

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

In re:) Chapter 11
ARCHDIOCESE OF MILWAUKEE,) Case No. 11-20059-SVK
Debtor,) Honorable Susan V. Kelley

UNDER SEAL/CONFIDENTIAL

VIDEO DEPOSITION OF
BARBARA ANNE CUSACK
Milwaukee, Wisconsin
January 29, 2013
10:26 a.m. to 1:24 p.m.

Kathy A. Halma
Registered Professional Reporter

1 officials when he was in Rome to encourage them
2 to expedite cases, by his willingness to resubmit
3 cases as new information became available.

4 Q What about Archbishop Listecky? How did he
5 express that frustration to you?

6 A Orally. He also met with Vatican officials when
7 he was in Rome on the ad limina visit.

8 Q Having reviewed the files on either all or the
9 majority of priests that are on the Archdiocese
10 list and looking at those, have you noticed any
11 distinctions between Archbishops in the way that
12 allegations, reports of child sex abuse, was
13 documented throughout the years?

14 MR. LO COCO: Documented internally?

15 MR. FINNEGAN: Internally within the
16 files.

17 THE WITNESS: Yes, there is a
18 difference.

19 BY MR. FINNEGAN:

20 Q What have you noticed?

21 A That very often you didn't actually have
22 something from the Archbishop in the file, you
23 had it from other people. There were different
24 structures over the years, so for many years
25 there was no Vicar for Clergy, so you wouldn't

1 have had logs and recordings of conversation,
2 memorializing of conversations. Appointment
3 letters would have been done differently.
4 Archbishop Cousins in particular frequently did
5 not retain an incoming letter, all you would have
6 would be his response, and you'd have to draw a
7 conclusion from the response about what the
8 incoming correspondence had been. There were a
9 lot more smaller pieces of paper with handwritten
10 notes on them than we would find today where most
11 everything is generated on a keyboard. The fact
12 that internally you had a different kind of
13 administrative structure, especially when it came
14 to clergy matters. You can actually see the
15 distinction as leadership changed.

16 Q Would you say it's a fair characterization to say
17 that there was much less written documentation
18 regarding reports of child sex abuse by priests
19 during Archbishops Cousins' time as compared to
20 Archbishop Weakland's time?

21 MR. LO COCO: Objection to form. You
22 can answer.

23 THE WITNESS: Say it again.

24 BY MR. FINNEGAN:

25 Q Sure. Would you say that it's a fair statement

1 to say that there was far less documentation
2 regarding reports of child sex abuse against
3 priests during Archbishop Cousins' time compared
4 to Archbishop Weakland's time?

5 MR. LO COCO: Object to the form, it's
6 ambiguous. You can answer, if you have one.

7 THE WITNESS: I'm not sure what you are
8 asking. Archbishop Cousins kept fewer files, and
9 I think Archbishop Weakland was in the era where
10 many more things would have -- that would have
11 been written would have been retained. Is that
12 what you are looking at?

13 BY MR. FINNEGAN:

14 Q Yes. What I at least had in mind was in
15 Archbishop Weakland's -- in his book he made a
16 statement to the effect in there that, you know,
17 that Archbishop Cousins and a lot of the
18 Archbishops around that time didn't document the
19 reports on child sex abuse that were coming in
20 the same that he did and some of the people that
21 were his contemporaries.

22 A I couldn't comment on that statement. I don't
23 know on what he based that statement.

24 Q Have you found at all in your review of the files
25 that the priests that were accused of molesting

1 children here in Milwaukee, that often times
2 somebody that reports -- that's reported since
3 2002, so there's an intake report and there might
4 be a notation that their family reported it to
5 the Archdiocese or the parish priest, and then
6 you look back and there's no notation, nothing to
7 find in the files? Has that happened?

8 A Yes, or what was -- if there is a document,
9 what's reported originally differs from the
10 contemporary reporting.

11 Q All right. Let's switch topics here to the
12 release of the list of perpetrators with
13 substantiated allegations of child sex abuse.
14 What was your involvement in that process at the
15 beginning?

16 A The context in which that disclosures of names
17 first came up was through the Eisenberg
18 Commission. Do you need me to explain anything
19 on the Eisenberg Commission?

20 Q No.

21 A Okay. They were looking at the files of six
22 priests against whom there had been some
23 accusation of sexual abuse, and they were in
24 ministry. The preliminary report from the
25 Eisenberg Commission was issued in May of 2002.