

0001  
1 CONFIDENTIAL PER COURT ORDER  
2 STATE OF CONNECTICUT : SUPERIOR COURT  
3 JUDICIAL DISTRICT OF FAIRFIELD  
4 AT BRIDGEPORT  
5

6 -----X  
7 RICHARD ROSADO, :  
8 Plaintiff, :  
9 -versus- : No. CV-95-0320239S  
10 BRIDGEPORT ROMAN CATHOLIC  
11 DIOCESAN CORP., ET AL., :  
12 Defendants. :  
13 -----X  
14 GEORGE ROSADO, JR., :  
15 Plaintiff, : No. CV-93-0302072S  
16 -versus- :  
17 BRIDGEPORT ROMAN CATHOLIC  
18 DIOCESAN CORP., ET AL., :  
19 Defendants. :  
20 -----X

21  
22 DEPOSITION OF BISHOP WALTER CURTIS  
23 July 31, 1995  
24  
25

0002  
1 Deposition of BISHOP WALTER  
2 CURTIS, taken pursuant to Notice and  
3 Section 243 et seq. of the Connecticut  
4 Practice Book, at St. Joseph's Medical  
5 Center, 128 Strawberry Hill Avenue,  
6 Stamford, Connecticut, before James  
7 Martone, a Notary Public in and for the  
8 State of Connecticut, on July 31, 1995, at  
9 10:12 a.m.  
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0003  
1 A P P E A R A N C E S :  
2 For the Plaintiffs:  
3 TREMONT & SHELDON, P.C.  
4 64 Lyon Terrace  
5 Bridgeport, Connecticut 06604  
6 By: PAUL E. TREMONT, ESQ.  
7 DOUGLAS MAHONEY, ESQ.  
8  
9 For the Defendant Bridgeport Roman  
10 Catholic Diocesan Corp. and Bishop  
11 Walter Curtis:  
12  
13 HALLORAN & SAGE  
14 225 Asylum Street  
15 Hartford, Connecticut 06103  
16 By: JOSEPH T. SWEENEY, ESQ.  
17 - and -  
18 DANAHER, TEDFORD, LAGNESE & NEAL, P.C.  
19 21 Oak Street  
20 Hartford, Connecticut 06106  
21 By: ROBERT C. DANAHER, ESQ.  
22  
23 For the Defendant Raymond Pcolka:  
24 TIERNEY, ZULLO, FLAHERTY & MURPHY,  
25 P.C.  
134 East Avenue  
Norwalk, Connecticut 06851  
By: FRANK W. MURPHY, ESQ.

26  
27 A L S O P R E S E N T :  
28  
29 Craig Tomlin, Videographer  
30 Monsignor Laurence Bronkiewicz  
31 Santi J. Neuberger, M.D.  
32  
33

0004  
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0005  
1 MR. SWEENEY: I think the record  
2 can and should reflect that we are assembled  
3 here today at St. Joseph's Hospital in Stamford  
4 for a deposition to be taken of the  
5 out-of-the-court testimony of Bishop Walter  
6 Curtis, who is seated to my left, for the two  
7 lawsuits entitled George L. Rosado and others  
8 versus the Bridgeport Roman Catholic Diocesan  
9 Corporation, and Richard Rosado versus the same  
10 defendants.  
11 I'm Attorney Joseph Sweeney. I  
12 represent Bishop Curtis and the Diocese of  
13 Bridgeport. To my immediate right is Monsignor  
14 Laurence Bronkiewicz, the Vicar for Clergy of  
15 the Diocese of Bridgeport, and to his right,  
16 Attorney Robert Danaher, who is co-counsel with  
17 me.  
18 I think we can and should at this  
19 stage, if we say, Mr. Tremont, confirm the fact  
20 that we're operating this deposition under the  
21 terms of a protective order issued by Judge  
22 Bruce Levin on December 8, 1994, and in  
23 accordance with my discussion with your partner,  
24 Attorney Cindy Robinson, it has been agreed that  
25 the terms of that protective order will apply to

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1 this deposition, both insofar as it relates to  
2 the George Rosado case, and the Richard Rosado  
3 case.  
4 I think the record can further  
5 reflect the fact that we have -- in accordance  
6 with an order entered by Judge Bruce Levin on  
7 October 3, 1994, we have seated in the room  
8 Dr. Santi Neuberger, who is Bishop Curtis's  
9 personal physician, who is to be here to deal  
10 with any medical issues which may develop during  
11 this deposition.  
12 I'd be prepared to, if it's  
13 agreeable with you, Mr. Tremont, and with  
14 Attorney Frank Murphy, who represents the other  
15 defendant, Father Pcolka, I'd be prepared to  
16 stipulate as to the adequacy of the notice of  
17 this deposition, as to the adequacy of our  
18 reporter's qualifications, both as a court  
19 stenographer and as a notary, and to reserve  
20 objections to questions until the time of trial,  
21 except objections as to matters of form, which  
22 might be cured by a timely objection and  
23 rephrasing.  
24 I think that those are three  
25 stipulations I would suggest we enter, and I

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- (1) defer to anything that you and Mr. Murphy may
- (2) wish to add to that.
- (3) MR. TREMONT: I have no objection
- (4) to that. Can we swear the witness in?
- (5) MR. SWEENEY: Shall we just ask
- (6) Mr. Murphy, is he agreeable to those
- (7) stipulations?
- (8) MR. MURPHY: I agree to those
- (9) stipulations.
- (10) MR. TREMONT: Swear the witness
- (11) in, please.
- (12) BISHOP WALTER CURTIS,
- (13) called as a witness, having been first duly
- (14) sworn by James Martone, a Notary Public in
- (15) and for the State of Connecticut, was
- (16) examined and testified as follows:
- (17) DIRECT EXAMINATION
- (18) BY MR. TREMONT:
- (19) Q. Would you give us your full name?
- (20) A. Walter William Curtis.
- (21) Q. And where do you reside.
- (22) A. The Queen of the Clergy home in
- (23) Stamford, Connecticut.
- (24) Q. And at the present time, are you
- (25) retired as bishop of Bridgeport?

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- (1) A. I am, yes.
- (2) Q. All right. Would you be good enough to
- (3) tell me when you became bishop of Bridgeport?
- (4) A. Shouldn't be too hard to remember, but
- (5) I -
- (6) Q. Well, you try the best you can to
- (7) remember, and if you - what I'm asking you, and
- (8) you can give me an approximation, if you will.
- (9) It's not necessary to give me an exact date.
- (10) A. Nineteen hundred and I think
- (11) thirty-four.
- (12) Q. Prior to being bishop of Bridgeport,
- (13) what was your title or function in the Roman
- (14) Catholic Church?
- (15) A. I was a professor at the seminary in
- (16) Newark, New Jersey.
- (17) Q. All right. And you ultimately became
- (18) bishop of Bridgeport?
- (19) A. Yes.
- (20) Q. All right. All right. And do you
- (21) recall when it was that you retired as bishop of
- (22) Bridgeport?
- (23) A. Well, that was when I was 75, and that
- (24) would - '88. In '88.
- (25) Q. 1988, and how old are you now, Bishop?

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- (1) A. 82.
- (2) Q. 82, so that would have been seven years
- (3) ago that you retired?
- (4) A. Yes.
- (5) Q. Okay. And during the course of your
- (6) tenure as bishop of Bridgeport, did the Diocese
- (7) of Bridgeport have any kind of policy regarding
- (8) celibacy of its clergy?
- (9) A. Well, I had a practical policy that if
- (10) any accusation was made otherwise, I would refer
- (11) it to our director for personnel, at the time,
- (12) Monsignor Andrew Cusack, and he would then
- (13) handle it for me.
- (14) Q. All right. So Monsignor Cusack at that
- (15) particular time was with the diocese. Do you
- (16) remember when you retired as bishop, was
- (17) Monsignor Cusack still with the diocese or had
- (18) he gone to New Jersey?
- (19) A. He had gone to New Jersey, yes.
- (20) Q. And who took over those duties when
- (21) Monsignor Cusack left?
- (22) A. I guess Father Bronkiewicz.
- (23) Q. So Father Bronkiewicz took over those
- (24) particular duties at that time?
- (25) A. Yes.

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- (1) Q. Let me ask you, Bishop, I'm talking
- (2) generally, when you received complaints
- (3) regarding a violation of the vow of celibacy
- (4) from your clergy, how would those complaints
- (5) come to you?
- (6) A. I guess they would come from somebody
- (7) making the complaint.
- (8) Q. All right, and would that be directly
- (9) to - would you accept those complaints yourself
- (10) directly, or would they be filtered through
- (11) someone else?
- (12) A. Well, they could have gone both ways.
- (13) Q. All right. And once that complaint
- (14) came to you, you indicated that you would have
- (15) Monsignor Cusack, while he was there -
- (16) A. Yes.
- (17) Q. It was his duty to investigate it?
- (18) A. Yes. He was - he had a doctorate in
- (19) psychology, and he made it a point always to
- (20) immediately contact the person involved and
- (21) check out the facts.
- (22) Q. All right. And then after he checked
- (23) the facts out, what would happen then?
- (24) A. Well, he'd make his report to me,
- (25) and -

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- (1) Q. All right.
- (2) A. As to what - he would suggest what I
- (3) should or should not do.
- (4) Q. All right, and how would he make the
- (5) report to you?
- (6) A. Verbally.
- (7) Q. All right. Was anything kept in
- (8) writing?
- (9) A. I don't recall.
- (10) Q. Well, you are aware, are you not,
- (11) Bishop Curtis, that under the canon law, any
- (12) investigation, whether it's open or closed and
- (13) regardless of how it works out for a violation
- (14) of canon law, the investigation itself, that all
- (15) the proceeds must be kept in the secret
- (16) archives. Are you aware of that?
- (17) MR. SWEENEY: Well, I'm going to
- (18) just for the record state that I know Attorney
- (19) Tremont has read from some book, I think in this
- (20) proceeding there's been testimony to the
- (21) contrary, but I just want that to be reflected
- (22) on the record.
- (23) MR. TREMONT: I thought the only
- (24) objections were as to matters of form, and
- (25) seeing that we have reserved our objections

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- (1) until the time of trial, I would see no need for
- (2) stating an objection unless it's as to a matter
- (3) of form.
- (4) Q. But could you answer that for me,
- (5) please?
- (6) A. Well, I think, as you would say it,
- (7) it's much too broad. Not everything goes into
- (8) the secret archives.
- (9) Q. All right. Some things do go into the
- (10) secret archives?
- (11) A. If the bishop so wishes, yes.
- (12) Q. Right, and it was up to you, as the
- (13) bishop, to determine what went into the secret
- (14) archives?
- (15) A. Yes.
- (16) Q. And isn't it a fair statement that in
- (17) making that determination, even though you had
- (18) extraordinary powers as a bishop, you were
- (19) required to follow canon law?
- (20) A. Yes.
- (21) Q. And would you agree with me, Bishop
- (22) Curtis, that if there was a complaint about one
- (23) of your priests, priests within the diocese
- (24) under your jurisdiction, sexually abusing
- (25) children, that the investigation of that

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- (1) complaint -- the investigation and conclusion
- (2) should have been placed in the secret archives?
- (3) **A.** No, not necessarily.
- (4) **Q.** Okay. Where would it be if it wasn't in the secret archives?  
**A.** In the -- in the record of the individuals involved, in their file.
- (7) **Q.** In their file, and would it remain in their file?
- (9) **A.** I think so, yes.
- (11) **Q.** All right. And while you were bishop, did you ever authorize that the files be culled or things be taken out of those personnel files in regard to claims or investigations regarding sexual charges against priests?
- (15) **A.** I have, myself, removed something from that file as antiquated.
- (17) **Q.** So you've removed it as antiquated.
- (18) **A.** Uh-huh.
- (20) **Q.** And when you removed something as antiquated, were you not required to keep a record of what was removed?
- (22) **A.** No.
- (24) **Q.** All right. Could you tell me whether you, yourself, would review the files

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- (1) periodically in order to remove things which were antiquated, or was there another way that the file came to your attention, that would cause you to remove those papers?
- (4) **A.** I had no practice of a periodic review.
- (6) **Q.** Well, how would it come about, for instance, that you'd remove a paper or something from the file as antiquated?
- (9) **A.** Well, if a complaint was made about someone, I would then on occasion go to the secret file to see if there was anything in there that might support it or not.
- (12) **Q.** All right. So that in the secret file, there were complaints kept about priests that may have -- least it was claimed -- had violated the vow of celibacy; is that correct?
- (15) **A.** Yes.
- (17) **Q.** Okay, and were any of those documents ever sent out of the diocese?
- (20) **A.** No.
- (22) **Q.** Were any of the documents ever sent to the Vatican embassy?
- (23) **A.** No.
- (24) **Q.** Were any of the files ever sent or

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- (1) copies of them to Rome?
- (2) **A.** No.
- (3) **Q.** When a priest may have been transferred or may have moved from this diocese to another diocese, the Archdiocese of Hartford, for example, did any of those files or any papers that might indicate that there were sexual charges made against that priest, would those papers have been sent to the ordinary of the priest's new diocese?
- (10) **A.** No.
- (12) **Q.** They could have been kept?
- (13) **A.** Yes.
- (14) **Q.** Would you have discussed with the ordinary of the priest's new diocese, the fact that there may have been complaints made against a certain priest?
- (16) **A.** I don't think I would have. Perhaps Monsignor Cusack might have.
- (19) **Q.** That would be delegated to Monsignor Cusack to do?
- (21) **A.** Yes.
- (23) **Q.** But there would be no record of that in the file necessarily?
- (24) **A.** No.

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- (1) **Q.** It was all done by word of mouth?
- (2) **A.** Yes.
- (3) **Q.** Do you know a Reverend Charles Carr?
- (4) **A.** Yes.
- (5) **Q.** And do you recall any complaints being made against Father Carr, Charles Carr, regarding sexual advances or sexual conduct with children?
- (7) **MR. SWEENEY:** Objection. Bishop, don't answer at this stage. I must state on the record, Mr. Tremont, that this question goes beyond the limit placed by Judge Levin, with respect to acquiring through this deposition information about other priests. Now the fact of the matter is you do have pending in a separate lawsuit which you've brought relating to Father Carr, and when you notice a deposition for that lawsuit, you'll be able to ask that question, but this deposition is not concerned with the lawsuit relating to Father Carr and, for that reason, I believe that this question is outside the limitations placed by Judge Levin.
- (21) **MR. TREMONT:** Would you show me in the order where it says that I cannot ask a specific question about a specific priest, as

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- (1) opposed to a general question regarding priests?
- (2) **MR. SWEENEY:** I believe we have -- why don't we go off the record for a moment.
- (5) (Discussion off the record.)
- (7) **MR. SWEENEY:** Mr. Tremont, I'm directing you to the memorandum of decision, re: motions for protective orders dated December 8, 1994, filed by Judge Bruce Levin. And it is covered in Roman numeral II section of that memorandum of decision, and it starts on page 12 and goes through to the top of page 17.
- (14) The issue, as dealt with there, was whether or not information regarding sexual misconduct complaints and incidents relating to other priests should be discloseable or discoverable through these depositions, and I construe Roman numeral II section of this memorandum of decision to bar such discovery through this deposition.
- (20) **MR. TREMONT:** Mr. Sweeney, you can't point to the language specifically that says that I cannot ask this bishop about specific priests, as opposed to a question

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- (1) saying, "Tell me the priest against whom you've gotten allegations of misconduct." Because that is not prevented because under our complaint, we make a claim in regard to the failure to investigate completely, and it is my claim that I have a right to ask him about specific priests, and as you commented before, and know, that there is claims pending against these priests, which we are prosecuting, so it's a specific allegation based upon specific facts which we have, as opposed to information we're trying to obtain through the deposition. So I claim the question.
- (13) **MR. SWEENEY:** Well, you're entitled to claim it, Mr. Tremont. Let me suggest you put your claim on the record and we'll have a court deal with it.
- (17) **MR. TREMONT:** Obviously we're going to court on the whole deposition then.
- (20) Let's go on then.
- (21) **MR. SWEENEY:** Certainly. Move ahead.
- (22) **Q.** So you do know Father Carr, correct?
- (23) **A.** Yes.
- (24) **Q.** All right. When you last knew him, or

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- (1) met him, as bishop, do you recall what parish he
- (2) was in?
- (3) **A.** No, I don't.
- (4) **Q.** All right. Do you recall whether you
- (5) ever had a complaint of sexual misconduct
- (6) against Father Carr?
- (7) **MR. SWEENEY:** Objection. Again,
- (8) don't answer the question.
- (9) **MR. TREMONT:** That's are same
- (10) objection, okay.
- (11) **MR. SWEENEY:** For the same
- (12) reasons, Bishop.
- (13) **Q.** Did you know a Father Walter Coleman?
- (14) **A.** Yes.
- (15) **Q.** All right. While you were bishop, did
- (16) you ever have a complaint of sexual misconduct
- (17) brought to your attention regarding Father
- (18) Walter Coleman?
- (19) **MR. SWEENEY:** Again, objection.
- (20) Don't answer it, Bishop. Again, Mr. Tremont, I
- (21) take the position that this question, like, too,
- (22) on Father Carr, goes beyond the scope of the
- (23) protective order, and for that reason, we take
- (24) the position it's not properly discoverable.
- (25) **MR. TREMONT:** I claim it and

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- (1) we'll go through that in court.
- (2) **MR. SWEENEY:** Certainly.
- (3) **Q.** Do you know a Father Alfred
- (4) Biedgoffer -- Biedoffer?
- (5) **A.** What is that name?
- (6) **Q.** Biedgoffer, B-i-e-d-g-o-f-f-e-r?
- (7) Father Biedgoffer?
- (8) **A.** Not by that name.
- (9) **Q.** All right. By what name would you know
- (10) him?
- (11) **A.** Well, there was a priest, a Father
- (12) Biedoffer.
- (13) **Q.** I'm mispronouncing it. Do you know
- (14) him?
- (15) **A.** Yes.
- (16) **Q.** Okay. Did you ever have a claim of
- (17) sexual abuse brought to your attention regarding
- (18) Father Biedoffer?
- (19) **A.** No.
- (20) **MR. SWEENEY:** Again, objection.
- (21) Don't answer the question. Objection for the
- (22) same reasons as the prior questions.
- (23) **Q.** Did you know a priest by the name of
- (24) Gavin O'Connor?
- (25) **A.** Yes.

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- (1) **Q.** All right. Did you ever have a claim
- (2) of sexual abuse brought to your attention
- (3) regarding Gavin O'Connor?
- (4) **MR. SWEENEY:** Objection.
- (5) Objection, don't answer the question, Bishop.
- (6) Again, Mr. Tremont, we continue to object to
- (7) that type of question as it relates to him.
- (8) **MR. TREMONT:** I claim it.
- (9) **Q.** Do you know a priest by the name of
- (10) Joseph Gorrecki?
- (11) **A.** Yes.
- (12) **Q.** Did you ever have a claim of sexual
- (13) abuse brought to your attention regarding Joseph
- (14) Gorrecki?
- (15) **MR. SWEENEY:** Again, objection,
- (16) don't answer the question, Bishop. Again,
- (17) Mr. Tremont, we take the position that that
- (18) question is also objectionable for the same
- (19) reasons.
- (20) **MR. TREMONT:** All right. I claim
- (21) it.
- (22) **Q.** Do you know a priest by the name of
- (23) Lawrence Brett?
- (24) **A.** Yes.
- (25) **Q.** Was it ever brought to your attention

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- (1) that there were claims of sexual abuse brought
- (2) against that priest?
- (3) **MR. SWEENEY:** Again, objection.
- (4) Don't answer the question, Bishop. Again,
- (5) Mr. Tremont, for the same reasons that we object
- (6) to that question.
- (7) **Q.** Do you know a priest named Richard
- (8) McGann, M-c-G-a-n-n?
- (9) **A.** No.
- (10) **Q.** Do you know a priest by the name of
- (11) Raymond Pcolka?
- (12) **A.** Yes.
- (13) **Q.** All right. Were claims brought to your
- (14) attention regarding sexual abuse by Raymond
- (15) Pcolka?
- (16) **A.** I don't think so, no.
- (17) **Q.** You don't think so, all right.
- (18) Now, how did you -- when did you
- (19) first know Raymond Pcolka? Do you remember?
- (20) **A.** No. I presume I ordained him, but --
- (21) **Q.** But you don't remember?
- (22) **A.** I don't remember exactly.
- (23) **Q.** All right. Now, are you telling me
- (24) that, as you sit here today, you never recall
- (25) any claim of sexual misconduct that was brought

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- (1) against Father Pcolka?
- (2) **A.** That's right.
- (3) **Q.** You have no knowledge of it?
- (4) **A.** No.
- (5) **Q.** You indicated to me that when there
- (6) were charges of sexual abuse made, that it was
- (7) your policy as bishop of the diocese, to turn
- (8) those over to Monsignor Cusack, who would
- (9) investigate?
- (10) **A.** Yes.
- (11) **Q.** And then would report verbally to you?
- (12) **A.** Yes.
- (13) **Q.** All right. Could you tell me when did
- (14) you institute that policy, in regard to the time
- (15) that you were bishop? Not the year.
- (16) **A.** Well, I know it was early on, but I
- (17) don't remember the year.
- (18) **Q.** All right, what was the reason for it?
- (19) **A.** Well, Monsignor Cusack had gotten a
- (20) doctorate in psychology, and he always had a
- (21) very practical, good judgment, and I could trust
- (22) him.
- (23) **Q.** All right. And when he reported to
- (24) you -- okay. Was there any time that he ever
- (25) reported to you that it was his opinion that a

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- (1) priest was indeed responsible or guilty of some
- (2) sexual misconduct?
- (3) **A.** Well, his policy was to go directly to
- (4) the priest involved, and, you know, probe the
- (5) matter with him. And then he would -- he would
- (6) let me know the outcome of that -- of that
- (7) conversation or discussion.
- (8) **Q.** Was there ever a time that the outcome
- (9) of the conversation or discussion concluded that
- (10) indeed the priest had done something which was a
- (11) violation of his vow of chastity?
- (12) **A.** Yes.
- (13) **Q.** All right, and under those
- (14) circumstances, did you ever admonish or
- (15) reprimand such a priest?
- (16) **A.** No.
- (17) **Q.** So in the years that you were bishop,
- (18) there was never any occasion when you issued a
- (19) reprimand or an admonishment to one of the
- (20) priests in your diocese?
- (21) **A.** This was always done by Monsignor
- (22) Cusack, who the priests knew that he represented
- (23) me.
- (24) **Q.** Was it an admonishment or reprimand
- (25) that was ever made?

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- (1) A. I don't know what the difference is.
- (2) Q. Well, perhaps I should use the word
- (3) "rebuke" or "admonishment." Do you know what
- (4) I'm talking about, Bishop, in regard to that?
- (5) Let me read you Canon 1339 of the Code of Canon
- (6) Law. "An ordinary can admonish personally or
- (7) through another person one who is in proximate
- (8) occasion of committing an offense or upon whom
- (9) after an investigation has been made, there has
- (10) fallen a serious suspicion of having committed
- (11) an offense."
- (12) Did you ever have occasion to
- (13) make such a rebuke, either directly or through
- (14) Monsignor Cusack, rebuke or admonishment, to a
- (15) priest in your diocese for a violation of the
- (16) code of celibacy?
- (17) A. I think what you are reading is a
- (18) formal -- a formal juridical procedure, and I
- (19) didn't.
- (20) Q. You've never -- never issued a formal
- (21) juridical procedure?
- (22) A. No.
- (23) Q. Well, I'm asking you not about a formal
- (24) juridical procedure. I'm asking you whether you
- (25) admonished or rebuked an individual as a result

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- (1) of an informal investigation, as opposed to a
- (2) formal juridical procedure?
- (3) A. No.
- (4) Q. You never did?
- (5) A. No.
- (6) Q. All right. So despite the fact that
- (7) you did indicate that there were violations, you
- (8) never acted to rebuke any of the individuals who
- (9) might have been involved?
- (10) MR. SWEENEY: Well, objection as
- (11) to the form of the question. Mr. Tremont, I
- (12) think that he said that there may have been one
- (13) such occasion. Your question, I think,
- (14) misstates the testimony to the effect that there
- (15) were multiple occasions.
- (16) MR. TREMONT: I don't know how
- (17) many there were. I didn't ask him how many
- (18) there were.
- (19) MR. SWEENEY: Well, I think your
- (20) question as phrased is objectionable.
- (21) Q. All right. You never rebuked any
- (22) individual for a violation of the vow of
- (23) chastity, while you were bishop, either directly
- (24) or through your vicar?
- (25) A. Well, through the vicar, because of the

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- (1) vicar, I didn't have to.
- (2) Q. What do you mean by that?
- (3) A. Well, the priests understood that
- (4) Monsignor Cusack was sort of a representative of
- (5) myself, so if he rebuked them, that was -- the
- (6) priest would see that as coming from me.
- (7) Q. But you authorized Monsignor Cusack
- (8) then to rebuke such a priest?
- (9) A. If he thought it -- he was a -- he was
- (10) a professional in this area, and I trusted his
- (11) judgment.
- (12) Q. Yes, but he certainly -- you'd
- (13) certainly discuss it with him, as you said?
- (14) A. Yes, we would discuss it, yes.
- (15) Q. And if he were to rebuke him, he would
- (16) tell you before he did that --
- (17) A. Yes.
- (18) Q. -- to get your approval, even though
- (19) you trusted him implicitly; is that correct?
- (20) A. Yes.
- (21) Q. All right. And could you tell me
- (22) whether you ever had any persons come to you and
- (23) complain that any of your priests, the priests
- (24) in your diocese, were sexually abusing children,
- (25) while you were bishop?

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- (1) A. I don't remember.
- (2) Q. You don't remember?
- (3) A. No.
- (4) Q. You don't recall at any time during
- (5) your bishopric, whether a claim was made that
- (6) one of your priests were sexually abusing
- (7) children in the parish?
- (8) MR. SWEENEY: I think he's
- (9) already answered the question.
- (10) MR. TREMONT: Well, I'm asking
- (11) him again.
- (12) MR. SWEENEY: I'll object, it's
- (13) been asked and answered.
- (14) MR. TREMONT: Well, I claim it.
- (15) A. Well, if it did happen, I would do the
- (16) same thing. I'd ask Monsignor Cusack to
- (17) investigate and take care of things.
- (18) Q. All right, and then when he reported
- (19) back to you --
- (20) A. Yes.
- (21) Q. -- what --
- (22) A. He would let me know what he was doing
- (23) all the time.
- (24) Q. He'd let you know what he was doing.
- (25) What steps did you take as bishop to see to it

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- (1) that children were not abused in your parishes
- (2) or in your rectories by priests? Would you take
- (3) any kind of steps in that regard?
- (4) A. I would not have thought to take any
- (5) steps, as this was going on, we presumed it was
- (6) not going on.
- (7) Q. In other words, while you were bishop,
- (8) you had the knowledge that some priests --
- (9) obviously not all priests or majority of
- (10) priests -- but that some priests were having
- (11) sexual relations with children in the parish?
- (12) A. Not anymore than I said before.
- (13) Q. Well, you attended meetings, did you
- (14) not, of the National Council of Catholic
- (15) Bishops?
- (16) A. I did, yes.
- (17) Q. And how often would they -- would those
- (18) meetings be held during a year?
- (19) A. They were annual meetings.
- (20) Q. Annual meetings. And during those
- (21) meetings, was there not, Bishop Curtis,
- (22) discussion regarding a problem of pedophilia
- (23) among the Catholic clergy?
- (24) A. There was at one meeting. It was at
- (25) one meeting because of the publicity that

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- (1) attended cases.
- (2) Q. And you were not aware at that time
- (3) that such pedophilia existed within the church?
- (4) A. I was aware of it, yes.
- (5) Q. All right. And being aware of it, did
- (6) you do anything to assure that it either didn't
- (7) happen in Bridgeport, or you could keep it, if
- (8) it did happen, to a minimum, that you'd be able
- (9) to ferret it out and investigate it?
- (10) A. Well, I would -- I did on occasion
- (11) bring in an outside speaker to talk to the
- (12) clergy and to discuss the question of clerical
- (13) celibacy.
- (14) Q. Okay, and do you recall who the
- (15) speakers were, or any of them?
- (16) A. I think Father Benedict Groeschel was
- (17) one.
- (18) Q. Father Benedict --
- (19) A. Groeschel.
- (20) MR. SWEENEY: I think it's
- (21) G-r-o-e-s-h-e-l.
- (22) Q. There was more than one, that you
- (23) recall?
- (24) A. There was more than one. The name
- (25) escapes me.

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- (1) Q. All right. Now, did the rectories –
- (2) the rectories of the various parishes, rectory
- (3) at Holy Name, at St. James, at St. Thomas's, any
- (4) of the rectories, who owns the rectories?
- (5) A. The parish owns it.
- (6) Q. All right, and you say the parish owns
- (7) it. Is that in the name of the diocese?
- (8) A. No. No. We are not a corporation
- (9) sole. We are a corporation aggregate.
- (10) Q. Who controls that rectory?
- (11) A. The pastor.
- (12) Q. And who controls the pastor? Who does
- (13) the pastor answer to?
- (14) A. Well, he answers to, ultimately, the
- (15) bishop, to the vicar general.
- (16) Q. All right. And then through him, to
- (17) the bishop?
- (18) A. Yes.
- (19) Q. All right. Did you have any rules
- (20) regarding the bringing of children in the
- (21) bedrooms, the private bedrooms of priests, in a
- (22) rectory, in the Diocese of Bridgeport?
- (23) A. I don't recall. I don't recall any.
- (24) Q. So you had no rules which would prevent
- (25) a priest from having a child spend the evening,

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- (1) for instance, in that priest's bedroom?
- (2) MR. SWEENEY: Objection. I
- (3) think, Mr. Tremont, your present question
- (4) restates his prior testimony.
- (5) MR. TREMONT: No.
- (6) MR. SWEENEY: He doesn't recall,
- (7) he said. You twisted it around to say it didn't
- (8) happen.
- (9) MR. TREMONT: That's not – I
- (10) claim it. This is cross-examination. I claim
- (11) it.
- (12) MR. SWEENEY: I know, but I take
- (13) the position this question is improper as a
- (14) matter of form.
- (15) MR. TREMONT: Well, it isn't. I
- (16) claim it.
- (17) Q. Would you answer that question,
- (18) please?
- (19) MR. SWEENEY: Do you understand
- (20) the question, Bishop?
- (21) A. Would you repeat the question?
- (22) Q. All right. Did you have any rule that
- (23) prevented or precluded one of your priests from
- (24) having a child stay overnight in his bedroom,
- (25) private bedroom?

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- (1) A. No.
- (2) Q. All right. Did you have any rule which
- (3) prevented, in the rectory, a priest from having
- (4) a girl under the age of 18 stay in his bedroom
- (5) all night?
- (6) A. I have difficulty answering because,
- (7) you know, it seems to presume that I'm supposed
- (8) to have rules on everything that a priest could
- (9) or couldn't do. It's not the way – that's not
- (10) the way we operate. A priest is independent,
- (11) and has his own responsibilities and knows
- (12) what's right and wrong. So I don't have to make
- (13) a rule for everything he does.
- (14) Q. You had no rules then – the answer is,
- (15) you're telling me, that you did have no rules
- (16) which prevented or precluded a priest from
- (17) having a child or a girl under the age of 18 in
- (18) his bedroom, in the rectory?
- (19) A. No. No.
- (20) Q. All right. And let me ask you, did you
- (21) indicate to anyone during the course of your
- (22) bishopric, that a pastor or a Monsignor, someone
- (23) should report to the chancellery, if a priest
- (24) had children in his bedroom?
- (25) A. No.

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- (1) MR. SWEENEY: We've been going
- (2) about 45 minutes and I think the air-conditioner
- (3) was turned off for noise purposes.
- (4) MR. TREMONT: It was? Why don't
- (5) we keep it on.
- (6) MR. SWEENEY: Yes.
- (7) MR. TREMONT: I don't really
- (8) care. Why don't we move the microphone over a
- (9) little closer.
- (10) MR. SWEENEY: Let's turn it on,
- (11) and also – keep it down low, but have it on,
- (12) and then if we can adjust the microphone to
- (13) compensate for it.
- (14) MR. TREMONT: It was too hot. I
- (15) was wondering why. We can put it higher then.
- (16) MR. SWEENEY: I think – let's
- (17) try it where we have it now.
- (18) Q. All right. Let me show you this letter
- (19) which we can mark as Plaintiffs' Exhibit 1 for
- (20) identification.
- (21) (Plaintiffs' Exhibit 1 marked
- (22) for identification.)
- (23) Q. Bishop, would you please take a look at
- (24) this letter. Read that letter, if you would,
- (25) please.

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- (1) MR. SWEENEY: Pardon me,
- (2) Dr. Neuberger, with comment on this, Bishop
- (3) Curtis has had a stroke which impairs his
- (4) ability to read. Could it be read aloud to
- (5) him?
- (6) MR. TREMONT: Absolutely.
- (7) Q. Let me read this letter to you,
- (8) Plaintiffs' Exhibit 1 for identification. It's
- (9) on the letterhead of the Diocese of Bridgeport,
- (10) Ministry for Clergy and Religious. It is dated
- (11) July 7th, 1983. It is signed by Monsignor
- (12) Andrew T. Cusack, Vicar for Clergy and
- (13) Religious. It indicates a copy went to you, and
- (14) a copy to Attorney James J. O'Connell. Did you
- (15) know Attorney O'Connell?
- (16) A. Yes. He was our diocese attorney.
- (17) Q. For how long a period was he the
- (18) diocese attorney?
- (19) A. Well, he was the attorney when I
- (20) arrived, and so just how long, I don't know.
- (21) Q. And was it through most of your tenure
- (22) that Coles & O'Connell were attorneys for the
- (23) diocese?
- (24) A. That's right.
- (25) Q. And the letter goes on to say, "I have

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- (1) received your letter of June 30th, 1983. From
- (2) the very beginning of our contact, I assured you
- (3) that the entire matter concerning Father Raymond
- (4) Pcolka, as given to me by you, would be
- (5) professionally communicated and treated.
- (6) Since your letter of June 30th
- (7) seems to indicate some doubt that, in fact, this
- (8) has been done, I ask that you do direct all
- (9) necessary and future communications in this
- (10) regard to our diocesan lawyer. He is Attorney
- (11) James O'Connell." And he gives his address.
- (12) "This procedure gives me further
- (13) assurance that this matter continues to be
- (14) handled by us in a professional way. Thanking
- (15) you for your kind consideration of this mutual
- (16) concern and with every best wish, I am,
- (17) sincerely yours, Monsignor Cusack. "
- (18) Do you recall that letter,
- (19) Bishop?
- (20) A. No.
- (21) Q. All right. The letter obviously refers
- (22) to Father Pcolka, correct, from my reading of
- (23) it?
- (24) A. I'm trying to remember where it said
- (25) that.

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- (1) Q. All right. It says, "From the very
- (2) beginning of our contact, I assured you that the
- (3) entire matter concerning Father Raymond Pcolka,
- (4) as given to me by you, would be professionally
- communicated and treated." All right?
- I'm asking you whether that
- (7) letter refreshes your recollection that
- (8) Father -- about a sexual abuse charge made
- (9) against Father Pcolka?
- (10) A. Doesn't refresh my memory, but I accept
- (11) what the letter says.
- (12) Q. Okay. You don't recall then talking to
- (13) Father Cusack about Father Pcolka?
- (14) A. Not specifically, no.
- (15) Q. You don't generally remember it?
- (16) A. No.
- (17) Q. You don't remember a claim being made
- (18) against him, at least in 1983, that he was
- (19) abusing children in the parish?
- (20) A. No.
- (21) Q. Would that have been a significant
- (22) matter, if that discussion -- if you had that
- (23) discussion?
- (24) A. Yes, it would be.
- (25) Q. All right. And you don't recall

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- (1) whether that was investigated or what happened?
- (2) You recall nothing about it; is that correct?
- (3) A. Yes.
- (4) Q. All right. Are you now aware of the
- (5) fact that there is a lawsuit pending against you
- (6) and the Diocese of Bridgeport, regarding claims
- (7) of sexual abuse by over 12 children concerning
- (8) Father Pcolka?
- (9) A. Is that what this is all about, this
- (10) meeting?
- (11) Q. Yes.
- (12) A. Yes.
- (13) Q. Are you aware of that?
- (14) A. I am now, yes.
- (15) Q. Well, did someone read to you, Bishop,
- (16) the lawsuits which were filed claiming that
- (17) during your tenure as bishop, that from 1973
- (18) through the mid-1980s, that Father Pcolka had
- (19) committed sexual offenses against altar boys at
- (20) St. James Church in Stratford, Holy Name Church
- (21) in Stratford, and at St. Johns Nepomucene Church
- (22) in Bridgeport?
- (23) A. I don't remember it.
- (24) Q. You don't remember it?
- (25) A. No.

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- (1) Q. All right, and you're telling us that
- (2) you don't remember now any investigation or
- (3) claims of sexual abuse regarding Father Pcolka?
- (4) A. No.
- (5) Q. There is a letter, Bishop, that is
- (6) addressed to you from a Mr. and Mrs. Michael A.
- (7) Sherman. And this particular letter is attached
- (8) to another letter from Father Toomey to Father
- (9) Scanlon. Do you know who Father John J. Toomey
- (10) was?
- (11) A. Yes. He was our vicar general. He --
- (12) Q. Okay. And -- all right, he was your
- (13) vicar general, and do you remember Father
- (14) Scanlon?
- (15) A. Father Scanlon --
- (16) Q. Bernard Scanlon, St. Ambrose, do you
- (17) remember him?
- (18) A. Yes. Yes.
- (19) Q. All right. Now, I'm going to read this
- (20) letter to you.
- (21) MR. TREMONT: Want me to mark
- (22) them for identification?
- (23) MR. SWEENEY: I think it would be
- (24) appropriate.
- (25) MR. TREMONT: Let's mark the June

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- (1) 18th letter as Plaintiffs' Exhibit 2.
- (2) (Plaintiffs' Exhibit 2 marked
- (3) for identification.)
- (4) MR. MURPHY: What year is that?
- (5) MR. TREMONT: 1976. And the
- (6) Sherman letter as Plaintiffs' Exhibit 3.
- (7) (Plaintiffs' Exhibit 3 marked
- (8) for identification.)
- (9) MR. TREMONT: There's no date on
- (10) that letter. It appears that it was attached to
- (11) the July 7th -- the June 18th, 1976, letter.
- (12) Q. Now, I'm going to read you part -- I'm
- (13) going to read you this letter and ask you some
- (14) questions about it and I'll read it in part.
- (15) MR. SWEENEY: Pardon me, because
- (16) we marked it as an exhibit, may I see it before
- (17) you proceed?
- (18) MR. TREMONT: Yes. You gave it
- (19) to me.
- (20) MR. SWEENEY: I probably did.
- (21) MR. TREMONT: Yeah.
- (22) MR. SWEENEY: May I have the
- (23) other letter that's also been marked?
- (24) MR. TREMONT: I'll start on this
- (25) one.

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- (1) Q. Now, this letter to the vicar general,
- (2) John Toomey, addressed to Father Scanlon at
- (3) St. Ambrose starts off this way. "Dear Father
- (4) Scanlon, enclosed is the photostat of a letter I
- (5) took out of Bishop Curtis's mail written by
- (6) Mr. and Mrs. Sherman. It is a complaint of some
- (7) sort against Father Raymond Pcolka."
- (8) Now, I'd like to ask you, while
- (9) you were bishop, did you go through all of your
- (10) mail; if a letter was addressed to you, would
- (11) you read it?
- (12) A. No.
- (13) Q. So could it be that letters could be
- (14) sent to you, complaints could be sent to you by
- (15) persons in the diocese or anywhere, and you
- (16) might -- they never -- may never have gotten to
- (17) your desk?
- (18) A. That's possible, yes.
- (19) Q. All right, and how would that -- how
- (20) did that work in regard to the mail? What was
- (21) your procedure?
- (22) A. I had a lady secretary who would sort
- (23) the mail and give it to me.
- (24) Q. But you're indicating that you might
- (25) not read every letter that was addressed to you?

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- (1) A. I can assure you I didn't.
- (2) Q. You didn't, all right. And I'm not
- (3) talking about advertisements or things of that
- (4) nature. Who would determine what you should see
- (5) and what you shouldn't see?
- (6) A. Well, my secretary.
- (7) Q. All right, and what was the secretary's
- (8) name? Did you have more than one over the
- (9) course of the years?
- (10) A. Just the one.
- (11) Q. And who was that?
- (12) A. Margaret Gruce.
- (13) Q. Margaret Gruce? What instructions had
- (14) you given her in regard to what mail you
- (15) should -- in other words, you personally should
- (16) see and what you did not have to see? What kind
- (17) of a guideline did you use?
- (18) A. There was no real -- no guideline.
- (19) Q. All right.
- (20) A. Kind of a -- just --
- (21) Q. I'm sorry, you said it was kind of a --
- (22) A. Of just a modus operandi.
- (23) Q. Okay. Here is a letter, Plaintiffs'
- (24) Exhibit 3, which is addressed directly to you
- (25) and relates to Father Pcolka and relates, it

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- (1) appears from the letter -- and I'll read you the
- (2) letter -- but it appears from the letter that it
- (3) relates to Father Pcolka's activities with a
- (4) woman who apparently is married to the son of
- (5) the persons writing the letter, so there's some
- (6) sort of a complaint regarding a female and
- (7) Father Pcolka.
- (8) Now, do I understand that such
- (9) complaints that might have been brought against
- (10) your priest by parishioners, you might not have
- (11) even seen, even though the letter was directed
- (12) to you? Somebody would take it out of the mail?
- (13) **A.** That's quite possible, yes.
- (14) **Q.** All right. And so you might never
- (15) know -- for example, in this case you might
- (16) never know about that letter, Bishop?
- (17) **A.** That's right.
- (18) **Q.** All right. But didn't you demand that
- (19) whenever there was a complaint made against one
- (20) of your priests regarding a situation which
- (21) might involve a violation of the vow of
- (22) chastity, that it should be brought to your
- (23) attention?
- (24) **MR. SWEENEY:** Well, objection,
- (25) Counsel, as to matter of form. You're implying

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- (1) that this letter you have in your hand suggests
- (2) a violation of the vow of chastity and maybe you
- (3) ought to put it on the record. I don't think
- (4) that's true.
- (5) **MR. TREMONT:** Well, I'm asking a
- (6) question. I can ask a question.
- (7) **MR. SWEENEY:** All right.
- (8) **A.** Well, now if something came in that
- (9) might affect -- might seem to affect a priest,
- (10) Marge could just as well give it to Monsignor
- (11) Cusack.
- (12) **Q.** In other words, "Let's not bother the
- (13) bishop with this. You check it out first"?
- (14) **A.** Yes.
- (15) **Q.** So that you may never have seen those
- (16) things?
- (17) **A.** Yes.
- (18) **Q.** And you would only have seen them then
- (19) if Monsignor Cusack -- or apparently, in this
- (20) case it was Father Toomey -- if he brought it to
- (21) your attention?
- (22) **A.** Yes.
- (23) **Q.** Did there ever come a time while you
- (24) were bishop, that you advised your diocesan
- (25) administrative staff, whether it was the vicar

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- (1) general or the vicar for clergy or whomever it
- (2) might be, that they must report to you -- they
- (3) must report to you any claim or complaint
- (4) regarding sexual misconduct by a priest in your
- (5) diocese?
- (6) **A.** No.
- (7) **Q.** All right. Now, what was -- assume,
- (8) Bishop, that it was determined while you were
- (9) bishop that a priest did have a pedophilic
- (10) experience, with another -- with a child, what
- (11) would you do? What was the diocese policy in
- (12) that regard?
- (13) **A.** Well, through Monsignor Cusack, to find
- (14) out for sure if it was pedophilia or not,
- (15) because not every -- not every sexual misconduct
- (16) with a child is pedophilia. My policy was to
- (17) find out from Monsignor Cusack, who was a
- (18) trained professional, what the situation really
- (19) was, and Monsignor Cusack would either himself
- (20) provide the guidance needed professionally, or
- (21) secure professional guidance.
- (22) **Q.** So he would do it himself, or get
- (23) somebody from outside of the diocese, if you
- (24) will, to do it?
- (25) **A.** Yes.

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- (1) **Q.** All right, and then what would happen
- (2) with that priest? I mean by that, would he
- (3) continue on, for instance, as a priest in the
- (4) diocese?
- (5) **A.** Well, the policy was he was innocent
- (6) until proven guilty. If he was innocent, he
- (7) could continue.
- (8) **Q.** And if it was determined that he did do
- (9) something -- he did have some sexual encounter,
- (10) put it that way, with a child, what would happen
- (11) to the priest?
- (12) **A.** Well, he could be sent to Hartford to
- (13) the --
- (14) **Q.** Institute of the Living?
- (15) **A.** Yes.
- (16) **Q.** Was there any other place that was used
- (17) while you were bishop?
- (18) **A.** Yes. There was a place in Baltimore.
- (19) **Q.** In Maryland?
- (20) **A.** Maryland, yes.
- (21) **Q.** All right, and after he was sent there,
- (22) what would happen when he came back?
- (23) **A.** When he came back, he would be
- (24) reassigned.
- (25) **Q.** All right, and you say "reassigned."

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- (1) Would he be assigned to a different parish?
- (2) **A.** Quite likely, yes.
- (3) **Q.** All right, and what was the purpose of
- (4) that, Bishop, the reassigning to a different
- (5) parish?
- (6) **A.** Well, I presume it was to allow him to
- (7) have a fresh start.
- (8) **Q.** All right, when he was assigned to a
- (9) different parish, would the -- would anyone be
- (10) advised of the problem which he had previously
- (11) had?
- (12) **A.** No.
- (13) **Q.** All right. Now, was there any time --
- (14) was it your policy at any time to suggest that
- (15) the priest be transferred to a different
- (16) diocese?
- (17) **A.** No.
- (18) **Q.** Were there any priests -- and I'm not
- (19) asking for names. Were there any priests during
- (20) the time that you were bishop that were
- (21) transferred to a different diocese because they
- (22) were found to be guilty, if you will, of
- (23) pedophilic conduct in the Diocese of
- (24) Bridgeport?
- (25) **A.** Yes.

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- (1) **Q.** All right. Under those circumstances,
- (2) would you convey to the ordinary of the new
- (3) diocese, the complaints that had been made or
- (4) the findings that you made in regard to that
- (5) priest? When I say "you," I mean you or
- (6) Monsignor -- somebody under your authority.
- (7) **A.** I don't recall, no.
- (8) **Q.** Okay. So you don't recall whether that
- (9) would have been done or not, is that -- you say
- (10) you don't remember? It may have, it may not
- (11) have?
- (12) **A.** I presume that Monsignor Cusack would
- (13) have gotten in touch with his counterpart in the
- (14) area.
- (15) **Q.** All right, so that you wouldn't do it
- (16) yourself?
- (17) **A.** No.
- (18) **Q.** So it would be -- it wouldn't be on the
- (19) level, you're telling me, of bishop to bishop,
- (20) it would be vicar to vicar, whomever it might
- (21) be?
- (22) **A.** Yes.
- (23) **Q.** Who was in authority, all right.
- (24) **MR. TREMONT:** You want to take a
- (25) break?



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- (1) MR. SWEENEY: Dr. Neuberger
- (2) suggested it.
- (3) MR. TREMONT: Sure.
- (4) (Recess: 11:16 to 11:31 a.m.)
- (5) BY MR. TREMONT:
- (6) Q. Bishop, you had indicated to me that
- (7) before becoming bishop, you had taught at a
- (8) seminary in New Jersey?
- (9) A. That's right.
- (10) Q. And what seminary was that?
- (11) A. Immaculate Conception Seminary,
- (12) Darlington, New Jersey.
- (13) Q. What did you teach?
- (14) A. Moral theology.
- (15) Q. Moral theology. When you came to the
- (16) Bridgeport diocese, was there a seminary which
- (17) was used by the individuals who were studying
- (18) the priesthood for the diocese?
- (19) A. We used several seminaries. One was
- (20) St. John's in Brighton, Massachusetts. Another
- (21) was St. Mary's in Baltimore. And --
- (22) Q. St. Bernard's? In Rochester?
- (23) A. Well, St. Bernard's had been used. It
- (24) wasn't used when I was here.
- (25) Q. All right. And as bishop, did you --

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- (1) and also as being a former seminary professor,
- (2) did you review the curriculum of the seminary?
- (3) A. No.
- (4) Q. You never did?
- (5) A. No. They would send us each year a
- (6) copy of their curriculum, but I saw no need to
- (7) review it because there were trained people in
- (8) charge.
- (9) Q. All right, so that you never reviewed
- (10) what was taught at the seminary in regard to the
- (11) individuals who ultimately became priests in
- (12) your diocese?
- (13) A. No.
- (14) Q. Okay. Now, you had indicated before
- (15) that -- I think in answer to one of my
- (16) questions, that not every sexual contact with a
- (17) child is pedophilia.
- (18) A. Yeah.
- (19) Q. What do you mean by that, Bishop?
- (20) A. Well, that's my understanding.
- (21) Q. Yes, but I mean what is -- what do you
- (22) mean by that?
- (23) A. Pedophilia is a specific kind of crime,
- (24) I guess, and unless you -- unless the person is
- (25) I think of some age, I'm not sure what, it isn't

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- (1) pedophilia.
- (2) Q. In other words, it's your belief that
- (3) if an individual has sexual relations with a
- (4) child, that the child -- if the child is over a
- (5) certain age, it's not pedophilia; is that what
- (6) you mean?
- (7) A. If he's under a certain age.
- (8) Q. It is not or it is?
- (9) A. It is not.
- (10) Q. So that if an individual had some sort
- (11) of a sexual relation or contact with a child
- (12) under a certain age, it wouldn't be considered
- (13) pedophilia?
- (14) A. Right. That's my understanding.
- (15) Q. That is what you were led to believe
- (16) from your reading on the subject or discussions
- (17) with Father Cusack?
- (18) A. Yes. Yes.
- (19) Q. All right, and you are aware of the
- (20) fact that there is a specific canon, canon law,
- (21) which makes it canonically illegal to have sex
- (22) with a child, are you not?
- (23) A. I'm not aware of the specific thing,
- (24) no.
- (25) Q. I'm referring, Bishop, to Canon 1395.

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- (1) "If a cleric has otherwise committed an offense
- (2) against the sixth commandment of the decalogue
- (3) with force or threats or publicly or with a
- (4) minor below the age of 16, the cleric is to be
- (5) punished with just penalties, including
- (6) dismissal."
- (7) Were you aware of the fact that
- (8) having sexual relations with a minor under the
- (9) age of 16 was a violation of canon law?
- (10) A. Yes.
- (11) Q. And was there any time that it was
- (12) brought to your attention that a priest in your
- (13) diocese had had sexual relations with a minor
- (14) under the age of 16?
- (15) A. Right now I don't remember.
- (16) Q. All right. Let me ask you, you say you
- (17) don't remember whether that was brought to your
- (18) attention, all right. You indicated to us that
- (19) you -- that the diocese had used the Institute
- (20) of the Living --
- (21) A. Yes.
- (22) Q. -- for its priests, and a place in
- (23) Baltimore -- or Maryland you said.
- (24) A. Maryland, yes.
- (25) Q. Is it St. Luke's, do you recall, is

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- (1) that -- does that refresh your recollection or
- (2) not? It may not.
- (3) A. I don't recall now.
- (4) Q. All right, but it was someplace in
- (5) Maryland?
- (6) A. Yes.
- (7) Q. And when you came to the diocese, when
- (8) you first came as bishop, do you recall which
- (9) place was being used?
- (10) A. No.
- (11) Q. Okay. And was there any reason to use
- (12) one place rather than another, St. Luke's as
- (13) opposed to the Institute of the Living?
- (14) A. No. Would have been Monsignor Cusack's
- (15) judgment as to what to do.
- (16) Q. All right. He would make that
- (17) decision?
- (18) A. Yes.
- (19) Q. And as far as paying for the medical
- (20) expense of either St. Luke's or the Institute,
- (21) who would pay for that, Bishop?
- (22) A. The diocese would.
- (23) Q. All right, and would the diocese
- (24) receive the medical and psychiatric reports
- (25) regarding the priest?

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- (1) A. Yes.
- (2) Q. All right, and they would be directed
- (3) to you?
- (4) A. Monsignor Cusack.
- (5) Q. To Monsignor Cusack. And did he review
- (6) any of those reports with you?
- (7) A. Yes.
- (8) Q. All right, and could you tell me what
- (9) would happen with those medical reports? Where
- (10) would they go after they were received?
- (11) A. They would go into the priest's file.
- (12) Q. When you say "the priest's file," are
- (13) you talking about a file which is made up by the
- (14) diocese with the name of the priest on it?
- (15) A. Yes.
- (16) Q. A specific record?
- (17) A. Yes.
- (18) Q. All right. You had mentioned before
- (19) that there were times that you would take a
- (20) complaint in regard to a priest and take it out
- (21) of the file. I think you said because it was
- (22) old, or --
- (23) A. Out of the secret file.
- (24) Q. Out of the secret file, okay, and where
- (25) would you put that when you took it out?

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- (1) **A.** I would destroy it.
- (2) **Q.** You'd destroy it.
- (3) **A.** Yeah.
- (4) **Q.** And what was -- give me an example of
- (5) what would be the reason you would do that.
- (6) **A.** Well, it would be -- it would be an
- (7) antiquated issue, happened so long before, there
- (8) was no point in preserving it any longer.
- (9) **Q.** In other words, you would have a
- (10) complaint against the priest, for instance, is
- (11) that what we're talking about? Is it a
- (12) complaint or would it be the result of an
- (13) investigation?
- (14) **A.** If I had occasion to go into that file,
- (15) I might then see things there that I wasn't
- (16) really looking for, but they were there, and if
- (17) it seemed to me to be too antiquated to bother
- (18) keeping, I'll just take them out and destroy
- (19) them.
- (20) **Q.** When you say too antiquated to keep any
- (21) longer, what do you mean by that?
- (22) **A.** Well, it might refer to a priest who
- (23) had died. Might have been something in the file
- (24) about a priest who had already died.
- (25) **Q.** In other words, it would be a dead

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- (1) priest?
- (2) **A.** Yes.
- (3) **Q.** Let me ask you, do you keep -- did you
- (4) keep the files of priests after they died?
- (5) **A.** I don't recall.
- (6) **Q.** Okay. Would you destroy -- in other
- (7) words, would it be -- would there be a situation
- (8) where the complaint was antiquated, it was an
- (9) old complaint, and since that time you had no
- (10) further complaints about the priest so you would
- (11) throw them out, the old complaints?
- (12) **A.** That happened.
- (13) **Q.** All right, and who would decide to do
- (14) that?
- (15) **A.** I would make the decision.
- (16) **Q.** You'd make the decision. Would you do
- (17) that on your own, Bishop, or would Monsignor
- (18) Cusack suggest, for instance, that you do that?
- (19) **A.** I'd do it on my own.
- (20) **Q.** All right. Where did you keep the
- (21) secret archives, when you were bishop?
- (22) **A.** Well, they were in our -- they were in
- (23) a safe area. It was in a safe area.
- (24) **Q.** And was that over at the diocese
- (25) offices?

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- (1) **A.** Yes.
- (2) **Q.** Which were on Jewett Avenue?
- (3) **A.** Yes.
- (4) **Q.** If I recall, you were living at the
- (5) rectory at St. Augustine's Cathedral, were you
- (6) not, when you were bishop, towards the end?
- (7) **A.** Yes.
- (8) **Q.** You originally lived in the big house
- (9) that Bishop Sheehan had bought on Villa Avenue?
- (10) **A.** That's right.
- (11) **Q.** And then you moved over to the
- (12) rectory --
- (13) **A.** Yes.
- (14) **Q.** -- and sold the house. But these
- (15) records would have been over on Jewett Avenue?
- (16) **A.** Yes.
- (17) **Q.** Who had access to those records,
- (18) besides yourself?
- (19) **A.** It was a double key arrangement. The
- (20) vicar general would keep one key and I would
- (21) keep the other.
- (22) **Q.** All right, so the two keys were
- (23) required --
- (24) **A.** Yes.
- (25) **Q.** -- to open up these things? And,

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- (1) generally, what were in the secret archives?
- (2) What did they contain? What did you choose to
- (3) put in there when you were bishop?
- (4) **A.** I don't think I should say.
- (5) **MR. SWEENEY:** Well, the issue is
- (6) the type of document.
- (7) **Q.** Yeah. I'm not asking you --
- (8) **MR. SWEENEY:** He's not going to
- (9) ask you any specific stuff, but, for example,
- (10) like the deed to the cathedral. Can you just
- (11) tell him like real estate deeds, this kind of
- (12) thing.
- (13) **Q.** Yes. What kind of documents would go
- (14) in there?
- (15) **MR. SWEENEY:** If you recall?
- (16) **A.** Well, there would have been documents
- (17) relating to diocese activity that -- we had an
- (18) annual appeal for funds, and the report on that,
- (19) the file report on that would be --
- (20) **Q.** In the secret archives?
- (21) **A.** -- kept in the secret archives.
- (22) **Q.** All right. What other kind of
- (23) information?
- (24) **A.** At the moment, I don't remember.
- (25) **Q.** Well, you are aware of the fact,

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- (1) Bishop, that the secret archive is a requirement
- (2) of canon law, that each diocese must have a
- (3) secret archive?
- (4) **A.** Yes.
- (5) **Q.** All right, and I want to read you from
- (6) Canon 489, "There is also to be a secret archive
- (7) in the diocesan curia, or at least a safe or
- (8) file in the ordinary archive, completely closed
- (9) and locked which cannot be removed from the
- (10) place, and in which documents to be kept secret
- (11) are to be protected most securely. Every year
- (12) documents of criminal cases are to be destroyed
- (13) in matters of morals, in which the criminal has
- (14) died or in which 10 years have passed since the
- (15) condemnatory sentence."
- (16) Did you have -- while you were
- (17) bishop, were there any judicial proceedings
- (18) which resulted in criminal charges being proven
- (19) against one of your priests? Any kind?
- (20) **A.** No.
- (21) **Q.** None, all right. So it's fair to say,
- (22) then, while you were bishop, there were no
- (23) criminal records that you put in the archives?
- (24) **A.** That's right.
- (25) **Q.** All right. And the -- what other kinds

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- (1) of things did you have in there besides the
- (2) financial -- some financial records?
- (3) **A.** Well, communications from the Holy See.
- (4) **Q.** So that if you received anything from
- (5) the Holy -- not anything, but some things from
- (6) the Holy See, you might decide to put those in
- (7) there?
- (8) **A.** Yes.
- (9) **Q.** Were there in the secret archives, any
- (10) records regarding your priests?
- (11) **A.** I don't recall now what was in there.
- (12) **Q.** All right, but would there be -- for
- (13) example, if we -- if there was a complaint
- (14) against one of your priests, would that have
- (15) been put in the secret archives as well as in
- (16) the personnel file or in one place rather than
- (17) the other?
- (18) **A.** Likely the secret archive rather than
- (19) the general.
- (20) **Q.** Than the general one. And when you
- (21) indicated to us before that you had seen, you
- (22) said, some documents which you thought were
- (23) antiquated and you were able to remove,
- (24) regarding priests, those were from the secret
- (25) archives?

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- (1) A. Yes.
- (2) Q. All right. Now, did you, yourself,
- (3) ever have reason to either visit St. Luke's or
- (4) the Institute of the Living, or speak with any
- (5) of the psychologists or psychiatrists at those
- (6) institutions, in regard to the general program
- (7) which they had for priests who were involved in
- (8) unusual sexual proclivities?
- (9) A. No.
- (10) Q. So you never visited it or discussed
- (11) it. Well, did Monsignor Cusack ever discuss
- (12) with you the type of rehabilitation or program
- (13) which was undertaken at those institutions for
- (14) priests in the Bridgeport diocese who went there
- (15) for sexual treatment?
- (16) A. Well, I'm sure he did but I don't
- (17) remember now what it was.
- (18) Q. You don't remember what the nature --
- (19) A. No.
- (20) Q. -- the nature of the treatment was or
- (21) the procedure?
- (22) A. No.
- (23) Q. All right. And while a priest was up
- (24) at the -- one of those institutions, you
- (25) indicated that the diocese would pay the medical

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- (1) bills. Would the priest still receive his
- (2) stipend, his salary?
- (3) A. Yes.
- (4) Q. All right. Could you tell me, without
- (5) stating names, approximately how many priests
- (6) did the diocese send up to the Institute of the
- (7) Living?
- (8) A. No, I couldn't.
- (9) Q. What about St. Luke's?
- (10) A. No.
- (11) Q. Would you use one place more than the
- (12) other?
- (13) A. I think we used the Institute for the
- (14) Living more.
- (15) Q. More. And was there a Jesuit up there
- (16) who is a psychiatrist, or you may not --
- (17) A. There was one later. I'm not sure when
- (18) he came.
- (19) Q. When he came. Sometime perhaps during
- (20) your bishopric, but it was probably later on,
- (21) you say?
- (22) A. Yeah.
- (23) Q. Okay, and did you ever discuss with
- (24) him, just generally, the treatment of
- (25) individuals that had pedophilia?

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- (1) A. No.
- (2) Q. All right. Again, I'm going to ask
- (3) you, Bishop, what do you understand pedophilia
- (4) to be?
- (5) A. It would be sexual misconduct with a
- (6) minor --
- (7) Q. All right.
- (8) A. -- I think under the age of puberty.
- (9) Q. Did you understand that to be a
- (10) temporary condition or a disease, or what was
- (11) your understanding of it when you were bishop of
- (12) Bridgeport?
- (13) A. I don't think -- I don't think I saw
- (14) this as a permanent condition, it was a -- more
- (15) incidental.
- (16) Q. More incidental. And what do you mean
- (17) by "incidental," if I may ask? Incidental to
- (18) what?
- (19) A. Well, it would happen on occasion. It
- (20) wasn't a sort of a -- it wasn't -- I'm not sure
- (21) how to state it.
- (22) Q. In other words, it wasn't a continual
- (23) thing; it was an occasional thing?
- (24) A. Yes. Yes.
- (25) Q. All right. What was the policy of the

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- (1) diocese in regard to homosexuality among your
- (2) priests?
- (3) A. I can't recall any incident.
- (4) Q. Did you have any --
- (5) A. No policy.
- (6) Q. Did you have any policy in regard to
- (7) it?
- (8) A. No.
- (9) Q. Obviously the diocese didn't allow, or
- (10) approve of it, I assume?
- (11) A. We had a policy in this sense, that
- (12) before a candidate was accepted for a study for
- (13) the priesthood, Monsignor Cusack would have
- (14) them -- psychological testing, and if there
- (15) appeared signs of homosexuality, he wouldn't be
- (16) accepted.
- (17) Q. All right, so that would have been a
- (18) policy, at least since Monsignor Cusack was
- (19) the -- came upon the scene?
- (20) A. Yes.
- (21) Q. And do you recall whether that was the
- (22) policy when you came to Bridgeport? In other
- (23) words, when you first started, was that the
- (24) policy of the diocese, if you remember?
- (25) A. I don't recall, no.

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- (1) Q. All right, but in any event, Monsignor
- (2) Cusack handled that. What was your contact,
- (3) Bishop, during your term, with the clergy of the
- (4) diocese? I mean, how often did you see them?
- (5) Under what circumstances?
- (6) A. Well, most frequently on occasion of
- (7) confirmation. If I would come to a parish to
- (8) confirm, oftentimes priests from that area or
- (9) priests who were friends of the pastor would
- (10) come and join together afterwards. And then
- (11) twice a year we'd have an opening, a general
- (12) gathering of all the clergy.
- (13) Q. And you'd have that twice a year?
- (14) A. Yes.
- (15) Q. And how often was that done? I mean,
- (16) was that done for a number of years while you
- (17) were bishop?
- (18) A. It was done, but I'm not sure how
- (19) long.
- (20) Q. But for a -- it's quite some years,
- (21) correct?
- (22) A. Yes. Yes.
- (23) Q. And during those -- how long would
- (24) those meetings last? I mean, would it be a
- (25) day? Would it be overnight?

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- (1) A. No. Usually -- usually they're related
- (2) to the ceremony of the blessing of the sacred
- (3) oils in Holy Week. After that we'd go to a
- (4) restaurant and have a meeting.
- (5) Q. All right. Was there any place or any
- (6) time when you gathered together all the priests
- (7) in the diocese, and whether it was you gave them
- (8) lectures, or you might discuss complaints with
- (9) them, have some kind of a workshop or something
- (10) where you exchanged ideas?
- (11) A. We had every month a Recollection Day.
- (12) We would have a preacher come in for the
- (13) occasion.
- (14) Q. Would there be any attendance
- (15) requirement for that Recollection Day?
- (16) A. No.
- (17) Q. Would it be well attended?
- (18) A. It was well attended. Depended on the
- (19) speaker.
- (20) Q. All right. And what kind of -- is that
- (21) the type of thing that when you mentioned before
- (22) that you brought in a speaker regarding I think
- (23) chastity or something --
- (24) A. Yes.
- (25) Q. That would have been the type of thing,

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- (1) the Recollection Day –
- (2) **A.** Right.
- (3) **Q.** – that you would use that particular
- (4) speaker. Now, was there any requirement in the
- (5) diocese when you were bishop, that if a pastor
- (6) or a – yeah, if a pastor saw something unusual
- (7) happening with one of the priests in his parish
- (8) or rectory, that he report that to you or your
- (9) emissary, whether it was the vicar general or
- (10) Monsignor Cusack?
- (11) **A.** There was no rule, no.
- (12) **Q.** There was no rule. Did that happen?
- (13) Did you get complaints from pastors about
- (14) illicit activities of priests or curates,
- (15) whether it was alcohol or sex or what have you?
- (16) **A.** No. They would – any such complaint
- (17) would go either to the vicar general or to
- (18) Monsignor Cusack.
- (19) **Q.** All right. And then would that be
- (20) discussed with you or would it be handled by
- (21) them?
- (22) **A.** If they thought it wise, yes, or
- (23) necessary.
- (24) **Q.** Okay. So if they thought it was grave
- (25) enough or if there was enough substance, I

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- (1) assume they would come to you?
- (2) **A.** Yes.
- (3) **Q.** And your policy, as I understand it,
- (4) would be to tell, let's say, Monsignor Cusack;
- (5) you'd rely on his advice?
- (6) **A.** Yes. Yes.
- (7) **Q.** And whatever he particularly thought,
- (8) you'd go along with generally?
- (9) **A.** Right.
- (10) **Q.** Okay. Now, the – you indicated to us
- (11) that Coles, O'Connell & Dolan were your
- (12) attorneys while you were bishop?
- (13) **A.** Yes.
- (14) **Q.** And as far as any claims of sexual
- (15) abuse are concerned, the diocese had insurance,
- (16) did it not, to cover that?
- (17) **A.** It had I think the ordinary insurance
- (18) coverage.
- (19) **Q.** Yes. You had ordinary insurance
- (20) coverage for that.
- (21) **A.** Yes.
- (22) **Q.** Now, I note that in the letter which I
- (23) read to you – and I'll just read it again. And
- (24) perhaps what I should do, Bishop, is read you
- (25) another letter to Monsignor Cusack with a copy

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- (1) to you. Let me find it. I'll have Douglas look
- (2) for it.
- (3) I note in the letter, Plaintiffs'
- (4) Exhibit 1 for identification, Bishop, that
- (5) was – that I read to you before, and I will
- (6) just reread part of it to refresh your
- (7) recollection,, it was addressed to an individual
- (8) from Monsignor Cusack and says, "I received your
- (9) letter of June 30th, 1983. From the very
- (10) beginning of our contact, I assured you that the
- (11) entire matter concerning Father Raymond Pcolka,
- (12) as given to me by you, would be professionally
- (13) communicated and treated. Since your letter of
- (14) June 30th seems to indicate some doubt that this
- (15) has been done, I ask that you direct all
- (16) communications to our diocesan lawyer, Attorney
- (17) James O'Connell." Okay?
- (18) And, Bishop, there is a letter of
- (19) June 30th, 1983, which is marked as Plaintiffs'
- (20) Exhibit 4 –
- (21) (Plaintiffs' Exhibit 4 marked
- (22) for identification.)
- (23) **Q.** – for identification, which is
- (24) addressed to Monsignor Cusack, a copy is sent to
- (25) you, at least you're shown as a copy on it,

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- (1) signed by a J. Landro. States, "I'll ask some
- (2) of the questions now and expect a letter in
- (3) reply. The first is, did the priest in question
- (4) admit to molesting me when I was a youngster?
- (5) The second and more important is can you assure
- (6) me he will not be in a position to do this again
- (7) to another young person?"
- (8) Do you ever remember receiving a
- (9) copy of such letter?
- (10) **A.** No.
- (11) **Q.** All right. Is it possible that even
- (12) though the letter indicates that a copy was sent
- (13) to you, as well as Monsignor Cusack, to whom it
- (14) is directed, that that might not have gotten to
- (15) your desk?
- (16) **A.** It might not have been sent even.
- (17) **Q.** No, but I'm saying if it were sent, is
- (18) it possible that somebody wouldn't have shown
- (19) you that letter?
- (20) **A.** No. It would have gone to Monsignor
- (21) Cusack.
- (22) **Q.** All right, so you might not have seen
- (23) it?
- (24) **A.** If it were sent out by letter.
- (25) **Q.** And why – and I'm asking you, as the

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- (1) bishop at that time, a letter – there's a
- (2) letter claiming sexual abuse against Father
- (3) Pcolka, why would Monsignor Cusack suggest to
- (4) the writer of that letter that they contact
- (5) Attorney James O'Connell? What was that about,
- (6) that policy?
- (7) **A.** I would have to presume it would be
- (8) precautionary in case there was a suit entered
- (9) into against the diocese.
- (10) **Q.** Would – as far as suits against the
- (11) diocese at that time, would you advise your
- (12) insurance carrier if there was such a claim?
- (13) **A.** I don't know.
- (14) **Q.** Well, who would be in charge of that?
- (15) **A.** Monsignor Devine was our manager of all
- (16) finances.
- (17) **Q.** So it would be the financial manager
- (18) that would handle that?
- (19) **A.** Yes.
- (20) **Q.** And let me ask you, did you have a
- (21) policy in regard to settling claims that were
- (22) made against the diocese for sexual abuse? Did
- (23) you have any policy in that regard?
- (24) **A.** No.
- (25) **Q.** Did you report – you don't know

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- (1) whether you reported those claims to your
- (2) insurance company?
- (3) **A.** No, I don't.
- (4) **Q.** All right. What were – what was the
- (5) position of Attorney O'Connell? What I mean by
- (6) that, what was he supposed to do in these cases?
- (7) **A.** He would give what legal guidance was
- (8) necessary, as he saw it.
- (9) **Q.** All right. Do you recall, as you sit
- (10) here today, how many cases – how many claims of
- (11) sexual abuse that the diocese settled while –
- (12) I'm not saying whether they were valid or not,
- (13) but that the diocese settled while you were
- (14) bishop?
- (15) **A.** I can't recall any.
- (16) **Q.** You recall none, all right. The – if
- (17) a claim was made of sexual abuse, such as the
- (18) letters which I showed you, Bishop, where would
- (19) those letters be kept?
- (20) **A.** If they were – if a priest was named,
- (21) they would be kept in the priest's file, his
- (22) individual file.
- (23) **Q.** So they would be in his individual
- (24) file?
- (25) **A.** Yes.

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- (1) Q. Would they ever be put in the secret
- (2) archives?
- (3) A. They might be, yes.
- (4) Q. All right. Would a copy of that letter
- (5) ever be sent to Rome?
- (6) A. No.
- (7) Q. All right. Would a copy of that letter
- (8) or file ever be sent to Washington, DC?
- (9) A. No.
- (10) (Discussion off the record.)
- (11) Q. Now, could you tell me how -- could you
- (12) tell me how many -- do you remember how many
- (13) priests -- approximately how many priests were
- (14) in the diocese, you know, during the time you
- (15) were bishop? Roughly?
- (16) MR. SWEENEY: Pardon me, Counsel,
- (17) just a matter of form. You mean at any one
- (18) point in time?
- (19) MR. TREMONT: Yes, basically.
- (20) Q. Just a general number. I know it
- (21) changed from year to year, but just a general
- (22) number.
- (23) A. I don't remember.
- (24) Q. You don't remember.
- (25) A. No.

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- (1) Q. Okay. Did you make it a point, let's
- (2) say, to know each priest personally? Did you
- (3) try to meet with each priest at some time during
- (4) a year?
- (5) A. It was not a policy, but factually it
- (6) would work out that way.
- (7) Q. All right, and if a priest had a
- (8) problem, a personal problem, to whom would he go
- (9) with that problem?
- (10) A. Well, he could go to Monsignor Cusack
- (11) or he could come directly to me.
- (12) Q. All right, and was your door always
- (13) open, Bishop?
- (14) A. Yes, it was, yes.
- (15) Q. All right. Now, let me ask you, as far
- (16) as complaints regarding a priest having sexual
- (17) involvement with a teenager, we made a
- (18) distinction I think that a -- I believe that a
- (19) pedophile would be an individual who would have
- (20) sex with a child under the age of puberty, all
- (21) right. As far as a person having sex with a
- (22) teenager, 14, 15, 16 years old, would that be a
- (23) matter of concern in regard to the diocese?
- (24) A. Yes.
- (25) Q. All right. How would those persons be

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- (1) handled?
- (2) A. Well, if -- there had to be a
- (3) complaint, first of all, since the presumption
- (4) is it didn't happen unless you have a complaint
- (5) with some testimony to it.
- (6) Q. And if there was the complaint, then
- (7) how would that be handled?
- (8) A. Then it would go to Monsignor Cusack's
- (9) hands.
- (10) Q. Now, when these persons came back, that
- (11) you told us about, from the Institute of the
- (12) Living or from St. Luke's in Maryland -- from
- (13) Maryland -- you didn't know the name of the
- (14) place -- you said that they would be reassigned
- (15) to another parish, correct?
- (16) A. Yes.
- (17) Q. All right. And would they be
- (18) reassigned to the duties of a priest?
- (19) A. Yes.
- (20) Q. All right. And you were aware, were
- (21) you not, at that point, that being -- continuing
- (22) to be a parish priest, that they would, for
- (23) example, come in contact with altar boys?
- (24) A. Yes.
- (25) Q. All right. Did you not consider that

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- (1) that was a danger?
- (2) A. No. No.
- (3) Q. Why not?
- (4) A. Well, after -- if they have gone
- (5) through treatment, you know, and the treatment
- (6) house in question would have indicated that it
- (7) was safe for them to return to priestly duties.
- (8) Q. So you're saying then that you relied
- (9) upon the fact that the Institute of the Living
- (10) or the place in Maryland would indicate that
- (11) they would be safe for priestly duties?
- (12) A. Yes.
- (13) Q. Okay. Now, did you, through Monsignor
- (14) Cusack or whomever, see to it that these persons
- (15) who came back and were reassigned to different
- (16) parishes were closely monitored after their
- (17) treatment?
- (18) A. I believe, but I'm not sure that each
- (19) place had a policy of having them come back to
- (20) the -- you know, for a recheck every month or
- (21) so.
- (22) Q. All right. Let's assume that that was
- (23) the policy, that they went back to the
- (24) Institute -- for example, went back to Hartford
- (25) and had a recheck. Did you in the diocese have

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- (1) a policy that you, yourself, your
- (2) administrators, would monitor that particular
- (3) priest and his activities at the new parish?
- (4) A. No.
- (5) Q. All right. And I believe that you
- (6) indicated to me that you would keep secret the
- (7) accusations against that priest and the report,
- (8) the psychiatric reports that you might receive
- (9) from the Institute; is that correct?
- (10) A. Yes.
- (11) Q. You wouldn't let the pastors or
- (12) somebody else know that this priest was sent up,
- (13) this would be a private affair --
- (14) A. Yes.
- (15) Q. -- between yourself and the Monsignor,
- (16) and whoever had need to know; is that a fair
- (17) statement?
- (18) A. Yes. Yes.
- (19) Q. All right. Now, when there were more
- (20) than one complaint, when after such complaints,
- (21) Bishop, there were subsequent complaints about
- (22) the priest for more than one time after the
- (23) treatment, what was your policy in regard to
- (24) those priests?
- (25) A. I had no policy.

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- (1) Q. Well, would there be a time that you
- (2) would -- would you just -- would you transfer
- (3) them again to another parish, if there were a
- (4) problem?
- (5) A. No. We would try to, you know, again,
- (6) put them in touch with somebody who was
- (7) competent to guide them.
- (8) Q. All right.
- (9) A. Monsignor Cusack again would steer me
- (10) on this. But we didn't transfer just for change
- (11) of scenery.
- (12) Q. All right. In other words, you would
- (13) give them the treatment first?
- (14) A. Yes.
- (15) Q. All right. Now, you indicated that
- (16) there was a time -- there did come a time when a
- (17) priest would be transferred out of the diocese?
- (18) A. Yes.
- (19) Q. All right. Who made that
- (20) determination?
- (21) A. Well, it would be made by myself -- I
- (22) guess by the priest himself, first of all. By
- (23) the priest himself, and then by the diocese.
- (24) Q. All right. Now, do you recall how --
- (25) the number of priests that were transferred out

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- (1) **A.** I think some were, yes.
- (2) **Q.** And would those reports have been kept?
- (3) **A.** They would have been kept in the file
- (4) of the priest that was in question.
- (5) **Q.** Okay.
- (6) (Discussion off the record.)
- (7) **Q.** Now, let me ask you, Bishop, you said
- (8) that you had no memory of any claims of sexual
- (9) abuse or sexual misconduct regarding Father
- (10) Pcolka.
- (11) **A.** That's right.
- (12) **Q.** All right. And I showed you a letter
- (13) from Monsignor Cusack to an individual who
- (14) claimed that Father Pcolka was molesting her
- (15) when she was younger. And that doesn't refresh
- (16) your recollection?
- (17) **A.** No.
- (18) **Q.** Do you have any recollection of talking
- (19) with Monsignor Cusack in 1983 regarding a sexual
- (20) problem with Father Pcolka?
- (21) **A.** No, I don't.
- (22) **Q.** No. Do you recall Father Pcolka? I
- (23) mean, do you remember him?
- (24) **A.** Only that I -- I'm not really sure.
- (25) **Q.** All right. So you have no specific

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- (1) memory of him in the sense that do you remember
- (2) having any -- anything unusual occurring with
- (3) him?
- (4) **A.** No.
- (5) **Q.** For example, he apparently was given a
- (6) dispensation from using wine during communion.
- (7) Do you remember that?
- (8) **A.** I don't, no.
- (9) **Q.** Was that something that was commonly
- (10) done in the diocese?
- (11) **A.** That had to come from the Holy See.
- (12) **Q.** All right. And that was through you,
- (13) though, was it not?
- (14) **A.** Yes.
- (15) **Q.** When I say -- through the bishop?
- (16) **A.** Yes.
- (17) **Q.** All right. And what was the purpose of
- (18) that, doing that, the dispensation?
- (19) **A.** Well, it was a -- in the days of
- (20) Alcoholics Anonymous, it was -- it was the
- (21) teaching that an alcoholic would be set off by
- (22) just the consecrated species.
- (23) **Q.** Now, during the time that you were
- (24) bishop, did you have -- and I'll ask you, there
- (25) may be two times. When you first became bishop

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- (1) and you were up here a couple of years, what was
- (2) the policy of the diocese in regard to
- (3) transferring pastors? In other words, how long
- (4) could a pastor stay at a church, when you first
- (5) came up here? Did you have any policy in that
- (6) regard?
- (7) **A.** No. We had no policy, no.
- (8) **Q.** Was there any custom that you followed?
- (9) **A.** I think the -- the custom developed of
- (10) giving a priest, you know, who would be senior
- (11) in position, provided he had more experience in
- (12) two kinds of parishes, like a suburban parish
- (13) and a city parish, a little wider experience,
- (14) and then seniority was the determinant.
- (15) **Q.** So you would try to give a person the
- (16) two kinds of parishes, and then after that, it
- (17) was through seniority that -- would the priest
- (18) sort of have, not a right to choose, but would
- (19) you try to accommodate the priest if he
- (20) requested a particular parish, in regard to the
- (21) fact that he had seniority?
- (22) **A.** At first, he wasn't asked. I just
- (23) assigned him.
- (24) **Q.** That was at the beginning?
- (25) **A.** Yes.

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- (1) **Q.** And did it change later on?
- (2) **A.** Later on it changed, yes. And priests
- (3) had -- were given the right to ask for
- (4) consideration for their parish.
- (5) **Q.** All right, and you would consider that?
- (6) **A.** Yes.
- (7) **Q.** Just like the Army.
- (8) **A.** Yes.
- (9) **MR. TREMONT:** What I suggest we
- (10) do at this point, gentlemen, is that it's 12:35,
- (11) and the bishop has been here quite long.
- (12) There's issues that we have that have to be
- (13) determined by the court, in regard to the -- our
- (14) claim that we have a right to go through these
- (15) individual priests with Bishop Curtis, and I
- (16) have some questions that should not last, I
- (17) don't think, a half hour, regarding basically
- (18) canon law and the control of the activities of
- (19) the priests and the rectory and the church
- (20) grounds.
- (21) So if we want to suspend at this
- (22) time, go to court, get the order and then,
- (23) depending on that, we can probably do another
- (24) morning deposition, and that would apparently be
- (25) the best time, as I understand it, and the

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- (1) simplest time to do that, if everybody agrees.
- (2) **MR. SWEENEY:** I would be very
- (3) agreeable to that if everyone else is.
- (4) **MR. DANAHER:** Fine.
- (5) **MR. MURPHY:** Fine.
- (6) **MR. SWEENEY:** We've agreed to
- (7) suspend this deposition at this time to be
- (8) resumed at some future not yet decided upon
- (9) date.
- (10) **MR. TREMONT:** As soon as the
- (11) court issues a date, there's no problem.
- (12) Hopefully within a few weeks.
- (13) **MR. SWEENEY:** Very good.
- (14) (Time noted: 12:35 p.m.)
- (15) **BISHOP WALTER CURTIS**
- (16) **SUBSCRIBED AND SWORN TO BEFORE**
- (17) **ME, the undersigned authority, on this**
- (18) the day of , 1995.

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- (1) of the diocese because they had problems with
- (2) sexual misconduct?
- (3) **A.** I don't recall the number, no.
- (4) **Q.** Now, as bishop, it was your concern to
- (5) avoid scandal, was it not?
- (6) **A.** Yes.
- (7) **Q.** All right, and scandal was relatively
- (8) important or is relatively important to the
- (9) church and to the people of the church; is that
- (10) correct, Bishop?
- (11) **A.** Yes.
- (12) **Q.** All right. When you were faced with
- (13) the situation where a priest was accused of
- (14) sexual misconduct, and either you or the
- (15) Monsignor Cusack believed such charges to be
- (16) true, would you do everything you could to avoid
- (17) the scandal of the publicity of those charges?
- (18) **A.** Yes.
- (19) **Q.** All right. And how would you do that?
- (20) **A.** Well, the publicity would come from --
- (21) from others, not from ourselves.
- (22) **Q.** All right.
- (23) **A.** We would be sort of reacting to
- (24) basically the press.
- (25) **Q.** Would you try to -- would anyone see --

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- (1) for example, would anybody see the victim,
- (2) person who claimed that they might have been
- (3) sexually abused? Would someone see the victim?
- (4) **A.** Monsignor Cusack always did.
- (5) **Q.** All right.
- (6) **A.** Always did.
- (7) **Q.** And the family as well?
- (8) **A.** Always where there was -- where
- (9) Monsignor Cusack felt it was wise to alert the
- (10) family and he would do that.
- (11) **Q.** And would he impress upon the family
- (12) the fact that any publicity in regard to those
- (13) charges might hurt -- could hurt the church?
- (14) **A.** I suppose so.
- (15) **Q.** Yeah, well, that is what you believed,
- (16) did you not, that such publicity could hurt the
- (17) church?
- (18) **A.** Yes.
- (19) **Q.** All right. And as a matter of fact,
- (20) again, the -- one of the important provisions of
- (21) canon law -- we'll ignore what I said. It's
- (22) here someplace but I can't find it.
- (23) Now, did you yourself while you
- (24) were bishop, at any time meet with the families
- (25) of individuals who might have claimed that one

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- (1) of the priests had sexually abused their
- (2) children?
- (3) **A.** No.
- (4) **Q.** All right. Did you ever discuss the
- (5) problems of sexual abuse of children, Bishop, at
- (6) the National Conference of Catholic Bishops,
- (7) except for the one time -- you told us you
- (8) remember once there was discussion.
- (9) **A.** Yes.
- (10) **Q.** There was a meeting. Before that
- (11) meeting, did you engage in any discussions
- (12) regarding this problem?
- (13) **A.** No.
- (14) **Q.** All right. Are you aware of -- again,
- (15) while you were bishop, were you aware of the
- (16) fact that there was substantial discussion in
- (17) the United States within the Catholic Church,
- (18) regarding the sexual abuse of children?
- (19) **A.** Yes.
- (20) **Q.** All right, and how did you become aware
- (21) of that?
- (22) **A.** Through the press.
- (23) **Q.** Through the press. Was it -- it wasn't
- (24) through any of your fellow bishops?
- (25) **A.** No.

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- (1) **Q.** And when you became aware at least of
- (2) the -- what you heard from the press, did you do
- (3) anything in the Diocese of Bridgeport to change
- (4) your policies?
- (5) **A.** No. I thought we were ahead of --
- (6) **Q.** Why did you --
- (7) **A.** -- everyone.
- (8) **Q.** Why did you think you were ahead of
- (9) everyone?
- (10) **A.** Well, we had a priest who was trained
- (11) and in charge of personnel who could handle
- (12) these things directly.
- (13) **Q.** And you were satisfied with the way he
- (14) handled them?
- (15) **A.** Yes.
- (16) **Q.** But there did come a time when that
- (17) priest left the diocese; is that correct?
- (18) **A.** Yes.
- (19) **Q.** All right, and when he left the
- (20) diocese, who was there to handle these problems?
- (21) **A.** He would still continue to handle
- (22) things if asked.
- (23) **Q.** Okay. Now Monsignor Bronkiewicz, I
- (24) think you told us, had taken his place, as far
- (25) as these complaints are concerned?

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- (1) **A.** Yes.
- (2) **Q.** And I believe that Monsignor
- (3) Bronkiewicz, who is very well educated, is not
- (4) educated as a psychologist or a psychiatrist; is
- (5) that correct?
- (6) **A.** Yes.
- (7) **Q.** So he didn't have the qualifications of
- (8) Monsignor Cusack, but you're indicating to us
- (9) that you would still -- in other words,
- (10) Monsignor Bronkiewicz or yourself would refer
- (11) people to Monsignor Cusack after he left the
- (12) diocese?
- (13) **A.** Yes. It is, yes.
- (14) **Q.** And where was he at that time, do you
- (15) recall?
- (16) **A.** He was at Seton Hall University.
- (17) **Q.** All right, and in addition to teaching,
- (18) was he practicing psychology?
- (19) **A.** No. He was kind of a theologian in
- (20) residence for the university.
- (21) **Q.** But how would he -- when you asked him
- (22) to undergo these things for the diocese, would
- (23) he come back to Bridgeport and do it?
- (24) **A.** Well, if a situation arose, I might
- (25) refer the priest to go down to see him.

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- (1) **Q.** To go see him, to send him down to
- (2) Seton Hall?
- (3) **A.** Yes.
- (4) **Q.** All right. Now, do you recall how many
- (5) priests would have been treated by or seen by
- (6) Monsignor Cusack?
- (7) **A.** No.
- (8) **Q.** And would Monsignor Cusack then give
- (9) you a report?
- (10) **A.** Well, we never -- if we would meet, but
- (11) it wasn't sort of an official report in this
- (12) particular case, it was --
- (13) **Q.** Oral?
- (14) **A.** Oral, yes.
- (15) **Q.** So most of the reports that you
- (16) received from him over the time that you were
- (17) bishop, both when he was at Seton Hall and also
- (18) when he was your vicar, were they all oral?
- (19) **A.** I recall they were oral, most of them
- (20) were.
- (21) **Q.** You recall that most of them were
- (22) oral?
- (23) **A.** Yes.
- (24) **Q.** Did you recall that some of them were
- (25) in writing?