

APPENDIX H-3

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IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
CRIMINAL TRIAL DIVISION

IN RE: : MISC. NO. 01-00-8944
: :
COUNTY INVESTIGATING : :
GRAND JURY XVIII : C-10

August 21, 2003

Room 18013, One Parkway
Philadelphia, Pennsylvania

TESTIMONY OF ANTHONY JOSEPH CARDINAL BEVILACQUA

APPEARANCES:

MARIANNE E. COX, ESQUIRE
Assistant District Attorney

MAUREEN McCARTNEY, ESQUIRE
Assistant District Attorney

WILLIAM SPADE, ESQUIRE
Assistant District Attorney

For the Commonwealth

PRESENT:

C. CLARK HODGSON, JR., ESQUIRE
For the Witness

Reported by: Charles Holmberg
Official Court Reporter

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ANTHONY JOSEPH CARDINAL BEVILACQUA

MS. COX: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

MS. COX: [REDACTED]

ANTHONY JOSEPH CARDINAL BEVILACQUA,
having been previously sworn, was examined and
testified as follows:

BY MS. COX:

Q. Good morning, your Eminence.

A. Good morning.

Q. Cardinal, would you please state your name for the
record.

A. My name is Cardinal Anthony Bevilacqua.

Q. And you're here with counsel.

MS. COX: If counsel could identify
himself.

MR. HODGSON: Yes.

I am Clark Hodgson. I practice at the

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 law firm of Stradley, Ronon, Stevens and Young, and

3 I represent his Eminence.

4 BY MS. COX:

5 Q. Your Eminence, do you recall back in June of this
6 year when you appeared in front of the Honorable Darnell
7 Jones?

8 A. Yes.

9 Q. And do you recall at that time he advised you of
10 your rights and obligations as a witness?

11 A. Yes.

12 Q. And did you understand your rights at that time,
13 and do you understand them today?

14 A. Yes.

15 Q. And do you understand you have the right to consult
16 with counsel before, during and after your testimony

17 today?

18 A. Yes.

19 Q. Are you ready to proceed?

20 A. Yes.

21 Q. Okay. Thank you.

22 Cardinal, you previously testified that in December
23 of 1983 you became Bishop of Pittsburgh, the Diocese of
24 Pittsburgh.

25 As a newly appointed bishop at that time, did you

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 try to keep on top of current events nationally and
3 locally?

4 A. I tried.

5 Q. And at that time, were you also a reader of the New
6 York Times?

7 A. I don't recall that I did hit regularly at that
8 time. I don't recall that. Certainly local papers.

9 Q. Would people on your staff bring articles to your
10 attention that concerned the Catholic Church?

11 A. No. Not generally there.

12 Q. Did you try keep on top of articles that would
13 affect issues affecting the Catholic Church?

14 A. I would try.

15 Q. And back in 1984, in the fall of 1984, did you
16 become aware of the case of Reverend Gilbert Gauthé,

17 G-A-U-T-H-E?

18 A. I did.

19 Q. And do you recall that Reverend Gauthé had been
20 accused down in the Lafayette Diocese of Louisiana with
21 molesting approximately seventy children?

22 A. I recall it was a number of children.

23 Q. Okay. And do you remember that when that story
24 became national, it was rather a crisis for the Church at
25 that time?

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 A. Yes.

3 Q. And in fact, it later became publicized in
4 approximately 1985 that the bishop down in Louisiana knew
5 about allegations regarding Father Gauthe and nevertheless
6 transferred him; were you aware of that?

7 A. I don't know the specifics of it, but I knew there
8 was a great deal of controversy.

9 Q. And would you agree that that would cause even
10 greater scandal to the Church if people found out that the
11 bishop transferred an individual who had been accused of
12 sexually molesting children?

13 A. Knowingly, yes, it would cause scandal.

14 Q. And were you aware that -- did you know Bishop
15 Frey, who was the bishop down there at the time?

16 A. No, I did not.

17 Q. You didn't know him through the National Catholic
18 Conference of Bishops to see at least?

19 A. No, I did not know him very well.

20 Q. Okay. And were you aware that the children who
21 were the victims of Father Gauthe were as young as seven
22 years old?

23 A. I don't recall any ages.

24 Q. Okay.

25 A. If there were, I just don't recollect that.

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 Q. And do you recall that he was charged with
3 basically raping, sodomizing and photographing children as
4 young as seven and as old as thirteen?

5 A. I don't recall the ages. I knew it was sexual
6 abuse of minors.

7 Q. And do you recall that the Vatican at that time was
8 so concerned about this case that they asked Father Thomas
9 Doyle to go down to Louisiana and to monitor the documents
10 that were being filed in the case?

11 A. I do not know that.

12 Q. Did you know that the Vatican sent Bishop James
13 Quinn to Louisiana to monitor the situation?

14 A. I did not know that.

15 Q. But you did know that it was in fact a rather large
16 scandal for the Catholic Church?

17 A. Yes.

18 Q. And you tried to keep on top of the --

19 A. I tried.

20 Q. And did you also become aware that Father Gauthe
21 was facing life imprisonment as a result of his --

22 A. I didn't know about that. I don't recollect.

23 Q. Sure. Sure, but you did know at the time that
24 molesting a child was a crime?

25 A. Yes.

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 Q. And at that point you had been a bishop for less
3 than one year when the Gauthe story first broke; is that
4 true?

5 A. I came in the latter part of '83.

6 Q. Yes.

7 A. So about that.

8 Q. Sure. And once the Gauthe story became national
9 news, do you recall that it was somewhat of a watershed
10 and numerous other complaints surfaced throughout the
11 country very rapidly in 1985 accusing priests throughout
12 the country of abusing children?

13 A. I don't recall how extensive it was, but there was
14 a fallout.

15 Q. And the National Conference of Bishops immediately
16 became concerned about the Gauthe case and tried to alert
17 the bishops in terms of these kinds of problems.

18 Do you recall that?

19 A. They began to alert us about it.

20 Q. Yes.

21 MS. COX: If I may, I would like to
22 mark this exhibit nine seventy-five.

23 (GJ-975 was marked for identification.)

24 BY MS. COX:

25 Q. And, your Eminence, for the record -

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 MR. HODGSON: Excuse me.

3 (Pause.)

4 BY MS. COX:

5 Q. I'm handing you a printout from the United States
6 Catholic Conference of Bishops, Office of Communication,
7 from their website, and it's entitled "Efforts to Combat
8 Clergy Sexual Abuse Against Minors: A Chronology."

9 A. Yes.

10 Q. Have you ever seen this document before?

11 A. I don't recall.

12 Q. Okay. And if I direct your attention to the first
13 paragraph, it says in 1992, the National Conference of
14 Bishops --

15 MR. HODGSON: Wait a minute. Wait a
16 minute.

17 THE WITNESS: 1982.

18 MS. COX: I'm sorry. '82. I
19 apologize.

20 BY MS. COX:

21 Q. Even before the Gauthé crisis in 1982, the National
22 Conference was assisting two dioceses in dealing with
23 these kinds of problems.

24 Do you recall that?

25 A. No.

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 Q. Okay. And moving down to 1984, on the exhibit, it
3 indicates that the National Conference began to consider
4 these problems a result of the Gauthe case; is that
5 correct?

6 A. I see that there.

7 Q. And in the same paragraph, towards the end, it
8 says: "Additional claimants in other dioceses come
9 forward.

10 Does that refresh your recollection in terms of --

11 A. No.

12 Q. -- other claimants and other dioceses?

13 A. No.

14 Q. Okay. And directing your attention down to 1985,
15 it indicates that the National Conference of Bishops began
16 to make uniform suggestions to the bishops in terms of

17 what they could do in their own diocese, and it
18 indicates -- and if you could follow along with me to make
19 sure I'm reading it correctly: "Number one, remove the
20 alleged offender from assignment; two" --

21 A. Where are you? Forgive me.

22 Q. I'm at 1985?

23 A. June?

24 Q. No. Just 1985.

25 A. Oh, okay. Sorry.

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 Q. Where it says "number one," it's about four lines
3 up from the bottom.

4 Do you see that?

5 A. Yes.

6 Q. Okay. "Remove the alleged offender from
7 assignment; two, refer the alleged offender for
8 professional medical evaluation; three, deal promptly with
9 the victim and his or her family to offer the solace and
10 support of the Church; and four, make efforts to protect
11 the confidential nature of the claim; and five, comply
12 with the obligations of civil law and make appropriate
13 notifications."

14 Do you recall that?

15 A. No.

16 Q. Okay.

17 A. I -- I was not one of the individual dioceses.

18 Q. Oh, I understand, but do you recall the National
19 Conference was trying to take some steps at that point?

20 A. With individual dioceses? No, I do not recall
21 that.

22 Q. Do you recall they were trying to be a resource,
23 provide resource materials for the bishops so the bishops
24 could deal with this?

25 A. It was around that time they began.

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2 Q. And directing your attention down to June of 1985,
3 do you recall that the National Conference held a
4 conference in Collegeville, Minnesota?

5 A. Yes.

6 Q. And at that time presented a psychiatrist, a lawyer
7 and a bishop to discuss various aspects of the problem?

8 A. I remember there were experts there.

9 Q. Yes. And did you attend that conference?

10 A. Yes.

11 Q. And experts talked about the nature of pedophilia
12 and the issues the bishops should be concerned with?

13 A. Yes.

14 Q. And were you familiar that in 1985 the Washington
15 Post had published an article indicating that there was a
16 claim of sexual abuse in your diocese, the Pittsburgh

17 diocese at the time?

18 A. No.

19 Q. Did you know that any of your cases had made the
20 press at that time?

21 A. I recall -- I don't recall their making the --
22 getting publicity in the press, but I presume it was
23 because there were a few cases there in my time.

24 Q. And do you recall Time Magazine in 1985 ran a large
25 article indicating that in the past fifteen months, at the

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2 time of the article, new -- excuse me -- in the past
3 month, fifteen cases, new cases, throughout the country
4 came forward regarding priests abusing children?

5 A. I don't recall them.

6 Q. Okay. As a result of the information you received
7 both from the National Conference and from trying to keep
8 abreast of this in your own diocese, what if any steps did
9 you try to take in your diocese to prevent this kind of a
10 problem from happening?

11 A. The only thing I can recall, just generally, was
12 that when we learned about the abuse problem, which is all
13 new to us, that I know we established some kind of a
14 policy in Pittsburgh, not written, but a policy to guide
15 us, to deal with the some of the cases that occurred then;
16 and that was -- primarily, it involved, you know, sending
17 them -- you know, listening to them, trying to ascertain
18 what happened when the case was presented.

19 We also . . . we generally referred to our legal
20 counsel. They would be sent away for medical evaluation
21 and treatment and that they would -- they would --
22 depended a great deal on the medical advice, whether or
23 not they could be restored to ministry; and -- but I think
24 at that time, and I can't be absolutely sure, that we did
25 not -- certainly did not return them to any ministry that

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2 involved any kind of contact with young people.

3 Q. And was that because you were concerned that they
4 might offend again?

5 A. We always had that concern, but even though it was
6 not that certain at that time, the medical advice
7 sometimes was not very strong about that.

8 In other words, we abided a great deal, or it was a
9 major factor, was what did the -- what the facility that
10 we sent the priest to would recommend.

11 But I -- I think at the time it was that we felt
12 that we avoid any possibility by having any contact with
13 young people, children or young people. That's my
14 recollection.

15 Q. And you knew at that time that pedophilia was an
16 addiction.

17 A. That was pretty early. I did not -- I can't say I
18 recollected that pedophilia was an addiction. It was only
19 then we began to understand what pedophilia was, and
20 that -- but I cannot recollect that we knew that it was
21 something incurable at the time.

22 Q. I'm going to -- oh, I'm sorry.

23 A. I say, to repeat, that I don't know at that time I
24 would have known that it was an addiction as you asked.

25 Q. Okay. I'm going to pass over to you what's going

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2 be marked grand jury exhibit nine seventy-six.

3 (GJ-976 was marked for identification.)

4 MS. COX: For the record, this is a
5 reprint from Time Magazine, July 1, 1985. The
6 third paragraph indicates that they mention that in
7 the past month, which would be within one month of
8 July of 1985, fifteen other cases had come forward,
9 and they talked about the various charges against
10 various clerics throughout the country.

11 BY MS. COX:

12 Q. And the last paragraph, if you direct your
13 attention down there, it says: "Pederasty is a puzzling
14 perversion."

15 MR. HODGSON: Where are you?

16 MS. COX: The very last paragraph.

17 THE WITNESS: Of the first page?

18 MS. COX: Of the first page.

19 THE WITNESS: I don't see . . .

20 MS. COX: Does the top of your --

21 THE WITNESS: It's not here.

22 MR. HODGSON: It's not here.

23 MS. COX: -- indicate or say Time

24 Magazine?

25 THE WITNESS: No. It's the Washington

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 Post.

3 MS. COX: Oh, I'm sorry. Let me pass
4 over this one.

5 MR. HODGSON: I have the Time Magazine.

6 BY MS. COX:

7 Q. I direct your attention to the last paragraph:

8 "Pederasty is a puzzling perversion, which to many experts
9 seems essentially incurable."

10 A. Yes.

11 Q. Does that refresh your recollection in terms of
12 what many experts were saying back then?

13 A. No.

14 Q. Okay. And at that time, were you aware of the kind
15 of harm that could be caused to a child if they were
16 sexually abused?

17 A. I felt it, but I cannot say I recollect that
18 experts were, you know, saying this. I could see -- I
19 could sense it myself, the great harm. I thought it was a
20 horrendous thing. But there were also, say, experts at
21 the time that I did not agree with them, that said it may
22 not cause that much harm.

23 Kinsey himself I recall one time saying he didn't
24 think it would cause that much harm, so it's here I notice
25 it says, "to many experts seems essentially incurable,"

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 though there are some who would probably -- according to
3 that statement, there's some who did not think the same
4 thing.

5 Q. But in terms of your own diocese, having seen what
6 happened in the Louisiana Lafayette diocese and the crisis
7 it caused the Church, was it your determination when you
8 returned in Pittsburgh not to let the same kind of thing
9 ever happen in your diocese?

10 A. That's right.

11 Q. And what if any lessons did you take away from the
12 Gauthe case where he was allowed to abuse children in
13 diocese after diocese when they knowingly transferred him?

14 A. Well, I would have been totally against that, and
15 he -- I would -- I would -- if I had -- if I had been
16 there and known this, this is knowingly, he would not have
17 been associated in any kind of ministry.

18 Q. So you would agree that it would be a mistake to
19 transfer someone to a new diocese -- excuse me -- a new
20 parish if the person had been accused of sexually
21 molesting a child?

22 A. Knowingly, it would be very wrong.

23 Q. When you say knowingly, you're referring to the
24 person making the transfer decision?

25 A. That's right. That person knew that he had been

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 guilty of this.

3

4

5

THE WITNESS: Or credibly.

6 BY MS. COX:

7 Q. Now, directing your attention again back to the
8 bottom of what's been marked nine seventy-five, this is
9 the National Catholic Conference exhibit?

10 A. Yes.

11 Q. And by the way, the National Catholic Conference of
12 Bishops, which is now known as the United States Catholic
13 Conference of Bishops, would that be equivalent to a trade
14 group in a civil context?

15 A. It's hard to compare it. What do you mean by that,
16 a trade group?

17 Q. Is it an organization that is there for the benefit
18 of the bishops in terms of a support group providing
19 information?

20 A. It begins to approach that.

21 Q. So directing your attention to the last paragraph
22 on exhibit nine seventy-five, where it says "1985,
23 continued," it indicates, and tell me if I'm reading this
24 correctly, "The Reverend Michael Peterson, president of
25 Saint Luke Institute, and the Reverend Thomas Doyle, canon

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2 lawyer on the staff of the Apostolic Nunciature, and
3 Attorney Raymond Mouton, lawyer for Father Gauthe, draft a
4 resource paper entitled "The Problem of Sexual Molestation
5 by Roman Catholic Clergy: Meeting the Problem in a
6 Comprehensive and Responsible Manner."

7 Do you recall that the authors of this document had
8 been involved in the Gauthe case, that Reverend Mouton had
9 been defense counsel for Gilbert Gauthe?

10 A. I do not recall that, but I -- those names are
11 familiar.

12 Q. It would have been likely you would have known at
13 the time, I take it?

14 A. At that time, possibly.

15 Q. And you previously testified that you recalled, you
16 think you received a copy of that along --

17 A. Yes, I think I did.

18 Q. -- along with the other bishops?

19 And given the crisis that had occurred with the
20 Gauthe case, I take it you would have wanted to know as
21 much as you possibly could about this problem?

22 A. Yes.

23 Q. And would you agree that the Gauthe case was
24 probably the biggest scandal in the Catholic Church since
25 you had been ordained in 1949?

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2 A. No.

3 Q. You wouldn't?

4 What would have been a bigger scandal?

5 A. We're dealing with two thousand years of history.

6 Q. So since you've been ordained in 19 --

7 A. Oh, that I had -- happened since I was ordained?

8 Q. Since you were ordained in 1949, would you agree
9 that the Gauthé scandal was the biggest crisis in the
10 Catholic Church in the United States? Since the time of
11 your ordination, not in the history of the Church.

12 A. I guess it was. I'd have to say the most notorious
13 at the time.

14 At the time -- you have to understand. I don't
15 know whether it was -- I would have to say for myself, an
16 enormous amount of publicity that has ever been received,

17 I would say yes, of something that would be notorious and
18 evil.

19 Q. Now, this was not something that you would ever
20 want to see happen in your diocese, I take it?

21 A. No. That is correct.

22 Q. Now, directing your attention to the second page of
23 exhibit nine seventy-five, it indicates about eight lines
24 down, if you can find that spot, "An NCCB/USCC staff
25 review."

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2 A. Right.

3 Q. Have you found that spot?

4 A. Yes.

5 Q. "Finds that, with few exceptions, issues identified
6 in the report," and they're referring to the Doyle
7 Peterson Mouton report here, "have already been analyzed
8 for the bishops by the National Catholic Conference of
9 Bishops' staff and other experts, especially at the
10 Collegeville meeting. Major difference: The report's
11 suggestion of a national intervention team."

12 Now, do you recall that the National Catholic
13 Conference of Bishops basically had presented the bishops
14 with the same kind of information that was contained in
15 this Doyle manual so the bishops could respond in their
16 own diocese to this issue?

17 A. I do not recall that it was considered, you know,
18 substantially the same as the Doyle. I do not recall
19 that.

20 Q. Would you dispute the National Conference of
21 Bishops' conclusion that it was substantially the same
22 except for the intervention team?

23 A. No, I would not dispute that.

24 Q. Now, continuing down on the same exhibit, in 1986
25 and 1987, the National Catholic Conference of Bishops in

1 ANTHONY JOSEPH CARDINAL BEVILACQUA
2 this statement, on their website, indicates how they were
3 encouraging bishops in their own diocese to deal with
4 personnel problems, and they were acknowledging the scope
5 and extent of the crisis of priests abusing children.

6 Is that correct?

7 A. I see that.

8 Q. Now, by 1988, you were transferred and actually
9 made Archbishop the of the Archdiocese of Philadelphia; is
10 that correct?

11 A. Yes.

12 Q. And do you recall -- I'm going to hand you a copy
13 of an exhibit that was previously marked nine fifty-six?

14 MS. COX: And for the record, this
15 exhibit is captioned: "It's Your Call with Lynn
16 Doyle.

17 "On CN8 TV.

18 "Questions for the Cardinal.

19 "Interview of Anthony Cardinal

20 Bevilacqua.

21 "Taped June 24, 2002."

22 BY MS. COX:

23 Q. Do you recall that interview?

24 A. Yes.

25 Q. And directing your attention to page two of the

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 transcript, the last paragraph, five lines down, beginning
3 with the word "but," "but also," have you seen that?

4 A. No. The last paragraph on page two?

5 Q. The last paragraph on page two, the words "but also
6 the impression that was given."

7 A. By the media?

8 Q. Yes.

9 A. Okay.

10 Q. "But also the impression that was given by the
11 media at times" -- excuse me.

12 A. I see that.

13 Q. "But also the impression that was given by the
14 media at times was that the bishops never did anything
15 about this. You know, we started -- when it was first
16 ~~highlighted in 1985, the bishops began to address this~~
17 with workshops. We had many experts speak to us at our
18 conferences."

19 And coming down a couple lines, "But a lot of
20 reform did take place."

21 And directing your attention to page three, at the
22 top, the question was posed by Lynn Doyle: "And that's
23 because, in your opinion, of the reform that started as
24 far back as 1985?" And your answer: "Most of the bishops
25 I think cooperated with that."

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2 And did I read that correctly?

3 A. Yes.

4 Q. And you would agree that you also cooperated with
5 the reform and were interested in making sure that no
6 child was ever placed at risk in any of your dioceses; is
7 that correct?

8 A. Yes.

9 BY MS. MCCARTNEY:

10 Q. Good morning Cardinal.

11 You were actually appointed Archbishop of
12 Philadelphia in June of 1987; is that correct?

13 A. No.

14 Q. When?

15 A. No. I -- I was appointed in December of '87.

16 Q. ~~And you took -- you were installed as Archbishop in~~
17 February of '88; is that right?

18 A. That's correct.

19 Q. And during that period of time, between your
20 appointment and your installation, were you the one that
21 made the decisions in Philadelphia, or was that still
22 Cardinal Krol's responsibility?

23 A. Cardinal Krol.

24 Q. Okay. During that period of time, the transitional
25 period, you were trying to familiarize yourself with the

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2 Archdiocese of Philadelphia; is that fair to say?

3 A. Trying, but not strongly, because I had to still
4 run the Diocese of Pittsburgh.

5 Q. Okay. And you were actually then installed in
6 February of 1988, at which point in time you became the
7 one that made the decisions with regard to the Archdiocese
8 of Philadelphia --

9 A. That is correct.

10 Q. -- correct?

11 And you've already testified previously that you
12 were the ultimate decision maker with regard to any
13 decision that occurred in the Archdiocese as it affected
14 the Catholic Church; is that fair to say?

15 A. For the more important ones. I mean, not every
16 ~~decision. Much of the administrative work I delegated to~~
17 others.

18 Q. Okay. But in terms of transferring and assignments
19 of priests --

20 A. Yes.

21 Q. -- ultimately, all of those decisions were yours to
22 make; is that right?

23 A. That is correct.

24 Q. Okay. And when you first became Archbishop of
25 Philadelphia in 1988, you set up an advisory committee; is

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2 that right?

3 A. What do you mean by an advisory committee? On this
4 issue or advisory committee to myself? What --

5 Q. An advisory committee to familiarize yourself with
6 what was going on within the Archdiocese of Philadelphia?

7 A. I don't recall any advisory committee that I set up
8 then as soon as I came in. I have -- by law there are
9 advisory committees.

10 Q. Okay.

11 A. One being the Priest Council, which I had to
12 install, which I did several months after I came here.

13 Q. Okay.

14 A. I had a -- I had -- one or two of my top staff were
15 kind of personal advisors to me, but I did not have a
16 ~~formal advisory body outside of what's required, you know,~~
17 allowed by the law itself.

18 Q. What about a transitional committee? Did you have
19 any persons from Cardinal Krol's administration working in
20 coordination with those that you were going to make
21 important in your administration?

22 A. There was no committee set up in that way.

23 Q. And who were your closest advisors that you
24 mentioned when you first came to Philadelphia?

25 A. When I first came here, it must have been at least

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2 six, about six or so months that I depended upon the ones
3 that were already in place in the office, and that would
4 have been Cardinal Krol's secretary. It would have been
5 the Chancellor of the diocese. It would have been also
6 the Vicar General of the diocese.

7 Those would be the top advisors that I would have
8 consulted with for a while until I began to form my --
9 make my own appointees.

10 Q. Now, you first came here in February, as we've
11 already discussed, the fact that the NCCB was addressing
12 this issue of clergy sexual abuse, and it was discussed at
13 the various meetings that were held from the point in time
14 of the Gauthé case forward through 1988; is that right?

15 A. Correct.

16 Q. ~~And they had provided you, you as well as the other~~
17 bishops, with a number of resource materials in terms of
18 how to address this issue and what the medical opinions at
19 the time were; is that right?

20 A. Yes, but you have to understand it wasn't -- there
21 was a constant influx of resource materials.

22 Q. I understand that, but the conference themselves
23 provided you with information --

24 A. Yes. At times.

25 Q. -- is that right?

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2 A. At times.

3 Q. And there was also obviously information that could
4 have been obtained through sources over the NCCB on this
5 issue; is that right?

6 A. That is correct.

7 Q. Individuals could have gone and done research by
8 themselves or had set up committees to, you know, speak
9 with experts and things like that; is that fair to say?

10 A. Yes.

11 Q. Did you do any of those things, Cardinal, either in
12 Pittsburgh or in Philadelphia, from 1995 through 1988?

13 A. I tried to keep up with as much of the relevant
14 resource materials that was available. I can't say I did
15 read everything.

16 Q. Okay.

17 A. But there was so much.

18 Q. So then you --

19 A. But I did try to say that I was, you know, current
20 with what the situation was.

21 Q. So you, in addition to the information provided by
22 the USCC, you supplemented that with your own research and
23 investigation?

24 A. It was mainly -- not that I necessarily researched
25 it, but that people would tell me about articles in the

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2 paper or in some magazine, and they might send me a copy.
3 I don't recall all of the incidents of it, but I would
4 keep up with it.

5 Q. And you were aware that the issue that was being
6 addressed, clergy sexual abuse, that there were children
7 that were affected by this crisis?

8 A. What I -- the information that I was reading seemed
9 to indicate frequently that the number of -- when you say
10 children, I'm presuming you mean below the age of puberty.

11 Q. When I say children, I'm talking about anywhere
12 from toddler through the legal age of majority, which
13 would be eighteen.

14 A. Oh, because we -- we learned, you know, after a
15 while, that distinction between children and young people,
16 ~~and so there were minors involved.~~

17 Q. Okay.

18 A. Yes.

19 Q. And you would agree that obviously one of your
20 major concerns would be the protection of children or
21 minors; is that right?

22 A. Yes.

23 Q. And so that was another reason why this issue was
24 extremely important to you --

25 A. Yes, it was.

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2 Q. -- is that correct?

3 And when you came to Philadelphia, would it be fair
4 to say that the protection of the children of the Diocese
5 or the minors of the Diocese, that was one of your main
6 concerns?

7 A. At the time it was always a concern, you know,
8 wherever I was, Pittsburgh and Philadelphia, but it -- to
9 say that it was my major of concern, if I took action
10 immediately, I cannot say that, but it was still a major
11 priority for me.

12 Q. What concern would you say was of greater
13 importance to you when you became Archbishop of
14 Philadelphia in February of 1988 than the protection of
15 children?

16 A. ~~Protection of children was always a very high~~
17 ~~priority.~~

18 When I first came to Philadelphia, one of the first
19 things I had to do was to get a staff that could advise me
20 and to fulfill my own style and policies.

21 I knew very few people in Philadelphia. Very few.
22 And so it was very important to get people that I knew at
23 that I would -- who were competent, in charge of various
24 offices, because when I came here, I knew that I had to
25 take a different approach to the administration of the

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2 Diocese; and it was an approach that I felt would allow me
3 to be more of a shepherd, meaning that I could get out
4 among the people, and I wanted to delegate more to
5 administrators so that I would not have to be directly
6 involved --excuse me -- with the day-to-day running of the
7 Diocese.

8 That was very crucial to me from a practical point
9 of view or organizational point of view. That does not
10 diminish the priority of protection of children or many
11 other priorities.

12 Q. Well, when you say you needed to take a different
13 approach, that was different than the approach that had
14 been taken by Cardinal Krol?

15 A. That's correct.

16 Q. And --

17 A. It was an advancement of it.

18 Q. Okay. And when you came to Philadelphia, what did
19 you do to educate yourself with regard to the policy of
20 Cardinal Krol that Cardinal Krol had in place where there
21 were allegations of clergy sexual abuse with minors?

22 A. I don't recall at that time that there was any
23 prominent cases of sexual abuse of minors in Philadelphia

24 I depended upon the staff of Cardinal Krol, that
25 was the in the Chancery, to alert me to any situations

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2 that required immediate attention, and my recollection is
3 that they -- it seemed as if it was not a very -- there
4 was nothing notorious at the time.

5 Q. Well, Cardinal, just so I'm clear, when you say
6 nothing notorious, you're talking about nothing that had
7 maybe made the newspapers in Philadelphia?

8 A. Right, or that there were recent allegations or
9 cases.

10 Q. Was that an assumption that you made, or did you
11 actually go to the people that were in charge of dealing
12 with these issues under Cardinal Krol and -- I believe it
13 would have been Monsignor Shoemaker at the time?

14 A. That's right.

15 Q. Did you go to Monsignor Shoemaker and say, you
~~16 know, I need you to tell me what the situation here is in~~
17 Philadelphia?

18 A. I don't recall doing that.

19 Q. Did you direct anybody on your staff to provide
20 that information to you?

21 A. I don't recall that.

22 Q. So when you say that there were no cases that
23 required immediate attention, that was just an assumption
24 on your part?

25 You're not basing that on any firsthand knowledge

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2 that you had through any work that you did to discover
3 that.

4 Is that fair to say?

5 A. It's because that if there had been an allegation,
6 that would have been reported to me immediately.

7 Q. If there had been an allegation that occurred while
8 you were --

9 A. While I was there.

10 Q. Okay. What about allegations -- and we can talk
11 about that in a moment, but what about allegations that
12 had occurred prior to your arrival where the individuals
13 were reassigned or were still in treatment or had been,
14 you know, put on administrative leave?

15 Did you familiarize yourself with any of those
16 situations?

17 A. I don't recall doing that since I presumed that it
18 was being adequately taken care of.

19 Q. And when you say you presumed that it was being
20 adequately taken care of, on what facts were you making
21 that assumption?

22 A. On the fact that Cardinal Krol was a very competen
23 Archbishop, and I'm -- I presume again that he was
24 concerned about the protection of children as much as
25 anybody else.

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2 Q. Did you, Cardinal, given the fact that this was of
3 such paramount concern to you, the protection of children,
4 did you do anything besides just assume that these
5 situations had been handled appropriately in the past?

6 A. I have to repeat that the staff that was in charge
7 of the clergy at the time were very competent, and as I
8 was trying to reorganize the Diocese, I was waiting to get
9 people in that were the ones that would fulfill my goals
10 and my vision; and at the time, those in charge of the
11 clergy were very efficient, and I have to repeat that I
12 presumed that they were taking care of all of this.

13 Q. And you're saying that you assumed that they were
14 taking care of it because they were very competent; that's
15 why you were making that assumption, part of the reason?

16 A. I have to repeat that if there was anything, any
17 danger there, I am presuming again that they would have
18 brought it to my attention.

19 Q. Did you, Cardinal, at any point in time tell those
20 individuals that this is an issue that you were extremely
21 concerned about and I need to know about it and I need you
22 to tell me what's going on in this archdiocese about this
23 issue?

24 A. You're talking about immediately after I arrived?

25 Q. Yes.

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2 A. I do not recall that.

3 Q. Okay. At the time that you became Archbishop of
4 Philadelphia, you were aware -- you're aware of the
5 existence of secret archive files, is that right? By
6 canon law, they have to be kept?

7 A. Yes.

8 Q. Okay. And you're aware that any allegation that
9 occurred in a priest's life and that involved anything
10 from alcohol abuse to stealing to allegations of sexual
11 abuse, there would have to be reports that were generated
12 in and placed in that individual's secret archive file; is
13 that correct?

14 A. Yes.

15 Q. Did you at any point in time when you first came to
16 Philadelphia, did you ask that anybody go through the
17 secret archive files so that you could be aware of those
18 priests that had files, or did you do that yourself?

19 A. No, I did not.

20 Q. Can you tell me why?

21 A. (No response.)

22 Q. Why was that not done?

23 A. I didn't see any necessity at the time.

24 Things are brought to me when it requires my
25 attention. That's why I have staff. And the clergy

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2 office at the time was the chancellor and the vice
3 chancellor.

4 That was their responsibility, and they knew that.
5 They always knew that it was a high priority for me,
6 protection of children. Apparently, there was nothing
7 urgent at the time to tell me.

8 Q. Cardinal, how would they know that was a high
9 priority of yours and that you were to be kept abreast of
10 all of this if you never had that conversation with them
11 and that you're assuming they would know it?

12 A. Because they would know as it was high priority for
13 Cardinal Krol, it would be a high priority for me; and if
14 they had anything urgent that had to be taken care of,
15 they would have brought it to my attention.

16 ~~Q. The changes that occur within the Archdiocese,~~
17 they're usually done in May or June of any particular
18 year; is that correct?

19 A. Correct.

20 Q. And so, when you became Cardinal in 1988, in
21 February, the first set of clergy changes that you were
22 responsible for would have been in June of that year; is
23 that right?

24 A. Yes.

25 Q. Okay. And those changes are done on the basis of

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2 needs of the Diocese and skills of each individual priest;
3 is that correct?

4 A. Yes.

5 Q. So when you went to make the changes in June of
6 1988, did you at that point in time, when you were
7 possibly going to be making, you know, decisions with
8 regard to moving one individual from one parish to
9 another, did you at that point in time ask that any of the
10 secret archive files be reviewed so that you could be
11 familiar with these individuals because you were the one
12 that was going to be making the decisions about where they
13 were going to go?

14 A. I don't recall that, but it was policy, and I don't
15 know when it began, whether that first time, certainly was
16 after that, that any appointment that is made, that it's
17 the responsibility of those in charge of the clergy to see
18 if there's anything in the secret archives that would
19 militate against an assignment. That is to be done
20 automatically.

21 Q. Now, just so I'm clear on this Cardinal, any time
22 a priest is changed from one assignment to the other, the
23 Secretary for Clergy is to go through the secret archive
24 files, find out whether a file exists on that individual,
25 if it does, to determine what the contents of it are and

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2 then bring that information to your attention?

3 A. That is correct. If -- but after a while,
4 naturally, he doesn't do it any time he becomes familiar
5 with that file.

6 Q. But that information that he gathers from looking
7 at the secret archive file is conveyed to you so that you
8 can then have an informed discussion about what changes
9 are made and how and what skills or deficiencies a
10 particular priest has?

11 A. Yes. If it was something notorious in that secret
12 archive file, then that would affect any kind of transfer;
13 but what I say -- I was trying to say I don't know that
14 first one because I set up a Personnel Board and I don't
15 know if I had set it up by that time.

16 Q. ~~You set up a Priest Personnel Board?~~

17 A. That's right.

18 Q. And that is composed of the vicars of the various
19 counties, as well as some other individuals that are voted
20 on by other priests?

21 A. That is correct.

22 Q. You preside over every one of them?

23 A. Yes.

24 Q. And Monsignor Lynn is also a member that board; is
25 that right?

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2 A. That is correct.

3 Q. But if not with the first set of changes that you
4 were responsible for in 1988, every set of changes after
5 that, this procedure that you've just indicated, was in
6 place in terms of information from the secret archive
7 files being gathered and presented to you for decision?

8 A. If -- he is supposed to check whether anyone --
9 there's any record in the secret archives that would be a
10 major factor in the appointment. If there is, he would
11 generally let me know beforehand. In other words, it
12 wouldn't be brought up at the personnel meeting itself.

13 Q. Yes.

14 A. But after all, he became familiar with that file.

15 Q. And he would let you know that either through a
16 ~~written memo or through sometimes just word of mouth of~~
17 conveying that information?

18 A. That's right. Most of the time they would say it
19 verbally, not that they were that frequent. It happened
20 very, very rarely.

21 Q. But, Cardinal, you would agree with me that since
22 your installation as Archbishop in 1988, there were
23 priests that were reassigned that had allegations of
24 sexual abuse in their secret archive files?

25 A. I can't say that. Wait a minute. That they

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2 reassigned to what?

3 Q. To different assignments throughout the Archdiocese
4 of Philadelphia.

5 A. They -- those who had allegations against them,
6 credible allegations, if they had gone for rehabilitation,
7 they would -- it would depend upon what the doctors said,
8 whether he could be reassigned, but I don't recall. I
9 cannot recall ever assigning to any kind of ministry that
10 would involve children.

11 Sometimes they would tell us this man can be
12 reassigned but he is not to be involved with any
13 responsibility involving young people, and so we -- it was
14 not long after I arrived in Philadelphia, I don't know the
15 precise time, that we had a policy that those involved in
16 sexual abuse of minors would have restricted ministry.

17 But I don't recall ever knowingly assigning anyone
18 to a parish or to any kind of apostolate or ministry
19 involving children or young people.

20 Q. When you say -- you've used the phrase "credible
21 allegation," that if it was a credible allegation, they
22 wouldn't be reassigned to a ministry, a full ministry; is
23 that right?

24 A. That is correct.

25 Q. How is credible allegation defined?

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2 A. One that where there's proof that he did commit a
3 sexual abuse of a minor.

4 Q. And when you say proof, are you talking about --
5 does it have to be an admission by the individual that's
6 accused?

7 A. Practically. Most of the time when we did have
8 allegations and we said that that person could not be
9 reassigned, it was because the priest admitted it.

10 Q. And is that the only factor that is used or that
11 goes into determining what is a credible allegation?

12 A. No. If it happened -- I don't recall any. If the
13 priest did not admit it, there could be other ways of
14 determining whether the allegation is credible.

15 Q. Like what, Cardinal?

16 A. Well, if there were any kind of evidence or if it
17 was -- it could reach a point where a number of people
18 made the allegation. I'm talking in general now. A
19 number of people made similar allegations. It would build
20 up a strong presumption of guilt.

21 Q. Well, with regard to the priests that were
22 reassigned by you, who may have had secret archive files
23 where allegations were made under Cardinal Krol, did you
24 review those files personally?

25 A. No.

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2 Q. Well, how is it that there would have been able to
3 be made a determination of whether or not the allegation
4 was credible if the individual who was in charge of making
5 the decision had never had the opportunity to speak with
6 the accuser?

7 A. Because I depended upon my -- my people responsible
8 for the clergy to do that.

9 Q. Well, you depended upon them, and they were clear
10 that you were depending upon them in that regard; is that
11 correct?

12 A. Yes.

13 Q. Okay. If they didn't do what it is that you
14 required them to do or expected that they would do,
15 ultimately you're responsible for the decision that gets
16 made; is that correct?

17 A. That's right. But I have to always presume that
18 they were efficient and they did do what the policy said
19 they should do.

20 Q. Did you ever personally -- did you ever check and
21 go through any type of an evaluation process to determine
22 whether or not these people that you've placed your
23 confidence in were actually doing what it was that you
24 expected them to do?

25 A. I'm not understanding how I'm supposed to do

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2 something like that, except that I trusted them. I mean,
3 they have a conscience, and I have to presume all my
4 priests follow their conscience, you know, that are my
5 advisors or my staff, that they know their
6 responsibilities and they know that they ought to carry it
7 out.

8 Q. Were you aware at any point in time since when you
9 took over as Cardinal in 1988 that the responsibility that
10 you had vested into an individual was not being -- and
11 when I say an individual, I'm talking about an individual
12 involved in this issue of clergy sexual abuse, that they
13 had not risen to the occasion, that they hadn't done the
14 job that was required of them?

15 A. I never found in my experience in the Archdiocese
16 ~~of Philadelphia that any of the priests involved in the~~
17 clergy, in the clergy office, that they failed in their

18 responsibility on this question of sexual abuse of minors

19 Q. So it's never been brought to your attention that
20 one of the things that you wanted done on a particular
21 case with this issue was not followed through on?

22 A. That was never brought to my attention.

23 Q. Now, Cardinal, when you became Archbishop in 2000,
24 I mean, in February -- what was the exact date again?

25 A. February 11.

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2 Q. February 11.

3 After you became Archbishop of Philadelphia, within
4 two weeks of your being installed, it became known to you
5 that an allegation of sexual abuse had been brought
6 against Monsignor David Walls; is that correct?

7 A. I don't recall it, but I know there was something
8 there.

9 Q. I'm just ask you to look at what's been marked as
10 grand jury six fifty-nine and just --

11 MR. HODGSON: Excuse me. What's the
12 number again?

13 MS. MCCARTNEY: Six fifty-nine.

14 BY MS. MCCARTNEY:

15 Q. Just for the record, Cardinal, this is the
16 ~~Archdiocese of Philadelphia priest data profile; is that~~
17 correct?

18 A. Yes.

19 Q. And it deals with Reverend Monsignor David E.
20 Walls --

21 A. Right.

22 Q. -- is that right?

23 Now, if you look down, Cardinal, to the previous
24 assignments, from June of 1987 through June of 1988,
25 Monsignor Walls was the vicar in the Office of Catholic

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2 Education; is that correct?

3 A. Yes.

4 Q. And that's a relatively high profile position
5 within the Archdiocese of Philadelphia; is that right?

6 A. Yes.

7 Q. Very important position?

8 A. Yes.

9 Q. Okay. Now, in February of 1988, there was an
10 allegation that came in, and the allegation was made by a
11 therapist, an [REDACTED]

12 Does that refresh your recollection at all?

13 A. No.

14 Q. And the therapist went and spoke with Monsignor
15 Pepe, and what position did he hold in the Archdiocese at
16 that time?

17 A. Forgive me. I . . . I think he -- I thought he was
18 in the Tribunal, but I can't be positive, but it may have
19 been in the Chancery.

20 Q. And also Samuel Shoemaker?

21 A. He was the Chancellor at the time.

22 Q. And Monsignor Shoemaker was the one that was in
23 charge. His office was in charge of dealing with these
24 issues of clergy sexual abuse when you took over. Is that
25 right?

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2 A. Yes.

3 Q. Okay. And just would it refresh your recollection,
4 Cardinal, if I were to tell that Joseph Pepe was the Vice
5 Chancellor from 1987 through 1991?

6 A. That could be.

7 Q. Okay. So he was Monsignor Shoemaker's assistant at
8 that point?

9 A. (No response.)

10 Q. The therapist that came to speak with them told
11 them that she was treating a client and that that client,
12 who was nineteen at the time, alleged that two years
13 previous, she had been sexually assaulted by Monsignor
14 Walls after she had gone to him for counseling.

15 Does that refresh your recollection --

16 A. No.

17 Q. -- as regard to the allegations?

18 A. No. No.

19 Q. She also said that there was another allegation
20 that she was familiar with where the girl's brother had
21 been approached by Monsignor Walls in a sexual way.

22 Does that ring a bell with you, Cardinal?

23 A. No.

24 Q. And she told you that --

25 A. Wait.

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2 Q. I'm sorry. I'm sorry. She didn't tell you. I
3 apologize, Cardinal.

4 And the allegations that had been brought to the
5 attention of the Chancellor's office were that these
6 incidents involving her had occurred at a point in time
7 when she was seventeen years old, which would have made
8 her a minor; is that correct?

9 A. This is the first time I hear that the allegations
10 involved a minor.

11 Q. Well, Cardinal, am I correct in saying that just a
12 couple minutes ago when we were talking about what the
13 procedure was in Philadelphia after you took place that
14 you had given instructions --

15 A. Yes.

16 Q. -- informed your staff to come to you and tell you
17 if there's any allegations of sexual abuse?

18 A. Yes.

19 Q. And you made that very well clear to them, is that
20 right, when you first --

21 A. They knew it.

22 Q. And they knew that because the protection of
23 children was one of, if not your main, concerns as the
24 spiritual, moral leader of the Diocese, correct?

25 A. Yes.

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2 Q. Are you saying that they never came to you and told
3 you that the allegation involved a minor?

4 A. My memory of this has never linked him with abuse
5 of a minor.

6 Q. Well, Cardinal, after these allegations became
7 known, he was sent for an evaluation; is that right?

8 A. Yes.

9 Q. And the evaluation was done at Saint Luke's
10 Institute?

11 A. I don't recall that, but . . .

12 Q. Okay. And obviously, because you were concerned
13 about the allegations, you were concerned about the health
14 and well-being of the priest and you were concerned about
15 the potential for risk in the future, you were always
16 clear that you wanted to see and read and know what was in
17 the evaluations that had been conducted; is that right?

18 A. That's -- that is a . . .

19

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MS. MCCARTNEY:

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THE WITNESS:

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MS. MCCARTNEY:

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THE WITNESS: I agree.

Could you kind of break it up into several questions? It went on quite a while, so I lost -- there are a lot of distinctions there.

MS. MCCARTNEY: I'll do my best.

BY MS. MCCARTNEY:

Q. When an allegation about a priest in the Archdiocese came in and an evaluation was conducted, you were very interested in the results of that evaluation, correct?

A. Yes.

Q. And you were not only interested in the results of the evaluation, but you wanted to be familiar with what the evaluation had consisted of; is that correct?

A. Generally if it involved particularly what the next step would be with that priest.

Q. And as a result of your wanting to be aware of that and concerned about it, you were made aware of all of the evaluation reports that were done on a particular priest; is that correct?

A. I don't know if I can say -- I say generally, yes.

Q. Okay.

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2 A. But I can't be absolute about that.

3 Q. And when you say generally, that's because your
4 staff would have been aware that they were your wishes and
5 that you wanted that information; is that right?

6 A. That which was most relevant for any kind of
7 appointment or decision about him.

8 Q. And you've already told us previously that a lot of
9 the decisions that you made on individual priests that had
10 been evaluated, part of what went into the decision was
11 the results of the evaluation?

12 A. Correct.

13 Q. So then your staff would have been aware of the
14 fact and would have known that this was a very important
15 thing that you wanted to be kept abreast on?

16 A. Yes. I have to say that.

17 Q. Now, Cardinal, when Monsignor Walls was evaluated
18 after these allegations came up, he was sent for an
19 evaluation at Saint Luke's.

20 Do you recall that?

21 A. I don't recall this specifically. Can you refresh
22 the time he was sent there?

23 Q. He was admitted to Saint Luke's on March 14, 1988,
24 which would have been a couple weeks after the allegation
25 had first come in.

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2 MS. MCCARTNEY: And I'm going to ask
3 that this be marked as grand jury exhibit nine
4 seventy-seven.

5 (GJ-977 was marked for identification.)

6 BY MS. MCCARTNEY:

7 Q. Do you recognize that document, Cardinal?

8 A. I do not. I don't recall it.

9 Q. For the record, Cardinal, this is a document which
10 is marked nine seventy-seven. It's Saint Luke's
11 Institute. It is dated April 5, 1988, and it is addressed
12 to Reverend Monsignor Samuel Shoemaker, Chancellor,
13 Archdiocese of Philadelphia; is that correct?

14 A. Yes. That's what it states.

15 Q. And this evaluation refers to an evaluation that
16 was conducted on Father Walls, is that correct, based upon
17 the information that's contained in that document?

18 A. Yes.

19 Q. Now, this would have been provided to you at some
20 point in time by Monsignor Shoemaker given what you've
21 already told us about how you expected things to be
22 conducted?

23 A. I said that the information generally is given to
24 me. Doesn't necessarily mean that the actual document is

25 Q. Well, Cardinal, correct me if I'm wrong, but this

1 ANTHONY JOSEPH CARDINAL BEVILACQUA
2 is two weeks after you became Cardinal or Archbishop of
3 Philadelphia.

4 This is an individual who had been excused of
5 sexual abuse, who held a very high ranking, ranking
6 position within the Archdiocese of Philadelphia.

7 And am I correct in saying that this would have
8 been an individual that would have been of great concern
9 to you?

10 A. It should have been, and perhaps I should have
11 been -- the point should have been apprised of this, but I
12 can't recollect it.

13 Q. Well, if you could, Cardinal, go to page three of
14 that document, and referring to the third paragraph down,
15 this is the information that deals with Father Walls's
16 ~~sexual history and also deals with information with regard~~
17 to the allegations that brought him to Saint Luke's.

18 MR. HODGSON: Where is it?

19 MS. MCCARTNEY: It's the third
20 paragraph down, and it begins with the sentence
21 "more recently."

22 THE WITNESS: You said the third page?

23 MR. HODGSON: No. No. What page? At
24 the bottom?

25 MS. MCCARTNEY: It's 000946.

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2 THE WITNESS: And how does the
3 paragraph begin? I'm not following your reading.

4 BY MS. MCCARTNEY:

5 Q. The paragraph begins in addition?

6 A. Okay. "To these personalized."

7 Q. Right. And if you look down about half way through
8 that paragraph, there's a sentence that begins "more
9 recently."

10 Do you see that sentence there?

11 A. Yes. Yes.

12 Q. Okay. It says: "More recently in 1985 and May of
13 1986, Father Walls noted that he did pursue a young woman,
14 an adolescent, sexually and that he was also inappropriate
15 in touching a young man. He is not aware of any abiding
16 ~~attraction, abiding attraction of a sexual nature to young~~
17 people. These individuals were adolescents, but were
18 physically mature."

19 Is that what that document reads, Cardinal?

20 A. Yes.

21 Q. Does that refresh your recollection with regard to
22 the allegations that were made against Monsignor Walls
23 dealing with minors?

24 A. No.

25 Q. Okay. So just so I'm clear, Cardinal, are you

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 saying that this information was not brought to your
3 attention or that you just don't recall it?

4 A. I don't recollect it being brought to my attention.

5 Q. And after this evaluation process took place --
6 well, what was brought to your attention? What do you
7 recall about what the allegations were and what you knew
8 about them?

9 A. I can't recall, except that I knew it was an
10 involvement sexually with someone, but that's all I can
11 recall.

12 Q. Well, Cardinal, let me ask you to just tell me.

13 With regard to what your normal practice would have
14 been, if someone comes to you and says: Cardinal or your
15 Eminence, there's an allegation that incurs, that has been
16 brought against a particular priest of a sexual nature,

17 certainly you would ask follow-up questions to that,
18 right?

19 A. You have to understand this is in April of '88 and
20 the procedure was different, and it's possible that
21 Monsignor Shoemaker may have followed a different system.

22 I was just getting -- I was getting kind of adapted
23 to my role as Archbishop. I know what I did afterwards,
24 but at this time, I cannot say that I received this
25 document or that they felt what -- that they felt that

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 they had to follow a certain policy of mine.

3 Q. But, Cardinal, you've already told us that you made
4 it clear to the people that were part of Cardinal Krol's
5 staff when you became Archbishop in February that you had
6 certain expectations and that you wanted information
7 brought to your attention immediately upon --

8 A. I don't think I said it that way. I said I
9 presumed that they would know that as they did it with
10 Cardinal Krol, they should be doing it with me also, but I
11 don't recall sitting down with them and telling them what
12 my practices were or priorities were in those first
13 months.

14 Q. But, Cardinal, you came in to be Archbishop of
15 Philadelphia. There was a staff that was working for
16 ~~Cardinal Krol.~~

17 You're saying that you just assumed that they were
18 going to deal with things effectively and that you never
19 took any action yourself to ensure that that was, A,
20 taking place; or B, that you were informed of extremely
21 important --

22 A. Because I considered them competent. I figured
23 they were doing their job well since there were a hundred
24 other items that I had to deal with in those first few
25 months.

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 Q. But again, Cardinal, one of if not the most
3 important item that you were dealing with then and now is
4 the protection of children?

5 A. That is correct.

6 Q. So you don't -- you do recall being informed of the
7 allegations against Monsignor Walls?

8 A. I was informed of something, but not necessarily --
9 I don't have no link of memory with it being minors.

10 I mean, he was -- it would seem that the conclusion
11 was mine. I mean, whatever this led to, he was given an
12 administrative leave right after this.

13 Q. Well, we'll talk about that in a moment, Cardinal,
14 but I just want to see whether or not we can be clear on
15 the record that when you were informed of the allegations
16 with regard to Monsignor Walls, you don't have any

17 recollection of their being told by Monsignor Shoemaker
18 that the allegation involved an adolescent or a minor?

19 A. I have no recollection of that.

20 Q. All right. And you're saying you have no
21 recollection of it, and you're clear that that information
22 was never conveyed to you?

23 A. I didn't say that. I said I have no recollection.

24 Q. I'm asking you to clarify. Are you saying --

25 A. I am saying I do not recall it.

ANTHONY JOSEPH CARDINAL BEVILACQUA

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2 Q. Okay. So it could have been?

3 A. I don't recall it.

4 Q. Okay. And the evaluation that took place at Saint
5 Luke's, where it's discussed in there that the -- and
6 there's an admission by Monsignor Walls as to the
7 allegations and that they involved a minor, that doesn't
8 refresh your recollection?

9 A. That does not.

10 Q. You asked Monsignor Walls or you suggested to him
11 that he resign his position as Vicar for Catholic
12 Education; is that correct?

13 A. It . . . my recollection was that we -- his office
14 was terminated.

15 Q. Cardinal, if the allegation had involved Monsignor
16 Walls having, you know, sexual relationship with an adult,
17 would that have required his resignation from the Office
18 of Catholic Education?

19 A. When you say required --

20 Q. Well, would it have been something that you would
21 have suggested that he do?

22 A. That's hard to say. That would depend on what
23 the -- you know, what the doctor's report was, but there
24 was a high likelihood I would have asked that.

25 Q. Now, at some point in time, Cardinal, you actually

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 met with Monsignor Walls; is that right?

3 A. I don't know. I don't recall it.

4 Q. Okay.

5 A. I may have.

6 MS. McCARTNEY: I'm going to mark this
7 grand jury exhibit nine seventy-eight.

8 (GJ-978 was marked for identification.)

9 BY MS. McCARTNEY:

10 Q. Could you just take a moment and review that
11 document for me, Cardinal.

12 (Pause.)

13 A. I've read it.

14 Q. All right. Thank you, Cardinal.

15 Before we get to that, could I just ask you to
16 refer back for one moment to the Saint Luke's Institute
17 report. This is the evaluation that was done on Monsignor
18 Walls, and I'm going to ask you to refer specifically to
19 the back page of that document.

20 And if you could look at the second paragraph down
21 when they make recommendations with regard to Monsignor
22 Walls, it reads: "We recommend treatment at least two
23 times weekly to explore psychosexual functioning."

24 Let me back up for a moment. It reads: "Number
25 one, we recommend that he continue in AA, at least at the

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 level of participation; two, outpatient treatment, at
3 least two times weekly to explore psychosexual
4 functioning; three, repeat the DST in two months, and if
5 it is still elevated, obtain psychiatric consultation
6 regarding tricyclic medication; and four, abstain from
7 working with or mingling with youth or young adults in any
8 unsupervised capacity."

9 Did I read that correctly?

10 A. Yes.

11 Q. Okay. Now, after, Monsignor Walls, when these
12 allegations came in, was residing at Saint John Neumann;
13 is that correct, Cardinal?

14

15

16

THE WITNESS: I don't recall. It

17

doesn't have -- it's not on this . . . it's not on
18 the database.

18

19

MS. MCCARTNEY: Okay.

20

THE WITNESS: Where he's residing. I

21

don't recall.

22

BY MS. MCCARTNEY:

23

Q. Well, if I were to tell you that he was residing at

24

Saint John Neumann Rectory where Father Meehan was the

25

pastor there, would that refresh your recollection as to

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 what his residence was?

3 A. The reference in here, I think, to that . . . one
4 moment, please.

5 (Pause.)

6 Yes, it says in my own memo he could remain at
7 Saint John Neumann.

8 Q. Correct.

9 Now, Cardinal, Saint John Neumann, just so we're
10 clear, that's a church that's located in Bryn Mawr,
11 Pennsylvania?

12 A. Yes.

13 Q. And there's a school associated with that church;
14 is that correct?

15 A. Correct.

16 Q. Now, Monsignor Walls went and lived at Saint John
17 Neumann Rectory with Father Meehan; is that right?

18 A. Correct.

19 Q. And based upon -- and now I'm going to ask you to
20 look back at the document that had been marked nine
21 seventy-eight.

22 This is the memo with regard to your meeting with
23 Monsignor Walls; is that right?

24 A. Yes.

25 Q. And the date of this memo is May 4, 1988; is that

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 right?

3 A. Yes.

4 Q. And it's from Archbishop Bevilacqua to the file of
5 Monsignor David E. Walls, and it's regarding an interview
6 with Monsignor Walls; is that right?

7 A. Yes.

8 Q. Second paragraph of this memo says: "Today I told
9 Monsignor Walls that returning him to the Office of Vicar
10 for Catholic Education would not be possible. I explained
11 the various reasons why this would not be prudent."

12 Is that what that paragraph says?

13 A. Yes.

14 Q. It continues on with: "Among the more immediate
15 reasons was the fear that the parents of the recent
16 victims were not likely to take any action of a legal

17 nature as long as the Archdiocese had reacted strongly."

18 Is that what that sentence says?

19 A. Yes.

20 Q. So you told him that he had to resign from the
21 Office of Vicar for Catholic Education or suggested it to
22 him because you thought that that would be in the best
23 interest of eliminating the possibility of legal action
24 against the Archdiocese. Fair reading of that, Cardinal?

25 (The witness conferred with his

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 attorney.)

3 THE WITNESS: That's one of the

4 reasons.

5 MS. McCARTNEY: Okay.

6 BY MS. McCARTNEY:

7 Q. And the last paragraph, the last sentence on that
8 paragraph says: "It is to avoid any further action or
9 publicity which would be harmful to the Church that it was
10 not possible to return him to his original office."

11 Is that what that says?

12 A. It says that.

13 Q. Okay. Do any of these things that you've written
14 in this document with regard to his having to leave his
15 office and the possibility of legal action on the part of
16 the parents of the victims, does that refresh your
17 recollection with regard to it being a minor victim?

18 A. It does not.

19 Q. Do you think that you would have written anything
20 in a document about the parents of an adult victim?

21 A. Depends on how old the person was.

22 Q. Okay. Going to the next page of this document, it
23 says: "I suggested to him that it would be more prudent
24 if he would submit a letter of resignation requesting a
25 leave of absence for health reasons."

ANTHONY JOSEPH CARDINAL BEVILACQUA

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2 Is that --

3 A. Yes.

4 Q. -- what that says?

5 A. Yes.

6 Q. Okay. And then the last paragraph, the third
7 paragraph down: "I told him he could remain at Saint John
8 Neumann and continue to assist Monsignor Meehan while he
9 is on his leave of absence."

10 Is that correct?

11 A. That's what it says.

12 Q. Now, Cardinal, at the time that you told him he
13 could stay at Saint John Neumann, you told him he could
14 assist Monsignor Meehan, that would have been assist him
15 with the duties of the parish; is that right?

16 A. I presume that.

17 Q. Okay. And that would have included saying Mass and
18 hearing confessions and all the other things that go on at
19 a particular parish; is that right?

20 A. I would presume that.

21 Q. And there's nothing --

22 A. But. But.

23 Q. I'm sorry?

24 A. I say as a resident. He would be a resident there

25 Q. I understand that, Cardinal.

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 A. In other words, depending on generally residents
3 just hear confessions and say Mass.

4 Q. They just hear confessions and say Mass?

5 A. That's their responsibility there. They are not --
6 they're not assistants to the pastor.

7 Q. Okay. But you would agree with me, Cardinal, and
8 if you don't, please tell me, that as a resident, someone
9 who says Mass and hears confessions, that they are
10 actually coming in contact with youth, particularly in a
11 situation where there's a school associated with the
12 parish?

13 A. (No response.)

14 Q. Is that a fair statement?

15 A. It would be rather remote since they're just a
16 resident there. They should not be involved with any of

17 the other activities of the parish.

18 Q. But youth are involved in the saying of Mass,
19 correct? There's altar boys or altar girls that usually
20 assist the priest?

21 A. At the time, it would have been only altar boys.

22 Q. Okay. So there's altar boys?

23 A. Yes.

24 Q. That assist in the saying of a Mass; is that right

25 A. Yes.

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 Q. And children, I'm sure, my memory might fail me,
3 but I think it's second grade that you receive the
4 sacrament of penance?

5 A. Around that, second or third.

6 Q. So then children would be in confession that were
7 from ten years and up; is that right?

8 A. Yes.

9 Q. So there would be contact. Even under the
10 situation as you've described, as strictly a resident at
11 the parish, there would be contact between Monsignor Walls
12 and children, correct?

13 A. Yes.

14 Q. And that contact would take place under the as he's
15 operating as a priest; is that right?

16 A. Yes, but I -- may I add anything?

17 Q. Sure. Sure.

18 A. In looking at Saint Luke's Institute -- remember, I
19 have no recollection that he was involved with minors, but
20 even reading the report here, there's no indication here
21 that he was in any way diagnosed as a pedophile.

22 Q. I don't want to make the record unclear with regard
23 to that, Cardinal. That is true. There was no diagnosis
24 of pedophilia with regard to Monsignor Walls, but just so
25 we're clear for the record, one of the recommendations

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 that Saint Luke's gave with regard to the evaluation
3 process that Monsignor Walls went under was that he was to
4 not have contact with youth in an unsupervised capacity?

5

6

7 BY MS. MCCARTNEY:

8 Q. Is that correct?

9 And I'm referring to recommendation number four.

10 It says: "Abstain from working with or mingling with
11 youth or young adults in any unsupervised capacity?"

12 A. That's very specific there, to abstain from working
13 with; and as a resident, he wouldn't be working with any
14 young people or mingling with them in any unsupervised
15 capacity.

16 I mean, I don't see -- a resident could not be

17 working with or mingling with young people.

18 Q. So you wouldn't consider an altar boy who is
19 helping the priest during the saying of the Mass and also
20 participating with the preparation of the Mass, you
21 wouldn't consider that mingling with or working with
22 youth?

23 A. I don't see that because it would be so temporary
24 and so casual and so public.

25 Q. Cardinal, you're aware, are you not, that many of

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 the allegations that involve sexual abuse of minors by
3 clergy members have taken place in the sacristy and during
4 the capacity of those individuals working at the rectory
5 or as an altar boy?

6 A. I wouldn't --

7 Q. Are you aware of that?

8 A. I wouldn't say many.

9 Q. Some. Would you agree with some, Cardinal?

10 A. There might have been.

11 Q. So there is opportunity in those situations, based
12 upon your knowledge of the situation, that things could
13 happen under those limited circumstances?

14 A. You're talking about possibility?

15 Q. Yes. I am.

16 A. I have to say sure, there's that possibility, but
17 it's not the usual.

18 Q. And even the possibility of a child being damaged
19 is something that is a concern of yours; is that right?

20 A. Very much so.

21 Q. Okay.

22 MS. MCCARTNEY: Okay. Can we take a
23 break at this point in time?

24 MR. HODGSON: Sure.

25 MS. MCCARTNEY: It's now eleven



ANTHONY JOSEPH CARDINAL BEVILACQUA

1
2 forty-two. Could we be back at twelve.

3 (A recess was held.)

4 MS. McCARTNEY: Back on the record.

5 Good afternoon.

6
7
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12

13 BY MS. McCARTNEY:

14 Q. Cardinal, before we took our break, we were talking
15 about the case of Monsignor Walls, and one of the
16 questions which I had asked you earlier was whether or not
17 you had any recollection of the allegations of sexual
18 abuse with regard to Monsignor Walls which involved a
19 minor, and you indicated that you had no knowledge of the
20 fact; is that right?

21 A. I had no recollection of it. That's right.

22 Q. Would it be fair to say, Cardinal, that given all
23 of the publicity and the crisis that occurred as a result
24 of the Gauthe case, which was only three years before
25 that, that one of the first questions that would have been

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 on your mind and you would have conveyed to the individual
3 giving you information about an allegation of sexual abuse
4 was what the age of the victim was?

5

6

7

THE WITNESS: I -- forgive me. It's

8

convoluted, your question.

9 BY MS. MCCARTNEY:

10 Q. Okay. You've told us earlier that you were aware
11 of the Gauthe case --

12 A. Yes.

13 Q. -- is that right?

14 You were aware of the fact that the allegations in
15 the Gauthe case involved sexual abuse of children; is that
16 right?

17 A. Yes.

18 Q. You were aware of the ramifications that that case
19 had on the Catholic Church in the United States; is that
20 right?

21 A. Yes.

22 Q. You were aware of the fact that it created somewhat
23 of a crisis and that there was a lot of media attention
24 surrounding that case; is that right?

25 A. Yes.

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2 Q. And there was a lot of concern both on the part of
3 the individual bishops and on the part of the NCCB as a
4 body in addressing the issue of clergy sexual abuse of
5 minors; is that right?

6 A. It was the beginning of concern.

7 Q. Okay. Given all of those factors, Cardinal, when,
8 two weeks after you became Cardinal or Archbishop of
9 Philadelphia, someone on your staff comes to you and says
10 that there's an allegation made against Monsignor Walls,
11 wouldn't it seem likely that your first question would be:
12 What is the age of the victim, of the alleged victim?

13 A. I don't see that that would be something that would
14 be my first concern, because it depends on what was said
15 to me.

16 It could easily have been -- I don't recall how it
17 was said to me, when it was said to me, anything, but it
18 could easily have been presented to me that Monsignor
19 Walls may have been involved with a woman.

20 Q. Do you --

21 A. Because that was -- that's my recollection --

22 Q. Okay.

23 A. -- of it. So I wouldn't have asked an age.

24 Q. So if that were the situation, though, Cardinal,
25 and I'm just trying to understand, and maybe you can help

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 me, if that were the situation, that Monsignor Walls was
3 involved with a woman, then we can only conclude from that
4 that the person on the staff, of your staff,
5 misrepresented information to you.

6 Is that something that you think was likely?

7 A. I don't know what. I don't know what information
8 the interviewer had.

9 Q. Well, the interviewer had information provided to
10 them that the girl in question was a minor.

11 If that information was available to them and they
12 conveyed it to you, that Monsignor Walls was involved in a
13 sexual situation with a woman, that would have been a
14 misrepresentation that they would have given you?

15 A. I'm just supposing that I did not -- I don't recall
16 asking that question about what the age was.

17 Q. Okay. The memo which I referred to earlier, which
18 references your meeting with Monsignor Walls, nine
19 seventy-eight, do you have that document in front of you,
20 Cardinal?

21 A. I do.

22 Q. Okay. In that document, one of the concerns which
23 you lay out in suggesting to Monsignor Walls that he
24 resign his position, is that the parents of the victim --
25 you see where I'm referring in that document?

ANTHONY JOSEPH CARDINAL BEVILACQUA

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2 A. I recall it.

3 Q. Would potentially bring suit or bring legal action?

4 A. Yes, I see it.

5 Q. You see what it says there?

6 Could you just read it for the record, just that

7 one sentence.

8 A. That third paragraph?

9 Q. Yes.

10 A. "Among the more immediate reasons was the fear that

11 the parents of recent victims were not likely to take any

12 action of a legal nature as long as the Archdiocese has

13 acted strongly."

14 Q. And, Cardinal, I'm correct in saying that you are

15 in addition to being a Cardinal, you have a law degree; i

16 that right?

17 A. Yes.

18 Q. You have a degree in canon law and a degree in

19 civil law, correct?

20 A. Yes.

21 Q. And as a civil lawyer, you're aware of the fact

22 that once someone reaches the age of majority, they're

23 eighteen, that if there was legal action to be taken, th

24 would take it on their own behalf and that they wouldn't

25 need their parents to initiate any action; is that

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 correct? You were trained in that?

3 A. I studied law, and I still would ask about the way
4 that was phrased there, that it could still be the parents
5 involved in the legal action.

6 Q. So your background in civil law and your knowledge
7 of who would be the moving party in a potential action if
8 the person were a minor, that it would be the parents, and
9 if the person were of the age of majority, it would be
10 they as individuals, that doesn't help you refresh your
11 recollection as to the age of the victim?

12 A. No, it does not.

13 Q. Okay. Now, Cardinal, after Monsignor Walls got the
14 evaluation at Saint Luke's and one of the recommendations
15 was that he refrain from contact with youth, he remained
16 in residence at Saint John Neumann; is that right?

17 A. Yes.

18 Q. And as a resident at Saint John Neumann, he was
19 saying Mass and hearing confessions; is that correct?

20 A. That's what he's allowed to do.

21 Q. Okay.

22 A. But.

23 Q. I'm sorry?

24 A. I say I don't know specifically. I have no
25 recollection. That's if a resident was at the parish,

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 that's the most he could do.

3 But there are times that there are residents in a
4 parish, could have taken on an assignment in some other --
5 say Mass at another parish. That's possible. In other
6 words, as a resident, I don't know what the arrangement
7 was between him and Monsignor -- and Father Meehan.

8 It is possible that he could live in a place but
9 have made arrangements to say Mass at some other church.
10 That's possible. But I don't know specifically in this
11 case.

12 Q. Wouldn't it, though, Cardinal, given the fact that
13 there had been an allegation of sexual abuse, that there
14 had been an evaluation completed, that part of the
15 evaluation process was or part of the evaluation
16 ~~recommendation was that he refrain from contact with~~
17 youth, wouldn't it be your responsibility to determine
18 what he was doing and in what capacity he was operating as
19 a priest?

20 A. In this, remember, I have no recollection that he
21 was involved with a minor. I always have to presume that
22 the -- may I see this.

23 (Pause.)

24 The report here, that would have been given to the
25 Monsignor Shoemaker. Whoever it was in the office would

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 have seen this, that he was to abstain from working with
3 or mingling with youth or young adults in any unsupervised
4 capacity, and I'm presuming that the office -- Monsignor
5 Shoemaker or anyone in his office would have seen that
6 this was implemented and that is he was not to work with
7 or mingle with youth or young adults and there be some
8 kind of supervision.

9 I'm presuming that the pastor there where he
10 remained was fully informed of all of this. I have to
11 presume that.

12 Q. Okay. Well, let me ask you a couple questions with
13 regard to that.

14 The pastor at Saint John's was Father Meehan; is
15 that right?

16 A. Yes.

17 Q. Do you recall having a conversation with Father
18 Meehan and during the course of that conversation he said
19 to you, "I'm not sure what my responsibilities are here.
20 I don't know what I'm supposed to be doing with Monsignor
21 Walls"?

22 Do you recall any part that conversation?

23 A. No, I do not.

24 Q. Do you recall the fact that Monsignor Meehan wrote
25 several letters to the Chancellor's office asking that hi

ANTHONY JOSEPH CARDINAL BEVILACQUA

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2 position with regard to Monsignor Walls be clarified?

3 A. I don't recall that.

4 Q. Did anybody share with you that information?

5 A. I do not . . .

6 Q. Do you recall that?

7 A. I do not.

8 Q. Do you recall Monsignor Shoemaker sending you
9 information and asking whether or not you had heard from
10 Monsignor Walls?

11 A. I do not recall that.

12 Q. I'll ask that you take a look at what has been
13 marked as grand jury nine eighty.

14 (GJ-980 was marked for identification.)

15 BY MS. McCARTNEY:

16 Q. Do you recognize that document?

17 A. No. Let me read it, please.

18 Q. Okay. I'm sorry.

19 (Pause.)

20 A. I don't recall it.

21 Q. Okay. For the record, this is a document which has
22 a heading of Archdiocese of Philadelphia, Chancery Office,
23 and it's to Archbishop Bevilacqua from Monsignor
24 Shoemaker. The date on that document is August 22, 1988,
25 and it is regarding Monsignor David E. Walls, Ph.D.

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 Is that correct?

3 A. I see it.

4 Q. And on that document, it reads: "On June 20, 1988,
5 you granted Monsignor Walls a leave of absence for health
6 reasons and you asked him to keep in touch with you during
7 his leave of absence.

8 "Two months have lapsed and I respectfully inquire
9 if Monsignor Walls has been in touch with your Excellency?

10 "As you know, he is residing at Saint John Neumann
11 Rectory, Bryn Mawr, telephone -525-3100."

12 And you actually responded on the bottom of that
13 document, is that right, in your handwriting?

14 A. I don't have that.

15 Q. This must be a light copy. I'm sorry.

16 (Pause.)

17 Does that reflect the fact that you responded on
18 the bottom of that document?

19 A. It does.

20 Q. And what does it say?

21 A. It says: "I have not heard from him."

22 Q. Okay. And they're your initials, AJB?

23 A. That is correct.

24 Q. And it's dated 9/2/88?

25 A. Correct.

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 Q. At that point in time, Cardinal, were you concerned
3 about the fact that Monsignor Walls -- apparently you had
4 asked him to keep in touch with you about what his
5 activities were and that you hadn't heard from him in two
6 months?

7 A. I leave that up to those involved in the clergy
8 office to remind them when I have given leaves of
9 absences.

10 It's -- I'll be honest with you. This is other
11 reasons. Very -- and I tell them please keep in touch.
12 Very rarely do they.

13 Q. You're saying that the priests that you tell to
14 keep in touch with you do not do so?

15 A. I'm saying a lot of them do not.

16 Q. And what mechanism do you have in place to ensure
17 that that happens?

18 A. The Secretary of the Clergy is supposed to get in
19 touch with them.

20 Q. But these are priests that you're indicating you
21 had personal conversations with and you said: Father X, I
22 need you to tell me what's going on, and you're telling me
23 that they directly disregard an order that you've given
24 them?

25 A. They do.

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2 Q. And are there --

3 A. But they don't have to be in touch necessarily with
4 me personally. I mean with the Archdiocese.

5 Q. And are there consequences to priests who do that?

6 A. When it reaches a certain point where they've --
7 whatever the leave of absence is, there are various kinds.
8 If they delayed in not being in touch with us, then
9 we remind them that their leave of absence is coming to an
10 end. It could be six months leave. It could be a year's
11 leave, and we remind them of that; and if they -- if they
12 procrastinate, then we warn them that their leave of
13 absence will be terminated.

14 Q. Now, Cardinal, with regard to Monsignor Walls, it
15 was the responsibility of the Secretary for Clergy,
16 ~~because you had changed the names of the office at that~~
17 point in time -- or does that occur later?

18 A. It came later.

19 Q. Okay. But the Secretary at the time, the person in
20 charge of that office, would have been John Jagodzinski;
21 is that right?

22 He takes over in 1989; is that right?

23 A. I don't recall the exact date.

24 Q. Okay.

25 A. But the next one was Monsignor Jagodzinski.

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 Q. Did you order anybody in the Chancellor's office to
3 find out what was going on with Monsignor Walls since he
4 hadn't been in touch with you?

5 A. I do not recall.

6 Q. At any point in time, do you recall doing that?

7 A. You know, I may have, but I don't recall it.

8 Q. Now, at some point in time, Monsignor Jagodzinski
9 becomes Secretary of the Clergy; is that right?

10 A. Yes.

11 Q. And if I were to tell you that that was from 1989
12 through 1993, would that --

13 A. That's proximate. Yes.

14 Q. And I'm going to show you a document which has
15 previously been marked as grand jury six seventy-three.

16 A. You wish me to read this?

17 Q. If you would, please, Cardinal.

18 (Pause.)

19 A. Okay. I'm finished reading it.

20 Q. You are. Thank you.

21 (GJ-979, previously a part of exhibit
22 GJ-675, was marked for identification.)

23 BY MS. McCARTNEY:

24 Q. I'm going to show you two additional documents, and
25 I'm going to ask you questions with regard to all three.

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 I'm going to show you what's marked grand jury six
3 seventy-four and grand jury nine seven nine.

4 A. Okay.

5 MS. MCCARTNEY: There should be three,
6 six seventy-three, six seven four and nine seven
7 nine.

8 (Pause.)

9 (The witness conferred with his
10 attorney.)

11 BY MS. MCCARTNEY:

12 Q. Are you ready?

13 A. Yes.

14 Q. Have you had the opportunity to review those
15 documents, Cardinal?

16 A. I read them all.

17 Q. Okay. I'm going to ask you first to refer to
18 what's been marked as grand jury six seventy-four, and
19 that has a heading that says Archdiocese of Philadelphia,
20 Office of Secretary of the Clergy, and it's to Reverend
21 Monsignor Edward P. Cullen.

22 At this point in time, Cardinal, Monsignor Cullen
23 was your Vicar General?

24 A. Vicar for Administration.

25 Q. Vicar for Administration. That would have been

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 the -- he would have held the position directly below
3 yours; is that right?

4 A. That's right. Correct.

5 Q. And the memo is from Reverend John J. Jagodzinski,
6 and the date is September 26, 1990; and on September 26,
7 1990, Father Jagodzinski was Secretary for Clergy.

8 Is that right?

9 A. Yes.

10 Q. Okay. And the reference is to Reverend Monsignor
11 David E. Walls, resident of Saint John Neumann Church,
12 Bryn Mawr; is that right?

13 A. Yes.

14 Q. Okay. And the first part of that memo reads: "For
15 information of the Archbishop"; is that right?

16 A. Yes.

17 Q. Okay. And this would have been a memo that would
18 have been given to you by Monsignor Cullen; is that right?

19 A. Not necessarily.

20 Q. Well, Monsignor Cullen would have shared with you
21 the information contained within that memo; is that right?

22 A. No. He may have, but I don't recall it.

23 Q. The memo deals with Monsignor Walls, and it says
24 that the information provided in it is an update, and that
25 word is in quotes, of the situation of Reverend Monsignor

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 David E. Walls, which is marked by several difficult and
3 complicated factors; is that right?

4 A. Yes.

5 Q. And there's a listing of the factors that make
6 Monsignor Walls's situation difficult and complicated, the
7 first of which is the high profile nature of Monsignor
8 Walls's earlier position in the Archdiocese. The second
9 is the extremely sensitive nature of the earlier
10 accusations against him. The third is the continuing
11 explosive potential for future acting out, and the fourth
12 is the uncertainty as to what particular future ministries
13 most advisable for Monsignor Walls.

14 That's how that document reads, Cardinal?

15 A. Yes.

16 Q. Okay. Now, if you go to the last paragraph on that
17 document, on the first page of that document, and it
18 reads: "In the intervening months, Monsignor James
19 Meehan, Pastor, Saint John Neumann Church, Bryn Mawr,
20 where Monsignor Walls resides, has several times raised
21 the question of the need to have his own position defined
22 as to his responsibility toward Monsignor Walls, since no
23 official communication from the Chancery Office occurred
24 in 1987."

25 "Monsignor Meehan has addressed this question very

1 ANTHONY JOSEPH CARDINAL BEVILACQUA
2 recently in a letter to me dated August 22, 1990," and in
3 parentheses it says: "Copy enclosed."

4 Is that how that document reads?

5 A. Yes.

6 Q. And if you look at what has been marked as grand
7 jury six seventy-three, that is a letter with the heading
8 on it from Saint John Neumann Church, dated August 22,
9 1990, and on the right-hand side of that, it says:
10 "Monsignor James H. Meehan, Pastor"; is that correct?

11 A. Yes.

12 Q. And it is addressed to Dear John, and it is signed
13 by Jim; is that right?

14 A. Yes.

15 Q. Based upon your review of GJ-674, the letter that
16 Monsignor Jagodzinski or Father Jagodzinski is referring

17 to is this, which is marked grand jury six seventy-three;
18 is that right?

19 A. I presume that, yes.

20 Q. Okay. Now, in the letter that Father Meehan wrote
21 to Father Jagodzinski, I want you to refer specifically to
22 the third paragraph of the first page, and the paragraph
23 reads as follows: "All of this leads up to the point of
24 this letter. Recently, you asked me to try to get some
25 idea of what Dave Walls does with his time. He did tell

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2 me he would give me a written description, but he has not
3 done that. Though his presence here is a very gracious
4 one and his willingness to be of help a substantial asset,
5 nevertheless, I have almost zero contact with him. I
6 think he is here over three years and I don't think he has
7 eaten more than two meals here, at the most three. He
8 leaves early in the morning and comes in around ten or
9 eleven at night. He rarely stops in my room and never to
10 sit down and talk. So, it is practically impossible to
11 know what his lifestyle is like."

12 Is that what that reads, Cardinal?

13 A. Yes.

14 Q. And if you look to the second page of that
15 document, and I'm going to refer to the second paragraph
16 there, it says: "However, I do not have in any written
17 file, through an authoritative source, a letter or
18 statement regarding my own responsibilities and, perhaps
19 more importantly, my liabilities. To my knowledge, I was
20 never informed of any of his problems when he came, excep
21 what he told me and, later on, on occasions when I
22 initiated the contact with the Chancery Office."

23 Is that how that reads there, Cardinal?

24 A. Yes.

25 Q. Okay. Now, was that information -- that

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2 information surely would have been brought to your
3 attention; is that right?

4 A. Not necessarily.

5 Q. You don't think that Monsignor Cullen would have
6 provided you the information that was provided to him by
7 Father Jagodzinski about Monsignor Walls, the fact that
8 the pastor of the parish where he was in residence had no
9 idea when he came and went and what he did with his time?
10 You don't think Monsignor Cullen would have provided you
11 with that information?

12 A. I don't recollect it.

13 Q. Would you consider Monsignor Cullen to have been
14 derelict in his duties if he did not provide you that
15 information?

16 A. No.

17 Q. Would you have wanted do know about that
18 information?

19 A. Not necessarily if I thought that he was handling
20 this. Reason why he's Vicar for Administration is that he
21 is to administer. You know, I don't -- I can't say that
22 this was that of a high level that it should have been
23 reported to me necessarily.

24 Q. Cardinal, are you -- and if I'm incorrect, I want
25 you to please correct me, but when we first began here

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2 today, one of the things that I believe that you said was
3 that your paramount concern was for the safety of children
4 and that you wanted to be aware of every allegation that
5 came into the Archdiocese of Philadelphia with regard to
6 this issue?

7 A. When I first came, I have to say that I -- that was
8 to be presumed that they tell -- they would tell me this.

9 Q. So you just left it to their desires whether or not
10 to give you that information?

11 A. I had to leave it up to their judgment. You know,
12 when any allegation was made, this is after establishing
13 the Secretary for the Clergy, it was to be brought to my
14 attention.

15 As far as memos to Monsignor Cullen or information
16 like this, how a policy was enacted with a pastor, their
17 judgment may have been that it wasn't necessary to inform
18 me of this. I don't recollect their telling me.

19 Q. Do you think, Cardinal, that Monsignor Meehan, who
20 was the pastor, had a right to know what the background of
21 Monsignor Walls was?

22 A. Looking back, yes.

23 Q. Do you think at that Monsignor Walls should have
24 had some restrictions or some monitoring of his behavior?

25 A. In accordance with the report of Saint Luke, he

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 should have.

3 Q. And given the letter which was received in 1990, it
4 appears to have been that neither of those things had been
5 done, that Monsignor Meehan hadn't been informed of what
6 his history was and that he was having no restrictions
7 placed on his activities?

8 (The witness conferred with his
9 attorney.)

10 THE WITNESS: One could argue from
11 this -- from this that he was not informed. He
12 says, "To my knowledge, I was not informed."

13 BY MS. MCCARTNEY:

14 Q. So it appears that information was never conveyed
15 to him?

16 A. It appears that.

17 Q. It appears that way, and I mean, in fact, the
18 letter also indicates that he has sought clarification of
19 what his position was?

20 A. Yes.

21 Q. And that that hadn't been acted on by the
22 Chancellor's office or the Secretary for Clergy's office?

23 A. It seemed that.

24 Q. And, Cardinal, would you agree that if during this
25 period of time where Monsignor Walls is in a parish and no

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2 one is monitoring his behavior and no one knows what it is
3 that they're supposed to be monitoring, because they don't
4 know what his past is, that if there were harm caused to a
5 child during that period of time, that the responsibility
6 for that would ultimately fall on your shoulders?

7 A. If it was dereliction of duties there, I would have
8 to say I am the one responsible. Yes.

9 Q. And, Cardinal, you would agree that as the
10 Secretary for Clergy or as your Vicar General, given the
11 past that we are aware of Monsignor Walls, that his
12 activities should have been monitored and the pastor
13 should have been informed?

14 A. From what the report from Saint Luke says, it would
15 seem that he should have been told.

16 Q. Now, referring to grand jury nine seventy-nine,
17 ~~that's the letter that was written by Monsignor Walls to~~
18 Reverend Jagodzinski, the date of that letter is September
19 24, 1990.

20 You see where I'm referring to, Cardinal?

21 A. Yes.

22 Q. Okay. And I'm talking about the second paragraph
23 there, and it reads: "It might be useful for me to begin
24 this response with the description of the parish
25 involvement I do maintain: I offer a parish Mass daily

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2 and often binate on Sundays and some weekdays. I help
3 with regular parish confessions as needed both on weekends
4 and for special events, and I administer the sacraments of
5 baptism and matrimony as needed. In addition, when
6 Monsignor Meehan is away from the area, I provide
7 necessary coverage of the parish. Sometimes, too,
8 individual parishioners approach me for individual
9 counseling and spiritual direction."

10 That's how that paragraph reads?

11 A. Yes.

12 Q. Now, Cardinal, back to the allegations that were
13 originally brought against Monsignor Walls, the allegation
14 involved a girl, a minor, who had gone to Monsignor Walls
15 for counseling, and during the course of that counseling,
16 Monsignor Walls had sexually assaulted her.

17 Do you think that his saying that he was offering
18 counseling to the parishioners was a cause for concern or
19 should have been a cause for a concern?

20 A. I never knew this was going on.

21 (The witness conferred with his
22 attorney.)

23 BY MS. McCARTNEY:

24 Q. Do you think that Father Jagodzinski should have
25 brought that to your attention?

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 A. It talks here -- it talks here about "sometimes
3 individual parishioners approached me for individual
4 counseling and spiritual direction."

5 He doesn't mention any age there. Doesn't say he's
6 dealing with young people or children.

7 Q. You're talking about the original allegation?

8 A. No. The letter that he --

9 Q. I understand that. Do you think that -- oh, okay.
10 Do you think, Cardinal, that given that, that
11 somebody should have gone and said: This counseling that
12 you're doing, Monsignor Walls, who are you doing it with?
13 What are the ages of the people that you're counseling?

14 Given the nature of the allegation that had
15 occurred in which Monsignor Walls admitted his guilt in,
16 do you think that should have been followed up on?

17 A. Well, what should have been followed on is what was
18 said in Saint Luke's, that he should not be working with
19 or mingling with young people, with teenagers.

20 Q. Now, this is known -- I'm sorry.

21 A. I was going to say, if I may, that what he
22 describes here seems to be a little bit different from
23 what Monsignor Meehan describes in his letter, that he
24 hardly sees him.

25 I mean, this gives a different impression, as

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2 The date is May 3, 1988, and it's regarding a telephone
3 conversation with Monsignor James Meehan.

4 Is that how the heading that memo reads?

5 A. Yes.

6 Q. Okay. And in this memo, this references a letter
7 that Monsignor -- it says that you spoke with him by phone
8 and it is regarding a letter that he sent to you on April
9 11, 1988, where he wrote to you with some concerns about
10 Monsignor David Walls; is that right?

11 A. Yes.

12 Q. And it says: "Monsignor Meehan told me that he is
13 concerned for several reasons. First of all, he feels
14 that there are reports about Monsignor Walls that are
15 becoming more and more public."

16 ~~It says: "Several women have stated that he has~~
17 ~~been involved in pedophilia."~~

18 Is that what that says?

19 A. Yes.

20 Q. Now, Cardinal, just so we're clear, pedophilia is
21 sexual disorder that involves adults with children,
22 correct?

23 A. (No response.)

24 Q. That's your understanding, and you had that
25 understanding of pedophilia back in 1988?

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2 A. Yes. I don't know.

3 Q. You don't know whether you had that?

4 A. No. I think at the beginning. I know what it is
5 now.

6 Q. Okay.

7 A. I think when it first came out, there was a period
8 of time when that was a general term used and the
9 distinction was not made between pedophilia and
10 ephebophilia, and I knew that we -- it was a learning
11 process then to see the distinction.

12 That was rather early in the -- in the notoriety of
13 such cases, so I cannot say at that time when I use the
14 word "pedophilia," that it meant children below the age of
15 puberty, but that did develop later on.

16 Q. Your understanding may have been that it was a
17 disease that affected children from toddler age all the
18 way up to eighteen?

19 A. At that time.

20 Q. At that time in 1988?

21 A. It could have been, yes, a diagnosis of up to
22 eighteen.

23 Q. Does the fact that there were people talking in the
24 parish and that that information was conveyed to you, does
25 that refresh your recollection as to the fact that the

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2 minor -- that the victim that Monsignor Walls assaulted
3 was a minor?

4 A. No.

5 Q. Okay. Now, it goes on to say that he had a second
6 major concern, and that was he had been told by Monsignor
7 Shoemaker not to allow Monsignor Walls to say a public
8 Mass.

9 Was that the information that Monsignor Walls had,
10 that he wasn't allowed to say Mass?

11 A. I don't know, but this is what it says here.

12 Q. Okay. You at the end of this document say: "I
13 told Monsignor Meehan that I would look into the matter";
14 is that correct?

15 A. At that time, that's what it says.

16 Q. Now, can we assume, Cardinal, that you did do that,
17 that you looked into it?

18 A. Well, that I would have called up, probably. I
19 don't -- I'm just assuming now.

20 Q. Okay.

21 A. That if I received this, I would have been in touch
22 at least with Father Jagodzinski.

23 Excuse me, whoever was -- it may have been still
24 Monsignor Shoemaker at the time.

25 Q. Well --

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2 A. It was at that time because that was the first few
3 months after my arrival.

4 Q. Cardinal, given the fact that this memo is written
5 by you on May 3, 1988, and then the information which I
6 showed you, the three documents, all deal with a time in
7 August and September of 1990, and there still seems to be
8 a tremendous amount of confusion with regard to what
9 Monsignor Walls's responsibilities at the parish are, what
10 his restrictions, if any, are, does that refresh your
11 recollection that this situation was --

12 (The witness conferred with his
13 attorney.)

14 BY MS. McCARTNEY:

15 Q. That this was the situation that needed to be
16 looked into in?

17 A. Forgive me again.

18 Q. Sure.

19 A. Could you break it down.

20 Q. Sure. The memo that you wrote in 1988, you tell
21 Monsignor Meehan that you will look into the questions
22 that he has?

23 A. Yes.

24 Q. Which is what is the situation with Monsignor
25 Walls?

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 A. Right.

3 Q. Okay. The other documents which I showed you,
4 which are all dated in 1990, either August or September of
5 1990, reflect the fact that Monsignor Meehan still has no
6 idea what his responsibilities towards Monsignor Walls
7 are.

8 Is that a fair statement with regard to the letter
9 that Monsignor Walls made?

10 A. It seems --

11 Q. Wrote?

12 Do you know whether anything was done to clear up
13 that situation?

14 A. I don't recall. A memo like this, what would -- my
15 usual practice, when I get a memo like this and it's
16 addressed to the file, it means it goes to whoever is
17 responsible for the clergy.

18 So they would have had to have seen this, and
19 there's a possibility, a good possibility that I called,
20 spoke to him, but I don't recall any of this.

21 Q. Cardinal, with regard to Monsignor Cullen, who
22 became your Vicar for Administration?

23 A. Yes.

24 Q. And given the fact that that was the second highest
25 position in the Archdiocese, directly under you -- and you

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 handpicked Monsignor Cullen for that position; is that
3 right?

4 A. Yes.

5 Q. You handpicked Monsignor Cullen because you had
6 confidence in his abilities; is that right?

7 A. Yes.

8 Q. And you knew he was a good administrator, and you
9 knew that he was -- he provided you the information that
10 was important in the Archdiocese; is that right?

11 A. Yes. Yes.

12 Q. Information that came to him, he conveyed to you;
13 is that right?

14 A. Not all of it. What he thought was important to
15 bring to my attention.

16 Q. Cardinal, and you knew Monsignor Cullen -- you know

17 Monsignor Cullen very well. He's now bishop out in
18 Allentown, correct?

19 A. Yes.

20 Q. And Monsignor Cullen was obviously greatly
21 concerned about the issue of clergy sexual abuse with
22 minors, is that correct?

23 A. Yes.

24 Q. And he knew that that was a huge concern of yours
25 as well?

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 A. Yes.

3 Q. And I just want to make sure, Cardinal. You're
4 saying that Monsignor Cullen, who this memo was directed
5 to, and the specific purpose of the memo was for
6 information of the Archbishop, you're saying that you
7 don't recall getting any of the information that's
8 contained in that memo?

9 A. I don't recall it.

10 Q. Okay. Now, Cardinal, would it surprise you to know
11 that Monsignor Walls remained in residence at Saint John
12 Neumann for fourteen years, from 1988 through 2002?

13 A. I can't say that I always knew that, but if that's
14 what it is, then . . . remember, I never linked him with
15 abuse of a minor.

16 Q. I'm sorry?

17 A. In my memory, never linked him with abuse of a
18 minor.

19 Q. When you say you never linked in your mind --

20 A. My recollection doesn't --

21 Q. Well, you were aware on a yearly basis who the
22 staff was at Saint John's, right?

23 A. Not necessarily. I mean, we have -- we have so
24 many parishes. I don't keep up on each one of them.

25 Q. Well, clearly at some point in time in those

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2 fourteen years, that had to have been an assignment made
3 by you or authorized by you for a change in an assistant
4 pastor at Saint John Neumann. Would that be likely,
5 Cardinal?

6 A. I don't recall all of these assignments that I
7 make. There are hundreds and hundreds of them over the
8 years.

9 Q. And you don't have any recollection? It wasn't in
10 your mind about Monsignor Walls?

11 Even though you yourself authored a memo in 1988
12 which says that Monsignor Meehan had said that several
13 women have stated that he had been involved in pedophilia,
14 that's not something that was in your mind?

15 A. No. No. I have no recollection of that.

16 Q. But, Cardinal, if in fact Monsignor Walls remained
17 at Saint John for fourteen years with no restrictions on
18 him, continuing to say Mass and hear confessions, included
19 within that, interaction with altar boys and hearing
20 confessions of students, that ultimately would have been
21 your responsibility; is that right?

22 A. (No response.)

23 Q. His remaining there?

24 (The witness conferred with his
25 attorney.)

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THE WITNESS: Could you repeat.

MS. McCARTNEY: Could I repeat it?

THE WITNESS: Yes.

MS. McCARTNEY: Absolutely, Cardinal.

BY MS. McCARTNEY:

Q. If in fact Monsignor Walls remained at Saint John Neumann for fourteen years and during that time he continued to say Mass, hear confessions, he would have been there with your authority; is that right?

A. I am the ultimate authority.

Q. Now, with regard to Monsignor Walls, on March 15, 2002, do you recall getting a memo that dealt with the fact that Monsignor Lynn and Father Welsh, both in the Secretary of Clergy's office, had met with ^{Colleen} [REDACTED] and that ^{Colleen} [REDACTED] identified herself as being the

individual that was involved, that had been sexually abused by Father Walls back in 1988?

A. I have no recollection of that.

Q. I'll show you what I'll mark as grand jury nine eight two.

(GJ-982 was marked for identification.)

(Pause.)

THE WITNESS: Okay. I have read this.

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2 BY MS. MCCARTNEY:

3 Q. Okay. Now, Cardinal, that memo, again, that is
4 headed "Archdiocese of Philadelphia, Secretary of the
5 Clergy." It's to Anthony Cardinal Bevilacqua. It's from
6 Monsignor William Lynn. The date on that is March 26, and
7 it's regarding Monsignor David Walls; is that right?

8 A. Yes.

9 Q. And in this memo, it says, and I'm summarizing,
10 that ~~██████████~~ ^{Colleen} and her mother met with Monsignor Lynn
11 and Father Welsh on March 15, 2002. She came forward
12 based upon the recent media publicity surrounding this
13 issue, and she says basically that she was the one that
14 the therapist was referring to when the therapist made the
15 allegation or made the complaints against Father Walls in
16 1988.

17 Is that right?

18 A. Excuse me. Could you tell me where that says that
19 again.

20 Q. Well, I'll read it directly. I'm looking at the
21 second paragraph.

22 "When allegations were brought forth against
23 Monsignor Walls in 1988, a therapist was interviewed by
24 the Chancery, who informed them that Monsignor Walls had
25 made sexual advances two years previous against a sixteen

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2 year old girl. The therapist also stated that the brother
3 of her client had been approached by Monsignor Walls. At
4 the time, Monsignor Walls was sent for evaluation and
5 therapy. Monsignor Walls was in residence at Saint
6 Matthias Parish, Bala Cynwyd, at the time. The file
7 indicates that he was never given a new assignment,
8 although at one point permission was given for him to work
9 in Catholic Social Services. It appears this never
10 happened. He was given permission to live in residence at
11 Saint John Neumann Parish, Bryn Mawr. In fact, his
12 current status is still listed as administrative leave."

13 A. Right.

14 (The witness conferred with his
15 attorney.)

16 BY MS. McCARTNEY:

17 Q. And in the fourth paragraph, and this is the
18 information that's provided by ~~Colleen~~ it says: "In
19 our meeting, she provided more detail than what was in the
20 file previously. Besides the incident reported by her
21 therapist, she stated that he had picked her up in his car
22 one evening. It was apparent he had been drinking. She
23 claimed he kissed her and fondled her breasts."

24 You see where I'm reading from, Cardinal?

25 A. Yes. Yes.

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 Q. Okay. Now, after this comes forward, after ~~██████████~~ ^{Colleen}
3 ~~██████████~~ comes forward in 2002, Monsignor Walls is spoken
4 to, is that right?

5 And it's discussed with him --

6 A. Wait.

7 Q. -- that maybe he should have to move from the
8 parish at that time, and there's a recommendation which is
9 given to you, and that recommendation is that Monsignor
10 Walls remain on administrative leave, he be asked to leave
11 his residence at Saint John Neumann Rectory and restrict
12 his faculties to saying Mass privately and continue to be
13 provided with stipends and benefits, that discussion
14 concerning retirement be taken up at a later date.

15 That's what it says, correct?

16 A. Yes.

17 Q. And ultimately on 4/1 of '02, you write -- this is
18 your handwriting: "After clarification from Monsignor
19 Lynn, above recommendations are approved," and it's your
20 initials, "AJB"; is that right?

21 MR. HODGSON: No, that's not what it
22 says.

23 MS. MCCARTNEY: I'm sorry?

24 THE WITNESS: That's not what it says.

25 MR. HODGSON: That's not what that

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 says.

3 MS. McCARTNEY: What does it say?

4 (Pause.)

5 MS. McCARTNEY: You have a bad copy.

6 MR. SPADE: Yes.

7 (Pause.)

8 BY MS. McCARTNEY:

9 Q. Do you see where I was referring to, Cardinal?

10 A. Yes.

11 Q. I'm sorry. You had a copy that didn't come through
12 on that.

13 Ultimately, that is what happened, what happens
14 with Monsignor Walls; is that right? He continues on
15 administrative leave?

16 A. Yes.

17 Q. He left Saint John Neumann Rectory?

18 A. He had to leave there.

19 Q. Yes. Is that correct?

20 A. Yes.

21 Q. Now, Cardinal, can you explain to us why it is that
22 for fourteen years Monsignor Meehan was able to function
23 as a priest in the parish, saying Mass, hearing
24 confessions, and then in 2002 he was no longer permitted
25 to do that?

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 A. Not Monsignor Meehan.

3 Q. Walls. I'm sorry. I apologize. Monsignor Walls?

4 A. Can I discuss this? May I discuss.

5 Q. Sure.

6 A. I need some clarification.

7 (The witness conferred with his
8 attorney.)

9 BY MS. McCARTNEY:

10 Q. Are you ready, Cardinal?

11 A. Yes. Could you repeat the question, please.

12 Q. Yes.

13 MS. McCARTNEY: Let the record reflect
14 that there has been time provided for counsel to
15 consult with the Cardinal.

16 BY MS. McCARTNEY:

17 Q. I believe that the question was, Cardinal: In
18 2002, Monsignor Walls was asked to leave Saint John
19 Neumann, a place where he had been for fourteen years,
20 functioning as a priest in that parish.

21 Can you explain to us why in 2002 he was no longer
22 able to do that, or I should say no longer permitted to do
23 that?

24 (The witness conferred with his
25 attorney.)

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 THE WITNESS: This is the first time
3 that Monsignor Lynn actually spoke to the victim,
4 the alleged victim, ^{Colleen} [REDACTED]. Up until then,
5 everything was from the therapist.

6 In those fourteen years, I don't know
7 of any kind of incident involving Monsignor Walls,
8 so something must have been told to Monsignor Lynn
9 and that he felt that it was no longer appropriate
10 for him to remain in the parish.

11 I don't recall if there was something
12 like that, but it must have been good. He must
13 have had good reason for recommending that he be
14 removed from the parish.

15 BY MS. MCCARTNEY:

16 Q. Cardinal, if you recall, the evaluation that was
17 conducted at Saint John's or, I'm sorry, Saint Luke's,
18 they took a history from Monsignor Walls at that time.

19 In that history, Monsignor Walls acknowledged and
20 admitted that he had in fact inappropriately touched an
21 adolescent male and had pursued an adolescent female.

22 So there's acknowledgments on his part with regard
23 to the allegations that had been lodged against him in the
24 report from 1988.

25 A. Yes.

ANTHONY JOSEPH CARDINAL BEVILACQUA

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2 Q. What more is needed? I mean, you have a guy that's
3 accused of sexual misconduct involving a minor. He
4 acknowledges it. He admits it occurred in 1988. He's
5 allowed to remain in a parish for fourteen years. And
6 then all of a sudden, when a victim comes forward, based
7 upon the publicity that had been going on nationally, then
8 he's told to pack up. He can no longer live at the
9 parish.

10 Can you tell us --

11 A. Well, the report from Saint Luke's Institute
12 actually says that he is allowed to go back to a ministry.
13 They tell you how, you know, to conduct the -- that he can
14 go back to ministry, abstain from working with --
15 conditions, abstain from working with or mingling with
16 youth or young adults.

17 Q. I understand that's what the evaluation says,
18 Cardinal, and we've already discussed it, and I think that
19 you've already acknowledged the fact that even though that
20 was a restriction that was recommended by Saint Luke's,
21 that he wasn't being monitored.

22 My question remains that what has changed between
23 1988 and 2002?

24 A. Whatever was reported -- all I can say, whatever
25 was reported by ~~_____~~ ^{Colleen} must have influenced Monsignor

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 Walls was not credible?

3 A. No.

4 (The witness conferred with his
5 attorney.)

6 BY MS. MCCARTNEY:

7 Q. Is that right? You're saying it was, or it was not
8 credible?

9 (The witness conferred with his
10 attorney.)

11 THE WITNESS: It was credible.

12 BY MS. MCCARTNEY:

13 Q. And given the fact that there was a credible
14 allegation against Monsignor Walls, can you explain why
15 there were no restrictions on him in terms of what he was
16 able to do?

17 A. There were restrictions. We -- at the time, in
18 1988, remember, we were still at the beginning of an
19 appreciation of all of these problems, and we have the
20 medical report saying he can go back to some kind of
21 ministry with certain restrictions.

22 Q. But, Cardinal, those restrictions, those
23 restrictions were not actually imposed on Monsignor Walls
24 based upon the information that you have in front of you
25 today, correct?

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 A. Well . . .

3 Q. He was able to work?

4 A. I had to presume again that the Office of the
5 Clergy, at the time it was 1988, was Monsignor Shoemaker,
6 was supposed to implement those restrictions.

7 Q. But you had personal information in 1988, in May,
8 when you had your conversation with Monsignor Meehan, you
9 had personal information that he was concerned about
10 whether or not Monsignor Walls could be saying Mass, and
11 you said that you would look into it?

12 A. Which I must have, because I -- the memo would go
13 down to Monsignor Shoemaker. It was up to him to follow
14 up on that.

15 Q. But since you said you would look into it,
16 Cardinal, and the letter came to you and the conversation
17 with Monsignor Meehan happened with you, didn't you have
18 an obligation to follow through on that personally and to
19 make sure that Monsignor Shoemaker was --

20 A. What my practice would have been, that memo would
21 have gone down to him.

22 I may have spoken to Monsignor Shoemaker, but I
23 have no recollection back in 1988.

24 Q. And in 1990, there's information that comes in that
25 there is confusion as to what Monsignor Walls is doing and

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2 what he's able to do and --

3 (The witness conferred with his
4 attorney.)

5 BY MS. MCCARTNEY:

6 Q. And that was not pursued either, to your knowledge
7 or you don't know?

8 A. As far as I know, none of that was reporting that,
9 anything, involvement with children.

10 (The witness conferred with his
11 attorney.)

12 BY MS. MCCARTNEY:

13 Q. Okay. Cardinal, just one further question and then
14 I think we're going to take a break.

15 When you -- this has already been previously marked
16 as grand jury nine fifty-six. ~~This is the interview that~~

17 was done with Lynn Doyle, and the date of that was -- it
18 was taped on June 24, and it was broadcast on June 25.

19 Do you have that exhibit in front of you?

20 MR. HODGSON: Here it is.

21 BY MS. MCCARTNEY:

22 Q. And could you refer specifically to page six of
23 that document, Cardinal, and if you look at the top
24 paragraph on page six, I'm going to start reading the last
25 sentence on that paragraph, and it says: "And one thing I

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 would like to point out, so many times when I've done this
3 topic on the show, we talk about the Catholic Church, and
4 we talked about it, people assume that it's Philadelphia,
5 but really Philadelphia has really not been touched
6 by . . ."

7 And you respond: "Very little."

8 And Lynn Doyle asks: ". . . very few accusations
9 of sexual misconduct because of programs that you've put
10 into place a long time ago,"

11 And you respond to that, "Yes."

12 And then you go on and you say: "I don't know how
13 to explain that. We've had some problems, but nowhere
14 near what some of the other dioceses and archdioceses. As
15 soon as I came in, I started it, you know, before when, as
16 soon as I came into Philadelphia I wanted to know what the
17 policies were and the procedures in this, and so I did
18 right from the very beginning say, 'we have to take a very
19 firm stand here.'"

20 Do you remember saying that on the Lynn Doyle show?

21 A. No, I don't recall my interviews.

22 Q. Is that consistent with how you view your --

23 A. Yes, but --

24 Q. -- leadership in the Archdiocese?

25 A. Yes. Taken in context, what it means, from the

ANTHONY JOSEPH CARDINAL BEVILACQUA

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2 very beginning.

3 Q. From the very beginning of your taking over in the
4 Archdiocese?

5 A. Doesn't mean necessarily the first day.

6 Q. No, I --

7 A. You know, it means that I have to take a period of
8 time to assemble my leaders of various departments, to
9 reorganize, and that's what I start talking about, a very
10 beginning, once I had my various staff around me.

11 Q. Do you think, Cardinal, leaving a person who
12 acknowledged sexual misconduct with a minor in a parish
13 for fourteen years with, as we've already discussed, few
14 if any restrictions on their abilities, would you consider
15 that taking a very firm stand?

16 A. I said that I had no recollection that he was
17 involved with a minor.

18 Q. Well, your recollection notwithstanding, Cardinal,
19 the documents supported --

20 A. I know that.

21 Q. -- that it was a minor, and so I'll ask you: With
22 regard to what the documents show and with Monsignor
23 Walls's own admission of his participation in the assault
24 with minors, do you think it's a very firm stand to allow
25 him to remain in a parish for fourteen years?

1 ANTHONY JOSEPH CARDINAL BEVILACQUA

2 A. If it had been brought to my attention, you know --
3 you know, as it was recently, we would have -- we still
4 would have gone by -- at the beginning, by what the Saint
5 Luke's Institute recommended.

6 (The witness conferred with his
7 attorney.)

8 MS. COX: Would everyone be able to
9 come back after an hour and fifteen-minute lunch
10 break?

11 MR. HODGSON: Oh, I can't. I can't. I
12 thought it was -- I understood this was ten to one.

13 MS. COX: Okay. Well, then we'll
14 resume tomorrow at nine thirty.

15 Would you be able to continue later
16 tomorrow?

17 MR. HODGSON: Yes. I'll talk to his
18 Eminence. Yes.

19 MS. COX: Okay. Thank you.

20 MR. HODGSON: Okay.

21 MS. COX: After you leave the room,
22 we'll find out from the jurors what their schedule
23 is like tomorrow.

24 MR. HODGSON: All right.

25 MS. COX: And for the record, it is

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ANTHONY JOSEPH CARDINAL BEVILACQUA

EXAMINATION BY MS. COX

EXAMINATION BY MS. MCCARTNEY

PAGE

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EXHIBITS

IDENTIFICATION

GJ-975

GJ-976

GJ-956 (Previously marked exhibit.)

GJ-977

GJ-978

GJ-980

GJ-673 (Previously marked exhibit.)

GJ-674 (Previously marked exhibit.)

GJ-979 (Previously a part of exhibit GJ-675.)

GJ-981

GJ-982

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I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the trial of the above cause, and that this copy is a correct transcript of the same.

Charles Whubly
Official Court Reporter

The foregoing record of the proceedings upon the trial of the above cause is hereby approved and directed to be filed

Judge