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STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF STEARNS

SEVENTH JUDICIAL DISTRICT

Case Type: Personal Injury

Robert Ethen,

Plaintiff,

vs.

Court File No: 73-CV-14-16

Judge Sarah Hennesy

Diocese of St. Cloud,

Defendant.

VIDEOTAPED DEPOSITION OF FATHER JAMES THOENNES,

taken pursuant to Notice and Agreement under the Rules of
Civil Procedure for the District Courts of Minnesota, and
taken at the law office of Bradshaw & Bryant, PLLC, 1500
Division Street, in the City of Waite Park, State of
Minnesota, on the 9th day of September, 2014, at 9:33
a.m., before Ruth E. Holdvogt, RPR, a Notary Public in
and for the County of Stearns, State of Minnesota.

I N D E X

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EXAMINATION

PAGE

By Mr. Bryant	4
By Mr. Wieser	80
By Mr. Bryant	90

DEPOSITION EXHIBITS:

1 - Confidential Letter to Bishop John Kinney	52
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OBJECTIONS:

By Mr. Engh: Pages 21, 33, 43, 53
By Mr. Wieser: Pages 29, 32, 33, 53, 61, 93
By Mr. Janson: Page 93

INFORMATION/DOCUMENT REQUESTS:

(NONE)

INSTRUCTIONS NOT TO ANSWER:

(NONE)

APPEARANCES:

MICHAEL A. BRYANT, ATTORNEY AT LAW, BRADSHAW & BRYANT, PLLC, 1500 Division Street, Waite Park, Minnesota 56387; and JOSHUA PECK, ATTORNEY AT LAW, JEFF ANDERSON & ASSOCIATES, P.A., Suite 100, 366 Jackson Street, St. Paul, Minnesota 55101, appearing on behalf of the Plaintiff.

THOMAS B. WIESER, ATTORNEY AT LAW, MEIER, KENNEDY & QUINN, CHTD., Suite 2200, 445 Minnesota Street, St. Paul, Minnesota 55101-2100; and THOMAS A. JANSON, ATTORNEY AT LAW, JANSON LAW OFFICE, 2103 Frontage Road North, Waite Park, Minnesota 56387, appearing on behalf of the Defendant Diocese of St. Cloud.

PAUL C. ENGH, ATTORNEY AT LAW, Suite 1225, 220 South Sixth Street, Minneapolis, Minnesota 55402, appearing on behalf of Father James Thoennes.

ALSO PRESENT: Joe Mildenberger, Mill City Video Services, (952) 884-0048; Father Bob Rolfes, Diocese of St. Cloud, Cheryl Pojanowski, Bradshaw & Bryant, PLLC.

(WHEREUPON, the following proceedings were duly had:--)

VIDEOGRAPHER: We are now on video record. This is the video deposition of Father James Thoennes being recorded on September 9, 2014,

1 at approximately 9:33 a.m. in Waite Park,
2 Minnesota.

3 Will the attorneys present please
4 identify themselves for the record.

5 MR. BRYANT: Michael Bryant representing
6 the plaintiff.

7 MR. PECK: Josh Peck on behalf of the
8 plaintiff.

9 MR. JANSON: Tom Janson on behalf of the
10 Diocese of St. Cloud.

11 MR. WIESER: Tom Wieser on behalf of the
12 Diocese of St. Cloud.

13 MR. ENGH: Paul Engh on behalf of Father
14 Thoennes.

15 VIDEOGRAPHER: At this time will the
16 court reporter please administer the oath.

17 (The court reporter administers the
18 oath.)

19 THE WITNESS: So help me God.

20 **FATHER JAMES THOENNES,**
21 after having been first duly sworn,
22 states on his oath as follows:

23 COURT REPORTER: Thank you.

24 **EXAMINATION**

25 **BY MR. BRYANT:**

1 Q Okay. Can you state your full name.

2 A Pardon?

3 Q Can you state your full name.

4 A James Albert Thoennes.

5 Q Okay. And "ten-nis" is the right way to say it?

6 A That's the way we say it.

7 Q Yeah, that's the way you say it. It's -- well,
8 it's the right way.

9 Now, how many times has your deposition been
10 taken before?

11 A Once.

12 Q Once. Okay. So you -- you've only had one
13 deposition which would have been the deposition
14 back in '94?

15 A Yes.

16 Q Okay. Did you get a chance to see the transcript
17 after the deposition?

18 A No.

19 Q Okay. What happens is, the court reporter takes
20 down everything you say, okay, and everything I
21 say. And if any of the lawyers or anybody else
22 says anything, the court reporter will take that
23 down. Okay. And because of that, we need to make
24 sure that we use words. So I saw that in your --
25 in your first deposition there were times when you,

September 9, 2014

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1 like, nodded your head maybe or -- or responded in
2 some way. I may ask you what you mean. And I'm
3 not trying to make you say "yes" or "no" or make
4 you answer. I'm just trying to make sure that we
5 get that -- it down so the court reporter can take
6 it down. Okay?

7 A Okay.

8 Q Okay. We've got water; we've got coffee. If you
9 need anything else or if you need a break at any
10 point, you just let me know. Okay. You're not a
11 hostage. Okay?

12 A Okay.

13 Q Fair enough?

14 And if you don't understand my question -- are
15 you -- are you kind of hard of hearing?

16 A Yeah.

17 Q Okay. If you don't understand my question, I'll --
18 I'll -- I'll either slow down or I'll make it so
19 you understand it. I want to make sure you
20 understand my question. Fair enough?

21 A Fair enough.

22 Q Okay. Okay. Now, at present what -- what's your
23 status right now as far as at present -- at -- at
24 present?

25 A In the Diocese?

- 1 Q In the Diocese, correct.
- 2 A I am a non-functioning Priest.
- 3 Q Okay. And what do you understand that -- that to
4 mean?
- 5 A That I'm not functioning as a -- not saying mass,
6 celebrating the sacraments, doing what Priests
7 usually do I don't do.
- 8 Q Okay. And are you doing that under your own --
- 9 A That was put on me.
- 10 Q Okay. And -- and who put that on you?
- 11 A I think Bishop Kinney.
- 12 Q Okay. Do you know when that was done?
- 13 A I don't remember the date.
- 14 Q Okay. Now, I've got... Here it is. It looks to
15 me that your -- the last parish you were at from
16 what I can tell was Our Lady of Runestone in
17 Kensington?
- 18 A I've never been there.
- 19 Q You've never been there. Okay. Did you ever
20 celebrate mass there or --
- 21 A No.
- 22 Q Okay. Okay. What was the last parish you were at?
- 23 A Bertha.
- 24 Q Okay.
- 25 A Bertha and Henning.

September 9, 2014

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1 Q Okay. And that would have been -- do you know --
2 A '94.
3 Q What year?
4 A '94.
5 Q '94. Okay. And then were there other -- other --
6 other parishes that you -- you did mass at
7 sometimes after you left Bertha?
8 A Yes.
9 Q And where were -- where were those?
10 A Isanti.
11 Q Anywhere else?
12 A Yeah, but I don't remember where.
13 Q You don't remember. Let me -- were you at Holy
14 Cross Church in Harding?
15 A No.
16 Q Okay. How about --
17 A That's the other Thoennes.
18 Q Oh, that's the other Thoennes. Oh, okay.
19 A Roger. That's Roger. He was in Kensington also.
20 Q Okay. Okay. So were you at St. John's Nepomuk?
21 A Yeah.
22 Q Okay. You were there?
23 A No. He was there.
24 Q He was there. Okay. Okay.
25 So after Bertha, other than Isanti there --

1 was there any other churches that you celebrated
2 mass at or did any kind of temporary work at?

3 A Yeah, there were. Weekend help.

4 Q Okay. Any idea who the -- they were?

5 A No, nothing comes to my mind.

6 Q Okay. Were -- you were at a -- you were a Chaplain
7 for a while. Was that before -- this was at
8 St. Mary's Villa. Was that before Bertha or after
9 Bertha?

10 A Before. Before Bertha.

11 Q Okay.

12 A No, it was after Bertha.

13 Q It was after Bertha. Okay. And what did you do at
14 St. Mary's Villa?

15 A I said mass, administered the sacraments, visit the
16 patients and played cards.

17 Q Okay. Okay. Okay. Now, the -- the -- other than
18 not being able to say mass and not being able to
19 administer the sacraments, are -- at present are
20 you in --under any other restrictions?

21 A No.

22 Q No. Okay. Where do you live now?

23 A Right next to the Chancery in the Apartment 206.

24 Q Okay. And --

25 A Third Street.

September 9, 2014

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1 Q -- which Chancery?
2 A St. Cloud.
3 Q St. Cloud. Okay. Do you live with anybody?
4 A No.
5 Q Okay.
6 A For a while there was another Priest living
7 upstairs.
8 Q Okay. Who was that?
9 A Caskey.
10 Q Caskey.
11 A Tom Caskey.
12 Q Okay. So as far as -- as far as anything else that
13 was done by Bishop Kinney, any restrictions as far
14 as what you can do as far as where you can go?
15 A Well, I have to have permission to go anywhere.
16 Q Okay. Who do you get permission from?
17 A Father Rolfes or the -- before, Father Enneking.
18 Q What was that?
19 A Enneking.
20 Q Enneking.
21 A He was the Vicar General before.
22 Q Vicar General. Okay. And when you need to ask for
23 permission, is it -- is it to go out of town? To
24 go into town? What -- what's the parameters?
25 A Oh, to leave this -- to leave the perimeter of

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 St. Cloud.

2 Q Okay.

3 A I can go to St. Joe and St. John's; but Kimball,
4 there I get permission.

5 Q Okay. So you can go to St. Joe's and St. John's
6 without requesting permission?

7 A (Witness nods head.)

8 Q That's a "yes"?

9 A Yes.

10 Q Okay. Okay. So are there any restrictions on who
11 you can be with?

12 A No minors.

13 Q No minors. Okay. And have you -- do you
14 understand what the definition of what a minor is?

15 A 18 years old or younger.

16 Q Okay. And when it says no minors, is it no minors
17 at all? No minors unless there's another adult?

18 A Unless there's another adult.

19 Q Okay. Okay. Do you know when the restriction was
20 put on you concerning going outside St. Cloud?

21 A At the same time.

22 Q Okay.

23 A It was all the same bundle.

24 Q And it would be the same bundle as far as with
25 minors?

1 A Yes.

2 Q Okay. Okay. Is there any other -- other than just
3 minors, are there any other distinctions? I -- I
4 know at one point there was some discussions about
5 -- about Asian males. Are there any distinctions
6 about the type of people you can be around?

7 A No.

8 Q Okay. Now, as far as background goes, and I -- and
9 I know a lot of your background. I just want to
10 clarify some things. You -- you entered in -- in
11 -- where you started as far as religion goes was in
12 the Crosiers; correct?

13 A Yes.

14 Q Okay. Now, there were four individuals from your
15 town that went in to the Crosiers?

16 A Yes.

17 Q Who were the other three?

18 A Jim Wagner, Howard Kuhn, and Dennis Kurkowski.

19 Q Okay. Did they all make it through and become
20 Priests?

21 A No.

22 Q Okay.

23 A None of them did.

24 Q How many of them?

25 A None of them.

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

- 1 Q None of them. Just you?
- 2 A I'm the survivor.
- 3 Q Okay. You're the survivor. Okay.
- 4 And you went to the Crosiers, and that was all
- 5 paid for by -- by the Diocese; correct?
- 6 A Not all.
- 7 Q Okay.
- 8 A Our dad paid part of it.
- 9 Q When you say "our dad," you mean your -- your dad?
- 10 A My dad.
- 11 Q Okay. What part was paid for by your dad?
- 12 A I think the board and room was paid.
- 13 Q Okay. But everything else was paid for by the
- 14 Diocese?
- 15 A Yes.
- 16 Q And it's my understanding that was never -- it
- 17 wasn't a loan, it was just purely they paid for it?
- 18 A Right.
- 19 Q Okay. And then from the Crosiers you went to
- 20 St. John's?
- 21 A Yes.
- 22 Q Okay.
- 23 A In '58.
- 24 Q '58. Okay. And then after St. John's you went to
- 25 -- your first parish you were at was St. Michael's;

September 9, 2014

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1 correct?

2 A No. St. Anthony's.

3 Q St. -- St. Anthony's, yeah. Sorry, I -- yeah,
4 you're right. Okay. St. Anthony's.

5 Now, it -- when -- when did you go to
6 St. Anthony's? When did you start?

7 A '64, June.

8 Q '64. Okay. In looking at just some of the
9 materials and stuff, it looks to me like... I'll
10 get the date. It looks like you made your -- your
11 -- your promise of celibacy and chastity --
12 chastity back in 1963; correct?

13 A Yes.

14 Q Okay. And are you still -- as far as you're
15 concerned, are you still bound by that today?

16 A Yes.

17 Q Okay. And it looks like, from what I can tell,
18 that your first -- as far as any indication or
19 anything that you said about being attracted to --
20 to -- to adolescent males was back in '64 or '65.
21 Correct?

22 A I don't know.

23 Q You don't know? Okay. Do you know if it was
24 before or after you started at St. Anthony?

25 A I think it was while I was at St. Anthony.

1 Q Okay. And it was while you were at St. Anthony
2 that -- that there was the first time that you had
3 -- you had -- you had contact with an adolescent
4 male; correct?

5 A Right.

6 Q Okay. How many adolescent males did you have
7 contact with when you were at St. Anthony, meaning
8 in a sexual context?

9 A Two.

10 Q Two. Okay. Now, I understand in one of the
11 circumstances right after it happened you went and
12 talked to the Monsignor about it?

13 A (Witness nods head.)

14 Q I think the very next -- next morning; correct?

15 A I think that afternoon.

16 Q Okay. Now, was that -- of the two that happened
17 while you were at St. Anthony, were -- was that the
18 first incident when you went to the Monsignor, or
19 was it the second?

20 A The first.

21 Q The first. Okay. And am I correct in -- in
22 understanding that when you went to the Monsignor,
23 you told him who it was, the adolescent male that
24 you'd had contact with?

25 A Right.

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 Q Okay. And you told him that you had had this
2 sexual contact --

3 A Right.

4 Q -- contact; correct?

5 A Right.

6 Q Okay. As far as any kind of consequences at the
7 time, was anything done as far as restrictions or
8 anything at that -- at that point?

9 A No.

10 Q Okay. Did you ever even really hear about it
11 again, meaning through the Monsignor? I know
12 you've heard about it since, but...

13 A No.

14 Q Okay. Now, was -- was that incident, okay, when
15 you went to the Monsignor -- of all the incidents
16 that you had, okay, was that the only time you went
17 directly to somebody right after it happened and
18 told them, you know, This is what I did and -- and
19 this is how I feel about it?

20 A Yes.

21 Q Okay. There was an incident with a Nun that took
22 place that was sexual contact with a Nun; correct?

23 A Yes.

24 Q Okay. Did you ever -- did you ever tell anybody
25 about that right after it happened?

1 A No.

2 Q Okay. After St. Anthony there was the incident
3 that happened with the boy, and -- and I -- and I'm
4 a little bit confused. There was a boy from Dent,
5 and I can't -- I couldn't -- I couldn't tell if he
6 was from Dent or you were at Dent at the time and
7 he was from somewhere else.

8 A He was from Perham.

9 Q He was from Perham. Okay. And that was while you
10 were in Dent?

11 A Yes.

12 Q Okay. And --

13 A But it happened in -- it didn't happen in Perham or
14 in Dent. It happened in Millerville.

15 Q In?

16 A Millerville.

17 Q Millerville. Okay. Okay. And did you tell
18 anybody about that incident right after it
19 happened?

20 A No.

21 Q Okay. And that was -- was that the incident where
22 you'd been out in Millerville mowing?

23 A Yes.

24 Q Okay. Okay. I think you'd gone -- you had taken
25 him to your -- your house and done mowing. At that

September 9, 2014

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1 point was your dad alive or just your mom?

2 A Just Mom.

3 Q Okay. Okay. And then there was the incident that
4 happened with the boy that was homebound, where you
5 had gone over to supper, you had gone over to
6 supper at a house?

7 A Oh, at -- yeah, okay, that was... uh-huh.

8 Q And where did that happen?

9 A In his living room -- in his living room.

10 Q What town?

11 A New Munich.

12 Q New Munich. Okay. And did you tell anybody about
13 that right after it happened?

14 A No.

15 Q Okay. And then there was some -- the -- the
16 incidences that took place when you were in -- when
17 you were in Pelican Rapids; correct?

18 A Yes.

19 Q Okay. And how many minors did that -- minor males
20 did that involve?

21 A One minor male.

22 Q Okay. Now, I -- I know that there's been some
23 discussion. Was there a -- a question whether or
24 not there was a second male that was -- whether or
25 not he was 18 or not? He -- I think he had said he

September 9, 2014

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1 was 15 or 16. Was there a second minor male in
2 Pelican Rapids?
3 A He was there, but I wasn't sexual with him.
4 Q Okay.
5 A They were brothers.
6 Q Okay. How many males were you sexual with in
7 Pelican Rapids?
8 A One minor and two major.
9 Q Two adults?
10 A (Witness nods head.)
11 Q Okay. When you say "major," that's what you mean?
12 A Yeah.
13 Q Above 18?
14 A Yeah.
15 Q Okay. Okay. And did you tell anybody about what
16 happened in Pelican Rapids right after it happened?
17 A No.
18 Q Okay. And in the Pelican Rapids case, those were
19 all -- those were all Asian males; correct?
20 A Right.
21 Q Okay. Oh. Okay. Now, when -- when you were with
22 the Crosiers, okay, it looks like that the -- the
23 -- who were the main Crosiers as far as that you
24 dealt with or were -- you -- you were closest to
25 while you were there?

1 A The Priests?

2 Q Correct. Yes.

3 A Father DeVinster, Father Hesch. Father Brennan,
4 Father Bernard Mischke.

5 Q And then was there also a Bernard Mischke?

6 A That's the one, Bernard.

7 Q Okay. Bernard was -- that -- okay. So -- okay.
8 And then when you were at St. John's, were there
9 Priests that -- or Monks that you were -- you were
10 closest to?

11 A You mean the teachers or just the whole St. John's?

12 Q At St. John's, correct.

13 A His name comes to my mind, but I can't even say it.
14 Eccleston.

15 No, not Eccleston. Not -- no, no, no, no.
16 Eccleston was another...

17 The name doesn't come to my mind.

18 Q Okay. Okay. Fair enough. Okay. Now, I know
19 you're -- you're unclear of when the date was or
20 the time period. Okay.

21 A For what?

22 Q I -- I know -- I -- I was just starting my
23 question. I know you're unclear of the date of
24 when you first started knowing that you had this --
25 this attraction to adolescent males. Okay. I

September 9, 2014

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1 think you told me it was sometime while you were at
2 St. -- St. Anthony's?

3 A Anthony's.

4 Q Okay. Did you tell anybody about that at the time?

5 A Yes, I told the Spiritual Director.

6 Q Okay. And who was that?

7 A Well, there were two. Diocesan Priests.

8 Q Okay.

9 A But who? What's their name? Doesn't come to my
10 mind.

11 Q Okay.

12 MR. ENGH: If I may interrupt, Mike, I
13 have an objection on privilege to the extent that
14 you're -- Father is speaking to a Spiritual
15 Director.

16 You may have a privilege under Minnesota
17 law, 595.02.

18 Are you going to ask more questions about
19 the --

20 MR. BRYANT: I was just going to ask who
21 it was.

22 MR. ENGH: All right.

23 MR. BRYANT: Who he -- if he told
24 somebody and -- and who it was.

25 MR. ENGH: All right. Well, then I --

September 9, 2014

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1 then my objection's premature. I appreciate you
2 allowing me to interrupt, though.

3 MR. BRYANT: No problem.

4 MR. ENGH: All right.

5 MR. BRYANT: You can interrupt any time
6 you'd like.

7 MR. ENGH: I know I can, but I -- I --
8 yeah, I want to keep your flow, too.

9 MR. BRYANT: Fair enough, yeah, because
10 it's an incredible flow.

11 MR. ENGH: Thank you.

12 Q (By Mr. Bryant, continuing) So -- and did -- did
13 you --

14 MR. BRYANT: I am going to ask one more
15 question and --

16 MR. ENGH: I may object to it.

17 MR. BRYANT: And you may object. This is
18 -- this is -- I apologize. There's one more
19 question.

20 Q (By Mr. Bryant, continuing) This thought, okay,
21 and -- that -- that you were attracted to
22 adolescent males and that you told somebody about,
23 was that before you'd had any contact, sexual
24 contact, with an adolescent male?

25 A No, it was after.

1 Q It was after. Okay. And was it after both of the
2 incidents at St. Anthony?

3 A Yes.

4 Q Okay. As a result of the two incidents -- we've
5 talked about the one. Okay. As a result of the
6 two incidents at St. Anthony, okay, was anything
7 ever done about the two incidents in St. Anthony,
8 meaning were any restrictions put on you while you
9 were at St. Anthony?

10 A No.

11 Q Okay. Now, what role did you have in dealing with
12 the altar boys at St. Anthony?

13 A I went through the practice with them, instructing
14 them how to serve.

15 Q Okay. Was there a position at St. Anthony that was
16 like the Priest that was in charge of the altar
17 boys?

18 A I was.

19 Q Okay. You were. Okay. And how many of -- how
20 many years were you at St. Anthony?

21 A Three.

22 Q Three. How many of the three years were you in
23 charge of the altar boys?

24 A A year-and-a-half.

25 Q Okay. And for context, was that at the beginning

September 9, 2014

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1 of your three years?

2 A No, the second half.

3 Q The end of your three years?

4 A (Witness nods head.)

5 Q Okay. Three-and-a-half years. Okay.

6 Now, at St. Anthony you were -- I -- I -- if I

7 remember it correctly, there was another Priest

8 there that you were close with as far as talking to

9 and --

10 A Schmelzer.

11 Q Schmelzer. And he was the one that you kind of

12 maintained a friendship with after he left;

13 correct?

14 A Right.

15 Q Okay. You'd go visit him?

16 A Right.

17 Q Okay. Did you tell him about the incidents that

18 took place while you were at St. Michael -- or St.

19 Anthony, excuse me?

20 A No.

21 Q You never told him?

22 A No.

23 Q Okay. Did you ever tell him about the attraction

24 issue with adolescent males?

25 A Yes.

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

- 1 Q Okay. And was he still at St. Anthony when you
2 told him this?
- 3 A Yes.
- 4 Q Okay. And was that before or after the two inci-
5 dents had happened while you were at St. Anthony?
- 6 A After.
- 7 Q Was anything done after you told him? Like, he
8 told somebody else or anything else?
- 9 A I don't know. I -- none that I know.
- 10 Q Okay.
- 11 A Nothing that I know of.
- 12 Q Okay. Okay. Now, you were -- at some point were
13 at a parish with Father Botz; correct?
- 14 A Father who?
- 15 Q Father Botz. And I may be saying that wrong.
16 B-O-T-Z.
- 17 A Botz.
- 18 Q Botz.
- 19 A He was my Pastor at Millerville.
- 20 Q Millerville. Okay. Oh, so he -- he -- that's
21 right. Okay. Okay. Had you ever talked to him at
22 any point about the attraction issue with
23 adolescent males?
- 24 A No.
- 25 Q Okay. Now, it looks like when you first got into

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 the Priesthood you had concerns about leaving home
2 and -- and -- and what it would be like to be out
3 on your own; correct?

4 A Right.

5 Q Okay. And it looks to me like, depending on what
6 parish you were at, one of the issues that would
7 come up with -- for you was whether you had people
8 around to talk to and how lonely you were?

9 A Right.

10 Q Okay. Did the loneliness play a role in the
11 incidents that happened with these adolescent
12 males?

13 A I think so.

14 Q And how so?

15 A Well, I -- I -- my parents were living in Sauk
16 Centre. I went up there on Fridays and I liked to
17 take somebody along and so I asked them to come
18 along.

19 Q Okay. And it looks like you took -- and -- and I
20 -- I'm not trying to say it's a -- you know, a
21 giant number, but it looks like you took a number
22 of -- of young -- was it always males that you took
23 to the house in Millerville?

24 A Oh, the house in Sauk Centre.

25 Q Oh, excuse me, the house in Sauk Centre. Was it

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 always males?

2 A No.

3 Q Okay. There -- there were girls that you took
4 there?

5 A Yes.

6 Q Okay. And so we're clear, when I'm talking about
7 taking these -- these were minors that you took to
8 the house in Sauk Centre; correct?

9 A Right.

10 Q Okay. And it was during the time while you were a
11 Priest that you took girls to Sauk -- to Sauk
12 Centre?

13 A Right.

14 Q Okay. Did you sleep with any of the girls?

15 A No.

16 Q Okay. Do you have any idea on the number of -- of
17 minors that you took to Sauk Centre?

18 A 20.

19 Q And that's kind of a rough number?

20 A Yeah.

21 Q Okay. Okay. And of that 20, how many of them were
22 girls, or roughly 20?

23 A Five.

24 Q Did you ever have any kind of sexual contact with
25 any of the girls?

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

- 1 A No.
- 2 Q Okay. Now, with the boys, a number of them -- or
3 at least some amount of them you slept with in --
4 in Sauk Centre; correct?
- 5 A Right.
- 6 Q Okay. Now, were these all minors, were they all
7 minors from St. Anthony, meaning St. Anthony
8 Parish?
- 9 A Yes.
- 10 Q Okay. And when you'd go, did the other Priest know
11 that you were taking these minors to Sauk Centre?
- 12 A Sometimes.
- 13 Q Okay. Did the Monsignor know you were taking these
14 -- these minors to Sauk Centre?
- 15 A Yes.
- 16 Q Okay. Did anybody ever question you about why you
17 were taking the minors to Sauk Centre?
- 18 A No.
- 19 Q Okay. Of the -- of the roughly 15 boys that you
20 took to Sauk Centre, how many of them did you sleep
21 with?
- 22 A Five.
- 23 Q Okay. And how many of them did you have sexual
24 contact with?
- 25 A Two.

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 Q When you were at St. John's or with the Crosiers,
2 did they give you any kind of training concerning
3 -- concerning the loneliness issue, how to deal
4 with it or that it would happen?

5 A Very little.

6 Q Okay. Looking at the way transfers happened, do
7 you think there were ways to -- that -- that the
8 loneliness issue could have been dealt with?

9 MR. WIESER: Objection; vague.

10 THE WITNESS: Pardon? Oh.

11 MR. WIESER: I'm just making an objection
12 for the record.

13 Q (By Mr. Bryant, continuing) If -- if you
14 understand -- do you understand my question?

15 A Not really. I forget it --

16 Q Fair enough. That's fine. Okay. You -- you told
17 us -- I -- I think we talked about that at -- at a
18 number of the parishes you had issues concerning
19 loneliness?

20 A Right.

21 Q Okay. And you were involved in a number of
22 different transfers over time?

23 A Right.

24 Q Were there ways that the loneliness could have been
25 dealt with as part of the transfers?

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

- 1 A I think so.
- 2 Q How so?
- 3 A Well, I could have been transferred to a place
4 where there was more than one Priest. But it
5 wasn't.
- 6 Q Okay. Okay.
- 7 A And when I was transferred to Waite Park, there was
8 only one Priest. That was a good thing.
- 9 Q Yeah.
- 10 A So it didn't -- it -- it was less lonely with the
11 one than it was with the -- in Melrose when there
12 were four.
- 13 Q Kind of the loneliest place you can be is a crowd?
- 14 A Yeah.
- 15 Q It sounds like that Waite Park was a really good
16 assignment for you as far as overall?
- 17 A Right.
- 18 Q Okay. You were -- you were -- that was a happy
19 place and you seemed to be doing well there?
- 20 A I think so.
- 21 Q What -- what was different -- and -- and you didn't
22 -- you didn't have any of these incidents take
23 place while you were at Waite Park; correct?
- 24 A That's right.
- 25 Q What was different for you at Waite Park than it

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 had been at St. Anthony's or at -- at Dent or at
2 Pelican Rapids where these incidents took place?
3 A At Waite Park, Schwinghammer was sitting in his
4 recliner most of the time sleeping when I came
5 home, but he wanted me to wake him up and tell him
6 what had happened.
7 Q Okay.
8 A He wanted to talk.
9 Q Okay. So it helped to have somebody to talk to?
10 A Right.
11 Q Okay. And when you'd been at St. Anthony's, it had
12 -- it had helped you back when you had --
13 A Schmelzer.
14 Q -- Schmelzer to talk to?
15 A Yeah.
16 Q Okay. Did -- did any of the incidents at
17 St. Anthony's happen while Schmelzer was there?
18 A No.
19 Q Okay. Now, it looks like at some point you got
20 sent for treatment and it --
21 A You what?
22 Q You got sent for treatment?
23 A (No response.)
24 Q Okay. I'll -- I'll go on from there. That at some
25 point you got sent for treatment. And one of the

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 treatments you got sent for was for alcoholism. Do
2 you remember that?

3 A (Witness nods head.)

4 Q Okay.

5 A Yeah, that was Rochester.

6 Q Yeah. Did you ever have an issue with alcohol
7 throughout your career as a Priest?

8 A None that I know of.

9 Q Okay. I mean did you ever express any concerns
10 about, you know, I have these drinking issues, or
11 anything like that?

12 A No.

13 Q Okay. And after going through the alcohol
14 treatment, was there any sign that, you know, you
15 should fix this or that this was a problem as far
16 as the alcohol goes?

17 A I was told that I was not an alcoholic.

18 Q Okay. If the loneliness issue had been addressed,
19 okay, throughout your times that you were at these
20 different parishes, okay, do you think that would
21 have helped, would you not have had these issues
22 that came up with these adolescent males?

23 MR. WIESER: Objection; calls for
24 speculation.

25 You can answer if you can.

1 MR. ENGH: I join in the objection.
2 Go ahead and answer, Father, if you can,
3 though.
4 Q (By Mr. Bryant, continuing) Do you want the
5 question again?
6 A Yeah, I think I do.
7 Q We talked about you going to treatment for
8 alcoholism. And my question is, if the loneliness
9 issue had been addressed, you know, this issue you
10 had with loneliness, okay, do you think if that had
11 been addressed, you would have had these issues
12 that came up where you had these contact -- these
13 incidents with adolescent males?
14 MR. WIESER: The same objection.
15 A Possibly.
16 Q (By Mr. Bryant, continuing) Po --
17 A They would have come up.
18 Q They still would have come up?
19 A Yeah.
20 Q Okay. Okay. Okay. Other than the two at
21 St. Anthony --
22 A The what?
23 Q Other than the two at St. Anthony, okay, the
24 incidents -- the two at St. Anthony, the one or
25 whatever number we use in Pelican Rapids, the --

1 the one in -- with the -- the -- in -- in -- with
2 the -- the kid from Perham, okay, and the one that
3 the -- the kid that was homebound, okay, the -- the
4 adolescent male that was homebound, okay, during
5 the time you were -- were a Priest, are there any
6 other adolescent males that you had inappropriate
7 sexual contact with?

8 A Yes.

9 Q Okay. How many others?

10 A Well, I think of one right now.

11 Q One right now? Okay. And -- and where were you at
12 when that happened?

13 A At Millerville.

14 Q At Millerville. Okay. And I -- my question was
15 bad. I should have got the vague objection.

16 Where were you as far as what parish were you
17 at at the time?

18 A Dent.

19 Q You were at Dent. Okay.

20 A Dent and Pelican Rapids both.

21 Q Okay. And in time line, was that before or after
22 what had happened with the -- the -- the Asian
23 minor in Pelican Rapids?

24 A Before.

25 Q Okay. And was that before or after the incident --

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

- 1 incident with the homebound -- the -- the -- the
2 young boy that was homebound?
- 3 A After.
- 4 Q After. Okay. And was it also after the -- the --
5 the -- the young boy from Perham?
- 6 A Right.
- 7 Q Okay. Did you ever tell anybody about that
8 incident?
- 9 A No.
- 10 Q Okay. And the way you answered it -- I think you
11 said, "I can think of one right now." Do you think
12 there were other ones that we haven't talked about?
- 13 A Possibly.
- 14 Q Okay. Now -- and I'm not going to go too deep into
15 this, but I -- just generally. It -- it -- it
16 looks to me like all of these incidents, at least
17 the ones that -- that I've gone through except for
18 this one you just told me that I don't know about,
19 all of them involve fondling; correct?
- 20 A Right.
- 21 Q Okay. And some of them involve fondling of you by
22 them; correct?
- 23 A Correct.
- 24 Q Okay. This one you told us about, was that the
25 same type of thing --

- 1 A Right.
- 2 Q -- that happened there?
- 3 A Right.
- 4 Q Now, it looks like -- is it -- is it "tof-fen"? Is
5 that how you say that?
- 6 A "Tow-fen."
- 7 Q "Tow-fen."
- 8 A "Tau-fen."
- 9 Q "Tow" --
- 10 A "Tau."
- 11 Q "Tau"?
- 12 A "Fen."
- 13 Q "Tau-fen." Okay. Father Taufen was put in con --
14 in charge of kind of dealing with -- with you at
15 some point; correct?
- 16 A Right.
- 17 Q I mean I think you actually called him kind of a
18 Probation Officer?
- 19 A Right.
- 20 Q Okay. Okay. Now, is the -- is the situation you
21 have now, is that like what you had with -- with
22 Father Taufen, where you have kind of a Probation
23 Officer you have to report to?
- 24 A No.
- 25 Q No, it's -- it's different?

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

- 1 A (Witness nods head.)
- 2 Q What's different about the situation now?
- 3 A Rolfes is the man who is now.
- 4 Q Okay. It's a different person?
- 5 A Different person.
- 6 Q But is he still playing the same role that Father
- 7 Taufen did earlier?
- 8 A I think so.
- 9 Q Okay. Now, there was a time period that Father
- 10 Taufen was in charge of -- of things for you like
- 11 this Probation Officer; correct?
- 12 A (Witness nods head.)
- 13 Q Is that a "yes" --
- 14 A Yes.
- 15 Q Okay. And then -- then was there a time -- there
- 16 -- there was a time period where you had nobody
- 17 that was your -- that was your Probation Officer,
- 18 correct, or nobody that you had to check in to in
- 19 that kind -- in that kind of circumstance; correct?
- 20 A I always had somebody.
- 21 Q Oh, you've always had somebody?
- 22 A (Witness nods head.)
- 23 Q Okay. Who was it after -- after Father Taufen?
- 24 A Father Enneking.
- 25 Q Enneking. Okay. And then who was after Father

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 Enneking?

2 A Father Rolfes.

3 Q Okay. And that's been a -- a regular
4 straightforward -- straightforward connection.
5 You've always had that?

6 A Yeah.

7 Q Okay. At least since Taufen started?

8 A Right.

9 Q Okay. Now, you were out of the country for a
10 while; correct? Or you were never out of the
11 country?

12 A Oh, I was out of the country; but I visited in
13 Tanzania and we went to Venezuela.

14 Q Okay.

15 A But never in an extended assignment.

16 Q Okay. Was there any point where you were ever out
17 of the country for longer than, say, six months?

18 A No.

19 Q Okay. Okay.

20 A And I went to Vietnam twice.

21 Q Yeah. What was the longest time you were in
22 Vietnam?

23 A Four weeks.

24 Q And did -- did your Probation Officer -- and I'm
25 just using that for an easier way to say it. We

1 can call it something else if you want to. Did
2 they go with you?

3 A No.

4 Q Okay. Did they approve you going?

5 A Yes.

6 Q Okay. Did you have to get approval from anybody
7 else before you went to Vietnam?

8 A No.

9 Q Okay. Now, the trips to Vietnam, the two trips,
10 those were after the incidents in Pelican Rapids;
11 correct?

12 A Yes.

13 Q Okay. Did you have any contact with adolescent
14 males while you were in Vietnam?

15 A No.

16 Q Who was the Probation Officer? Okay. Again, we're
17 using that as a broader term. Who was the -- the
18 person in charge of you when the -- the -- the
19 bigger restrictions, the bundle of restrictions,
20 got put on you?

21 A Enneking.

22 Q Had you ever when -- when those restrictions got
23 put on you, had you ever prior to that ever had any
24 restrictions on your ability to be around
25 adolescent males?

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 A I think that came with the very beginning.

2 Q The -- "came with the very beginning." Tell me
3 what you mean by that.

4 A Well, whenever the first accusations were made.

5 Q Okay. So back when Taufen was put in charge of
6 you?

7 A Right.

8 Q Okay. Okay. Got that.

9 After the incident at -- with the -- the --
10 you said one and then the other two males in -- the
11 -- the adult males in Pelican Rapids, was the
12 restriction at that point put on concerning not
13 having people sleep over or in particular not have
14 adolescents sleep over?

15 A Not right away.

16 Q Okay. Was there a time period after the incident
17 in -- with the Pelican Rapids individuals that
18 other adolescent males slept over at the rectory?

19 A Yes.

20 Q Okay. And were all the individuals that slept over
21 at the rectory after the incident we talked about,
22 were those all Asian adolescent males?

23 A Yes.

24 Q Okay. Did you sleep with any of those adolescent
25 males?

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

- 1 A No.
- 2 Q Okay. When you were in Pelican Rapids, were there
3 other -- were there other Priests there also?
- 4 A No.
- 5 Q Okay. Is that -- there weren't other Priests
6 there?
- 7 A (Witness shakes head.)
- 8 Q Okay. Why was it that the Asian males were -- were
9 staying at the rectory?
- 10 A I sponsored them.
- 11 Q Okay. And when you say you sponsored them, tell me
12 what that means.
- 13 A Well, you play -- give them a place to live, a
14 place to stay. You feed them.
- 15 Q Okay.
- 16 A They go to school there.
- 17 Q And would that be an official sponsorship?
- 18 A Yes.
- 19 Q And what would be involved in it being an official
20 sponsorship?
- 21 A Well, you have to write out -- fill out all the
22 papers and applications.
- 23 Q Okay. And who did you fill out those papers for?
- 24 A It was Lutheran Social Service.
- 25 Q Did you ever have -- make applications to sponsor

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

- 1 any Asian males that was denied by Lutheran --
- 2 A No.
- 3 Q -- Social Services? Do you know how many Asian
- 4 males you sponsored overall?
- 5 A Maybe eight.
- 6 Q And were those all minors, or would they be minors
- 7 and adults?
- 8 A They lied about their age.
- 9 Q Okay. Okay.
- 10 A So they -- they wanted to keep on going to school,
- 11 so they had to be below 18.
- 12 Q Okay. So --
- 13 A So the first one who came said that he was 18 but
- 14 he was 23.
- 15 Q Okay. So as far as the record goes, what you
- 16 filled out for Lutheran -- Lutheran Social
- 17 Services, were all eight of the individuals that
- 18 you sponsored adolescent males according to what
- 19 was filled out?
- 20 A That's right, yes.
- 21 Q Okay. And you would fill them out as minors even
- 22 though you had some concerns or thought that they
- 23 may not actually be minors?
- 24 A Right.
- 25 Q Okay. Now, at some point Bishop Speltz questioned

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 you about your contact with adolescent males;
2 correct?

3 A I don't remember it right now, but I suppose he
4 did.

5 Q Okay. Before that had you had any contacts with
6 any of the Bishops that you served under about
7 contact with adolescent males?

8 A No.

9 Q Okay. And as far as this -- this with -- this
10 contact with Bishop Speltz, you don't remember it
11 one way or the other as you --

12 A No.

13 Q -- sit here today?

14 A No.

15 Q Okay. So you wouldn't know if you had told him the
16 truth or didn't tell him the truth when he first
17 questioned you?

18 A I would assume I told him the truth.

19 Q Okay. So -- okay. And when you say "assumed I
20 told him the truth," if you were questioned, would
21 you have told him about all of the incidents up
22 until that point with adolescent males?

23 MR. ENGH: Well, excuse me. Calls for
24 speculation, no foundation for the answer. He has
25 no memory of it.

1 With that objection in place, try to
2 answer if you can, Father. Or do you want the
3 question again now that I've interrupted?

4 MR. BRYANT: I'll ask -- I'll ask it
5 again. And I understand the objection.

6 MR. ENGH: Okay.

7 Q (By Mr. Bryant, continuing) You -- I asked you and
8 you said you don't remember talking to Bishop
9 Speltz. And I asked you if you told -- if you
10 thought you told the truth and you said, I assume I
11 told him the truth.

12 Okay. And what I'm trying to find out is if
13 you -- do you know if you were questioned whether
14 you would have told him about every incident with
15 adolescent minors as -- when you were a Priest or
16 would have kind of told him about maybe one or two,
17 or how you would have done that?

18 A I don't know how I would have done it.

19 Q Okay. Because it seems like -- and I -- I look at
20 -- there were a couple different times you were
21 questioned about -- about contact with adolescent
22 males. I -- I -- I think at one point you were
23 questioned by the police, weren't you?

24 A I don't remember.

25 Q You don't remember. Okay. And you don't --

- 1 A When was that supposed to have been?
- 2 Q After the Pelican Rapids incident.
- 3 A But where were the police from?
- 4 Q Would have been from Pelican Rapids.
- 5 A I was never questioned by any police from Pelican
6 Rapids.
- 7 Q Okay. Okay. Do you remember an incident when you
8 were -- and I believe it was when you were at Dent.
9 There was an issue raised by one of the
10 parishioners about -- about your -- your sexual
11 identity, about whether you were a homosexual or
12 not. Do you remember that incident?
- 13 A Yes.
- 14 Q Okay. What do you remember happening?
- 15 A Well, he went to the Bishop. And then I was called
16 in and I talked to Bishop -- Father Schwinghammer.
- 17 Q Did you talk to the Bishop?
- 18 A No.
- 19 Q Who was the Bishop at the time?
- 20 A Speltz.
- 21 Q Did Father Schwinghammer ask you if you had had any
22 kind of sexual contact?
- 23 A Generally but not with this particular guy.
- 24 Q Okay. And did you -- did you answer him?
- 25 A Yes.

- 1 Q What did you tell him?
- 2 A I told him that I didn't.
- 3 Q Okay. And you told him you -- the question was
- 4 general.
- 5 A Right.
- 6 Q And you told him you hadn't had any sexual contact
- 7 with males?
- 8 A Right.
- 9 Q Okay. And by that time at Dent you'd already had
- 10 the two incidents at St. Anthony; correct?
- 11 A Yes.
- 12 Q Okay. Had the incident with the boy from Perham
- 13 already happened?
- 14 A Yes.
- 15 Q Had the incident with the boy -- the -- the
- 16 homebound boy already happened?
- 17 A New Munich, yes.
- 18 Q Okay. And had the other incident you told me about
- 19 where you took the -- the boy to -- to -- was it
- 20 Mayville where you took him?
- 21 A Millerville.
- 22 Q Millerville. Yeah, Millerville. Had that already
- 23 happened?
- 24 A Yes.
- 25 Q Okay. And so generally you -- you didn't answer

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 his question truthfully at the time?

2 A Not truthfully, yes.

3 Q Okay. Now, after that accu -- accusation was
4 made -- did you understand the accusation as being
5 that just generally you were -- there was issues
6 about you, or was this person making a claim that
7 you'd actually had something happen with him?

8 A A general accusation.

9 Q Okay. Had you ever had issues with that accu --
10 accusation in the past?

11 A No.

12 Q Okay. No one had ever brought that up as a
13 possibility earlier in your career or when you were
14 in school?

15 A No.

16 Q Okay. Now, it looks to me like at that point you
17 -- there had been some discussions about whether
18 you should go to the council at Dent and actually
19 talk to the church council about it?

20 A No, I don't remember any discussion about that.

21 Q Okay. So you don't remember -- and just so I'm
22 clear on this -- being called by the Bishop, Bishop
23 Speltz, and being told, "Don't bring it up"?

24 A No.

25 Q Okay. After the -- the -- the letter came up and

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 you talked to -- to Father Schwinghammer, was
2 anything done as a result of that? Were any
3 restrictions put on you? Were there any -- were
4 there any reprimands, anything like that that were
5 done?

6 A No.

7 Q Okay. Now, it looks like from what I can tell at
8 some point you had some sexual contact with a male
9 cousin. Is that correct?

10 A Adult.

11 Q Adult?

12 A Yeah.

13 Q Adult male cousin. Were you a Priest at the time?

14 A Yes.

15 Q And where were you -- where were you -- which
16 parish were you at at the time?

17 A The first time at St. Anthony's in -- St. Anne's in
18 Kimball.

19 Q Okay. And where did that take place?

20 A In the living room.

21 Q The living room where?

22 A In Dent -- in Kimball.

23 Q At the rectory?

24 A Right.

25 Q Okay. Did you ever tell -- when that happened, did

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 you tell -- ever tell anybody about that?

2 A No.

3 Q Okay. Now, at some point -- and -- and I always
4 say this name wrong. Bishop Hanus?

5 A Hanus.

6 Q Hanus. I said it right --

7 A Yeah.

8 Q -- right? Okay. H-A-N-U-S.

9 At some point were you questioned by Bishop
10 Hanus about whether or not you'd had sexual contact
11 with minors?

12 A Yes. He came to Bertha and talked about it.

13 Q Okay. And did he ask you specifically about an
14 incident, or did he ask you generally? How did --

15 A Generally.

16 Q Generally. Okay. And what did you tell him?

17 A I told him what had happened.

18 Q Okay. When you --

19 A In each of these.

20 Q You told him about all of them?

21 A Yeah.

22 Q Okay. So you told him about the two at
23 St. Michael's?

24 A St. Michael?

25 Q Oh, ex -- I keep saying St. Michael. St. Anthony?

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 A Yes.

2 Q You told him about the two in St. Anthony. You
3 told him about the -- the boy from Perham?

4 A Perham, New Munich.

5 Q You told him -- you told him about the boy from the
6 -- you told him about the -- about the -- the --
7 the boy -- the -- the incident with the mowing?

8 A The what?

9 Q The mowing that happened?

10 A Yes.

11 Q Okay. And did you even tell him about this other
12 incident that you told me about today?

13 A Uh-huh.

14 Q Yes?

15 A Yes.

16 Q Okay. Was -- and that -- it looks to me like that
17 happened in 1988.

18 A It was -- I came there in '85. '86, '87. Could be
19 '88, yes.

20 Q Okay. What was it that led to him coming to see
21 you at Bertha and asking you these questions?

22 A He had received some report from somebody in the
23 Fergus Falls Police Department maybe.

24 Q Okay. And do you know what that report said or
25 what that report claimed?

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 A No, I -- no.

2 Q Okay. Okay. Was anything done to you as far as
3 restrictions after the Bishop came and talked to
4 you when you were in Bertha and you told him about
5 these prior incidents?

6 A I think then is when I was told not to be with
7 minors, unaccompanied minors.

8 Q Okay. Was anything else done?

9 A No.

10 Q Okay. Now, was that before or after the incident
11 in -- in -- in Pelican Rapids?

12 A After.

13 Q Okay. Did you tell him when you talked to him when
14 -- when Bishop Hanus came, did you tell him also
15 about what had happened in Pelican Rapids?

16 A Right.

17 Q Okay.

18 MR. BRYANT: Time? Okay.

19 VIDEOGRAPHER: We are off video record.

20 The time is approximately 10:33 a.m.

21 MR. ENGH: Why don't we take a quick
22 break.

23 MR. BRYANT: No problem.

24 (Whereupon, a recess was taken.)

25 VIDEOGRAPHER: We are back on video

1 record. The time is approximately 10:44 a.m.

2 Q (By Mr. Bryant, continuing) Father, we took a
3 break. The question I was going to ask you
4 earlier, what was the name of the church in Dent?

5 A Sacred Heart.

6 Q Sacred Heart. Okay.

7 Now, I think when we finished off -- or when
8 we -- we ran out of tape I was -- had been asking
9 you some questions about Bishop Hanus and his
10 questioning of you in Bertha. Correct?

11 A Right.

12 Q Okay. Now, the Probation Officer was first put on
13 you, okay, that was put on you in '91; correct?

14 A I'm not sure.

15 Q You're not sure. Okay.

16 MR. BRYANT: Now, do -- do you want to
17 pull this out and I'll go ahead and... Okay.
18 Thanks.

19 I'll go ahead and have that marked.

20 (Whereupon, Thoennes Deposition Exhibit
21 Number 1 was marked for identification.)

22 COURT REPORTER: Number 1.

23 Q (By Mr. Bryant, continuing) Now, showing you
24 what's been marked as Exhibit 1 -- and you can take
25 as long as you want if you want to read through it.

1 I've got some questions about that. I don't know
2 if you want to read through it or you want me to --
3 to start asking questions and go from there. How
4 would you like to -- how would it be best for you?

5 A Ask the questions.

6 Q Okay.

7 A Well, who -- who is writing this?

8 Q Okay. Well, I'm not sure who wrote it, okay, but
9 it's my understanding, is that this letter was
10 written to Bishop Kinney.

11 A When?

12 Q The date, I'm -- I'm really not sure of the date,
13 other than it has some dates in it. I -- I believe
14 it's around 2001.

15 MR. WIESER: I would like a running
16 foundation objection.

17 MR. BRYANT: Okay.

18 MR. ENGH: I join.

19 MR. BRYANT: Okay.

20 Q (By Mr. Bryant, continuing) Have you ever seen
21 this letter before?

22 A No.

23 Q Okay. The letter...

24 FATHER ROLFES: (Inaudible).

25 MR. BRYANT: Okay. I was just making

1 sure you weren't saying something.

2 Q (By Mr. Bryant, continuing) Okay. The letter says
3 "now in 2001" three down, so that's why our belief
4 is that it happened in two thousand -- the letter
5 was written in 2001.

6 Are you reading it, or are you just looking at
7 it?

8 Okay. I wasn't sure. I didn't want to
9 interrupt you if you were reading it.

10 It talks about you being at -- at the Soup --
11 Soup Bowl Days at the Paramount Theater and being
12 with minors. Do you know if this -- anything like
13 this ever happened?

14 A I remember being at the Soup Bowl thing; but I was
15 there with an adult, Vietnamese.

16 Q Okay. Were there minors there also?

17 A Families were there, yes.

18 Q Okay.

19 A Uh-huh.

20 Q Okay. And then the -- it also talks about you
21 being at an Asian restaurant called The Great Wall.
22 Do you go to The Great Wall?

23 A Yes.

24 Q Okay. And sitting with a minor, I believe it's a
25 girl, at The Great Wall. Do you know if you ever

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 had dinner or lunch at The Great Wall with a minor
2 girl?

3 A Not alone.

4 Q Not alone. Okay. And when you say "not alone,"
5 you mean there was another adult there?

6 A Must have been.

7 Q Must have been. Okay. Okay. Would there have
8 been another incident where you were at Applebee's
9 with minor boys and came in?

10 A Don't know.

11 Q Do you remember that at all?

12 A No. No, I don't remember being in Applebee's when
13 came in.

14 Q Okay. Okay. You have since 1988 continued to be
15 around minor children, always with another adult.
16 You've continued to be around minor children;
17 correct?

18 A Right.

19 Q Now, I don't know if I got -- what year did you --
20 what years were the two trips to Vietnam?

21 A I don't know.

22 Q You don't know. Do you know if they were after you
23 -- the Bishop had come to see you in Bertha? Was
24 it after you --

25 A Yes.

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 Q It was after you had been in Bertha?

2 A Right.

3 Q So as far as -- it was after the restrictions had
4 been put on you?

5 A Right.

6 Q Okay. Okay.

7 MR. WIESER: Counsel, just for the
8 record, Exhibit Number 1, has that been produced to
9 -- to the Diocese as part of the discovery in this
10 case?

11 MR. BRYANT: No. I don't know.

12 MR. WIESER: Do you have information
13 about the background of this? There's some
14 handwriting on this also, about where this came
15 from?

16 MR. BRYANT: I've never heard anybody
17 describe what that is at the bottom. I -- I've
18 never seen anybody -- where anybody could say what
19 that is. I just know that there's writing down
20 there. And I've never seen anything that indicates
21 that there's -- you know, that there's an original
22 that is around someplace. Okay.

23 MR. WIESER: It appears to be redacted.
24 Was that redacted by your office?

25 MR. BRYANT: No. I think it was redacted

1 in -- I...

2 MR. PECK: We'll check on this.

3 MR. BRYANT: We can check on the
4 redactions. Okay.

5 MR. PECK: On what the source of it is.

6 MR. BRYANT: Okay.

7 Q (By Mr. Bryant, continuing) I asked you earlier --
8 I -- I'm done with that (indicating). Thank you,
9 Father.

10 I asked you earlier about the -- the alcohol
11 treatment that you had, and I think you indicated
12 that was in Rochester?

13 A (Witness nods head.)

14 Q Did you ever get told why you were being sent for
15 alcohol treatment?

16 A No.

17 Q Okay. You were sent there -- sent there; correct?

18 A Right.

19 Q And you -- were you sent there by the Bishop, or
20 who sent you there?

21 A I think it was the Bishop.

22 Q Okay. And which Bishop was it at the time?

23 A I'm not sure.

24 Q Okay. At some point it seems that -- from what I
25 -- I've been able to tell, at some point the -- the

1 -- the -- the county attorney up in Pelican Rapids
2 seemed to be concerned about what kind of treatment
3 you were in. Did you ever have any discussions
4 about the treatment you were doing --

5 A No.

6 Q -- that involved what the county attorney wanted or
7 -- or said that you needed to do?

8 A No.

9 Q Okay.

10 MR. BRYANT: Did you get that
11 (indicating)?

12 Q (By Mr. Bryant, continuing) Was Father Wey, W-E-Y,
13 was he at Sacred Heart, Dent, the same time you
14 were?

15 A No.

16 Bill Wey?

17 Q William. I -- I've got it as William.

18 A William. Okay. He was there before I was there.

19 Q He was there before. Okay. Were there any other
20 Priests at Dent while you were there?

21 A No.

22 Q Okay. Had you been told about an incident that
23 happened with Father Wey while you were there?

24 A No.

25 Q Okay. There had been an incident with another

1 Priest at Dent that you were aware of?

2 A Yes.

3 Q Who was that?

4 A I think Heltimus.

5 No, it wasn't Heltimus.

6 I don't remember his name right now.

7 Q Okay. And how was it that you became aware of that

8 incident?

9 A The neighbors talked with me about it.

10 Q Okay. The neighbors there in Dent?

11 A In Dent.

12 Q Okay. Neighbors to the church in Dent?

13 A Yeah, right next door --

14 Q Okay. Did -- did you report their concerns to

15 anybody?

16 A No.

17 Q Okay.

18 A It had been reported already.

19 Q Okay.

20 A Some years ago.

21 Q Okay. But you don't remember the name of the

22 Priest?

23 A No. It isn't Heltimus, no.

24 Q Okay. Were you aware of any incidents that

25 happened with other Priests while you were at

1 parishes?

2 A Yes.

3 Q Which parishes?

4 A Kimball, for one.

5 Q Okay. Anywhere else?

6 A No.

7 Q Okay. What were you -- what were you aware of as

8 far as what had happened at Kimball?

9 A I was aware that the Priest had had some

10 relationships with some women.

11 Q Okay. And what Priest was that, or who was that?

12 A The Priest who is buried there.

13 Q Okay.

14 A And his name... Gee, I can't remember his name.

15 Q Okay. And how was it you became aware of those

16 incidents?

17 A The housekeeper talked about it, and then

18 afterwards I heard other comments from other

19 people.

20 Q Did you report any of those comments or what the

21 housekeeper told you to anybody?

22 A No.

23 Q Okay. Were -- as far as you knew, was that an

24 incident that had already been reported?

25 A As far as I knew, it was.

1 Q Okay. I'm going to go through a list of -- of
2 Priests that have had contact with St. Cloud
3 Diocese. And I'm just trying to find out if you
4 had any contact with them at any point. Okay? So
5 --

6 MR. WIESER: I'll have a running
7 objection I guess on the basis of foundation. I'm
8 not sure what the purpose of this exercise is at
9 this point. Are you asking the witness what
10 information he has about that?

11 MR. BRYANT: I'm just asking him what
12 contact he had with them. So was there a teacher?
13 Was he in school with them? Did he serve with
14 them? Any type of contact. That -- that's where
15 I'm starting.

16 MR. WIESER: Okay.

17 MR. BRYANT: At least in -- at this
18 point.

19 Q (By Mr. Bryant, continuing) Okay. Robert
20 Blumeyer. And I can give you the whole list.
21 Father -- Father Blumeyer?

22 A He's a Benedictine.

23 Q Okay. And -- and I'm not -- it's -- I'm just --
24 did you ever have any contact where you were at a
25 parish with him? Taught with him? Went to school

1 with --

2 A I was never anyplace with him.

3 Q Okay. That -- that's what I'm starting with.

4 Okay. Father Brennan, Michael Brennan?

5 A I never was with him anywheres.

6 Q Okay. A Cosmos Dalheimer?

7 A Oh. No, I never was with him anywheres.

8 Q Okay. John Eccle -- Eccleston?

9 A That's the one that I was looking for before, his

10 name. I said Eccleston.

11 Q Okay.

12 A And he was my Spiritual Director, this guy.

13 Q Okay. That was your Spiritual Director?

14 A (Witness nods head.)

15 Q Okay. Richard -- Richard Eckroth.

16 A That's -- was the one who was my Spiritual

17 Director.

18 Q Okay. Eckroth was?

19 A Yeah.

20 Q Not Eccleston?

21 A Not Eccleston.

22 Q Okay. And that was while you were at St. John's?

23 A Right.

24 Q Okay. Sylvester Gall?

25 A Nothing. I had nothing to do with...

- 1 Q Okay. William Garden -- Garding?
- 2 A I had -- I was -- I lived in the same house he did
- 3 for a while.
- 4 Q When was that?
- 5 A In the days of -- after '94. '94 to '96 -- no.
- 6 Till he died. Till he was...
- 7 Q And where was that?
- 8 A In St. Cloud.
- 9 Q St. Cloud.
- 10 Okay. Raoul Gathier? Gauthier?
- 11 A No, I didn't have anything to do with him.
- 12 Q Thomas Gillespie?
- 13 A Nothing to do with him.
- 14 Q Okay. Stanislaus Gor -- Goryczka? Goryczka?
- 15 A I didn't have anything to do with him.
- 16 Q Yeah, he was older.
- 17 Francis Hoefgen?
- 18 A Francis who?
- 19 Q Hoefgen.
- 20 A No, I didn't have anything to do with him.
- 21 Q Okay. Othmar Hohmann?
- 22 A Nothing to do with him.
- 23 Q Raymond, and I'm gonna -- Jac -- Jacques. Jacques.
- 24 G -- J --
- 25 A Jacques.

- 1 Q Jacques.
- 2 A That's the Priest I was thinking about who I said I
3 -- he was buried at Kimball.
- 4 Q Oh, okay. Okay. That was the one with incidents
5 with women?
- 6 A Right.
- 7 Q Okay. Val Kilmek (*sic*)?
- 8 A I don't know him.
- 9 Q Okay. Reginald Krakowski? Yeah. Krakowski?
- 10 A Don't know him.
- 11 Q Okay. Joseph Kremer?
- 12 A No.
- 13 Q Okay.
- 14 A Nothing to do with him.
- 15 Q Richard Kujawa?
- 16 A He had been at Bertha before I was at Bertha. And
17 then he was in Blue Grass -- Blue Grass when I was
18 in Bertha.
- 19 Q Okay. That was at St. Joseph's?
- 20 A In Blue Grass?
- 21 Q Or in Bertha. Or are those different?
- 22 A Bertha is St. Joseph, but I don't know about Blue
23 Grass.
- 24 Q Okay. Okay. St. Hubert in Blue Grass?
- 25 A Yes.

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 Q Yeah, okay.
2 Henry Lutgen?
3 A He was my Pastor in Melrose.
4 Q Brennan Maiers?
5 A Don't know -- I didn't have anything to do with
6 him.
7 Q James Mohm? Mohm? M-O-H-M.
8 A Didn't have anything to do with him.
9 Q Daniel Rieder?
10 A No.
11 Q Donald.
12 A He was my neighbor in -- after '94.
13 Q Francisco Schultz (*sic*)?
14 A No.
15 Q Robert Smith?
16 A No.
17 Q Okay. Peter Snys -- Snyers? I think Snyers, I
18 think.
19 A Snyers. Yeah, he was my neighbor in Kimball.
20 Q Okay. And when you say "neighbor in Kimball," that
21 meant he was over in Eden Valley?
22 A Yes.
23 Q Yeah. Okay. Allan Speiser. Spices -- Speiser?
24 A Speiser. We were in a -- a Priest support group
25 together.

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

- 1 Q Okay. Is that when you came back from Vietnam and
2 got involved in a support group?
- 3 A Yes.
- 4 Q Okay. And then James -- James Thoennes.
5 Okay. Roger Vaughn?
- 6 A No, I never had anything to do with him.
- 7 Q Okay. Michael Weber?
- 8 A No, I didn't.
- 9 Q And then William Wey I talked about already with
10 you. Okay.
11 Adelbert Wolski?
- 12 A Don't know him.
- 13 Q Okay. Vincent Yzermanns? Yzermanns?
- 14 A Yzermanns.
- 15 Q Yzermanns.
- 16 A He was a Diocesan editor.
- 17 Q Okay. And did you -- how -- how was it you had
18 contact with him?
- 19 A Oh, he asked for information about the parishes I
20 was in.
- 21 Q Okay. So a part of that editing that he did?
- 22 A Yeah.
- 23 Q Okay. Okay. Francis Zilkowski?
- 24 A I didn't know him.
- 25 Q Okay.

1 MR. BRYANT: I'll hold on to that for you
2 for later.

3 Q (By Mr. Bryant, continuing) Okay. In kind of
4 reading through or going through the -- what
5 happened in -- in Pelican Rapids, okay, it sounds
6 like the -- the -- the individuals that were
7 involved, okay, with -- with you, they gave
8 statements.

9 A They what?

10 Q They gave statements. They gave tape recorded
11 statements about what happened. Did you ever --
12 did you ever hear those statements or did you ever
13 get copies of those statements?

14 A No.

15 Q Okay. And then it looks like they -- they may have
16 changed their story. They may have said that --
17 that it was different than what they'd originally
18 said or they didn't understand what -- what words
19 they were using. Do -- do you remember that
20 happening?

21 A Not really.

22 Q Did you ever talk to the -- after -- once it came
23 out that this incident had happened with these
24 individuals, did you ever talk to them again?

25 A Yes.

- 1 Q Okay. And what contacts -- contact was it that you
2 talked to them after the incident came out?
- 3 A I think it was a Christmas contact. It was a
4 holiday contact or a birthday contact.
- 5 Q And when you say "Christmas" or "holiday" or
6 "birthday contact," tell me what you mean by that.
- 7 A Well, they called to say happy birthday or they
8 called to say Merry Christmas, Happy New Year.
- 9 Q They called you?
- 10 A Yes.
- 11 Q Did you in any of those conversations talk to them
12 about what they had said as far as what had
13 happened?
- 14 A No.
- 15 Q Did you ever at any point tell them, "You should
16 change your story" or --
- 17 A No.
- 18 Q Okay.
- 19 A I didn't know they did that.
- 20 Q You didn't know they changed their story?
- 21 A No.
- 22 Q Okay. When you would sponsor these individuals,
23 would you need to get approval from anybody before
24 you did that?
- 25 A No.

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

- 1 Q Okay. So you didn't have to check in with the
2 Bishop or check in with anybody else on whether you
3 could sponsor somebody?
- 4 A No, no.
- 5 Q Okay. Now, at some point you were told by Bishop
6 Speltz that you couldn't sponsor any more -- any
7 more individuals; correct?
- 8 A Right.
- 9 Q Okay. Did that -- has that remained true since
10 then, or was that requirement ever lifted?
- 11 A Never lifted.
- 12 Q Okay. Did you ever try to sponsor anybody since
13 that time?
- 14 A No.
- 15 Q Okay. When you went to Vietnam, was it for six
16 weeks?
- 17 A The first time I think it was six weeks.
- 18 Q Okay. And the second time was four weeks?
- 19 A Three, maybe.
- 20 Q Three. Okay. Have you ever, used any other names?
- 21 A No.
- 22 Q Okay. At some point did you identify your family
23 home as being an open flophouse? Did you ever use
24 those words? Do you remember ever using those
25 words?

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 A No.

2 Q Okay. So you'd have no idea what you meant since
3 you don't remember that, if you had even used those
4 words?

5 A I don't remember.

6 Q Okay. Okay. At some point did you talk to Father
7 Brenny?

8 Do you know who I'm talking about, Father
9 Brenny?

10 A He was my neighbor.

11 Q Okay. Where was he your neighbor?

12 A When I was in Pelican and he was in Elizabeth.

13 Q Okay. And at some point did you tell him -- did
14 you have a conversation with him about having this
15 -- having had this contact with adolescent males?

16 A I think so.

17 Q Okay. Was that while -- while you were -- you were
18 -- I was going to say stationed, but while you were
19 at Pelican Rapids?

20 A Yes.

21 Q Okay. Do you know when that conversation took
22 place?

23 A No.

24 Q Do you know why the conversation took place,
25 meaning did he come to you? Did you go to him?

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

- 1 A I think we were at my house.
- 2 Q Okay. Had he come to talk to you about an
3 allegation or had --
- 4 A I don't --
- 5 Q -- you just brought it up?
- 6 A I don't think that he came to talk about an
7 allegation. He just came to visit.
- 8 Q Okay. Do you know why the subject came up?
- 9 A No.
- 10 Q Had the incident with the -- had the incident with
11 the -- the minor Asian adolescent male already
12 happened at that point?
- 13 A I'm not sure.
- 14 Q Okay. All the -- all the other incidents we talked
15 about had already happened; correct?
- 16 A Yes.
- 17 Q Did you tell him about those other incidents?
- 18 A I did -- don't know if I told him about all, but I
19 told him about some.
- 20 Q Okay. Did he do anything as a result? Did he
21 report to anybody or --
- 22 A I don't know.
- 23 Q -- do anything? You're not aware of anything being
24 done like that?
- 25 A No.

1 Q Okay. Were these Vietnamese that you sponsored,
2 was this all while you were in Pelican Rapids, the
3 eight people that you sponsored?

4 A Yes.

5 Q Okay. And how was it that you even came to know to
6 sponsor them? Where -- where did you find out
7 about them or how did you -- how did that happen?

8 A Through the young man who was promoting that in
9 Pelican Rapids.

10 Q And when you say "young man that was promoting
11 that," what -- tell me what you mean by that.

12 A He was promoting sponsorship.

13 Q Okay. And who was that?

14 A Smith.

15 Q Smith. Do you know what his first --

16 A Don.

17 Q -- name or last name --

18 A Donald Smith, I think.

19 Q Donald Smith. He was somebody that lived in
20 Pelican Rapids?

21 A He what?

22 Q He was somebody that lived in Pelican Rapids?

23 A No, he lived in Fargo/Moorhead.

24 Q Okay.

25 A But Pelican was in his district.

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

- 1 Q Had -- had other -- I -- were -- was Pelican Rapids
2 a common place for Vietnamese people to come, or
3 did they come because you were sponsoring them
4 there?
- 5 A They came because we sponsored them.
- 6 Q Okay. Had anybody else as far as Priests go
7 sponsored Vietnamese before -- Vietnamese
8 individuals before you did this?
- 9 A No.
- 10 Q Were you aware of any other Priests sponsoring
11 Vietnamese --
- 12 A Yes.
- 13 Q -- individuals around -- in the -- say, in the --
14 in St. Cloud Diocese?
- 15 A Not in the St. Cloud Diocese.
- 16 Q Where else were you aware of it?
- 17 A There were some at the meeting in Minneapolis.
- 18 Q Okay. And when you say "the meeting," which --
19 what meeting are you talking about?
- 20 A They had a meeting for those who were interested in
21 sponsoring.
- 22 Q Oh, okay. There was a sponsorship meeting?
- 23 A Uh-huh.
- 24 Q Okay. Do you know when -- and that's a "yes"?
- 25 A Is what?

1 Q That's a "yes"? You said "uh-huh."

2 A Yeah.

3 Q Okay. It's just --

4 A Yes.

5 Q -- for the record.

6 Do you know when that meeting -- had you
7 sponsored anybody before that meeting?

8 A No.

9 Q Okay. Do you know when you had gone to that
10 meeting?

11 A It was before '77.

12 Q Before '77. When was the first time you sponsored
13 somebody?

14 A '82.

15 Oh, somebody? That I sponsored somebody?

16 Q (Mr. Bryant nods head.)

17 A I sponsored Laotians before that.

18 Q Where was -- when was that?

19 A '82.

20 Q And where was that?

21 A I was in Pelican Rapids then.

22 Q Okay. Oh, that's right. You told me all your
23 sponsorships took place in -- in Pelican Rapids.

24 Okay.

25 And would all of the adolescent males that you

1 sponsored or whatever age they were, did they all
2 live at the rectory with you?

3 A Yes. Some for a shorter time.

4 Q Okay. In the sponsorship was there some
5 requirement that it be for a cer -- X number of --
6 of months or years or anything like that?

7 A No.

8 Q Okay. And was there some kind of legal advantage
9 to you sponsoring somebody either for them or for
10 you?

11 A No.

12 Q Okay. They -- it didn't -- it didn't give them,
13 like, benefits or to go to school or anything like
14 that?

15 A No.

16 Q Okay.

17 A Well, we lived closer to the school than some of
18 the sponsors who had applied to be sponsors who
19 were living in the country.

20 Q Oh. So where the -- the -- geographically they
21 were closer to the school?

22 A Right.

23 MR. BRYANT: Okay. Let me take a break
24 and talk to Josh for a minute.

25 MR. ENGH: Sure.

1 MR. BRYANT: We may be done or I may --
2 I'll -- I'll give you some kind of time frame of
3 what I've got left.

4 MR. ENGH: Sure.

5 MR. BRYANT: Where are we at?

6 MR. PECK: We're -- it's quarter after
7 11.

8 MR. BRYANT: Okay.

9 VIDEOGRAPHER: We are off video record.
10 The time is approximately 11:16 a.m.

11 (Whereupon, a recess was taken.)

12 VIDEOGRAPHER: We are back on video
13 record. The time is approximately 11:22 a.m.

14 Q (By Mr. Bryant, continuing) I just got two more
15 areas so I don't think it'll be real long, but --
16 but we'll get through these.

17 The -- the alcohol treatment in Rochester,
18 okay, that you -- that you -- you did, was the
19 treatment all alcohol-related?

20 A No.

21 Q Okay. What else did it relate to?

22 A I think it started with a general look at life.

23 Q Okay.

24 A And nervousness and anxiety. That was all part of
25 it.

- 1 Q Did you have issues with nervousness and anxiety?
- 2 A Yes.
- 3 Q Okay. Were -- were those tied in -- the -- you had
4 some issues with depression, too; correct?
- 5 A Right.
- 6 Q Okay. Was that kind of going back to the
7 loneliness issue?
- 8 A Could be.
- 9 Q Okay. And did the incidents that happened play
10 into the depression issue?
- 11 A Yes.
- 12 Q Okay. Was there any other type -- was there any
13 other type of treatment other -- with Rochester,
14 was there any other type of treatment other than as
15 far as what you could tell alcohol treatment?
- 16 A No.
- 17 Q Okay. Now, generally when someone goes to alcohol
18 treatment, they have to fill out a form that says
19 how much you drink and if you have an alcohol
20 problem. Did -- did you do that?
- 21 A Uh-huh.
- 22 Q That's a "yes"?
- 23 A Yes.
- 24 Q And did you identify yourself on the form as having
25 an alcohol problem?

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

- 1 A No.
- 2 Q Okay.
- 3 A And they agreed with that at the end of two months.
- 4 Q In the end, once you went through the treatment
- 5 they said you don't. And they probably hear that
- 6 from people sometimes. But they agreed with you at
- 7 the end?
- 8 A (Witness nods head.)
- 9 Q Okay. Did you find out why you were sent to
- 10 alcohol treatment?
- 11 A No.
- 12 Q Okay. Did you ever ask about it?
- 13 A I asked there. During the treatment program I
- 14 asked my counselor.
- 15 Q Okay. Did you ever ask the people that were
- 16 sending you there? I think you said the Bishop
- 17 sent you there. Did you ever ask them why they
- 18 were sending you to alcohol treatment?
- 19 A Brenny said, "Your dad was an alcoholic. We wanted
- 20 to test you out."
- 21 Q Okay. Okay. Was -- was your dad an alcoholic?
- 22 A Yes.
- 23 Q Okay. Any other reason given why you were being
- 24 sent to alcohol treatment?
- 25 A No.

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 Q Do you know, was the -- because at that point --
2 which parish were you at?

3 A Pelican Rapids.

4 Q Were -- was -- was the -- was the parish told that
5 you had gone to alcohol treatment when you were
6 gone?

7 A I think so.

8 Q Okay. And you ended up going back to the parish
9 after you got done with treatment; correct?

10 A Right.

11 Q Okay. Was there ever any indication that you were
12 going to treatment so that you wouldn't be charged
13 criminally?

14 A I never heard that connection.

15 Q Okay. Were you aware that the investigation was
16 going on on whether you should be charged
17 criminally or not?

18 A No.

19 Q Okay. Okay. Had you your -- had you yourself ever
20 been abused as you were growing up?

21 A Ever what?

22 Q Ever been abused?

23 A No.

24 Q Okay. So when you were -- at -- as a Crosier that
25 didn't -- in Crosier that didn't happen?

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 A No.

2 Q And it didn't happen while you were at St. John's?

3 A No.

4 Q Okay. Had -- oh, sorry. You burped or something?

5 A I think so.

6 Q I wasn't sure. I thought you were about to tell me
7 something. Okay. I was all ears.

8 And had there ever been any inappropriate
9 advances to you while you were there at --

10 A No.

11 Q -- St. John's?

12 A No.

13 MR. BRYANT: I don't have anything else.

14 MR. ENGH: May I...

15 MR. WIESER: Let me ask him some
16 questions.

17 MR. ENGH: Okay. Go ahead and then I'll
18 have...

19 MR. WIESER: Thanks.

20 **EXAMINATION**

21 **BY MR. WIESER:**

22 Q For the record, my name is Tom Wieser. I have a
23 couple of questions for you.

24 There have been a number of questions this
25 morning about that whole situation in Pelican

1 Rapids when there was an investigation about your
2 contact with those Asian males. Do you remember
3 that?

4 A (Witness nods head.)

5 Q Is that a "yes"?

6 A Yes.

7 Q And you know -- you knew that those Asian males had
8 made a report to Lutheran Social Services about
9 some inappropriate sexual contact with you; is that
10 right?

11 A Right.

12 Q And you knew that somebody from the county was
13 looking into those matters; is that right?

14 A I didn't know that somebody from the county was
15 looking into it.

16 Q You were aware that the Asian males had made a
17 report to somebody; is that right?

18 A Yes.

19 Q And, again, what they had reported is that you had
20 had inappropriate sexual contact with them; is that
21 correct?

22 A Yes.

23 Q And that was stressful for you; is that right?

24 A Right.

25 Q You were worried about that; isn't that right?

September 9, 2014

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- 1 A Right.
- 2 Q And while you were -- at that point you were
3 assigned to the parish in Perham; is that right?
- 4 A No, I never was --
- 5 Q I'm sorry. Dent.
- 6 A No, Dent was before Pelican.
- 7 Q Pelican Rapids. Yes. So you were assigned to
8 Pelican Rapids; is that right?
- 9 A Before all this came up.
- 10 Q And was there an Associate Pastor with you while
11 you were assigned to Pelican Rapids?
- 12 A No.
- 13 Q Was there anybody that was living with you while
14 you were assigned to Pelican Rapids?
- 15 A No.
- 16 Q So you were lonely there?
- 17 A Right.
- 18 Q Again, we talked about the stress. You were
19 nervous; is that right?
- 20 A Right.
- 21 Q You were depressed?
- 22 A Not so much.
- 23 Q Did you tell somebody in Pelican Rapids about the
24 fact that you were feeling depressed and nervous
25 and anxious?

September 9, 2014

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1 A I don't think so.

2 Q Was the reason that -- or one of the reasons that
3 you were asked to go to Rochester for treatment was
4 because, again, of your concern and your anxiety
5 and your nervousness?

6 A I don't know. I didn't hear anything like that.

7 Q Again, it was the Bishop that asked you to go to
8 Rochester for treatment; isn't that right?

9 A Right.

10 Q And when you -- the -- the timing of that treatment
11 in Rochester again was during the time period that
12 you were assigned to Pelican Rapids --

13 A Right.

14 Q -- right?

15 And, again, that's during the time period that
16 the Asian males had made the report about the
17 inappropriate sexual contact with you; isn't that
18 correct?

19 A Right.

20 Q Okay. While you were in this treatment program in
21 Rochester, did you ever tell anybody there about
22 your sexual attraction to males?

23 A Yes.

24 Q Did you receive any kind of treatment for that
25 while you were at the program in Rochester?

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 A Not specifically.

2 Q "Treatment" probably isn't the right term, but I
3 mean did you talk with somebody about that?

4 A Yes.

5 Q Did you talk with a therapist about that?

6 A Yes.

7 Q Talk with a counselor about that?

8 A Therapist/counselor.

9 Q Sure. And you told Mr. Bryant that while you had
10 -- some of your early assignments you were lonely;
11 right?

12 A (Witness nods head.)

13 Q Is that true?

14 A Right. That's correct.

15 Q When you received assignments after your first
16 assignment, did you ever talk with the Bishop about
17 your concern about being lonely when you were the
18 only one who had been assigned to a parish?

19 A No.

20 Q Did you ever ask the Bishop to assign you to a
21 parish where there was more than one Priest?

22 A No.

23 Q Did you ever ask the Bishop to assign you to a
24 parish where there would be an Associate Pastor
25 there with you?

September 9, 2014

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- 1 A No.
- 2 Q Now, apparently after your first sexual encounter
3 with a minor while you were at St. Anthony again,
4 you told the Monsignor about that; is that right?
- 5 A Right.
- 6 Q And what was the Monsignor's last name?
- 7 A Wilden -- Wilden -- Wildenborg.
- 8 Q And, again, was he the Pastor of that parish in
9 St. Anthony?
- 10 A That's correct.
- 11 Q Did you ever ask him to tell anybody at the Diocese
12 about what you had told him had happened with that
13 minor male?
- 14 A No.
- 15 Q Did he ever tell you that he was going to tell
16 somebody at the Diocese about what you had told
17 him?
- 18 A No.
- 19 Q Did he ever tell you that he had, in fact, told
20 somebody at the Diocese about what you told him
21 happened with that minor male?
- 22 A No.
- 23 Q When was it that somebody from the Diocese first
24 confronted you about your sexual contact with minor
25 males?

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 A I don't know. I don't have a date.

2 Q Well, let's talk about your parish assignment.

3 What parish would you have been assigned to at the
4 point --

5 A Pelican Rapids and Dent.

6 Q Pelican Rapids?

7 A (Witness nods head.)

8 Q And what years were you at Pelican Rapids?

9 A '82 to '85.

10 Q And that, again, is the time period when the Asian
11 males made the report to Lutheran Social Services;
12 is that right?

13 A I think so.

14 Q Okay. So, again, that's the first time that
15 anybody from the Diocese ever had a discussion with
16 you about your -- your sexual contact with minor
17 males; is that right?

18 A Right.

19 Q Do you remember which Bishop that would have been
20 who would -- who would have confronted you about
21 that?

22 A I think it was Bishop Hanus.

23 Q Now, there had been a discussion earlier about the
24 -- the fact that you had told Father Schmelzer
25 about your sexual attraction to young males; isn't

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 that right?

2 A Yes. Paul Schmelzer. There were two Schmelzers.
3 This was Paul.

4 Q Father Paul Schmelzer. Again, where was he
5 assigned when you told him about your sexual
6 attraction to males?

7 A He was retired.

8 Q And when was it that you had your conversation with
9 him about your sexual attraction to males?

10 A When was it? In '94.

11 Q That was the first time you told him about that?

12 A Right.

13 Q Okay. Now, the Asian males that you sponsored,
14 that was through Lutheran Social Services; is that
15 right?

16 A Right.

17 Q And, obviously, by the name that's not an agency of
18 the Catholic Diocese of St. Cloud; is that true?

19 A That's true.

20 Q Separate from the Diocese; is that right?

21 A Right.

22 Q And what kind of a process did you have to go
23 through to be able to sponsor those Asian males?

24 A Well, I had to have people who wrote positive
25 letters to this effect, that this was a good thing

September 9, 2014

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- 1 that they could see.
- 2 Q What kind of a background check did Lutheran Social
3 Services do before you were allowed to sponsor
4 these Asian males?
- 5 A They contacted the people who had written the
6 letters and visited with them in their homes.
- 7 Q Did they visit with you in your home?
- 8 A Yes.
- 9 Q How many times was that done?
- 10 A Well, as many times as I was going to sponsor
11 somebody. So maybe six or seven times.
- 12 Q To your knowledge, did they ever make any contact
13 with any officials at the St. Cloud Diocese?
- 14 A No.
- 15 Q To your knowledge, did they do any kind of a
16 criminal background check?
- 17 A No.
- 18 Q To your knowledge, did they ask any local police
19 department to investigate your background?
- 20 A No.
- 21 Q To your -- did they have any kind of a -- a lie
22 detector or polygraph examination done of you
23 before you were allowed to sponsor any -- any Asian
24 males?
- 25 A No.

1 Q Did they ever ask you whether or not you had
2 sexually molested any -- any minors?

3 A No.

4 Q I think you had again told us that it was Bishop
5 Hanus who confronted you after the Asian males made
6 the report to Lutheran Social Services. Is that
7 true?

8 A That's true.

9 Q Mr. Thoennes, have you sexually molested any minor
10 since you had your meeting with Bishop Hanus in
11 which he confronted you about the allegations of
12 sexual abuse by you?

13 A No.

14 Q Did you understand the question?

15 A Yes.

16 Q Okay. And, again, to be clear, you have not had
17 any inappropriate sexual contact with any minors
18 since the time that Bishop Hanus confronted you
19 about the report that was made to Lutheran Social
20 Services by the Asian males. Is that true?

21 A That's true.

22 MR. WIESER: Thank you. Those are all
23 the questions I have.

24 MR. ENGH: Do you --

25 MR. BRYANT: I -- yeah, I have a couple

1 questions.

2 **EXAMINATION**

3 **BY MR. BRYANT:**

4 Q Who were the people that did the positive letters
5 for you when you sponsored these Asian adolescents,
6 males?

7 A You want their names?

8 Q (Mr. Bryant nods head.)

9 A Dan Trennen -- Dan and Phyllis Trennen (ph).

10 Q Okay.

11 A And Delores... not Koopmeiners but... I know her
12 name wasn't Koopmeiners. It started with a K.
13 Kapon.

14 Q Kapon.

15 A And the other couple lived on a farm.

16 Q And you don't remember their names?

17 A No.

18 Q Who -- how -- how did you know them?

19 A They were members of the parish.

20 Q And did you see the letters they wrote in support
21 of you?

22 A Trennens' letters, I saw.

23 Q Okay. And were the letters based upon their
24 contact with you as a -- as a Priest?

25 A Right.

September 9, 2014

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- 1 Q You didn't have any other dealings with them in any
2 other matters, did you?
- 3 A No.
- 4 Q Okay. When you filled out the -- the -- the form
5 to be a sponsor, did you identify who -- what --
6 what you did?
- 7 A Yes.
- 8 Q And did you identify who it was that you answered
9 to? I don't know if you would have written it down
10 as a supervisor, but did you write -- write down
11 who -- who it was you answered to?
- 12 A I didn't follow the question.
- 13 Q Sure. Sure. Because of the -- the circumstances,
14 did you -- did the form ask you a question along
15 the lines of who is your supervisor or who -- who
16 who -- who directs you? Did it?
- 17 A Yes.
- 18 Q And who did you -- who did you put down?
- 19 A The Diocese of St. Cloud.
- 20 Q Okay. And did you have to get these letters every
21 time you sponsored somebody, or did you -- once you
22 became a sponsor, you didn't have to do any more
23 letters and you just continued to -- to sponsor
24 people?
- 25 A I think I didn't have to do it repeatedly.

September 9, 2014

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- 1 Q Okay. Do you know if you had to do it more than
2 once?
- 3 A I think I did.
- 4 Q Did other people give you letters, or did the same
5 people give you letters?
- 6 A The same people did.
- 7 Q Okay. And you got asked a question, and I just
8 want to be clear about this. You -- you were asked
9 about whether anyone else lived with you in Pelican
10 Rapids, and I think you said no. There -- there
11 were other people you lived with in Pelican Rapids;
12 correct?
- 13 A Right.
- 14 Q And that was these individual -- these adolescent
15 males that you sponsored?
- 16 A Well, they were -- I was thinking they were the
17 Laotian people.
- 18 Q Oh, the Laotians. Okay. They were -- there were
19 the -- and -- and they were adolescent males, the
20 Laotians?
- 21 A No, they were families.
- 22 Q Families. Okay.
- 23 A And the Cambodian family.
- 24 Q By having the sponsorships and having these
25 adolescent males stay over, were you filling the

September 9, 2014

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1 void of being there by yourself?

2 A Yes.

3 Q Would you get an opportunity to talk to the Bishop?

4 MR. ENGH: I can't quite hear you when
5 your hand is up.

6 MR. BRYANT: Oh, you can't hear him.
7 Okay. I just -- I wasn't sure what was -- okay.

8 Q (By Mr. Bryant, continuing) Would you get an
9 opportunity -- did you ever get an opportunity to
10 talk to the Bishop about these issues you had about
11 -- with loneliness, any of the Bishops?

12 A No.

13 Q Back when you told Monsignor... I know it's a W.

14 MR. JANSON: Taufen.

15 Q (By Mr. Bryant, continuing) Wilden -- Wildenborg.
16 Back when you told Monsignor Wildenborg about what
17 had happened with he -- he was a part of
18 the -- the Diocese; correct?

19 MR. WIESER: Objection; vague.

20 MR. JANSON: Objection. When you say
21 "the Diocese," Mike, are you talking about in the
22 sense of the corporation, which is incorporated
23 under 315.16 of the statute, or are you talking it
24 -- about it in a broader sense in -- that includes
25 the Bishop and the ecclesiastical Diocese?

September 9, 2014

Granite City Reporting <><><> (320) 656-9274

1 MR. BRYANT: He was asked -- asked a
2 question earlier about the first time he ever told
3 anybody from the Diocese, and his response was no.
4 And so I'm asking based upon his -- that response
5 -- or actually because his -- his answer was yes
6 about when he first told the Bishop, and that was
7 the first time he ever told anybody from the
8 Diocese. So I'm going into that response, is what
9 it's based upon.

10 MR. JANSON: Just ask --

11 MR. BRYANT: And I'm getting his
12 definition of what he meant when he answered that
13 question.

14 MR. JANSON: Okay.

15 Q (By Mr. Bryant, continuing) So back to my
16 question. When you told Monsignor Wildenborg --
17 borg, did you recognize him as being part of the
18 Diocese?

19 A Sure.

20 MR. BRYANT: I don't have anything else.

21 MR. ENGH: Mike, I've got one other
22 inquiry for you personally. What -- since we're --
23 the deposition has been concerning a lot of
24 confidential information, sensitive information, is
25 your intention to not publish it or file it? We've

1 had other issues in other cases about depositions
2 being given to people who are not in the case, and
3 I'm wondering if you would help me with what your
4 plans are.

5 MR. BRYANT: Yeah. We have never had
6 that problem, so I don't know that we've gone down
7 this path.

8 MR. ENGH: Uh-huh.

9 MR. BRYANT: I know there's been issues
10 --

11 MR. ENGH: Yeah.

12 MR. BRYANT: -- in the past in other
13 cases.

14 As I sit here, I -- I don't have any
15 plans to walk out here and do anything with the
16 depo. But I -- I think we can answer -- get that
17 question answered in a way that -- that we can
18 clarify it. I just -- as I sit here right now, I
19 -- you and I have never had that issue before. But
20 I understand what issue you're asking about.

21 MR. ENGH: So perhaps we can -- well,
22 let's discuss it further and continue our dialogue.
23 I don't want to be surprised. I -- I know you have
24 interests. We have interests, too, and so maybe we
25 can reach an accommodation.

1 MR. BRYANT: Okay. Very good. And I
2 think we can probably discuss that or get that
3 figured out.

4 MR. WIESER: Right.

5 MR. ENGH: Father, you have a -- a right
6 to read and review the deposition before you sign
7 off on it. And given the fact that the events that
8 you were asked about are decades away, my
9 recommendation as your counsel is that you take the
10 opportunity to read the deposition and then sign
11 it, making any corrections that you may have. This
12 is the same process you did in 1994. Would you
13 follow my advice in that respect?

14 THE WITNESS: I will.

15 MR. ENGH: Okay. Thank you.

16 VIDEOGRAPHER: We are off video record.

17 The time is approximately 11:45 a.m.

18 (The deposition concluded at 11:45 a.m.)

19 (The original transcript has been
20 delivered to Michael A. Bryant.)

21

22

23

24

25