. You do have some understanding of Latin,
11 though?

12 A. **Oh, yeah, I do, yeah.**

13 Q. Those translations of the Octa, those
14 would go into the general file, you said?

15 A. **It would be in the general file.**

16 Q. Is that a general file just for stuff
17 from the Holy See, or is it for anything?

18 A. **Anything. Programs, yeah, yeah.**

19 Q. Approximately when was it that Bishop
20 Balke stopped getting the Octa?

21 A. **I really don't know. I better just say**
22 **I don't know.**

23 Q. Ballpark, could you say --

24 A. **It stopped coming, I suppose, in the**
25 **mid '90s, maybe.**

1 Q. Besides the -- we've already talked
2 about the priest personnel board. There may have been
3 documents there. Those -- what would happen to -- how
4 would those minutes or documents, if they had them, how
5 would those -- what would happen to them if they were
6 saved; do you remember?

7 A. **The secretary kind of took care of the**
8 **general file. I would think that there would be a file**
9 **for the priest personnel board in the general file.**
10 **And whatever notes the bishop or I, probably, gave her**
11 **to put in there would be in that file.**

12 Q. Was there one person or a couple people
13 that were there as secretary for a long period of
14 time?

15 A. **Well, the secretary that was there when**
16 **I came, Veronica Stainbrook -- she was Cushman**
17 **(phonetic) when she married while she was there -- had**
18 **worked for almost 40 years before she retired and**
19 **shortly after died.**

20 **And then Bonnie Sullivan, I hired in**
21 **about 2002 or '3, I suspect. I can't remember the**
22 **dates.**

23 Q. Is she still there?

24 A. **Yeah, she's still there. She is now the**
25 **chancellor. I hired her as a secretary, early part of**

1 **this millennium.**

2 Q. Did you also hire Jennifer Haselberger?

3 A. **I did.**

4 Q. How long did she work with you?

5 A. **Well, a couple of years, I think, yeah.**
6 **She volunteered sometime before she was taken on as an**
7 **employee, so I can't exactly say how long she was -- I**
8 **think she was with us a better part of two years.**

9 Q. During the time that you've been in the
10 Diocese of Crookston and, particularly, when you've
11 been in the chancery, are you aware of any documents
12 being destroyed throughout that time?

13 A. **I'm not aware of any. I mean, unless**
14 **you consider my desk notes, I threw them away. That's**
15 **about all. I would -- things that I felt needed to be**
16 **filed, were filed promptly, I think. And there was**
17 **nothing -- there was no systematic attempt to try to**
18 **destroy anything. I can say that for sure.**

19 Q. Was there any point when you were in the
20 chancery that there was an implementation of any policy
21 where documents would get destroyed after a certain
22 number of years or --

23 A. **No. That only got to the discussion**
24 **point. I don't think we ever implemented anything like**
25 **that.**

1 Q. Are you aware of that -- after you left
2 the chancery, has there been any of that, that you've
3 heard of?

4 A. **I've not heard of that, no.**

5 Q. When is the first time, Monsignor, that
6 you had any training on childhood sexual abuse?

7 A. **We had -- in the '80s while I was in**
8 **Bemidji at Saint Phillips, we had a workshop for the**
9 **priests on boundaries. And I think the need arose**
10 **because, you know, we were getting more short of**
11 **priests. And we needed to hire more laypeople, and**
12 **that included more women. And so the first concern was**
13 **dealing with women on the staff and minding your**
14 **boundaries in that regard.**

15 **But there was also a workshop during**
16 **that time, and maybe it was the same workshop, just**
17 **another day or effort, on child sexual abuse. And I**
18 **recall there were two women. They gave a presentation.**
19 **And one had been -- maybe, they both had been abused by**
20 **priests. One had been abused -- I recall the story --**
21 **by who was a priest.**

22 Q. Is that Carriere?

23 A. **No, no, no. This was a priest, other**
24 **than --**

25 Q. Different diocese?

1 A. **-- who came in from outside the diocese.**
2 **I have no idea who it was.**

3 Q. You said that was, approximately, when
4 you were at Saint Phillips?

5 A. **Yeah. Around 1985, I'd say, something**
6 **like that.**

7 Q. Before that time, had you had any
8 training on childhood sexual abuse?

9 A. **No.**

10 Q. Before that time, did the diocese have
11 any policies regarding childhood sexual abuse?

12 A. **We did not have any policies that I am**
13 **aware of, outside of Canon Law.**

14 Q. When is the first time that you had any
15 training on the warning signs for somebody being
16 sexually abused or somebody being a predator?

17 A. **I think we had some serious workshops on**
18 **that matter in the early '90s. The reason I say that**
19 **is because we published a policy about abuse in 1993, I**
20 **believe. And I'm sure that that was preceded or**
21 **accompanied by training, but I can't remember the**
22 **meetings specifically.**

23 Q. I assume, from your position, you were
24 probably involved in drafting that policy?

25 A. **I was, uh-huh.**

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1 Q. Where did you look to get the
2 information for that and to formulate that?
3 A. **I don't recall now. Probably, it was**
4 **just looking at what other dioceses were doing and**
5 **trying to do something similar for ourselves.**
6 Q. Then in the 2002-2003 time frame, you
7 were involved in, along with Jennifer Haselberger,
8 going through all the priests' files?
9 A. **Yes. That's one of the reasons I hired**
10 **her, to do that.**
11 Q. Was there anybody else, besides the two
12 of you, that was involved in that?
13 A. **Well, presumably, the bishop, but I**
14 **don't recall anybody else, no.**
15 Q. How did you go about the review of those
16 files?
17 A. **We gave her access to the files, and I**
18 **think, she went through each file page by page.**
19 Q. At the end of that process or during the
20 process, did she formulate a list of the priests and
21 then give that to you and the bishop?
22 A. **I don't recall that a list was given.**
23 **But we had a couple of instances in which she took**
24 **action and got the priests laicized.**
25 Q. Even outside of that process -- let's go

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1 before that process. At any time before that, had the
2 diocese ever went through its files to see what priests
3 had been accused of abusing kids?
4 A. **I don't think in any systematic matter,**
5 **no.**
6 Q. Before that time in 2002-2003, had the
7 diocese ever maintained any list of the priests who had
8 been accused of childhood sexual abuse?
9 A. **I'm pretty sure there wasn't.**
10 Q. Either during that process that Jennifer
11 Haselberger was involved in or afterwards, did you ever
12 see any lists that were circulating about priests that
13 had been accused of child abuse?
14 A. **In our diocese?**
15 Q. Yeah.
16 A. **No, I did not.**
17 Q. Were you involved at all in or consulted
18 at all when the list was released to the public?
19 MS. GAERTNER: I'm going to object to
20 this line of questioning as irrelevant. I will permit
21 the witness to answer, however.
22 You can answer, Monsignor.
23 THE WITNESS: Okay. Would you repeat
24 the question?
25 BY MR. FINNEGAN:

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1 Q. Sure. Were you involved at all or
2 consulted at all when the list of priests was released
3 to the public?
4 A. **I wasn't. I don't think I was in the**
5 **office at the time.**
6 Q. So it is correct that nobody consulted
7 you and asked you what you knew in that process?
8 A. **No. It is correct that I was not**
9 **consulted.**
10 Q. When that list came out -- I assume that
11 when it became public, you saw the list.
12 A. **Yes. Well, I saw it, I think, in the**
13 **paper.**
14 Q. Yeah. When you saw that list, were
15 there any individuals that you knew about that didn't
16 make it onto that list?
17 MS. GAERTNER: I'm going to object to
18 this line of questioning on relevancy grounds and
19 instruct the witness not to answer.
20 (Instruction not to answer.)
21 THE WITNESS: What did you say? I
22 didn't hear you.
23 MS. GAERTNER: I am instructing you not
24 to answer, Monsignor.
25 THE WITNESS: Not to answer. Can I take

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1 a break?
2 MR. FINNEGAN: Yes.
3 THE VIDEOGRAPHER: Going off the video
4 record. The time is 9:54 a.m.
5 (Recess.)
6 THE VIDEOGRAPHER: We're back on the
7 video record. The time is 9:58 a.m.
8 MR. FINNEGAN: Was there a legal basis
9 for the objection?
10 MS. GAERTNER: Relevancy.
11 MR. FINNEGAN: Relevancy. You are
12 instructing him to not answer on relevancy?
13 MS. GAERTNER: Uh-huh, correct.
14 BY MR. FINNEGAN:
15 Q. On the conferences that you had with the
16 ten different diocese here that are all part of the --
17 what did you say it was, the Saint Paul --
18 A. **Province.**
19 Q. The Saint Paul Archdiocese, the Saint
20 Paul Province, was childhood sexual abuse discussed in
21 those at all?
22 A. **Normally, I attended a section on the**
23 **tribunal because I was judicial vicar at the time. And**
24 **I suppose I saw the agendas for the chancery section,**
25 **but I didn't attend it. That's where that would have**

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1 **been -- when I was there, discussions, generally, did**
2 **not revolve around that, but around matrimonial**
3 **cases.**
4 Q. It sounds like you wouldn't attend all
5 the sections in all the different sessions?
6 A. **They went on simultaneously, so I**
7 **couldn't, yeah.**
8 Q. During those conferences, were there
9 written materials that were distributed?
10 A. **Yes.**
11 Q. Where would those, generally, go after
12 the conference?
13 A. **Oh.**
14 Q. Would it be the general file, or where
15 did that go?
16 A. **I never saved anything from those**
17 **conferences. I may have saved it for a year or a**
18 **couple, as it was relevant, but that's something I**
19 **would have discarded when I left the office.**
20 Q. At the Diocese of Crookston, before
21 2002, were background checks done on priests?
22 A. **They were not, at least in any formal**
23 **manner. We might have had occasion to do a background**
24 **check, probably more for financial reasons than for**
25 **sexual misconduct. Yeah. And I presume you are**

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1 referring to, you know, these formal background checks.
2 We did background checks on anybody that came into the
3 diocese, normally. Not the religious, when we presume
4 the abbot or the provincial would have taken care of,
5 but the priest with extern diocese, we wanted to know
6 what their story was, why they were coming here.
7 Q. So before 2002, you would get more
8 information on the extern priests, but the religious --
9 A. **Yes.**
10 Q. -- you would count on the provincial or
11 the abbot to take care of what the history is?
12 A. **Uh-huh.**
13 Q. Is that a yes?
14 A. **Yes. Sorry.**
15 Q. Before 2002, was there any policy that
16 required the religious superior to fill out any type of
17 forms attesting that the priest, the religious priest
18 who was going to work here in the diocese, didn't have
19 a history of abuse or didn't have any problems in his
20 background?
21 A. **I don't think so.**
22 Q. Were any questions asked of the
23 religious superior before a religious priest was sent
24 here pre-2002?
25 A. **I'm not aware of any.**

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1 Q. Was it your experience working in the
2 Diocese of Crookston that, generally, there was an
3 expectation from the bishop that, if there was a
4 problem at the parish level with any of the priests,
5 that that would get reported up the line, up the chain,
6 that the chancery would get notice of it?
7 A. **Oh, I think that's a mixed bag.**
8 **Sometimes, it was, certainly, but sometimes we just**
9 **didn't find out. I mean, people aren't always eager to**
10 **inform the chancery of stuff.**
11 Q. What about something serious? Is it a
12 general expectation that, if there's a serious matter
13 going on at a parish, that the bishop should know about
14 it?
15 A. **Well, I think people that were offended**
16 **by almost anything, yeah, they would frequently write.**
17 **The Bishop would frequently get letters from**
18 **parishioners that they were concerned about something**
19 **or another.**
20 Q. When you were at the parishes that you
21 were at and you were pastor of those parishes, was it
22 your general expectation that the people working at the
23 parish, if there were problems going on, that they
24 would let you know, as pastor?
25 A. **The employees would, I think. I trusted**

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1 **they would.**
2 Q. When you first started out as chancellor
3 under Bishop Glenn, what was the general practice with
4 regard to letters or anything that was coming in as
5 chancellor? Did you handle that? How did that go?
6 A. **Well, under Bishop Glenn, I was pretty**
7 **much in charge just of processing the premarriage**
8 **papers and some routine mail. But Bishop Glenn kept**
9 **his own thumbs on everything. I had nothing to do with**
10 **personnel or with finances with Bishop Glenn. He did**
11 **all of that.**
12 Q. At that point with Bishop Glenn, it is
13 correct there wasn't a personnel board at that time?
14 A. **No, there was not.**
15 Q. I gave a double negative. But was there
16 a personnel board under Bishop Glenn?
17 A. **No.**
18 Q. I asked a poor question on that one.
19 Was your experience working at the
20 Diocese of Crookston that, if there was a priest that
21 had a minor child living with them at the rectory or on
22 the parish facilities, that was suspicious, and that
23 should get reported?
24 A. **In what time frame?**
25 Q. At any time that you've been a priest

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1 here at the diocese.
2 **A. It has been forbidden since 2002.**
3 **Before that, I don't -- I wasn't aware that we had any**
4 **priest that had a minor child living with them. But we**
5 **wouldn't have raised a question if a kid had stayed at**
6 **the house for a few days or went on a camping trip or**
7 **something with a priest. We would have presumed that**
8 **was okay.**
9 Q. Did you hear about that at all before
10 2002?
11 **A. I did it myself. I mean, I went on -- I**
12 **was a camp guide at Lake Trails for a summer for -- I**
13 **took junior high school kids for eight weeks into the**
14 **wilderness when I was at the seminary.**
15 **And then after I was ordained, I**
16 **frequently -- with some regularity, I took kids on**
17 **trips that had never been to the cities. If I went**
18 **down, I took them down there. I think other priests**
19 **did that, too.**
20 Q. Did you ever accompany Bishop Balke on
21 any of the quinquennial visits?
22 **A. No.**
23 Q. You were involved in preparing the
24 Quinquennial Reports?
25 **A. To some degree, yes.**

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1 Q. It looks like -- from the reports that
2 we've seen, it looks like that's a fairly massive
3 project to get this together.
4 **A. It is a big project. They send out a**
5 **form, and by the time you get all the data together to**
6 **send it back, it is approximately 60 to 80 pages, I**
7 **suppose.**
8 Q. Did you ever have occasion, in the
9 Diocese of Crookston, to have any conversations with
10 anybody from the Holy See about childhood sexual
11 abuse?
12 **A. I did not, no.**
13 Q. Are you aware of Bishop Balke having any
14 conversations?
15 **A. Bishop Balke went to the Holy See to**
16 **converse with the monsignorship on that one time --**
17 **twice, probably.**
18 Q. What about?
19 **A. What about?**
20 Q. Yeah. Specifically. You said --
21 **A. About these priests that were dismissed**
22 **from the priesthood. He wanted action, so he sat on**
23 **their doorstep.**
24 Q. Were those the ones that Jennifer
25 Haselberger was involved with?

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1 **A. She was, uh-huh, yes.**
2 Q. Are you aware of any discussions Bishop
3 Balke had regarding childhood sexual abuse with anyone
4 from the Holy See before the conversations with
5 Monsignor Scicluna?
6 **A. I'm not aware of them, no.**
7 Q. Do you have any involvement, Monsignor,
8 with the Servants of the Paraclete?
9 **A. No. Involvement myself, no.**
10 Q. Did you -- you are aware that they, for
11 a short while, ran a facility here in the diocese?
12 **A. I'm aware of that. It closed about the**
13 **time I was ordained or shortly after.**
14 Q. Did you ever go to that facility, not as
15 a patient, but in a matter for the diocese?
16 **A. After they left, we had a little party**
17 **down there one time.**
18 Q. What happened at that facility after
19 they left?
20 **A. Well, it was sold to another**
21 **organization after some time. The priest that was**
22 **in -- in Akeley at the time, hosted a Labor Day party.**
23 **And since he kind of, I think, kept his eye on the**
24 **place while it was empty, he used it to host a party**
25 **with the priests. There were no Paracletes there or**

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1 **any of their guests at that time.**
2 Q. Do you have any conversations with
3 Monsignor Glenn or Father Stearns or anybody else about
4 any problems that they had or concerns they had about
5 the Paraclete facility?
6 **A. No, I had no conversations about that**
7 **with them at all.**
8 Q. Those types of conversations with
9 anybody, that you remember?
10 **A. I don't recall any conversations with**
11 **anyone. I mean, I know that Jim Porter was a resident**
12 **there, and he was our star abuser. So I suppose there**
13 **was conversation about that incident at some time. But**
14 **I don't recall speaking in any responsible way to**
15 **anybody about the Paracletes or what they were doing.**
16 Q. Did you ever have any conversations with
17 the Paracletes after they left about what was going
18 on?
19 **A. The only conversation I had was --**
20 **Bishop Schenk, when they started the place, had loaned**
21 **them \$30,000 from the diocese to purchase the property.**
22 **And they called me asking if we -- if we would -- what**
23 **do you call it? Not call in the loan.**
24 Q. Forgive it?
25 **A. Forgive the loan. And I refused.**

1 Q. Did they, ultimately, pay it?
2 A. **They paid it, uh-huh.**
3 Q. Are you aware of any other priests,
4 besides Jim Porter, that were at Paraclete that worked
5 in the Diocese of Crookston?
6 A. **Well, I was in the seminary, so I didn't**
7 **get to know many of them at all. In fact, I don't**
8 **think I ever met Jim Porter, even.**
9 **But when I was a child, I mean, or a**
10 **young kid, one of the parishes that they placed priests**
11 **in was Thief River Falls, which was my home parish. So**
12 **I, on a couple of occasions, when I was home for**
13 **vacation, would have met one or the other of the**
14 **Paraclete -- I mean, of the guests of the Paracletes**
15 **that would have been there. I don't remember their**
16 **names or -- I might have, you know, like, served mass**
17 **one morning for them or something. I didn't come to**
18 **know any of them personally.**
19 Q. Did you come to find out later that any
20 of those that had served at your parish in Thief River
21 Falls, that they were child abusers?
22 A. **No. I don't think there was any problem**
23 **with that there, that I'm aware of.**
24 Q. So before 2002, as a general matter, the
25 religious orders that worked in the Diocese of

1 Crookston, their provincial would assign them to
2 someplace within the diocese, and the diocese didn't
3 ask any questions or see any files or anything on that
4 religious priest; is that correct?
5 A. **That's my -- yes, I would say that's**
6 **correct.**
7 Q. Did you ever have occasion to meet
8 Father Vincent Fitzgerald?
9 A. **I met him once.**
10 Q. When is that?
11 A. **I was trying to reflect on that. The --**
12 **I think there was a gathering of priests -- I'm not**
13 **even sure whether it was a social or an educational**
14 **thing -- at Bemidji -- at Bemidji. And there was this**
15 **gray-haired man there that I didn't know. And so since**
16 **I was in diocesan administration, I went up and**
17 **introduced myself and got his name. He told me his**
18 **name, so that's the only time I met him.**
19 Q. Do you know where he was working at that
20 time?
21 A. **I can't remember whether he told me or**
22 **somebody did, that he was at Squaw Lake in Duluth**
23 **Diocese.**
24 Q. Do you know approximately what year that
25 would have been, ballpark?

1 A. **Well, I was in -- it would be ballpark,**
2 **19- -- well, mid '80s someplace, early to mid '80s,**
3 **maybe.**
4 Q. Did anything strike you about that first
5 meeting with him, or the only meeting with him?
6 A. **Only meeting. Nothing striking.**
7 Q. It sounds like, from that answer, that
8 after that when he was at Saint Anne's in the diocese
9 and Naytahwaush in the Diocese of Crookston, that you
10 didn't have any conversations or meetings with him at
11 all; is that correct?
12 A. **No. When I saw this in the paper, that**
13 **we were listed as one of the defendants, part of the**
14 **defense in this case, I called or I talked to Bonnie,**
15 **at least.**
16 **I said, he never served in this diocese.**
17 **And she said, oh, yes, he did.**
18 **I wasn't aware that he had even served.**
19 **At that time, I was pastor of Bemidji and had no reason**
20 **to know who was at the Oblate mission.**
21 Q. Before the lawsuit and before -- shortly
22 around the time you called Bonnie, before that, had you
23 ever heard that Father Fitzgerald had ever abused
24 kids?
25 A. **No, I had not. I did not know that.**

1 Q. Had you heard anything about him, after
2 your meeting with him, between that time and when the
3 lawsuit was filed?
4 A. **The only thing I'd heard about him is he**
5 **had a van and he used to visit small groups in the**
6 **parish or celebrate mass or do his ministry from this**
7 **van. But that was -- I didn't learn that from him,**
8 **just from somebody, it was, that I knew, I guess. I**
9 **don't know. It was the only other fact about him that**
10 **I knew, and I never paid much attention to it.**
11 Q. In the time you had been in the Diocese
12 of Crookston, had you ever heard of anybody else, any
13 other priest doing ministry out of a van?
14 A. **No.**
15 Q. The person that told you about it, were
16 they questioning why he was doing it, or were they --
17 what were they saying?
18 A. **They just thought it was kind of a**
19 **creative thing for him to do.**
20 Q. Did the Diocese of Crookston have any
21 type of board or group that's responsible for ministry
22 to the Indian people?
23 A. **We have the parish at Red Lake. It**
24 **is -- we don't have a board active at the present time**
25 **that does that. At one time, I think, one was**

1 attempted to be started, but I don't remember that
2 there was anything that really came of it.

3 **Father Bill Mehrkens in Bemidji was in a**
4 **nursing home and 90 years old. He had been pastor at**
5 **Red Lake, and he was interested in Indian ministry.**
6 **And he might be consulted about that. Nothing that was**
7 **very much directed from the chancery.**

8 Q. Anybody else besides -- how do you spell
9 Mehrkens?

10 A. **M-e-h-r-k-e-n-s.**

11 Q. Anybody else besides Father Mehrkens
12 that was involved in Indian ministry here in the
13 diocese?

14 A. **Father Pat Sullivan.**

15 Q. Anybody else?

16 A. **Well, at the present, Father Jerry**
17 **Rogers.**

18 Q. He's the present pastor at Red Lake?

19 A. **Uh-huh.**

20 Q. Yes? Is that a yes?

21 A. **Yes, yes. I'm sorry.**

22 Q. No problem. And then Pat Sullivan, is
23 he still alive?

24 A. **Pat Sullivan is now pastor at Saint**
25 **Elizabeth's in Dilworth.**

1 Q. Do you remember when it was that you
2 heard about Father Fitzgerald doing the van ministry?

3 A. **I think it was about the same time that**
4 **I introduced myself to him. I had a good friend, the**
5 **priest in Cass Lake, Father -- Father Paul Larson, who**
6 **used to come to Bemidji quite a bit to the hospital to**
7 **visit his parishioners there. But he is a Duluth**
8 **priest in Cass Lake. So he would stop in for supper,**
9 **and I'd have a conversation with him. I think it was**
10 **probably Paul Larson that told me about his -- that is**
11 **somewhat of a guess, but I would think that would be**
12 **the source of it.**

13 Q. That would be the natural source?

14 A. **Yes.**

15 Q. Father Larson, is he still alive?

16 A. **Yeah. He is in Deer River. Parson**
17 **Larson.**

18 Q. You are in the chancery in that first
19 year that you started in, approximately, August 1969
20 until the next year after. You had been there almost a
21 year. Did Bishop Glenn or any of the other top
22 officials talk to you about James Porter coming to the
23 diocese?

24 A. **They did not talk to me at all about the**
25 **case.**

1 Q. Did you hear from anybody at that time
2 before he got put at Saint Phillips about him coming
3 there?

4 A. **No, no, I did not.**

5 Q. What about after Porter left or at the
6 time that he was leaving, which would have been
7 September 1970, did you hear about that from Bishop
8 Glenn or any of the other officials?

9 A. **I did not.**

10 Q. Did you hear about it from any source?

11 A. **No.**

12 Q. Did you ever talk to Monsignor -- is it
13 Lehman?

14 A. **No. We weren't particularly good**
15 **friends. I did not talk to him.**

16 Q. When is the first time that you were
17 told about the James Porter situation?

18 **MS. GAERTNER:** I'm going to object on
19 relevancy grounds but permit the witness to answer.

20 **THE WITNESS:** Oh. I can't remember.
21 But it was long -- I was pastor in Bemidji for eight
22 years, and his name never came up when I was there. So
23 it was after I was in Bemidji that, I mean, the story
24 broke, and that's when I first heard about it, the
25 extent of his abuse.

1 **BY MR. FINNEGAN:**

2 Q. Before the story broke, had you heard
3 anything about him, not just about abuse? Had you
4 heard anything?

5 A. **No, I had not. I don't think I even**
6 **knew his name.**

7 Q. You had the conversation -- is it Bonnie
8 Sullivan?

9 A. **The secretary in the chancellery,**
10 **uh-huh.**

11 Q. When you had a conversation with her
12 about Fitzgerald, did she tell you anything else,
13 besides the fact that he had worked there?

14 A. **She gave me a sheet.**

15 **Did you have that?**

16 **She had -- it was -- and it had -- I**
17 **said he hadn't worked there. She gave me a sheet that**
18 **had his birth date and his assignments in the diocese.**
19 **I don't know what's happened to that. I've lost it. I**
20 **looked for it this morning or yesterday, and I couldn't**
21 **find it so --**

22 Q. Did she give you any other documents
23 besides that?

24 A. **That's it. She just listed -- because**
25 **she knew it was in light of the fact that I was going**

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1 to be seeing you. This was some weeks ago now. And so
2 she -- when she told me that I would be -- she was
3 giving me some tentative dates that you would be coming
4 in December, and she gave me this little sheet with
5 about four or five lines on it about where he had
6 been.
7 Q. Did she give you anything else besides
8 that sheet?
9 A. That's -- yes. What was the other
10 thing? Oh, the other one was the definitions of
11 deposition. I mean, the deposition was supposed to
12 be -- the definitions of what you were looking for in
13 terms of documents and that type of thing. I can't
14 recall what all. I read through it, but I can't
15 remember what was on it now.
16 Q. Did she tell you anything at all about
17 the process or about Fitzgerald?
18 A. No, no. That is all she provided me.
19 Q. Did you talk to anybody else, besides
20 Ms. Sullivan, about Fitzgerald at that time?
21 A. Not at that time. The only other people
22 I talked to are Susan and Reathel.
23 Q. Did you talk to Reathel outside the
24 presence of Ms. Gaertner?
25 A. Yes. I believe I did, yeah.

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1 Q. What did the two of you discuss?
2 A. Can you help me here? I think it was
3 mostly --
4 Q. Just the best you can remember.
5 A. It was mostly the -- that document with
6 the definitions of the Diocese of Crookston, who was
7 involved, and the Oblates of Mary Immaculate and the --
8 document, what the documents were and whatever else was
9 on that sheet. She gave me that.
10 Q. Did you talk to Bishop Balke at all?
11 A. Just that we were going to be doing this
12 deposition. We didn't discuss anything about it.
13 Q. Do you see him often now?
14 A. Well, I saw him yesterday because he
15 stopped in to see me but -- for a few minutes. He was
16 visiting somebody in town here. I see him, I suppose,
17 on an average, every couple weeks, maybe.
18 Q. When you were in this seminary, at Saint
19 Paul Seminary, did you have any training at that point
20 about child sex abuse?
21 A. I don't believe we did, no.
22 Q. At that point, did you hear about any
23 other fellow seminarians that were having problems?
24 A. No, I didn't. I didn't hear about any
25 that were troubled with that.

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1 Q. Have any of your fellow classmates from
2 Saint Paul Seminary been accused publicly now?
3 A. Yes.
4 Q. Who is that?
5 THE WITNESS: Can I say?
6 MS. GAERTNER: I'm going to object,
7 continuing objection on relevancy grounds, but permit
8 the witness to answer.
9 MS. GAERTNER: All right.
10 THE WITNESS: I can answer?
11 MS. GAERTNER: You can.
12 THE WITNESS: Okay. Two of them Lee
13 KrautKremer and Father Jehu. That is all I can recall
14 from my own class.
15 BY MR. FINNEGAN:
16 Q. Were you aware, in seminary, that Dick
17 Jehu had an interest in young girls, teenagers?
18 A. I wasn't aware at all. I was completely
19 stunned when I heard the allegations.
20 Q. What about Lee Krautkremer, were you
21 aware that --
22 A. Similarly, similarly.
23 Q. Before the allegations against those two
24 men became public, had you ever heard that they had
25 problems before that?

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1 A. I never heard that, no.
2 Q. What about after seminary, once you are
3 either here at the diocese or at Catholic U, when is
4 the first time that child sex abuse by priests ever
5 came on your radar, whether it was discussion of it, a
6 confidential report to you, or anything?
7 A. The first time was when Father Rick Boyd
8 was discovered to have child pornography on his -- he
9 was arrested for having child pornography in his
10 possession. That's the first time I was aware that it
11 was a real problem, I mean, that it was an issue we had
12 to deal with.
13 Can I take a break again?
14 MR. FINNEGAN: Yeah.
15 THE VIDEOGRAPHER: Going off the video
16 record. The time is 10:28 a.m.
17 (Recess.)
18 THE VIDEOGRAPHER: We're back on the
19 video record. The time is 10:47 a.m.
20 BY MR. FINNEGAN:
21 Q. Before the break here, we had talked
22 about Father Boyd. Before you were involved in that
23 situation with Father Boyd, had you had any experience
24 before that in childhood sexual abuse with anyone
25 bringing any suspicions to you?

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1 **A. I don't believe I did, no.**
2 **MS. GAERTNER:** Counsel, can I just be
3 sure and note my continuing objection to questioning
4 about the other priests.
5 **MR. FINNEGAN:** Yes. And if it wasn't
6 clear, you can have that throughout the whole thing.
7 **MS. GAERTNER:** Okay.
8 **BY MR. FINNEGAN:**
9 Q. Were there other Oblate priests that you
10 were aware of, besides Father Fitzgerald, that were
11 working in the Diocese of Crookston for a long period
12 of time, people that you were close to?
13 **A. I certainly wasn't close to any of them**
14 **personally. But, I mean, I certainly was aware that**
15 **the Oblates were working here. But, you know, they**
16 **changed the personnel frequently. Every two or three**
17 **years, it seemed, they changed the personnel. I don't**
18 **recall any of them that I got particularly close to or**
19 **was on a friendly basis with.**
20 Q. Were you aware of any other Oblates
21 working in the diocese here or working on either of the
22 reservations?
23 **A. Well, initially, the Benedictines had**
24 **both reservations, both White Earth and Red Lake. And**
25 **I can't remember now the year that the Oblates -- the**

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1 **Benedictines pulled out. And, of course, we didn't**
2 **have the personnel ourselves to put on the reservation**
3 **at that time, so the Oblates agreed to take White Earth**
4 **Reservation. It was during Bishop Balke's time, but I**
5 **can't recall the year exactly.**
6 Q. The secret archives or secret files at
7 the chancery, when you said those are open now, were
8 the files removed and put in the general files, or are
9 they still there?
10 **A. I don't know.**
11 Q. You don't know?
12 **A. I don't know.**
13 Q. You've heard of a thing called the
14 Diocesan Network Alert? It is some type of means where
15 other diocese in Minnesota, where they alert one
16 another if there's been a lawsuit or somebody has been
17 accused of abuse.
18 **A. I'm not aware of it, no.**
19 Q. This part is in -- this isn't a Latin
20 test, but there are a couple words in some of the old
21 quinquennials that I didn't know what they meant. This
22 is in the -- I don't know which one this is in, but the
23 word is Fidei Donum. I just have a --
24 Do you want to see it? I want to ask
25 him the two highlighted terms and ask him what those

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1 mean.
2 I'll show you that word and that one.
3 They're asking if there are any of those priests in the
4 diocese.
5 **A. Well, I don't know anything about the**
6 **Fidei Donum. Gift of faith is what it means in Latin,**
7 **but I'm not sure what a Fidei Donum priest is. That's**
8 **a mystery to me. Vagi just means wanderers, people**
9 **that are not attached anywhere.**
10 Q. How do you spell that?
11 **A. V-a-g-i. Vagus, is vagrant, V-a-g-u-s.**
12 **Vagi is the plural.**
13 **MR. FINNEGAN:** The other one, for the
14 record, the first one is F-i-d-e-i, then space, capital
15 D-o-n-u-m.
16 **MS. GAERTNER:** So, Counsel, are you
17 reading from anything that's stamped or otherwise
18 identifiable? I mean, that piece of paper, is that
19 from anything?
20 **MR. FINNEGAN:** It is from one of the
21 quinquennial reports. I can look it up when we take a
22 break. I don't know which -- I just have one page of
23 it, page 33, and it is asking --
24 **MS. GAERTNER:** Page 33. Okay.
25 **MR. FINNEGAN:** My presumption is that

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1 this is a set of questions that came from the Holy See,
2 and then the diocese answers those.
3 **THE WITNESS:** Is that from our diocese?
4 **MR. FINNEGAN:** Yes.
5 **MS. GAERTNER:** So it is page 33 of one
6 of the quinquennial from the Diocese of Crookston.
7 **MR. FINNEGAN:** That's my understanding,
8 yes.
9 **MS. GAERTNER:** Okay.
10 **MR. FINNEGAN:** It doesn't have a Bates
11 stamp at the bottom, so my assumption is that this
12 was -- I think we got the quinquennials in the Jeya
13 Paul case that also weren't Bates-stamped. So my
14 presumption is that was in there. Yeah.
15 I'm going to mark this as Exhibit 1.
16 I'll give copies of that.
17 (Exhibit 1 marked.)
18 **BY MR. FINNEGAN:**
19 Q. So this is a portion, one page, out of
20 the Diocese of Crookston Quinquennial Report for '74
21 to '87 that was produced here. I just wanted to ask
22 you a question, if you knew anything about -- this is
23 Bates-stamped 660 at the bottom. And paragraph c, I'll
24 have you read that and ask you if you know anything
25 about that.

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1 Do you know what was being referenced
2 there?
3 **A. Well, we had a number of priests that**
4 **left the priesthood as most diocese did, after the**
5 **Second Vatican Council, most of them to marry, for some**
6 **reason or other. And there was a point in time when**
7 **all those who had left were properly dispensed by the**
8 **Vatican and had pursued other -- other vocations. And**
9 **that's what Bishop is -- this is, obviously, part of**
10 **the Bishop's report. And I don't have anything else to**
11 **say about it.**
12 Q. Do you know what he meant by the
13 psychological stress in their vocation?
14 **A. Well -- well, I think, you know, of**
15 **course, when you are writing a letter requesting a**
16 **dispensation of holy orders, you've got to make a case**
17 **for why you are doing this. And so I really don't know**
18 **what they were referring to, I guess.**
19 Q. At any point since you learned about the
20 accusations involving Father Fitzgerald, have you
21 talked to any Oblates at all?
22 **A. I have not.**
23 Q. Did you talk to Bishop Balke about
24 Father Fitzgerald?
25 **A. I haven't really talked to him about**

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1 **Father Fitzgerald. I talked. All we did is we**
2 **remarked about we had to be ready to do the depositions**
3 **and we were hoping for, mostly, about dates, that it**
4 **wouldn't conflict with other things. That was the only**
5 **conversation we had.**
6 **I think I told him that -- I said I**
7 **don't remember that he ever worked in the diocese.**
8 **And Bishop said, you know -- I don't**
9 **know what Bishop said in response to that. But that is**
10 **all I had to say.**
11 Q. Did he tell you about any interactions
12 that he had with Father Fitzgerald?
13 **A. I think the only thing he said is I**
14 **don't remember having any interactions with him either.**
15 **But he said I suppose I signed his letter of**
16 **assignment. He had very little recollection.**
17 **I'm sorry that I have to take another**
18 **break.**
19 **THE VIDEOGRAPHER:** Going off the video
20 record. The time is 10:56 a.m.
21 (Recess.)
22 **THE VIDEOGRAPHER:** We're back on the
23 video record. The time is 10:59 a.m.
24 (Exhibit 2 marked.)
25 **BY MR. FINNEGAN:**

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1 Q. Monsignor, I've just handed you what's
2 been marked Exhibit 2. Take a look at that, and I just
3 have a question about it.
4 **A. Okay.**
5 Q. The question is what's the -- what's
6 being referred to here in the first paragraph or
7 sentence with the general questionnaire?
8 **A. For this, I don't remember. I don't**
9 **remember. This is from me, but I -- general**
10 **questionnaire for 1973. Central Statistics Office.**
11 **The only thing that I could remember that I would --**
12 **that I can -- you know, the Vatican puts out a book, a**
13 **directory called the honororio pontificio, and that has**
14 **all of the statistics for every diocese in the world.**
15 **I suspect that that's what they were**
16 **asking our data. It would be who was the bishop and**
17 **auxiliary bishops, if any, and how much parishes, how**
18 **much pastors. Diocese of Crookston would have,**
19 **probably, that much in it. I don't know -- I don't**
20 **know why I was so late with that.**
21 **That's the only thing I can think of. I**
22 **can't think of any other general questionnaire I'd be**
23 **getting from the Secretary of State of the Vatican.**
24 Q. When we discuss the Latin term -- is it
25 vagi or vagi?

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1 **A. Vagi.**
2 Q. Yeah. And generally, the wanderers, why
3 is that? Is there some significance to that?
4 **A. Well, every priest is to be incarnated,**
5 **either at a diocese -- every cleric, including a**
6 **deacon, is to be incarnated in a diocese or in a**
7 **religious order. And there, technically, should not be**
8 **any cleric, any clergy that are vagi -- vagi. You can**
9 **do it either way.**
10 **But some just up and leave and don't**
11 **tell anybody where they are, and so they come in your**
12 **doorstep and sometimes claim to be a priest. We're**
13 **always very suspicious of that. But that's what a**
14 **vagus is, somebody is illegitimately away from**
15 **assignment.**
16 Q. Besides --
17 **A. You can have laypeople that are**
18 **legitimately vagi, gypsies, I suppose, and that kind of**
19 **people.**
20 Q. But in the Catholic Church, the priests,
21 they're supposed to be either attached -- generally
22 attached, to a particular diocese or a religious
23 order?
24 **A. Always.**
25 Q. And that attachment for that priest,

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1 either diocesan or religious order, they're attached to
2 that wherever, whichever one they are ordained for,
3 wherever they go in the world?
4 **A. Yes. The only way that -- you can be**
5 **excarntated from a diocese to be incarnated to another**
6 **diocese, but it only becomes effective -- your**
7 **excarntation only becomes effective on the incarnation**
8 **of the new diocese. So, technically, there is no**
9 **cleric in the world without attachment to some bishop**
10 **or superior. But, you know, people sometimes wander**
11 **off and do their own thing.**
12 Q. Besides Father Boyd, were there any
13 other situations that you dealt with that involved
14 either accusations of child pornography or child sex
15 abuse?
16 **A. Well, yes.**
17 **MS. GAERTNER:** I have a continuing
18 objection.
19 **MR. FINNEGAN:** Yes.
20 **MS. GAERTNER:** But you may answer,
21 Father.
22 **THE WITNESS:** Yes, I've had others.
23 **BY MR. FINNEGAN:**
24 Q. Who?
25 **THE WITNESS:** Can I answer that?

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1 **MS. GAERTNER:** You can.
2 **THE WITNESS:** Okay. Well, Father -- the
3 ones that are on the list, pretty much,
4 Father Bourassa, Father -- well, Bourassa is the one I
5 was most actively engaged in, besides Boyd.
6 Father Foley, I had very little,
7 actually, to do with that case. It was mostly Jennifer
8 and Bishop took care of that issue.
9 And Father -- the same thing with Father
10 Carriere. Bishop took care of that almost on his own.
11 I had -- I might have had to deliver the
12 letters to them, because we didn't send them through
13 the mail. We hand-delivered to make sure they had
14 these letters that restricted their priestly activity
15 and privileges.
16 Who else was on the list? Jeya Paul, of
17 course, I had something to do -- some things to do with
18 that. That is all I remember at the present time.
19 **BY MR. FINNEGAN:**
20 Q. Any others that you personally dealt
21 with that you can remember, either on the list or off
22 the list, that had accusations of child sex abuse?
23 **A. I don't think there were any off the**
24 **list, except I did reference to you before about Larry**
25 **Davis. But that was -- that was only notification that**

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1 **we received when I was in the chancery that he had**
2 **died. I never knew about him before he died, and he**
3 **had been out of the priesthood for many years at that**
4 **point.**
5 Q. Anyone else besides him?
6 **A. Let's see, now, Foley, Boyd -- I don't**
7 **think so.**
8 Q. Last time I took your deposition, it
9 sounded like the information that you got on Larry
10 Davis was found in the files.
11 **A. Yeah.**
12 Q. Besides Richard Boyd, any other priests,
13 that you are aware of here, that have been accused of
14 possession of child pornography?
15 **A. No, not that I'm aware of.**
16 Q. How are you involved in Father
17 Bourassa?
18 **A. Bourassa.**
19 Q. Bourassa.
20 **A. I received the call from the victim, and**
21 **then he didn't want any action taken legally or**
22 **publicly. He didn't want his name known.**
23 **We did -- what he wanted was his**
24 **psychology -- I mean, his counseling bills paid, and he**
25 **wanted a confrontation with Father Bourassa, which I**

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1 **monitored, and which we did. Both those things, we**
2 **fulfilled.**
3 **The other priest was Father Frank Reid.**
4 **I forgot about him. I had -- I didn't have -- I wasn't**
5 **in the -- I was vicar general, but I wasn't working in**
6 **the chancery. I was moderator of the curia at the**
7 **time, so I didn't have much to do with that case**
8 **either.**
9 Q. Was there anybody else at the
10 confrontation, besides -- with Father Bourassa, besides
11 you, the victim, and him?
12 **A. The victim's mother.**
13 Q. Did the priest admit that he did it?
14 **A. He didn't deny that he did it, but he**
15 **excused himself on the basis that he was drinking**
16 **heavily at that point in his life and didn't -- he**
17 **apologized if he hurt him in some way. I remember him**
18 **saying that. I'm sorry. But he didn't really admit to**
19 **much either. He was in the hospital at the time,**
20 **because he had had a serious car accident.**
21 Q. The priest was?
22 **A. Bourassa, yeah.**
23 Q. Bourassa. Was your take-away from that
24 confrontation that he had done it?
25 **A. Oh, I was pretty confident that he had**

1 **been the perpetrator.**

2 Q. And Father Foley, you said that
3 Ms. Haselberger and the bishop handled that. Was that
4 one of the ones they brought to Monsignor Scicluna?

5 A. Yes.

6 Q. Did you have any involvement in that
7 case, the Foley case?

8 A. **I didn't. I had -- I don't think -- I**
9 **didn't have any involvement on the case, really. Most**
10 **of it had been taken care of even before I was in the**
11 **chancery.**

12 Q. What do you mean "most of it had been
13 taken care of"?

14 A. **Well, I mean, he had been accused of**
15 **molesting vulnerable women. I mean, they weren't --**
16 **even at the time that he was -- that they went over to**
17 **Rome to get him dispensed from the priesthood I was not**
18 **aware that any minor had been involved. These were**
19 **vulnerable women. Later someone surmised that one of**
20 **them was a minor, but I'm not sure about that.**

21 **But, anyway, I think -- I think Father**
22 **Mike Foltz was in the chancery before me as the**
23 **moderator of the curia. I think he is the one who had**
24 **the most to do with the Foley case. By the time -- it**
25 **was just kind of a file when I came. And then when**

1 **Jennifer came, we pursued -- she felt, and I agreed, I**
2 **guess, that we should pursue laicization for him.**

3 Q. It looks like, from some of the records,
4 at that time, in the '90s and early 2000's, he was
5 working in the archdiocese of Saint Paul-Minneapolis as
6 a chaplain.

7 A. **Who?**

8 Q. Foley.

9 A. **Foley. Yes, he had -- he got into**
10 **trouble with the husband of one of these gals, I think,**
11 **when he was pastor in Moorhead, and then he had to be**
12 **moved. And I think Bishop offered him Baudette or --**

13 Q. Sabin?

14 A. **-- outside of that. Sabin? Sabin was**
15 **with the Moorhead parish. It was a mission.**

16 Q. Got it.

17 A. **And then he opted to go to the cities**
18 **and work.**

19 Q. Did you ever work with or live with any
20 of the people that were on the list?

21 A. **I worked with Rick Boyd as an associate**
22 **after he got out of -- he was my associate after he got**
23 **out of treatment for the possession of child**
24 **pornography.**

25 Q. Were there any restrictions on Rick Boyd

1 at that time?

2 A. **Well, he didn't drive, so he couldn't go**
3 **very far, because he had an eye problem. But no, there**
4 **were no pastoral restrictions on him, I don't think,**
5 **that I recall anyway.**

6 **But he had a -- he had to see his**
7 **probation officer, and he had to -- every week, I**
8 **think, initially. And then he had to go through some**
9 **sort of regimen of exercise and -- he wasn't -- he**
10 **wasn't too flexible. He wasn't a very flexible**
11 **associate. I had to fill in for him a lot.**

12 Q. Which parish was this at?

13 A. **Saint Phillips in Bemidji.**

14 Q. Approximately when did he get there?

15 When did Father Boyd get there?

16 A. **Let me see now. About 1985, I think.**

17 Q. Were you aware of the conviction for
18 child pornography before that, before he got there?

19 A. **Yes, uh-huh.**

20 Q. Were the people at Saint Phillips told
21 about the conviction?

22 A. **No.**

23 Q. Is he still --

24 A. **Just a minute now. I don't think they**
25 **were told in any public way, but they knew that he**

1 **had -- his case had been in the papers, so it was**
2 **publicly known. But like any presumably addictive**
3 **behavior, it was presumed, as long as he maintained his**
4 **program, he would be doing okay.**

5 Q. Is he still alive?

6 A. **Yes.**

7 Q. Is he still in the priesthood?

8 A. **No. He's been dispensed. It was one of**
9 **the Roman cases.**

10 Q. Is that one of the ones that Jennifer
11 Haselberger brought over?

12 A. **Bishop.**

13 Q. Bishop?

14 A. **Yes, right. He did about eighteen years**
15 **of pastoral work after being with me, and we have no --**
16 **we have never had any allegations or anything come**
17 **forward from anybody at any of the parishes that he**
18 **served at that time so -- I don't think he ever had a**
19 **live victim.**

20 Q. Anyone else that was on the list that
21 you worked with?

22 A. **I don't think I worked with any of the**
23 **others as -- like, in a parish assignment or anything**
24 **like that.**

25 Q. Did you live with any of them, besides

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1 Boyd?
2 **A. No.**
3 Q. Did he live -- did Boyd live at the
4 rectory with you?
5 **A. Yes.**
6 Q. During that time, was there anything
7 that you witnessed that you were concerned about with
8 him and children?
9 **A. No, I wasn't. There wasn't.**
10 Q. Did you go to seminary with Father Reid
11 at the same time?
12 **A. No. He was ordained already when I was**
13 **in the seminary.**
14 Q. What about Father Othman Hohmann?
15 **A. Who?**
16 Q. Othmar Hohmann, somebody who had worked
17 at Saint Michaels, Mahnomen, Rosary.
18 **A. That was a Benedictine, I suppose. I**
19 **don't know him at all. Othmar?**
20 Q. Yeah. This says "Othman."
21 **A. Okay.**
22 **MR. FINNEGAN:** We're good. We're done
23 for us.
24 **THE WITNESS:** Okay. Good.
25 **MR. FINNEGAN:** I don't know if they have

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1 any questions for you.
2 **MS. GAERTNER:** I just have a couple,
3 Monsignor.
4
5 **EXAMINATION**
6 **BY MS. GAERTNER:**
7 Q. Before the lawsuit that we're here about
8 today was filed, had you ever heard anything negative
9 about Father Fitzgerald?
10 **A. I didn't, no.**
11 Q. Specifically, had you ever heard any
12 rumors or any kind of information that he might have
13 engaged in sexual misconduct with minors?
14 **A. Nothing.**
15 **MS. GAERTNER:** That is all I have.
16 **MR. SHERN:** I just have a couple.
17
18 **EXAMINATION**
19 **BY MR. SHERN:**
20 Q. You explained that earlier, when you
21 came into the diocese, that the Benedictine order was
22 supplying, furnishing more priests than the Oblates.
23 **A. Yes.**
24 Q. And that, as it related to at least one
25 of the reservations, at some point, the Benedictines

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1 were no longer providing priests there, and the Oblates
2 agreed to help out; is that correct?
3 **A. Uh-huh.**
4 Q. Is that a yes?
5 **A. Yes, that's a yes.**
6 Q. You also explained that the
7 Oblates police or the way that they were operating was
8 that they seemed to change personnel every few years.
9 And did you have any understanding or come to any
10 understanding about why they were doing it that way?
11 **A. No. It seemed like, every two or three**
12 **years, they changed. They didn't always change all of**
13 **them at the same time. They changed personnel. I**
14 **never was happy -- I mean, I never expressed it, but I**
15 **was never happy with it. Usually, in a parish, it**
16 **takes longer to get into things. Usually, it takes**
17 **that long to get oriented.**
18 **And -- but I think that they had -- you**
19 **know, the -- their primary concern is the concerns of**
20 **the order. And I'm not sure why they changed it. It**
21 **could have been a policy that they didn't want people**
22 **to get to -- to feel they had too much ownership of the**
23 **location they were in, or it might be that, in terms of**
24 **the community, these two people or three people didn't**
25 **get along too well or something like this. It's -- I**

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1 **don't know their motivates at all for moving them**
2 **frequently.**
3 **There were -- the Benedictines kept**
4 **their men in the parish, as a rule, longer, over longer**
5 **periods of time than the Oblates did.**
6 Q. It looks as though, from Father
7 Fitzgerald's assignment history, that he was actually
8 here, working here in Minnesota working with either the
9 Diocese of Crookston or the Diocese of Duluth for
10 nearly a couple of decades. But you weren't familiar
11 with that?
12 **A. No, I wasn't.**
13 Q. That would be more along the lines that
14 you were looking for in terms of length of service,
15 though, it sounds like?
16 **A. Yes. Well, see, we're assigned for six**
17 **years, and then it can be renewed for six more years.**
18 **I guess, it could be renewed for a third term, too.**
19 **Bishop Balke was pretty rigid about two terms and you**
20 **are out. If you haven't done your thing in 12 years,**
21 **then you better move someplace else.**
22 **But the -- but the Oblates, generally --**
23 **I think it was rather rare that they served in a**
24 **particular assignment for less than -- for more than**
25 **six years. I remember that. And I don't remember any**

1 doing that. But I haven't looked at Father's dates. I
2 don't know.

3 Q. I might be mistaken about the dates for
4 Father Fitzgerald, but I think he served within the
5 Crookston diocese here for four or five years, at
6 least.

7 A. Okay. He might have. By that time, I
8 was in Bemidji, and I was pastor there. I wasn't
9 paying attention to what they were doing.

10 Q. Understood.

11 A. But I know some of the Benedictines had
12 been here long term.

13 MR. SHERN: Okay. That is all. Thank
14 you very much.

15 THE WITNESS: Sure.

16 MS. GAERTNER: I need to ask you a
17 couple more questions, Monsignor.

18 THE WITNESS: Sure.

19
20 FURTHER EXAMINATION
21 BY MS. GAERTNER:

22 Q. You talked a little bit about files or
23 notes that you would throw away, and I just have a
24 couple questions about that. What kinds of things
25 would you throw away?

1 A. Well, I mean, when I am sitting at a
2 meeting and I'm listening to what is going on, I might
3 take a name down or maybe a date or something I would
4 refer to. I might doodle. I mean, these were not, you
5 know, fancy notes.

6 The only time that I would take -- if
7 somebody called, like, it was a victim or something
8 like that, I would take strict notes. I would type
9 that up and give it to the bishop, usually. I would
10 tell him. Occasionally, it will be oral, but most of
11 the time, I think I typed that kind of thing and gave
12 it to him so it was clear.

13 And then my scribblings from the phone,
14 I probably tossed after that. I didn't -- I didn't --
15 I wasn't trying to hide anything, but I just thought I
16 had passed on the information that I had heard.

17 And so it was the same thing with
18 personnel board meeting minutes. We sit there and muse
19 about what -- how this situation is going to work and
20 if this person can work with that guy and, you know,
21 that kind of stuff. And, well, those types of things
22 are just, as you are processing, that's what I -- I
23 mean, I might throw that away right after the meeting,
24 or it might sit on my desk for a couple weeks or until
25 the next meeting. I never made any effort to try to

1 save that type of thing.

2 Q. Would you ever throw away information
3 about allegations of misconduct by a priest without
4 memorializing that in a document to give to the bishop?

5 A. No. It was -- it was a strict policy,
6 once the -- once the policy was in place, that it was
7 my job, if I took an allegation, if I got an
8 allegation, to immediately inform the bishop, the
9 attorney's office, and the police department, and I did
10 that.

11 Q. That's --

12 A. Paul Biermaier was the president, the
13 chief of police was in charge of juvenile type of
14 considerations at that time. And so -- he's a personal
15 friend of mine. I have no problem communicating with
16 him about these issues.

17 MS. GAERTNER: Thank you, Monsignor. I
18 don't have anything else.

19
20 FURTHER EXAMINATION
21 BY MR. FINNEGAN:

22 Q. That policy you were just describing,
23 that was put in place after the Dallas charter?

24 A. I think so, yes. The other policy we
25 had -- first of all, in the '90s, I was not at the

1 chancery, so I wasn't doing much there until '99.

2 And in 2000 -- already, we had a policy,
3 but it was -- the only one I remember coming in was the
4 Bourassa case came in late '99, probably, December,
5 about. And I remember taking notes on that and telling
6 the bishop and arranging with this man to meet with him
7 and that type of thing.

8 And then -- but then we had -- we redid
9 our policy that we put out in 1993, if I recall
10 rightly, right after the charter. So by 2003, we had
11 an updated policy that was based on the charter, but
12 did not negate -- I think we just added to what we had
13 had before, which I said was mostly with regard to
14 women in the workplace boundaries and that type of
15 thing.

16 And then -- and then -- and then after
17 Jennifer came, we expanded the policy to a multi-page
18 policy, which was in effect until I left the office,
19 anyway. I think it still is. Maybe it's been edited
20 to some degree or another, but it is still there.

21 Q. What did you do with your notes from the
22 Bourassa case when you were taking notes?

23 A. If they are not in his file, they're
24 nowhere. That would be where they would be.

25 Q. Do you remember putting them in the

1 file?
2 **A. Not explicitly.**
3 **MR. FINNEGAN:** And then I want to mark
4 this as Exhibit 3.
5 (Exhibit 3 marked.)
6 **THE WITNESS:** Is this '83 to '88?
7 **BY MR. FINNEGAN:**
8 Q. I believe that's a 6.
9 **A. '86.**
10 Q. Now, looking at Exhibit 3, Monsignor,
11 was this the document that you were shown by the
12 diocese?
13 **A. Just recently, you mean?**
14 Q. Recently.
15 **A. Well, it had these dates on it, but it**
16 **was a couple more lines. I think his birth date was on**
17 **there, too, his name and birth date. And these two**
18 **assignments were on there. That's about it, I think.**
19 Q. So at the top of this one, it looks like
20 there's a birth date and --
21 **A. Oh, I see.**
22 Q. -- a name.
23 **A. Maybe that was the first stuff that was**
24 **on there. But it was not in this format. It was typed**
25 **on another piece of paper.**

1 I, ROGER GRUNDHAUS, do hereby certify that I have read
2 the foregoing deposition and found the same to be true
3 and correct except as follows, (noting the page and
4 line number of the change or addition as desired and
5 the reason why):
6 Page Line Correction
7 _____
8 _____
9 _____
10 _____
11 _____
12 _____
13 _____
14 _____
15 _____
16 _____
17 _____
18 _____
19 _____
20 _____
21 _____
22 _____
23 _____
24 ROGER GRUNDHAUS DATE
25

1 Q. From this, it looks like Father
2 Fitzgerald was in the diocese from '73 to '74 and
3 from '83 to '86?
4 **A. Yeah. I mean, I can't say that. I just**
5 **don't know. I didn't know him at the time.**
6 Q. Is that consistent with your memory of
7 the Oblates moving people through this diocese, a
8 three-year term?
9 **A. That would be an example of it, yeah.**
10 **MR. FINNEGAN:** That is all I have.
11 **MS. GAERTNER:** I have nothing further.
12 **THE VIDEOGRAPHER:** This concludes the
13 video deposition. The time is 11:26 a.m.
14 (Whereupon, the deposition of ROGER
15 GRUNDHAUS was concluded at 11:26 a.m.)
16
17
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1 STATE OF MINNESOTA)
2 COUNTY OF ANOKA) ss.
3 CERTIFICATE
4 BE IT KNOWN that I, Julie A. Brooks, took the
5 foregoing deposition of ROGER GRUNDHAUS;
6 That the witness, before testifying, was by me
7 first duly sworn to testify the whole truth and nothing
8 but the truth relative to said cause;
9 That the foregoing deposition is a true record of
10 the testimony given by said witness;
11 That I am not related to any of the parties
12 hereto, nor an employee of them, nor interested in the
13 outcome of the action;
14 That the cost of the original has been charged to
15 the party who noticed the deposition, and that all
16 parties who ordered copies have been charged at the
17 same rate for such copies;
18 WITNESS MY HAND AND SEAL this 26th day of
19 December, 2014.
20
21
22
23
24
25 JULIE BROOKS, Notary Public, RPR

The Diocese of Crookston (U.S.A.)
Quinquennial Report
1974-1978
Most Reverend Victor H. Balke



Ex 1

DOC_0000632

2. Diocesan Clergy:

- a. The contacts between the Ordinary and the clergy are to the satisfaction of all. The Bishop visits parishes for the Sacrament of Confirmation and Canonical Visitation as well as occasions of jubilee and anniversary. The Bishop is with groups of priests at retreats, days of prayer, on-going education days, liturgies of ordination, social gatherings to which all priests and the Bishop are invited. The Priests' Senate and Personnel Board are functioning to the satisfaction of all concerned. The on-going education of the clergy is active as well as prayer days and days of spiritual renewal.
- b. The value of celibacy is held in high esteem by both Clergy and Faithful. There is a good feeling and practice of fraternity among the Clergy. Days of prayer are held throughout the year as well as several retreats for priests.
- c. In the situation of priests of the Diocese who have left the priesthood in recent years, it seems that there was some indication of psychological stress in their vocation in the early years of priesthood, and even traceable back to seminary days. These men have been properly dispensed and are pursuing other vocations. They are properly married in the Church. No priests have forsaken their vocation since the present Ordinary came in 1976.
- d. The Diocese is not in a position at this time to give priests to other dioceses. We have one priest in the Armed Services of the United States, a second on loan to a Catholic College in a neighboring diocese, and a third serving outside the Diocese as Executive Director of the National Catholic Rural Life Conference. We are seeking the help of priests from other dioceses and religious communities of men.
- e. The activity of priests in political matters is more or less restricted to urging legislation on behalf of pro-life movements, positive social legislation, and legislation favoring the rights of private and parochial school students.
- f. At this time there is no Permanent Diaconate program in the Diocese. There has been some discussion on this and a proposal has been made for some aspects of a program. There has been consideration given to sharing a program with a neighboring diocese.
- g. The relations between the Faithful and the Clergy appear to be friendly and cooperative. This seems to be indicated by the fact that very few priests have sought change in their pastoral assignments in recent years.

June 14, 1974

Apostolic Delegation
3339 Massachusetts Avenue, N.W.
Washington, D.C. 20008

Dear Monsignor:

We are enclosing the general questionnaire for 1973 which was requested by the Central Statistics Office for the Secretary of State. In accordance with the letter of February 6, 1974 from the Secretary of State, this form is to be returned to your office for submission to the Central Statistics Office by May 15, 1974. We regret that we are so late.

With every best wish, I remain,

Sincerely yours in Christ,

Very Rev. Roger L. Grundhaus, J.C.L.
Chancellor

RLC:vs
Enclosures



Ex 2

Born December 8, 1919, at Troy Grove, Illinois
First Vows February 2, 1945; Perpetuals February 2, 1948
Ordained May 27, 1950, DeMazenod Schol., San Antonio, Texas
Died

FITZGERALD, Rev. J. Vincent, OMI

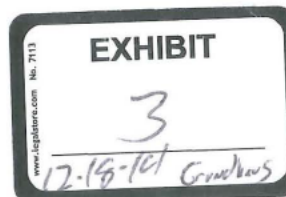
Missions:

1973-1974 Kelliher, St. Patrick's.

Mission: Shooks

1983-1988 Naytahwaush, St. Anne's, Pastor.

Missions: Big Elbow Lake; White Earth in 1985



Ex 3

DOC_000049