

1 STATE OF MINNESOTA DISTRICT COURT

2 COUNTY OF RED LAKE NINTH JUDICIAL DISTRICT

3 Case Type: Personal Injury

4 Doe 457,

5

Plaintiff,

6

v.

Court File No.: 63-CV-17-267

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Judge Kurt J. Marben

Diocese of Crookston and
St. Mary's Mission Church
a/k/a St. Mary's Mission
Church, Red Lake,

10

Defendants.

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VIDEO DEPOSITION

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The following is the video deposition of

14

BISHOP MICHAEL HOEPPNER, taken before Jean F.

15

Soule, Notary Public, Registered Professional

16

Reporter, pursuant to Notice of Taking Deposition,

17

at the Crookston Inn and Convention Center,

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2200 University Avenue, Crookston, Minnesota,

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commencing at 8:59 a.m., Monday, October 8, 2018.

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1 APPEARANCES:

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On Behalf of the Plaintiff:

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Elin M. Lindstrom, Esquire
Trusha Patel Goffe, Esquire
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On Behalf of the Defendants:

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On Behalf of Bishop Michael Hoepfner:

16

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22 The Videographer: Ms. Linda Costello

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Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 P R O C E E D I N G S
2 Whereupon, the video deposition of BISHOP
3 MICHAEL HOEPPNER was commenced at 8:59 a.m. as
4 follows:
5 * * *
6 THE VIDEOGRAPHER: Good morning. This
7 is the videographer. My name is Linda Costello, here
8 on behalf of Depo International. Today is Monday,
9 October 8th, 2018, and the time is 8:59 a.m. We
10 are at 2200 University Avenue in Crookston,
11 Minnesota, to take the video deposition of Bishop
12 Michael Hoepfner in the matter of Doe 457 versus
13 Diocese of Crookston and St. Mary's Mission Church,
14 also known as St. Mary's Mission Church, Red Lake.
15 Will counsel please introduce
16 themselves for the video record?
17 MR. ANDERSON: For plaintiffs, Jeff
18 Anderson.
19 MR. WIESER: For the witness, Tom
20 Wieser from St. Paul.
21 MR. BRAUN: For the defendant, Thomas
22 Braun, B-R-A-U-N.
23 MR. ANDERSON: Also present is Elin
24 Lindstrom and Trusha Goffe.
25 THE VIDEOGRAPHER: Okay. Will the

Page 3

1 court reporter please administer the oath?
2 * * *
3 (Reporter's Note: The oath was
4 administered by the court reporter.)
5 BISHOP HOEPPNER: I do.
6 * * *
7 BISHOP MICHAEL HOEPPNER,
8 after having been first duly sworn,
9 deposes and says under oath as follows:
10 ***
11 EXAMINATION
12 BY MR. ANDERSON:
13 Q. Good morning, Bishop. Would you
14 please state your full name for the record?
15 A. **Good morning. I am Bishop Michael**
16 **Hoepfner, Bishop of the Diocese of Crookston.**
17 Q. And give us a spelling of the last
18 name, please?
19 A. **Capital H-O-E, two Ps, N-E-R.**
20 Q. We went through a couple of the ground
21 rules pertaining to this deposition first. Should
22 you have any questions about my question, just let
23 me know you don't understand it and I'll try to
24 clarify it for you.
25 A. **Thank you.**

Page 4

1 Q. If at any time you want to take a
2 break, feel free to.
3 A. **Thank you.**
4 Q. You had -- you were appointed and
5 installed as Bishop of the Diocese of Crookston in
6 2007 by the Holy Father, correct?
7 A. **Yes.**
8 Q. And how long have you been a priest?
9 A. **I've been a priest since 1975.**
10 Q. And you were originally ordained in
11 the Diocese of?
12 A. **Winona, Minnesota.**
13 Q. And did you -- did you have official
14 positions appointed to you while priest of the
15 Diocese of Winona by the then Bishop of Winona?
16 A. **Yes, I did.**
17 Q. What positions?
18 A. **Well, I had a number of them. I was**
19 **an associate pastor, I was a principal of a high**
20 **school, I was a pastor, I was a judicial vicar, I**
21 **was the vicar general and moderator of the curia.**
22 Q. And how long were you vicar general?
23 A. **I was vicar general, if I recall, for**
24 **approximately nine years.**
25 Q. And under what bishop?

Page 5

1 A. **Under the Bishop Bernard Harrington.**
2 Q. And how long were you principal of the
3 high school?
4 A. **I was a principal of the high school**
5 **for about five years.**
6 Q. At any time while you were a priest of
7 the Diocese of Winona or any official capacity
8 there, did you receive any actual training in
9 mandatory reporting of suspicions of maltreatment
10 of children or abuse?
11 A. **Yes, we received training in mandatory**
12 **reporting about abuse of children, yes.**
13 Q. Who provided that and when?
14 A. **I don't recall.**
15 Q. As the Bishop of the Diocese of
16 Crookston, I want to ask you some questions about
17 authorities that are conferred upon you as the
18 Ordinary and Bishop in Crookston. The priests of
19 the Diocese take a -- take and make a promise of
20 obedience to you; is that correct?
21 A. **Yes.**
22 Q. And you, thus, have the power to
23 impose restrictions or limitations on any of the
24 faculties of the priests of the Diocese of
25 Crookston; is that correct?

Page 6

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 **A. Could you -- could you repeat that?**
2 Q. Do you, as the bishop, have the power
3 to impose restrictions on the faculties of any of
4 the priests of the Diocese of Crookston?
5 **A. We -- we have an ability for oversight**
6 **for -- for our priests. Any power for restrictions**
7 **is -- well, it's regulated, it's not a -- it's not**
8 **a -- an absolute power for that, it's regulated by**
9 **canon law.**
10 Q. Subject to canon law, the bishop has
11 the power to appoint a priest, correct?
12 **A. Correct.**
13 Q. And a bishop has the power to suspend
14 a priest for cause?
15 **A. In accord with the norm of law.**
16 Q. Yes. And you're talking about the
17 canon law?
18 **A. Correct.**
19 Q. And, thus, the bishop has the power to
20 restrict the priest's faculty in accord with the
21 canon law?
22 **A. In accord with the Code of Canon Law,**
23 **yeah.**
24 Q. If a -- if the -- if -- if you, as a
25 bishop, have suspicions of misconduct by a priest,

Page 7

1 is there anything that limits you from suspending
2 the faculties of the priest pending investigation?
3 MR. WIESER: Objection, vague, calling
4 for a hypothetical.
5 THE WITNESS: We have to follow due
6 process as -- as we would investigate that, yeah.
7 BY MR. ANDERSON:
8 Q. So if you have suspicions of a priest
9 engaging in misconduct or suspicions of sexual
10 abuse, what due process do you have to follow to
11 restrict or limit the priest's access to children?
12 MR. WIESER: Objection, vague, calling
13 for a hypothetical.
14 THE WITNESS: If a credible accusation
15 is received, we have a process, calls for
16 investigation. We take these matters very seriously,
17 we -- calls for an investigation. We have a review
18 board that assists in looking at allegations that
19 we can use. So that -- that would be our process.
20 BY MR. ANDERSON:
21 Q. You are -- you referred to due process
22 and you have to follow due process. What is due
23 process when it comes to suspicions of sexual abuse
24 by a priest that you, as the Bishop, are required
25 to follow before you can take action?

Page 8

1 MR. WIESER: Objection. I believe the
2 question has been answered, but go ahead, Bishop.
3 THE WITNESS: Well, again, we take all
4 these accusations seriously. We would follow civil
5 law. We would -- we are mandatory reporters, and
6 so we would contact those -- those people, civil
7 authorities. We would do an investigation into
8 the -- what's coming forward, the allegation, and --
9 and to see -- see what is there.
10 BY MR. ANDERSON:
11 Q. So when you refer to due process
12 before you can act responsive to a suspicion of
13 sexual abuse by an offending cler -- offending
14 cleric -- by a cleric of the Diocese, what process
15 are you referring to, are you talking about the
16 civil law, a canon law, or some other process?
17 **A. I'm talking about all of them. You**
18 **know, we're required civilly to -- to report**
19 **credible accusations, and we do that, and we as a**
20 **church initiate an investigation. We have the**
21 **assistance of our civil attorneys, we have the**
22 **assistance of a review board, and we take these**
23 **matters always seriously.**
24 Q. So I just wrote down what you said.
25 You said, quote, you're required to report credible

Page 9

1 accusations, unquote. How do you determine an
2 accusation is credible in order to determine
3 whether or not it needs to be reported?
4 **A. Well, I think we consult with our**
5 **attorney, first of all, and, on counsel, we would**
6 **determine whether this is a reportable -- something**
7 **that we need to report. Reasonable cause to**
8 **suspect I think is another way we look at that. If**
9 **there's reasonable cause to suspect, we receive a**
10 **report, we notify the civil attor -- the civil**
11 **authorities, and we consult with our own attorney,**
12 **and that's kind of the process.**
13 Q. When you say consult with your own
14 attorney, who are you referring to?
15 **A. Right now Mr. Tom Braun.**
16 Q. And how long have you used him as a
17 consultant when considering whether or not there is
18 a credible allegation of sexual abuse that requires
19 reporting?
20 **A. For -- for some years now.**
21 Q. How many?
22 **A. I don't know exactly, two or three, I**
23 **would guess.**
24 Q. Who before that?
25 **A. Our Diocese attorney was Mr. Rust here**

Page 10

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 **in Crookston.**
2 Q. And how long was he the consultor used
3 for determining whether or not a report was
4 credible so as to be required to report to law
5 enforcement?
6 **A. He goes back before my time. So that**
7 **was --**
8 Q. Before 2007, then?
9 **A. Correct. That's my understanding**
10 **what -- what was done.**
11 Q. So, in response to the question about
12 when an accusation is deemed to be credible or not,
13 I think you said the first thing you do to see
14 whether or not it needs to be reported is consult
15 with the attorney first. Have you ever received a
16 report of suspicious of sexual abuse that was not
17 reported to law enforcement after having consulted
18 with the attorney first?
19 MR. WIESER: Counsel, for time period
20 purposes, would you indicate what time period we're
21 talking about?
22 MR. ANDERSON: Since 2007.
23 MR. WIESER: Thank you.
24 THE WITNESS: Could you repeat the
25 question?

Page 11

1 MR. ANDERSON: Sure.
2 BY MR. ANDERSON:
3 Q. You said that you're required to
4 report credible accusations, and for it determined
5 to be credible, the first thing you do is consult
6 with the attorney. The question is this, since
7 2007, have you ever not reported information of
8 sexual abuse after having consulted with an attorney?
9 **A. You used the word first. I described**
10 **the process that involves these things; and as I**
11 **understand your question, to my recollection, the**
12 **answer is no.**
13 Q. So is it your testimony, then,
14 every -- every suspicion of sexual abuse that came
15 to your attention as the bishop has been reported
16 to law enforcement?
17 MR. WIESER: Objection insofar as the
18 question is vague. Go ahead, Bishop.
19 MR. BRAUN: And unrestricted with
20 respect to time.
21 THE WITNESS: Repeat the question,
22 please?
23 BY MR. ANDERSON:
24 Q. Since you -- since you were appointed
25 and installed as Bishop in 2007, have you reported

Page 12

1 to law enforcement every suspicious -- every
2 suspicion of sexual abuse reported to you?
3 **A. It's my understanding that we have**
4 **reported to the authorities the complaints or**
5 **accusations that we needed to report.**
6 Q. You understand as the bishop you are
7 the head of education in the Diocese, correct?
8 MR. WIESER: Objection, vague.
9 BY MR. ANDERSON:
10 Q. Catholic education?
11 **A. As the bishop of a diocese, one of the**
12 **areas that -- that we foster and -- and seek to**
13 **instill is Catholic education, yes.**
14 Q. And you appoint the head of the
15 Department of Education for the Diocese of Crookston,
16 do you not?
17 **A. Yes.**
18 Q. For the Catholic schools?
19 **A. Yes.**
20 Q. Who is that?
21 **A. It has been Tina -- Tina Stanger, but**
22 **she recently has taken another job, so we're**
23 **currently looking for someone for that position.**
24 **Monsignor Foltz, as moderator of the curia, is in**
25 **charge of that.**

Page 13

1 Q. And is Monsignor Foltz a mandatory
2 reporter under the mandatory reporting laws of the
3 State of Minnesota?
4 MR. WIESER: Objection insofar as it
5 calls for a legal conclusion.
6 MR. BRAUN: I concur.
7 THE WITNESS: It is my understanding
8 that he is.
9 BY MR. ANDERSON:
10 Q. And do you understand that the
11 director of education is?
12 MR. WIESER: Again, insofar as it
13 calls for a legal conclusion, object on that basis.
14 THE WITNESS: It is my understanding
15 that he or she is.
16 BY MR. ANDERSON:
17 Q. Are you?
18 **A. It is my understanding that I am.**
19 Q. So since you were appointed and
20 installed as Bishop of the Diocese of Crookston in
21 2007, have you reported every suspicion of sexual
22 abuse of a minor received by you to law enforcement?
23 MR. BRAUN: Objection, asked and
24 answered.
25 THE WITNESS: The vicar general is the

Page 14

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 one who reports to mandatory receivers of that. So
2 I personally have not reported, but the Diocese has.
3 BY MR. ANDERSON:
4 Q. Have you delegated the responsibility
5 to report under law to the vicar general?
6 MR. WIESER: Objection, vague, calls
7 for a legal conclusion.
8 MR. BRAUN: Objection as to form.
9 THE WITNESS: The process we use is
10 that the vicar general reports these cases.
11 BY MR. ANDERSON:
12 Q. Is that a process installed by you or
13 inherited by you when you were installed as a
14 bishop?
15 **A. Please repeat that.**
16 Q. You said the process is the vicar
17 general does that. Is that a process established
18 by you or your predecessor?
19 **A. I would have to check. I don't know,**
20 **but it is the current process. The vicar general**
21 **is the one who reports these for the Diocese of**
22 **Crookston. It has been that way, and I understand,**
23 **if my -- the best of my ability it was that way,**
24 **I -- I don't know, before I came.**
25 Q. So if you understand you to be a

Page 15

1 MR. WIESER: Again, over what period
2 of time, Counsel?
3 BY MR. ANDERSON:
4 Q. Since you've been -- all these
5 questions are since you've been Bishop in 2007.
6 MR. WIESER: Thank you. If you know.
7 THE WITNESS: Well, it does not come
8 to my recollection now how many.
9 BY MR. ANDERSON:
10 Q. What's your best estimate?
11 **A. It just doesn't come to my**
12 **recollection how many there were in the last, well,**
13 **11 years. I'd say some.**
14 Q. What priests have been reported
15 according to the process you're referring to by the
16 vicar general as having engaged in conduct suspicious
17 of sexual abuse as required by law?
18 MR. WIESER: The next -- object
19 insofar as it calls for invasion of the
20 attorney-client privilege. The witness has talked
21 about the process that involves consultation with
22 legal counsel.
23 Again, to the extent you're able to
24 answer, Bishop, go ahead.
25 THE WITNESS: I don't -- to my

Page 17

1 mandatory reporter, where is it written in a
2 process or practice that you can delegate that --
3 that obligation by a process to somebody else?
4 MR. BRAUN: Objection as to form.
5 MR. WIESER: And objection on the
6 basis it calls for a legal conclusion insofar as
7 you're asking this witness to make any opinion
8 about the mandatory reporting law itself.
9 BY MR. ANDERSON:
10 Q. You can answer.
11 **A. My answer would be that the Di -- the**
12 **Diocese reports them all. The vicar general is the**
13 **one who reports in cases of accusations of sexual**
14 **abuse of a minor by a clergy person.**
15 Q. And you've made the assertion that the
16 vicar general is the one that does that and has
17 always done it, is that -- is that your assertion?
18 MR. WIESER: To the extent it
19 misstates this witness's testimony, objection.
20 THE WITNESS: It is my understanding,
21 yes.
22 BY MR. ANDERSON:
23 Q. And how many reports has the vicar
24 general, then, made of suspicions of sexual abuse
25 to law enforcement as required by Minnesota statute?

Page 16

1 recollection, I don't know the number.
2 BY MR. ANDERSON:
3 Q. You already told me you didn't know
4 the number. The question now is what priests --
5 **A. Huh.**
6 Q. -- have been reported as having
7 engaged in conduct triggering a report suspicious
8 of sexual abuse to law enforcement under law?
9 **A. To the best of my ability, I know**
10 **there have been some, and we have a list of priests**
11 **on our web page. So there are those there. I**
12 **think there are six or seven. Again, Monsignor**
13 **Foltz is the one that handles this for the Diocese**
14 **of Crookston.**
15 Q. So can you identify that there have
16 been any reports made by the Diocese of Crookston
17 while you have been bishop to law enforcement of
18 priests suspected of sexual abuse?
19 MR. WIESER: I think this has been
20 asked and answered, but go ahead.
21 THE WITNESS: Well, the one that comes
22 to mind, of course, is Doe 457. That's why we're
23 here today, and that would be Father Pat Sullivan.
24 BY MR. ANDERSON:
25 Q. And when was that report made and by

Page 18

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 whom?
2 **A. To the best of my recollection, going**
3 **back to around 2009, and that report was -- that**
4 **complaint was reported by the vicar general,**
5 **Monsignor Baumgartner, to the Red Lake Police and**
6 **to Child Protection Services. That's the best of**
7 **my recollection.**
8 Q. All right. And besides Father
9 Sullivan, any other priests, to your knowledge,
10 that have been reported to law enforcement in
11 accord with Minnesota law for suspicion of sexual
12 abuse?
13 MR. WIESER: Same objections. Go
14 ahead.
15 THE WITNESS: Again, I would refer to
16 the list on our website. That would be my answer
17 there.
18 BY MR. ANDERSON:
19 Q. Well, the list on the website lists
20 people who have been deemed to have been credibly
21 accused, they do not list the priests who have been
22 necessarily reported for suspicions of sexual
23 abuse, correct?
24 **A. Repeat that, please?**
25 Q. The priests you refer to on your

Page 19

1 website are the priests that have been identified
2 by the Diocese as having been credibly accused,
3 correct?
4 **A. That is my understanding, yes.**
5 Q. The question I'm putting before you is
6 identify, as best you can, Bishop, the names of the
7 priests that have been reported as having engaged
8 in some conduct suspicious of sexual abuse of a
9 minor that would trigger a report to law enforcement
10 besides Father Sullivan, who you've identified?
11 **A. Since 2007?**
12 Q. Yes.
13 **A. To the best of my recollection right**
14 **now, I don't have any.**
15 Q. Have you, yourself, ever investigated
16 or attempted to discern whether a report made to
17 you concerning suspicions of sexual abuse was
18 credible or not?
19 MR. WIESER: Again, I'm assuming for
20 your purpose of this question you're talking about
21 since 2007?
22 MR. ANDERSON: All the questions are
23 since 2007.
24 MR. WIESER: Thank you.
25 THE WITNESS: To the best of my

Page 20

1 recollection, no.
2 BY MR. ANDERSON:
3 Q. So who have you delegated to make the
4 determinations of credibility so as to whether or
5 not a report should be made?
6 **A. For the Diocese of Crookston, the**
7 **vicar general is charged with dealing with**
8 **accusations of abuse by clerics.**
9 Q. And the vicar general is currently?
10 **A. Monsignor Foltz.**
11 Q. And he has been the vicar general for
12 how long?
13 **A. Three years, going on four, I believe.**
14 Q. And his predecessor was?
15 **A. Monsignor Baumgartner.**
16 Q. And Monsignor Baumgartner was
17 appointed by you?
18 **A. He was.**
19 Q. And what training does Monsignor Foltz
20 as vicar general have in discernment of whether an
21 accusation of sexual abuse is credible and, thus,
22 required to report?
23 MR. WIESER: Objection so far as it
24 calls for consultation with counsel, legal counsel,
25 for the Diocese of Crookston.

Page 21

1 MR. ANDERSON: That's not -- I asked
2 the question what's the training.
3 BY MR. ANDERSON:
4 Q. What training does Monsignor Foltz
5 have in determining whether an accusation is
6 credible --
7 MR. WIESER: Same objection.
8 BY MR. ANDERSON:
9 Q. -- so as to trigger a report to law
10 enforcement?
11 MR. WIESER: Same objection.
12 THE WITNESS: We have an ongoing
13 education and training process in the Diocese of
14 Crookston that I know of, and it talks about and
15 deals with recognizing abuse. We, again, take
16 these things very seriously, and we work very hard
17 to educate people.
18 In my own experience, I have gone to
19 workshops, I know about this. I -- I don't know
20 Father Foltz's history offhand as to what workshops
21 or so on he may have gone to, but there is an
22 ongoing training that we do.
23 BY MR. ANDERSON:
24 Q. So my question to you now is specific
25 to Monsignor Foltz, the monsignor designated by

Page 22

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 you, appointed by you as the vicar general, as the
2 person who is to make the discernment of whether or
3 not an accusation is credible, the question
4 pertains to Monsignor Foltz. What training has
5 Monsignor Foltz had --
6 MR. BRAUN: Objection, asked and
7 answered.
8 MR. ANDERSON: Let me --
9 MR. BRAUN: Go ahead.
10 MR. ANDERSON: Let me finish it, yeah,
11 okay.
12 BY MR. ANDERSON:
13 Q. What training has Monsignor Foltz had
14 in discerning the credibility of an accusation of
15 sexual abuse suspicions so as to trigger or not
16 trigger a report to law enforcement?
17 MR. BRAUN: Objection, asked and
18 answered, calls for a legal conclusion.
19 MR. WIESER: Join the objection.
20 THE WITNESS: I would -- as I've
21 stated, we do an -- I -- we do an ongoing training,
22 and that's been every year since I've been here.
23 In addition to that, I don't know what other
24 training Monsignor Foltz would have had.
25 BY MR. ANDERSON:

Page 23

1 Q. So do you have knowledge of whether or
2 not Monsignor Foltz has attended the ongoing
3 training that you're referring to that you all get?
4 A. Yes.
5 Q. Okay. And you're saying that
6 Monsignor Foltz has attended that training?
7 A. Yes.
8 Q. And, to your knowledge, has Monsignor
9 Foltz gotten any other training besides the ongoing
10 training that you are referring to here?
11 A. To my knowledge, I don't know that.
12 Q. So, then, what training is it that you
13 and all the others have gotten in reporting
14 suspicions of sexual abuse and determining
15 credibility of an accusation?
16 MR. BRAUN: Objection as to form,
17 calls for a legal conclusion.
18 THE WITNESS: My answer would be the
19 same, that we have an ongoing program for training
20 in these matters, and that I know Monsignor Foltz
21 has been engaged in every year.
22 BY MR. ANDERSON:
23 Q. So my question is is what training is
24 this, who does this, how often, and what does it
25 consist of that you're referring to here as this

Page 24

1 ongoing training that you and Monsignor Foltz and
2 others have received?
3 MR. WIESER: Objection, compound
4 question.
5 THE WITNESS: I'm -- the Office of
6 Safe Environment for the Diocese of Crookston
7 conducts this ongoing training, and we've been
8 doing it every year since I've been here.
9 BY MR. ANDERSON:
10 Q. And who does the training at the
11 Office of Safe Environment that you're referring
12 to?
13 A. The director of the office, Mr. Jim
14 Clauson, has been that director. He's just
15 finishing with that office now.
16 Q. How long has he been director?
17 A. Oh, I would think maybe five or six
18 years. He came shortly after I did, I -- I
19 believe.
20 Q. Jim Clauson is a priest, isn't he?
21 A. No.
22 Q. He's lay?
23 A. Correct.
24 Q. Okay. And --
25 A. He was hired by Monsignor Baumgartner.

Page 25

1 Q. And so what training, then, has Jim
2 Clauson, as director of this office, actually done?
3 A. Every year he produces and up --
4 updates an ongoing training. We use the computer
5 in that, too, and it's our Safe Environment
6 Training Program.
7 Q. Is that classroom training, is that
8 online training, what training is that that you
9 claimed Jim Clauson, as director of the Office of
10 Safe Environment, provides to you and Monsignor
11 Foltz and others in the Diocese?
12 A. It's online. It's my understanding
13 there have been speakers coming in, also, over the
14 years. I don't -- I don't recall any specifically
15 on that.
16 Q. And the question now is directed not
17 to training in general, but the question is
18 directed specifically to training on the obligations
19 of reporting suspicions of sexual abuse to law
20 enforcement, and what training has been provided in
21 discernment of whether an accusation is credible or
22 not as to the obligation to report?
23 A. It's my understanding we have had
24 training in that.
25 Q. And is that in the online training

Page 26

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 you're referring to, then?
2 **A. I believe so.**
3 Q. Okay. And who is the individual or
4 individuals that provide that training specific to
5 that issue?
6 **A. I believe we have had attorneys**
7 **provide training in that matter, and, again,**
8 **training through the Office of Safe Environment.**
9 Q. What attorneys?
10 **A. I would refer to our current attorneys**
11 **or Dan Rust, our former attorneys. That's my**
12 **understanding, anyway.**
13 Q. So are you -- are you saying, then,
14 that Mr. Braun has provided training to you,
15 Monsignor Foltz and others in what is determined to
16 be a credible accusation of suspicions of sexual
17 abuse so as to trigger a report?
18 MR. BRAUN: Objection, invades the
19 attorney-client privilege.
20 THE WITNESS: I would put that when
21 there is a need for determining whether there's
22 credible accusations, our attorneys educate us in
23 that matter.
24 BY MR. ANDERSON:
25 Q. Well, I'm talking about training now,

Page 27

1 and consultations with your lawyer in specific
2 cases we can deal with, in the specific cases, but
3 now we're talking about training. Training
4 provided, according to you, to you and the others
5 in the Diocese, including Monsignor Foltz, you've
6 indicated there is a process. Monsignor Foltz is
7 designated to be the person required to report
8 and -- if an accusation is credible.
9 The question now, then, is what
10 training by what attorneys have been provided to
11 help determine when a report is credible so as to
12 require a report to law enforcement?
13 MR. WIESER: I do believe that has
14 been asked and answered.
15 MR. BRAUN: Calls for a legal
16 conclusion and, also, misstates his previous
17 testimony.
18 THE WITNESS: Well, as I have said,
19 I -- I believe our diocesan attorneys have been
20 involved in helping to educate us on mandatory
21 reporting, and I believe that in our online program
22 there's also education about reporting, as I've
23 said.
24 BY MR. ANDERSON:
25 Q. So we're talking now about the

Page 28

1 attorneys, you say the attorneys have done
2 training. What attorneys do you claim have done
3 training specific to discernment of credibility in
4 the reporting of sexual abuse?
5 **A. Well, I believe, again, our diocesan**
6 **attorney has helped us and educated us. I believe**
7 **the attorneys we have now continue to help us and**
8 **educate us in this matter.**
9 Q. Are you talking about conversations?
10 **A. I'm just talking about our -- our work**
11 **with them and their work with us.**
12 Q. Okay. So the question that I have now
13 is formal training, classroom-type training,
14 educational material or anything that could be
15 determined to be actual training versus a
16 conversation. What attorneys have done training
17 specific to obligations of reporting and discernment
18 of credibility?
19 MR. WIESER: Counsel, again, I think
20 that this has been gone over numerous times. I
21 think that --
22 MR. ANDERSON: No, it hasn't.
23 MR. WIESER: -- this witness has --
24 MR. ANDERSON: I asked -- I asked
25 about training --

Page 29

1 THE WITNESS: He didn't finish.
2 MR. ANDERSON: Just --
3 THE WITNESS: You interrupted him.
4 MR. ANDERSON: No, no.
5 MR. WIESER: Excuse me.
6 MR. ANDERSON: No, it hasn't.
7 BY MR. ANDERSON:
8 Q. I asked about training, you said the
9 attorneys have done training. I just want to know
10 what attorneys have done training, to whom and when?
11 MR. WIESER: Again, Counsel, with all
12 due respect, I do believe that this question has
13 been asked a number of times and I think that this
14 witness has given a number of responses that have
15 indicated who has provided training as you've
16 indicated. I don't know that there's any more
17 that -- to be gained by covering the same ground
18 again. So I -- I -- I will allow Bishop to answer
19 this question one more time and then I think we
20 need to move on.
21 THE WITNESS: It is my understanding
22 that over the years there has been training in --
23 online, that our attorneys have worked with us to
24 educate us on these matters.
25 BY MR. ANDERSON:

Page 30

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 Q. Have any attorneys done formal
2 training to you or others in the Diocese?
3 MR. WIESER: Objection, vague.
4 THE WITNESS: It is my understanding
5 that over the years attorneys have worked with us
6 in the Diocese to provide education on this matter.
7 BY MR. ANDERSON:
8 Q. What material has been provided by
9 these attorneys to you and the other employees
10 pertaining to mandatory reporting, what written
11 materials?
12 **A. Again, I referred to the written**
13 **material, I would refer to the written material in**
14 **our -- in our Safe Environment training, if you're**
15 **speaking of written material. Other than that --**
16 Q. And what attorneys have provided the
17 training that you claim to have been received, by
18 name, what attorneys?
19 **A. It is my understanding over the years**
20 **that our attorneys have provided that.**
21 Q. To whom, and the question was what
22 attorneys, name?
23 **A. Well, I know Mr. Braun has -- has**
24 **worked with Monsignor Foltz and I. That's my**
25 **understanding. Other than that, it's my**

Page 31

1 **understanding that we have had training on that.**
2 Q. So apart from Mr. Braun providing
3 information to yourself and Monsignor Foltz, has
4 Mr. Braun provided any written materials or
5 training materials to the Diocese or members of the
6 Diocese, including clergy?
7 MR. BRAUN: Objection as to form.
8 THE WITNESS: There's not -- I -- I
9 don't recollect right now.
10 BY MR. ANDERSON:
11 Q. And so, then, any other attorneys
12 provided training, that you assert have provided
13 training to you or other members of the Diocese
14 besides Mr. Braun?
15 **A. It is my understanding that education**
16 **has been provided. That's my understanding.**
17 Q. But the question is, other than
18 Mr. Braun, has any attorneys done any training
19 specific to this topic, to employees of the Diocese?
20 **A. It is my understanding that we have**
21 **had that training.**
22 Q. The question -- listen to the
23 question. To your knowledge, have any attorneys
24 besides Mr. Braun provided the training specific to
25 this topic to employees of the Diocese?

Page 32

1 **A. It is my understanding that we have**
2 **had through attorneys education on this matter.**
3 Q. What attorneys besides Mr. Braun?
4 **A. I don't recollect.**
5 Q. When was that education or training
6 provided, if it was?
7 **A. I believe -- I believe I'm referring**
8 **to before 2007.**
9 Q. Since 2007, has any been provided?
10 **A. Again, with the counsel, with Tom,**
11 **Mr. Braun, he has worked with us to educate us. I**
12 **don't recall formal classes or -- or any -- that**
13 **kind of education taking place.**
14 Q. Any written materials provided?
15 **A. Through the online there's -- there's**
16 **those written materials.**
17 Q. What -- what -- what written materials
18 are provided on the online training specific to the
19 obligation of reporting and discern -- discernment
20 of credibility?
21 **A. Well, we're very thorough in our -- on**
22 **our online trainings. My understanding we -- we --**
23 **each year we take a different component. There's**
24 **been information on -- on -- on mandatory reporting,**
25 **there's been information on recognizing abuse, and**

Page 33

1 **so it's -- it's -- it's good training and -- and**
2 **material that comes out. Material from the national**
3 **offices are used, and it's -- it's presented in --**
4 **in a way that's easy for people to follow, I believe.**
5 Q. Have you, yourself, reviewed the
6 materials pertaining to obligations to report and
7 the discernment of credibility that has been
8 provided online, as you assert?
9 **A. I have.**
10 Q. When was the last time?
11 **A. I do it every year.**
12 Q. Okay. And is that in a published
13 format that is provided or lecture format or what?
14 **A. It's online. It's -- it's material to**
15 **read and, then, to answer questions about afterwards.**
16 Q. And what, then, do you understand the
17 training that you have received online and that you
18 refer to, what does that say about your obligation
19 and that of the others in this Diocese to -- to
20 report?
21 **A. What does it say about reporting?**
22 Q. Yes.
23 **A. Well, it says, as my understanding is,**
24 **when there's a reasonable cause to -- to suspect**
25 **and -- and an accusation is made, we inform the**

Page 34

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 **proper authorities.**
2 Q. And what do you understand it says
3 about when there -- it -- when it -- what constitutes
4 reasonable cause?
5 **A. Well, there are -- there are certain**
6 **signs of -- of a person being abused. If -- if a**
7 **person makes an allegation, we inform our attorney,**
8 **we inform law enforcement, as in the case, for**
9 **example, of Red Lake, as I've mentioned before, we**
10 **had this accusation, and so we notified the police**
11 **and we notified Child Protection Services.**
12 Q. Bishop, if you've been provided this
13 training as you claim to have been provided, why do
14 you and the Diocese consult with a lawyer before
15 reporting to law enforcement, as required by the
16 statute?
17 MR. BRAUN: Objection as to invasion
18 of attorney-client privilege and to form.
19 MR. WIESER: And objection also --
20 BY MR. ANDERSON:
21 Q. You can answer.
22 MR. WIESER: Excuse me. Also
23 objection, again, insofar as it calls for a legal
24 conclusion.
25 THE WITNESS: And -- and a while ago

Page 35

1 credible accusations, I wrote down and I quoted
2 you, you said we consult with the attorney first of
3 all. Why do you consult with the attorney first of
4 all?
5 MR. BRAUN: Objection, asked and
6 answered, misstates his previous testimony.
7 THE WITNESS: What I would --
8 MR. WIESER: I join the objection.
9 THE WITNESS: What I would say is I
10 don't mean first of all in terms of first, second
11 third and fourth, I mean it's a wise thing to
12 consult with our attorney. But we report when and
13 as we are required to report.
14 BY MR. ANDERSON:
15 Q. Did you report the information you
16 received suspicious of sexual abuse pertaining to
17 Grundhausen -- Grundhaus when you first received it?
18 MR. WIESER: Objection to the extent
19 that any inquiries with regard to Monsignor
20 Grundhaus exceed the matters before the witness
21 with regard to the deposition that was noticed.
22 MR. BRAUN: I concur in that
23 objection.
24 THE WITNESS: Again, Monsignor Foltz
25 would have been the one to -- to report that.

Page 37

1 you used the word first in that question --
2 BY MR. ANDERSON:
3 Q. You said it first.
4 **A. -- when you asked it.**
5 Q. You said we consult with the --
6 **A. Well --**
7 Q. -- attorney first. That's what you
8 said, Bishop. So I'm asking you --
9 **A. Um.**
10 Q. -- why do you go to attorney before
11 you report?
12 MR. WIESER: Excuse me, just hold on.
13 Again, Counsel, objection insofar as it misstates
14 the witness's testimony, but go ahead.
15 THE WITNESS: What I would want to say
16 is that we have a process, and I believe I mentioned
17 the word process. It includes various things,
18 notifying the proper authorities, consulting
19 with attorneys, and involves both of those things.
20 We report as is required, and in the Diocese of
21 Crookston, as I mention, the vicar general is
22 charged with reporting to the enforcement people.
23 BY MR. ANDERSON:
24 Q. So when I asked you about this earlier
25 and you talked about the requirement to report

Page 36

1 BY MR. ANDERSON:
2 Q. The question -- just listen to the
3 question. Did you, Bishop, report the information
4 that you received specific to Grundhaus suspicious
5 of sexual abuse to law enforcement?
6 MR. BRAUN: Objection.
7 MR. WIESER: Excuse me.
8 MR. BRAUN: This is outside the scope
9 of the 457 case, not materially relevant to any
10 fact in this case.
11 MR. WIESER: I would join the
12 objection that this is not reasonably calculated to
13 lead to the discovery of admissible evidence with
14 regard to the case Doe 57 [sic] versus Diocese of
15 Crookston.
16 Let's -- let's take a break.
17 THE VIDEOGRAPHER: We are going off
18 the record at 9:49 a.m.
19 (Break from 9:49 to 10:56.)
20 THE VIDEOGRAPHER: We are back on the
21 record at 10:56 a.m.
22 MR. ANDERSON: Okay. Counsel, do you
23 want to go ahead and state what the position is here?
24 MR. BRAUN: So the -- we've discussed
25 issues related to the Vasek case and -- and Bishop,

Page 38

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 and our position is that those facts are not
2 relevant to this litigation and that there will be
3 another deposition noticed in the Vasek versus
4 Diocese of Crookston case to deal with those
5 questions of the Bishop at a later date in time.
6 MR. ANDERSON: All right. And we've,
7 obviously, had some significant discussions about
8 this, and while we don't agree, what we have agreed
9 is that we'll then proceed with just the 457 case
10 for today and that you'll produce probably the
11 Bishop and probably Monsignor Foltz at our offices
12 at a later date.
13 MR. BRAUN: At a later date, yes.
14 MR. ANDERSON: So what we're going to
15 do is go ahead with part of what we had planned,
16 but not all of it, and then we'll just defer the
17 questions that had intended to be asked pertaining
18 to Vasek and go then to the 457 case and ask some
19 questions pertaining to that.
20 MR. WIESER: Thank you.
21 MR. ANDERSON: We're doing it under a
22 protective order, I see no reason not to use the
23 names?
24 MR. BRAUN: I agree, it's easier.
25 BY MR. ANDERSON:

Page 39

1 Q. We're going to use the names of people
2 that are possible survivors and the name of the
3 plaintiff just because it's easier than using Doe
4 names, so --
5 A. Okay.
6 Q. When is the first time you received
7 any information of any suspicion of any unfitness
8 by Father Patrick Sullivan to be in a ministry in
9 one of the parishes of the Diocese?
10 A. Could you repeat that, please?
11 Q. When is the first time you received
12 any information from any source that suggested that
13 there were questions about Patrick Sullivan's
14 fitness to be in ministry?
15 A. I came to the Diocese in 2007. My
16 recollection is that in 2008 there was a concern
17 about his behavior, that would be 2008.
18 Q. And what was expressed that led --
19 that caused that concern?
20 A. Well, to the best of my recollection,
21 the Diocese received concern that someone had been
22 sexually abused. That was reported to the police
23 at Red Lake and -- and the Child Services. We take
24 all these things seriously, and it was looked into,
25 and to the best of my recollection, there was

Page 40

1 nothing found to substantiate the claim.
2 Q. So I think, Bishop, as I made notes of
3 your response to the question, I broke my notes
4 into three sections. So I'm going to break down my
5 questions into each of those sections.
6 So responsive to the question that I
7 asked about when was there first a concern raised
8 about Sullivan's fitness to minister in the
9 Diocese, I think your answer was the first concern
10 was 2008, about his behavior; is that correct?
11 A. Fitness to minister in the Diocese?
12 Q. Yes.
13 A. What do you mean by that?
14 Q. Well, when you place a priest in a
15 parish, you make a determination as the Bishop that
16 that priest is fit to minister in the parish,
17 correct?
18 A. We make every effort -- yes. We make
19 every effort to make sure that priests are ready
20 for ministry, and when I came to the Diocese of
21 Crookston, Father Pat was in ministry and continued
22 to do so, so --
23 Q. And so, then, when you came to the
24 Diocese in 2007, it was about a year before you
25 received any information that either hinted or

Page 41

1 raised concerns about his fitness to minister, is
2 that your testimony?
3 A. To the best of my recollection, yes.
4 Q. When you came to the Diocese and were
5 first appointed and then installed in 2007, at that
6 time, given your experience in Winona and all the
7 issues that have arisen in the Diocese concerning
8 sexual molestation, did you make an effort to review
9 the files of any of the priests who are now in your
10 charge as the Bishop?
11 MR. WIESER: For the record, with
12 regard to your preparatory comments, assumes facts
13 not in evidence, it's also at vague -- it's also
14 vague. So if you would just focus on the specific
15 question as opposed to the -- again, the preparatory
16 comments.
17 THE WITNESS: To the best of my
18 recollection, for example, with Father Sullivan,
19 I -- I did review that file when this concern came
20 in, to the best of my knowledge, I did. Again, we
21 had a -- kind of an investigation and was not found
22 to be substantiation for the claims that were --
23 were brought forward. That's the best of my
24 recollection.
25 BY MR. ANDERSON:

Page 42

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 Q. When you reviewed the file of Father
2 Sullivan, that was after the concern about his
3 fitness to minister came in, correct?
4 **A. To the best of my recollection.**
5 Q. And with whom did you review that
6 file, if anybody else?
7 **A. I remember reviewing it myself. I**
8 **don't remember -- I -- I would probably have**
9 **reviewed -- would have talked the matter over with**
10 **the vicar general at that time, who was Monsignor**
11 **Baumgartner.**
12 Q. Did he look at the file with you or
13 not?
14 **A. I don't -- I don't remember,**
15 **specifically.**
16 Q. When you think back on the review of
17 the file of Father Sullivan responsive to the
18 concern raised, the concern now being somebody may
19 have been sexually abused, correct?
20 **A. Correct.**
21 Q. Okay. When you looked at that file
22 after the concern was raised that you have
23 expressed, did you see anything in the file that
24 made you more concerned than you already had?
25 **A. To the best of my recollection, I**

Page 43

1 **looked at the file vis-à-vis the current concern,**
2 **and I don't -- again, to the best of my recollection,**
3 **the concern was not -- was -- was the main focus of**
4 **my looking through the record, and I don't recall**
5 **finding anything that would alarm me to that matter**
6 **more.**
7 Q. Did you see any treatment records in
8 there?
9 **A. Um, this was in 2008 or '09. I**
10 **remember Father went off to Downingtown after he**
11 **finished a -- a year, and that was after that, I**
12 **believe.**
13 Q. So my question is, when you reviewed
14 this file responsive to the concern in 2008 of
15 possible sexual abuse by Father Sullivan, the
16 question is, did you see anything in the file on
17 your initial review of it that raised any additional
18 concerns about his fitness to minister and his
19 safety pertaining to kids?
20 **A. Not to my recollection.**
21 Q. So did the file, based on your
22 experience, appear to then be clean of any indicators
23 of sexual abuse?
24 MR. WIESER: Objection, vague.
25 THE WITNESS: That's my recollection.

Page 44

1 BY MR. ANDERSON:
2 Q. What do you remember about the
3 contents of the file you reviewed pertinent to
4 Sullivan?
5 **A. Well, I remember that ministering at**
6 **Red Lake was a difficult -- seemed to be a difficult**
7 **assignment, and Father Pat had been there a number**
8 **of years. A term is six years, and it was in his**
9 **second term.**
10 **When I'm reviewing his file, it seems**
11 **to me, if I remember correctly, there was a -- an**
12 **investigation or a look at this, and Father Pat**
13 **continued in ministry. He was in his second term**
14 **when I came. So I don't remember anything that**
15 **would really preclude him from -- from continuing**
16 **ministry.**
17 Q. I might have misunderstood or not
18 fully understood what you just said to me. You
19 said it was his second look at? What were you
20 referring to there? I didn't understand.
21 **A. No, I don't know a second look at.**
22 Q. Okay. So just thinking about the
23 point in time in which you now are looking at
24 Sullivan's file, what is in the file that you
25 remember reviewing at that time, the first time you

Page 45

1 looked at that file, responsive to the concern
2 raised about someone having been sexually abused,
3 perhaps, by him?
4 **A. The best of my recollection is that**
5 **the file talked about Father Pat, he was slow to**
6 **make decisions, and then this accusation came, and**
7 **we had -- it was looked at, and there was no**
8 **substantiation found for it. To the best of my**
9 **recollection, it was really unclear who is -- who**
10 **the accusation referred to.**
11 Q. So, if I'm hearing you correctly,
12 Bishop, then, the file that you're reviewing
13 pertinent to Sullivan now contains details of the
14 allegation that gave rise to the concern; is that
15 correct? In other words --
16 **A. The file -- to the best of my**
17 **recollection, the file had -- covered the period of**
18 **his being at Red Lake, in 2008 an allegation is**
19 **made and it's looked into, and that's my**
20 **recollection.**
21 Q. Who looked -- who looked into it
22 according to the file?
23 **A. I don't remember.**
24 Q. Okay. And did the file reflect as you
25 reviewed it that this allegation had been reported

Page 46

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 to Red Lake and Child Protection Services?
2 **A. Well, the best of my recollection is**
3 **when the allegation was received it was reported,**
4 **yes.**
5 Q. By whom?
6 **A. It was reported by Monsignor**
7 **Baumgartner, to my recollection.**
8 Q. I'm looking at the files that I do
9 have, and there is accusation having been made by a
10 youth or a minor at the time pertaining to Red
11 Lake, but the year appears to us to be 2009. Is it
12 possible that it's 2009 instead of 2008?
13 MR. WIESER: Counsel, what document
14 are you referring to?
15 MR. ANDERSON: Well, I've got the --
16 the -- a memo of Father Baumgartner of
17 September 15th, 2009, Father Jerry Rogers talked to
18 me in person, he received three phone calls from a
19 17-year-old young man who identified himself as
20 blank, and he's stating that as September of 2009.
21 MR. WIESER: Are you going to mark
22 that as an exhibit and have the witness refer to
23 it?
24 MR. ANDERSON: Yeah, let's do that,
25 just so we don't get screwed up on dates here.

Page 47

1 BY MR. ANDERSON:
2 Q. I'm showing you what we've marked for
3 identification as Exhibit 11 -- oh, and there's --
4 let me take that back from you.
5 MR. ANDERSON: And I'm going to give
6 copies to counsel here. I'll hand that one to you
7 and to counsel.
8 MR. WIESER: Thank you.
9 BY MR. ANDERSON:
10 Q. And, Bishop, this is one of the
11 exhibits produced in this litigation. It's a memo,
12 which is three pages. At the third page it's from
13 Monsignor Baumgartner, Vicar General, dated
14 September 21, 2009. Do you see that?
15 **A. Uh-huh.**
16 MR. WIESER: Is that a yes?
17 THE WITNESS: Yes, yes.
18 BY MR. ANDERSON:
19 Q. And so do you think, then, if you look
20 at this memo, does it refresh your recollection
21 that the year that the concern was first raised
22 would have been 2009, not 2008?
23 **A. I see that this says September 15th,**
24 **2009, but Father Jerry Rogers was the first to hear**
25 **of this, and I don't know what date that would have**

Page 48

1 **been.**
2 Q. Okay. Why don't we just find out,
3 then, how you -- how Father Rog -- how you learned
4 Father Rogers heard of this, and let's just work
5 back -- forward from that?
6 **A. As this indicates, Father Baumgartner**
7 **dealt with this issue, and it's my understanding**
8 **that it went from Father Jerry Rogers to Father**
9 **Baumgartner and then to me.**
10 Q. On the same day, or the same week, the
11 same month, how did --
12 **A. I don't --**
13 Q. What was the timing of that?
14 **A. I don't recall.**
15 Q. What -- what do you recall about the
16 source of -- of you first hearing of the
17 allegation, who brought it to you?
18 **A. I believe it was Monsignor**
19 **Baumgartner.**
20 Q. And he was then your vicar general?
21 **A. Correct.**
22 Q. And what did he say to you?
23 **A. I don't remember exactly, but that**
24 **there was an accusation, a concern coming from Red**
25 **Lake.**

Page 49

1 Q. And is this the first time you had
2 received an accusation of sexual abuse of a minor
3 while a bishop in Crookston?
4 **A. I don't recall.**
5 Q. And what did Monsignor Baumgartner say
6 beyond that there had been an accusation at Red
7 Lake, did he identify it was sexual abuse of a
8 minor?
9 **A. I -- I don't recall. As your memo**
10 **says, that -- that he had received a phone call**
11 **from someone 17 years old, it says, so --**
12 Q. Well, I can look at the memo.
13 **A. Yeah.**
14 Q. But I want to know what you remember.
15 So -- so what --
16 **A. I don't --**
17 Q. -- do you remember what --
18 **A. -- remember specifically what he said,**
19 **no.**
20 Q. Okay. So let me just get the answer
21 here clearly to the question that I asked, and that
22 is, what do you remember Monsignor Baumgartner,
23 your vicar general, first saying to you about the
24 accusation that was made?
25 **A. What I remember was -- what I remember**

Page 50

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 **is it's simply that there's been one made.**
2 Q. And when he said that to you, what did
3 you say in response?
4 **A. I don't remember. I would -- normally**
5 **I -- and as -- as this indicates, I would say, you**
6 **know, investigate this.**
7 Q. And is there or was there then a
8 protocol established by you, as the bishop, for the
9 investigation of an allegation of sexual abuse of a
10 minor?
11 **A. Yes.**
12 Q. What was that protocol?
13 **A. We were following the Charter for the**
14 **Protection of Children.**
15 Q. Okay.
16 **A. And its norms.**
17 Q. And so do you remember what you felt
18 when Monsignor Baumgartner brought this to you?
19 **A. No, I don't remember.**
20 Q. Did you know Patrick Sullivan at the
21 time that Baumgartner had brought this to you?
22 **A. Yes.**
23 Q. How had you come to know him?
24 **A. He's a priest of the Diocese of**
25 **Crookston, and I've come -- I came to know all the**
Page 51

1 **priests as -- as I became their bishop and got to**
2 **know them.**
3 Q. Had you met with him at the parish or
4 visited him at the parish, he had more than one,
5 but at St. Mary's in Red Lake or any other place
6 where he had been assigned?
7 **A. I suspect that I -- I -- I met him at**
8 **various places.**
9 Q. Do you remember?
10 **A. Specifically, no.**
11 Q. Do you remember ever having heard
12 before Baumgartner brought this allegation to you
13 that there was anything unusual about Sullivan or
14 anything that sticks in your mind?
15 **A. Not to my recollection.**
16 MR. BRAUN: Objection, vague.
17 BY MR. ANDERSON:
18 Q. And so after Baumgartner told you
19 this, do you remember feeling alarmed, do you
20 remember feeling skeptical, do you remember what
21 you were feeling when you heard that one of the
22 priests had been now the subject of an allegation
23 of childhood sexual abuse?
24 MR. WIESER: Objection, asked and
25 answered.
Page 52

1 MR. BRAUN: And compound question.
2 THE WITNESS: No.
3 BY MR. ANDERSON:
4 Q. What is the next thing you did or said
5 to anybody pertinent to this matter, then, this
6 allegation?
7 **A. To the best of my recollection, I --**
8 **speaking with Father Baumgartner and would ask him**
9 **to investigate and -- and to look into this. We**
10 **take all these seriously, and they need to be**
11 **looked into, and that's what I'm sure I did.**
12 Q. Okay. And do you remember what words
13 you said to Baumgartner about instructions he
14 should follow?
15 **A. No.**
16 Q. Okay. And what did you then do next
17 responsive to this or what information did you
18 receive from any source pertaining to your
19 instruction to Baumgartner?
20 **A. I don't recall. I'm sure I would wait**
21 **for -- for what he would find as he looked into it.**
22 Q. So is your answer you don't recall
23 what happened next responsive to this?
24 **A. I don't recall immediately what**
25 **happened next, other than I would indicate that he**
Page 53

1 **should look into the matter.**
2 Q. So what did happen next, then?
3 **A. It's my understanding is Father**
4 **Baumgartner looked into the matter.**
5 Q. And what did you hear or learn or what
6 role did you have in that?
7 **A. Well, the vicar general is responsible**
8 **for investigating these things, and my understanding**
9 **is that was investigated and there was nothing to**
10 **substantiate this claim.**
11 Q. How did you learn that there was
12 nothing to substantiate?
13 **A. That would have been the report from**
14 **Father Baumgartner.**
15 Q. Was that a report in writing or a
16 verbal report or what?
17 **A. I don't remember.**
18 Q. And you do remember there was nothing
19 to substantiate the claim?
20 **A. That's my --**
21 Q. What do you remember about the claim,
22 the substance of the claim itself?
23 **A. I don't remember a lot about the**
24 **sub -- I don't remember a lot about the substance.**
25 **There was a claim, it was looked into, and my**
Page 54

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 **recollection is there was nothing to substantiate**
2 **the claim.**
3 Q. And you say Monsignor Baumgartner was
4 the one looking into it. Was anybody else deployed
5 to look into this?
6 **A. Um, I don't recall.**
7 Q. Did you, as the bishop, make a decision
8 not to bring in a professional investigator?
9 **A. I don't remember that.**
10 Q. Did you -- At the time that Monsignor
11 Baumgartner had brought this -- brought this to
12 you, had he reported it?
13 **A. Excuse me?**
14 Q. At the time that Monsignor Baumgartner
15 brought this to you, had he reported it to civil
16 authorities?
17 **A. I don't know the answer to the timing**
18 **there. I know it was reported to the authorities.**
19 Q. The question that I have is -- is, at
20 the time that you first learned from Baumgartner an
21 accusation of child sexual abuse had been made
22 against Father Sullivan, had it been reported to
23 civil authorities?
24 **A. I don't remember the timing of that,**
25 **but the Diocese did report it; and, again, the**

Page 55

1 **vicar general is the one to report this for the**
2 **Diocese, and it was reported as required.**
3 Q. So, at the time that Baumgartner
4 brought this to you, do you know what the Charter
5 for Protection of Children required you as the
6 bishop to do to follow protocol?
7 **A. Yes, and it -- the matter of reporting**
8 **was being dealt with. The Diocese is reporting, as**
9 **required, this accusation, this complaint.**
10 **Monsignor Baumgartner is the one reporting it.**
11 Q. And it's your testimony that you don't
12 remember if he had reported it at the time he
13 brought it to you or he had not reported it at the
14 time he brought it to you?
15 **A. I don't remember.**
16 Q. Do you remember saying to him, report
17 it?
18 **A. I don't -- I don't remember saying it.**
19 **But, again, the issue needs to be reported and,**
20 **therefore, I'm -- I'm working with Father**
21 **Baumgartner, and he's doing what's necessary to**
22 **make sure it is reported.**
23 Q. How long after he brought that to you
24 did you learn that it had not been substantiated?
25 **A. I don't remember.**

Page 56

1 Q. Who investigated it to make the
2 determination and report to you that it was not a
3 substantiated allegation?
4 **A. What I remember is Monsignor**
5 **Baumgartner is the one I worked with in this**
6 **matter.**
7 Q. And, to your knowledge, did anybody
8 else do investigation that led to the determination
9 that it was not substantiated?
10 **A. I don't recall, I don't recall.**
11 Q. How long after the initial report to
12 you by Baumgartner did you learn that it was a not
13 substantiated allegation?
14 **A. I don't remember how long that was.**
15 Q. Was it days, weeks, months, what's
16 your best estimate?
17 **A. No. I don't remember. He -- a report**
18 **was made, and a report was it's not substantiated,**
19 **to the best of my recollection.**
20 Q. And who -- who reported to you that
21 the allegation was not substantiated?
22 **A. To the best of my recollection,**
23 **Monsignor Baumgartner.**
24 Q. And, to your knowledge, as you sit
25 here today, was anybody else involved in making

Page 57

1 that determination that it was not substantiated?
2 **A. I don't recall sitting here today.**
3 Q. So just in terms of timeline,
4 Baumgartner reports to you that there is an
5 allegation, he comes back and reports to you, and
6 how much later that is you don't recall, but that
7 the allegation is not substantiated, correct?
8 **A. Correct.**
9 Q. What's the next thing you did or heard
10 responsive to allegations against Sullivan?
11 **A. I do not recall that.**
12 Q. Did you -- did you or anybody under
13 your direction send Father Sullivan to an
14 evaluation?
15 **A. Yes. My recollection is that as his**
16 **term finished he was sent to -- to Downingtown,**
17 **Pennsylvania, yes.**
18 Q. Why?
19 **A. Well, to the best of my recollection,**
20 **there was concern that he had finished a difficult**
21 **assignment, he needed some rest, maybe a -- a**
22 **concern that he was depressed. I know he was slow**
23 **in dealing with things, but it had been a difficult**
24 **assignment for him.**
25 Q. And when you made the determination to

Page 58

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 send him to -- You called it Downingtown,
2 Pennsylvania. Is that also known as St. John
3 Vianney?
4 **A. Yes.**
5 Q. When you made the determination to
6 send him there for the reasons you've specified
7 here today, was that before or after the allegation
8 of childhood sexual abuse had been made against him
9 and reported to you by Baumgartner?
10 **A. I believe that's after.**
11 Q. How long after that allegation was
12 reported to you by Baumgartner did you make the
13 determination to send him to St. John Vianney for
14 evaluation?
15 **A. I don't recall that. I don't -- I**
16 **don't remember.**
17 Q. And who brought you the information
18 that caused you to send Sullivan to St. John
19 Vianney for evaluation?
20 **A. Well, I think, again, he was finishing**
21 **an assignment --**
22 Q. Now, just remember the question.
23 Who brought you the information,
24 Bishop, that caused you to make the decision to
25 send him to evaluation, the question is who?

Page 59

1 **A. Um, you know, I don't -- I don't**
2 **recall. I think he's finishing an assignment, he's**
3 **going to move on. I think it's good, given his**
4 **assignment, as I've come to know him, that this**
5 **would be good for him, and so we made arrangements**
6 **for him to go there.**
7 Q. Had you as a bishop or formerly as a
8 vicar general in Winona ever sent a priest to
9 St. John Vianney for evaluation?
10 MR. WIESER: Objection. Before you
11 answer, Bishop, I think you confine your answer to
12 your role as the Bishop for the Diocese of
13 Crookston and don't provide any testimony with
14 regard to your work as the vicar general in the
15 Diocese of Winona.
16 THE WITNESS: All right. In my work
17 as the Bishop of Crookston, yes. I -- I -- to
18 Downingtown, I don't believe so, but --
19 MR. WIESER: That was the question.
20 THE WITNESS: That was the question.
21 MR. WIESER: Just to Downingtown.
22 THE WITNESS: Yes.
23 BY MR. ANDERSON:
24 Q. How familiar with -- were you with
25 Downingtown and why -- why did you choose

Page 60

1 Downingtown to send Sullivan to?
2 **A. I -- my -- I was somewhat familiar**
3 **with Downingtown as one of the places that would be**
4 **good for a priest to go for -- for what I wanted**
5 **Father Pat to have. It's -- there are various**
6 **places in the country, and that was one of them**
7 **that came to mind and --**
8 Q. It's also one of the places that
9 ordinaries and superiors send priests who have been
10 accused of sexual abuse, is it not?
11 MR. WIESER: If you know.
12 THE WITNESS: My understanding is it
13 is.
14 BY MR. ANDERSON:
15 Q. And were you aware that it was founded
16 by the Archdiocese and then Cardinal Archbishop in
17 Philadelphia, one of the purposes of which to --
18 was to evaluate priests with sexual disorders and
19 problems?
20 MR. WIESER: If you know.
21 THE WITNESS: I -- I -- I do know,
22 and, yes, as is St. Luke's, for example, and
23 Southdown in -- in Canada. So, yes, I -- I -- I
24 know that.
25 BY MR. ANDERSON:

Page 61

1 Q. Did you at the time the decision was
2 made to send Sullivan there know that there were
3 concerns about his sexuality and expression of that
4 and boundaries relating to it?
5 MR. WIESER: Objection, vague.
6 THE WITNESS: When I sent him there, I
7 certainly knew of the issue that we talked about
8 regarding Red Lake, sure.
9 BY MR. ANDERSON:
10 Q. So that was in your mind?
11 **A. I knew of that issue. I also have**
12 **come to know Father Pat, and, again, a concern for**
13 **his health and his well-being all around, I thought**
14 **it would be good and the Diocese thought it would**
15 **be good that -- my recollection is for some rest**
16 **for him, and an evaluation certainly wouldn't hurt,**
17 **and -- and my recollection is at the end of his**
18 **stay there was nothing that precluded him returning**
19 **to ministry.**
20 Q. At the time that you sent him to what
21 you call Downingtown, we referred to as St. John
22 Vianney, or any time before you sent him there, did
23 you ask Father Pat if he had sexually abused the
24 youth that had made the accusation or any other
25 youth while working as a priest of the Diocese?

Page 62

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 **A. I don't remember.**
2 Q. Did you make any notes of any meet --
3 of the meetings pertaining to him at --
4 **A. Uh.**
5 Q. Either when Baumgartner came to you or
6 when you met with Sullivan?
7 **A. Uh, I don't remember.**
8 Q. This is a serious allegation. Why
9 wouldn't you ask the pri -- why wouldn't you
10 remember asking the priest if you asked him --
11 MR. WIESER: Objection, arg --
12 BY MR. ANDERSON:
13 Q. -- if he had committed --
14 MR. WIESER: Object --
15 BY MR. ANDERSON:
16 Q. -- the offense?
17 MR. WIESER: Sorry. Objection,
18 argumentative.
19 MR. BRAUN: Objection as to form.
20 THE WITNESS: The vicar general is the
21 one who investigates this.
22 BY MR. ANDERSON:
23 Q. The vicar general is the one that is
24 delegated with the charge of investigating it,
25 you're the one that's delegated with the

Page 63

1 responsibility of making sure that priests are fit
2 and safe in ministry, correct?
3 MR. WIESER: Objection, argumentative.
4 THE WITNESS: Yes.
5 BY MR. ANDERSON:
6 Q. Why didn't you ask Sullivan then if he
7 abused any kids?
8 MR. WIESER: Objection.
9 MR. BRAUN: Object --
10 MR. WIESER: Misstates the witness's
11 testimony.
12 MR. BRAUN: Join in that objection.
13 THE WITNESS: Uh, I don't recall,
14 but -- I don't recall specifically talking to
15 Father Sullivan about -- about this myself.
16 BY MR. ANDERSON:
17 Q. Did you not want to know?
18 **A. It's not that, no.**
19 Q. What is it?
20 **A. It's just I don't recall talking to**
21 **him about it.**
22 Q. So you did say that he was sent there
23 and you did get authorization from him to get a
24 report of their findings, did you not?
25 **A. I believe so, yes.**

Page 64

1 Q. And the Diocese and you as the bishop
2 agreed to pay them for their both evaluation and
3 any treatment required, correct?
4 **A. I believe so, yes.**
5 Q. And he gave you full authorizations to
6 get and have his medical information released to
7 you to see if, in fact, he was fit to minister,
8 correct?
9 **A. Yes, I believe so.**
10 Q. I'm showing you what we've marked
11 Exhibit 9, Bishop. I'm going to take 11 back from
12 you for a moment.
13 **A. Okay.**
14 Q. And do you recognize Exhibit 9 as the
15 report of the psychological assessment done of
16 Father Sullivan by St. John Vianney Center?
17 **A. I would accept that as their report.**
18 Q. Did you ever read it?
19 **A. Yes, I -- I imagine I have, yes.**
20 Q. Well --
21 **A. I did.**
22 Q. -- my question is --
23 **A. I'm sure.**
24 Q. -- do you remember having read it?
25 MR. WIESER: That wasn't the question,

Page 65

1 but go ahead.
2 BY MR. ANDERSON:
3 Q. No. My question is, do you remember
4 having read it?
5 **A. I have read it, yes.**
6 Q. Okay. And when did you read it?
7 **A. I read it when it came.**
8 Q. Okay. And the date of the evaluation
9 on the first page says July 13th, 2009. And is it
10 your testimony, then, it would have been in July of
11 2009?
12 **A. I don't recall the date.**
13 Q. And besides yourself, who else had
14 access to this report?
15 **A. I believe Monsignor Baumgartner would**
16 **have access to it.**
17 Q. And you gave permission for
18 Baumgartner to have had access to this because he
19 was the vicar general and helping you handle this
20 matter; is that correct?
21 **A. Yes. My -- that's my recollection.**
22 Q. You had testified, I think earlier
23 suggested that you thought that the report found
24 that there was no cause for concern or risk of harm
25 to others. Is that your belief, that the finding

Page 66

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 reflected that?
2 MR. WIESER: Objection insofar as it
3 misstates the witness's testimony.
4 THE WITNESS: My recollection is that
5 that's -- the report did not raise any substantial
6 concern for him and it did not recommend that he
7 not be in ministry.
8 BY MR. ANDERSON:
9 Q. Do you remember what it did recommend?
10 **A. It -- there's an aftercare program**
11 **usually associated with a report. So there would**
12 **be an aftercare program, and I would say that.**
13 Q. And do you remember that it
14 recommended a program that he did not comply with,
15 do you remember that?
16 **A. I do not remember that.**
17 Q. Do you remember that it raised
18 questions about his mental state?
19 **A. I do not remember the specifics now,**
20 **no, sitting here.**
21 Q. You do remember that they felt, it's
22 your testimony, that he was fit to return to
23 ministry?
24 **A. My recollection is that there was**
25 **nothing substantial preventing him from -- from**

Page 67

1 **ministry, and there was no recommendation that he**
2 **not be in ministry.**
3 Q. Well, there was a recommendation that
4 he go to inpatient treatment and continue inpatient
5 treatment, wasn't there?
6 **A. He was there for 30 days, I believe,**
7 **and -- and that was the extent of -- of him being**
8 **in treatment.**
9 Q. Do you not recall that the evaluators
10 recommended he have an extended inpatient stay
11 there?
12 **A. I do not remember.**
13 Q. Do you recall that the evaluators also
14 had concerns about his attraction, his sexual
15 attraction, and a risk?
16 **A. I do not remember that.**
17 Q. And you returned him to ministry on
18 his return to -- from St. John Vianney, did you
19 not?
20 **A. Yes.**
21 Q. And placed him in a parish, did you
22 not?
23 **A. Correct.**
24 Q. And you placed him in that parish
25 without restriction, correct?

Page 68

1 **A. Correct. We would look to his**
2 **aftercare, that he should follow that.**
3 Q. And did you ever communicate with
4 anybody about whether he followed through on
5 aftercare?
6 **A. I don't recall that.**
7 Q. Did you ever receive any report from
8 anybody about his aftercare, if he did?
9 **A. I don't recall that. I visit with**
10 **each priest myself each year, and so I would follow**
11 **up that way, also.**
12 Q. So after you sent him to St. John
13 Vianney and you got the report, you returned him to
14 ministry, and he continued in ministry unrestricted
15 and unmonitored by you until we sued the Diocese,
16 correct?
17 **A. No.**
18 Q. What -- what's incorrect about that?
19 **A. He continued in ministry. There was**
20 **no concerns raised about his ministry. I -- as**
21 **the -- as I visited with him, as I do with all the**
22 **priests about their ministry, and there was nothing**
23 **raised, a concern raised about his ministry.**
24 Q. And at the time you returned him to
25 ministry after the report that you got about his

Page 69

1 psychological assessment from St. John Vianney, you
2 never asked him, as you recall, about if he had
3 ever committed any sexual offenses against anybody,
4 correct?
5 MR. WIESER: Objection, asked and
6 answered.
7 BY MR. ANDERSON:
8 Q. Is that correct?
9 **A. I don't remember specifically asking**
10 **Father -- or talking to Father about that.**
11 Q. Let's look at the Exhibit 9, the
12 report that you did get, on which you relied in
13 returning him to ministry unrestricted. You'll see
14 that the first page is Bates stamped at the bottom
15 right-hand corner 254. Do you see that number?
16 **A. Two five four.**
17 MR. WIESER: (Indicating).
18 BY MR. ANDERSON:
19 Q. SULLIVAN --
20 **A. Yep.**
21 Q. -- 000254.
22 **A. Correct.**
23 Q. We call that Bates stamp.
24 **A. Okay.**
25 Q. Okay. Under Reason for Assessment,

Page 70

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 you told us the reasons you thought you had sent
2 him there, and he reasons I think you gave were, as
3 you recalled, that he needed rest, he had a
4 difficult assignment, and he was depressed.
5 Under the document, Exhibit 9, the
6 reasons they state for assessment are as follows:
7 "Father Patrick Sullivan, a Roman Catholic Priest
8 from the Diocese of Crookston, Minnesota, was
9 referred for a psychological evaluation to assist
10 in treatment planning. Father Sullivan initiated
11 treatment on his own."
12 Do you remember him initiating it on
13 his own or you initiated it because of the
14 allegation that had been made?
15 **A. I remember initiating it nec -- not**
16 **necessarily -- not on the allegations that were**
17 **made. We covered that.**
18 Q. Okay. But do you remember him
19 initiating this, his assessment on his own?
20 **A. No.**
21 Q. Okay. And it goes on to state, "as he
22 desires to improve his mental state prior to
23 beginning a new assignment next month."
24 Let's turn to the second page of this,
25 as Bates stamped 255, and at the bottom of it, the

Page 71

1 last full paragraph, I'm going to read a portion of
2 that, then ask you a question.
3 First, I'll direct your attention to
4 the ninth sentence from the bottom of the first
5 full paragraph, and it starts with, "He never let
6 that person know of the attraction." Do you see
7 that sentence?
8 **A. Yes.**
9 Q. I'm going to go up above that, and in
10 the middle of this paragraph just read something
11 here and then ask you a question. It says, "He
12 consumed alcohol casually, but reflects a seminary
13 function when he drank too much. During his first
14 year of seminary, Father Sullivan was infatuated
15 with a classmate, which he 'repressed.' He was
16 conflicted as that was the first time he had ever
17 been attracted to another male, all of his previous
18 attractions had been to females."
19 So do you remember having read that
20 portion of his assessment?
21 **A. I don't remember reading that, but I**
22 **probably -- I certainly did. I -- I read the**
23 **assessment.**
24 Q. It then goes on to state, "He dealt
25 with this attraction through prayer, and he was

Page 72

1 concerned that he did not want to make the other
2 seminarian uncomfortable," period. "He never let
3 that person know of the attraction. In the
4 subsequent seminary years, he did engage in mutual
5 masturbation on approximately four occasions with
6 other males, which led to thinking more about his
7 sexual identity."
8 When you read that -- do you remember,
9 recall reading that?
10 **A. I don't remember, recall reading it,**
11 **but it's there.**
12 Q. Did you ever ask him about this?
13 **A. No.**
14 Q. It then goes on to state, "By...late
15 winter of 1982, Father Sullivan was troubled
16 following one of these sexual encounters, and
17 having already been ordained a deacon, he was
18 concerned about the implications of his impending
19 entrance into priesthood. He spoke with the Bishop,
20 and requested a delay."
21 Did you try to get to the bottom of
22 what had happened back then and why he delayed or
23 requested a delay into the priesthood?
24 **A. No, we did not. He seemed to resolve**
25 **these issues.**

Page 73

1 Q. Well, there had been an accusation
2 made against him recently. Wouldn't that indicate
3 that he may not have resolved these sexual issues?
4 MR. WIESER: Objection, calls for
5 speculation.
6 MR. BRAUN: Objection.
7 BY MR. ANDERSON:
8 Q. You can answer.
9 MR. BRAUN: Argumentative.
10 THE WITNESS: I didn't -- as I --
11 MR. WIESER: Also --
12 THE WITNESS: As I --
13 MR. WIESER: I'm sorry. Lack of
14 foundation, also. Go ahead.
15 THE WITNESS: As I read through the
16 whole report and all that they're saying, I did not
17 find anything in his present situation which would
18 preclude him from good and safe and effective
19 priestly ministry.
20 BY MR. ANDERSON:
21 Q. But you didn't ask him?
22 **A. I did --**
23 Q. You didn't --
24 **A. -- not find --**
25 Q. -- ask him?

Page 74

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 **A. -- anything myself.**
2 Q. Well, you did not ask him, did you?
3 MR. WIESER: Objection.
4 MR. BRAUN: Objection.
5 MR. WIESER: Asked and answered.
6 MR. BRAUN: Asked and answered.
7 BY MR. ANDERSON:
8 Q. Correct?
9 **A. No.**
10 Q. And who did you ask?
11 **A. I read the report and in -- in its**
12 **entirety. There was nothing to me that precluded**
13 **him from good and effective priestly ministry that**
14 **he had been giving.**
15 Q. So you relied upon the report and the
16 professionals that made the assessment?
17 **A. And the experience of his priestly**
18 **ministry.**
19 Q. Well, you had -- you had had him as a
20 priest in the -- in the Diocese now for two years?
21 **A. But he --**
22 Q. So what experience had you had with
23 him?
24 **A. But in the years before I came, he was**
25 **in ministry. So all of that experience, and he was**

Page 75

1 **a priest in good ministry.**
2 Q. So you relied upon two things, then,
3 the fact that he'd been a priest for as many years
4 as he had, right, number one?
5 **A. The years of priesthood that he has**
6 **had, that he had, there was no indication of a**
7 **danger or a -- in -- in the experience before I**
8 **came, that I knew of, and after I came.**
9 Q. And you also relied upon the
10 assessment by the professionals at St. John Vianney
11 Center, correct?
12 **A. I read the assessment, yes.**
13 Q. And then put him in ministry on that.
14 Let's look at that assessments, then, and let's
15 turn to page two fifty -- the last page of it, and
16 that would be Bates stamped 262, Bishop.
17 It states, "In light of the assessment
18 results, the following recommendations are offered."
19 Point one, "Father Sullivan should participate in
20 programming designed to increase his understanding
21 of the boundaries of appropriate behavior." Did he
22 participate in that?
23 **A. We have the ongoing education, yes,**
24 **that he participated in each year.**
25 Q. He did not follow that program, did

Page 76

1 he?
2 **A. He participated in the ongoing Safe**
3 **Environment education that we have every year.**
4 Q. It goes on to state, "He identifies
5 this as an area of need, which coupled with testing
6 results, strongly indicates boundary education should
7 be addressed immediately."
8 What boundary education was addressed
9 by you as the bishop in reliance of this report?
10 **A. Father Pat participated in our ongoing**
11 **Safe Environment education.**
12 Q. That's provided to all the priests?
13 **A. Correct.**
14 Q. Not specific to him or this
15 recommendation made by the evaluators, is it?
16 **A. It's -- it's a -- it's his involvement**
17 **each and every year, yes.**
18 Q. Were you aware, Bishop, that Sullivan
19 didn't want to cooperate with these people and
20 refused to cooperate and left and did not follow
21 the recommendation they gave?
22 **A. No.**
23 MR. BRAUN: Objection.
24 BY MR. ANDERSON:
25 Q. Is that news to you?

Page 77

1 MR. BRAUN: Objection, misstates
2 testimony, evidence not in -- in -- on the record.
3 BY MR. ANDERSON:
4 Q. Were you aware that he did not follow
5 the recommendations made to you by them?
6 **A. No.**
7 Q. It goes on to state, "His view on this
8 topic is naive, as he would face serious consequences
9 were he to touch a child or adult inappropriately.
10 It appears that without boundary education, both
11 Father Sullivan and those with whom he interacts
12 may be at risk." Do you remember reading that?
13 **A. I read the report, yes.**
14 Q. "Risk," do you remember reading that?
15 MR. BRAUN: Objection, asked and
16 answered.
17 THE WITNESS: I remember reading the
18 report.
19 BY MR. ANDERSON:
20 Q. Do you remember seeing the word "risk,"
21 he is "at risk"?
22 MR. BRAUN: Objection, asked and
23 answered.
24 BY MR. ANDERSON:
25 Q. Do you remember that?

Page 78

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 **A. I read the report.**
2 Q. Bishop, do you remember reading that
3 Sullivan is at risk according to the professionals
4 that tested and evaluated him?
5 MR. BRAUN: Objection, asked and
6 answered.
7 MR. WIESER: And argu -- argumentative,
8 Counsel.
9 MR. ANDERSON: No, it's not -- it's --
10 THE WITNESS: I read the report.
11 BY MR. ANDERSON:
12 Q. You don't remember reading the rest,
13 do you?
14 **A. I --**
15 MR. WIESER: Misstates the witness's
16 testimony.
17 MR. BRAUN: Same objection.
18 BY MR. ANDERSON:
19 Q. Then why don't you answer it?
20 MR. WIESER: Argumentative, Counsel,
21 please.
22 THE WITNESS: I read the report.
23 BY MR. ANDERSON:
24 Q. Do you remember seeing that he was at
25 risk based on the testing and the assessment done

Page 79

1 at the profes -- at your request by the
2 professionals where you sent him for weeks --
3 MR. BRAUN: Objection, asked and
4 answered.
5 BY MR. ANDERSON:
6 Q. -- that he was at risk, do you
7 remember that or not?
8 MR. WIESER: The re --
9 MR. BRAUN: Same objection.
10 BY MR. ANDERSON:
11 Q. Yes or no?
12 **A. I read the report.**
13 MR. WIESER: Excuse me. The report
14 speaks for itself. This witness has answered that
15 question numerous times, Counsel. Can we please
16 move on?
17 MR. ANDERSON: No, no.
18 BY MR. ANDERSON:
19 Q. We have a risk here, it's written,
20 it's at your request. You answer the question.
21 You can't evade the question by simply stating you
22 read the report.
23 The question is, do you remember it or
24 not?
25 MR. WIESER: Argu --

Page 80

1 BY MR. ANDERSON:
2 Q. If you don't remember it, you say I
3 don't, if you do, you say I do.
4 MR. WIESER: Counsel, please --
5 BY MR. ANDERSON:
6 Q. It's one or the other.
7 MR. WIESER: This is argumentative.
8 Please just ask --
9 MR. ANDERSON: No.
10 MR. WIESER: -- a question that you
11 have not asked before.
12 MR. ANDERSON: It's a question that
13 re -- it's a question that requires an answer.
14 MR. WIESER: I'm going to instruct
15 this witness not to answer. We've been over this
16 now many times, please move on.
17 BY MR. ANDERSON:
18 Q. So when you put -- put him in -- in --
19 in the ministry, you considered him not to be a
20 risk?
21 MR. WIESER: That question has also
22 been asked at least three times already.
23 THE WITNESS: Yes, I considered him
24 not to be at risk.
25 BY MR. ANDERSON:

Page 81

1 Q. And this report was not in your mind
2 or it was in your mind, which was it?
3 **A. All things considered, I did not**
4 **think -- I did not see him to be at risk. When you**
5 **read the report in its entirety, they did not**
6 **recommend that he not be in ministry, and I did**
7 **assign him then to priestly ministry, and there**
8 **were no concerns raised.**
9 Q. So you read the report, you saw that
10 he was at risk, and you put him in ministry, and
11 you took a gamble, didn't you?
12 MR. BRAUN: Objection as to form,
13 asked and answered.
14 BY MR. ANDERSON:
15 Q. You took the risk, didn't you?
16 MR. WIESER: And arg -- and
17 argumentative.
18 BY MR. ANDERSON:
19 Q. You can answer.
20 MR. WIESER: You don't have to answer
21 that witness -- or, Bishop, you don't have to
22 answer that. That's a -- that's an argumentative
23 comment, it's not a question.
24 BY MR. ANDERSON:
25 Q. Did you discuss that report and the

Page 82

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 language in it that he was at risk with anybody
2 else?
3 **A. I remember dis -- I -- I believe I**
4 **talked about the report with Father Baumgartner.**
5 **Again, in substance, it's not recommending that he**
6 **not be in ministry.**
7 Q. Well, it didn't say that in the
8 report, that's your decision to make, and they
9 didn't say that in the report, correct?
10 **A. In substance, as I read the whole**
11 **report, it did not say he should not be in ministry.**
12 Q. That was your interpretation, they did
13 not say that in the report, you read it, correct?
14 MR. BRAUN: Objection, asked and
15 answered.
16 THE WITNESS: As I read the report, in
17 substance, they did not say he should not be in
18 ministry. Read the report, it does not say he
19 should not be in ministry.
20 BY MR. ANDERSON:
21 Q. Look at the report, Bishop, tell us
22 where that says that?
23 **A. In substance --**
24 Q. No. Tell us -- I've read the report.
25 You look at the report, point to that where it says

Page 83

1 suggesting to you that he should be in ministry and
2 that he was fit to be in ministry?
3 **A. Yes.**
4 Q. Are you saying the report, then, says
5 that he is not a risk?
6 **A. In substance, the report does not say**
7 **he should not be in ministry.**
8 Q. The report says he is a risk, doesn't
9 it?
10 MR. WIESER: The report speaks for
11 itself, Counsel.
12 THE WITNESS: The report says what it
13 says.
14 BY MR. ANDERSON:
15 Q. It says, "It appears...without
16 boundary education, both Father Sullivan and those
17 with whom he interacts may be at risk," correct?
18 **A. That's what you just read, yes.**
19 Q. That's in the report, upon which you
20 relied, correct?
21 **A. "May be," yes.**
22 Q. Did you ever call Dr. Coupe, the
23 psychologist, that's James Coupe, C-O-U-P-E, the
24 psychologist who licensed -- who prepared this
25 report along with the team identified in this that

Page 85

1 he should not be in ministry?
2 MR. BRAUN: Objection, argumentative.
3 MR. WIESER: You're misstating the
4 witness's testimony, Counsel. He indicates that
5 the report does not say that Father Sullivan should
6 not be in ministry. It's a double negative.
7 There's nothing in the report that says he should
8 not be in ministry.
9 BY MR. ANDERSON:
10 Q. Where is that -- Are you suggesting,
11 Bishop, that that report suggests to you, as the
12 bishop that's evaluating this priest and in charge
13 of him, that he should be in ministry?
14 **A. I am saying that the report does not**
15 **say he should not be in ministry.**
16 Q. Are you then saying a priority that
17 the report is suggesting he should be?
18 **A. What I'm saying is that the report**
19 **does not say he should not be in ministry.**
20 Q. That is a double negative.
21 Are you saying, then, the report
22 suggests that he should be in ministry?
23 **A. The report to me, as the bishop, does**
24 **not indicate that he should not be in ministry.**
25 Q. Bishop, are you saying the report is

Page 84

1 did the testing and the assessment?
2 **A. I believe I spoke with -- with them.**
3 **I -- I don't remember the names, but I -- I -- I**
4 **believe I did speak with them, yes.**
5 Q. And did you ask them about the risk
6 that they identified?
7 **A. To my recollection, I asked them about**
8 **ministry and being put into ministry, yes.**
9 Q. And what did they say?
10 **A. I don't remember them saying that he**
11 **was not fit for ministry.**
12 Q. What did they say? You just told us
13 what they didn't say. What did they say?
14 **A. I -- I don't remember exactly.**
15 Q. Yeah. You don't -- you don't even
16 remember asking, do you?
17 **A. You know, I -- um, I don't remember**
18 **specifically speaking with them. So I'll -- I'll**
19 **adjust that.**
20 Q. Okay.
21 **A. Now that you've asked that, I don't**
22 **remember --**
23 Q. Fair enough.
24 **A. -- speaking specifically with this**
25 **group.**

Page 86

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 Q. Thank you. I'm going to show you
2 another exhibit. This is --
3 MS. GOFFE: That's yours.
4 MR. ANDERSON: Oh.
5 BY MR. ANDERSON:
6 Q. I'm going to show you another exhibit.
7 This would be Exhibit 16, we've marked it. It's
8 Bates stamped 225 on the first page. This would be
9 the Psychiatric Discharge Summary of St. John
10 Vianney Center. The date of this admission says
11 07/05/2009, and the date of discharge is 08/07/2009.
12 Did you read this, Bishop?
13 **A. Yes.**
14 Q. Do you remember reading it?
15 **A. As I sit here today, I -- I don't, but**
16 **I -- I -- I -- I remember reading it, yes, I guess**
17 **I do.**
18 Q. Do you remember what it told you about
19 what you should do with this priest and his fitness
20 to return?
21 **A. Specifically, no, sitting --**
22 Q. Do you remember what recommendations
23 they made to you about what should be done by you
24 to make sure he wasn't a risk to others?
25 **A. Sitting here today, no.**

Page 87

1 Q. Okay. Let's look at -- let's turn to
2 the second page, Bates stamped 226. The second to
3 the last paragraph, at the bottom it states, in the
4 first sentence, "Two years ago, the Diocese had
5 recommended to father that he leave the assignment."
6 What do you remember about that and
7 what do you know about that?
8 **A. I don't recall anything about that.**
9 Q. It states, "He took that as an insult,
10 fought the recommendation, and eventually prevailed."
11 So do you remember discerning that
12 Sullivan had a history of having been defiant to
13 recommendations made by superiors or others?
14 **A. No.**
15 MR. WIESER: Objection, argumentative.
16 BY MR. ANDERSON:
17 Q. Your answer is you do not?
18 **A. No, no.**
19 Q. Let's go to the third page, Bates
20 stamped 227. It states, "Father reported misgivings
21 about being at St. John Vianney Center because it
22 was a hospital. He was expecting a retreat
23 atmosphere with mental health consultations
24 available."
25 So do you remember him being unhappy

Page 88

1 about being there?
2 **A. Yes, I think I do.**
3 Q. Okay. What did he tell you about that
4 or what do you -- what do you remember about that?
5 **A. I remember just as he -- as you -- as**
6 **it says there, that he was unhappy to be there. As**
7 **I said, I'd -- I'd sent him there for some rest**
8 **and -- and an evaluation, and he is not -- he was**
9 **not familiar with the place. So that's my**
10 **recollection.**
11 Q. So did you have any ongoing
12 conversations -- you had authorization for release
13 of medical records, so you could have called his
14 evaluators and/or treat -- treaters at the
15 psychiatric facility. Did you call any of them or
16 ask them to call you?
17 **A. I don't recollect that.**
18 Q. Let's turn to the page Bates stamped
19 230, that would be about five pages ahead, lower
20 right-hand corner, 230. In the first paragraph it
21 states, "In his assessment sessions and in his
22 behavior in the milieu, Father quickly demonstrated
23 his difficulty with boundaries." Do you remember
24 reading that?
25 **A. No.**

Page 89

1 Q. It states, "He touched staff and
2 residents repeatedly without asking, even beginning
3 to give residents shoulder and back massages
4 without apparent appreciation of what this might
5 mean to them." Do you remember reading that?
6 **A. No.**
7 Q. When you read that today, doesn't it
8 alarm you?
9 **A. Yes, somewhat.**
10 Q. The next paragraph, in the middle of
11 it, I'm going to read a part that starts where it
12 says, "He characterized." Do you see that line,
13 the next paragraph down?
14 **A. 230?**
15 Q. Yeah, it -- yeah, the same -- it
16 starts with "When difficulties were pointed out to
17 him, he was frequently defensive, and he consistently
18 tended to minimize problems." First --
19 MR. WIESER: Right there (indicating).
20 BY MR. ANDERSON:
21 Q. -- did you know that he was frequently
22 defensive and minimized problems?
23 **A. No.**
24 Q. "For example," it states, "while he
25 had clearly been dysthymic for years and perhaps

Page 90

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 had some episodes of major depression, he preferred
2 to think of himself as someone who had a seasonal
3 affective disorder," period.
4 Did you know that that's the way he
5 saw himself?
6 **A. I don't recall that, no.**
7 Q. It goes on to state, "He characterized
8 his coming to St. John Vianney Center as a time for
9 rest and refreshment of his spirit rather than as a
10 result of some interpersonal problems he may have
11 had. He minimized boundary problems as simply" as
12 "his way of relating with others."
13 When you read that, does this cause
14 you alarm?
15 **A. I recognize what it says.**
16 Q. Does it cause you alarm?
17 **A. Not alarm, but concern maybe.**
18 Q. Well, then, why didn't it con -- cause
19 you concern enough or alarm enough to then go ahead
20 and just put him back in a parish without
21 restriction or monitoring?
22 MR. BRAUN: Objection as to form.
23 BY MR. ANDERSON:
24 Q. Then?
25 **A. In -- in total, these were things for**

Page 91

1 **him to be aware of and to -- to work on, and he**
2 **would do that and was made aware of them and was**
3 **put back in ministry.**
4 Q. Well, so far we've covered in this
5 report and in this discharge that he was engaged in
6 boundary violations, he was denying, and he was
7 minimizing, right?
8 **A. The report is what the report says.**
9 Q. Well, it says all those three things,
10 among other things, doesn't it, Bishop?
11 **A. We heard -- we heard these, we looked**
12 **at these, and we would watch these, and he went**
13 **back to ministry.**
14 Q. Okay.
15 **A. His diocesan contact person supported**
16 **this recommendation, and he listened, pointed to**
17 **the areas of disagreement, and so on.**
18 Q. Let's -- let's see what else they
19 recommend and find. The last paragraph they state,
20 "At the conclusion of his assessments, Father
21 Sullivan, his treatment team, and his diocesan
22 contact person had a conference to discuss the
23 findings." Who is that diocesan contact person?
24 **A. I don't remember if it was myself or**
25 **Father Baumgartner.**

Page 92

1 Q. Do you know if any notes were made by
2 that contact person, yourself, or whomever it was?
3 **A. I don't recall.**
4 Q. It goes on to state, "Because of his
5 problems with emotional awareness, professional and
6 personal boundaries, depression and isolation, and
7 impulsivity, his treatment team recommended a
8 period of residential treatment as the first phase
9 of treatment. His diocesan contact person
10 supported this recommendation." Did I read that
11 correctly?
12 **A. That's what it says.**
13 Q. And did you read that when this was
14 received by you?
15 **A. To the best of my recollection.**
16 Q. And he did not follow this
17 recommendation made by the assessor, by his
18 treatment team, and the diocesan contact person,
19 whoever that was, did he?
20 **A. Did who, did Father?**
21 Q. Yeah. Sullivan didn't follow that?
22 **A. No. He went back to ministry, and**
23 **there were no reports of difficulties after that,**
24 **after he was made aware of these things.**
25 Q. He did not follow the recommendation

Page 93

1 for residential treatment?
2 MR. BRAUN: Objection, asked and
3 answered.
4 BY MR. ANDERSON:
5 Q. Did he?
6 **A. He went back into ministry, and there**
7 **was no further reports of difficulties.**
8 Q. Bishop, you knew he did not follow the
9 recommendation, didn't you?
10 MR. BRAUN: Objection, argumentative.
11 THE WITNESS: He went back to ministry,
12 he was put back in ministry.
13 BY MR. ANDERSON:
14 Q. Bishop, Bishop, listen to the question,
15 okay, look at me, okay.
16 When you placed Father Sullivan in
17 ministry after having received this report and this
18 summary by the professionals, you knew he had not
19 followed and had, in fact, defied the recommendation
20 made by these professionals to you, correct?
21 MR. BRAUN: Objection, asked and
22 answered.
23 THE WITNESS: He was put back in
24 ministry, and there were no further reports that I
25 remember of him not following these recommendations.

Page 94

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 BY MR. ANDERSON:
2 Q. Did you check?
3 **A. He was in ministry, and I continued**
4 **to -- to be his bishop and to work with him and,**
5 **yes, watch him, and there were no further complaints**
6 **of these difficulties.**
7 Q. How did you watch him?
8 **A. Well, I watched him by visiting with**
9 **him and -- and -- and listening to the folks at the**
10 **parish. There were no letters that I remember.**
11 Q. You didn't put him on monitoring, did
12 you?
13 **A. Not to my recollection.**
14 Q. You didn't assign him a supervisor to
15 check in with him weekly, monthly or daily, did you?
16 **A. I don't remember.**
17 Q. Why do you think the treatment team,
18 the psychiatrist and psychologist assessing him,
19 and even the contact person from the Diocese that
20 was a part of this meeting made such a recommendation
21 if it wasn't needed and there wasn't a risk?
22 MR. BRAUN: Objection. This witness
23 lacks foundation to answer that question.
24 MR. WIESER: Also calls for speculation.
25 THE WITNESS: What's the question?

Page 95

1 BY MR. ANDERSON:
2 Q. Why do you think they recommended
3 inpatient residential treatment?
4 **A. That's what -- they were doing their**
5 **job.**
6 MR. BRAUN: Same objection.
7 BY MR. ANDERSON:
8 Q. But he didn't go to it, did he, he
9 didn't go to inpatient treatment?
10 **A. As I said, he was returned to ministry**
11 **and there were no further concerns expressed.**
12 Q. And he --
13 **A. As we watched the situation.**
14 Q. And he was returned to ministry by you
15 because that's what he wanted and he asked you to
16 do, correct?
17 MR. BRAUN: Objection, argumentative.
18 THE WITNESS: I can't answer what --
19 what he was wanting.
20 BY MR. ANDERSON:
21 Q. Well, you re -- who made the decision
22 to put him in there?
23 **A. That's my decision.**
24 Q. And he requested he be sent back into
25 ministry of you?

Page 96

1 **A. He wanted to go back to ministry, yes,**
2 **certainly.**
3 Q. And you complied with his request?
4 **A. I --**
5 Q. -- correct?
6 **A. -- gathered all this, and, in my**
7 **estimation, there was nothing to prevent him**
8 **from -- from being put back in ministry, and I put**
9 **him back in ministry, and there were no subsequent**
10 **concerns expressed in his ministry. He did good**
11 **ministry and continues to do good ministry.**
12 Q. Well, wouldn't a risk -- You think he
13 continues to do good ministry, huh?
14 **A. I do.**
15 Q. Yeah. So you think he wasn't a risk
16 at the time they made this recommendation?
17 **A. All things --**
18 MR. BRAUN: Objection as to vague.
19 MR. WIESER: And also --
20 BY MR. ANDERSON:
21 Q. You can answer.
22 MR. WIESER: -- asked and answered.
23 THE WITNESS: When I read the
24 summaries, the -- the reports and -- it was my
25 estimation that there was nothing substantial to

Page 97

1 prevent him from being back in ministry, and I put
2 him back in ministry, and there were no subsequent
3 reports of misconduct.
4 BY MR. ANDERSON:
5 Q. Let's -- let's see what he did
6 actually request, contrary to what they recommended
7 and that you followed. The last sentence, it says,
8 consequentially -- "Consequently, pursuant to his
9 requests, he was discharged from residential
10 assessment to a program of outpatient treatment
11 that included recommendations for psychotherapy,
12 psychiatric consultations as indicated for
13 dysthymia and attention concentration problems,
14 spiritual direction, use of support persons, and
15 ministry as assigned by his Bishop." Those are all
16 the things requested by him according to this,
17 correct?
18 **A. That's what it says.**
19 Q. Yes. And he made and -- and you
20 complied with his request to put him back in
21 ministry, correct?
22 MR. BRAUN: Objection, asked and
23 answered.
24 THE WITNESS: He wanted to go back to
25 ministry. I did put him back in ministry.

Page 98

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

<p>1 BY MR. ANDERSON: 2 Q. And so what was done by you to make 3 sure that he complied with any of these conditions 4 upon his return to ministry? 5 MR. WIESER: Objection, 6 mischaracterizes the information in the report when 7 you use the term conditions. Go ahead. 8 THE WITNESS: He was put back in 9 ministry -- 10 MR. ANDERSON: Well, let's -- let's 11 rephrase it, then. 12 BY MR. ANDERSON: 13 Q. What was done by you to assure that he 14 followed the recommendations that are made that he 15 requested as a part of his return to ministry by you? 16 A. I don't remember. 17 Q. So they recommend psychotherapy. You 18 don't know if he went to psychotherapy, do you? 19 A. I -- I don't remember. 20 Q. You never got his records, did you, if 21 he did? 22 A. I don't remember right now. 23 Q. And you never did any follow-through 24 on whether he did comply with that provision, did 25 you?</p> <p style="text-align: right;">Page 99</p>	<p>1 didn't ask him or you didn't ask his therapist, did 2 you? 3 A. I don't remember sitting here today. 4 Q. Was he assigned support persons as he 5 requested in these recommendations? 6 A. I don't remember sitting here today. 7 Q. You do remember just putting him back 8 in because you thought there wasn't a risk, is that 9 it? 10 MR. WIESER: Objection. 11 MR. BRAUN: Objection. 12 MR. WIESER: Mischaracterizes the 13 testimony, asked and answered. 14 BY MR. ANDERSON: 15 Q. Or is it because you knew there was a 16 risk and you chose to take it? 17 MR. BRAUN: Objection. 18 MR. WIESER: Objection, argumentative. 19 Bishop, you don't have to answer that question. 20 BY MR. ANDERSON: 21 Q. Does reading this report with us today 22 and looking at both the findings that they made and 23 the recommendations they made and his noncompliance 24 with that and you putting him in ministry, now 25 reading this and reviewing this with us, cause you</p> <p style="text-align: right;">Page 101</p>
<p>1 A. I followed through on whether he was 2 giving good and adequate ministry, yes. 3 Q. Well, you didn't follow through on 4 seeing whether he was in psychotherapy because you 5 don't even -- 6 A. I don't -- 7 Q. -- know if he -- 8 A. I don't remember. 9 Q. Well, you don't know that he was in 10 psychotherapy, do you? 11 A. I don't remember. 12 MR. WIESER: It mis -- mischaracterizes 13 the witness's testimony, but go ahead. 14 BY MR. ANDERSON: 15 Q. And it also says recommends at his 16 request, instead of inpatient treatment he 17 requested in addition to psychotherapy, psychiatric 18 consultations as indicated for his problems. What 19 do you know about the psychiatric consultations 20 that were recommended at his request? 21 A. I don't remember. 22 Q. You don't know anything about it, do 23 you? 24 A. I don't remember sitting here today. 25 Q. Because you didn't ask, did you, you</p> <p style="text-align: right;">Page 100</p>	<p>1 alarm today? 2 A. Alarm is not the word. 3 Q. Aren't you concerned about the safety 4 of the kids out there? You got that guy out there, 5 you've got that guy in ministry, you've got this 6 report, and I having reviewed this with you, it's 7 making me sick. I'm taking a break. 8 THE VIDEOGRAPHER: We are going off 9 the record at 12:18 p.m. 10 (Break from 12:18 to 12:28.) 11 THE VIDEOGRAPHER: We are back on the 12 record at 12:26 -- 12:28 p.m. 13 MR. ANDERSON: All right. First, I 14 want to begin by offering on the record an apology 15 to you, Bishop, and to Counsel, for raising my 16 voice in anger. I do not like that I get angry and 17 express to anybody words in anger. I've never 18 spoken in anger and not regretted it, and I regret 19 having spoken in anger. 20 THE WITNESS: Thank you. 21 MR. ANDERSON: So I do apologize. 22 THE WITNESS: Thank you. 23 MR. ANDERSON: I am prepared, however, 24 to continue, because I don't have many more questions 25 for purposes of a limited purpose of today. Okay?</p> <p style="text-align: right;">Page 102</p>

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 THE WITNESS: Okay.
2 MR. ANDERSON: And so I'm going to try
3 to conclude.
4 BY MR. ANDERSON:
5 Q. And you have before you Exhibits 9,
6 which is the report of the Psychological Assessment
7 that we've covered, and you have -- which is dated
8 July 13, 2009, and you have before you Exhibit 16,
9 which is the Psychiatric Discharge Summary dated
10 August 7th, 2009, correct?
11 **A. Correct.**
12 Q. Now I'm going to direct your attention
13 to Exhibit 11, and that would be the exhibit I
14 showed you earlier, and this is a memorandum dated
15 September 15th, 2009. Now, this is the memorandum
16 from Monsignor Baumgartner, correct?
17 **A. Correct.**
18 Q. And this is the memorandum in the file
19 of Sullivan in which Baumgartner has made the report
20 to you and followed up on the investigation of the
21 allegation of sexual abuse by Father Sullivan of a
22 minor, correct?
23 **A. Yes, I believe that's right.**
24 Q. And so this is one -- about one to two
25 months after Sullivan is discharged with

Page 103

1 recommendations and the findings that we just
2 reviewed in Exhibits 9 and 16, correct?
3 **A. Correct.**
4 Q. And this is after now you have now
5 placed Sullivan in a parish without restriction to
6 minister to the faithful without letting anybody
7 know outside your office about the findings that
8 had been made at St. John Vianney, correct?
9 **A. Father Pat is back in ministry, yes.**
10 Q. Okay. And you had not told anybody
11 about what they had found or what they had
12 recommended, correct?
13 **A. That's correct, according to my**
14 **recommenda -- rec -- recollection, yes.**
15 Q. So let's look at Exhibit 11, then,
16 September 15, 2009. This is where "Fr. Jerry
17 Rogers talked to me in person...He received three
18 phone calls from a 17 year old young man who
19 identified himself as" it's blanked out, but I
20 think it was is what it was, and then
21 he recites for you and your eyes what he had been
22 told; is that correct?
23 **A. Correct here.**
24 Q. And, then, you'll see one-third of the
25 page down it is recorded, "I informed Bishop

Page 104

1 Hoepfner of the accusation." And we already covered
2 that, correct?
3 **A. Correct.**
4 Q. And so when you said to me earlier
5 that that accusation had been made before you sent
6 him to treatment and assessment, you were mistaken,
7 weren't you?
8 **A. According to these dates, this is**
9 **September, and you have -- and we have July and**
10 **August, correct.**
11 Q. Yes.
12 **A. Okay.**
13 Q. So that was simply a mistake?
14 **A. I believe so.**
15 Q. Okay.
16 **A. And the September one you gave me here**
17 **notes the allegations unsubstantiated, the final**
18 **page.**
19 Q. At the time you receive this
20 memorandum, in September of 2009, one-and-a-half
21 months after he is discharged with findings of
22 boundary violations, impulse control problems,
23 recommendations for inpatient residential treatment,
24 none of which he followed, and then a discharge
25 with other recommendations, none of which there is

Page 105

1 evidence he followed, you now get a report that, in
2 fact, he had -- of a risk in which he is accused of
3 having abused a kid who is 17 years old, correct?
4 MR. BRAUN: Objection, compound.
5 THE WITNESS: My recollection is that
6 this is an upsub -- unsubstantiated report that we
7 looked into, as we take all reports seriously.
8 BY MR. ANDERSON:
9 Q. At the time you first received it, did
10 you consider it unsubstantiated?
11 **A. It's something we would have to look**
12 **into.**
13 Q. And did you use any professionals to
14 look into it?
15 **A. I don't recall.**
16 Q. Anybody trained in discerning what
17 credible accusations of sexual abuse are and would
18 look like?
19 **A. The Diocese of Crookston, the vicar**
20 **general is charged with looking into these matters.**
21 Q. So the only one that really looked
22 into it that led you to make the recommendation it
23 was unsubstantiated was -- was Monsignor
24 Baumgartner?
25 MR. BRAUN: Objection, misstates his

Page 106

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 testimony.
2 MR. WIESER: Also mischaracterizes the
3 report.
4 BY MR. ANDERSON:
5 Q. So upon whom did you rely in making a
6 determination that it was unsubstantiated?
7 **A. I relied on -- on this report that**
8 **says so and talking with Father Baumgartner, to my**
9 **recollection.**
10 Q. When you got the report as outlined by
11 Monsignor Baumgartner that a youth had now accused
12 of -- Father Sullivan of sexual abuse of him while
13 having been at the parish in Red Lake, a crime, did
14 you report that directly to law enforcement, yes or
15 no?
16 **A. When I received from Father Baumgartner,**
17 **I informed Bishop Hoepfner of the accusation. I --**
18 **he was charged with reporting that. The vicar**
19 **general reports these, and so it was taken care of,**
20 **to be reported on behalf of the Diocese by Father**
21 **Baumgartner.**
22 Q. And so did you instruct Baumgartner
23 then, when he reported, to make sure that law
24 enforcement, who received the report, also got the
25 same evidence that you had and the same documents

Page 107

1 in your possession that included the same
2 recommendations, that this guy was a risk, who had
3 boundary violations, impulse control problems, had
4 been required to go to inpatient treatment, which
5 he refused, and did you ins -- let me withdraw that
6 question.
7 Did you instruct Baumgartner to give
8 these reports, Exhibits 9 and 16, to the police?
9 **A. Not to my recollection.**
10 Q. In fact, the Diocese withheld it from
11 the police, didn't they?
12 MR. BRAUN: Objection as to the
13 characterization --
14 THE WITNESS: I just answered, I don't
15 recall instructing Father Baumgartner to give them
16 that material, no.
17 BY MR. ANDERSON:
18 Q. The Diocese has never been told about
19 these -- I mean, the police have never been told
20 about these reports that I just reviewed with you,
21 Exhibit 9 and 11 -- or 9 and 16, have it -- have
22 they?
23 MR. BRAUN: Objection as to foundation.
24 MR. WIESER: Calls for speculation.
25 BY MR. ANDERSON:

Page 108

1 Q. Well, to your knowledge, have law
2 enforcement ever seen Exhibit 9 or 16?
3 **A. Uh, not to my knowledge.**
4 Q. And when you returned Sullivan to
5 ministry, did you ever tell anybody in the parish,
6 either today or in the past months as you've been
7 reporting, that this guy was falsely accused and
8 he's celebrating his innocence and allowing to be
9 in ministry, that -- that he has a history of
10 boundary violations and he was -- refused to go to
11 treatment, as recommended by professionals, did you
12 ever tell anybody that?
13 MR. BRAUN: Objection as to form.
14 THE WITNESS: What was the question?
15 BY MR. ANDERSON:
16 Q. Did you ever tell the people about the
17 risk that was discerned by the professionals?
18 **A. We take all things into consideration,**
19 **we make a determination to put the man back into**
20 **ministry. That's what was done.**
21 MR. ANDERSON: Let me have Exhibit 13.
22 BY MR. ANDERSON:
23 Q. There was a re -- a review board
24 process that you went through with him before he
25 was reinstated, wasn't there?

Page 109

1 **A. We're talking about recently now, huh?**
2 Q. Yes.
3 **A. So --**
4 Q. After we sued, you pulled him out for
5 a while?
6 **A. Recently.**
7 Q. Yes.
8 **A. Correct. We have a review board.**
9 **Again, I mentioned we certainly comply, and every**
10 **year we're found compliant with the Charter for the**
11 **Protection of Children and the norms. We have a**
12 **wonderful review board. There are two police**
13 **officers, an assistant police chief and a sheriff.**
14 **There are two social workers. There's an attorney**
15 **in charge -- a person --**
16 Q. You -- you picked --
17 **A. -- who this --**
18 Q. -- the review board, didn't you?
19 **A. -- person is in charge of -- family**
20 **services attorney and a priest on the review board.**
21 **I appoint them to the review board,**
22 **Monsignor Foltz, the current vicar gen -- vicar**
23 **general, is charged with working with the review**
24 **board, yes.**
25 Q. The question is --

Page 110

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

1 **A. Wonderful review board.**
2 Q. -- you picked the review board, didn't
3 you?
4 **A. I assigned people to the review board.**
5 Q. You picked them?
6 **A. I assigned them. Father Foltz worked**
7 **it to assemble them, and I assigned them.**
8 Q. And you removed Sullivan after we sued
9 the Diocese because he was in ministry, didn't you?
10 **A. Pardon?**
11 Q. You removed Sullivan from ministry
12 after we sued you and the Diocese?
13 **A. When an accusation is made, we do a**
14 **preliminary investigation, which takes the person**
15 **out of ministry while that's ongoing.**
16 Q. It's because we sued you, right?
17 **A. Because an alle -- a formal allegation**
18 **with an accuser came forward, and so we took him**
19 **out of ministry while that's investigated, yes.**
20 Q. That same accuser had come forward in
21 2009?
22 **A. That same accuser?**
23 Q. Yes.
24 MR. BRAUN: Objection, misstates the
25 evidence.

Page 111

1 THE WITNESS: I'm not sure that that's
2 the same accuser. I'm aware that this accuser came
3 forward now. And so, as I said, we took the person,
4 Father Pat, out of ministry while this was
5 investigated.
6 BY MR. ANDERSON:
7 Q. So it's correct to say that you had
8 not told anybody in the public about what you knew
9 about Sullivan's history, either in treatment or
10 the accusation that had been made, until the
11 lawsuit was brought by our office against you and
12 the Diocese and made public, correct?
13 **A. When --**
14 Q. Is that correct?
15 **A. -- your office came forward, we made**
16 **that known, and we removed Father Sullivan from**
17 **ministry while this was being investigated.**
18 Q. And you had made nothing known about
19 Sullivan's history, both in treatment or assessment
20 or the earlier accusations, before we sued you and
21 the Diocese, correct?
22 MR. BRAUN: Objection,
23 mischaracterization of his previous testimony.
24 THE WITNESS: When -- when this
25 accusation --

Page 112

1 BY MR. ANDERSON:
2 Q. Is that correct --
3 **A. -- came forward --**
4 Q. -- or not, Bishop?
5 **A. Before then, no.**
6 Q. Okay, thank you.
7 I'm showing you Exhibit 13. This is a
8 statement you made responsive to the filing of the
9 suit, is it not?
10 **A. It -- yes, appears to be.**
11 Q. And it's a statement that you made
12 after you made the decision to return him to
13 ministry because you claimed, based on your
14 process, that the allegations were unsubstantiated,
15 right?
16 MR. WIESER: Well, just to be clear,
17 the document, as indicated, has a title of
18 Statement of the Diocese of Crookston. So it's a
19 Statement of the Diocese of Crookston.
20 BY MR. ANDERSON:
21 Q. Well, you're the bishop and you
22 approved the statement, didn't you?
23 **A. I did.**
24 Q. So it states, "The Plaintiff was
25 deposited by diocesan attorneys. The Diocese of

Page 113

1 Crookston Board of Review for the Protection of
2 Children and Young People...reviewed the deposition
3 of the Plaintiff and deemed the allegation not
4 credible."
5 So, when you tell the people and the
6 public about the reason for the reinstatement of
7 Sullivan to ministry, it's also correct, is it not,
8 that when you returned him to ministry you returned
9 him to ministry at this time without restriction?
10 **A. Correct.**
11 Q. Without monitoring?
12 **A. We always -- we monitor, we watch,**
13 **yes, so --**
14 Q. Without any special monitoring?
15 **A. With special restrictions, without**
16 **special monitoring, yes.**
17 Q. Without any special supervision?
18 **A. Correct.**
19 Q. He's just out there?
20 **A. Correct.**
21 Q. Right?
22 **A. Correct.**
23 Q. Okay. And when you had this submitted
24 to your review board, were they given Exhibits 9
25 and 16, the review -- the assessment and

Page 114

Bishop Michael Hoepfner - 10/8/2018
Doe 457 vs. Diocese of Crookston and St. Mary's Mission Church

<p>1 psychiatric findings of St. John Vianney? 2 A. Father Foltz is in charge of work with 3 the review board. I don't know off the top of my 4 head what information he gave them they reviewed 5 for their review. 6 Q. You don't know, do you? 7 A. Father Foltz is in charge, and he 8 worked with them. 9 Q. You're the one that's making the 10 decisions, you're the one that made the decision to 11 put him in ministry and tell the people that he was 12 effectively safe, weren't you? 13 MR. WIESER: Objection, argumentative. 14 THE WITNESS: As it states in the 15 statement, the review board recommended -- 16 recommended after reviewing the situation that he 17 put back in ministry. 18 BY MR. ANDERSON: 19 Q. You don't know if they reviewed these 20 exhibits, do you, you don't know that? 21 A. Father Foltz is in charge of that. 22 MR. WIESER: It's been asked and 23 answered, Counsel. 24 MR. ANDERSON: That's it. Thank you. 25 MR. WIESER: Review and sign. Thanks.</p> <p style="text-align: right;">Page 115</p>	
<p>1 THE VIDEOGRAPHER: We are going off 2 the record at 12:44 p.m. 3 MR. ANDERSON: Oh, yeah. We just have 4 to put on the record that, you know, there's an 5 agreement that there will be a continuation of the 6 deposition for reasons already state. It will be 7 done down at our offices as opposed to having us 8 come back up here, not that we don't enjoy the 9 town, it's just -- 10 THE WITNESS: It's great fishing. 11 THE VIDEOGRAPHER: We are off the 12 record at -- 13 MR. WIESER: Thank you. 14 THE VIDEOGRAPHER: -- 12:45 p.m. 15 (Whereupon, the video deposition 16 of BISHOP MICHAEL HOEPPNER was concluded at 17 12:45 p.m.) 18 19 20 21 22 23 24 25</p> <p style="text-align: right;">Page 116</p>	

1 I, BISHOP MICHAEL HOEPPNER, do hereby
2 certify that I have read the foregoing deposition
3 and found the same to be true and correct except as
4 follows, (noting the page and line number of the
5 change or addition as desired and the reason why):

6	Page	Line	Correction
7	_____	_____	_____
8	_____	_____	_____
9	_____	_____	_____
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22	_____	_____	_____
23	_____	_____	_____

24
25 Date: BISHOP MICHAEL HOEPPNER

1 DEPOSITION REFERENCE INDEX

2

3 EXAMINATION:

4 By Mr. Anderson: 4

5

6 INSTRUCTIONS NOT TO ANSWER:

7 By Mr. Wieser: 81, 82, 101

8

9 EXHIBIT REFERENCE INDEX

10 Exhibit No. 9 - Report of Psychological
11 Assessment of Father Patrick Sullivan,
12 dated July 13, 2009.....65

13 Exhibit No. 11 - September 2009 memo from
14 Monsignor Baumgartner.....48

15 Exhibit No. 13 - Statement of the Diocese of
16 Crookston re: Reinstatement to Priestly
17 Ministry of Fr. Pat Sullivan.....113

18 Exhibit No. 16 - Psychiatric Discharge
19 Summary of Father Patrick Sullivan.....87

20

21

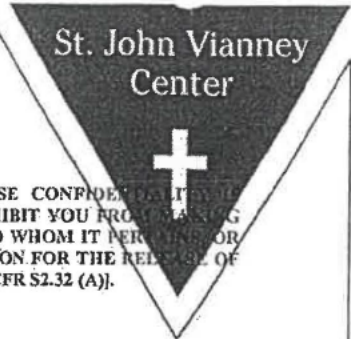
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tabbies 10-8-18
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9
Hoepfner



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Report of Psychological Assessment

Name: Father Patrick Sullivan
Date of Evaluation: July 13, 2009
Date of Birth:
Evaluator: James Coupe, PsyD, MBA

Reason for Assessment:

Father Patrick Sullivan, a Roman Catholic Priest from the Diocese of Crookston, Minnesota, was referred for a psychological evaluation to assist in treatment planning. Father Sullivan initiated treatment on his own, as he desires to improve his mental state prior to beginning a new assignment next month. He has felt off for the past few years, which he attributes to a stressful environment.

Evaluation Methods:

Review of available records, including the following:

- St. John Vianney Center- Comprehensive Biopsychosocial Spiritual Assessment of Father Sullivan (07/05/09)
- Initial Psychiatric Assessment of Father Sullivan by James MacFadyen, M.D. (07/06/09)

- A-II Checklist (07/09/09)
- Beck Anxiety Inventory (BAI) (07/10/09)
- Beck Depression Inventory, Second Edition (BDI) (07/10/09)
- Beck Hopelessness Scale (BHI) (07/10/09)
- Beck Scale for Suicidal Ideation (BSS) (07/10/09)
- Clinical Interview (07/13/09)
- Millon Clinical Multiaxial Inventory-III (MCMI-III) (07/10/09)
- Minnesota Multiphasic Personality Inventory-2 (MMPI-2) (07/10/09)
- Multimodal Life History Inventory (07/13/09)
- Multiphasic Sexual Inventory Questionnaire (07/13/09)
- Paulhus Deception Scales (PDS) (06/08/09)
- Rorschach Inkblot Method (07/13/09)
- Sentence Completion Task (07/13/09)
- Substance Abuse Subtle Screening Inventory (The SASSI) (07/08/09)

Background Information:

Father Sullivan depicts a circuitous route to priesthood. He attended Catholic institutions throughout his education, graduating high school in 1970. He spent two years studying at the University of North Dakota, and then finished his college degree at St. Cloud State University in Minnesota. An accomplished ice hockey player, Father Sullivan tried out for the United States Olympic team in 1975. He made it through a few

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Diocese of Crookston
DOA: 07/05/2009 Client ID: 0061383
DOB: 05/11/1946
James MacFadyen, M.D.
Sr. Mary Lindsay, Ph.D.
SULLIVAN000254

rounds, but eventually was cut from the team. In the winter of 1975, he played semi-professional hockey in France. He earned some money and enjoyed exploring many facets of Europe.

Upon his return to the states in 1976, Father Sullivan took a position as the head coach of the men's ice hockey team at the University of Minnesota-Crookston. In addition to this position as a junior college coach, he earned money in real estate sales and home appraisals. His initial goal had been to be a college hockey coach and earn a million dollars; while he was making a decent living, but fell short of his financial goals. During this time in his life, Father Sullivan had participated in weekend religious retreats. He enjoyed spending time in group prayer and sharing with other people. His eyes were opened that individuals were truly surrendering their lives to Christ. During Lent of that year, Father Sullivan experienced difficulty getting out of bed, which he attributes to his mood. While he denies depression, he did feel somewhat down, which he attributes to a "seasonal thing." In order to address that problem, he resolved to attend daily Mass each day through Lent. He now realizes that he needs clear objective in order to get himself moving, but this had an additional benefit, as he experienced an intensified sense of religion. He assessed that coaching was not fulfilling, and priesthood might be his calling.

In 1978, Father Sullivan matriculated to St. Meinrad, which is a Benedictine seminary that accepted diocesan students from around the country. He had been advised to give seminary a try for a full year prior to deciding whether it was a good fit for him. He now realizes that that advice was a "gift," because there were a few challenges during that time in which he might have left seminary. Father Sullivan recalls seminary as phenomenal from a relational perspective, as he enjoyed the people and easily made friends. Notable, is that he has always created social relationships with ease. He participated in sports, such as tennis and racquetball, which facilitated meeting people. While he excelled socially, he struggled academically, earning mostly 'C' grades. He had trouble completing work on time, and keeping his thoughts connected with written work. In fact, he recalls a professor questioning his vocation. Father Sullivan did well spiritually as he derived pleasure from praying with his community and celebrating the sacraments. He felt positive emotionally, with no difficulties in that arena. He consumed alcohol casually, but recollects a seminary function when he drank too much. During his first year of seminary, Father Sullivan was infatuated with a classmate, which he "repressed." He was conflicted as that was the first time he had ever been attracted to another male, all of his previous attractions had been to females. He dealt with this attraction through prayer, and he was concerned that he did not want to make the other seminarian uncomfortable. He never let that person know of the attraction. In the subsequent seminary years, he did engage in mutual masturbation on approximately four occasions with other males, which led to thinking more about his sexual identity. By the late winter of 1982, Father Sullivan was troubled following one of these sexual encounters, and having already been ordained a deacon, he was concerned about the implications of his impending entrance into priesthood. He spoke with the Bishop, and requested a delay. He seemed to resolve those issues and was prepared for ordination in August 1982.

Father Sullivan's initial priestly assignment was as parochial vicar at Sacred Heart in East Grand Forks, Minnesota. He shared the rectory with the pastor, who he describes

Sullivan, Patrick (Father)
Diocese of Crookston
DOA: 07/05/2009 Client ID: 0061383
DOB: 05/15/1952
James MacFadyen, M.D.
Sr. Mary Lindsay, Ph.D.

SULLIVAN000255

as a “workaholic.” The two men did not relate well; in fact, at times the pastor would go a day or two without speaking to Father Sullivan. He notes that his predecessor who had the same last name, had a particularly problematic relationship with pastor, and he spent his first year attempting to behave differently than the previous associate. Despite their personal problems, Father Sullivan found the pastor to be a good preacher who was committed to the parishioners. During that assignment, Father Sullivan felt good emotionally. He was rewarded with his ministry and started an ice hockey team at the high school. He socialized with parishioners, and the nuns assigned to the parish, consuming alcohol moderately during that time. He did not engage in any sexual activity. Active spiritually, he led a men’s weekly prayer group and took pleasure in saying Mass.

In 1984, Father Sullivan was working a dual assignment, as administrator of the Neumann Center in Bemidji, Minnesota and as pastor of St. John Nebish, a small parish 20 miles away. The Neumann Center was located on a college campus, and he had an apartment there. His job was essentially to run the Catholic Church at the university which was challenging because he felt a sense of “academic inadequacy,” that led to a fear that a professor would question him on philosophical or theological issues, and that he would be exposed as a fool. By 1987, he was transferred from St. John Nebish to Sacred Heart, which was also close to the Neumann Center where he remained. He felt good emotionally, and experienced no difficulties with alcohol, though he drank at social gatherings. He related well with most people in that area because of mutual interest in hockey. He experienced a significant spiritual event during a 10-day silent retreat where he learned to pray and sit with Jesus. He also realized he could use a variety of daily life events to teach the people about Jesus.

In 1990, Father Sullivan was named pastor of St. Mary in Warroad, Minnesota. He was also pastor of another parish, St. Philip Falan, located 20 miles away. This was another hockey area where he had an excellent experience. Living alone in the rectory, he kept himself busy with parish and ecumenical ministry. He was loved by the folks of that town, and was satisfied with his spiritual life. He felt good at the beginning of this assignment, but became lethargic, and eventually depressed by age 40. He initiated psychotherapy, and worked with a psychologist 100 miles away. Aware there was something wrong emotionally and that he needed help to sort out some of those issues, Father Sullivan was prescribed antidepressant medication by his primary care physician.

Since 1997, Father Sullivan has been assigned as pastor of St. Mary Mission in Red Lake, Minnesota located on an Indian reservation, which leads to a unique set of parameters that Father Sullivan had to follow. Making matters worse was that the previous pastor had elected to continue to reside in Red Lake. Father Sullivan, the previous pastor, and a Benedictine brother lived together in the rectory. There was an interesting dynamic as the brother saw the previous pastor as a father figure. Five years into the assignment, he found this to be an oppressive and depressive environment. Father Sullivan realized that he probably should have agreed to leave this assignment after a decade, and he now believes he was there for too many consecutive years. He initially enjoyed the assignment, but he has recently felt overwhelmed by the pressure from this “beautiful, phenomenal, crazy place.” In fact, he has had to deal with two lawsuits since he took this assignment. He variably took his antidepressant medication, and noted that he did not have time to feel depressed. The reservation is dry, and Father

Sullivan, Patrick (Father)
Diocese of Crookston
DOA: 07/05/2009 Client ID: 0061383
DOB: 05/15/1952
James MacFadyen, M.D.
Sr. Mary Lindsay, Ph.D.

SULLIVAN000256

Sullivan did not consume any alcohol on that land for many years. Father Sullivan's life became more difficult in 2005 when his father passed away. Shortly thereafter, his mother was diagnosed with cancer and there was a nearby school shooting, in which a student killed 9 people then himself. Father Sullivan believes he did not adequately mourn his father's passing, as he was consumed with his mother's health. He recalls that he was a "survivor," and he did what was necessary. Since 2005, Father Sullivan has spent much of his free time checking on his mother whose health has deteriorated. He has not had much of a social life, and now expects his mother will pass away within 18 months.

Father Sullivan is about to be transferred to another assignment, and he requested time to enter treatment because he is "burnt out." He now realizes that he has been in a co-dependent relationship with a dysfunctional parish for a number of years, and has expended much energy trying to change others and failing. He has felt different for the past 2-3 years, and "not in good shape" emotionally. He wants to rest, relax, and work on his procrastination and follow-through issues. Father Sullivan recognizes that he needs to work on a variety of issues in order to be in a better emotional state prior to starting the next assignment.

Father Sullivan reports no family history of mental illness and he is aware of his potential for addictive behavior, so he intentionally limits his exposure to probable addictive activities. He has played more Blackjack than he probably should, and has lost about \$500 over the past several months; \$200 on one occasion. He is mindful of the possibility of becoming addicted to gambling, and he has the same fear that alcohol could become an issue for him if he did not monitor it closely.

An account of Father Sullivan's history is offered in the Comprehensive Biopsychosocial Assessment; however, additional details regarding sexual history are provided here for informational purposes. Father Sullivan was not sexually abused as a child nor did he witness the abuse of another child according to his report. He first became attracted to females as a high school student, during which time he dated on a few occasions. He did not have sexual contact, but experienced guilt over his masturbatory habits. He went to confession and tried to limit that behavior. He recalls that he should not have taken communion at his grandmother's funeral, as he had not confessed to masturbation, for which he felt terrible. By college, Father Sullivan had engaged in sexual contact with a woman who he had been involved in a yearlong relationship. He participated in homosexual contact on a few occasions during seminary and once as a deacon. While Father Sullivan identifies as bisexual, he believes himself to be more heterosexual and is comfortable with his sexual identity. He shared that if priests were allowed to marry, he would probably do so.

Regarding the promises of chastity and celibacy taken when he entered the priesthood, Father Sullivan admits dealing with these issues with frustration at times. He does pretty well with these promises, stating the antidepressant medication reduces his libido, which helps.

Father Sullivan denies any deviant sexual fantasies nor has he ever been accused of inappropriate sexual contact with a minor. Father Sullivan offered that he struggles at times with understanding the appropriate boundaries with physical touch, which is of particular concern because he will be expected to interact with middle school age students at his next assignment. His physical interactions are different with adolescent

Sullivan, Patrick (Father)
Diocese of Crookston
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SULLIVAN000257

boys versus girls. He maintains that he likes to tickle children, though he becomes uncomfortable doing so with adolescent girls. He does not experience that level of discomfort with males. He states that he is comfortable with males not merely because of his sports background, but because of his limited contact with girls. As an example, he claims that he is unaware how sensitive female breasts are.

Behavioral Observations and Clinical Interview:

Father Sullivan met with this examiner for a total of nearly three hours on July 13, 2009 at the St. John Vianney Center. He was casually dressed and neatly groomed; appeared his stated age, and was of average height and thin. Fully oriented in all spheres throughout the assessment, Father Sullivan was cooperative with good eye contact. His gross- and fine-motor skills were observed to be intact. Father Sullivan's mood was positive with an affect that was full range and appropriate to the content of this evaluation. His expressive and language abilities were adequate with speech of normal tone and rate. He was mindful when responding to questions and spontaneously provided additional details. In fact, he seemed quite eager to share many details of his life, as he offered specifics about events in his life unsolicited. Father Sullivan often used humor appropriately during the conversation. After an hour, he informed that he preferred not to sit, and began to pace during the conversation and shared that he might have ADHD, because he has trouble sitting for long periods of time. Father Sullivan's associations were consistent and goal-directed. No disturbance in thought content was observed; he exhibited no evidence of any psychotic symptoms such as paranoia, delusions, ideas of reference, or visual, auditory, or tactile hallucinations. Father Sullivan denied present suicidal or homicidal ideation.

Father Sullivan currently reports that his mood is no longer depressed, for it has improved significantly over the past month. During this time, his interest in other people and activities has improved, with no sleep or appetite problems. He has felt restless (as evidenced by pacing for 45 minutes during this interview), fatigued, and guilty with some concentration problems. He has experienced no suicidal thoughts but acknowledges some symptoms of dysthymic disorder. His mood has been depressed for most days over the past two years along with a poor appetite, limited energy, low self-esteem, and concentration problems. He has never experienced a prolonged mood that was irritable, expansive or elevated. Father Sullivan notes his anxiety level as low, but at times felt consumed with thoughts about some problems at the assignment.

He reports no symptoms of a thought or substance abuse disorder, he is aware that he has an "addictive personality."

Father Sullivan's demeanor was amiable, as he was compliant throughout the evaluation, allowing for the establishment of a good rapport. He was willing to discuss many aspects of his life and disclose the necessary information. At times, he appeared to enjoy the conversation. Father Sullivan's level of effort was adequate throughout the process. Overall, data collected during this evaluation appear to be valid indicators of Father Sullivan's current functioning.

Sullivan, Patrick (Father)
Diocese of Crookston
DOA: 07/05/2009 Client ID: 0061383
DOB: 05/15/1952
James MacFadyen, M.D.
Sr. Mary Lindsay, Ph.D.

Results of Evaluation:**Emotional Functioning**

To assess Father Sullivan's emotional functioning, the Minnesota Multiphasic Personality Inventory (MMPI-2), Millon Clinical Multiaxial Inventory (MCMI-III), Rorschach Inkblot Method (RIM), A-II Checklist, the Beck Inventories and a sentence completion task were used. The MMPI-2 and MCMI-III are personality inventories utilized to evaluate what an individual will say about himself in everyday life. The results of these tests are an evaluation of a person's general level of psychopathology and willingness to fabricate or deny symptoms in the assessment situation. Father Sullivan's approach to the MMPI-2 was somewhat defensive, as he attempted to place himself in an overly positive light by minimizing faults and denying emotional difficulties. The resulting profile had marginal validity, and therefore needed to be interpreted carefully. On the MCMI-III, Father Sullivan presented with low self-revealing inclinations.

The Rorschach Inkblot Method is a psychometrically-valid instrument used to collect information about psychological perceptions, associations, and personality structure and dynamics. This instrument assesses aspects of a person's personality that may be outside of their immediate awareness and control. This capacity makes it more difficult to fabricate a mental illness where there is none, or pretend to be mentally healthy if this is not the case. Father Sullivan provided a sufficient amount of responses to yield reliable information and support interpretations. The A-II Checklist, Beck Inventories, and the other questionnaires are highly face valid measures used to assess symptoms of personality, anxiety, and mood disorders.

An additional measure, the Paulhus Deception Scales (PDS), was administered to determine Father Sullivan's tendency to give socially acceptable or desirable responses. The PDS consists of two scales, the first measures self-deception, which is linked to unconscious denial of psychologically-threatening thoughts and emotions. The second scale assesses conscious distortion toward self-enhancement. Father Sullivan's responses were within normal limits on both scales, indicating an open, self-revealing test-taking approach. This was in contrast to the defensive approach employed to both the MMPI-2 and MCMI-III.

An examination of the cognitive processes that underlie Father Sullivan's thinking patterns is critical in understanding how he interacts with the world. In order to form conclusions, individuals must proceed through a three-step process: acquiring information, making meaning from information (i.e., perceptions), and establishing judgments based upon the understanding of that information. People are unique in the manner in which they acquire information from the world around them. Father Sullivan typically utilizes an open and flexible approach to focus attention and process environmental information. This is an adaptive capacity that would allow him to process events in a detached or concerned manner when appropriate. While he usually maintains an adequate level of attention, there are occasions in which he does not process information as thoroughly as might be necessary, which may be attributable to limited desire to grasp complex concepts; consequently, he may oversimplify complex issues he encounters.

Perceptive ability refers to the process of interpreting events and people's behavior. Essentially, this is how people make meaning of information observed from their environment. Individuals who have trouble in this area often encounter adjustment

Sullivan, Patrick (Father)
Diocese of Crookston
DOA: 07/05/2009 Client ID: 0061383
DOB: 05/15/1952
James MacFadyen, M.D.
Sr. Mary Lindsay, Ph.D.

SULLIVAN000259

difficulties, as they view the world in a highly idiosyncratic manner. In more structured situations, Father Sullivan is capable of determining behaviors appropriate to the situation. His willingness to acknowledge obvious aspects of reality is an asset; however, there is evidence that he distorts less apparent aspects of reality. In these instances, Father Sullivan tends to misperceive events in his life. This would include problems understanding his own and others' motivations and behavior. At times, he may not accurately anticipate the consequences of his behavior. There is some indication that his misperceptions often occur within a social context, which limits potential for empathy and increases the possibility of inappropriate social behavior.

The quality of Father Sullivan's thinking is good, as he is capable of applying logic and keeping his thoughts connected. He possesses the cognitive ability to form reasonable conclusions. At times, his thinking may show some strained reasoning, which others might interpret as strange. He tends to be an inflexible thinker, as he holds rigidly to convictions. He might resist reconsidering his positions, even in light of new information.

While Father Sullivan reports his mood has improved over the last month, he indicates a depressive experience for most of the previous two years. Results of the psychological testing are consistent with this report, as there is evidence that he is susceptible to episodes of affective disturbance with depressed features. During these episodes, he experiences both a reduced ability to function effectively and a decreased quality of life. He reports occasional fears, but notes that his mood has been good recently. He also indicates an attraction to excitement, and that he rarely experiences guilt.

Psychological assessment indicates that Father Sullivan is an emotionally mature man who modulates his feelings in a manner expected of adults. He is willing to become engaged in emotional situations, an adaptive finding. He is able to modulate emotions slowly when he necessary, and in a more spontaneous manner at other times. Father Sullivan appears more inclined toward a formal, restrained expression of stable emotions. At times, Father Sullivan uses intellectualization, a higher-order psychological defense, to incorporate feelings into thoughts, so as to keep unpleasant affects at a distance. While this may be adaptive, it could be problematic at times, as he is prone to misperception; therefore, his use of intellectualization could at times be undermined by difficulty with reality testing.

Father Sullivan indicates a high degree of self-confidence, as he projects a very positive self-image. He believes himself to be clever and persuasive, though others' may see him as somewhat arrogant and intolerant. While he finds himself to be charming and special, he desires for others to see him as considerate and cooperative; therefore, he may attempt to downplay attributes so as not to appear too egocentric. However, he is egocentric, as he focuses more on himself than others, though he seems to have little insight into his own psychology.

Father Sullivan reports a high life satisfaction, and wants to be seen as a controlled person who does not lose his temper. He likely constructs the world in terms of rules and hierarchies, finding comfort in structure. He probably rigidly adheres to the schemas he uses for shaping his life. There is also a part of his personality that is thrill seeking, which is consistent with his report that he loves excitement.

Sullivan, Patrick (Father)
Diocese of Crookston
DOA: 07/05/2009 Client ID: 0061383
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James MacFadyen, M.D.
Sr. Mary Lindsay, Ph.D.

SULLIVAN000260

Father Sullivan is an outgoing man with a strong need to be around others. He is gregarious and enjoys attention; however, due largely to social misperceptions, Father Sullivan does not possess the interpersonal skills to form the relationships he desires. He is concerned with disapproval and rejection, so he avoids criticism through accommodating behavior. As a consequence of his misperceptions in social situations, Father Sullivan is prone to misunderstanding the boundaries of appropriate behavior in interpersonal contexts.

Substance Abuse Assessment

The SASSI is a brief psychological screening measure that helps identify individuals who have a high probability of a substance dependence disorder. Father Sullivan's responses suggest a low probability of alcohol dependence.

DSM-IV TR Five Axis Diagnosis

Axis I	300.4 Dysthymic Disorder
Axis II	Narcissistic and Obsessive-Compulsive Personality Features
Axis III	General Medical Conditions: None
Axis IV	Psychosocial Stressors: <ul style="list-style-type: none"> • Poor social supports • Occupational problems: Not satisfied with assignment
Axis V	Global Assessment of Functioning: 55

Summary and Recommendations:

Father Sullivan is a 57-year-old Roman Catholic Priest from the Diocese of Crookston, Minnesota who was referred for evaluation to assist in diagnostic clarification and treatment planning. Father Sullivan is currently on a brief leave from ministry as he transitions between assignments. He was most recently a pastor in Red Lake, Minnesota for 12 years. During the past few years he has experienced increased stress at this assignment, and he has not felt like himself. He initiated treatment on his own, as he desires to improve his psychological condition prior to beginning his next assignment.

The findings from psychological evaluation reveal variable perceptual abilities for Father Sullivan. In highly structured situations, he is able to acknowledge obvious aspects of reality; however, his reality testing breaks down in unstructured, social situations. This means that he has difficulty understanding the motivations and behaviors of some of the people with whom he interacts, which may undermine his capacity to anticipate the boundaries of appropriate behavior. As expected, Father Sullivan's social skills are impacted by this social-perceptual liability, and he is unable to put himself in a position to make the social connections that he desires. While he presents as self-confident, there are indications that he is susceptible to depressive episodes and periods of dysthymia.

Of concern for Father Sullivan is his self-report that he struggles with understanding the appropriate boundaries of physical touch with children. He reports that he has never been accused of inappropriate behavior. He indicates that his limited contact with teenage females has led to discomfort on his part about how to appropriately interact with this cohort. It would be critical for Father Sullivan to gain a better understanding of boundaries of physical and emotional contact with children, so as to make sure that he does not violate a boundary. This is of particular concern in light of

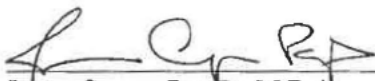
Sullivan, Patrick (Father)
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 DOA: 07/05/2009 Client ID: 0061383
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 James MacFadyen, M.D.
 Sr. Mary Lindsay, Ph.D.

SULLIVAN000261

test findings of poor social perception and susceptibility for misconstruing the limits of appropriate behavior in certain contexts.

In light of the assessment results, the following recommendations are offered:

- Father Sullivan should participate in programming designed to increase his understanding of the boundaries of appropriate behavior. He identifies this as an area of need, which coupled with testing results, strongly indicates boundary education should be addressed immediately. His view on this topic is naïve, as he would face serious consequences were he to touch a child or adult inappropriately. It appears that without boundary education, both Father Sullivan and those with whom he interacts may be at risk.
- Father Sullivan experiences dysthymic disorder, and seems susceptible to depressive episodes. It is imperative that this be monitored from both a psychological and psychiatric perspective.


James Coupe, Psy.D., M.B.A.
PA Licensed Psychologist

Sullivan, Patrick (Father)
Diocese of Crookston
DOA: 07/05/2009 Client ID: 0061383
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SULLIVAN000262

September 15, 2009

Fr. Jerry Rogers talked to me in person at 10:30 AM. He received three phone calls from a 17 year old young man named who identified himself as . The following is my recollection of what Fr. Jerry , who was not reading from notes, indicated to be the content of the comments of

- I have something I want to talk to you about.
- Are you one of those priests who touches people?
- I need you to tell Fr. Pat Sullivan what he did to me.
- He took me into a dark room and told me to take my cloths off. I did not. He touched me. It was the worst day of my life.
- I want to go to confession.

Fr. Jerry Rogers indicated that he is not a priest who touches people. Fr. Jerry invited to come to Mass. agreed to meet Fr. Jerry after Mass on Sunday, September 20.

I informed Bishop Hoepfner of the accusation.

I had Bonnie Sullivan call Dan Rust. I needed to know to what civil jurisdiction we report a claim of sexual abuse by a minor. Charlie Stock informed us that a report should be made to Red Lake Indian Tribal Affairs Commission, 3801 Bemidji Avenue, Suite 5, Bemidji, MN.

September 16, 2009
Preliminary Investigation

I drove to Bemidji to the address for Red lake Indian Tribal Affairs Commission. I found the building at approximately 1:30 in the afternoon. It was clearly identifies as the MN Tribal Affairs Commission. The door was locked. There was no indication of office hours on the building.

I got the number of the MN Tribal Affairs Commission office from the telephone directory. I called 218-755-3825. The message on the answering machine was outdated by a week. It did give an emergency number for "Dianna," 218-760-2309. I called the number and left a message asking her to call me as soon as possible. I called a second time and got no answer.

I discovered on the Tribal Affairs website that Mr. Very LaPlant is designated as the State Department of Human Services' liaison to the Tribal Affairs Commission. I called Mr. LaPlant at 651-431-2910. I left a message on his voice mail to call me regarding a reporting an incident of sexual abuse. He has not returned my phone call as of 6:00 PM. I called a second time and got the same voice mail.

I checked the local phone directory for the names of " " that live in Red Lake. I called the one number listed for Red Lake, one number listed for Redby, and two

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numbers listed for Ponemah. All answered but one number; no one would accept a call for [redacted], "You must have the wrong number" kind of responses.

I called Fr. Pat Sullivan and informed that an unsubstantiated accusation had been made.

- I gave him the name of [redacted], which Fr. Pat did not recognize.
- Fr. Pat suggested that I call the local high school principle to see if he can help me identify [redacted] and assist in any way with an investigation regarding the accusation.
- I called [redacted] on his cel phone [redacted]. We agreed to talk tomorrow morning at 9:00 AM when he is in his office. 218-679-3733.
- I informed Pat that he can retain his present duties and that he is to have no contact with anyone who may have knowledge of any incident of sexual misconduct on his part.

Fr. Pat Sullivan shared with me an experience which he had with a young man – Fr. Pat does not recall his name. Fr. Pat was not specific as to when this incident took place.

- A young man was hanging around outside the church in Red Lake at 6:30 AM on a Sunday morning.
- Fr. Pat stepped outside and called the young man.
- The young man indicated that he had had a fight with his brother.
- The young man indicated that he was feeling suicidal.
- Fr. Pat invited him to stay in the rectory while he attended to Masses at Wilton and Red Lake.
- Fr. Pat showed him an upstairs bedroom and invited him to rest.
- Fr. Pat did not want to leave the young man alone in the rectory as he was suicidal and the rectory property needed to be protected.
- Fr. Pat called the sisters, who sent Renee (?) to stay in the rectory while Fr. Pat was away.
- Fr. Pat also called the local police and reported that the young man was in the rectory, incase someone was looking for him.
- Sometime after Fr. Pat returned from Masses the young man woke up. They visited for a time. Before the young man left Fr. Pat may have given him a skate board.

September 17, 2009

I was in contact with [redacted], He gave me the following information.

- [redacted] is likely [redacted], the son of [redacted]. His birthday is [redacted].
- [redacted] gave me the numbers of the Red Lake child protection worker (218-679-2122) and for the law enforcement center (218-679-3313).

I contacted [redacted] re intake worker for child protection.

- [redacted] seemed to be familiar with [redacted].

- [redacted] took my statement and indicated that she would be in touch with Fr. Jerry Rogers to receive a statement from him.
- [redacted] indicated that she would be in touch with local law enforcement to assist in the investigation.
- I tried to impress upon [redacted] that it is important to keep me in the loop, especially as the investigation comes to an end, as the results of the investigation impact how we respond to the accused. [redacted] indicated that she understood my concern and that I would be contacted, most likely by the local law enforcement. I shared with her my cel phone number.

September 21, 2009

- I talked with [redacted] of Child Protection Services in Red Lake.
- The Red Lake Police Department (Officers Sobbzak and Underhill) investigated the incident.
- During their interview with Mr. [redacted] he denied making a report and believed that someone has made a false accusation in his name.
- The Officers have concluded that this is a false accusation and the case has been closed. If there is need of a copy of the police report, the phone number for Red Lake Police Department is 218-679-3313.

September 21, 2009

Msgr. David Baumgartner, VG
Moderator of the Curia



Diocese of
CROOKSTON

www.crookston.org

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T: (218) 281-4533 | F: (218) 281-3328

FOR IMMEDIATE RELEASE

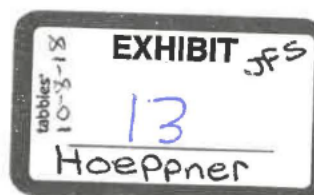
**Statement of the Diocese of Crookston
re: Reinstatement to Priestly Ministry of Fr. Pat Sullivan**

December 23, 2017 -- In April of 2016, Fr. Pat Sullivan was placed on administrative leave from his assignment as Pastor of St. Elizabeth's Parish (Dilworth, Minn.) and St. Andrew's Parish (Hawley, Minn.) as a result of an allegation set forth in a civil Complaint served through the law office of Mr. Jeffrey Anderson. The Plaintiff alleged that, in 2008, while serving as Pastor of St. Mary's Mission Church (Red Lake, Minn.), Fr. Sullivan engaged in "unpermitted sexual conduct" with the Plaintiff when he was 15 years old. Local and federal authorities investigated the matter and no criminal charges were filed. Fr. Sullivan has consistently denied the allegation. No other allegations have been made against him.

The Plaintiff was deposed by diocesan attorneys. The Diocese of Crookston Board of Review for the Protection of Children and Young People (Board) reviewed the deposition of the Plaintiff and deemed the allegation not credible. The Board is comprised of two social workers, a county sheriff, a police detective, an attorney and a diocesan priest. Following the policy and recommendation of the Board, and adhering to Canon Law, Bishop Hoepfner has reinstated Fr. Sullivan for public ministry.

The Diocese of Crookston takes any and all accusations of sexual misconduct by clergy very seriously. If you or someone you know has been the victim of sexual misconduct on the part of a priest, deacon, or individual representing the Diocese of Crookston, its parishes, or its schools, please contact Cindy Hulst, LSW, the diocesan Victim's Assistance Coordinator at 218-281-7895.

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Hoepfner



PSYCHIATRIC DISCHARGE SUMMARY

NAME: Father Patrick Sullivan
CASE NO.:
SOCIAL SECURITY NO.:
DATE OF BIRTH:
AGE: 57
CONTACT: Father David Baumgartner
CONTACT TELEPHONE NO.: (218) 281-4533
DATE OF ADMISSION: 07/05/2009
DATE OF DISCHARGE: 08/07/2009

CONFIDENTIAL

CHIEF COMPLAINT:

Tiredness.

SOURCES OF INFORMATION:

Diocesan referral materials and patient report.

HISTORY OF PRESENT ILLNESS:

Father Patrick Sullivan is a 57 year old priest of the Diocese of Crookstown, Minnesota. He was referred by his diocese for evaluation after he requested time to rest between assignments:

Father just ended a 12 year assignment as the priest on the Red Lake Indian reservation in northern Minnesota. He felt tired and depleted after that experience and requested time to rest and get spiritual and psychological renewal prior to assuming his next pastorate. The diocese expressed some concerns about his disorganization, procrastination, and problems in directing employees.

Father Sullivan reported that in the last two to three years he has felt more tired, disorganized, and defeated in his ministry at Red Lake. He felt that he had been sucked

into the dysfunctional aspects of the reservation and had started to adapt himself to it. Simultaneously, he was feeling depleted and defeated because he felt he had not made any progress or true changes there where so many social problems overwhelmed the people and his ministry. He reported that he had been sleeping more, had less energy and less appetite, was waking up early, and was ignoring most of the other aspects of his life except for the ministry. Although he had been taking Zoloft for approximately 15 years, he had stopped taking it six weeks prior to admission because the generic brand of the medication had precipitated a skin rash. He indicated that he had taken the medication episodically over the years and had misgivings about using an antidepressant. He preferred to think of himself as someone who a seasonal affective disorder as he noted that he felt better in the summer and needed little or no medication at that time. He started the medication at a time when he felt the symptoms of a major depression around age 39 or 40. He did not identify any particular triggers for that depression. In retrospect, he felt that he had suffered from low grade depression before and after that major depression; however, he diminished the significance of the dysthymia.

He reports that he had had problems with administration responsibilities, particularly concerning the parish school. He had had conflicts with the principle of the school and the director of education and at one point had been party to a lawsuit brought by school employees. He gave an incomplete history of those problems which appeared to be affected by his uneasiness about that area of lack of success. He had been told by the diocese to stay out of school affairs and had been stripped of any administrative responsibilities there.

Father stated that he thought that some of his recent problems were also due to his father's death in 2005. Less than a month after his father died, the school shootings at Red Lake occurred. Ten people died in those shootings, and six, including the gunman had been his parishioners. He had been swept up in those events and funerals and had never had an opportunity to adequately mourn his father's death. Not long after, his mother received a diagnosis of cancer and has had gradually deteriorating health since then which has been a worry to him.

Two years ago, the diocese had recommended to father that he leave the assignment. He took that as an insult, fought the recommendation, and eventually prevailed. He later learned that his priest support groups also thought that he should have left the assignment because they thought it was having a deleterious effect on him. In retrospect, he agrees.

He believes he has the potential for addictions so he carefully monitors his behavior. He drinks no more than one drink daily and very rarely has two. He enjoys gambling, but feels that he is "too cheap" to really get into a problem. At one point, he lost 200 dollars in one day which he found to be extraordinary. Some years ago, he was involved in stock day trading. After the fact, he realized in discussion with his financial consultant that he had lost 10,000 dollars over the course of two years with this activity which he then ended.

Sullivan, Patrick (Father)
Diocese of Crookston
NOV 07/05/2009

James MacFadyen, M.D.
Sr. Mary Lindsay, Ph.D.

Father reported misgivings about being at St. John Vianney Center because it was a hospital. He was expecting a retreat atmosphere with mental health consultations available. However, he decided that he would spend several days at the facility to evaluate the atmosphere and how the program unfolded. He was concerned about being recommended for a treatment program, stating that he was expected to be at his pastorate in six weeks.

PAST PSYCHIATRIC HISTORY:

Current Clinician: None.

History of Depression: Reported major depression approximately 15 years ago; Dysthymia symptoms. Treated with Zoloft prescribed by primary care physician.

History of Significant Suicidal Ideation: None.

History of Family Suicide: None.

History of Significant Violent Ideation: None.

History of Mania: None.

History of Anxiety Disorder: None reported.

History of Psychosis: None.

Sleep: Recent early morning awakening and less restful sleep.

Appetite: Recent mild decline.

Personality Traits: Dutiful, eager to please, episodes of impulsivity.

Other Psychiatric Disorders/History of Psychiatric Hospitalizations: None reported.

MEDICAL HISTORY:

Family MD/Last Exam: Howard Hood, M.D. Last examination was June 15, 2009.

Past/Current Medical Conditions: Left ulner neuropathy, left varicocele, seborrheic dermatitis.

Medical/Surgical Hospitalizations: None reported.

Current Medical Review of Systems: No complaints.

Current Psychiatric and Non-Psychiatric Medications: Zoloft 100mg daily (patient has not taken this medication for four weeks).

Over the Counter Medications: Aspirin 325mg daily

Current Side Effects/History of Side Effects/TD: None reported.

Allergies and Specific Reaction: No known drug allergies.

FAMILY HISTORY:

Psychiatric Disorders: Father Sullivan's father was treated for depression.

Alcohol/Substance Abuse: None reported.

Parents/Siblings/How relates: Father Sullivan is one of two brothers. He is not close to his brother. He got close to his father by way of sports particularly when his father served as his coach. He believes that he has not adequately grieved his father's death in 2005. His mother is ill and he is concerned about her deteriorating health.

Sullivan, Patrick (Father)
Diocese of Crookston
DOA: 07/05/2009 (

James MacFadyen, M.D.
Sr. Mary Lindsay, Ph.D.

HISTORY OF ABUSE:

None reported.

SOCIAL HISTORY:

Relationship History: Father Sullivan stated that he greatly values the connection he has with the priest support group. However, in the last two years he has been too busy and over involved in his ministry to connect with them consistently. Overall, he considers himself someone who is able to make connections fairly easily and who values them. As a youth, he related with peers predominantly through ice hockey. He had girlfriends in high school and college but no particularly serious relationships.

Sexual Relationships: His first sexual experience with women was in high school. As a seminarian, he had some homosexual experiences of mutual masturbation. He has not been sexually active since ordination. He now thinks of himself as bisexual but predominantly attracted to women.

Vocational History: Following ordination, Father was involved in parish ministries. 12 years ago, he moved to the parish at Red Lake Indian reservation where he had been serving until June 2009.

Reason for Religious Life: He had returned to attending church, and was looking for some meaning in his life, and he began to think that priesthood might be his calling rather than hockey coaching.

Education level achieved: Bachelor's degree.

Legal History: None.

ALCOHOL, DRUG AND ADDICTIVE HISTORY:

Cigarettes: None.

Caffeine: Morning coffee.

Alcohol: One drink a day most days.

Drugs: Use of marijuana in college. No current drug use.

Other Addictive Disorders: Father Sullivan considers himself to have an addictive personality; consequently, he closely monitors his gambling, watching television, and eating.

MENTAL STATUS EXAMINATION:

Appearance: Casually dressed, neatly groomed, thin man in no acute distress.

Manner: Polite and generally cooperative with the interview. Father appeared distracted which he explained as a result of his being tired.

Speech: Spontaneous, generally goal directed with a few episodes of tangential speech. Normal rate and rhythm.

Movement Disorder: None noted.

Mood: Underlying sense of exhaustion, sadness, and disappointment.

Affect: Appropriate to content and speech.

Thought Content:

Hallucinations: None.

Sullivan, Patrick (Father)
Diocese of Crookston

James MacFadyen, M.D.
Sr. Mary Lindsay, Ph.D.

Current Suicidal Status: None reported.

Current Violent Status: None reported.

General: No delusions, paranoia, or grandiosity. Father spoke predominately about his experiences at Red Lake, his need for recuperation, and his questions about whether St. John Vianney Center was the appropriate placement for him.

Thought Processes: Some episodes of tangential thinking, otherwise within normal limits.

Sensorium: Alert and oriented.

Immediate Memory: 3/3 objects remembered.

Short Term Memory: 2/3 objects remembered.

"WORLD" Backward: "dlrow"

Presidents: Knows last three presidents.

Apple/Orange: Fruit.

Glass House: "Don't criticize others: keep your own house in order.

Insight/Judgment: Reduced.

Fund of Knowledge: Average.

Intellectual Functioning: Average.

DIAGNOSTIC IMPRESSION:

Axis I:	Dysthymia (300.4)
Axis II:	Deferred (799.9)
Axis III:	No diagnosis
Axis IV:	Occupational, lack of appropriate support system
Axis V:	55/55

TREATMENT COURSE:

As a part of the residential assessment, Father Patrick received a variety of clinical assessments and ongoing counseling sessions and he received a full psychological evaluation. Problems areas were identified as depression and interpersonal relationship difficulties. During the assessment, Father participated in some of the elements of the residential treatment program. In addition to individual sessions with his psychiatrist, psychologist, pastoral counselor, and social worker, he participated in daily milieu group therapy and in focus groups addressing areas such as professional boundaries, family dynamics, human development, psychospirituality, and therapeutic process.

The psychological evaluation indicated that Father had both depressive and compulsive traits in his personality. He presented to other people as confident and possessing a positive self image. While he was willing to get involved in emotional situations, he tested as someone who preferred a more formal and restrained way of expressing emotion and as someone with social skills that were not sufficiently developed to help him make the kinds of relationships that he desired with others. Generally, he was more egocentric in that he remained emotionally focused on his own needs in relationships. Furthermore, testing revealed that Father had variable perceptual ability. In more structured situations, he was able to determine obvious aspects of reality, but in

Sullivan, Patrick (Father)
Diocese of Crookston

James MacFadyen, M.D.
Sr. Mary Lindsay, Ph.D.

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more unstructured situations his reality testing could break down. Consequently, in those situations he could have difficulty in understanding the motivations and behaviors of people with whom he was interacting. This could be a contributory factor in difficulties in anticipating consequences or inability to maintain appropriate boundaries.

In his assessment sessions and in his behavior in the milieu, Father quickly demonstrated his difficulty with boundaries. He touched staff and residents repeatedly without asking, even beginning to give residents shoulder and back massages without apparent appreciation of what this might mean to them. He hung laundry in public places and moved around the unit and the building without shoes until instructed otherwise. He described a long history of dysthymic symptoms for which he had been prescribed medication in the past. He complained of difficulty with attention, concentration, organization, and procrastination which was also evident in some of the ways that he managed his affairs in the center. He acknowledged past difficulties in working with authorities and also at times in exercising authority in an effective manner. He described how, on occasion, he would quickly and reflexively disagree with authority. In his interactions with peers, he had a marked difficulty in being aware of, naming, and expressing emotion, and an impairment in his social skills based on his lack of empathy with how others might be thinking or feeling.

When difficulties were pointed out to him, he was frequently defensive, and he consistently tended to minimize problems. For example, while he had clearly been dysthymic for years and perhaps had some episodes of major depression, he preferred to think of himself as someone who had a seasonal affective disorder. He characterized his coming to St. John Vianney Center as a time for rest and refreshment of his spirit rather than as a result of some interpersonal problems he may have had. He minimized boundary problems as simply his way of relating with others. He described strong attention and concentration problems, but determined that needed no medication. He also declined medication for depressive symptoms.

At the conclusion of his assessments, Father Sullivan, his treatment team, and his diocesan contact person had a conference to discuss the findings. Because of his problems with emotional awareness, professional and personal boundaries, depression and isolation, and impulsivity, his treatment team recommended a period of residential treatment as the first phase of treatment. His diocesan contact person supported this recommendation. Father Sullivan listened, pointed out areas of disagreement, minimized the findings, and maintained that he had always intended that he would be at St. John Vianney Center for one month and intended to leave at the end of the month. He wanted to follow a plan of outpatient therapy and ongoing assessment and return to his previously assigned new pastorate. Follow up sessions with his team members and empathic confrontation by peers were of no avail. Consequently, pursuant to his requests, he was discharged from residential assessment to a program of outpatient treatment that included recommendations for psychotherapy, psychiatric consultations as indicated for dysthymia and attention concentration problems, spiritual direction, use of support persons, and ministry as assigned by his Bishop.

Sullivan, Patrick (Father)
Diocese of Crookston

James MacFadyen, M.D.
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LABORATORY DATA AND OTHER CONSULTATIONS:

Father's admission physical examination was unremarkable. His electrocardiogram upon admission was within normal limits. He had recently had laboratory studies at his primary care physician which included comprehensive metabolic panel, CBC and differential, and PSA. These studies were reported as within normal limits.

FINAL MENTAL STATUS EXAMINATION:

Appearance: Neatly groomed, casually dressed man in no acute distress.

Manner: Friendly, cooperative.

Speech: Clear, goal directed, normal rate and rhythm.

Movement Disorder: None noted.

Mood: Euthymic.

Affect: Appropriate.

Thought Content: Thought content pertains to his return to ministry, visiting family and friends, and arranging follow up care. No delusions, paranoia, or grandiosity noted.

Thought Processes: Unremarkable.

Sensorium: Alert and oriented.

Immediate and Short-Term Memory: Intact.

Attention and Concentration: Intact

Fund of Knowledge: Average.

Intellectual Functioning: Average.

DISCHARGE DIAGNOSTIC IMPRESSION:

Axis I: Dysthymia 300.4; ADD w/o hyperactivity 314.00

Axis II: Obsessive and Narcissistic traits

Axis III: N/A

Axis IV: Occupational

Axis V: 55

DISCHARGE MEDICATIONS:

Medication	Information on Medication	Number Provided on Discharge	Prescription	
			Number Prescribed	Refill
Aspirin EC 81mg.	1 tab in am	0	0	0

ALLERGIES: No Known Allergies

Sullivan, Patrick (Father)
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CLINICAL SUMMARY:

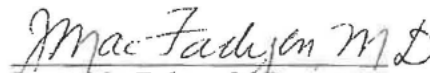
Father was referred to SJVC when he requested time to refresh himself physically, emotionally, and spiritually after his last assignment. He received a full evaluation of clinical assessments and psychological testing. Father and his team identified several areas of difficulty that warranted therapeutic attention. They included low grade depression, attention/ concentration deficits, personal and professional boundary deficiencies, impaired emotional awareness, and tendencies to dismiss feedback. A course of residential treatment was recommended and was endorsed by Father's diocese. Father decided to decline that recommendation and to pursue outpatient treatment.

SIGNS OF REGRESSION/RISK FACTORS:

Signs of regression include lack of participation in aftercare planning, failure to make use of support persons, return of dysthymic symptoms, increased difficulties with attention, procrastination, and organization, increased problems with and complaints about poor professional boundaries.

RECOMMENDATIONS AND AFTERCARE PLAN:

1. Psychotherapy: Father will arrange psychotherapy after arriving at new assignment.
2. Psychiatric: Recommended to evaluate medication as appropriate for dysthymia symptoms and ADD. Can be arranged in consultation with therapist.
3. Medical: Regular follow-up with Howard Hoody, M.D.
4. Special Instructions: Ministry assignment as determined by Bishop; spiritual direction monthly; identify and meet with support persons; follow practices to support physical, spiritual, emotional, social, and intellectual wellbeing.
5. Re-entry Date: None scheduled.


James MacFadyen, M.D.

DT: 09/2/2009
DR: 09/2/2009

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