

June 30, 2004

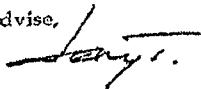
Archbishop,

Here is the revised e-mail to the "some seed" group regarding the release of names. There were a few minor language and "readability" changes that I think help the overall flow and tone. However, you need to review the following, more substantial changes and advise on how you would want to proceed.

1. We've removed the sentence about how this decision was made prior to your arrival. Our consultant thought this sounded self-forgiving. It is now your decision.
2. On page 1, paragraph 4, we have changed the wording back to substantiated reports of sexual abuse of a minor. For legal reasons we may want to return to the original language, however, the counsel given was this may be seen as trying to minimize the issue. Call it what it is. I'm fine either way, but it makes it crisper to say substantiated reports of sexual abuse of a minor, and victims/survivors will be happier with that language.
3. We've reworded part and removed part of the language about the information we will not release. (See page 3, paragraph 1 of original draft). We thought this was asking for trouble from the media and/or SNAP.
4. We've removed the sentence apologizing to priests (p.3 paragraph 2). The counsel was that this was about victims, not about priests. I understand the rationale. The criticism would be that again we are worried about whether priests will be hurt, when we should be worried about what victims have already been hurt. Again, I am open to reinserting that line.

Please advise.

Jerry



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

3 _____

4 In re:) Chapter 11

5 ARCHDIOCESE OF MILWAUKEE,) Case No. 11-20059-SVK

6 Debtor,) Honorable Susan V. Kelley

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8 UNDER SEAL/CONFIDENTIAL

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14 VIDEO DEPOSITION OF

15 CARDINAL TIMOTHY M. DOLAN

16 New York, New York

February 20, 2012

17 1:30 p.m. to 5:21 p.m.

18

19

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21 Kathy A. Halma

22 Registered Professional Reporter

23

24

25

00136

1 BY MR. ANDERSON:

2 Q If the Archdiocese had when they had published
3 the names also published publicly the history
4 known to the Archdiocese, what they had known
5 about when they abused and where and what the
6 Archdiocese had done about it, in other words,
7 the history known to the Archdiocese, is it
8 correct to say that if such a disclosure would
9 have been made as contained in the files, it
10 would have caused great scandal?

11 MR. LO COCO: Same objections. In
12 addition, it calls for speculation, lacks
13 foundation. If you have an answer, you can give
14 it.

15 THE WITNESS: Well, recalling those
16 days, I don't know how it would have been
17 possible to have caused more scandal. I mean,
18 the church was -- there was scandal all over the
19 place, and most of it was out there anyway. So
20 every day there were articles in the newspaper
21 about this priest, what he had done 30 years ago
22 and what parishes and interviews with the
23 victims, so I don't know how there could have
24 been more scandal. I was told not to release the
25 names because it would -- the names because it

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1 would cause scandal. I said, "Well, I don't know
2 how it can get worse and I think the people need
3 to hear this, and if people in the know are
4 telling me this is a good thing to do, I think we
5 should do it."

6 Q Why weren't -- Why wasn't the history known to
7 the Archdiocese concerning each of these
8 offenders then publicly disclosed at the time the
9 names were?

10 A I can't --

11 MR. LO COCO: Objection, asked and
12 answered.

13 THE WITNESS: I can't recall the reason.

14 MR. ANDERSON: That's all I have.

15 MR. LO COCO: Thank you, Cardinal. I
16 have nothing else.

17 VIDEOTAPE TECHNICIAN: This is the end
18 of Videotape No. 3 and the conclusion of the
19 deposition of Cardinal Dolan. We are now off the
20 record at approximately 5:20 on February 20,
21 2013.

22 MR. LO COCO: Off the video record we
23 have to do one more thing, and you don't have to
24 let me know today, we have to let Kathy know.
25 The law gives you the chance to do something

ARCHDIOCESE OF MILWAUKEE
OFFICE OF THE ARCHBISHOP

Jerry
Topczewski

March 20, 2003

[REDACTED]

Dear Mr. [REDACTED],

I am very grateful for the copy of your March 10, 2003, letter to Jerry Topczewski which you kindly sent to me. Coming from a committed Catholic and experienced attorney like yourself makes it all the more compelling.

It also provides me the opportunity to clarify a number of matters. Contrary to The Journal Sentinel, our mediation proposal does envision "restorative justice" as part of a process of emotional, pastoral, and spiritual healing. That means, in your terms, that some "payment of money" could be an outcome of that process. Secondly, although our process -- formed with the guidance of professionals at Marquette University -- does not foresee attorneys at the table, both parties would certainly be free to consult their lawyers prior to any resolution. In particular cases, when asked, we would also consider both sides having legal counsel present, provided they agree that the mediator, not the lawyers, remain in control of the process.

As to the release of the names of priests who have abused in the past, you are correct that I have made the decision not to release them. It was a tough call, with cogent reasons on both sides of the issue. My decision was based on the following factors: one, the majority of the names are already known; two, those not known are either dead or long retired or resigned; three, some victim-survivors asked me not to release the names for fear that, in some instances, the publicity would also hurt them; four, our list would only be of diocesan priests, which would still leave it incomplete; five, some of the alleged abusers have threatened suits against us if we publicize the names any further; six, to release such a list would only drag the Church and the priesthood through the mud for another series of media-stories.

Instead, I decided to release all the names to the District Attorney, which has been done, and asked him to review each of the files of offending priests, which has also been done.

Regarding [REDACTED] and the selection of possible mediators, I personally don't know [REDACTED] but I was advised that [REDACTED] has no formal mediation training and that others with this background might be better suited for this process. A list of five potential mediators was compiled through wide consultation and that list includes names recommended by victim-survivors. Based upon that, I am confident that the selection of a mutually-acceptable individual with past mediation experience should not be an issue, but, if it is, we remain open to consideration of other qualified people.

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